LAID ON THE TABLE FEBRUARY 5, 2008

LADS REPORT PREPARED BY:
Michele Gerardi and Caroline Sandvik

1037. Authorizing planning steps for acquisition under the Suffolk County Multifaceted Land Preservation Program (Coffey property) Town of Smithtown (SCTM No. 0800-164.00-04.00-002.000). (Kennedy) ENVIRONMENT, PLANNING & AGRICULTURE

1038. Adopting Local Law No. -2008, A Local Law to prohibit the sale of Salvia Divinorum. (Nowick) PUBLIC SAFETY

1039. Amending the 2008 Capital Budget and Program and appropriating funds in connection with a Tick Eradication Study (CP 4085). (Romaine) ENVIRONMENT, PLANNING & AGRICULTURE

1040. Authorizing certain technical correction to Adopted Resolution No. 1148-2007. (Co. Exec.) WAYS & MEANS

1041. Authorizing certain technical correction to Adopted Resolution No. 1232-2007. (Co. Exec.) WAYS & MEANS

1042. Authorizing certain technical correction to Adopted Resolution No. 1414-2007. (Co. Exec.) WAYS & MEANS

1043. Appointing member to the Suffolk County Water Authority (James T. B. Tripp). (Romaine) ENVIRONMENT, PLANNING & AGRICULTURE

1044. Adopting Local Law No. -2008, A Local Law to require Legislative meetings at the County seat, Riverhead. (Romaine) WAYS & MEANS

1045. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (RND LLC property – Town of Islip) (SCTM Nos. 0500-089.00-04.00-001.000 and 002.000). (Lindsay) ENVIRONMENT, PLANNING & AGRICULTURE

1046. Adopting Local Law No. -2008, A Local Law to prohibit text messaging while driving. (Schneiderman) PUBLIC SAFETY

1047. Adopting Local Law No. -2008, A Local Law prohibiting sex offenders from residing in close proximity to senior housing. (Schneiderman) PUBLIC SAFETY

1048. Adopting Local Law No. -2008, A Local Law to establish the Gabreski Airport Conservation and Assessment Committee. (Schneiderman) ECONOMIC DEVELOPMENT, HIGHER EDUCATION, & ENERGY

1049. Adopting Local Law No. -2008, A Charter Law to strengthen the Water Quality Protection and Restoration Program. (Schneiderman) ENVIRONMENT, PLANNING & AGRICULTURE

1050. Authorizing use of Smith Point County Park property in 2008 by the Mastics-Moriches-Shirley Community Library's Family Literacy Project. (Browning) PARKS & RECREATION

1051. Authorizing a second public hearing by the Office of the Aging. (Romaine) VETERANS & SENIORS

1052. Authorizing the reconveyance of County-owned real estate pursuant to Section 215, New York State County Law to Christine M. Ryan, Karen Crandall Sanford and Brian K. Smith (SCTM No. 0206-018.00-04.00-069.000) (Viloria-Fisher) WAYS & MEANS

1053. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act 20 Eastport Manor Road Corp. (SCTM No. 0200-686.00-01.00-021.000). (Co. Exec.) WAYS & MEANS

1054. Adopting Local Law No. -2008, A Local Law to strengthen competitive procurement procedures and maximize savings for taxpayers. (Eddington) WAYS & MEANS

1055. Adopting Local Law No. -2008, A Local Law to require notice to tenants of foreclosure proceedings. (Eddington) WAYS & MEANS

1056. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Edward Bennett (SCTM No. 0100-170.00-02.00-028.002 f/k/a P/O 028.001). (Co. Exec.) WAYS & MEANS

1057. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature #288. (Co. Exec.) BUDGET & FINANCE

1058. Accepting and appropriating 100% Federal funds awarded by the U.S. Marshals Service to the Suffolk County District Attorney and authorizing the Suffolk County Executive to execute related agreements. (Co. Exec.) PUBLIC SAFETY

1059. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature #289. (Co. Exec.) BUDGET & FINANCE

1060. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature #290. (Co. Exec.) BUDGET & FINANCE

1061. Designating the month of April as "Child Abuse/Shaken Baby Syndrome Month" in Suffolk County. (Browning) HEALTH & HUMAN SERVICES

1062. Amending Resolution No. 728-2007, authorizing the sale of Brownfield property tax liens at public auction. (Horsley) WAYS & MEANS

1063. Authorizing the County Treasurer to borrow cash funds from other County funds for 2008. (Pres. Off.) BUDGET & FINANCE

1064. Adopting Local Law No. -2008, A Charter Law to clarify the budget process and restore flexibility in the allocation of sales tax revenue. (Lindsay) BUDGET & FINANCE

1065. Authorizing transfer of one (1) surplus County Kodak Imagelink 70 to the Brentwood Public Library. (Montano) PUBLIC WORKS & TRANSPORTATION

1066. Authorizing transfer of one (1) surplus County Kodak Imagelink 70 to the Central Islip Public Library. (Montano) PUBLIC WORKS & TRANSPORTATION

1067. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Thomas J. Walsh a/k/a Thomas Walsh and Cheryl L. Walsh a/k/a Cheryl Walsh, his wife (SCTM No. 0200-403.00-05.00-043.000). (Co. Exec.) WAYS & MEANS

1068. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Elizabeth Gregory and David Gregory, as joint tenants with the right of survivorship (SCTM No. 0103-020.00-03.00-014.000). (Co. Exec.) WAYS & MEANS

1069. Accepting and appropriating one hundred percent Federal pass-through grant funds from the National Association of County and City Health Officials for the Suffolk County Medical Reserve Corps. (Co. Exec.) PUBLIC SAFETY

1070. Accepting and appropriating 84% grant funds received from the New York State Division of Criminal Justice Services for Services provided by the Suffolk County Probation Department in Operation Rolling Thunder. (Co. Exec.) PUBLIC SAFETY

1071. Accepting and appropriating 100% grant funding from the New York State Office of Temporary and Disability Assistance to the Suffolk County Department of Social Services for the Safety Net Assistance Project (SNAP) and authorize the County Executive and the Commissioner of Social Services to execute a contract. (Co. Exec.) HEALTH & HUMAN SERVICES

1072. Authorizing the Suffolk County Department of Health Services to apply for a subscription to Thomson Micromedex for access to the Identidex System. (Co. Exec.) HEALTH & HUMAN SERVICES

1073. Requesting legislative approval of a contract award for oral surgery services for the Department of Health Services, John J. Foley Skilled Nursing Facility. (Co. Exec.) HEALTH & HUMAN SERVICES

1074. Accepting and appropriating 100% State grant funds from the New York State Division of Criminal Justice Services to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the Toxicology Lab – Aid to Crime Labs. (Co. Exec.) HEALTH & HUMAN SERVICES

1075. Accepting and appropriating 100% Federal grant funds passed through the New York State Division of Criminal Justice Services to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the Paul Coverdell National Forensic Sciences Improvement Act, FY07. (Co. Exec.) HEALTH & HUMAN SERVICES

1076. Accepting and appropriating a grant in the amount of $16,648.00 in pass-through funds from the New York State Division of Criminal Justice Services for the renovation and upgrading of the Suffolk County Police Department's Video Interview Room with 90% support. (Co. Exec.) PUBLIC SAFETY

1077. Accepting and appropriating a grant in the amount of $88,325.00 from the State of New York Governor's Traffic Safety Committee, to target speeding, aggressive driving, and motorcycle safety with 85% support. (Co. Exec.) PUBLIC SAFETY

1078. Amending the 2008 Adopted Operating Budget to accept and appropriate 100% additional State Aid from the New York State Office of Mental Health to various mental health agencies and to transfer existing funds. (Co. Exec.) HEALTH & HUMAN SERVICES

1079. Amending the 2008 Operating Budget and transferring funds for Sachem Community Youth Services in the Youth Bureau. (Beedenbender) BUDGET & FINANCE

1080. Amending the 2008 Operating Budget and transferring funds for Veterans of Foreign Wars Suffolk County Council in Veterans Services. (Beedenbender) BUDGET & FINANCE

1081. Authorizing conveyance of parcel within the Mastic Road Business District, Town of Brookhaven (Section 72-h, General Municipal Law). (Browning) WAYS & MEANS

1082. Authorizing use of Makamah Preserve in Northport by Northport Road Runners Club. (Cooper) PARKS & RECREATION

1083. Amending the 2008 Operating Budget and transferring funds for the Town of Brookhaven for Medford Memorial Park and street lighting. (Eddington) BUDGET & FINANCE

1084. Authorizing certain technical correction to Adopted Resolution No. 1431-2007. (Co. Exec.) WAYS & MEANS

1085. Authorizing certain technical correction to Adopted Resolution No. 1232-2007. (Co. Exec.) WAYS & MEANS

1086. Authorizing certain technical correction to Adopted Resolution No. 671-2007. (Co. Exec.) WAYS & MEANS

1087. Accepting and appropriating 100% Federal pass-through grant funds from the NYS Office of Homeland Security in the amount of $827,000 for the "State Homeland Security Program (SHSP) FY2007" administered by the Suffolk County Department of Fire, Rescue, and Emergency Services and to execute grant related agreements. (Co. Exec.) PUBLIC SAFETY

1088. Amending the 2008 Operating Budget for Suffolk County Sewer District No. 2 – Tallmadge Woods, appropriating funds for operation and maintenance, authorizing the creation and release of positions and approving the user charge. (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1089. Accepting and appropriating 100% Federal pass-through grant funds from the NYS Office of Homeland Security in the amount of $2,000,000 for the "Urban Area Security Initiative Program (UASI) FY2007" administered by the Suffolk County Department of Fire, Rescue, and Emergency Services and to execute grant related agreements. (Co. Exec.) PUBLIC SAFETY

1090. Approving a voluntary land exchange between the County of Suffolk and Brian V. Klug and Monica Klug, his wife. (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1091. Accepting and appropriating a grant in the amount of $8,640 from the New York State Governor's Traffic Safety Committee grant (GTSC FFY2008) Buckle-Up NY Program with 100% support for Sheriff's Traffic Safety Initiative. (Co. Exec.) PUBLIC SAFETY

1092. Accepting and appropriating a grant in the amount of $8,500 from the New York State Governor's Traffic Safety Committee (GTSC FFY2008) Child Passenger Safety Program to support a Sheriff's Traffic Safety Initiative. (Co. Exec.) PUBLIC SAFETY

1093. Accepting and appropriating a grant in the amount of $154,000.00 from the New York State Division of Criminal Justice Services for the Suffolk County Police Department's Operation Hot Wheels IV Program with 100% support. (Co. Exec.) PUBLIC SAFETY

1094. Adopting Local Law No. -2008, A Local Law amending the Suffolk County Empire Zone Boundaries to include Bactolac Pharmaceutical, Inc., (SCTM Nos. 0800-185.00-01.00-029.000; 032.000; and 050.003). (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION, & ENERGY

1095. Repealing Suffolk County Prescription Drug Cost Comparison Program. (Pres. Off.) HEALTH & HUMAN SERVICES

1096. Designating the first week of May as "Amyotrophic Lateral Sclerosis Week" in Suffolk County. (Cooper) HEALTH & HUMAN SERVICES

1097. Declaring May 18 through May 24, 2008 as "Alpha-1 Antitrypsin Deficiency Awareness Week" in Suffolk County. (Beedenbender) HEALTH & HUMAN SERVICES

1098. Directing the development of best management practices for the maintenance of grease traps at food service establishments. (Horsley) HEALTH & HUMAN SERVICES

1099. Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (PB Developers, Inc., property) Town of Brookhaven. (Schneiderman) ENVIRONMENT, PLANNING & AGRICULTURE

1100. Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Flanders property) Town of Southampton. (Schneiderman) ENVIRONMENT, PLANNING & AGRICULTURE

1101. Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Curtis property) Town of Brookhaven. (Schneiderman) ENVIRONMENT, PLANNING & AGRICULTURE

1102. Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Levine property) Town of Brookhaven. (Schneiderman) ENVIRONMENT, PLANNING & AGRICULTURE

1103. Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Widenor property) Town of Brookhaven. (Schneiderman) ENVIRONMENT, PLANNING & AGRICULTURE

1104. Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Carbon Beach property) Town of Southampton. (Schneiderman) ENVIRONMENT, PLANNING & AGRICULTURE

1105. Adopting Local Law No. -2008, A Local Law to promote fair business practices by strengthening requirements for occupational licenses. (Beedenbender) CONSUMER PROTECTION

1106. Authorizing planning steps for acquisition under the Suffolk County Multifaceted Land Preservation Program (Hedges Creek County Wetlands addition) Town of Brookhaven. (Eddington) ENVIRONMENT, PLANNING & AGRICULTURE

1107. Authorizing an intermunicipal agreement with the Village of Lindenhurst for the improvement of CR 3, Wellwood Avenue, Town of Babylon. (Horsley) WAYS & MEANS

1108. Donation and dedication of certain land now owned by Riverhead Estates, Inc., to the County of Suffolk (SCTM No. 0900-135.00-01.00-059.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1109. Authorizing acquisition of land under the Suffolk County Open Space Preservation Program – for the Bayne Estate property – Miller Place/Yaphank Road NP addition Town of Brookhaven – (SCTM No. 0200-188.00-04.00-016.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1110. Authorizing acquisition of land under the Suffolk County Open Space Preservation Program – for the McLaughlin property – Miller Place/Yaphank Road NP addition Town of Brookhaven – (SCTM No. 0200-213.00-01.00-007.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1111. Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(a)] – the Holder property – Carlls River watershed addition - Town of Babylon – (SCTM No. 0100-041.00-03.00-021.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1112. Authorizing acquisition of land under the Suffolk County Multifaceted Land Preservation Program – Open Space Preservation Program – for the Crystal Bay Construction, Inc. property - Town of Riverhead – (SCTM Nos. 0600-127.00-07.00-012.000 and 0600-129.00-06.00-017.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1113. Adopting Local Law No. -2008, A Local Law refining Veterans property tax exemption afforded to Cold War Veterans. (Co. Exec.) BUDGET & FINANCE

1114. Authorizing the transfer of certain properties to Suffolk County Department of Parks, Recreation and Conservation. (Co. Exec.) WAYS & MEANS

1115. Accepting and appropriating an amendment to the College Budget for a grant award from the State University of New York for strengthened Campus-Based Assessment 100% reimbursed by State funds at Suffolk County Community College. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION, & ENERGY

1116. Appropriating funds in connection with the purchase of sewage pump-out vessels (CP 8229). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1117. Appropriating funds in connection with the reconstruction of CR 97, Nicolls Road, Town of Brookhaven (CP 5512). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1118. Appropriating funds in connection with strengthening and improving County roads (CP 5014). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1119. Appropriating funds in connection with the reconstruction of drainage systems on various County roads (CP 5024). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1120. Appropriating furniture and equipment funds for the expansion of Sheriff's Enforcement Division at Criminal Court Building (CP 3013). (Co. Exec.) PUBLIC SAFETY

1121. Amending the 2008 Capital Budget and Program and appropriating funds in connection with the construction of sidewalks on various County roads (CP 5497). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1122. Appropriating funds in connection with the reconstruction of CR 4, Commack Road, from the vicinity of Nicolls Road to Julia Circle, Towns of Babylon and Huntington (CP 5560). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1123. Authorizing license agreement with Montauk Fire District for use of GATR site in Theodore Roosevelt County Park, Montauk, NY. (Co. Exec.) PARKS & RECREATION

1124. Amending the 2008 Adopted Operating Budget and appropriating funds from the Water Protection Fund (Fund 477) Fund Balance to cover the cost of an Environmental Planner position in the Planning Department. (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1125. Amending Resolution No. 1292-2005, to authorize the acquisition of land in connection with the New Suffolk County Drinking Water Protection Program – Open Space Component – for the Wetzel property – Mastic/Shirley Conservation area – Town of Brookhaven – (SCTM No. 0200-982.10-06.00-005.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1126. Appropriating funds in connection with improvements to the County Correctional Facility C – 141, Riverhead (CP 3014). (Co. Exec.) PUBLIC SAFETY

1127. Amending the 2008 Operating Budget and transferring funds for the League of Women Voters in the Youth Bureau. (Schneiderman) BUDGET & FINANCE

1128. Authorizing use of Southaven County Park property in 2008 for a 5K Race. (Browning) PARKS & RECREATION

PROCEDURAL MOTIONS

PM.01 Procedural resolution changing location of legislature meetings. (Pres. Off.) WAYS & MEANS

PM.02 Designating Veterans Organizations to receive funding for Memorial Day Observances for 2008. (Stern) VETERANS & SENIORS

HOME RULE MESSAGES

HR.01 Home Rule Message requesting New York State Legislature to extend time and benefits to County Employee Leonard Wayne Bourne. (Pres. Off.) LABOR, WORKFORCE, & AFFORDABLE HOUSING

HR.02 Home Rule Message requesting State of New York to establish the Peconic Bay Regional Transportation Council. (Pres. Off.) PUBLIC WORKS & TRANSPORTATION

HR.03 Home Rule Message requesting the New York State Legislature to amend the Tax Law, in relation to authorizing the County of Suffolk to elect to be exempt from certain taxes related to any hybrid fuel efficient, alternative fuel, "Clean Fuel", or electric motor vehicle (Assembly Bill A.1513). (Pres. Off.) BUDGET & FINANCE

HR.04 Home Rule Message requesting New York State Legislature to amend the Tax Law, in relation to authorizing the County of Suffolk to elect to be exempt from certain taxes related to any energy saving, fluorescent light bulb (Assembly Bill A.8875). (Pres. Off.) BUDGET & FINANCE

HR.05 Home Rule Message requesting New York State Legislature to amend the Vehicle and Traffic Law and the Public Officers Law, in relation to adjudications and owner liability for a violation of traffic-control signal indications and providing for the repeal of such provisions upon expiration thereof (Assembly Bill A.1231). (Pres. Off.) PUBLIC SAFETY

HR.06 Home Rule Message requesting New York State Legislature to amend the Vehicle and Traffic Law, in relation to establishing a Demonstration Program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic control indications in Suffolk County (Assembly Bill A.1314). (Pres. Off.) PUBLIC SAFETY

HR.07 Home Rule Message requesting New York State Legislature to amend the General Municipal Law, in relation to the regulation of taxicabs and limousines (Assembly Bill A.8873). (Romaine) CONSUMER PROTECTION

HR.08 Home Rule Message requesting New York State Legislature to amend the General Municipal Law, the Vehicle and Traffic Law and the Criminal Procedure Law, in relation to establishing a Traffic and Parking Violations Agency in the County of Suffolk (Assembly Bill A.9593) and Senate Bill S.4174). (Pres. Off.) PUBLIC SAFETY

1037

Intro. Res. No. -2008

Introduced by Legislator Kennedy

Laid on Table 2/5/08

RESOLUTION NO. -2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (COFFEY PROPERTY) TOWN OF SMITHTOWN

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 development rights 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;

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0800	±10	Camille Young
	Section	164.00		c/o Sergia Coffey
	Block	04.00		10 Kaatskill Way
	Lot	002.000		Ballston Spa, NY 12020

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\r-coffey-multifaceted-plan-steps

1038

Intro. Res. No. -2008 Laid on Table 2/5/08

Introduced by Legislator Nowick

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO PROHIBIT THE SALE OF SALVIA DIVINORUM

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 PROHIBIT THE SALE OF SALVIA DIVINORUM**" 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 PROHIBIT THE SALE OF SALVIA DIVINORUM

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 *Salvia divinorum*, also known as "Diviner's Sage" or "Maria Pastora," is a powerful psychoactive herb which can be smoked or chewed to produce hallucinogenic effects or visionary states.

This Legislature also finds and determines that *Salvia divinorum* is native to the area of southern Mexico, and has historically been utilized for its medicinal properties. In recent years, with the help of the Internet, the leaves of *Salvia divinorum*, or the entire plant, have become available almost anywhere in the United States.

This Legislature further finds and determines that recent media reports have uncovered that *Salvia divinorum* is being abused by individuals, especially teenage children, in order to "self medicate" for depression.

This Legislature finds that the parents of a Delaware student are currently suing a distributor of *Salvia divinorum*, claiming that their son's use of *Salvia divinorum* was the cause of his depression which eventually resulted in his death by suicide.

This Legislature determines that the long term effects of *Salvia divinorum* are unknown, but it has been shown to cause dysphoria in humans, which in the context of an underlying mood disorder, indicates a heightened risk of suicide.

This Legislature also finds that several states, and many countries are taking, action to try to curb the abuse of *Salvia divinorum*, especially by younger children, in order to prevent any harm as a result of its use.

Therefore, the purpose of this law is to prohibit the purchase or sale of *Salvia divinorum* in Suffolk County.

Section 2. Definitions.

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

SALVIA DIVINORUM—the herb commonly known as "Diviner's Sage," Maria Pastora," "Sage of the Seers" or "The Key," whether sold as a whole plant, loose leaves, or as a concentrated extract of the chemical *salvinorin A*.

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. Prohibitions.

Pursuant to Article 9, § 2(C) 10, of the New York State Constitution, governing protection, health, safety, and well-being of persons, no person shall purchase, sell or offer for sale Salvia divinorum within the County of Suffolk.

Section 4. Exceptions.

The provisions of this law shall not apply to non prescription over-the-counter drugs approved or regulated by the Federal Food and Drug Administration.

Section 5. Penalties.

Any person who knowingly violates the provisions of this law shall be guilty of an unclassified misdemeanor punishable by a fine of up to $1,000 and/or up to one year's imprisonment.

Section 6. Applicability.

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

Section 7. Reverse Preemption.

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

Section 8. 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 9. 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 10. 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:

s:\laws\l-salvia

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1038

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

DATE: January 31, 2008

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 PROHIBIT THE SALE OF SALVIA DIVINORUM

SPONSOR: LEGISLATOR NOWICK

DATE OF RECEIPT BY COUNSEL: 1/30/08 **PUBLIC HEARING:** 3/4/08

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

Enactment of this proposed local law would prohibit the purchase or sale of *Salvia divinorum*, whether as a whole plant, loose leaves or as a concentrated extract, within the County of Suffolk.

This local law would not apply to any non-prescription over-the-counter drugs approved or regulated by the Federal Food and Drug Administration.

Pursuant to this local law, and person who knowingly violates the provisions of this law would be guilty of an unclassified misdemeanor punishable by a fine of up to $1,000 and/or up to one year in jail.

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

GEORGE NOLAN
Counsel to the Legislature

GN:IB:mjk

s:\rule28\28-salvia

Intro. Res. No. 1039-2008 Laid on Table 2/5/2008
Introduced by Legislator Romaine

REVISED VERSION AS OF 1/25/08

RESOLUTION NO. –2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH A TICK ERADICATION STUDY (CP 4085)

WHEREAS, ticks-borne diseases present a major public health problem in Suffolk County; and

WHEREAS, the "4-Poster" machine has proved to be an effective tool in eradicating ticks from deer in other states, however, it is not approved in New York; and

WHEREAS, Cornell Cooperative Extension has developed a "Scope of Study" to apply for a "Special Local Needs" permit to allow the use of the "4-Poster" system in Suffolk County; and

WHEREAS, the funding provided will be utilized to provide the necessary services and to purchase needed equipment for implementation of this program on Shelter Island; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of $155,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 45 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd RESOLVED, that the 2008 Capital Budget and Program be and is hereby amended as follows:

Project No.: 1755
Project Title: Infrastructure Improvements for Traffic and Public Safety and Public Health

Cost Elements	Total Estimated Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$2,845,000	$3,000,000B	$2,845,000
TOTAL	$2,845,000	$3,000,000	$2,845,000

Project Number: 4085
Project Title: Tick Eradication Study

Cost Elements	Total Estimated Cost	Current 2008 Capital Budget Program	Revised 2008 Capital Budget & Program
1. Planning	$267,500	$0	$112,500 B
5. Furniture & Equipment	$42,500	$0	$42,500 B
TOTAL	$310,000	$0	$155,000

and be it further

3rd RESOLVED, that the Legislature hereby states its intention to finance this transfer of funds to the Tick Eradication Study by the issuance of Suffolk County Serial Bonds; and be it further

4th RESOLVED, that the proceeds of $155,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project No.	JC	Project Title	Amount
525-CAP-4085.110	20	Tick Eradication Study	$112,500
525-CAP-4085.510	20	Tick Eradication Study	$42,500

and be it further

5th RESOLVED, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith; and be it further

6th RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environment Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) 20, 21, and 27 of Title 6 of New York Code of Rules and Regulation ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

7th RESOLVED, the Health Department is hereby authorized and directed to administer the consultant contract to provide the necessary services and equipment.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

T:\BRO\Revised1039-2008 Tick Erad.doc

1040

Intro. Res. No. -2008 Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 1148-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1148-2007; 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. 1148-2007

In the 3rd RESOLVED paragraph change the Project No.:

FROM:

525-CAP-8237.11X

TO:

525-CAP-8237.113

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1041

Intro. Res. No. -2008 Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. –2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 1232-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1232-2007; 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

1st RESOLVED, that the Clerk of the Legislature shall make the following technical corrections:

Resolution No. 1232-2007

In the 4th RESOLVED paragraph change the Project No.:

FROM:

525-CAP-5709.110

TO:

525-CAP-5709.111

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1042

Intro. Res. No. -2008 Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 1414-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1414-2007; 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. 1414-2007

In the 5th RESOLVED paragraph change the Project No.:

FROM:

525-CAP-5048.110

TO:

525-CAP-5048.112

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1043

Intro. Res. No. -2008 Laid on Table 2/5/08

Introduced by Legislator Romaine

RESOLUTION NO. -2008, APPOINTING MEMBER TO THE SUFFOLK COUNTY WATER AUTHORITY (JAMES T. B. TRIPP)

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 T. B. Tripp,** of Bellport, 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-tripp

CURRICULUM VITAE

James T.B. Tripp
PO Box 655 8 Gerard Street, Bellport, NY 11713
49 East 96th Street, New York, N.Y. 10128
Born: October 23, 1939, Boston, Mass.
Married with two children

Office telephone: 212-616-1247
jtripp@environmentaldefense.org

Education:
Yale Law School, LLB, and Yale Graduate School, M.A. Philosophy, 1966
University of Munich, Munich, West Germany, 1961-1962 (no degree)
Yale College, B.A. 1961, Phi Beta Kappa

Bar Admission:
Admitted to practice New York State Bar, March 1967, member in good standing
Admitted to practice in the Southern and Eastern Districts of New York and the Second, Third, Fifth, Eighth, Eleventh, District of Columbia and Court of Claims Circuits.

Employment
Environmental Defense, General Counsel 1983 to present, Counsel 1973-1983
Assistant U.S. Attorney, Southern District of New York, 1968-73

Board Service:
Long Island Pine Barrens Credit Clearinghouse, Board of Advisors, Chair since 1995
Village of Bellport compost/recycling commission, chair
Town of Brookhaven Open Space Advisory Committee, 1999 to present
New Partners for Community Revitalization, board chair 2005 to present
Highlands Coalition, Board Chair, 2002 to present
New York City Water Board, 1993 to present
Tri- State Transportation Campaign, Board member, former Board Chair, 1993-2003
New York League of Conservation Voters, Board Member
Environmental Advocates of New York, Board member
Pinelands (New Jersey) Preservation Alliance, Board Member
Coalition to Restore Coastal Louisiana, Board Member since 1987
Civitas, board member and vice president

Gubernatorial Committees:
NY Governor George Pataki's Greenhouse Gas Task Force, 2001-2002
NY Governor George Pataki's Superfund Work Group, 1999-2000
Fresh Kills Closure Task Force, appointed by Gov. Pataki and Mayor Giuliani, 1996
Louisiana Governor's Commission on Coastal Restoration and Conservation, since 2002

Awards:
Long Island Pine Barrens Society 25th Anniversary Envir. Service Award, Oct. 2002
Environmental Advocates of New York, received award, November 2001
Robert C. Stover Environmental Advocate Award, Law Section, NYS Bar Assoc., 1986
Former U.S. Attorney Whitney North Seymour, Jr., Public Service Award, 1977
U.S. Justice Department Award for Superior Performance as an Assistant U.S. Attorney, 1972

Intro. Res. No. 1044 -2008
Introduced by Legislator Romaine

Laid on Table 2/5/08

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO REQUIRE LEGISLATIVE MEETINGS AT THE COUNTY SEAT, RIVERHEAD

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 REQUIRE LEGISLATIVE MEETINGS AT THE COUNTY SEAT, RIVERHEAD**"; 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 REQUIRE LEGISLATIVE MEETINGS AT THE COUNTY SEAT, RIVERHEAD

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the Suffolk County Legislature has traditionally held regular meetings each year at the county seat in Riverhead.

This Legislature further finds that holding legislative meetings in Riverhead affords the county's East End residents an important opportunity to witness their county government at work and to voice their opinions on legislation that may impact them and their communities.

This Legislature also determines that the geographical breadth of Suffolk County makes Riverhead meetings indispensable; residents from the eastern end of Suffolk must drive nearly two hours to attend a legislative meeting in Hauppauge.

This Legislature further finds and determines that no legislative meetings are scheduled to take place in Riverhead in 2008 because the legislative auditorium at the Riverhead County Center is undergoing renovations. However, there are other sites in Riverhead that could host meetings of the Suffolk Legislature.

Therefore, the purpose of this local law is to legislate a requirement that at least one-third of the County Legislature's regular meetings be conducted at the county seat in Riverhead each year.

Section 2. Amendments.

Section A2-6 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

§ A2-6. Meetings of the Legislature.

A. The County Legislature shall hold regular meetings at intervals specified in the rules of its proceedings. At least one-third, but no more than one-half, of the Legislature's regular meetings shall be held in the county seat, Riverhead, as defined by the boundaries of the Riverhead postal district.

* * * *

Section 3. Applicability.

This law shall apply to actions occurring on of after the effective date of this law except that in calendar year 2008, the minimum Riverhead meeting requirements described in Section 2 of this law shall be applied against the number of regular meetings remaining on the Legislature's 2008 schedule subsequent to the law's effective date.

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-Riverhead Meeting

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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(631) 853-4415 (FAX)

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

DATE: **JANUARY 30, 2008**

TO: **CLERK OF THE COUNTY LEGISLATURE**

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

PROPOSED LOCAL LAW YEAR 2008

TITLE: **LOCAL LAW TO REQUIRE LEGISLATIVE MEETINGS AT THE COUNTY SEAT, RIVERHEAD**

SPONSOR: **LEGISLATOR ROMAINE**

DATE OF RECEIPT BY COUNSEL: 1/14/08 **PUBLIC HEARING:** 3/4/08

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

This proposed local law would amend Section A2-6 of the SUFFOLK COUNTY ADMINISTRATIVE CODE, to require that at least one-third, but no more than one-half, of the Suffolk County Legislature's regular meetings be held in the County Seat, Riverhead, as defined by the boundaries of the Riverhead postal district.

This law will take effect immediately upon its filing with the Office of the Secretary of State. For the calendar year 2008, the minimum Riverhead meeting requirements will be applied against the number of regular meetings remaining on the Legislature's 2008 schedule subsequent to the law's effective date.

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-county seat riverhead

1045

Intro. Res. No. -2008 Laid on Table 2/5/08

Introduced by Presiding Officer Lindsay

RESOLUTION NO. –2008, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW 24-2007 (RND LLC PROPERTY – TOWN OF ISLIP)

WHEREAS, the Suffolk County Drinking Water Protection Program, as amended by Local Law 24-2007, authorizes the use of 31.10% of sales and compensating use tax proceeds generated each year for specific environmental protection, including the acquisition of open space in accordance with specific criteria set forth therein; and

WHEREAS, the parcels listed in Exhibit "A" of this resolution meet the criteria for acquisition as open space under the Drinking Water Protection Program; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, from 31.10% of the sales and compensating use tax proceeds, for the acquisition of such land as open space; now, therefore, be it

1st **RESOLVED**, that the parcels listed in Exhibit "A" of this resolution, consisting of approximately 3.5± acres, are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

2nd **RESOLVED**, that the parcels listed in Exhibit "A" meet the criteria required by the Suffolk County Drinking Water Protection Program; and be it further

3rd **RESOLVED**, that the Commissioner of the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s); and be it further

4th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

5th **RESOLVED**, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

6th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby further authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may

be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

7th **RESOLVED**, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel(s); and be it further

8th **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- -drinking-water-plan-steps-Lindsay-RND-LLC

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
1	District:	0500	.88±	RND LLC
	Section	89.00		P.O. Box 502
	Block	04.00		Bohemia, NY 11716
	Lot	001.000		
2	District:	0500	2.5±	RND LLC
	Section	89.00		P.O. Box 502
	Block	04.00		Bohemia, NY 11716
	Lot	002.000		

EXHIBIT "A"

Intro. Res. No. 1046 -2008 Laid on Table 2/5/08
Introduced by Legislator Schneiderman

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO PROHIBIT TEXT MESSAGING WHILE DRIVING

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 PROHIBIT TEXT MESSAGING WHILE DRIVING**"; 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 PROHIBIT TEXT MESSAGING WHILE DRIVING

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 according to CTIA, an international organization representing all sectors of wireless communications, including cellular, personal communication services, and enhanced specialization mobile radio, United States subscribers sent close to 65 billion text messages through the first half of 2006.

This Legislature further finds and determines that drivers sending text messages while driving are responsible for motor vehicle accidents throughout the country.

This Legislature also finds that reports indicate that thirty-two percent of young drivers text message while driving.

This Legislature finds that a recent national survey by Virginia Tech showed that distracted drivers are to blame for eight out of every ten accidents.

This Legislature also determines that text messaging while driving inevitably decreases safety on the road, affecting driver reaction time and attention to the surrounding environment.

Therefore, the purpose of this law is to prohibit text messaging while driving.

Section 2. Definitions.

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

"TEXT MESSAGE" – also referred to as Short Messaging Service (SMS), which allows users to send or receive short text messages on wireless handsets. For the purpose of this law, an e-mail shall be considered a "text message".

"USE" – activating, deactivating or initiating functions or keys on a wireless handset.

"VOICE RECOGNITION" – the capability by which wireless handsets can be activated and controlled by voice commands.

"WIRELESS HANDSET" – a portable computing device, including cellular telephones and personal digital assistants (PDA's), capable of transmitting data in the form of e-mail and/or text message.

Section 3. Prohibitions.

A.) Pursuant to Article 9, Section 2(c)(10) of the NEW YORK CONSTITUTION, and in order to protect the health, safety, and well-being of persons within the County, no person shall use a wireless handset to compose or send text messages while operating a motor vehicle on any public street or public highway within the County of Suffolk, while the motor vehicle is in motion on such public street or public highway.

B.) The prohibition contained in paragraph A above shall not apply to text messages composed via any voice recognition technology.

Section 4. Penalties.

A.) Any violation of any provision of Section 3 of this law shall constitute an offense and be punishable by a fine not to exceed $150.00 for each violation. Each such violation shall constitute a separate and distinct offense.

B.) This law shall be enforced by the Suffolk County Police Department and sworn officers of an authorized Police Department or force of a town or village within the geographic boundaries of Huntington, Islip, Babylon, Smithtown, and Brookhaven.

C.) This law shall be enforced by the County Sheriff's Department and sworn officers of an authorized Police Department or force of a town or village within the geographic boundaries of the Towns of Shelter Island, Riverhead, Southold, Southampton, and East Hampton. This law may be enforced anywhere within the geographic boundaries of the County of Suffolk by a police officer as defined in Section 1-20(34) of the NEW YORK CRIMINAL PROCEDURE LAW.

Section 5. Applicability.

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

Section 6. Reverse Pre-emption.

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

Section 7. Severability.

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

Section 8. SEQRA Determination.

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

Section 9. Effective Date.

This law shall take effect ninety (90) days after its filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\laws\l-refile-text-messsaging

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1046

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: JANUARY 10, 2008

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 PROHIBIT TEXT MESSAGING WHILE DRIVING

SPONSOR: LEGISLATOR SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 1/10/2008 **PUBLIC HEARING:** 3/4/2008

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

Enactment of this proposed local law would prohibit the composing or sending of text messages while operating a motor vehicle on any public street or public highway within Suffolk County. This prohibition would not apply to any text message that is composed by the use of voice recognition technology.

Any violation of this local law would be punishable by a fine not to exceed $150.00 for each violation.

This local law would be enforced by the Suffolk County Police Department within the Suffolk County Police District and by the Suffolk County Sheriff's Department anywhere outside of the Police District.

This local law will take effect ninety (90) days after its filing in the Office of the Secretary of State, and will apply to all actions occurring on or after the effective date of this law.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\r28\2007\28-refile-text-messaging-driving

1047

Intro. Res. No. -2008 Laid on Table 2/5/08

Introduced by Legislator Schneiderman

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW PROHIBITING SEX OFFENDERS FROM RESIDING IN CLOSE PROXIMITY TO SENIOR HOUSING

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 PROHIBITING SEX OFFENDERS FROM RESIDING IN CLOSE PROXIMITY TO SENIOR HOUSING**;" 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 PROHIBITING SEX OFFENDERS FROM RESIDING IN CLOSE PROXIMITY TO SENIOR HOUSING

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Local Law 12-2006, which prohibits registered sex offenders from residing within one-quarter mile of any school, day-care center or playground, was enacted to protect children as they are most vulnerable to the dangers posed by sex offenders.

This Legislature also finds that a trailer housing sex offenders was recently placed in close proximity to a senior housing complex. This incident raised awareness that senior citizens are another group that may be especially vulnerable to the dangers posed by sex offenders.

This Legislature further determines that it is appropriate and prudent for the County of Suffolk to extend additional public safety measures to protect senior citizens.

Therefore, the purpose of this law is to prohibit registered sex offenders from residing within one-quarter mile of a senior housing site.

Section 2. Amendments.

Section 428, Article I, of the SUFFOLK COUNTY CODE is hereby amended as follows:

CHAPTER 428, SEX OFFENDERS
Article I, Residency Restrictions

* * * *

§ 428-2. Definitions.

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

* * * *

SENIOR HOUSING SITE – Any nursing home, adult home, assisted living facility, retirement community or other housing development, with ten (10) or more units of housing, wherein residency or occupancy is restricted to persons fifty-five (55) years of age or older.

* * * *

§ 428-3. Residency limitation.

A. It shall be unlawful for all registered sex offenders to reside within ¼ mile of the property line of any school, including, but not limited to, any public or private nursery, elementary, middle, or high school, or a licensed day care center; or a playground; or a senior housing site.

B. No shelter or housing accommodation shall permit or cause the placement of any registered sex offender is such shelter or housing accommodation is within ¼ mile of the property line of any school, including, but not limited to, any public or private nursery, elementary, middle, or high school, or a licensed day-care center; or a playground; or a senior housing site.

* * * *

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration,

management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law shall take effect sixty (60) days after its filing in the Office of the Secretary of State.

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1047

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

DATE: **JANUARY 10, 2008**

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 PROHIBITING SEX OFFENDERS FROM RESIDING IN CLOSE PROXIMITY TO SENIOR HOUSING**

SPONSOR: **LEGISLATOR SCHNEIDERMAN**

DATE OF RECEIPT BY COUNSEL: 1/10/2008 **PUBLIC HEARING:** 3/4/2008

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

This proposed local law would amend the County's law restricting residency for sex offenders, making it unlawful for any registered sex offender to reside within one-quarter mile of the property line of any senior housing site.

A senior housing site is defined as any nursing home, adult home, assisted living facility, retirement community or other housing development, with ten (10) or more units of housing, wherein residency or occupancy is restricted to persons fifty-five (55) years of age or older.

This law will take effect sixty (60) days after its filing in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-refile-senior-housing-sex-offender

1048

Intro. Res. No. -2008 Laid on Table 2/5/08

Introduced by Legislator Schneiderman

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO ESTABLISH THE GABRESKI AIRPORT CONSERVATION AND ASSESSMENT COMMITTEE

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 THE GABRESKI AIRPORT CONSERVATION AND ASSESSMENT COMMITTEE**" 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 THE GABRESKI AIRPORT CONSERVATION AND ASSESSMENT COMMITTEE

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, through its Department of Economic Development and Workforce Housing, owns and operates the Francis S. Gabreski Airport in Westhampton Beach.

This Legislature further finds that the Suffolk County Airport Lease Screening Committee was created in 1998 to make determinations as to the "feasibility, viability and desirability" of any proposed lease of buildings, land or facilities at the Airport and, in most cases, these determinations were not subject to legislative approval.

This Legislature also determines that pursuant to a recently enacted legislative resolution, the Airport Lease Screening Committee has been abolished and, therefore, this Legislature will now review and vote on all leases at the County Airport.

This Legislature further finds that the citizens and businesses that live and operate near Gabreski Airport have a special interest in the future development of the Airport and a mechanism should be created that will enable this Legislature to give meaningful consideration to community input when considering these leases.

This Legislature also finds and determines that while the County Executive has created a Gabreski Airport Community Advisory Board, it is necessary and advisable to provide a formal, statutory basis for community involvement in the Airport leasing process.

Accordingly, the purpose of this local law is to create a community based panel which will review proposed leases and licenses at Gabreski Airport and issue advisory recommendations to this Legislature, the County Executive and the Council on Environmental Quality (CEQ).

Section 2. Amendments.

Article 34 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is amended by the addition of a new Section A34-2, which will read as follows:

§ A34-2. Gabreski Airport Conservation and Assessment Committee.

A. There is hereby established a Gabreski Airport Conservation and Assessment Committee ("Committee") which shall be composed of the following eight members:

1. one (1) member to be appointed by the Suffolk County Executive, who shall serve as Chairperson.

2. one (1) member to be appointed by the Presiding Officer of the Suffolk County Legislature.

3. three (3) members to be appointed by the County Legislature to represent community, civic and neighborhood organizations that serve communities in close proximity to the Airport.

4. one (1) member to represent the aviation community, to be appointed by the County Executive, subject to approval by the County Legislature.

5. one (1) member to represent the business community surrounding the Airport, to be appointed by the County Executive subject to approval by the County Legislature.

B. All members of the Committee shall be appointed for a term of three (3) years.

C. The Department of Economic Development and Workforce Housing shall forward to the Committee all applications for leases, lease renewals, lease extensions, lease modifications, licenses, license renewals, license extensions and license modifications at Gabreski Airport for review by the Committee. Upon completing its review of an application, the Committee shall make its findings and recommendations, which shall be advisory in nature.

D. The scope of the Committee's review shall be limited to an examination of the environmental, economic and community impacts of an application.

E. Five (5) members of the Committee shall constitute a quorum to transact the business of the Committee at both regular and special meetings. The Committee shall promulgate rules and regulations to govern its proceedings. Members shall receive no salary or compensation for their services. Clerical services involving the operation of this Committee, as well as supplies and postage as necessary, will be provided by the Department of Economic Development and Workforce Housing.

F. The Committee shall keep a record of its transactions, findings and recommendations, which shall be public record. The Committee meetings shall be open to the public in compliance with the New York State Open Meetings Law.

G. The Committee's findings and recommendations shall be forwarded to the County Executive and the County Legislature for consideration. The findings and recommendations shall be forwarded to the Council on Environmental Quality (CEQ) as backup to the submission of the Department of Economic Development and Workforce Housing's request for SEQRA review.

H. The Committee's findings and recommendations shall be rendered within forty-five (45) days of its receipt of the application from the Department of Economic Development and Workforce Housing. If the Committee does not render findings and recommendations within this 45 days period, then the application shall be deemed to have been recommended for approval by the Committee.

I. The County Legislature may not act on a resolution to approve a lease, lease renewal, lease extension, lease modification, license, license renewal, license extension, or license modification at Gabreski Airport, unless the Committee has issued its findings and recommendations as set forth in subsection (H) herein.

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\laws\l-refile-airport-committee

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1048

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

DATE: JANUARY 10, 2008

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 THE GABRESKI AIRPORT CONSERVATION AND ASSESSMENT COMMITTEE

SPONSOR: LEGISLATOR SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL:	1/10/2008	PUBLIC HEARING:	3/4/2008
DATE ADOPTED/NOT ADOPTED:		CERTIFIED COPY RECEIVED:	

Enactment of this proposed Local law would establish a community-based Gabreski Airport Conservation and Assessment Committee to review applications for a lease, lease renewal, lease extension, lease modification, license, license renewal, license extension, or license modification at the Airport and to make recommendations thereon to the County Legislature and the County Executive. [1]

The Committee shall be comprised of the following 8 members:

1. one (1) member to be appointed by the Suffolk County Executive, who shall serve as Chairperson.
2. one (1) member to be appointed by the Presiding Officer of the Suffolk County Legislature.
3. three (3) members to be appointed by the County Legislature to represent community, civic and neighborhood organizations that serve communities in close proximity to the Airport.

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[1] In order to obtain community and business input on the economic and environmental aspects of any potential lease or license, the County Executive created a Gabreski Airport Community Advisory Board by Executive Order. This Local Law will replace that Board with a formal, statutory Committee.

4. one (1) member to represent the aviation community, to be appointed by the County Executive, subject to approval by the County Legislature.

5. one (1) member to represent the business community surrounding the Airport, to be appointed by the County Executive subject to approval by the County Legislature.

The Committee has 45 days from receipt of an application from the Department of Economic Development and Workforce Housing to render its findings and recommendations to the County Executive, County Legislature, and the Council on Environmental Quality. Failure to act within the 45 day period will deem the application approved.

Although the Committee's recommendations are advisory in nature, the Legislature may not act on a resolution to approve a lease, lease renewal, lease extension, lease modification, license, license renewal, license extension, or license modification unless the Committee has issued its findings and recommendations.

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

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\r28\28-refile-airport-committee

1049

Intro. Res. No. -2008 Laid on Table 2/5/08

Introduced by Legislator Schneiderman

RESOLUTION NO. –2008, ADOPTING LOCAL LAW NO. -2008, A CHARTER LAW TO STRENGTHEN THE WATER QUALITY PROTECTION AND RESTORATION PROGRAM

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 STRENGTHEN THE WATER QUALITY PROTECTION AND RESTORATION PROGRAM**"; 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 STRENGTHEN THE WATER QUALITY PROTECTION AND RESTORATION PROGRAM

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 11.75% of the revenues generated under the Suffolk County Drinking Water Protection Program (Article 12 of the SUFFOLK COUNTY CHARTER) are dedicated to the Water Quality Protection and Restoration Program and Land Stewardship initiatives.

This Legislature also finds that the Water Quality Protection and Restoration Program was created to fund projects for non-point source abatement and control, agricultural non-point source abatement and control, aquatic habitat restoration and pollution prevention.

This Legislature further determines that Water Quality Protection and Restoration monies have increasingly been used to pay employee salaries with less funds being directed to programmatic expenses.

This Legislature also finds and determines that a cap must be placed on employee salaries funded through this program to ensure that adequate resources are available for important water quality projects.

Therefore, the purpose of this law is to cap the amount of Water Quality Protection and Restoration and Land Stewardship monies that may be used to pay salaries of county employees.

Section 2. Amendment.

Article 12 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

ARTICLE XII
SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM

* * *

§C12-2. Programmatic Expenses.

* * *

B. Water quality protection and restoration program and Land Stewardship initiatives.

* * *

2) The Suffolk County Environmental Trust Fund is hereby created. 11.75% of the total revenues generated each calendar year by such sales and compensating use tax shall be allocated and deposited annually to this trust fund. The annual appropriation of such revenues shall be effectuated via duly enacted resolution of the County of Suffolk. <u>No more than fifty percent (50%) of annual revenues shall be appropriated for salary and salary related expenses, including retirement, health insurance and Social Security expenses. All employees whose salaries are paid from these revenues must spend at least eighty percent (80%) of their work schedule during each calendar year assigned to duly approved water quality protection and restoration projects.</u> If the revenues generated in any year, including calendar year 2030, exceed the amount necessary to provide for such environmental projects, then such excess revenues shall be carried over as a fund balance for such environmental projects to be consummated in subsequent years.

* * *

<u>Section 3. Applicability.</u>

This law shall apply to the use of Water Quality Protection and Restoration and Land Stewardship revenues on or after the effective date of this law.

<u>Section 4. Severability.</u>

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.

<u>Section 5. SEQRA Determination.</u>

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\cl-refile-strengthen-water-quality

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1049

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

DATE: JANUARY 10, 2008

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 STRENGTHEN THE WATER QUALITY PROTECTION AND RESTORATION PROGRAM

SPONSOR: LEGISLATOR SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 1/10/2008 **PUBLIC HEARING:** 3/4/2008

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

This proposed charter law would amend the Water Quality Protection and Restoration/Land Stewardship component of the Suffolk County Drinking Water Protection Program, codified in Article XII of the SUFFOLK COUNTY CHARTER.

Specifically, this law would mandate that no more than fifty percent (50%) of annual revenues generated for the Water Quality Protection and Restoration Program and Land Stewardship initiatives be appropriated for salary and salary related expenses. Further, this law would require that all employees whose salaries are paid from revenues generated by the Water Quality Protection and Restoration/Land Stewardship Program spend at least eighty percent (80%) of their work schedule assigned to duly approved water quality protection and restoration projects or land stewardship initiatives.

This law will apply to the use of Water Quality Protection and Restoration/Land Stewardship revenues on or after the effective date of this law; this law will take effect upon its filing in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-refile-strengthen-water-quality

Intro. Res. No. 1050 -2008 Laid on Table 2/5/08
Introduced by Legislator Browning

RESOLUTION NO. -2008, AUTHORIZING USE OF SMITH POINT COUNTY PARK PROPERTY IN 2008 BY THE MASTICS-MORICHES-SHIRLEY COMMUNITY LIBRARY'S FAMILY LITERACY PROJECT

WHEREAS, the Mastics-Moriches-Shirley Community Library's Family Literacy Project is a not-for-profit organization; and

WHEREAS, the Mastics-Moriches-Shirley Community Library's Family Literacy Project would like to use the Smith Point County Park in Shirley for the purpose of hosting a fund drive, the proceeds of which would go to the Mastics-Moriches-Shirley Community Library's Family Literacy Project; and

WHEREAS, the Mastics-Moriches-Shirley Community Library's Family Literacy Project is planning to hold a 5 Kilometer race which would begin in the park and proceed up the William Floyd Parkway to Parkview Drive with a return to the park; and

WHEREAS, the parking lot will be used as a staging point and also for parking for participants; and

WHEREAS, the 5 Kilometer race will be held in the park itself; and

WHEREAS, this race would be held on Saturday, September 20, 2008 from 7:00 a.m. to 12:00 noon; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Two Hundred Fifty and 00/100 Dollars ($250.00), payment of which shall be guaranteed by the Mastics-Moriches-Shirley Community Library's Family Literacy Project; and

WHEREAS, a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured has been provided by the Mastics-Moriches-Shirley Community Library's Family Literacy Project; and

WHEREAS, the use of County property for such a fund drive for support of the Mastics-Moriches-Shirley Community Library's Family Literacy Project would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore be it

1st **RESOLVED**, that the use of County-owned property, i.e. the Smith Point County Park in Shirley, by the Mastics-Moriches-Shirley Community Library's Family Literacy Project, in consideration of the payment of Two Hundred Fifty and 00/100 Dollars ($250.00) for the purpose of holding a 5 Kilometer race on September 20, 2008, between the hours of 7:00 a.m. and 12:00 noon, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured by the County of Suffolk from the Department, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

2nd **RESOLVED**, that before this event shall be permitted to occur, the Mastics-Moriches-Shirley Community Library's Family Literacy Project must apply for and obtain a permit from the Commissioner of the Department of Parks, Recreation, and Conservation as required by Section 378-7(B) of the Suffolk County Code; and be it further

3rd **RESOLVED**, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, and the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive for the Mastics-Moriches-Shirley Community Library's Family Literacy Project at Smith Point County Park in Shirley; and be it further

4th **RESOLVED**, that the Mastics-Moriches-Shirley Community Library's Family Literacy Project shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

5th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\2008\smith-point-literacy-project

1051

Intro. Res. No. -2008

Introduced by Legislator Romaine

Laid on Table 2/5/08

RESOLUTION NO. –2008, AUTHORIZING A SECOND PUBLIC HEARING BY THE OFFICE OF THE AGING

WHEREAS, the Suffolk County Office of the Aging is required to hold an annual public hearing to gain public input on its State funded programs; and

WHEREAS, public input is vital to the successful delivery of services to our seniors; and

WHEREAS, traveling long distances is a hardship which can prevent seniors from attending a public hearing; and

WHEREAS, Suffolk County has a large senior citizen population, with a disproportionate share of the senior population residing in the five east end towns; and

WHEREAS, it is the long-standing policy of the County of Suffolk to encourage public participation in Suffolk County government; and

WHEREAS, the Office of the Aging should conduct two public hearings, one on the west end of Suffolk County and one on the east end, to maximize public participation; now, therefore be it

1st **RESOLVED**, that the Director of the Suffolk County Office of the Aging is hereby authorized, empowered and directed to conduct two public hearings each year for the purpose of eliciting input from the residents of Suffolk County regarding the Office's State funded programs; and be it further

2nd **RESOLVED**, that one of the public hearings shall be conducted in a west end town (Babylon, Brookhaven, Huntington, Islip or Smithtown) and one shall be held in an east end town (East Hampton, Riverhead, Shelter Island, Southampton or Southold); 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

Intro. Res. No 1052 -2008
Introduced by Legislator Viloria-Fisher

Laid on Table 2/5/08

RESOLUTION NO. -2008, AUTHORIZING THE RECONVEYANCE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 215, NEW YORK STATE COUNTY LAW TO CHRISTINE M. RYAN, KAREN CRANDALL SANFORD AND BRIAN K. SMITH

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 Port Jefferson, 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 0206, Section 018.00, Block 04.00, Lot 069.000, and acquired by tax deed on July 7, 2005 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 15, 2005, in Liber 12397, at Page 974, and otherwise known as and by Incorporated Village of Port Jefferson, Town of Brookhaven, County of Suffolk, State of New York, known and designated as Lot #10 as shown on a certain map entitled "Map of Brook Hollow, Section 1, Port Jefferson, L.I., New York, owned by Bernard Goldman, surveyed October 1964 by Hawkins and Webb, Surveyors," and which map was filed in the Suffolk County Clerk's Office on February 10, 1966 as Map #4572.

and

WHEREAS, Christine M. Ryan, Karen Crandall Sanford and Brian K. Smith were the former owners of said real property; and

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

WHEREAS, an investigation by the office of Legislator Viloria Fisher has determined that said non-payment of taxes was not an intentional act but was due to circumstances beyond their 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 $425,000.00; 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 $65,119.85 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:

Christine M. Ryan, Karen Crandall Sanford, Brian K. Smith
4 Corie Court
Port Jefferson, NY 11777

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\Ryan, Sanford & Smith Reso

COUNTY OF SUFFOLK

1052

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

January 3, 2008

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

Re: Tax Map No.: 0206-018.00-04.00-069.000
Name of Redemptor: CHRISTINE M. RYAN, KAREN CRANDALL SANFORD, and BRIAN K. SMITH

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 Vivian Viloria-Fisher.

Please draw the Resolution to restore title to CHRISTINE M. RYAN, KAREN CRANDALL SANFORD, and BRIAN K. SMITH in line with the Title Report submitted and enclosed herewith.

Very truly yours,

Cathy O'Neal

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

CO:sc
Enclosures

pc: Legislator: The Honorable Vivian Viloria-Fisher

57

LOCATION
H. LEE DENNISON BLDG. - 2ND FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P.O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5900
FAX (631) 853-5906
FAX (631) 853-5905

COUNTY OF SUFFOLK

1052

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

January 3, 2008

Honorable Vivian Viloria-Fisher
Suffolk County Legislator
46 Route 25A - Suite 5
E. Setauket, New York 11733

Re: Section 215 Redemption
Tax Map No.: 0206-018.00-04.00-069.000
Redemptor: CHRISTINE M. RYAN, KAREN CRANDALL SANFORD, and BRIAN K. SMITH

Dear Legislator Fisher:

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 $65,119.85. That amount will increase if payment is not made before the next tax due date.

Very truly yours

Cathy O'Neal

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

CO:sc
Enclosures

pc: George Nolan, Esq., Counsel to the Legislature
57A

LOCATION
H. LEE DENNISON BLDG. - 2ND FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P.O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5900
FAX (631) 853-5906
FAX (631) 853-5905

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT 1052

Redemption Unit
215 COMPUTATION

January 3, 2008

Tax Map No. 0206-018.00-04.00-069.000 IMPROVED

Date Acquired: July 7, 2005 Taken by: Tax Deed

Prior Fee Owner: CHRISTINE M. RYAN, KAREN CRANDALL SANFORD, and BRIAN K. SMITH

STATEMENT OF EXPENDITURES		AMOUNT
1.	Treasurer's Computation.....	$56,802.17
2.	Outstanding Tax Bills - not included in computation.....2006/2007 Village Taxes....	$ 834.81
	2007/2008 Village Taxes..	$ 826.05
	2007/2008 Town Taxes.....	OPEN
3.	Recording Fees.	N/A
4.	Administration Expense.....	$ 200.00
5.	License Fee (as per License Fee statement)	$ 4,000.00
6.	Repairs.....	$ 877.32
7.	Other County Expenditures..... (Process Service Fee & Eviction)	$ 1,279.50
8.	Appraisal and Review Fee.....	$ 300.00
	TOTAL.....	$65,119.85

PREPARED BY:
Cathy O'Neal
Cathy O'Neal
Redemption Unit

Description: Incorporated Village of Port Jefferson, Town of Brookhaven, County of Suffolk, State of New York, acquired by Tax Deed on July 7, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 15, 2005, in Liber 12397 at Page 974, and otherwise known as and by Incorporated Village of Port Jefferson, Town of Brookhaven, County of Suffolk and State of New York, known and designated as and by Lot #10 as shown on a certain map entitled "Map of Brook Hollow, Section 1, Port Jefferson, L.I., New York, owned by Bernard Goldman, surveyed October 1964 by Hawkins and Webb, Surveyors," and which said map was filed in the Suffolk County Clerk's Office on February 10, 1966 as Map #4572.

APPROVED:
Karen A Slater 1/8/08
Accounting Unit

1052

TO: ACCOUNTING UNIT

FROM: Cathy O'Neal

S. C. TAX MAP NO. 0206 01800 0400 069000

DATE: 12 December, 2007

COMPUTATION $56,802.17

CURRENT YEAR TAXES $1,660.86

LICENSE FEE $4,000.00

ADDITIONAL TAX $0.00

OTHER CHARGES $2,156.82

AMOUNT RECEIVED $64,619.85

PHOTOCOPY OF CHECK(S) IN SPACE BELOW

Sanford

1486

RUSSO, KARL, WIDMAIER & CORDANO, PLLC
IOLA
400 TOWN LINE ROAD
HAUPPAUGE, NY 11788

DATE 12/10/07 50-859-214

PAY TO THE ORDER OF Suffolk County Division of Real Property Acquisition and Management $ 64,619.85

Sixty four thousand six hundred nineteen 85/100 DOLLARS

BANK of SMITHTOWN
548 ROUTE 111 • HAUPPAUGE, NY 11788

FOR 0206 018 04 069

MP

⑈001486⑈ ⑆021408597⑆ ⑈0334012366⑈

DISTRICT	SECTION	BLOC	LOT
0206	018.00	04.00	069.000

1052

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

Year	Village	Town	Combined
2000/01	PD. BY IND.	6552.67	6552.67
2001/02	PD. BY IND.	7692.87	7692.87
2002/03	PD. BY IND.	7314.54	7314.54
2003/04	PD. BY IND.	6947.36	6947.36
2004/05	PD. BY IND.	5608.61	5608.61
2005/06	1668.12	5866.87	7534.99
2006/07	0.00	6324.03	6324.03

2006/07 VILLAGE TAXES $834.81 NOT INCLUDED IN COMPUTATION
2007/08 VILLAGE TAXES $826.05 NOT INCLUDED IN COMPUTATION

TOTAL: 47975.07

B. INTEREST DUE 6122.24
C. TOTAL 54097.31
D. 5% LINE C 2704.87
E. FEE
F. MISC
G. MISC

H. TOTAL DUE $56,802.17

834.81 2006/07 villa
826.05 2007/08 villa
$ 58463.03 ok

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. 05-Sep-07

Diane M. Stuke
Deputy County Treasurer

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

DZ

1052

F THE WORD "ARREARS" IS PRINTED BELOW, SEE THE COUNTY TREASURER'S NOTICE ON THE REVERSE SIDE.

STATEMENT OF TAXES

DECEMBER 1, 2006 thru NOVEMBER 30, 2007 TAX LEVY
TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK
TAXABLE STATUS DATE MARCH 1, 2006
TAXES BECOME A LIEN DECEMBER 1, 2006

ITEM NUMBER 01-22710 9

Est. State Aid

SCH	3,107,261	TWN	26,500,000
CTY	280,556,732	SEW	0

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: 631-476-4413

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

School District 06 SWIS 472206

Suffolk County Tax Map Number				Description of Property
Dist	Sect	Block	Lot	
0206	018.00	04.00	069.000	BROOK HOLLOW 4572 SEC 1 10

Type	Acreage	Tax Code	Roll Section
2A210	0.39	164	1

Exemption Description	Exempt	Exemption Value
STAR BASIC	S	590
VETERANS	V	700

Physical Address	Bank and Mortgage Number	Bill Number	Land Assessment
4 CORIE CT PORT JEFFERSON 11777	-	420	300

2005 - 2006 Tax Payment Information

	Assessed Value		Uniform Percent		Full Value
1st Half 2nd Half	4,325	Which is	0.76%	of	600,694

Owner as of Taxable status date of March 1, 2006
SMITH CRANDALL (L/E)&
C RYAN&K SANDFORD&B SMITH
4 CORIE CT
PORT JEFFERSON NY 11777

Tax Billing Address
SMITH CRANDALL (L/E)&
C RYAN&K SANDFORD&B SMITH
4 CORIE CT
PORT JEFFERSON NY 11777

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		**69.63 %**	**of total bill**		**School Tax Amount**		**4,403.60**
SCHOOL DIST - PORT JEFFERSON UFSD	25,097,869	25,537,151.41	4.60	S	3,735	106.774	3,988.01
LIBRARY DIST - PORT JEFFERSON UFSD	25,097,869	2,411,655.06	3.10		4,325	9.609	415.59
Your tax savings this year resulting from the New York State School Tax relief (STAR) program is					**629.97**		
COUNTY TAX		**19.55 %**	**of total bill**		**County Tax Amount**		**1,236.38**
COUNTY OF SUFFOLK	475,951,525	16,334,691.47	1.50	V	3,625	3.432	124.41
COUNTY OF SUFFOLK - POLICE	475,951,525	145,998,664.24	0.70	V	3,625	30.675	1,111.97
TOWN TAX		**4.20 %**	**of total bill**		**Town Tax Amount**		**265.43**
TOWN GENERAL - TOWN WIDE FUND	476,040,281	21,279,124.21	N/A	V	3,625	4.470	162.04
HIGHWAY - TOWN WIDE FUND	476,040,281	13,576,657.70	59.40	V	3,625	2.852	103.39
OTHER TAX		**6.62 %**	**of total bill**		**Other Tax Amount**		**418.62**
$100M BOND ACT OF 2004	476,040,281	5,003,208.89	N/A	V	3,625	1.051	38.10
FIRE DIST - PT JEFFERSON W/HYDRANT	23,964,565	1,475,738.67	-6.20		4,325	6.158	266.33
REAL PROPERTY TAX LAW - ARTICLE 7	475,951,525	4,992,773.71	-2.50	V	3,625	1.049	38.03
REAL PROPERTY TAX LAW	475,951,525	9,999,790.26	16.00	V	3,625	2.101	76.16

0.00		0.00		0.00	
First Half Tax	**3,162.02**	**Second Half Tax**	**3,162.01**	**Total Tax**	**6,324.03**
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 6,324.03

When Paying by mail, detach for 2nd Half Payment (Return both stubs for Total Payment)
Town of Brookhaven
2006 - 2007 Tax Levy
MAKE FUNDS PAYABLE TO: GEORGE A DAVIS, RECEIVER OF TAXES

ITEM NUMBER
01-22710 9

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

Second Payment
3,162.01

Full Payment Pay By

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

Duplicate

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1052

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

June 28, 2007

Hon. Vivian Viloria-Fisher
County Legislator, Fifth District
and Deputy Presiding Officer
306 Main Street
Port Jefferson, NY 11777

RECEIVED
JUL 5 2007
DIV. REAL PROP. ACQ. & MGMT.
REDEMPTION

Re: County Law, Section 215 Application for Redemption
Redemptor: Sanford, Ryan & Smith
S.C.T.M. No. 0206-018.00-04.00-069.000

Dear Legislator Viloria-Fisher:

Please be advised that I have reviewed the application and other materials you sent to me on June 11, 2007 regarding the above referenced 215 application and believe that it qualifies for a Chapter 27 conveyance.

I am forwarding, by copy of this letter, the packet of information with the $500.00 to Cathy O'Neal in the County Division of Real Property Acquisition and Management so that they may process the necessary paperwork.

As soon as I receive the computation from the Division of Real Property Acquisition and Management, 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, Real Property Acquisition and Management, Redemption Unit

s:\word\215 Sanford, Ryan & Smith approval letter

COUNTY OF SUFFOLK

1052

VIVIAN VILORIA-FISHER
DEPUTY PRESIDING OFFICER
LEGISLATOR, 5TH DISTRICT

COMMITTEE VICE CHAIR
PARKS & CULTURAL AFFAIRS

COMMITTEE CHAIR
ENVIRONMENT, PLANNING & AGRICULTURE
COMMITTEE MEMBER
BUDGET & FINANCE
LABOR WORKFORCE & AFFORDABLE HOUSING
PUBLIC SAFETY & PUBLIC INFORMATION

COUNTY LEGISLATURE

June 19, 2007

George Nolan, Counsel to the Legislature
William H. Rogers Building
PO Box 6100
Hauppauge, New York 11788-0099

Dear Mr. ~~Nolan~~: George

I am writing to inform you that I wish to sponsor the 215 redemption application for the property at 4 Corie Court, Port Jefferson, NY 11777, Tax Map # 0206-018-04-069, in the name of SANFORD.

Sincerely,

Vivian Viloria-Fisher

Vivian Viloria-Fisher
Suffolk County Legislator, District # 5

VVF:vrs

306 MAIN STREET
PORT JEFFERSON, NEW YORK 11777

VIVIAN.VILORIA-FISHER@SUFFOLKCOUNTYNY.GOV

PHONE: (631) 854-1650
FAX: (631) 854-1653

1052

One Old Country Road • Suite 225 • Carle Place • New York • 11514
Phone (516) 390.4300 Fax (516) 390.4321
Website: www.valtechresearch.com
E-mail: info@valtechresearch.com

TAX SEARCH

TITLE NUMBER: C979 - CTSYA

PREMISES: 4 CORIE CT, PT JEFFERSON

TOWN: BROOKHAVEN

VILLAGE: PORT JEFFERSON

COUNTY: SUFFOLK

ASSESSED TO: COUNTY OF SUFFOLK

DATE: 3/6/2007

TAX CLASS: 210

ITEM NUMBER: 0122710

LOT SIZE: 0.39AC

STATE: NEW YORK

ASSESSED VALUE: 300 / 4,325

SD: 206 DIST: 0206 SECT: 018.00 BLOCK: 04.00 LOT(s): 069.000

SCHOOL DISTRICT NAME: PORT JEFFERSON

2000/01 DEEDED TO SUFFOLK COUNTY ON 4/6/05

SEARCH DOES NOT GUARANTEE AGAINST ITEMS NOT A LIEN UP TO THE DATE SHOWN HEREON. SEARCH DOES NOT GUARANTEE AGAINST ANY CLAIMS RESULTING FROM LEVIES OF RESTORED TAX. SOME ITEMS RETURNED MAY HAVE BEEN PAID BUT NOT OFFICIALLY POSTED. RECEIPTS OF SUCH ITEMS SHOULD BE PRODUCED AT CLOSING. RETURNS ARE BASED ON DISTRICT, SECTION, BLOCK AND LOT. THIS SEARCH WAS PREPARED EXCLUSIVELY FOR COMMUNITY ABSTRACT CORP. ON 3/6/2007.

1052

TITLE NO.: Sanford

CHAIN OF TITLE

DEED

Hollow Brook Estates, Inc.
TO
Crandall A. Smith and Marie C. Smith, his wife

Dated: 2/16/68
Recorded: 2/20/68
Liber 6307 page 33

DEED

Crandall A. Smith and Marie C. Smith, his wife
TO
Crandall A. Smith

Dated: 2/17/99
Recorded: 5/21/99
Liber 11964 page 321

DEED

Crandall A. Smith
TO
Christine M. Ryan, Karen Crandall Sanford and Brian K. Smith.

Dated: 2/17/99
Recorded: 5/21/99
Liber 11964 page 322

NOTE: Subject to life estate of Crandall A. Smith

DEED

John C. Cochrane, as the County Treasurer
TO
County of Suffolk

Dated: 6/20/05
Recorded: 6/24/05
Liber 12393 page 740

CORRECTION DEED

John C. Cochrane, as the County Treasurer
TO
County of Suffolk

Dated: 7/7/05
Recorded: 7/15/05
Liber 12397 page 974

NOTE: Corrects deed in Liber 12393 page 740 to include the subject premises.

1052

TITLE NO.: Sanford

SCHEDULE "A"

ALL that certain plot, piece or parcel of land with the buildings and improvements thereon erected, situate, lying and being in the at Port Jefferson, Town of Brookhaven, County of Suffolk and State of New York, known and designated as and by Lot #10, as shown on a certain map entitled, "Map of Brook Hollow, Section 1, Port Jefferson, L.I., New York, owned by Bernard Goldman, surveyed October 1964 by Hawkins and Webb, Surveyors," and which said map was filed in the Suffolk County Clerk's Office on February 10, 1966 as Map No. 4572.

1052

Community Abstract Corp.

640 Montauk Highway, Smithpoint, New York 11967
telephone (631) 772-5550 • facsimile (631) 772-5717

TITLE NO.: Sanford

COMMUNITY ABSTRACT CORP., hereby certifies that it has searched the records for a Chain of Title for 10 years past for the purpose of redeeming the property described in Schedule "A" herein from the County of Suffolk which was sold for unpaid taxes.

Taxes herein.

The Liability hereunder is limited to the amount of the Fee paid for same for any reason.

District: 0206
Section: 018.00
Block: 04.00
Lot: 069.000

Dated: July 9, 2007

COMMUNITY ABSTRACT CORP.

Lynne M. Stoppelli
President

1052

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

FAIR MARKET REVIEW FOR REDEMPTION PURPOSES

TAX MAP NO. : 0206-018-04-69
APPRAISER: Glenn A. Gabberty

DATE OF VALUE: JULY 20, 2007
DATE REC'D: JULY 30, 2007
APPRAISED AMT: $425,000.00

---

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

COMMENTS: The subject consists of a .39 acre parcel located on the west side of Corie Court, approximately 75 feet south of Hillcrest Avenue, Village of Port Jefferson, New York 11777. The property is an irregular shaped parcel improved with a 1,534 square foot ranch style home over a full basement. There is a two-car attached garage. Per the appraiser, the improvements have not been updated over time and are presently in below-average condition.

The consultant utilized three comparable sales. All sales are located in the Village of Port Jefferson as the subject property. The consultant has chosen appropriate comparable sales and adjusted accordingly for lot size, condition, room count, gross living area, and amenities. In addition, Gabberty considered a downward time adjustment to reflect the continued softening market trend.

The appraisal report meets Suffolk County's contract requirements and is acceptable in form.

Accordingly, a reasonable estimate of value for the subject is $425,000.

By: Debra Wilson

Date: 10/2/07

Debra Wilson, Appraisal Reviewer
NYS Certified Real Estate Appraiser
License No. 4500013198

CC: Christopher E. Kent, Director
Fred Ford, Senior Appraisal Reviewer

1052

215 REDEMPTION APPRAISAL

OWNER: KAREN SANFORD, ET AL

LOCATION: 4 CORIE COURT, PORT JEFFERSON, NY 11777

TAX MAP NUMBER: 206-18-4-69

GLENN A. GABBERTY APPRAISALS, INC.

SUBJECT PROPERTY DESCRIPTION 1052

Township: Brookhaven

DISTRICT: 0206 SECTION: 018.00 BLOCK: 04.00 LOT: 69.000

LOCATION: West side of Corie Court, approximately 75 feet south of Hillcrest Avenue.

DESCRIPTION OF PROPERTY: .39 acre parcel improved with a 1534 square foot frame ranch-style home over full basement. There is a two-car attached garage. The improvements have not been updated over time and are presently in below-average condition. The roof is sagging slightly, there is peeling paint around the exterior window trim; according to Sarah Sanford, the kitchen and bathroom have never been updated.

UTILITIES: Public water, electric, storm sewers, cable.

AREA TRENDS: The area has been realizing a softening market conditions for the past 18 months. This trend appears very likely to continue as more listings are becoming available and marketing time is increased. Presently, there is an oversupply of listings and values have been decreasing slightly.

NEIGHBORHOOD: The Village of Port Jefferson is located in northern Brookhaven Township. The subject's immediate neighborhood is improved primarily with single family homes, in close proximity to schools, transportation, Long Island Railroad, hospitals. Employment is located throughout Long Island and a two-hour commute to New York City.

ZONING & CLASSIFICATIONS: The subject is located in a A-1 zoning designated area. This designation requires a minimum lot size of 40,000 square feet. The subject does not meet this requirement. The subject therefore, represents a legal, non-conforming property use, though this is very common throughout the area. In the event that the subject improvements are destroyed, they may be rebuilt without a variance on the original footprint.

1052

HIGHEST & BEST USE: Improvement with single family home.

EXPLANATION OF VALUE: Sale #1, which sold as a "Handyman Special" is given most weight. A downward time adjustment of 5% was applied to all sales to reflect the decrease in values realized in this area in 2006/2007. Lot sizes are adjusted at $100,000 per acre; GLA is adjusted at $100 per square foot. All other adjustments reflect different amenities as each sale compares to the subject.

FINAL VALUE CONCLUSION: Based on the comparables analyzed, a market value of $425,000 is deemed most supported.

1052

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. 206-18-4-69

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 exterior of 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.

1052

I have not revealed the findings and results of this appraisal to anyone other than the proper officials of the Suffolk Count 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 $425,000, based upon my independent appraisal and the exercise of my professional judgment.

Date: July 30, 2007

Signature: _____
Glenn A. Gabberty, RM, SRA

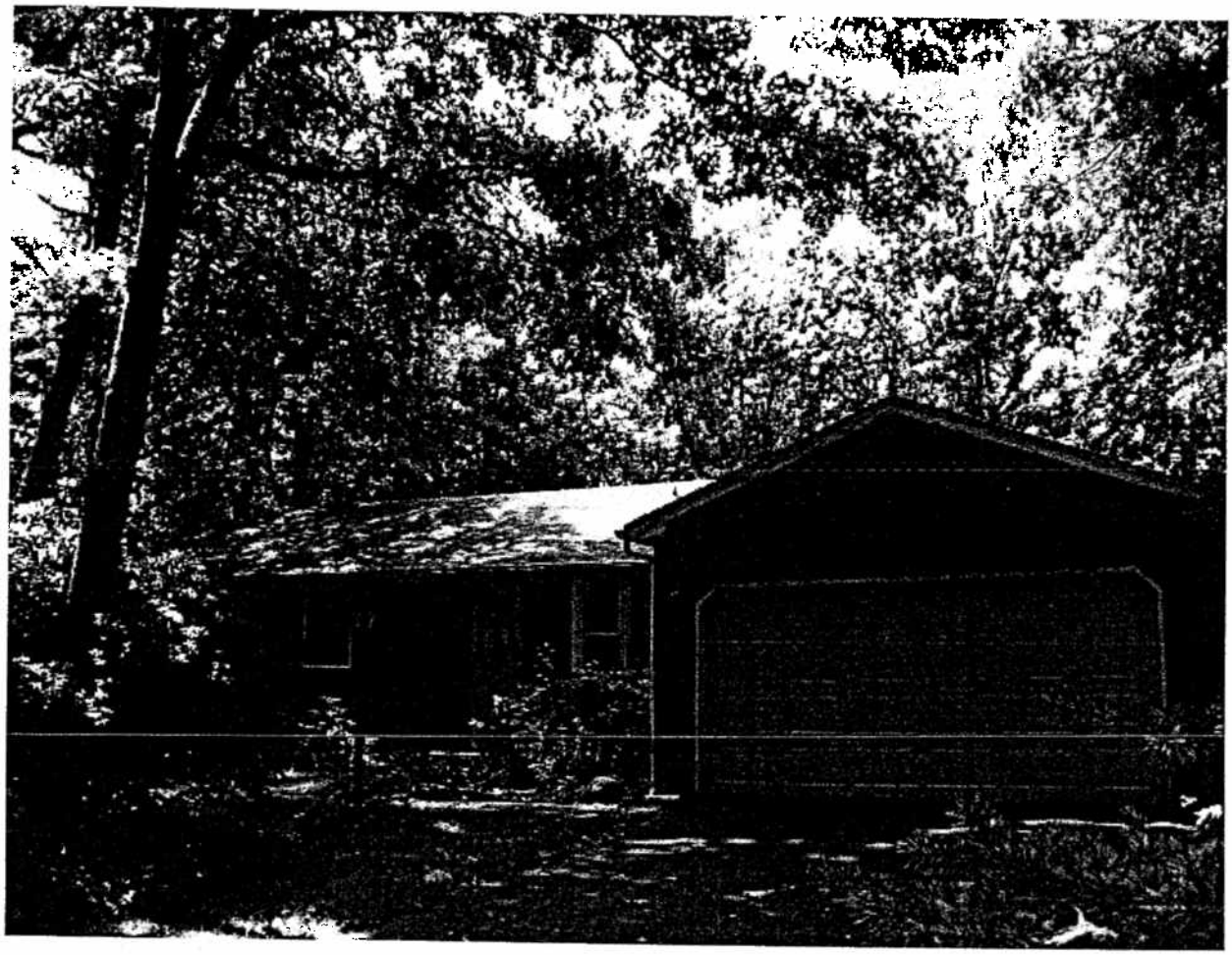
1052

ADJUSTMENT GRID

Address	4 Corie Court , Port Jefferson	38 Landing Lane, Port Jefferson		317 Thompson Street, Port Jefferson		29 Pilgrim Drive, Port Jefferson	
Sales Price		475,000		449,000		530,000	
Date of Sale		5/30/2007		8/10/2006		1/9/2007	
Sale or Financing Concession		None Noted, Contract 2/22/2007	-23,500	None Noted, Contract 7/30/06	-22,500	None Noted, Contract 12/26/06	-26,500
Location	Res./Avg	Res./Avg		Res./Avg		Res./Avg	
Site	.39 Acre	.35 Acre	+4,000	.50 Acre	-11,000	.39 Acre	
Design	Ranch	Ranch		Ranch		Ranch	
Quality of Construction	Frame	Frame		Frame		Frame	
Condition	Below Average	Below Average		Average/Good	-22,500	Average/Good	-26,500
Above Grade Room Count & GLA	7 Rooms/3 BR/1 Bath	7 Rooms/3 BR/2 Bath	-20,000	4 Rooms/2 BR/1 Bath	+55,000	7 Rooms/3 BR/2 Bath	-20,000
Basement & Finished Rooms Below Grade	Full Basement/ Unfinished	Full Basement/ Unfinished		Full Basement/ Unfinished		Full Basement/ Finished	-15,000
Functional Utility	Average	Average		Average		Average	
Heating/Cooling	HW/None	HA/None		HA/None		HW/CAC	-10,000
Garage	2 Car Garage	2 Car Garage		None	+20,000	2 Car Garage	
Porch/Patio/Deck	Deck	None	+5,000	Enclosed Porch	-5,000	None	+5,000
Fireplace	None	1 Fireplace	-15,000	None		1 Fireplace	-15,000
Kitchen/Bath	Outdated	Outdated		Modern/Modern	-35,000	Modern Kitchen	-20,000
Net Adjustment			-49,500		-21,000		-128,000
Indicated Value			$425,500		$438,000		$402,000

1052

FRONT PHOTO



1052

REAR PHOTO

1052

STREET PHOTO

1052

SALE #1- 38 LANDING LANE

1052

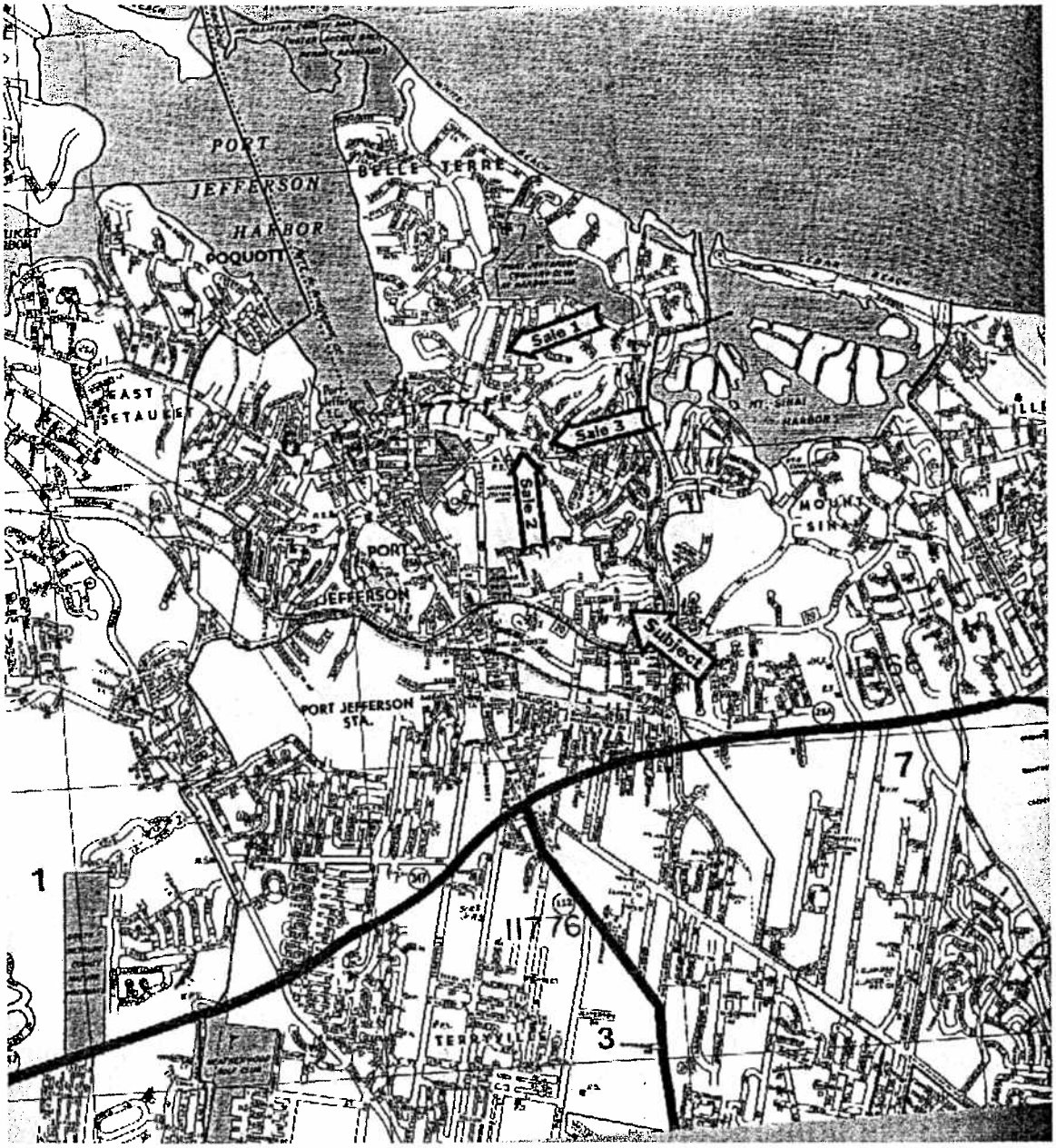
SALE #2- 317 THOMPSON STREET

1052

SALE #3- 29 PILGRIM DRIVE

1052

COMPARABLE SALES MAP



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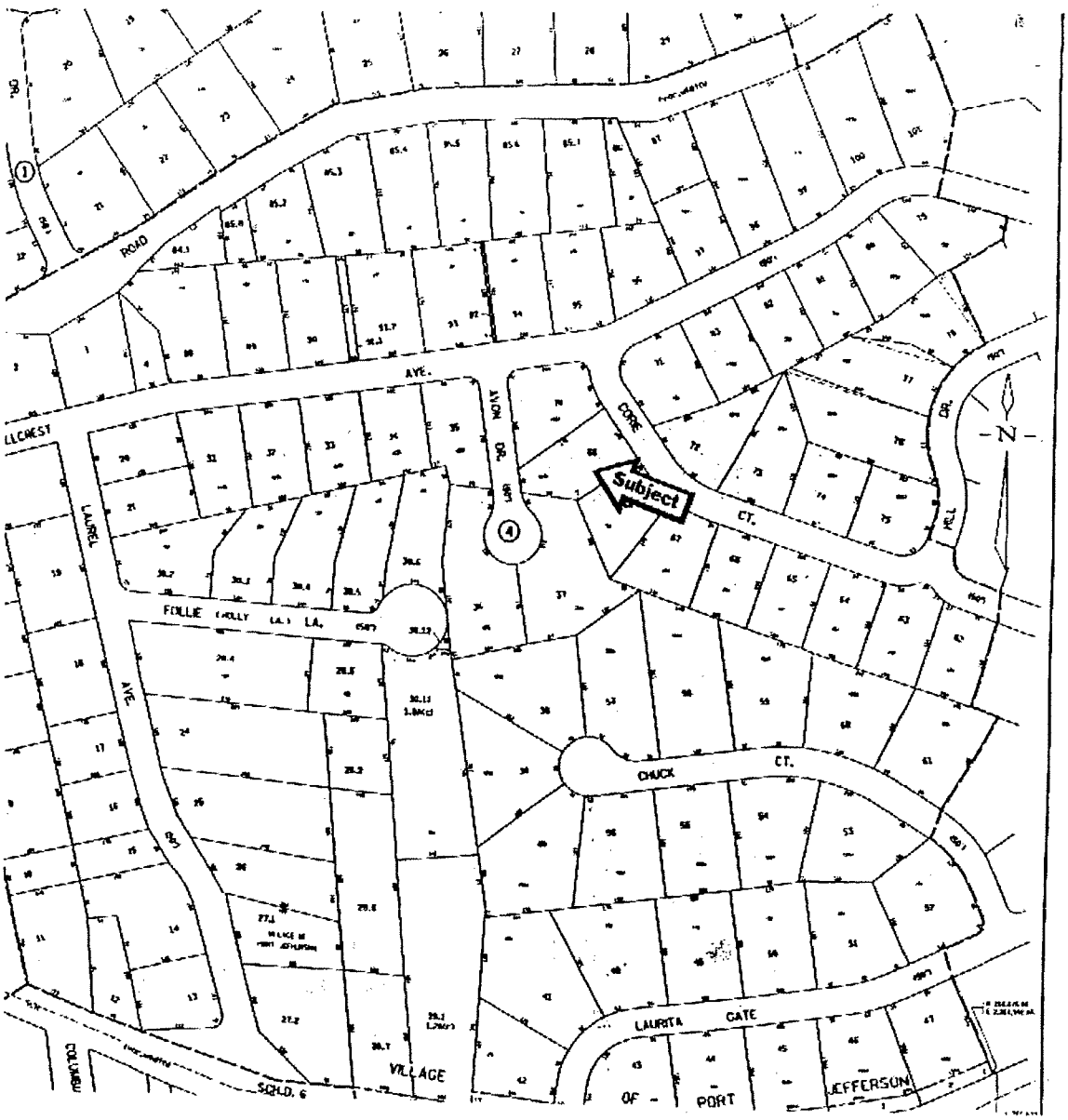

TAX MAP OF SUBJECT

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

1052

DEPARTMENT OF PLANNING

THOMAS A. ISLES
DIRECTOR OF PLANNING

File #07-6.03
September 11, 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

RECEIVED
SEP 14 2007
DIV. REAL PROP. ACQ. & MGMT.
REDEMPTION

Dear Ms. O'Neal:

I am writing in response to your letter dated September 4, 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:

0206-018.00-04.00-069.000 - Improved

Sincerely,

Lauretta R. Fischer
Principal Environmental Analyst

File #07-6.03
cc: W. Thompson

LRF:bd

LOCATION
H. LEE DENNISON BLDG. - 4TH FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY 11788-0099

Phone: (631) 853-5191
Fax: (631) 853-4044

SUFFOLK COUNTY DEPARTMENT OF PLANNING
"SECTION 215" REVIEW FORM

1052

Tax Map Parcel Number: 0206-018.00-04.00-069.000

Town of: Brookhaven – Village of Port Jefferson

How Acquired by Suffolk County: X Nonpayment of Taxes ____ Donation ____ Other (explain) ____

Improved X residential structure
____ road
____ other

Unimproved ____

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: September 11, 2007 File # 07-6.03

LOCATION
H. LEE DENNISON BLDG. - 4TH FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
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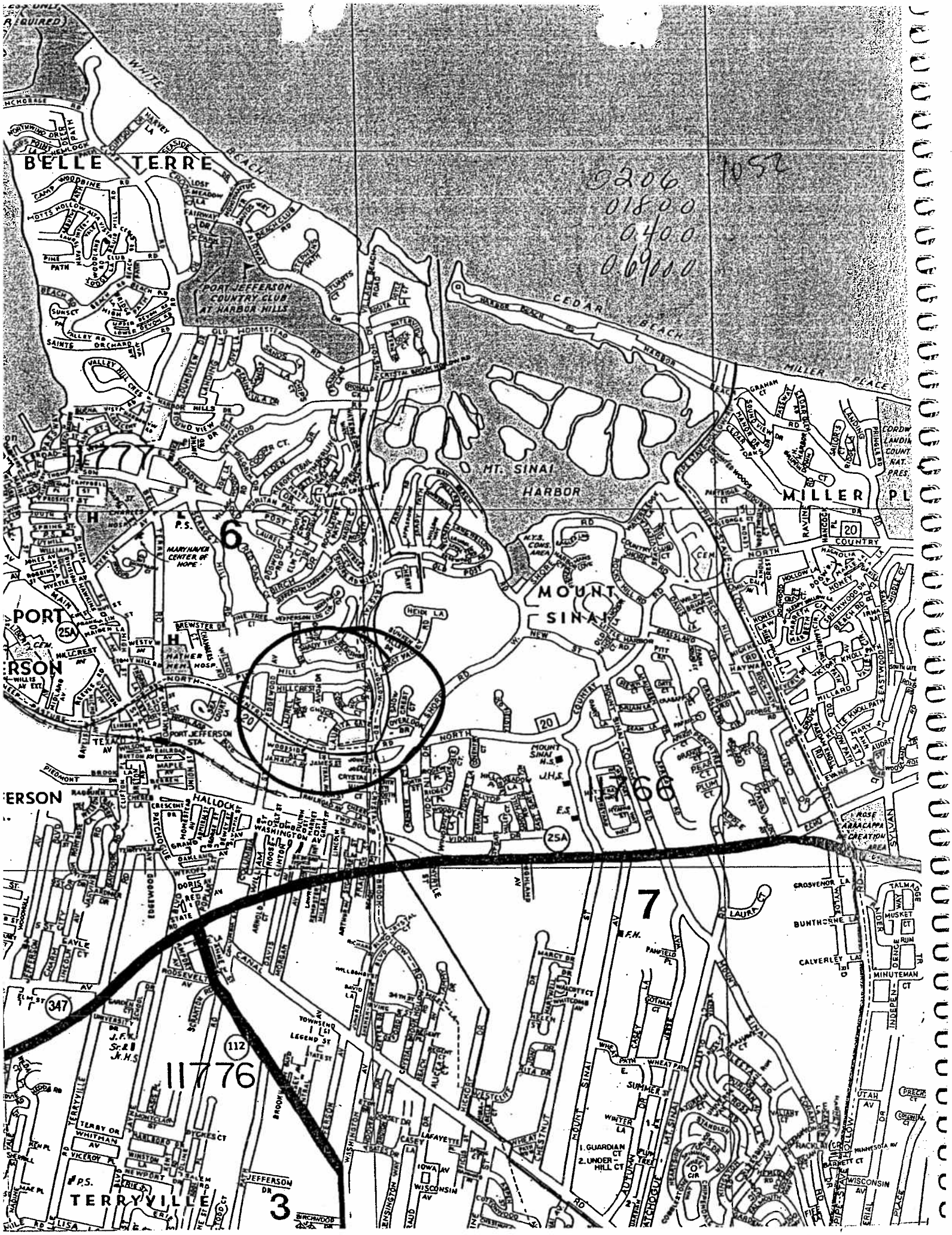

BELLE TERRE
WHITE BEACH
PORT JEFFERSON COUNTRY CLUB AT HARBOR HILLS
CEDAR BEACH
MILLER PLACE
MT. SINAI HARBOR
MILLER PL
MOUNT SINAI
N.Y.S. CONS. AREA
MARYHAVEN CENTER OF HOPE
MATHER MEM. HOSP.
PORT JEFFERSON STA.
HALLOCK
WASHINGTON AV
MOUNT SINAI H.S.
J.H.S.
E.S.
ROSE ARRACAPPA CREATION AREA
GROSVENOR LA
BUNTHORNE LA
CALVERLEY LA
MINUTEMAN CT
TERRYVILLE
P.S.
1. GUARDIAN CT
2. UNDER-HILL CT
11766
11776
6
7
3

1052

0206
01800
0400
069000

OTHERWISE, ALL PROPERTIES THE FOLLOWING DISTRICTS:

SEWER
HYDRANT
WATER
REFUSE
WASTEWATER

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:

KEY MAP

TOWN OF BROOKHAVEN
VILLAGE OF PORT JEFFERSON
DISTRICT NO 0206

SECTION NO 018
PROPERTY MAP

CONVERSION DATE: Nov. 16, 1996

APPLICATION FOR RECOVERY OF REAL PROPERTY ACQUIRED BY SUFFOLK COUNTY
County of Suffolk

1. Information Concerning Applicant(s)

Name of Applicant(s)	Address	Telephone Number
Karen Sanford Christine M. Ryan ~~Brian K. Smith~~	27 Bayberry Circle Mills, MA 02054	( )

2. Property for Which Recovery is Desired

Location or Address	Date of Recording of Suffolk County's Tax Deed
4 Corie Court Port Jefferson, NY 11777	5/21/99

Suffolk County Tax Map Number	District	Section	Block	Lot
42070	0206	018.00	04.00	069.000

3. Description of Instrument from Which Applicant's Interest Derives

Liber	Page
11964	322

Other (If applicant is not the prior owner, specify nature of applicant's interest)

Grantor	Grantee
Crandall A. Smith	Karen Sanford Christine M.Ryan Brian K. Smith
Date of Execution	**Date of Recording**
2/17/99	5/21/99

4. Description of Extenuating Circumstances Which Led to Loss of Property

(See Governing Section of County Code §27-3)

See # 6 of Petition

(Attached additional pages, if necessary)

5. Acknowledgement

~~State of New York)~~ ss: Commonwealth of Massachusetts
~~County of Suffolk)~~ County of Norfolk

I/We Lance L. Davis, 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 14th day of May, 2007

Notary Public of the ~~State of New York~~ Commonwealth of Massachusetts

LANCE L. DAVIS
Notary Public
Commonwealth of Massachusetts
My Commission Expires
October 30, 2009

APPLICATION FOR RECOVERY OF REAL PROPERTY ACQUIRED BY SUFFOLK COUNTY
County of Suffolk

1. Information Concerning Applicant(s)

Name of Applicant(s)	Address	Telephone Number
Karen Sanford Brian K. Smith Christine M. Ryan	11 Northern Sites Drive Mechanicville, NY 12118	( )

2. Property for Which Recovery is Desired

Location or Address	Date of Recording of Suffolk County's Tax Deed
4 Corie Court Port Jefferson, NY 11777	5/21/99

Suffolk County Tax Map Number	District	Section	Block	Lot
42070	0206	018.00	04.00	069.000

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Liber	Page
11964	322

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Grantor	Grantee
Crandall A. Smith	Karen Sanford Brian K. Smith Christine M. Ryan

Date of Execution	Date of Recording
2/17/99	5/21/99

4. Description of Extenuating Circumstances Which Led to Loss of Property

(See Governing Section of County Code §27-3)

See # 6 of Petition

(Attached additional pages, if necessary)

5. Acknowledgement

Stat
Cou

I/W
with
thos

applicant(s) in the
eof; and that as to

7th day

New York

0206 018 04 069

KEITH G. DOEPP
66 QUAIL RD.
ROCKY POINT, NY 11778

50-7578-2214 1346

4/14 2007

Pay to the order of Suffolk County Division of Real Property Acquisition + management $500

five hundred AND 60/100 Dollars

TEACHERS FEDERAL CREDIT UNION
FARMINGVILLE, NEW YORK 11738

For Application for recovery For Karen Sanford

⑆221475786⑆126100029628 70⑈1346

4/19/05

REGISTER NUMBER 2169

OF DEATH

L 1052

NAME OF DECEDENT: Grandell SMITH

DATE OF DEATH: XX XX XXXX 10:15p

4A. PLACE OF DEATH (Check only one): DOA ☐1 HOSPITAL ☐2 HOSPITAL OUTPATIENT ☐3 HOSPICE ☐4 NURSING HOME ☐5 PRIVATE RESIDENCE ☐6 OTHER (Specify) ☐7

4B. IF FACILITY, DATE ADMITTED: MONTH XX DAY XX YEAR XXXX

4C. NAME OF FACILITY: (If not home, give street address) Stony Brook University Hospital

4D. LOCALITY: (Village, town or city) St Brookhaven

4E. COUNTY OF DEATH: Suffolk

4F. MEDICAL RECORD NO. 00367397

4G. WAS DECEDENT TRANSFERED FROM ANOTHER INSTITUTION? NO ☐ YES ☒ Wittridge Adult Home Lake Ronkonkoma, Suffolk NY

5. DATE OF BIRTH: MONTH XX DAY XX YEAR XXXX

6A. AGE IN YEARS: 82 yrs

6B. IF UNDER 1 YEAR ENTER: months days

6C. IF UNDER 1 DAY ENTER: hours minutes

7A. CITY AND STATE OF BIRTH (If not USA, Country and Region of birth): Oswego, N.Y.

7B. IF AGE UNDER 1 YEAR, NAME OF HOSPITAL OF BIRTH:

8. SERVED IN U.S. ARMED FORCES? NO ☐ YES ☒ 19XX-19XX

9. RACE (White, Black, etc.): White

10. HISPANIC ORIGIN? NO ☒ YES ☐

11. EDUCATION (Highest grade completed in school): Years (1-8 or 9-12) 4

12. SOCIAL SECURITY NUMBER: 079-10-6181

13. MARITAL STATUS: NEVER MARRIED ☐ MARRIED ☒ SEPARATED ☐ WIDOWED ☐ DIVORCED ☐

14. SURVIVING SPOUSE (Your name if married, or surviving spouse's name if widowed, divorced or separated): Marie C. Asker

15A. KIND OF BUSINESS OR INDUSTRY: School Teacher

15B. OCCUPATION: Education

15C. EMPLOYER: Port Jefferson School District

16A. RESIDENCE: State N.Y.

16B. County or Region: Suffolk

16C. CITY, VILLAGE, TOWN: ☐ ☒ ☐ Port Jefferson

16D. IF CITY OR VILLAGE, IS RESIDENCE WITHIN CITY OR VILLAGE LIMITS? YES ☐ NO ☐

16E. STREET AND NUMBER OF RESIDENCE: Victorie Court

16F. ZIP CODE: 11777

17. NAME OF FATHER: John Smith

18. MAIDEN NAME OF MOTHER: Helen Grandell

19A. NAME OF INFORMANT: Karen Sanford

19B. MAILING ADDRESS: 6 Cordie Court Port Jefferson, N.Y. 11777

20A. BURIAL, CREMATION, REMOVAL OR DISPOSITION: Cremation

20B. PLACE OF BURIAL, CREMATION, REMOVAL OR DISPOSITION: Washington Memorial Park

20C. LOCATION: Mt. Sinai, N.Y.

21A. NAME AND ADDRESS OF FUNERAL DIRECTOR: D.T. Davis Funeral Homes 4639 Nesconset Hwy Port Jefferson Sta. NY

21B. REGISTRATION NUMBER: 01392

22A. NAME OF FUNERAL DIRECTOR: Gregory J. Burbui

22B. SIGNATURE OF FUNERAL DIRECTOR:

22C. REGISTRATION NUMBER: 00563

23A. DATE PERMIT RECEIVED: XX XX XXXX

23B. PERMIT ISSUED BY: Nassau County

23C. PERMIT NUMBER: XX XX XXXX

ITEMS 24 THROUGH 27 TO BE COMPLETED BY DEATH CERTIFICATION PHYSICIAN

24. I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, DEATH OCCURRED AT THE TIME, DATE AND PLACE AND DUE TO THE CAUSES STATED.

SIGNATURE:

MONTH XX DAY XX YEAR XXXX

25A. THE PHYSICIAN ATTENDED THE DECEASED: MONTH XX DAY XX YEAR XXXX TO MONTH XX DAY XX YEAR XXXX

25B. LAST SEEN ALIVE BY ATTENDANT: MONTH XX DAY XX YEAR XXXX

25C. NAME OF ATTENDING PHYSICIAN: David Tompkins, MD

25D. ATTENDING PHYSICIAN'S LICENSE NUMBER: 187136

25E. NAME AND ADDRESS OF REFERRING PHYSICIAN: Sami Sadiqi MD, Schoolhouse

ITEMS 28 THROUGH 31 TO BE COMPLETED BY CORONER OR MEDICAL EXAMINER

26. PRONOUNCED DEAD ON: MONTH XX DAY XX YEAR XXXX

26A. HOUR:

26B. DATE PRINTED: MONTH XX DAY XX YEAR XXXX

26C. SIGNATURE OF CORONER OR CORONER'S PHYSICIAN, IF OTHER THAN CERTIFIER:

26D. MEDICAL EXAMINER'S LICENSE NUMBER:

27. MANNER OF DEATH: NATURAL CAUSE ☒1 ACCIDENT ☐2 HOMICIDE ☐3 SUICIDE ☐4 UNDETERMINED ☐5 PENDING INVESTIGATION ☐6

28. WAS CASE REFERRED TO CORONER OR MEDICAL EXAMINER? NO ☒0 YES ☐1

29A. AUTOPSY? NO ☒0 YES ☐1 RESULTS ☐2

29B. IF YES, WERE FINDINGS USED TO DETERMINE CAUSE OF DEATH? NO ☐0 YES ☐1

29C. DEATH WAS CAUSED BY: (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b) AND (c)) INTERVAL BETWEEN ONSET AND DEATH

PART I. IMMEDIATE CAUSE: (a) Congestive Heart Failure

DUE TO, OR AS A CONSEQUENCE OF: (b) Atrial Fibrillation

DUE TO, OR AS A CONSEQUENCE OF: (c) Sepsis

PART II. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO CAUSE GIVEN IN PART I

30A. IF INJURY, DATE: MONTH XX DAY XX YEAR XXXX HOUR:

30B. INJURY LOCALITY: (City or town and county and state)

30C. DESCRIBE HOW INJURY OCCURRED:

30D. PLACE OF INJURY:

30E. INJURY AT WORK? NO ☐ YES ☐

30F. WAS DECEDENT HOSPITALIZED IN LAST 6 MONTHS? NO ☐0 YES ☐1

30A. IF FEMALE, WAS DECEDENT PREGNANT IN LAST 6 MONTHS? NO ☐ YES ☐

30B. DATE OF DELIVERY: MONTH XX DAY XX YEAR XXXX

HCH-1961 (02-2000)

Cremation # 02-3602-C

RUSSO KARL WIDMAIER & CORDANO PLLC
Attorneys At Law

400 Town Line Road
Hauppauge, NY 11788
631.265.7200
facsimile 631.265.7578

Chris
F/Y/I
Cathy 1052

Charles C. Russo Ext. 106
Terry J. Karl
Kurt P. Widmaier
Richard T. Cordano

♦ ♦ ♦

Kristopher M. Hodella
Colleen F. Dowd

Medicaid Specialist
Marilyn Hall, JD

Of Counsel
Kevin M. Fox PLLC
Timothy L. Delaney
John H. Rouse

RECEIVED
DEC - 5 2007
DIV. REAL PROP. ACQ. & MGMT.
REDEMPTION

December 4, 2007

VIA FAX 853-5906 AND REGULAR MAIL
County of Suffolk
Department of Environment and Energy
Division of Real Property
Acquisition and Management
PO Box 6100
Hauppauge, NY 11788

12/10/07
$4000.00
license fees
as per CK
CO

Attn: Cathy O'Neal, Redemption Unit

RE: APPLICATION FOR REDEMPTION
TAX MAP NO. 0206 01800 0400 069000
RE: SANFORD & SMITH
4 CORIE COURT, PORT JEFFERSON, NY 11777

Dear Ms. O'Neal:

Pursuant to our phone conversation of even date, I write this letter requesting your waiver of the license agreement fee in the amount of $12,375.00, pursuant to the payment schedule included in your September 20, 2007 correspondence.

My client, Karen Sanford, resided at the above-captioned location for approximately 39 years. About four years ago, her father passed away following a long-term debilitating illness. Approximately 30 days thereafter, her husband of many years committed suicide causing devastation to both she and her children. Subsequently, her daughter was diagnosed with post traumatic stress disorder requiring the need for intensive treatment and therapy. As a consequence of this emotional trauma, my client suffered a severe depressive episode which rendered her unable to manage her financial affairs and render any decisions whatsoever. This depression manifested itself in social phobias, which caused an inability to reach out for help. It further impacted on her

By appointment only:
33 West 2nd Street
Riverhead, NY 11901

♦ ♦ ♦

1103 Stewart Avenue,
Suite 200
Garden City, NY 11530

♦ ♦ ♦

4 Roosevelt Avenue
Pt. Jefferson Sta., NY 11776

♦ ♦ ♦

7 Bayview Avenue
Northport, NY 11768

1052

emotionally, affecting her employment, as described in the letter attached hereto by Dr. Lauren B. Krupp. She is presently in therapy and I have attached correspondence from her therapist, Veronica A. Groth, setting forth her treatment and prognosis.

Her family and co-tenants, Brian K. Smith and Christine M. Ryan, have been a constant support and have made a financial commitment to help her clear her pending tax problems.

Since my client was evicted from the house and has been living with her daughter, I am requesting that the County consider waiving the license agreement fees of $12,375.00.

If this can be accomplished, my client is immediately prepared to satisfy the tax arrears and miscellaneous expenses.

I would very much like to get this matter finalized before the holidays and would ask that you process this request as soon as possible.

I thank you for considering my request and hope to hear from you soon.

Very truly yours,

RUSSO, KARL,
WIDMAIER & CORDANO, PLLC

CHARLES C. RUSSO

CCR/sc
Enclosure

Veronica A. Groth R.N., M.S., N.P.P.
1050 Hallock Avenue
Port Jefferson Station, N.Y. 11776
(631) 327-5395

1052

April 9th, 2007

To Whom It May Concern:

An initial psychiatric evaluation was performed on Karen Sanford DOB, 04/07/53, on March 7th, 2007. Karen is diagnosed with and being treated for a Major Depressive Episode with moderate to severe features. The evaluation indicated that Karen has experienced some forms of depression throughout her life accompanied with Social Anxiety Disorder. .

Approximately four years ago, two tragic events occurred which I believe are the core contributing factors leading up to this current major depressive episode and her progressive debilitating behaviors. Karen's father passed on from a long-term, chronic, debilitating disease for which she was the primary care taker for ten years. About one month later her ex-husband of whom she was still close with, violently committed suicide.

Severe depression can alter the mind's ability to think clearly and productively. Normal or appropriate judgment and insight into every day decision making becomes impaired. Her depression caused a significant incapacitation in her ability to function in a reasonable manner; she was unable to take care of her own personal affairs.

Karen has been started on an anti-depressant and is encouraged to see a psycho-therapist, weekly. Her prognosis is currently fair but guarded. The success of her treatment depends on her commitment to treatment and medication response.

DSM-IV Diagnosis

AXIS I: Major Depressive Episode, recurrent with moderate to severe features.
Social Anxiety Disorder
AXIS II: Deferred
AXIS III: NONE
AXIS IV: Primary support group, coping mechanism deficits, financial and economic hardships, socialization deficits.
AXIS V: 60/65

Please call if you have any questions.

Respectfully yours,

Veronica A. Groth R.N., M.S., N.P.P Judith A. Crowell M.D.

Stony Brook University
Health Sciences Center

School of Medicine
Department of Neurology

1052

May 2, 2007

Re: Karen Sanford

To Whom It May Concern:

I have add the pleasure of knowing Ms. Karen Sanford for over 10 years in my capacity as a faculty member at Stony Brook University Medical Center. Ms. Sanford has been an administrative assistant who for a period of time directly worked with me but I have had a supervisory role in our ten years together at Stony Brook.

I have gotten to know her well. She is a kind and reasonable individual who about 4 years ago developed a change in her behavior. She became visibly depressed to the point that she frequently became tearful. Where she had been a reliable and dedicated worker – she became increasingly distracted and inattentive.

At several points I had suggested that she seek counseling for what I believe was a severe depression. However, I am doubtful that she did. Over the past four years her behavior appeared more erratic. In the past year there was further worsening in that it became increasingly difficult for her to interact well with our administrative assistants and supervisors at work.

I believe as a neurologist and supervisor that Ms. Sanford was suffering from a severe depression which was responsible for a change in her behavior from what was a responsible baseline. In recent weeks, presumably with therapy, she has shown a major change reverting to her previously hard working, dependable self.

If there are any questions or further information regarding my assessment of Ms. Sanford please email me at Lauren.krupp@stonybrook.edu

Sincerely,

Lauren B. Krupp, M.D.
Professor of Neurology and Psychology

Stony Brook, NY 11794-8121
Tel: 631.444.2599
Fax: 631.444.1474

STONY BROOK
STATE UNIVERSITY OF NEW YORK

KEITH G. DOEPP
66 QUAIL RD.
ROCKY POINT, NY 11778

50-7578-2214

1346

4/14 20 07

Pay to the order of Suffolk County Division of Real Property Acquisition & Management $ 500 —

five hundred AND 00/100 — Dollars

TEACHERS FEDERAL CREDIT UNION
FARMINGVILLE, NEW YORK 11738

For Application for recovery

Keith Doepp

⑆221475786⑆ 1261000296 2870⑈ 1346

2501

RUSSO KARL WIDMAIER & CORDANO PLLC
Attorneys At Law

400 Town Line Road
Hauppauge, NY 11788
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1103 Stewart Avenue,
Suite 200
Garden City, NY 11530

♦ ♦ ♦

4 Roosevelt Avenue
Pt. Jefferson Sta., NY 11776

♦ ♦ ♦

7 Bayview Avenue
Northport, NY 11768

1052

May 21, 2007

Suffolk County Legislator
5th District
306 Main Street
Port Jefferson, NY 11777

Attn: Honorable Vivian Viloria-Fisher

RE: SANFORD
4 CORIE COURT, PORT JEFFERSON, NY

Dear Legislator Fisher:

Enclosed please find the following documents regarding an application to redeem real property pursuant to Section 215 of the County Law.

1. Petition with attached exhibits
2. Application executed by co-owners
3. Payment of $500.00

Kindly process the application through your office and contact me as to the status.

Thank you in advance for your assistance.

Very truly yours,

RUSSO, KARL, WIDMAIER & CORDANO

TJK

TERRY J. KARL

TJK/sc
Enclosures

APPLICATION FOR RECOVERY OF REAL PROPERTY ACQUIRED BY SUFFOLK COUNTY
County of Suffolk

1. Information Concerning Applicant(s)

Name of Applicant(s)	Address	Telephone Number
Karen Sanford Christine M. Ryan ~~Brian K. Smith~~	27 Bayberry Circle 1052 Mills, MA 02054	( )

2. Property for Which Recovery is Desired

Location or Address	Date of Recording of Suffolk County's Tax Deed
4 Corie Court Port Jefferson, NY 11777	5/21/99

Suffolk County Tax Map Number	District	Section	Block	Lot
42070	0206	018.00	04.00	069.000

3. Description of Instrument from Which Applicant's Interest Derives

Liber	Page
11964	322

Other (If applicant is not the prior owner, specify nature of applicant's interest)

Grantor	Grantee
Crandall A. Smith	Karen Sanford Christine M.Ryan Brian K. Smith
Date of Execution	**Date of Recording**
2/17/99	5/21/99

4. Description of Extenuating Circumstances Which Led to Loss of Property

(See Governing Section of County Code §27-3)

See # 6 of Petition

(Attached additional pages, if necessary)

5. Acknowledgement

~~State of New York)~~ss: Commonwealth of Massachusetts
~~County of Suffolk)~~ County of Norfolk

I/We Lance L. Davis, 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 14th day of May, 2007

Notary Public of the ~~State of New York~~ Commonwealth of Massachusetts

LANCE L. DAVIS
Notary Public
Commonwealth of Massachusetts
My Commission Expires
October 30, 2009

COUNTY OF SUFFOLK

1052

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CHRISTOPHER E. KENT
DIVISION DIRECTOR

CARRIE MEEK GALLAGHER
COMMISSIONER

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

MEMORANDUM

TO: Ginny Suhr, Legislative Aide
Office of Legislator Vivian Viloria-Fisher

FROM: Susan
Redemption Unit

DATE: June 1, 2007

RE: 215 Redemption – 0206-018-04-069 – 4 Corie Court, Port Jefferson, NY 11777
SANFORD

Ginny,

As per our phone conversation today, here are the original 215 application papers and $500.00 check for Legislator Fisher to look over. If she agrees to sponsor this redemption, we need a letter signed by her stating her approval and providing the tax map number of the property, as well as the name and address of the applicant. Thank you . If you have any questions, please call Cathy O'Neal at 853-5937. She is the Land Management Specialist that would be working with this file. Thank you.

sc

LOCATION
H. LEE DENNISON BLDG. - 2nd Floor
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5900
Fax (631) 853-5906
Fax (631) 853-5905

1052

----------X

In the Matter of the Application for Redemption of Real Estate Filed By

PETITION

KAREN SANFORD,
BRIAN K. SMITH and
CHRISTINE M. RYAN

----------X

STATE OF NEW YORK)
) ss:
COUNTY OF SUFFOLK)

KAREN SANFORD, being duly sworn, deposes and says:

1. That I am an owner of the property known as 4 Corie Court, Port Jefferson, New York 11777. I own this property jointly with my brother, Brian K. Smith, and sister, Christine Ryan.

2. That said property is situated in the Fifth Legislative District.

3. That I file the within application and Petition seeking the redemption of this property, pursuant to Section 215 of County Law, for failure to remit back real estate taxes.

4. That our family has owned this house for the past thirty nine (39) years.

5. That myself and my siblings are prepared to remit the taxes due upon the granting of this Application.

6. That approximately four (4) years ago, my father passed away following a long term debilitating illness. Approximately thirty (30) days later, my husband of many years committed suicide which devastated my children and I. My daughter was diagnosed with a post traumatic stress disorder as a result, causing a need for intense treatment and therapy. As a consequence of all this emotional trauma, I suffered a severe depressive episode which left me unable to manage my financial affairs, nor make any rational decisions whatsoever. The depression manifested

itself in social phobias with an inability to reach out for help. It also impacted my employment and is outlined in the attached correspondence of Dr. Lauren Krupp. I am now receiving therapy and I have attached hereto correspondence from my therapist, Veronica A. Groth, R.N., M.S., N.P.P, setting forth my emotion illness, my treatment and prognosis.

7. Additionally, I am now receiving constant support from my family and siblings who have given both their emotional and financial commitment to me and to our efforts to redeem the house.

8. That I have attached hereto two (2) letters from my brother and sister setting forth their position.

9. More importantly, the notice of delinquent taxes was never conveyed to them in writing or by me verbally.

10. The tax map number for the premises is as follows:

Dist.	0206
Section	018.00
Block	04.00
Lot	069.000

11. A copy of the deed reflecting a fee simple ownership is dated February 17, 1999 and is attached hereto.

12. That the attached Application, Petition with attached exhibits are forwarded to County Legislator Vivian Fisher along with a check of $500.00 made payable to the Suffolk County Division of Real Property Acquisition and Management.

WHEREFORE, your deponent respectfully requests that the within application for redemption of real property be granted in full.

Karen Sanford

KAREN SANFORD

1052

STATE OF NEW YORK, COUNTY OF SUFFOLK

On this 28 day of April, 2007, before me, the undersigned, personally appeared **KAREN SANFORD** personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity and that by his/her/their signature(s) on the instrument, the individual(s), or the person on behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

CHARLES C. RUSSO
NOTARY PUBLIC, State of New York
No. 52-4676559
Qualified in Suffolk County
Commission Expires August 31, 2010

1052

Brian K. Smith
11 Northern Sites Drive
Mechanicville, NY 12118

March 25, 2007

Re: 4 Corie Court, Port Jefferson NY

To Whom It May Concern:

I understand that my family's home at 4 Corie Court, Port Jefferson, NY 11777 has been seized for non-payment of property taxes.

The house is owned by my sister, Karen Sanford who resides in the house, myself and my sister Christine Ryan. I never received any notification regarding non-payment of property taxes, and had no knowledge that taxes had not been paid. The house has been owned by our family for approximately 39 years, and this is extremely upsetting. We want to rectify this situation as soon as possible, and certainly would have addressed it previously if we had been contacted, and been given an opportunity to do so.

Sincerely,

Brian K. Smith

1052

Christine M. Ryan
27 Bayberry Circle
Millis, MA 02054

March 25, 2007

Re: 4 Corie Court, Port Jefferson NY

To Whom It May Concern:

I understand that my family's home at 4 Corie Court, Port Jefferson, NY 11777 has been seized for non-payment of property taxes.

The house is owned by my sister, Karen Sanford who resides in the house, but is also owned equally by me and my brother, Brian K. Smith. I never received any notification regarding non-payment of property taxes, and had no knowledge that taxes had not been paid. The house has been owned by our family for approximately 39 years, and this is extremely upsetting. We want to rectify this situation as soon as possible, and certainly would have addressed it previously if we had been contacted, and been given an opportunity to do so.

Sincerely,

Christine M. Ryan

1052

----------X

In the Matter of the Application for Redemption of Real Estate Filed By

AFFIDAVIT

KAREN SANFORD,
BRIAN K. SMITH and
CHRISTINE M. RYAN

----------X

STATE OF NEW YORK)
) ss:
COUNTY OF SUFFOLK)

BRIAN K. SMITH, being duly sworn, deposes and says:

1. That I am a co-owner of the premises known as 4 Corie Court, Port Jefferson, New York, 11777.

2. That I do not reside at that location, although my sister, Karen Sanford, does.

3. That my sister, Karen Sanford, has had a variety of emotional problems about which medical evidence is attached hereto.

4. That as a result of said problems, my sister was unable to remit the real estate taxes due on the property. Since I did not reside there, I received no notice of the tax delinquency.

5. That our family is now prepared to remit the back taxes in order to redeem the property and my sister, Karen Sanford, has stabilized her condition so that the delinquency shall not occur again.

WHEREFORE, your deponent respectfully requests that the within application for redemption of real property be granted in full.

BRIAN K. SMITH

1052

STATE OF NEW YORK

ss.:

COUNTY OF SUFFOLK

On the 17 day of MAY, 2007 before me personally came **BRIAN K. SMITH**, to me known to be the individual described in and who executed the foregoing instrument and he did duly acknowledge to me that he executed the same.

NOTARY PUBLIC

DAVID L. RIEBEL
NOTARY PUBLIC, State of New York
No. 3280050
Qualified in Saratoga County
Commission Expires ~~March~~ 30, ~~19~~ 2011
Apr.)

1052

----------X

In the Matter of the Application for Redemption of Real Estate Filed By

AFFIDAVIT

KAREN SANFORD,
BRIAN K. SMITH and
CHRISTINE M. RYAN

----------X

STATE OF NEW YORK)
) ss:
COUNTY OF SUFFOLK)

CHRISTINE M. RYAN, being duly sworn, deposes and says:

1. That I am a co-owner of the premises known as 4 Corie Court, Port Jefferson, New York, 11777.

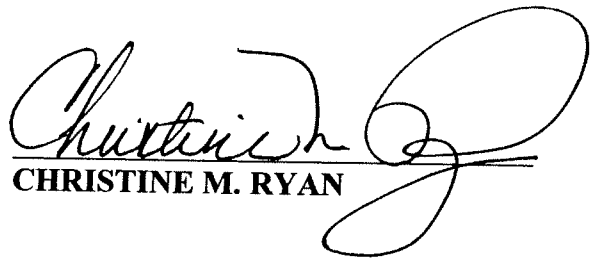
2. That I do not reside at that location, although my sister, Karen Sanford, does.

3. That my sister, Karen Sanford, has had a variety of emotional problems about which medical evidence is attached hereto.

4. That as a result of said problems, my sister was unable to remit the real estate taxes due on the property. Since I did not reside there, I received no notice of the tax delinquency.

5. That our family is now prepared to remit the back taxes in order to redeem the property and my sister, Karen Sanford, has stabilized her condition so that the delinquency shall not occur again.

WHEREFORE, your deponent respectfully requests that the within application for redemption of real property be granted in full.



CHRISTINE M. RYAN

1052

ACKNOWLEDGEMENT

Commonwealth of Massachusetts
Norfolk County

May 14, 2007

On this 14th day of May, 2007, before me, the undersigned notary public, personally appeared Christine Ryan, known by me through personal knowledge to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public
My commission expires

LANCE L. DAVIS
Notary Public
Commonwealth of Massachusetts
My Commission Expires
October 30, 2009

1054

Standard N.Y.B.T.U. Form 8002-20M __Bargain and Sale Deed, with Covenants against Grantor's Acts-Individual or Corporation (single sheet)

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 17th day of February, nineteen hundred and ninety-nin

BETWEEN **CRANDALL A. SMITH,** residing at 4 Corie Court, Port Jefferson, New York 11777

party of the first part, and **CHRISTINE M. RYAN,** residing at 38 Brandley Road, Watertown, Massachusetts 02472, **KAREN CRANDALL SANFORD,** residing at 4 Corie Court, Port Jefferson, New York 11777 and **BRIAN K. SMITH,** residing at 11 Northern Sites Drive, Mechanicville, New York

party of second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

at Port Jefferson, Town of Brookhaven, County of Suffolk and State of New York, known and designated as and by Lot #10 as shown on a certain map entitled "Map of Brook Hollow, Section 1, Port Jefferson, L.I., New York, owned by Bernard Goldman, surveyed October 1964 by Hawkins and Webb, Surveyors," and which said map was filed in the Suffolk County Clerk's office on February 10, 1966 as Map #4572.

DISTRICT 0206

SECTION 018.00

BLOCK 04.00

LOT 069.000

THIS DEED IS SUBJECT TO the party of the first part **retaining a life estate.**

SAID premises being known as 4 Corie Court, Port Jefferson, New York 11777.

BEING AND INTENDED TO BE THE same premises conveyed to the party of the first part by deed dated February 17, 1999, and intended to be recorded in the Office of the Clerk of the County of Suffolk simultaneously herewith.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Crandall A. Smith

CRANDALL A. SMITH

STA NEW YORK, COUNTY OF Suffolk SS:

On the 17th day of February 19 99, before me personally came

CRANDALL A. SMITH

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

Terry Cipriani

Notary Public

TERRY CIPRIANI
Notary Public, State of New York
No. 02CI6002962
Qualified in Suffolk County
Commission Expires Feb. 17, 20 01

STATE OF NEW YORK, COUNTY OF SS:

On the day of 19 , before me personally came

1052

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF SS:

On the day of 19 , before me personally came

to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the ;

of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed h name thereto by like order.

STATE OF NEW YORK, COUNTY OF SS:

On the day of 19 , before me personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

;

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed h name as witness thereto.

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO.

CRANDALL A. SMITH, **retaining a life estate**

TO

CHRISTINE M. RYAN, KAREN CRANDALL SMITH and BRIAN K. SMITH

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by

CHICAGO TITLE INSURANCE COMPANY

DISTRICT 0206

SECTION 018.00

BLOCK 04.00

LOT 069.000

COUNTY OR TOWN SUFFOLK

Recorded at Request of

CHICAGO TITLE INSURANCE COMPANY

Return by Mail to

DAVIDOW, DAVIDOW, SIEGEL & STERN
One Suffolk Square
Suite 330
Islandia, New York 11722

ZIP No.

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

11964PC322

Number of pages 3

TORRENS

Serial # _____

Certificate # _____

Prior Ctf. # _____

Deed / Mortgage Instrument

42070

RECEIVED
$ 0
REAL ESTATE
MAY 21 1999
TRANSFER TAX
SUFFOLK
COUNTY

42070

Deed / Mortgage Tax Stamp

1052

RECORDED

MAY 21 11 35 AM '99

EDWARD P. ROMAINE
CLERK OF
SUFFOLK COUNTY

Recording / Filing Stamps

4 FEES Record 2nd

Page / Filing Fee	9	Mortgage Amt.	
Handling	5	1. Basic Tax	
TP-584	5	2. Additional Tax	
Notation		Sub Total	
EA-52 17 (County)	5	Sub Total 24-	Spec./Assit. Or Spec. /Add.
EA-5217 (State)	25		TOT. MTG. TAX
R.P.T.S.A.	15		Dual Town ____ Dual County ____ Held for Apportionment
Comm. of Ed.	5 00		Transfer Tax 0
Affidavit			Mansion Tax
Certified Copy			The property covered by this mortgage is or will be improved by a one or two family dwelling only. YES ____ or NO ____
Reg. Copy		Sub Total 45-	If NO, see appropriate tax clause on page # ____ of this instrument.
Other		GRAND TOTAL 69-	

SUFFOLK COUNTY SEAL NEW YORK

Real Property Tax Service Agency Verification

Dist.	Section	Block	Lot
0206	018.00	04.00	069.000

Date 4-13-99

Initials RM

6 Community Preservation Fund

Consideration Amount $ -0-

CPF Tax Due $ -0-

Improved _____

Vacant Land _____

TD _____

TD _____

TD _____

7 Satisfactions/Discharges/Releases List Property Owners Mailing Address

RECORD & RETURN TO:

DAVIDOW, DAVIDOW, SIEGEL & STERN, LLP
One Suffolk Square
Suite 330
Islandia, New York 11722

8 Title Company Information

Co. Name

Title #

9 Suffolk County Recording & Endorsement Page

This page forms part of the attached Deed made by:
(SPECIFY TYPE OF INSTRUMENT)

CRANDALL A. SMITH, retaining a life estate

TO

CHRISTINE M. RYAN, KAREN CRANDALL SANFORD, and BRIAN K. SMITH

The premises herein is situated in SUFFOLK COUNTY, NEW YORK.

In the Township of Brookhaven

In the VILLAGE or HAMLET of Port Jefferson

BOXES 5 THRU 9 MUST BE TYPED OR PRINTED IN BLACK INK ONLY PRIOR TO RECORDING OR FILING.

(OVER)

1052

In the Matter of the Application for Redemption of Real Estate Filed By

KAREN SANFORD
BRIAN K. SMITH
CHRISTINE M. RYAN

PETITION

RUSSO, KARL, WIDMAIER & CORDANO, ESQS.
TERRY J. KARL, ESQ.
Attorney(s) for Defendant
Office and Post Office Address, Telephone
400 TOWNLINE ROAD
HAUPPAUGE, NEW YORK 11788
(631) 265-7200

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the Courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Date:_____ Signature_____
Print Signer's
Name_____

Service of a copy of the within is hereby admitted.
Dated:

_____ Attorney(s) for

Sir: - Please take notice

__ Notice of Entry
that the within is a *(certified)* true copy of a
duly entered in the office of the clerk of the within named court on 2007

__ Notice of Settlement
that an order of which the within is a true copy will be presented
for settlement to the HON. one of the judges
of the within named court, at
on 20 at M.

Dated:

Yours, etc.

RUSSO, KARL, WIDMAIER & CORDANO, ESQS.
Attorneys for Defendant
Office and Post Office Address
400 TOWNLINE ROAD
HAUPPAUGE, NEW YORK 11788

To

Attorney(s) for

Introductory Resolution No. 1053-08 Laid on Table 2/5/08

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
20 EASTPORT MANOR ROAD CORP.
0200-686.00-01.00-021.000

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 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 686.00, Block 01.00, Lot 021.000, 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 686.00, Block 01.00, Lot 021.000; 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 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-l976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, MOHAMMAD GOLPARVAR, President of 20 Eastport Manor Road Corp. and AKHTAR GOLPARVAR, Treasurer of 20 Eastport Manor Road Corp., have made application of said above described parcel and MOHAMMAD GOLPARVAR, President of 20 Eastport Manor Road Corp. and AKHTAR GOLPARVAR, Treasurer of 20 Eastport Manor Road Corp., have paid the application fee and $52.75, 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 20 EASTPORT MANOR ROAD CORP., 20 Eastport Manor Road, Eastport, New York 11941, 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.I

1053

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

December 18, 2007

Tax Map No.: 0200-686.00-01.00-021.000
Name of Last Legal Fee Owner: 20 EASTPORT MANOR ROAD CORP.

TREASURER'S COMPUTATION..... $52.75

Taxes.....2006/2007..... PAID
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..... $52.75

Monies Received..... $52.75

RESOLUTION AMOUNT..... $52.75

APPROVED:

Karen A Slater 12/21/07
Accounting
LB:sc

PREPARED BY:
L. Bertone
Lori Bertone
Redemption Unit
(631) 853-5932

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1053

1. Type of Legislation

Resolution X
Tax Map Number 0200-686.00-01.00-021.000

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 Lori Bertone 12/19/07

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0200	686.00	01.00 1059	021.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05 48.48

2005/06 AND 2006/07 PROPERTY TAXES PAID BY BAYVIEW LOAN SERVICING.

	TOTAL:	48.48
B. INTEREST DUE		1.76
C. TOTAL		50.24
D. 5% LINE C		2.51
E. FEE		
F. MISC		
G. MISC		
H. TOTAL DUE		$52.75 12/3/07 cf

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

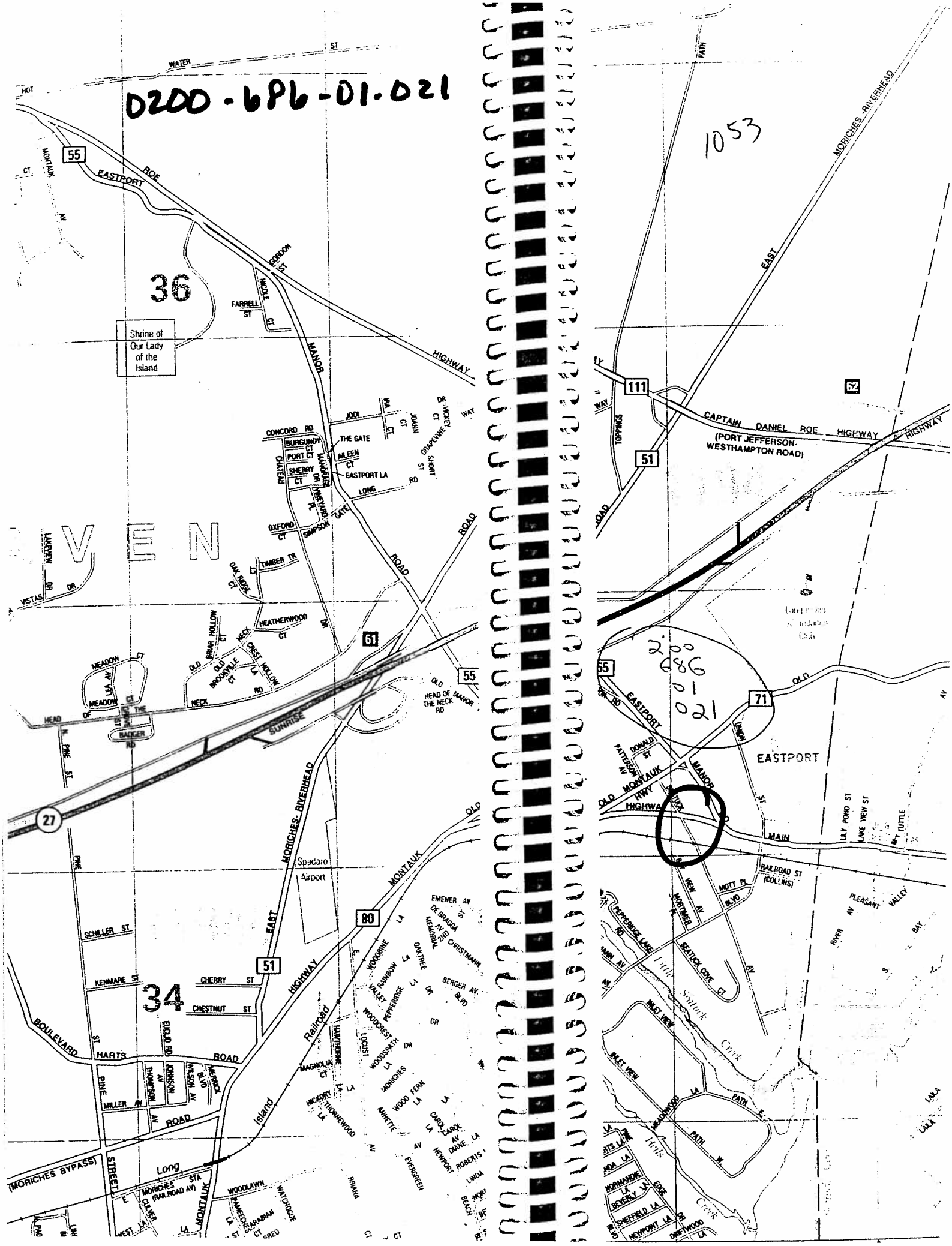
Diane M. Stuke
Deputy County Treasurer

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

dz

D200-686-01-021

1053



200
686
01
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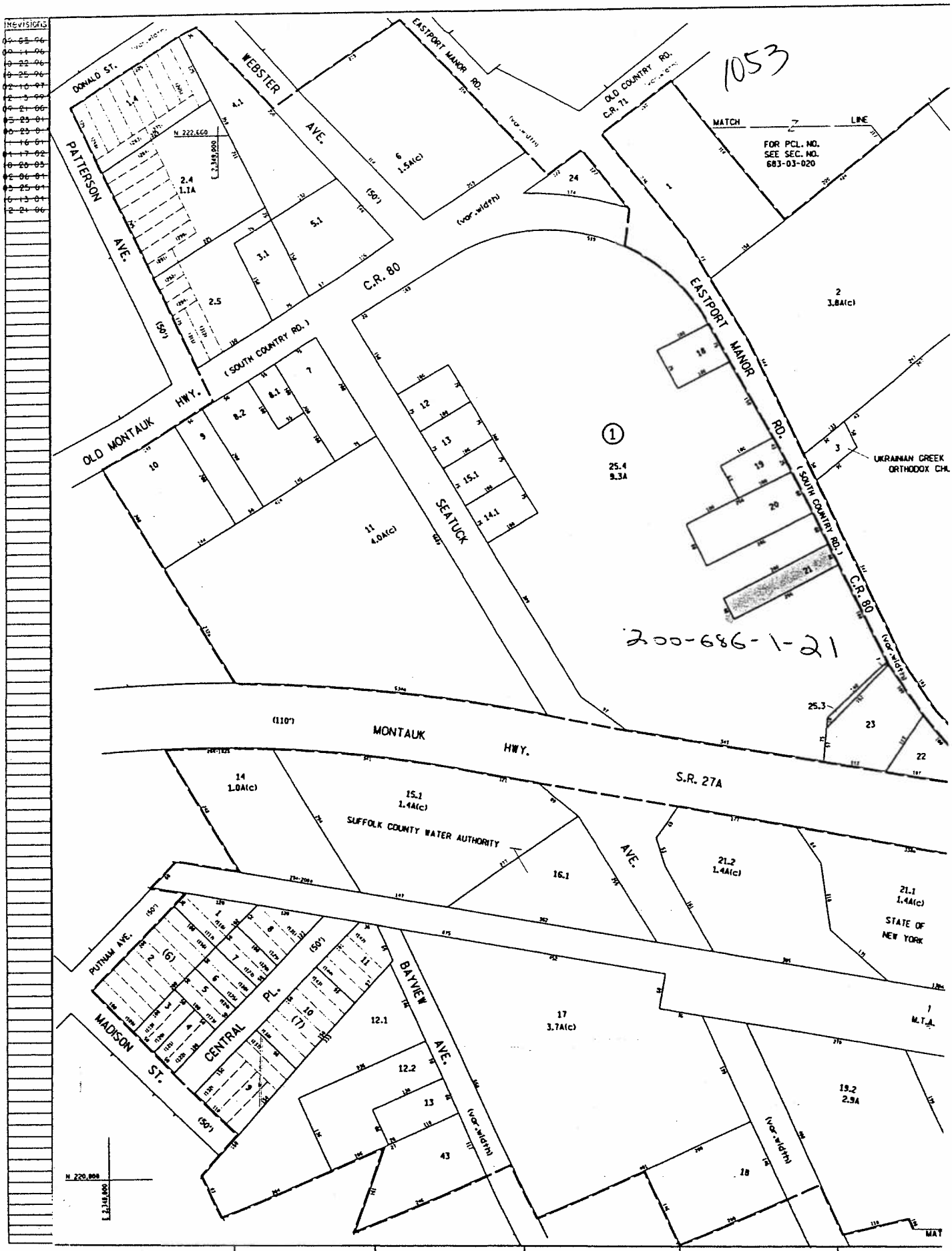
1053
DONALD ST.
WEBSTER AVE.
EASTPORT MANOR RD.
OLD COUNTRY RD.
C.R. 71
MATCH LINE
FOR PCL. NO.
SEE SEC. NO.
683-03-020
PATTERSON AVE.
N 222,660
E 2,349,950
C.R. 80
(SOUTH COUNTRY RD.)
OLD MONTAUK HWY.
SEATUCK
UKRAINIAN GREEK ORTHODOX CHU
300-686-1-21
MONTAUK HWY.
S.R. 27A
SUFFOLK COUNTY WATER AUTHORITY
STATE OF NEW YORK
M.T.A.
PUTNAM AVE.
MADISON ST.
CENTRAL PL.
BAYVIEW AVE.
N 220,800
E 2,348,600

Gen A1

COUNTY OF SUFFOLK

JAN 2 2008

1053

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 26, 2007

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

Re: Tax Map No. 0200-686.00-01.00-021.000
20 EASTPORT MANOR ROAD CORP.

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.

LOCATION
H. LEE DENNISON BLDG. - 2ND FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P.O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5900
FAX (631) 853-5906
FAX (631) 853-5905

1054

Intro. Res. No. -2008 Laid on Table 2/5/08

Introduced by Legislator Eddington

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO STRENGTHEN COMPETITIVE PROCUREMENT PROCEDURES AND MAXIMIZE SAVINGS FOR TAXPAYERS

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 STRENGTHEN COMPETITIVE PROCUREMENT PROCEDURES AND MAXIMIZE SAVINGS FOR TAXPAYERS**" 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 STRENGTHEN COMPETITIVE PROCUREMENT PROCEDURES AND MAXIMIZE SAVINGS FOR TAXPAYERS

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 enacted Local Law No. 4-1993 and Local Law No. 5-1993, generally known as the "local preference" laws to give businesses located in Suffolk County and Nassau County a better chance to win contracts for consulting services, construction of public works, and provision of supplies, materials and equipment.

This Legislature further finds that in the case of public works and procurement contracts, Local Law 5-1993 (codified in § A4-14 of the SUFFOLK COUNTY ADMINISTRATIVE CODE) authorizes county officials to award a contract to a local business as long as their bid does not exceed the lowest bid by more than 10%. Local Law 4-1993 (codified in § A4-13 of the SUFFOLK COUNTY ADMINISTRATIVE CODE) states that all consulting contracts shall be awarded to a local consultant unless there is no local consultant with the requisite expertise or credentials.

This Legislature also determines that the County of Suffolk enacted these laws to assist Long Island businesses and protect local jobs during an economic downturn. While these goals were and are worthy, Local Laws 4 and 5 of 1993 failed to properly balance these objectives against the underlying purpose of the competitive bidding laws, namely to protect taxpayers by obtaining the lowest costs for goods and services.

This Legislature also finds and determines that the County's local preference laws should be amended to encourage broader competition and obtain greater cost savings for Suffolk County taxpayers.

Therefore, the purpose of this law is to update the County's local preference laws in order to achieve greater cost savings from fuller competition while continuing to promote the use of local businesses and strengthen the local economy.

Section 2. Amendments.

I. Section 2 of Local Law 4-1993 is hereby amended to read as follows:

Section 2. Definitions.

As used in this section the following definitions shall have the meanings indicated:

"CONTRACT" shall mean any claim, account, or demand against or agreement, other than a collective bargaining agreement, upon sufficient consideration, with Suffolk County or any divisions, departments, agencies, or entity thereof, express or implied for the rendering or performance of personal or professional services and shall include extensions, modifications, renewals, or amendments.

"CONSULTING SERVICES" shall mean the expertise, advice, professional services, or any other personal services provided by any individual, association, proprietorship, partnership, corporation, or joint venture by contract with Suffolk County including, but not limited to, design work, planning work, medical, legal, engineering, computer, accounting, or educational services.

"CONSULTANT" shall mean any individual, association, proprietorship, partnership, corporation, or joint venture to be contracted by Suffolk County to provide expertise, advice, professional services, or any other personal services, including, but not limited to, design work, planning work, medical, legal, engineering, computer, accounting, or educational services.

"LOCATED AND DOING BUSINESS WITHIN SUFFOLK COUNTY OR NASSAU COUNTY" shall mean maintaining a place of business and a staffed, operational office at an address within the geographical boundaries of Suffolk County or Nassau County, with the majority of the work associated with the contracted consulting services performed at or from the office in Suffolk or Nassau County. In the case of a joint venture, this term shall be construed to require at least one entity, in the case of a two-party venture, to maintain a place of business within Suffolk or Nassau County, and in the case of a multi-party venture, require a majority of the entities to maintain a place of business within Suffolk or Nassau County.

II. Section 2 of Local Law 5-1993 is hereby amended to read as follows:

Section 2. Definitions.

As used in this section, the following definitions shall have the meanings indicated:

"CONTRACT" shall mean any claim, account, or demand against or agreement, other than a collective bargaining agreement, upon sufficient consideration, with Suffolk County or any divisions, departments, agencies, or entity thereof, express or implied for the rendering

or performance of personal or professional services and shall include extensions, modifications, renewals, or amendments.

"LOCATED AND DOING BUSINESS WITHIN SUFFOLK COUNTY OR NASSAU COUNTY" shall mean in the case of a contract for the provision of services or the construction of public works, means maintaining a place of business and a staffed, operational office at an address within the geographical boundaries of Suffolk County or Nassau County, from which a majority of the employees performing the contracted for services are assigned. In the case of a contract for the purchase of supplies, materials or equipment, means maintaining a place of business and a staffed, operational office at an address within the geographical boundaries of Suffolk County or Nassau County and either i) manufacturing or producing supplies, materials or equipment in Nassau or Suffolk, or ii) keeping a representative inventory of its supplies, materials or equipment within Suffolk County or Nassau County.

III. Section A4-13(A) of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to read as follows:

A.) All contracts for consulting services shall be awarded by the appropriate officer, board or agency of the County of Suffolk to a consultant that is located and doing business within Suffolk County or Nassau County, anything in Article 5-A of the General Municipal Law to the contrary notwithstanding; except that where there is no local consultant who has the necessary professional expertise or credentials to provide the needed service, or where a local consultant's response to a Request for Proposals (RFP) exceeds the otherwise lowest response by more than 10% or more than $100,000 (whichever figure is lower) the contract may be awarded to a consultant not located and doing business within Suffolk County or Nassau County in accordance with Article 5-A of the General Municipal Law and Chapter 708 of the Suffolk County Code.

IV. Section A4-14(A) of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to read as follows:

A. Prior to making any purchase of supplies, materials or equipment or entering into a contract for the provision of services or the construction of public works, the Commissioner of the procuring department, the Purchasing Agent, or the Commissioner of the Department of the Public Works, as the case may be, shall provide an opportunity for competition under the applicable state and county laws, rules and regulations. Contracts that are subject to competitive bidding shall be awarded to the lowest responsible bidder, who shall give security for the performance of the contract if so required by the awarding officer. However, the Commissioner of the procuring department, the Purchasing Agent or the Commissioner of the Department of Public Works, as the case may be, may award such contract to a bidder other than the lowest responsible bidder where such other bidder is located and doing business within Suffolk County or Nassau County and submits a bid not exceeding the otherwise lowest bid by more than ten percent (10%) or $100,000 (whichever figure is lower), except as follows:

1.) In those instances in which the supply being purchased by Suffolk County, either directly or through third-party intermediaries, is a medicine, a prescription drug, an over-the-counter drug, a generic drug, a brand-name drug, a pharmaceutical, or any other drug, in which case the contract shall be awarded to the lowest responsible bidder. The County shall, to the maximum extent feasible, join together with public institutions, state or local agencies, other agencies, the Suffolk County Labor/Management Committee for

the administration of the Employee Medical Health Plan (EMHP), other municipalities, private for-profit entities, and/or private not-for-profit entities for the purchase of bidding on a large-volume basis for such medicines, prescription drugs, over-the-counter drugs, generic drugs, brand-name drugs, pharmaceuticals, or any other drugs in order to qualify for volume discounts or other favorable price concessions associated with joint purchasing.

Section 3. Applicability.

This law shall apply to all contracts awarded on or after the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

This law shall take effect on the thirtieth (30th) day immediately subsequent to filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1054

GEORGE NOLAN
COUNSEL TO THE LEGISLATURE
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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: **JANUARY 31, 2008**

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 STRENGTHEN COMPETITIVE PROCUREMENT PROCEDURES AND MAXIMIZE SAVINGS FOR TAXPAYERS**

SPONSOR: **LEGISLATOR EDDINGTON**

DATE OF RECEIPT BY COUNSEL: 1/18/08 **PUBLIC HEARING:** 3/4/08

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

This proposed local law would amend the County's local preference statutes in order to clarify the requirements to qualify for the local business preference and to place tighter fiscal parameters on the preference.

A. Contracts for Consulting Services (Local Law 4-1993 codified at Section A4-13 of the SUFFOLK COUNTY ADMINISTRATIVE CODE)

For consulting contracts, the proposed local law would redefine the term "located and doing business within Suffolk and Nassau County" to mean maintaining a place of business and a staffed, operational office within Suffolk/Nassau, with the majority of the contracted consulting services performed locally.[1]

Additionally, the proposed local law would allow the County to award a contract to a non-local consultant if the local consultant's response to a Request for Proposal (RFP) exceeds the otherwise lowest response by more than 10% or $100,000. Presently, the County must award consultant contracts to a qualified local consultant, notwithstanding any price differential.

B. Contracts for the Purchase of Goods, the Provision of Services and the Construction of Public Works (Local Law 5-1993, codified at Section A4-14 of the SUFFOLK COUNTY ADMINISTRATIVE CODE)

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[1] The current definition's requirements that an entity maintain its principal place of business in Suffolk/Nassau, that a majority of its employees work locally and, in the case of a corporation, that the President or Chief Executive Officer operate on a regular basis from the local office, are eliminated.

For the provision of services and public works contracts, the proposed local law would redefine the term "located and doing business within Suffolk County or Nassau County" to mean maintaining a place of business and a staffed, operational office at an address within the geographical boundaries of Suffolk County or Nassau County, from which a majority of the employees performing the contracted for services are assigned. In the case of a contract for the purchase of supplies, materials or equipment, the law would define "located and doing business within Suffolk County or Nassau County" to mean maintaining a place of business and a staffed, operational office at an address within Suffolk/Nassau County and either i) manufacturing or producing supplies, materials or equipment in Suffolk or Nassau, or ii) keeping a representative inventory of its supplies, materials or equipment within Suffolk or Nassau County.[2]

The proposed law would also authorize the County to award contracts for public works and the purchase of equipment goods or supplies to a non-local bidder where bids by local entities exceed the otherwise lowest bid by more than 10% or $100,000. Presently, the County must award these contracts to a local bidder if their bid does not exceed the otherwise lowest bid by more than 10%.

This law will take effect 30 days subsequent to its filing in the Office of the Secretary of State. This law will apply to all contracts awarded on or after the effective date of this law.

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-procurement procedures

[2] The current definition's requirements that an entity maintain its principal place of business in Suffolk/Nassau and that a majority of its employees work locally, are eliminated.

1055

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

Laid on Table 2/5/08

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO REQUIRE NOTICE TO TENANTS OF FORECLOSURE PROCEEDINGS

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 REQUIRE NOTICE TO TENANTS OF FORECLOSURE PROCEEDINGS**" 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 REQUIRE NOTICE TO TENANTS OF FORECLOSURE PROCEEDINGS

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 recent months, the number of mortgage foreclosures has escalated dramatically.

This Legislature also finds and determines that it is not only homeowners who are falling victim to the growing number of foreclosures. Tenants who rent residential housing are also falling victim to foreclosures and some renters are discovering that their rented homes have been foreclosed upon by banks and that they must vacate their premises almost immediately.

This Legislature further finds and determines that renters should be made fully aware of foreclosure proceedings that may be pending prior to entering into a lease with a landlord.

Therefore, the purpose of this law is to require landlords in Suffolk County to give notice to potential renters if the premises that are going to be rented is the subject of a foreclosure proceeding.

Section 2. Amendments.

Article I of Chapter 406 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

Chapter 406, RENTAL PROPERTY

ARTICLE I, Lease Terms

* * * *

§ 406-4. Notice.

A. Any landlord offering to rent a housing accommodation which is the subject of a pending foreclosure action or proceeding shall notify a prospective tenant, in writing, of the foreclosure action, prior to entering into a lease with the prospective tenant.

B. Any landlord renting a housing accommodation to a tenant within the County of Suffolk shall provide such tenant with written notice that a foreclosure proceeding has been initiated against the premises that are the subject of the lease within five (5) business days of receiving notice of the foreclosure proceeding.

§ 406-[4] 5. Penalties for offenses.

A. A willful violation by a landlord of [§ 406-3 of] this article shall constitute a misdemeanor, punishable by a fine of up to $500. Each violation shall be deemed a separate offense.

B. Any individual injured in whole or in part as a result of a violation by a landlord of [§ 406-3 of] this article may bring an action to recover damages in an amount not to exceed three times the actual damages or $500, whichever is greater, plus reasonable attorney's fees. This remedy shall be in addition to, and shall not preclude, any action that an individual may have under common law, local law, state law or federal law.

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration,

management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\laws\l-notice-of-foreclosure

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1055

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

DATE: JANUARY 31, 2008

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 REQUIRE NOTICE TO TENANTS OF FORECLOSURE PROCEEDINGS

SPONSOR: LEGISLATOR EDDINGTON

DATE OF RECEIPT BY COUNSEL:	1/22/08	PUBLIC HEARING:	3/4/08
DATE ADOPTED/NOT ADOPTED:		CERTIFIED COPY RECEIVED:	

This local law would amend Chapter 406 of the SUFFOLK COUNTY CODE to require a landlord offering to rent a housing accommodation which is the subject of a foreclosure action to notify a prospective tenant, in writing, of such a foreclosure action prior to entering into the lease. This local law would also require that a landlord provide a tenant with written notice if a foreclosure proceeding is initiated against the premises that are the subject of an existing lease within 5 business days of receiving notice of the foreclosure proceeding.

A violation of this local law would constitute a misdemeanor, punishable by a fine of up to $500 for each offense.

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-notice of foreclosure

Introductory Resolution No. 1056-08 Laid on Table 2/5/08

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
EDWARD BENNETT
0100-170.00-02.00-028.002 f/k/a P/O 028.001

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 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 170.00, Block 02.00, Lot 028.002 f/k/a 028.001, and acquired by tax deed on October 3, 2001, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 10, 2001, in Liber 12146, at Page 198, and otherwise known as and by Town of Babylon, County of Suffolk and State of New York, as shown on a certain map entitled, "Map of Lincoln Estates" and filed in the Office of the Clerk of the County of Suffolk on January 11, 1926 as Map No. 186 and known as Lots 387 and 388; 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 3, 2001, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 10, 2001 in Liber 12146 at Page 198.

WHEREAS, in accordance with Suffolk County Local Law 16-I976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, WELLS FARGO BANK N.A., as Successor Holder of a Mortgage made by Edward Bennett to Fleet Mortgage, has made application of said above described parcel and WELLS FARGO BANK N.A., by Dan M. Blumenthal, as Attorney, has paid the application fee and $1,550.00, 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 EDWARD BENNETT, c/o Dan M. Blumenthal, Ezratty, Ezratty & Levine, LLP, 80 East Old Country Road, Mineola, New York 11501, 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.I

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1056

December 7, 2007

Tax Map No.: 0100-170.00-02.00-028.002 f/k/a 028.001
Name of Last Legal Fee Owner: EDWARD BENNETT

TREASURER'S COMPUTATION..... $1,550.00

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..... $1,550.00

Monies Received..... $1,550.00

RESOLUTION AMOUNT..... $1,550.00

APPROVED:

Karen Blater 12/10/07
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

1056

1. Type of Legislation

Resolution **X**
Tax Map Number 0100-170.00-02.00-028.002 f/k/a 028.001

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__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

Cathy O'Neal Cathy O'Neal 12/5/07

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0100	170.00	02.00	028.002

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES: 1056

1998/99	257.07
2002/03	162.53
2003/04	179.53
2004/05	193.28
2005/06	202.22
2006/07	255.39

2000 AND 2001 PROPERTY TAXES PAID BY FLEET BANK
2002 PROPERTY TAXES PAID BY WASHINGTON MUTUAL

TOTAL:	1250.02
B. INTEREST DUE	226.17
C. TOTAL	1476.19
D. 5% LINE C	73.81
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$1,550.00 10/11/07 es

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.

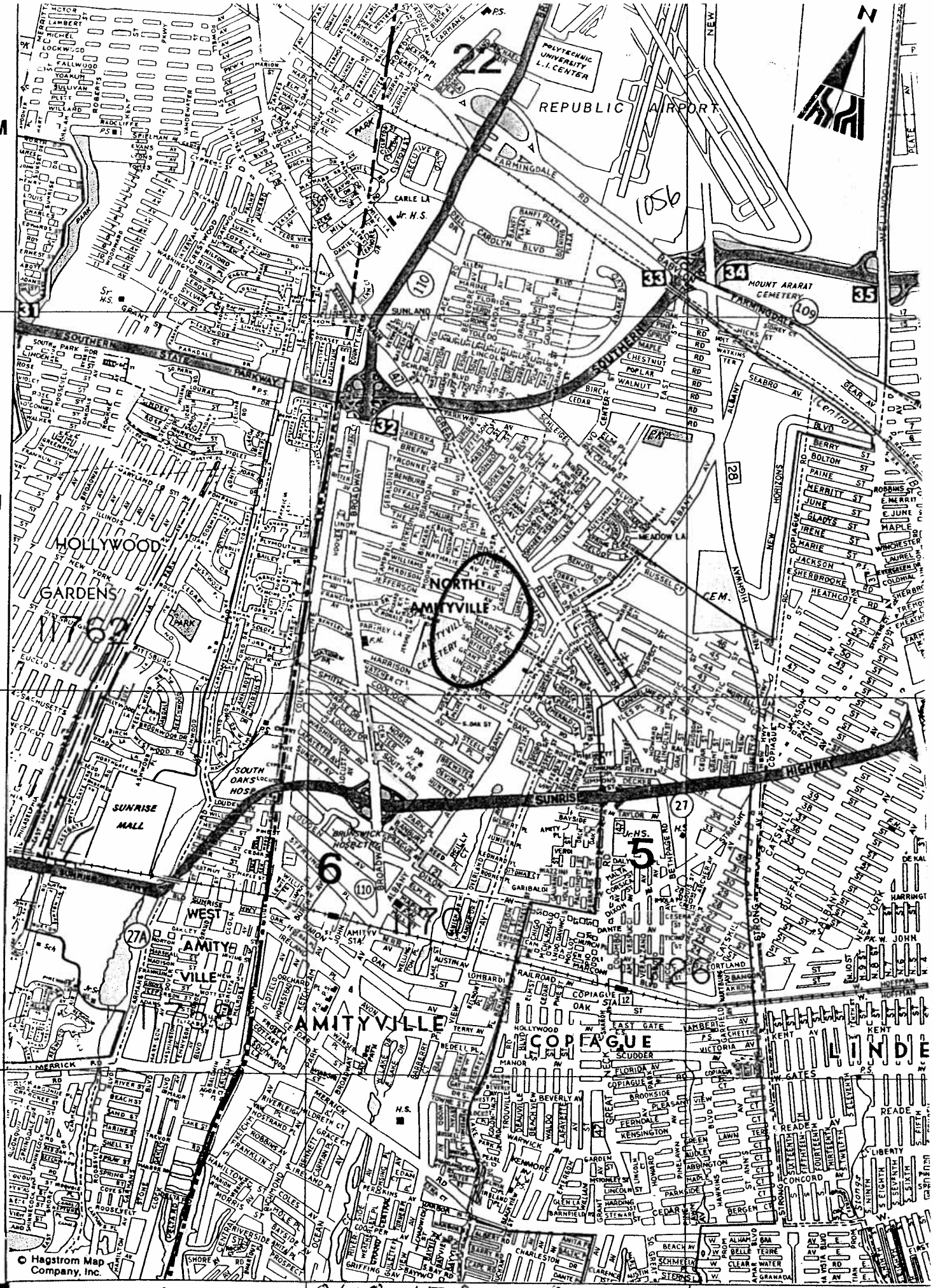
IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 04-Oct-07

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 04/01/08

dz

FOR ADJOINING AREA SEE NASSAU COUNTY ATLAS



1056

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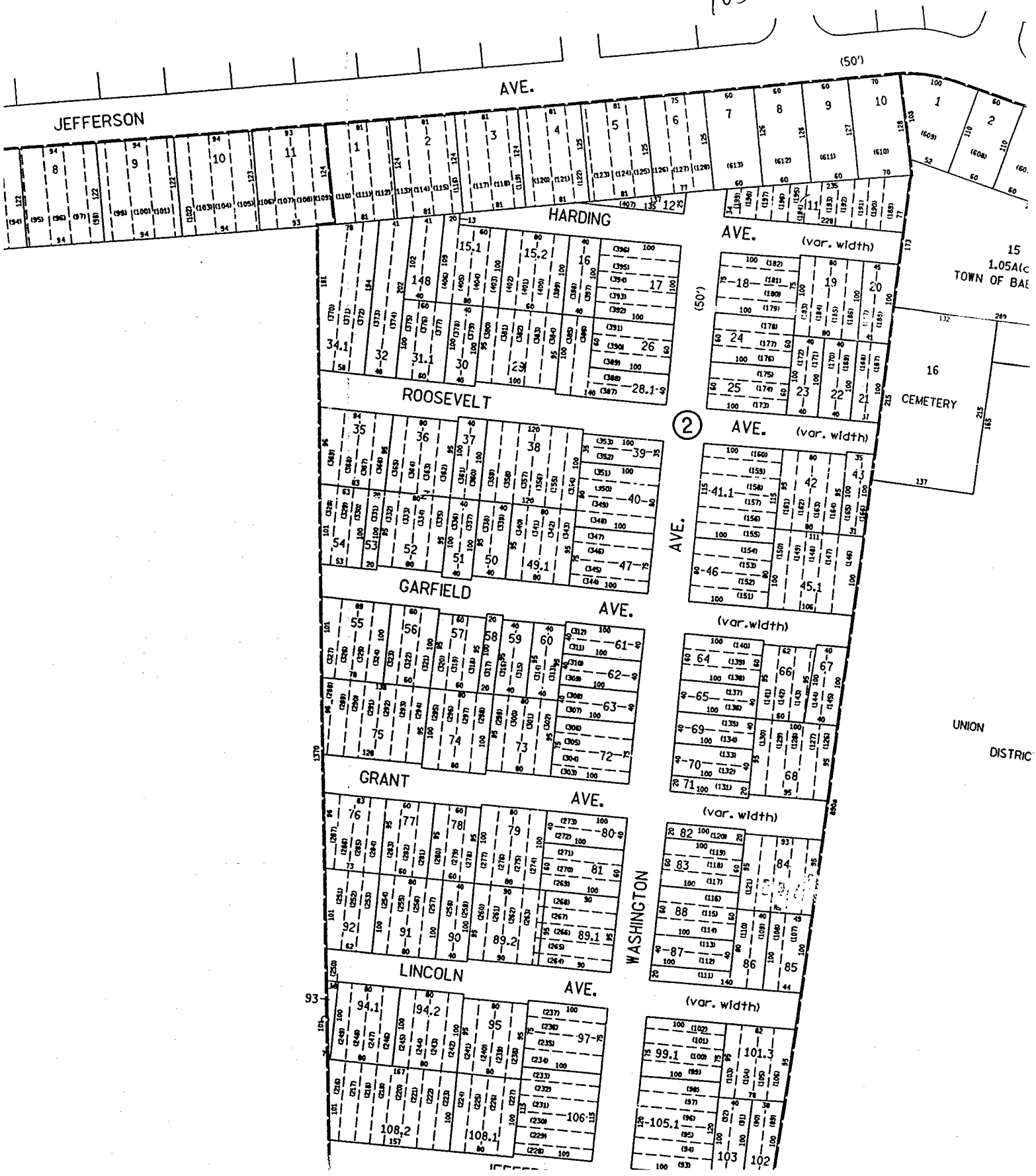
1056



Intro Res. No. 1057-08 Laid on Table 2/5/08
Introduced by Presiding Officer on the Request of the County Executive

RESOLUTION NO. TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #288

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments and grant refunds of taxes, in the case of erroneous or improper assessments, pursuant to the provisions of the Real Property Tax Law and the Suffolk County Tax Act, and

WHEREAS, the properties represented by the item numbers or tax map numbers indicated below have been erroneously or improperly assessed as appears from the certificates of Assessors of the respective towns in which said properties are situated as described below and the procedures as provided in the Real Property Tax Law have been fully complied with, now, therefore, be it

RESOLVED, that the taxes for the properties represented by the item numbers or tax map numbers as shown for the year or years specified be readjusted or refunded in full or in part in the amount set opposite each such parcel as hereinafter indicated, and

BE IT FURTHER RESOLVED that the amount of such adjustment or refund be charged back to the respective town as provided by law.

Description	Year	Original Tax	Corrected Tax	Chargeback or Refund, if paid

SEE ATTACHED LIST

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

CANCELLATION OF TAXES - TOWN OF BROOKHAVEN - 2007/08 TAX YEAR

SCTM #	Item #	Amt. Tax	Adj. Amt.	Chargeback
0200-406.00-01.00-006.000	8731815	$42,058.10	$0.00	$42,058.10
0200-975.80-03.00-040.001	9990011	$13,354.80	$0.00	$13,354.80
0200-860.00-03.00-001.000	8536893	$16,962.26	$0.00	$16,962.26
0204-013.00-02.00-029.000	8410797	$5,832.99	$0.00	$5,832.99
0204-004.00-06.00-008.000	8318340	$3,296.91	$0.00	$3,296.91
0200-483.00-02.00-002.001	8217306	$18,588.64	$0.00	$18,588.64
0200-545.00-03.00-021.000	8205936	$6,122.63	$0.00	$6,122.63
0208-015.00-02.00-002.051	6156572	$10,270.30	$0.00	$10,270.30
0208-015.00-02.00-002.050	6156571	$10,363.79	$0.00	$10,363.79
0208-015.00-02.00-002.049	6156570	$9,714.71	$0.00	$9,714.71
0208-015.00-02.00-002.048	6156569	$21,395.37	$0.00	$21,395.37
0208-015.00-02.00-002.047	6156568	$5,555.85	$0.00	$5,555.85
0208-015.00-02.00-002.046	6156567	$5,262.02	$0.00	$5,262.02
0208-015.00-02.00-002.042	6156563	$22,891.14	$0.00	$22,891.14
0208-015.00-02.00-002.037	6156558	$5,555.85	$0.00	$5,555.85
0208-015.00-02.00-002.035	6156556	$22,891.14	$0.00	$22,891.14
0208-015.00-02.00-002.032	6156553	$5,342.16	$0.00	$5,342.16
0208-015.00-02.00-002.028	6156549	$3,792.95	$0.00	$3,792.95
0208-015.00-02.00-002.027	6156548	$3,803.62	$0.00	$3,803.62
0200-980.30-03.00-046.000	3823280	$5,673.15	$0.00	$5,673.15
0200-973.80-01.00-026.000	3402620	$4,675.45	$0.00	$4,675.45
0200-973.80-04.00-020.000	3400170	$3,184.21	$0.00	$3,184.21

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1057

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	Angie M. Carpenter	1/4/08

Additional back-up material regarding I.R. 1057-08 is on file in the Legislative Clerk's Office, Hauppauge.

1058

Intro Res. No. 2008 Laid on Table 2/5/08

Introduced by the Presiding Officer on request of County Executive

RESOLUTION NO. 2008
ACCEPTING AND APPROPRIATING 100% FEDERAL FUNDS AWARDED BY THE U.S. MARSHALS SERVICE TO THE SUFFOLK COUNTY DISTRICT ATTORNEY AND AUTHORIZING THE SUFFOLK COUNTY EXECUTIVE TO EXECUTE RELATED AGREEMENTS.

WHEREAS, the U.S. Marshals Service will provide funding to the Suffolk County District Attorney for participation in the NY/NJ Regional Fugitive Task Force operation; and

WHEREAS, a total of $5,300.00 has been awarded by the U.S. Marshals Service for overtime expenses for services rendered by the Suffolk County District Attorney for the period October 1, 2007 through September 30, 2008; and

WHEREAS, said funds have not been included in the 2007 or the 2008 Suffolk County Operating Budget; now, therefore, be it

RESOLVED, that the County Executive is authorized to execute any Agreement with the U.S. Marshals Service, as necessary, to secure said funds; and further

RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted funds in the amount of $5,300.00 as follows:

REVENUES:	AMOUNT
001-4320-Federal Aid: Crime Control	$5,300

APPROPRIATIONS

Suffolk County District Attorney
U.S. Marshals Fugitive Task Force
001-DIS-1155

1000 Personal Service	$5,300
1120-Overtime	$5,300

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval

1058

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution_X___ Local Law_____ Charter Law_____

2. Title of Proposed Legislation

Reimbursement of Overtime for U.S. Marshals Service

3. Purpose of Proposed Legislation

Accept grant funding from the U. S. Marshals Service

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	**X**	**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

This program will add $5,300.00 to the District Attorney's adopted budget.

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

This is a one year program.

8. Proposed Source of Funding
U.S. Marshals Service

9. Timing of Impact
Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Lon H. Kochany Chief Management Analyst		1/2/2008

SCIN FORM 175b (10/95)

~~U.S. Department of Justice~~

U.S. Marshal Service
NY/NJ Regional Fugitive
Task Force

1058

88 10th Avenue
New York, New York 10011
646.805.6652

MEMORANDUM TO: **NY/NJ RFTF – MOU AGENCY**
FROM: **Brenda Catalano**
DATE: **10/2/2007**
SUBJECT: **FY-2008 Financial MOU**

Please have a representative from you agency sign the enclosed FY-08 Financial MOU and return original signed copy to:

Brenda Catalano
USMS – NY/NJ RFTF
310 Federal Plaza – 3rd Floor
Central Islip, NY 11722

If you have any questions, please give me at call 631-715-6227.

Thank you.

MOU Number: **FATF-08-0034**

1058

FISCAL YEAR 2008
MEMORANDUM OF UNDERSTANDING
REGIONAL FUGITIVE TASK FORCE

Memorandum of Understanding (MOU) between:

Suffolk County District Attorney
And
United States Marshals Service

The purpose of this **MOU** notice is to extend the Memorandum of Understanding (**MOU**) between the Marshals Service and Suffolk Co. District Attorney through Fiscal Year 2008, and to provide annual funding under which the Regional Fugitive Task Force will operate.

Period of Performance: October 1, 2007 to September 30, 2008

2008 Appropriation Data: FY 2008 0324A A050202 FWF2002F OC 2599 $5,300

Subject to Availability of Funds

Overtime Compensation, Pay, and Benefits
Reimbursement of overtime work shall be contingent upon the submission of a proper invoice which shall be submitted on a quarterly fiscal year basis, and which provides the names of the investigators who incurred overtime for the Regional Fugitive Task Force during the quarter; the number of overtime hours incurred; the hourly regular and overtime rates in effect for each investigator, and the total quarterly cost. The invoice should be submitted to the Regional Fugitive Task Force Commander, who will review the invoice, stamp and sign indicating that services were received and that the invoice is approved for payment; and forward to USMS Headquarters for processing. Documentation supporting the summary level quarterly invoice will be maintained by the Regional Fugitive Task Force Commander, and only the summary level quarterly invoice will be forwarded to USMS Headquarters.

Certification of Funds Available: Catherine Stephens 10/1/07
Catherine Stephens **Date**

MOU Renewal Authorization: T. Michael Earp 10/1/07
Chief, Investigative Operations **Date**

Robert Kerr 10-9-07
Department Representative **Date**

1058

MEMORANDUM OF UNDERSTANDING
REGIONAL FUGITIVE TASK FORCE (RFTF)

This Memorandum of Understanding (MOU) is entered into by the _____ and the United States Marshals Service (USMS) pursuant to the Presidential Threat Protection Act of 2000 (Public L. 106-544, § 6, December 19, 2000, 114 Stat. 2718, 28 U.S.C. § 566 note). The Presidential Threat Protection Act of 2000 provides that, "the Attorney General shall, upon consultation with appropriate Department of Justice and Department of the Treasury law enforcement components, establish permanent Fugitive Apprehension Task Forces consisting of Federal, State, and local law enforcement authorities in designated regions of the United States, to be directed and coordinated by the United States Marshals Service, for the purpose of locating and apprehending fugitives."

Terms and Conditions

1. Period of Performance: This MOU will be renewed annually based on written notification from the USMS, on or about October 1 of each new fiscal year. Participating agencies may withdraw their participation after providing 30 days advance written notice to the Task Force Chief. Subject to the availability of funds, this MOU will be renewed annually based on written notification from the U.S. Marshals Service.

2. Overtime Reimbursement: The USMS ☐ **shall** ☐ **shall not** reimburse your organization for overtime hours. If overtime is compensated, the agency must submit within 30 days after receipt a fully executed MOU.

Reimbursement of overtime shall be contingent upon the submission of a proper invoice on a quarterly basis within 30 days after the close of the quarter. The fiscal year quarterly billing periods are Oct-Dec, Jan-March, April-June, and July-September. ***Failure to submit a proper invoice within 30 days after the close of the quarter will preclude reimbursement for the overtime incurred within the quarter***. A proper invoice identifies the agency name, address and MOU number (FATF-xxxx), as well as the names of the investigators who incurred overtime for the Regional Fugitive Task Force during the quarter. The invoice should reflect the number of overtime hours incurred; the hourly regular and overtime rates in effect for each investigator, and the total quarterly cost.

The invoice should be submitted to the Regional Fugitive Task Force Commander, who will review the invoice, stamp and sign indicating that services were received and that the invoice is

approved for payment; and forward to USMS Headquarters for processing. Documentation supporting the summary level quarterly invoice will be maintained by the Regional Fugitive Task Force Commander, and only the summary level quarterly invoice will be forwarded to USMS Headquarters.

Group supervisors are responsible for scheduling the duty hours of the personnel assigned to their group, subject to the supervision of the Task Force Chief and the availability of overtime compensation.

3. Agencies within the Region may join the task force at any time with the consent of the USMS and after consultation with the Task Force Advisory Committee. Agencies that wish to join will sign a copy of the existing MOU for the Region.

4. Personnel and Supervision: The RFTF will consist of law enforcement and administrative personnel from federal, state, and local law enforcement agencies. Each participating agency may agree to assign at least one full-time law enforcement officer to the task force. Other law enforcement officers may assist with task force operations as necessary.

Direction and coordination of the RFTF shall be the responsibility of the USMS Task Force Chief. Subject to the needs of the RFTF, participating agencies may assign supervisory personnel to serve as group supervisors within the task force. Each group supervisor will be responsible for the operational supervision of a multi-agency group of federal, state, and local law enforcement officers assigned to the task force. The current task force, if applicable, will be integrated within the RFTF to formulate a joint task force with a greater scope of responsibility and wider area of coverage.

Administrative matters which are internal to the participating agencies remain the responsibility of the respective agencies. Furthermore, each agency retains responsibility for the conduct of its personnel.

5. Task Force Advisory Committee: A Task Force Advisory Committee, consisting of representatives of each participating agency, shall meet and confer as necessary to review and address issues concerning the RFTF.

6. Vehicles and Equipment: Any vehicles, equipment, credentials, or other items issued to task force personnel by the USMS shall remain the property of the USMS at all times. Government vehicles shall be used only for official purposes and solely for use in the performance of the task force. They shall not be used for transportation between residence and place of employment. All vehicles and equipment must be returned to the USMS upon termination of the task force or the departure of any task force personnel.

Any other equipment used by or assigned to task force officers will remain the property of the agency issuing the equipment and will be returned to that specific agency upon termination of the task force or upon agency request.

Pending the availability of funding, each participating agency agrees to furnish one vehicle for use by the task force for each law enforcement officer assigned to the task force (unless a USMS owned or leased vehicle is assigned to the officer). Each agency is responsible for the fuel, maintenance, and other expenses associated with the use of its vehicles. Pending the availability of funds and equipment, the USMS will issue USMS radios to each task force officer. Each participating agency agrees to provide mobile and/or handheld radio equipment capable of communicating on their law enforcement radio network. Pending the availability of funds, the USMS will furnish cellular telephones to be used for official RFTF business.

7. Background Investigations and Special Deputation: Personnel assigned to the task force may be required to undergo background investigations in order to be provided access to USMS offices, records, and computer systems. In the event that such background investigations are required by the USMS for state or local personnel, the USMS shall bear the costs associated with those investigations. Non-USMS law enforcement officers assigned to the task force will be deputized as Special Deputy U.S. Marshals.

8. Records, Reports, and Evidence: Original reports of investigation, evidence, and other investigative materials generated, seized, or collected by the RFTF shall be retained by the agency in the RFTF responsible for the case. However, evidence may be turned over to other law enforcement agencies as appropriate. Copies of investigative reports and other materials may be provided to other agencies in accordance with applicable laws, rules, and regulations.
Task force statistics will by maintained in the USMS Warrant Information Network (WIN). Statistics will be made available to any participating agency upon request.

9. Referral and Assignment of Cases: Each participating agency agrees to refer cases for investigation by the RFTF. Upon receipt of a written request, the RFTF may also assist non-participating law enforcement agencies in locating and arresting their dangerous fugitives.
Task force personnel will be assigned federal, state, and local fugitive cases for investigation. Investigative teams will consist of personnel from different agencies whenever possible. Each participating agency retains responsibility for the cases they refer to the RFTF.

10. NCIC Entries: Federal fugitive cases referred to the task force for investigation by any participating agency will be entered into the National Crime Information Center (NCIC) by the USMS or originating agency, as appropriate. State or local fugitive cases will be entered into NCIC (and other applicable state or local lookout systems) as appropriate by the concerned state or local agency.

11. Travel: Task force personnel may be required to travel outside of the jurisdiction to which they are normally assigned in furtherance of task force business. State or local task force officers traveling on official business at the direction of the USMS shall be reimbursed directly by the USMS for their travel expenses in accordance with applicable federal laws, rules, and regulations.

12. Informants: Pending availability of funds, the USMS may provide funding for the payment of informants. However, all payments of informants utilizing USMS funding shall comply with

USMS policies and procedures concerning confidential informants and protected sources.

13. Use of Firearms and Deadly Force: All members of the RFTF shall comply with their agency's guidelines concerning the use of firearms and deadly force. Copies of all applicable firearms and deadly force policies shall be provided to the Task Force Chief and each concerned task force officer.

14. News Media: Press conferences, press releases, and other statements to the media concerning task force arrests and operations shall be coordinated among all participating agencies.

15. Release of Liability: Each agency shall be responsible for the acts or omissions of its personnel. Participating agencies or officers shall not be considered as the agent of any other participating agency. Nothing herein is intended to waive or limit sovereign immunity under federal or state statutory or constitutional law.

AGREED TO THIS .....DAY OF ....., 200

_____

Arthur D. Roderick, Jr.
Assistant Director for Investigations
United States Marshals Service

_____

State/Local Law Enforcement Agency

_____

U.S. Marshal
District of .....
United States Marshals Service

Gen M6

JAN 04 2008

COUNTY OF SUFFOLK
OFFICE OF DISTRICT ATTORNEY

1058

THOMAS J. SPOTA
DISTRICT ATTORNEY

January 2, 2008

Ben Zwirn, Assistant Deputy County Executive
Office of the Suffolk County Executive
H. Lee Dennison Building
100 Veterans Highway
Hauppauge, New York 11788-0099

Dear Mr. Zwirn,

At the direction of the District Attorney and in accordance with the County Executive All Department Heads Memorandum 05-05, I have attached a request for a Suffolk County Resolution.

The purpose of the resolution will be to accept funding from the U.S. Marshals Service. This grant will provide reimbursement of overtime expense that result from the District Attorney's participation in the NY/NJ Regional Fugitive Task Force.

An e-mail version of this resolution has been sent to CE RESO REVIEW and saved under the file name "Fugitive Task Force".

If you have any questions or need additional information concerning this matter, please contact me at your earliest opportunity.

Thank you for your attention to this matter.

Sincerely,

Lon H. Kochany
Chief Management Analyst

CC: Jim Burt, Suffolk County Budget Office
Evelyn Creen, Federal and State Aid Claims Unit

ADMINISTRATION OFFICE
CRIMINAL COURTS BUILDING • 200 CENTER DRIVE • RIVERHEAD, N.Y. 11901-3388 • TELEPHONE (631) 852-2500
FAX TRANSMITTAL (631) 852-1769

Intro Res. No. 1059-08 Laid on Table 2/5/08
Introduced by Presiding Officer on the Request of the County Executive

RESOLUTION NO. TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #289

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments and grant refunds of taxes, in the case of erroneous or improper assessments, pursuant to the provisions of the Real Property Tax Law and the Suffolk County Tax Act, and

WHEREAS, the properties represented by the item numbers or tax map numbers indicated below have been erroneously or improperly assessed as appears from the certificates of Assessors of the respective towns in which said properties are situated as described below and the procedures as provided in the Real Property Tax Law have been fully complied with, now, therefore, be it

RESOLVED, that the taxes for the properties represented by the item numbers or tax map numbers as shown for the year or years specified be readjusted or refunded in full or in part in the amount set opposite each such parcel as hereinafter indicated, and

BE IT FURTHER RESOLVED that the amount of such adjustment or refund be charged back to the respective town as provided by law.

Description	Year	Original Tax	Corrected Tax	Chargeback or Refund, if paid
BROOKHAVEN:				
0200-487.00-01.00-033.000 (ITEM #8101322)	**2006/07**	**$204,755.14**	**$0.00**	**$204,755.14**
0200-419.00-02.00-001.000 (ITEM #8107201)	**2006/07**	**$ 9,791.20**	**$0.00**	**$ 9,791.20**

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1059

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	Angie M. Carpenter	1/8/08

Additional back-up material regarding I.R. 1059-08 is on file in the Legislative Clerk's Office, Hauppauge.

Intro Res. No. 1060-08 Laid on Table 2/5/08
Introduced by Presiding Officer on the Request of the County Executive

RESOLUTION NO. TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #290

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments and grant refunds of taxes, in the case of erroneous or improper assessments, pursuant to the provisions of the Real Property Tax Law and the Suffolk County Tax Act, and

WHEREAS, the properties represented by the item numbers or tax map numbers indicated below have been erroneously or improperly assessed as appears from the certificates of Assessors of the respective towns in which said properties are situated as described below and the procedures as provided in the Real Property Tax Law have been fully complied with, now, therefore, be it

RESOLVED, that the taxes for the properties represented by the item numbers or tax map numbers as shown for the year or years specified be readjusted or refunded in full or in part in the amount set opposite each such parcel as hereinafter indicated, and

BE IT FURTHER RESOLVED that the amount of such adjustment or refund be charged back to the respective town as provided by law.

Description	Year	Original Tax	Corrected Tax	Chargeback or Refund, if paid
HUNTINGTON:				
0400-147.00-05.00-001.000	**2007/08**	**$3386.06**	**$0.00**	**$3386.06**
0400-147.00-05.00-002.000	**2007/08**	**$3386.06**	**$0.00**	**$3386.06**
0400-147.00-05.00-003.000	**2007/08**	**$5643.46**	**$0.00**	**$5643.46**
0400-147.00-05.00-004.000	**2007/08**	**$2821.73**	**$0.00**	**$2821.73**

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1060

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	Angie M. Carpenter	1/10/08

Additional back-up material regarding I.R. 1060-08 is on file in the Legislative Clerk's Office, Hauppauge.

Intro. Res. No. 1061 -2008
Introduced by Legislator Browning

Laid on Table 2/5/08

RESOLUTION NO. –2008, DESIGNATING THE MONTH OF APRIL AS "CHILD ABUSE/SHAKEN BABY SYNDROME MONTH" IN SUFFOLK COUNTY

WHEREAS, new parents often experience stress, exhaustion and irritability; and

WHEREAS, some parents and caretakers become overwhelmed by the responsibilities of child rearing, which can cause a parent to lose control when their baby will not stop crying; and

WHEREAS, Shaken Baby Syndrome is inflicted head trauma, a form of child abuse caused by direct blows to the head, dropping or throwing a child, or simply shaking a child which can cause brain damage, seizures, blindness, paralysis and even death; and

WHEREAS, approximately 1,200 to 1,400 children were hospitalized last year in the United States for the treatment of Shaken Baby Syndrome. Approximately 25% of those children die as a result of their injuries, and the remainder suffer extensive neurological damage and are changed forever; and

WHEREAS, parents and caretakers need to be made aware of the dangers associated with shaking a baby and educated in methods to alleviate stress while trying to quiet a crying baby; and

WHEREAS, the Suffolk County Legislature wishes to make parents and all Suffolk County residents aware of the dangers of shaking a baby and the options available to help prevent the occurrence of Shaken Baby Syndrome; now, therefore be it

1st **RESOLVED**, that beginning in 2008 and continuing every year thereafter, the month of April shall be designated as "Child Abuse/Shaken Baby Syndrome Month" in Suffolk County; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\res\r-shaken baby syndrome

1062

Intro. Res. No. -2008

Introduced by Legislator Horsley

Laid on Table 2/5/08

RESOLUTION NO. –2008, AMENDING RESOLUTION NO. 728-2007, AUTHORIZING THE SALE OF BROWNFIELD PROPERTY TAX LIENS AT PUBLIC AUCTION

WHEREAS, Resolution No. 728-2007, authorized the sale of tax liens at public auction for various Brownfield properties; and

WHEREAS, the property located at 269 East Montauk Highway, Lindenhurst, New York, identified as SCTM Nos. 0100-226.00-03.00-059.000; 0100-226.00-03.00-123.000; 0100-226.00-03.00-124.000; and 0100-226.00-03.00-182.000 (hereinafter "Premises"), was one of the properties designated to have its tax lien sold at public auction; and

WHEREAS, the current mortgage lien holder of the Premises is Déjà Vu, Inc.; and

WHEREAS, Déjà Vu, Inc. entered into a Brownfield Site Cleanup Agreement with the New York State Department of Environmental Conservation on May 16, 2007 in which Déjà Vu, Inc. agreed to cleanup and remediate contamination resulting from previous uses of the Premises; and

WHEREAS, NEW YORK ENVIRONMENTAL CONSERVATION LAW § 27-1433 authorizes the governing body of any tax district to cancel, in whole or in part, any interest, penalties or other charges on real property where said real property is subject to a Brownfield Site Cleanup Agreement; and

WHEREAS, Déjà Vu, Inc. has advised the County of their intention to redeem the tax liens on the Premises by paying the Suffolk County Treasurer an amount equal to all taxes owed on the Premises with the request that the County cancel any interest, penalties or other charges which have accrued over time; and

WHEREAS, Déjà Vu, Inc. is pursuing a grievance with the Town of Babylon challenging the assessment of the Premises for the tax years 2007/2008; and

WHEREAS, said grievance has not yet been finalized making it impossible to determine the amount of the taxes owed by Déjà Vu, Inc. in order to redeem the tax liens from the Suffolk County Treasurer; and

WHEREAS, the County wishes to encourage voluntary cleanup agreements of Brownfield Sites; and

WHEREAS, based on the foregoing, it would be in the best interests of the County and Déjà Vu, Inc. to remove the Premises from the list of Brownfield properties whose tax liens are to be sold at public auction in order to provide the Suffolk County Treasurer with sufficient time to ascertain the amount of taxes owed by Déjà Vu, Inc. on the subject Premises; now, therefore be it

1st **RESOLVED**, that Resolution No. 728–2007 is hereby amended to the extent that the property located at 269 East Montauk Highway, Lindenhurst, New York identified as SCTM Nos. 0100-226.00-03.00-059.000; 0100-226.00-03.00-123.000; 0100-226.00-03.00-124.000; and

0100-226.00-03.00-182.000, shall be removed from the list of Brownfield properties designated therein to have their tax liens sold at public auction; and be it further

2nd **RESOLVED**, that the Commissioner of the Department of Environment and Energy, or her designee, is directed to remove said property from the aforementioned auction list.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\2008\r-refile-amend-reso-728-07-brownfield-property

Intro Res. No. 1063-08 Laid on the table: 2/5/08
Introduced by Presiding Officer, on request of the County Treasurer

RESOLUTION NO._____-2008
AUTHORIZING THE COUNTY TREASURER TO BORROW CASH FUNDS FROM OTHER COUNTY FUNDS FOR 2008

WHEREAS, the County Treasurer recommends that moneys be borrowed from a variety of County Funds to meet a temporary shortfall of cash during the remainder of 2008; and

WHEREAS, in accordance with Section 9-a of the NEW YORK GENERAL MUNICIPAL LAW, moneys can be temporarily advanced between funds, but must be repaid with interest by the end of the fiscal year; and

WHEREAS, the original intent of the Suffolk County Legislature and New York State Laws in creating said funds will not be circumvented by the enactment of the resolution; and

WHEREAS, the Suffolk County Legislature has previously granted the County Treasurer approval to temporarily borrow cash in Resolution Nos. 609-2007; 1011-2006; 1097-2005; 800-2004; 711-2003; 878-2002; and prior years; and

WHEREAS, it is prudent fiscal management for the County to borrow from its own funds since the County will not incur borrowing fees, such as the cost of issuance from such action; now, therefore be it

1st **RESOLVED**, that the County Treasurer is hereby authorized and empowered to borrow available cash from individual County Funds to the extent this cash is not needed for budgeted expenditures of said funds; and be it further

2nd **RESOLVED**, that any moneys borrowed from any County Fund pursuant to this resolution shall be repaid to said fund with interest at the prevailing rate from subsequent revenues as soon as it is fiscally practicable, but no later than December 31, 2008; and be it further

3rd **RESOLVED**, that the County Treasurer is hereby directed to provide the County Legislature, County Executive, County Comptroller, County Executive Budget Office, and the Legislative Budget Review Office with a report within five business days following any transaction that increases or decreases the fund balance in any County Fund through an internal transfer between funds.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date: _____

1064

Intro. Res. No. -2008

Introduced by Presiding Officer Lindsay

Laid on Table 2/5/08

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A CHARTER LAW TO CLARIFY THE BUDGET PROCESS AND RESTORE FLEXIBILITY IN THE ALLOCATION OF SALES TAX REVENUE

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 CLARIFY THE BUDGET PROCESS AND RESTORE FLEXIBILITY IN THE ALLOCATION OF SALES TAX REVENUE**", 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 CLARIFY THE BUDGET PROCESS AND RESTORE FLEXIBILITY IN THE ALLOCATION OF SALES TAX REVENUE

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 1993 the State of New York enacted legislation authorizing the County of Suffolk to dedicate a portion of its sales tax revenue (1/8 of 1%) for public safety purposes.

This Legislature further finds that beginning in 1994, the County began sharing its public safety sales tax revenue with towns and villages located outside the geographic boundaries of the Suffolk County Police District even though the County had no legal obligation to do so.

This Legislature also determines that the County of Suffolk amended its charter in 1997, to require the County Executive to include in his proposed expense budget in any fiscal year special payments to towns and villages for their public safety purposes. This amendment, codified at § C4-6(J) of the SUFFOLK COUNTY CHARTER, also included a formula for the County Executive to utilize in computing the special payments. The Charter has never required that the County's final, adopted budget include special payments to towns and villages.

This Legislature further finds and determines that confusion has arisen regarding the proper interpretation of SUFFOLK COUNTY CHARTER § C4-6(J), so much so that a lawsuit has been initiated by certain parties seeking a judicial ruling as to its meaning.

This Legislature finds that the disputed revenue-sharing charter provision unnecessarily restricts the County Executive's budgeting power and, that as chief budget officer of the County of Suffolk, the Executive should be afforded greater flexibility in determining the proper allocation of sales tax revenues in his proposed operating budget.

This Legislature further determines that the revenue-sharing concept is a proper issue for study by the new Charter Review Commission.

Therefore, the purpose of this law is to eliminate the confusing and arbitrary revenue sharing provision from the SUFFOLK COUNTY CHARTER, clarify the County's budget process, and restore the County Executive's authority and discretion to allocate sales tax revenue in his proposed operating budget.

Section 2. Repeal.

Local Law 18-1998 and Section C4-6(J) of the SUFFOLK COUNTY CHARTER are hereby repealed in their entirety.

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6 Effective Date.

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

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\laws\l-repeal revenue sharing

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1064

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: January 30, 2008

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 CLARIFY THE BUDGET PROCESS AND RESTORE FLEXIBILITY IN THE ALLOCATION OF SALES TAX REVENUE

SPONSOR: PRESIDING OFFICER LINDSAY

DATE OF RECEIPT BY COUNSEL:	1/30/08	PUBLIC HEARING:	3/4/08
DATE ADOPTED/NOT ADOPTED:		CERTIFIED COPY RECEIVED:	

In 1993, the State of New York authorized the County of Suffolk to dedicate a portion of its sales tax revenue for public safety purposes. Beginning in 1994, the County began sharing its public safety sales tax revenues with towns and villages located outside the geographic boundaries of the Suffolk County Police District. In 1997, the County of Suffolk amended its Charter to require the County Executive to include in his proposed expense budget in any fiscal year special payments to towns and villages for their public safety purposes. This amendment, codified in §C4-6(J) of the SUFFOLK COUNTY CHARTER, provided a formula for the County Executive to utilize in computing the special payments.

This proposed local law would repeal the revenue sharing provision found at §C4-6(J).

GEORGE NOLAN
Counsel to the Legislature

GN:mjk

s:\rule28\28-repeal-revenue-sharing

1065

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

Laid on Table 2/5/08

RESOLUTION NO. -2008, AUTHORIZING TRANSFER OF ONE (1) SURPLUS COUNTY KODAK IMAGELINK 70 TO THE BRENTWOOD PUBLIC LIBRARY

WHEREAS, the Office of County Clerk has submitted documentation to the Purchasing Division declaring a Kodak Imagelink 70 as surplus property, which has been taken out of service because of obsolescent technology; and

WHEREAS, the Brentwood Public Library has requested the donation of the Kodak Imagelink 70 from the County; and

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

1st **RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following local government agency, for use within its facilities for nominal consideration:

TO:
Brentwood Public Library
34 Second Avenue
Brentwood, NY 11717

Contact: Tom A. Tarantowicz, Director
Telephone: 631-273-7883

DESCRIPTION OF ITEM:
Kodak Imagelink 70
Serial No. 7969846

and be it further

2nd **RESOLVED**, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed local government agency for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

3rd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

4th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 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-microfilm-equip-brentwood-public-library

1066

Intro. Res. No. -2008

Introduced by Legislator Montano

Laid on Table 2/5/08

RESOLUTION NO. -2008, AUTHORIZING TRANSFER OF ONE (1) SURPLUS COUNTY KODAK IMAGELINK 70 TO THE CENTRAL ISLIP PUBLIC LIBRARY

WHEREAS, the Office of County Clerk has submitted documentation to the Purchasing Division declaring a Kodak Imagelink 70 as surplus property, which has been taken out of service because of obsolescent technology; and

WHEREAS, the Central Islip Public Library has requested the donation of the Kodak Imagelink 70 from the County; and

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

1st **RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following local government agency, for use within its facilities for nominal consideration:

TO:	**DESCRIPTION OF ITEM:**
Central Islip Public Library 33 Hawthrone Avenue Central Islip, NY 11722	Kodak Imagelink 70 Serial No. 7969850

Contact: Paul Facchiano, Director
Telephone: 631-234-9333 x110

and be it further

2nd **RESOLVED**, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed local government agency for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

3rd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

4th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 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:

Introductory Resolution No. 1067-08 Laid on Table 2/5/08

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
THOMAS J. WALSH a/k/a THOMAS WALSH and CHERYL L. WALSH a/k/a CHERYL WALSH, his wife
0200-403.00-05.00-043.000

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 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 403.00, Block 05.00, Lot 043.000, 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, Artist Lake Condominium 30 Bldg 19 Unit 315 Type A 80; 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-l976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, THOMAS WALSH and CHERYL WALSH have made application of said above described parcel and THOMAS WALSH and CHERYL WALSH have paid the application fee and $1,443.66, 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 THOMAS J. WALSH a/k/a THOMAS WALSH and CHERYL L. WALSH a/k/a CHERYL WALSH, his wife, 172 West Lido Promenade, Lindenhurst, New York 11757, 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.I

1067

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

December 28, 2007

Tax Map No.: 0200-403.00-05.00-043.000
Name of Last Legal Fee Owner: THOMAS J. WALSH a/k/a THOMAS WALSH and CHERYL L. WALSH a/k/a CHERYL WALSH, his wife

TREASURER'S COMPUTATION..... $1,443.66

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..... $1,443.66

Monies Received..... $1,443.66

RESOLUTION AMOUNT..... $1,443.66

APPROVED:

Karen A Slater 1/8/08
Accounting
LB:sc

PREPARED BY:
Lori Bertone
Lori Bertone
Redemption Unit
(631) 853-5932

1067

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0200-403.00-05.00-043.000

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 Lori Bertone 12/28/07

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK		LOT
0200	403.00	05.00	1067	043.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05 1322.03

2005/06 AND 2006/07 PAID BY OWNER

TOTAL: 1322.03

B. INTEREST DUE 52.88
C. TOTAL 1374.91
D. 5% LINE C 68.75
E. FEE
F. MISC
G. MISC

H. TOTAL DUE $1,443.66

TG 11/8/08

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-Dec-07

Diane M. Stuke
Deputy County Treasurer

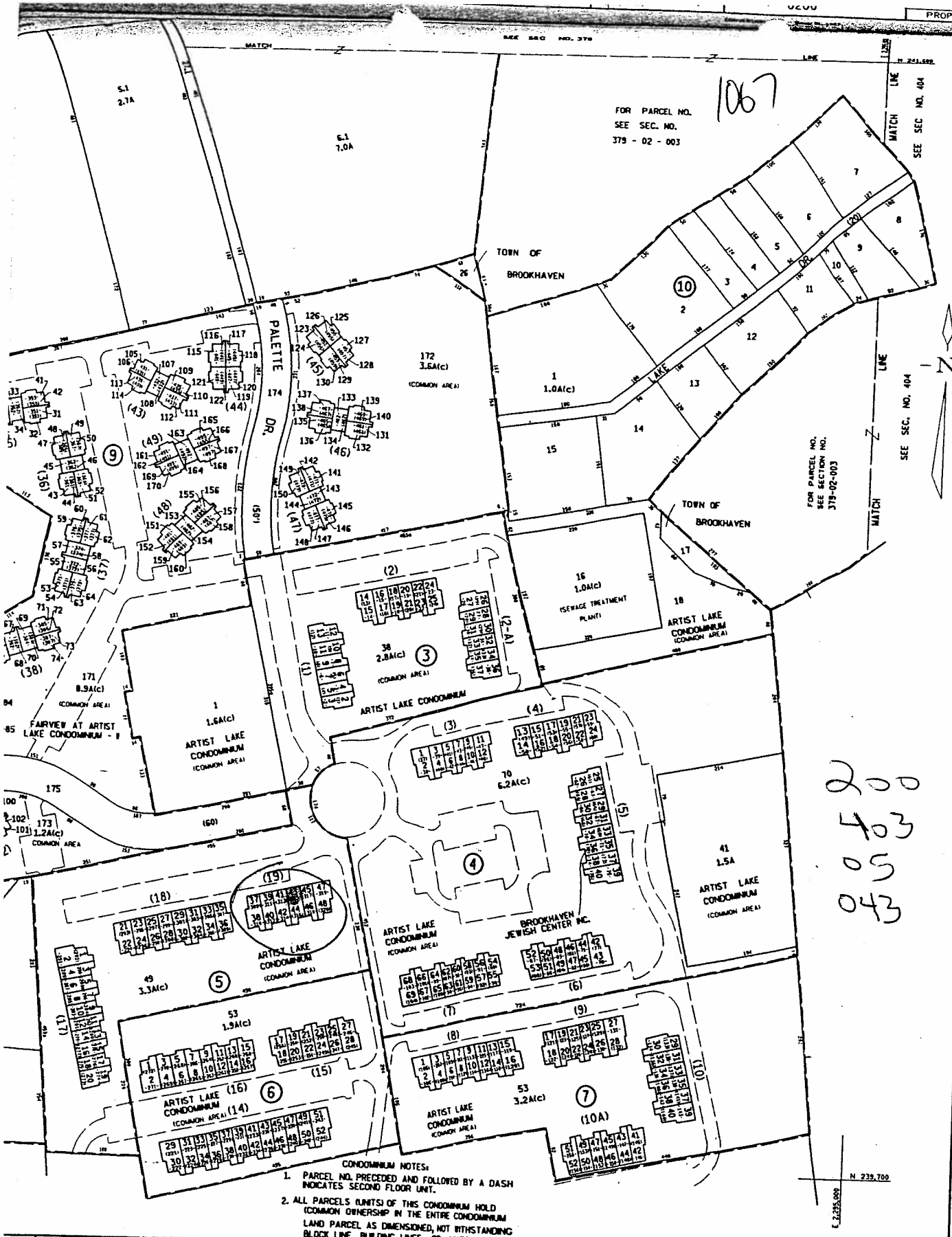
**Interest and penalty computed to and including 06/17/08

TG

PROPERTY MAP

1067

200
403
05
043



CONDOMINIUM NOTES:

1. PARCEL NO. PRECEDED AND FOLLOWED BY A DASH INDICATES SECOND FLOOR UNIT.
2. ALL PARCELS (UNITS) OF THIS CONDOMINIUM HOLD COMMON OWNERSHIP IN THE ENTIRE CONDOMINIUM LAND PARCEL AS DIMENSIONED, NOT WITHSTANDING BLOCK LINE, BUILDING LINES OR UNITS LINES.

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: 100 0 100 200

KEY MAP

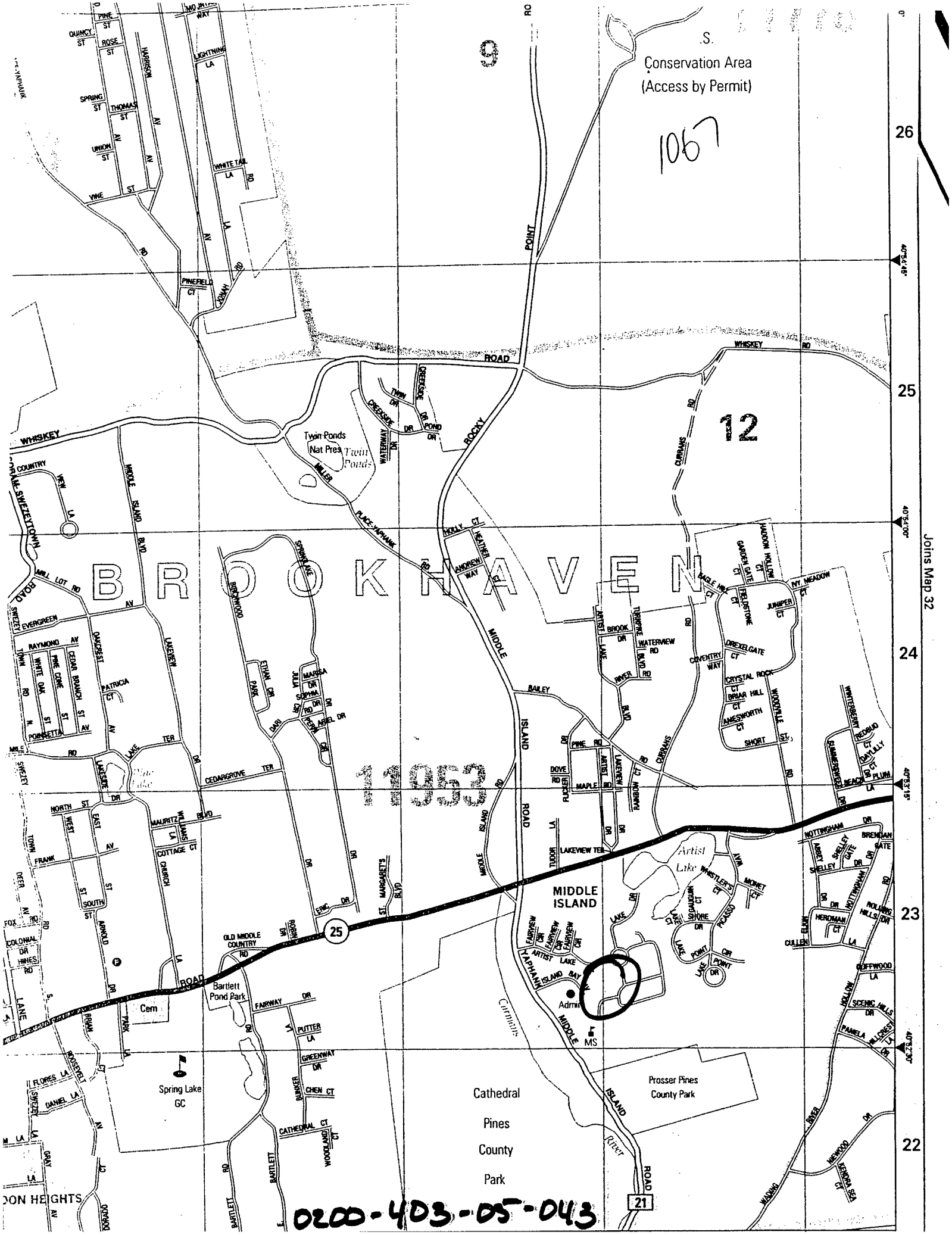
377	378	379
402	403	404
433	434	435

TOWN OF BROOKHAVEN
VILLAGE OF
DISTRICT NO 0200

SECTION NO 403

PROPERTY MAP

CONVERSION DATE: Jan. 09, 1997



Conservation Area
(Access by Permit)
1067
9
12
BROOKHAVEN
11953
Twin Ponds Nat Pres
Twin Ponds
MIDDLE ISLAND
Artist Lake
Bartlett Pond Park
Spring Lake GC
Cathedral Pines County Park
Prosser Pines County Park
Cormans River
Admin
MS
Cem
ROCKY POINT ROAD
MIDDLE ISLAND ROAD
WHISKEY ROAD
OLD MIDDLE COUNTRY RD
25
21
26
25
24
23
22
Joins Map 32
0200-403-05-043

Gen BI

COUNTY OF SUFFOLK

1067 JAN 16 2008

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

January 11, 2008

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

Re: Tax Map No. 0200-403.00-05.00-043.000
THOMAS J. WALSH a/k/a THOMAS WALSH and CHERYL L. WALSH a/k/a CHERYL WALSH, 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.

LOCATION
H. LEE DENNISON BLDG. - 2ND FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P.O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5900
FAX (631) 853-5906
FAX (631) 853-5905

Introductory Resolution No. 1068-08 Laid on Table 2/5/08

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
ELIZABETH GREGORY and DAVID GREGORY, as Joint Tenants with the Right of Survivorship
0103-020.00-03.00-014.000

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 Incorporated Village of Lindenhurst, 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 0103, Section 020.00, Block 03.00, Lot 014.000, and acquired by tax deed on April 25, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 28, 2006, in Liber 12447, at Page 648, and otherwise known as and by Incorporated Village of Lindenhurst, Town of Babylon, known and designated as Lot No. 99 on a certain map entitled, "Map of Roosevelt Park", and filed in the Office of the Clerk of the County of Suffolk on June 30, 1948, as Map No. 1633; 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 25, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 28, 2006 in Liber 12447 at Page 648.

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, DAVID J. GREGORY, has made application of said above described parcel and DAVID J. GREGORY, has paid the application fee and will be paying $56,566.31 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 ELIZABETH GREGORY and DAVID GREGORY, as Joint Tenants with the Right of Survivorship, 256 Phyllis Drive, Lindenhurst, New York 11757, 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.I

1068

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

January 3, 2008

Tax Map No.: 0103-020.00-03.00-014.000
Name of Last Legal Fee Owner: ELIZABETH GREGORY and DAVID GREGORY, as Joint Tenants with the Right of Survivorship

TREASURER'S COMPUTATION..... $56,566.31

Town Taxes.....2006/07..... INCLUDED
Town Taxes.....2007/08..... OPEN

Village Taxes.....2006/07.....INCLUDED
Village Taxes.....2007/08.....INCLUDED

Recording Fees collected for County Clerk.. N/A

License Fee ..... OPEN

Repairs..... OPEN

Interest..... N/A

Miscellaneous Expenses..... OPEN

TOTAL..... $56,566.31

Monies to be Received.....$56,566.31

RESOLUTION AMOUNT.....$56,566.31

APPROVED:

Karen A Slater 1/8/08
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

1068

1. Type of Legislation

Resolution X
Tax Map Number 0103-020.00-03.00-014.000

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

2008

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

Cathy O'Neal | Cathy O'Neal | 1/3/08

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0103	020.00	03.00	014.000

1068

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

Year	Village	Town	Combined
2001/02	950.13	6389.63	7339.76
2002/03	1928.71	6356.08	8284.79
2003/04	856.10	8393.44	9249.54
2004/05	777.07	8193.48	8970.55
2005/06	PD BY OWNER	6964.67	6964.67
2006/07	670.11	7473.71	8143.82
2007/08	182.00	NOT DUE YET	182.00

TOTAL: 49135.13

B. INTEREST DUE 4737.55
C. TOTAL 53872.68
D. 5% LINE C 2693.63
E. FEE
F. MISC
G. MISC

H. TOTAL DUE $56,566.31

12/21/07
CP

CERTIFICATION BY COUNTY TREASURER

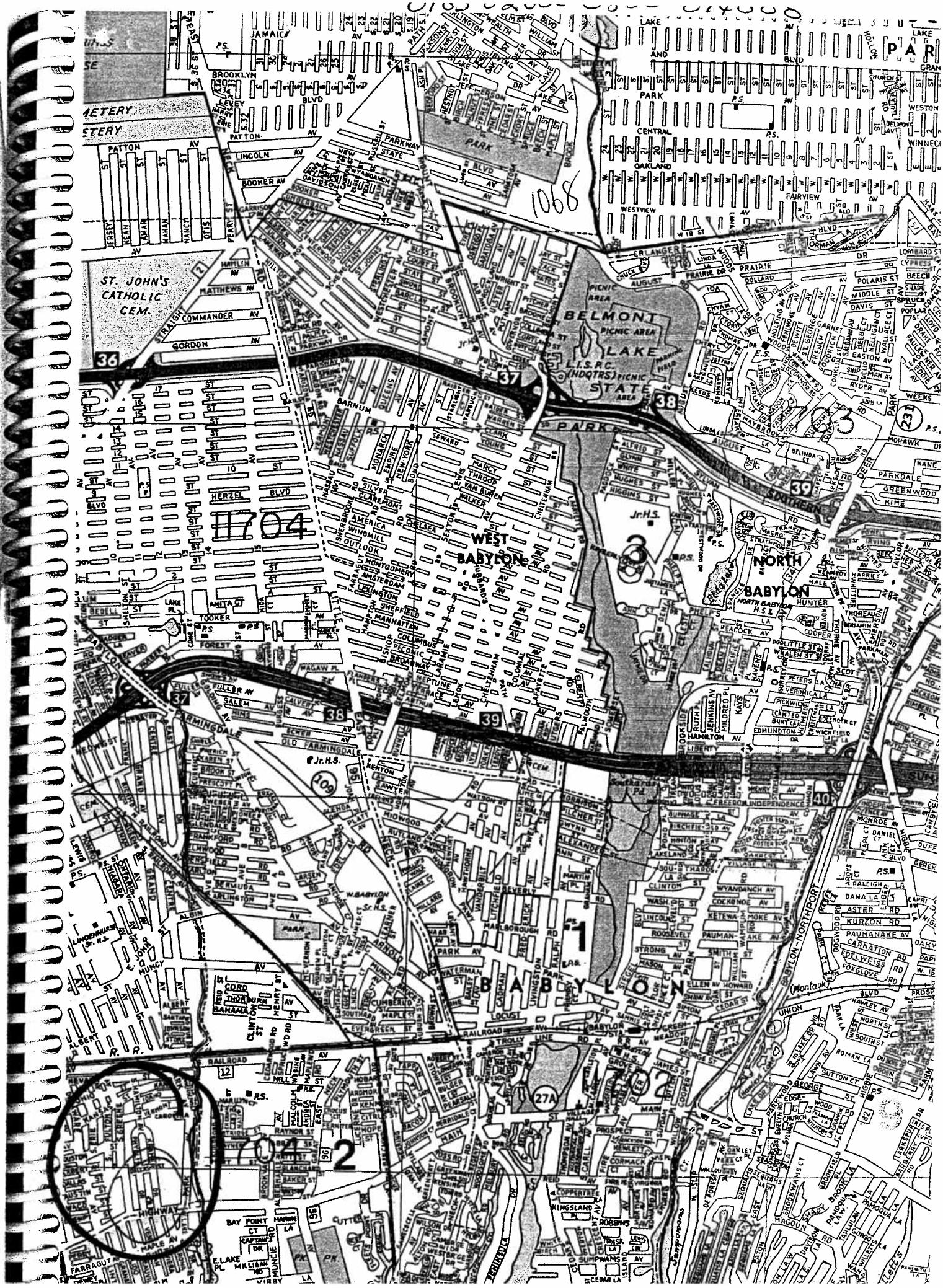
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 12-Dec-07

Diane M. Stuke
Deputy County Treasurer

** Interest and penalty computed to and including 06/09/08

DZ

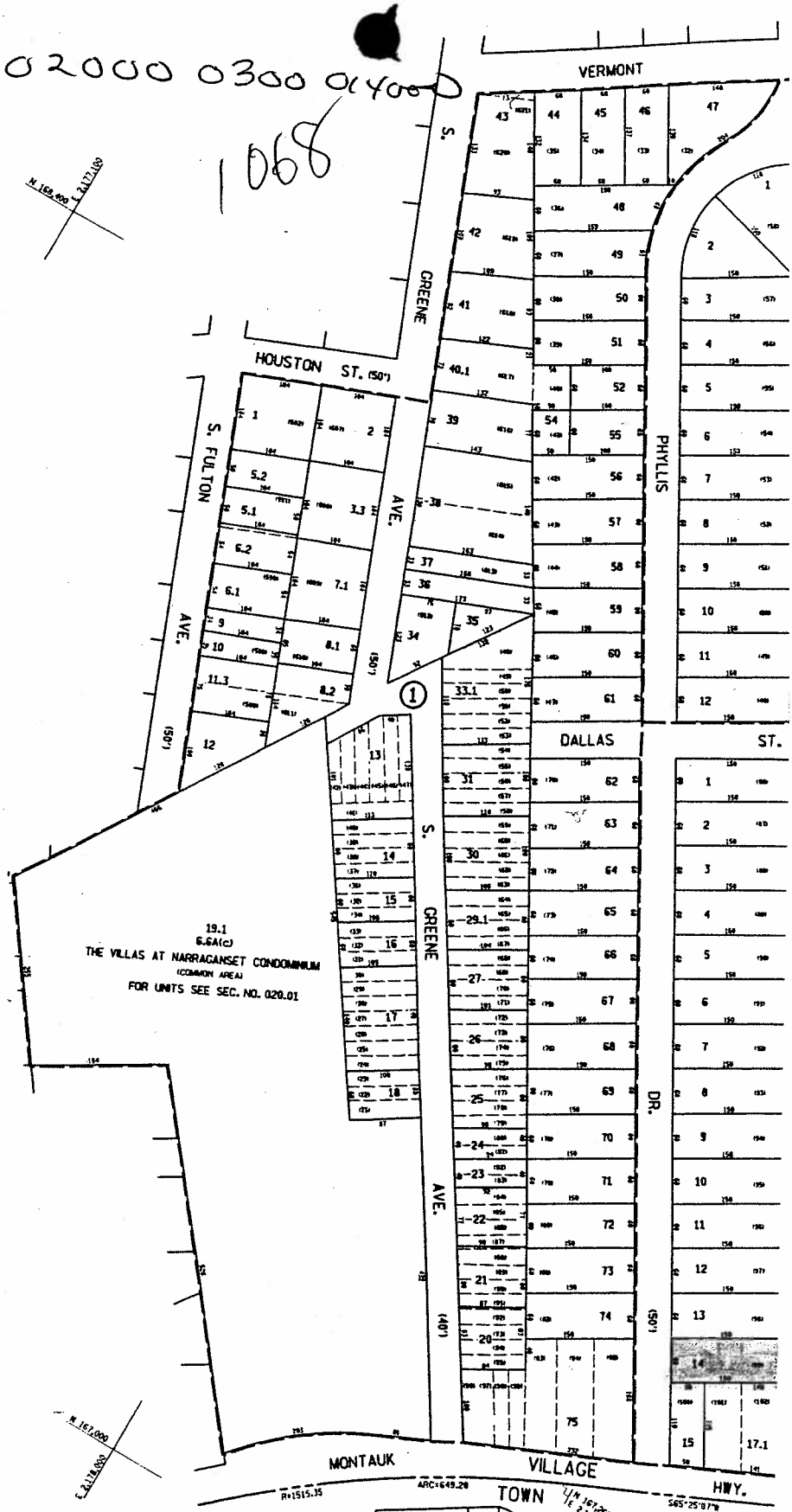


ST. JOHN'S CATHOLIC CEM.
BELMONT LAKE
L.I.S.P.C. (HDQTRS)
WEST BABYLON
NORTH BABYLON
BABYLON
1068
1704
1702
1701

07-29-99
09-17-01
02-06-02
12-16-02
12-05-03
02-26-04

0103 02000 0300 01400

1068



LEGEND

Property or RW Line		Subdivision Lot No.	020	Block Limit		School District Line — SCH —	Hydrant District Line — H —
Denotes Common Owner	Z	Subdivision Block/Bldg. No.	(21)	Block No.	2	Fire District Line — F —	Refuse District Line — R —
Subdivision Lot Line		Deed Dimension	62	County Line		Water District Line — W —	Historic District Line — HST —
Stream / Shore		Scaled Dimension	624	Town Line		Light District Line — L —	Ambulance District Line — A —
Parcel No.	23	Deed Area	12.1 A(c) or 12.1A	Village Line		Park District Line — P —	Wastewater District Line — WW —
		Calculated Area	12.1 A(c)			Sewer District Line — S —	

UNLESS ARE WITHIN DRAWN

SCHOOL 4
FIRE L.F.D.
LIGHT 55
PARK
AMBULANCE

Gen B2

COUNTY OF SUFFOLK

1068

JAN 16 2008

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

January 11, 2008

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

Re: Tax Map No. 0103-020.00-03.00-014.000
ELIZABETH GREGORY and DAVID GREGORY, as Joint Tenants with the Right of Survivorship

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.

LOCATION
H. LEE DENNISON BLDG. - 2ND FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P.O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5900
FAX (631) 853-5906
FAX (631) 853-5905

Intro Res. No. 1069-08

Laid on Table 2/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2008 ACCEPTING AND APPROPRIATING ONE HUNDRED PERCENT FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS FOR THE SUFFOLK COUNTY MEDICAL RESERVE CORPS.

WHEREAS, the National Association of County and City Health Officials (NACCHO), has awarded the Suffolk County Department of Fire, Rescue and Emergency Services (FRES) funds to prepare for a full-scale special needs drill in 2008, and a nursing home evacuation exercise in 2008 through National Incident Management System (NIMS) Incident Command training and providing volunteers necessary supplies such as personal protective equipment.

WHEREAS, NACCHO has received a grant from the Department of Health and Human Services (Grant Number: 1 MRCSG061001-02, CFDA Number: 93.008) (the "Grant") to build the capacity of local Medical Reserve Corps ("MRC") units;

WHEREAS, pursuant to the terms of the Grant, NACCHO has agreed, among other things, to provide funding support to the Suffolk County MRC unit, a component of the Suffolk County Citizen Corps Council and to encourage this unit to provide certain information to the Office of the Surgeon General's Civilian Volunteer Medical Reserve Corps ("OSG/CVMRC");

WHEREAS, pursuant to the terms of the Grant, NACCHO desires to provide funding to FRES in exchange for FRES agreeing, among other things, to undertake the activities indicated in their capacity building application or oversee such activities;

WHEREAS, FRES houses an MRC unit that is registered in good standing with the OSG/CVMRC;

WHEREAS, FRES maintains responsibility for the Suffolk County Citizen Corps Council pursuant to Resolution 1283-2004. The MRC is a component of the Citizen Corps Council Program;

WHEREAS, the MRC was created to allow for accredited health care professionals to volunteer in public health matters during times of natural or manmade crisis;

WHEREAS, this is a grant program, effective immediately to July 31, 2008 in which Suffolk County has been awarded $5,000 from NACCHO;

WHEREAS, $ 5,000 of said funds have not been included in the 2008 Operating Budget, now, therefore, be it

1st RESOLVED, that the County Comptroller and County Treasurer be and that they hereby are authorized to accept $5,000 and appropriate said grant funds as follows:

REVENUES:	AMOUNT
001-4089 Federal Aid: Other	$ 5,000

ORGANIZATIONS:

Medical Reserve Corps
001-FRE-3400- $ 5,000

3000 – Supplies, Materials & Other Expenses	
3500 Other, Unclassified	$ 2,738
4000 – Contractual Expenses	
4560 Fees for Services	$ 2,262

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1069

1. Type of Legislation

Local Law: _____ Charter Law: _____ Resolution: ____X____

2. Title of Proposed Legislation

Accepting and appropriating one hundred percent federal pass-through grant funds from the National Association of County and City Health Officials for the Suffolk County Medical Reserve Corps.

3. Purpose of Proposed Legislation

The potential for overwhelming the public health care system during times of a natural or manmade disaster.

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:
This is a one time only grant to prepare for a full-scale fully partnered special needs drill and a functional nursing home evacuation exercise through Incident Management/Organization training and operational supplies such as personal protective equipment.

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

$5,000

8. Proposed Source of Funding

National Association of County and City Health Officials

9. Timing of Impact

Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Joseph F. Williams, Commissioner		1/4/08

SCIN FORM 175b (10/95)

Ellen M. Kovesdy
Director of Mgt

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1069

GENERAL FUND

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

POLICE DISTRICT AND DISTRICT COURT

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

COMBINED

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1069

JAN 8 2008

JOSEPH F. WILLIAMS
COMMISSIONER

BELINDA PAGDANGANAN
DEPUTY COMMISSIONER

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

WARREN HORST
CHIEF FIRE MARSHAL

EDWARD C. SCHNEYER
DIRECTOR OF EMERGENCY PREPAREDNESS

DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES

TO: Ben Zwirn, Deputy County Executive
Intergovernmental Relations

FROM: Joseph F. Williams
Commissioner

DATE: January 4, 2008

SUBJECT: **National Association of County & City Health Officials (NACCHO) Funding**

Please find enclosed the necessary documents to accept and appropriate one hundred percent federal pass through grant funds from NACCHO to be used for the Suffolk County Medical Reserve Corps.

If you have any questions regarding this resolution, please contact Tom O'Hara of my office at (631) 852-4908.

Thank you.

JFW:kp
Enclosures
cc: B. Pagdanganan, Deputy Commissioner
E. Schneyer, Director of Emergency Preparedness
R. Meyer, Asst. Commissioner, DHS
R. Delagi, Chief, Pre-Hospital Medical Ops., EMS

PO BOX 127 – YAPHANK AVENUE
YAPHANK, NEW YORK 11980-0127

COMMISSIONER'S OFFICE: (631) 852-485
FIRE MARSHAL'S OFFICE: (631) 852-485
EMERGENCY MGMT OFFICE: (631) 852-490
COMM. CENTER (24-HOUR): (631) 852-481
FAX: (631) 852-486

AGREEMENT

National Association of County and City Health Officials
1100 17th Street, NW, Second Floor, Washington, DC 20036-4636
(202)783-5550 FAX (202)783-1583

CONTRACT # MRC 08 0227

This Agreement is entered into, effective as of the date of the later signature indicated below (the "Effective Date"), by and between the National Association of County and City Health Officials ("NACCHO"), with its principal place of business at 1100 17th St., N.W., Suite 200, Washington, DC 20036, and Suffolk County ("Organization"), with its principal place of business at H. Lee Dennison Building, PO Box 6100, Hauppauge, New York 11788.

WHEREAS, NACCHO has received a grant from the Department of Health and Human Services (Grant Number: 1 MRCSG061001-02, CFDA Number: 93.008) (the "Grant") to build the capacity of local Medical Reserve Corps ("MRC") units;

WHEREAS, pursuant to the terms of the Grant, NACCHO has agreed, among other things, to provide support to MRC units and to encourage these units to provide certain information to the Office of the Surgeon General's Office of the Civilian Volunteer Medical Reserve Corps ("OSG/CVMRC");

WHEREAS, Organization either houses or is itself an MRC unit that is registered in good standing with the OSG/CVMRC;

WHEREAS, pursuant to the terms of the Grant, NACCHO desires to provide funding to Organization in exchange for Organization agreeing, among other things, to undertake the activities indicated in their capacity building application or oversee such activities and to provide certain information to the OSG/CVMRC.

NOW, THEREFORE, NACCHO and Organization, intending to be legally bound, in consideration of the promises and mutual covenants and obligations contained herein, hereby agree as follows:

1. ORGANIZATION'S OBLIGATIONS: In consideration for the payment described in Section 3, below, Organization agrees, during the Term of this Agreement, to be an MRC Unit in Good Standing by meeting the following criteria below. If Organization houses an MRC Unit, Organization will insure that the unit is an MRC Unit in Good Standing by meeting the following criteria below.

    a. Have 501c(3) or comparable status or be housed in an organization capable of and willing to receive federal funds on its behalf;
    b. Monitors and provide updates to the MRC Unit's profile on the MRC web site no less often than once every three months;

National Association of County and City Health Officials
1100 17th Street, NW, Second Floor, Washington, DC 20036-4636
(202)783-5550 FAX (202)783-1583

c. Provides the OSG/CVMRC with regular updates of programs and plans;

d. Actively works towards National Incident Management System ("NIMS") compliance;

e. Agrees to participate in MRC Unit Technical Assistance assessments;

f. Utilizes capacity building award funds for approved purposes, and as indicated in their capacity building award application;

g. Maintains Registered status with the OSG/CVMRC; and

h. Agrees to participate in an evaluation review by NACCHO

2. TERM OF AGREEMENT: The term of the Agreement shall be begin on January 4, 2008 and shall continue until July 31, 2008 (the "Term").

3. PAYMENT FOR SERVICES: In consideration for the agreements by Organization set forth in Section 1, above, NACCHO shall pay Organization Five Thousand Dollars ($5,000). Payment will be made before the expiration of the Term of the Agreement.

4. REVISIONS AND AMENDMENTS: Any revisions or amendments to this Agreement must be made in writing and signed by both parties.

5. ASSIGNMENT: Organization may not assign this Agreement nor delegate any duties herein without the express written approval of NACCHO.

6. INTERFERING CONDITIONS: Organization shall promptly and fully notify NACCHO of any condition that interferes with, or threatens to interfere with, the successful carrying out of Organization's duties and responsibilities under this Agreement, or the accomplishment of the purposes thereof. Such notice shall not relieve Organization of said duties and responsibilities under this Agreement.

7. RESOLUTION OF DISPUTES: Should any disputes arise between the parties during the Term of this Agreement, the parties shall make a good faith attempt to resolve such disputes through dialogue and negotiation. If such efforts fail to resolve the differences, the disputes will be submitted to arbitration in the District of Columbia before a single arbitrator in accordance with the rules then obtaining of the American Arbitration Association. The arbitration award shall be final and binding upon the parties. If a dispute should arise about an arbitration award, judgment may be entered therein in any court of competent jurisdiction.

8. ENTIRE AGREEMENT: This Agreement contains all agreements, representations, and understandings of the parties and supersedes and replaces any and all previous understandings, commitments, or agreements, oral or written.

9. PARTIAL INVALIDITY: If any part, term, or provision of this Agreement shall be held void, illegal, unenforceable, or in conflict with any law, that part, term

National Association of County and City Health Officials
1100 17th Street, NW, Second Floor, Washington, DC 20036-4636
(202)783-5550 FAX (202)783-1583

or provision shall be restated to effectuate the parties' intentions, and the validity of the remaining portions or provisions shall not be affected.

10. GOVERNING LAW: This Agreement shall be governed by and construed in accordance with the laws of the District of Columbia (without regard to its conflict of law rules).

11. COMPLIANCE WITH FEDERAL LAWS AND REGULATIONS: Organization's use of funds under this Agreement is subject to the directives of and full compliance with 45 C.F.R. Part 74 (Uniform Administrative Requirements for Awards and Subawards to Institutions of Higher Education, Hospitals, Other Non-Profit Organizations, and Commercial Organizations) and OMB Circular A-110 (Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations). It is the Organization's responsibility to understand and comply with all requirements set forth therein.

12. DEBARRED OR SUSPENDED ORGANIZATIONS: Pursuant to OMB Circular A-110, Organization certifies to the best of its knowledge that its is not presently and will execute no subcontract with parties listed on the General Services Administration's List of Parties Excluded from Federal Procurement or Nonprocurement Programs in accordance with E.O.s 12549 and 12689, "Debarment and Suspension."

13. AUDITING: Organization agrees to permit independent auditors to have access to its books, records and financial statements for the purpose of monitoring compliance with this contract.

14. NOTICE: All notices under this Agreement shall be in writing and shall be sent via facsimile and first class mail, postage prepaid, to the addresses below. Either party may update its address by providing written notice to the other party pursuant to the terms of this provision.

TO NACCHO:
National Association of County and City Health Officials
Attn: Contracts Specialist
1100 17th Street, N.W., Second Floor
Washington, D.C. 20036
Tel. (202) 783-5550 x287
Fax (202) 783-1583

National Association of County and City Health Officials
1100 17th Street, NW, Second Floor, Washington, DC 20036-4636
(202)783-5550 FAX (202)783-1583

TO ORGANIZATION:
Suffolk County
Jefrfrey Szabo
Chief of Staff
H. Lee Dennison Building, PO Box 6100
Hauppauge, New York 11788
Tel. (631) 852-4850

15. AUTHORITY TO BIND PARTY: Each party hereby represents and warrants that the person signing this Agreement on its behalf as the authority to bind such party.

NACCHO:

Authorized Signature:

By:

_____

Name: John Mericsko
Title: Chief Financial Officer

Organization: National Association of County and City Health Officials

Address:

1100 17th Street, NW
Second Floor
Washington, DC 20036

Phone: 202-783-5550 x207
Fax: 202-783-1583
EIN: 52-1426663

Date: _____

ORGANIZATION:

Authorized Signature:

By:

_____

Name: Jefrfrey Szabo
Title: Chief of Staff

Organization: Suffolk County

Address:

H. Lee Dennison Building, PO Box 6100
Hauppauge, New York 11788

Phone: _____

Fax: _____

EIN: 11-6000464

Date: _____

AGREEMENT

National Association of County and City Health Officials
1100 17th Street, NW, Second Floor, Washington, DC 20036-4636
(202)783-5550 FAX (202)783-1583

CERTIFICATION OF NON-DEBARMENT OR SUSPENSION

By my signature I attest that Suffolk County has not been debared or suspended pursuant to OMB Circular A-110 and will not subcontract with parties listed on the General Services Administration's List of Parties Excluded from Federal Procurement or Nonprocurement Programs in accordance with E.O.s 12549 and 12689 "Debarment and Suspension."

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
ORGANIZATION	DATE SIGNED

Intro Res. No. 1070-08

Laid on Table 2/5/08

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

RESOLUTION NO. 2008, ACCEPTING AND APPROPRIATING 84% GRANT FUNDS RECEIVED FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR SERVICES PROVIDED BY THE SUFFOLK COUNTY PROBATION DEPARTMENT IN OPERATION ROLLING THUNDER.

WHEREAS, New York State Division of Criminal Justice Services has awarded Suffolk County law enforcement agencies $25,000 to for its participation in Operation Rolling Thunder; and

WHEREAS, Operation Rolling Thunder is a collaborative effort between the NYS Division of Criminal Justice Services, the U.S. Marshals Service NY/NY Fugitive Task Force and the Suffolk County Department of Police, Probation and the Sheriff's Office to conduct a sweep of felony fugitives with outstanding warrants; and

WHEREAS, the Suffolk County Probation Department was allocated $6,000 of said grant funds to be used for overtime expenses totaling $7,101.26 related to Operation Rolling Thunder for the period 11/26/07 through 11/30/07; and

WHEREAS, funding has not been included in the Probation Department's 2007 Suffolk County Adopted Operating Budget for Operation IMPACT IV; now, therefore, be it

1st **RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows;

REVENUES:	AMOUNT
001-3321-Criminal Justice Services	$6,000.00

ORGANIZATIONS:

Probation Department (PRO)
Operation Impact IV
001-PRO-3181

PERSONAL SERVICES	$6,000.00
1120—Overtime Salaries	$6,000.00

and be it further

2nd **RESOLVED,** that the non-reimbursable overtime and fringe benefits associated with the overtime salaries for this grant are included in the 2007 Suffolk County Budget; and be it further

3rd **RESOLVED**, that the County Executive be and hereby is authorized to execute related agreements.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County
Date of Approval

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution__X__ Local Law____ Charter Law____ 1070

2. Title of Proposed Legislation

Accepting and appropriating 84% grant funds received from the New York State Division of Criminal Justice Services for services provided by the Suffolk County Probation Department in Operation Rolling Thunder.

3. Purpose of Legislation

To accept and appropriate $6,000 of State funds awarded to the Department of Probation for its participation in Operation Rolling Thunder to conduct a sweep of felony fugitives with outstanding warrants. These funds have not been included in the 2007 Suffolk County Operating Budget.

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes___ No_X___**

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

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

None to the County.

8. Proposed Source of Funding

State Aid Revenue (001-3321) Criminal Justice Services

9. Timing of Impact Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Karlene Maimoni Director of Program Evaluation	Karlene Maimoni	January 11, 2008

Theresa Lalli
Principal Financial Analyst 1/18/08

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1070

GENERAL FUND

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

POLICE DISTRICT AND DISTRICT COURT

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

COMBINED

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

JAN 08 2008

1070

Steve Levy
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PROBATION

John K. Desmond
DIRECTOR

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: John K. Desmond, Director of Probation

SUBJECT: **Resolution:**
To Accept and Appropriate Grant Funding from NYS DCJS for Operation Rolling Thunder

DATE: January 4, 2008

Enclosed for further processing is an original and one copy of a resolution to accept and appropriate $6,000 in grant funding from the NYS Division of Criminal Justice Services (DCJS) for the Probation Department's participation in Operation Rolling Thunder. Operation Rolling Thunder was a collaborative effort between NYS Division of Criminal Justice Services, the U.S. Marshals Service NY/NY Fugitive Task Force and the Suffolk County Department of Police, Probation and the Sheriff's Office to conduct a sweep of felony fugitives with outstanding warrants. As denoted in the back-up documentation, DCJS allocated $6,000 to reimburse overtime expenses associated with the Department's services in this operation which took place between November 26 and November 30, 2007. These funds have not been included in Probation's 2007 or 2008 Operating Budgets.

This resolution package includes as backup forms 175 a & b and a copy of the e-mail correspondence from DCJS indicating the allocation to Suffolk County Probation.

I hope this resolution request meets with your approval. If you have any questions in this regard, please do not hesitate to contact me at 2-5100 or Karlene Maimoni at 2-5133.

Thank you for your consideration in this regard.

JKD:KM
Enclosures (1 package)

Cc: CE RESO REVIEW (e-mail copy)
Brendan Chamberlain, Intergovernmental Relations
Theresa Lollo, Principal Financial Analyst, Budget Office
Donald Fahey, Federal & State Aid Claims Unit
Thomas J. Porter, Deputy Director
James J. Golbin, Ph.D., Chief Planner
Karlene Maimoni, Director of Program Evaluation
Joseph Borenstein, Principal Probation Officer
Joanne S. Circo, Administrator II
Payroll Unit

YAPHANK AVENUE
YAPHANK, LONG ISLAND, NEW YORK 11980 - 0188
(631) 852 - 5100

1071

Intro Res. No.– 07 LOT 2/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2007, ACCEPTING AND APPROPRIATING 100% GRANT FUNDING FROM THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE TO THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES FOR THE SAFETY NET ASSISTANCE PROJECT (SNAP) AND AUTHORIZE THE COUNTY EXECUTIVE AND THE COMMISSIONER OF SOCIAL SERVICES TO EXECUTE A CONTRACT

WHEREAS, the New York State Office of Temporary and Disability Assistance has designated the Suffolk County Department of Social Services as the recipient of 100% State Funding in the amount of $60,000 to implement a Safety Net Assistance Project (SNAP) to provide outreach services to Safety Net recipients of advanced age; and

WHEREAS, the purpose of the grant is to provide funds for case management services targeting Safety Net Non MOE recipients who are currently unable to retain employment due to mental and/or physical disability; and

WHEREAS, the New York State Office of Temporary Disability Assistance has approved the grant proposal developed in collaboration with the Education and Assistance Corporation (EAC) as the provider of the SNAP project, and

WHEREAS, EAC will perform intake assessments to fully determine employability and make referrals for employment, physical, mental health, substance abuse services, and SSI/SSD application assistance where applicable; and

WHEREAS, it is in the best interest of Suffolk County to accept these funds; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they are hereby authorized to accept the following funds:

REVENUES:

001-3610	STATE AID: Administration	$60,000

and be it further

2nd RESOLVED, that total funds in the amount of $60,000 be and are hereby appropriated as follows:

ORGANIZATIONS: $60,000

Department of Social Services
Housing, Adult and Employment Services
001-DSS -6008

4000 – Contractual Expenses	$60,000
4980 – XXXX - Education and Assistance Corporation (EAC), SNAP Project	$60,000

and be it further

3rd RESOLVED, that any unexpended funds be reappropriated in the 2008 Operating Budget, and will be fully expended by June 20, 2008 in conformance with the terms of the grant award: and be it further

4th RESOLVED, that the County Executive and the Commissioner of Social Services be and they are hereby are authorized to execute a contract with the Education and Assistance Corporation, Inc. for the Safety Net Assistance Project (SNAP).

DATED: _____

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

1071

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

"ACCEPTING AND APPROPRIATING 100% GRANT FUNDING FROM THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE TO THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES FOR THE SAFETY NET ASSISTANCE PROJECT (SNAP) AND AUTHORIZE THE COUNTY EXECUTIVE AND THE COMMISSIONER OF SOCIAL SERVICES TO EXECUTE A CONTRACT."

3. Purpose of Proposed Legislation

The purpose of the legislation is to provide funds for case management services targeting Safety Net Non MOE recipients who are currently unable to retain employment due to mental and/or physical disability . Services will be provided by the Education and Assistance Corporation.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes ____ No X

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

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

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

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

100% funded.

8. Proposed Source of Funding.

State Aid

9. Timing of Impact.

Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Patricia A. Clark, Director of Management and Research	Patricia A. Clark	12/31/07

SCIN FORM 175b (10/95)

Theresa Lolles 1/18/08
Principal Financial Analyst

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1071

GENERAL FUND

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

POLICE DISTRICT AND DISTRICT COURT

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

COMBINED

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1071

JAN 8 2008

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF SOCIAL SERVICES

Janet DeMarzo
Commissioner

Memorandum

To: Ben Zwirn, Assistant Deputy County Executive
Brendan Chamberlain, County Executive Assistant

From: Janet DeMarzo, Commissioner
Department of Social Services

Date: January 2, 2008

Subject: **REQUEST FOR LEGISLATIVE RESOLUTION:**
Accepting 100% funding from the NYS OTDA for the Safety Net Assistance Project (SNAP)

I am requesting that the attached legislative resolution be submitted to the Suffolk County Legislature:

> **"ACCEPTING AND APPROPRIATING 100% GRANT FUNDING FROM THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE TO THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES FOR THE SAFETY NET ASSISTANCE PROJECT (SNAP) AND AUTHORIZE THE COUNTY EXECUTIVE AND THE COMMISSIONER OF SOCIAL SERVICES TO EXECUTE A CONTRACT)."**

The New York State Office of Temporary and Disability Assistance awarded Suffolk County Department of Social Services $60,000 in State Funding for the Education and Assistance Corporation (EAC) to provide outreach services to Safety Net recipients of advanced age. The purpose of this funding is to provide case management services targeting Safety Net Non MOE recipients who are currently unable to retain employment due to mental and/or physical disability. EAC will provide these enhanced services to a previously under served population. We anticipate that the program will start in February, 2008.

Attached please find the above referenced resolution, the introduction form (SCIN Form 175a), the fiscal impact statement (SCIN Form 175b), and the grant approval letter from NYS. If you have any questions, please contact Patricia Clark at 854-9939.

Thank you.

Enc.
c: D. Fahey
ec: CE Reso. Review Distribution List

BOX 18100 HAUPPAUGE, N.Y. 11788 – 8900 (631) 854-9935

1071

RECEIVED
3 75
OCT 2 2 2007
COMMISSIONER
Suffolk County Social Services

NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NEW YORK 12243-0001

Eliot Spitzer
Governor

David A. Hansell
Commissioner

October 19, 2007

Ms. Janet DeMarzo
Commissioner
Suffolk County Department
of Social Services
3085 Veterans Memorial Highway
Ronkonkoma, NY 11779

Dear Commissioner DeMarzo:

Thank you for submitting your proposal to participate in the Safety Net Assistance Project (SNAP). I appreciate the time and effort that you and your staff spent in completing your submission. I am pleased to inform you that your proposal has been approved in the amount of $60,000 for the calendar year 2008.

Thirty-one districts submitted proposals totaling $1.4 million competing for $765,000 in available funds. You are to be commended for being one of the 17 counties that were selected in a very difficult competition, as many that were not selected were also very good proposals. The large number of proposals is indicative of the interest in working with the disabled Safety Net population.

As you prepare to implement your program please make sure that the following requirements are met:

1. Documentation in a case file must be present to ensure that each Safety Net individual can be classified with a mental and/or physical condition.

2. Your program narrative must be entered on TRACS, as the SNAP program will utilize TRACS for reporting purposes.

3. Reporting quarterly outcomes, as well as monthly numbers served, is required.

   The SNAP performance measures are:

   - Ratio of project participants obtaining employment;
   - Ratio of project participants who complete training or educational services;
   - Ratio of project participants receiving a reduced cash benefit or case closing due to increased earnings; and
   - Ratio of project participants referred to and receiving federal disability benefits (SSA, SSI and/or Veteran's benefits).

1071

Reporting periods are: January 1, 2008 – March 31, 2008; April 1, 2008 – June 30, 2008; July 1, 2008 – September 30, 2008; and, October 1, 2008 – December 31, 2008. Reports for the quarter are due the 15th of the month following the Quarter.

4. Claiming is to be made against your SNAP 6 allocation which has been posted on TRACS; if you are a current SNAP district and still have SNAP 5 funds available you should claim those funds first. Detailed claiming instructions are attached to this correspondence.

5. These funds cannot be used to supplant local funding for any existing staff.

Future year allocations will be determined by claiming, reporting and the availability of funds in the SFY 08-09 State Budget.

Please contact Edward Hennessy at (518) 473-0866 with program questions on SNAP or Sue Haag at (518) 486-6291 if you have any questions on TRACS. We look forward to working with you as you implement your program.

Sincerely,

Russell Sykes
Deputy Commissioner
Center for Employment and Economic Supports

Attachment

1071

Claiming Instructions for Safety Net Assistance Project 6 (SNAP)

The administrative and/or contracted costs associated with approved projects under SNAP 6 should be reported as F-17 functional code expenditures and claimed on the Schedule D-17, Distribution of Allocated Costs to Other Reimbursement Programs, (LDSS-3274). These costs should be carried through to a LDSS-3922 form entitled, Financial Summary for Special Projects.

Both forms should be labeled as SNAP 6 and have the expenditures reported on the appropriate lines (e.g., Salary costs on the salary line or Contracts costs on the Contractual Services line, etc.). Local district staff working only part time on SNAP must be time studied and only those costs should be charged to SNAP. The LDSS-3922 for SNAP 6 should be submitted on a monthly basis to the Bureau of Financial Services using the TRACS system.

Those districts that still have SNAP 5 funds available should claim these funds first and the claim forms should be labeled as SNAP 5.

The costs should be reported in the Administration Costs and Total Costs columns and claimed at 100% state share.

A-87 costs are not reimbursable under this program and are 100% local share. Reimbursement for all other expenditures is available up to the limit of the approved project budget.

Please note that the availability of unspent funds after June 30, 2008 is contingent upon re-appropriation in the State Fiscal Year 2008-2009 State Budget. Funding beyond this initial period is subject to reappropriation/appropriation in the State Budget.

Based on the above final claims for the period of January 1, 2008 through June 30, 2008 are due by August 15, 2008. An extension of funding would extend the claiming period.

Any claiming questions from Regions 1 through 4 should be directed to Carolyn Oleyourryk at (518) 474-7549, or email to Carolyn.Oleyourryk@otda.state.ny.us. Claiming questions from Region 5 should be directed to Michael Borenstein at (631) 854-9704, or email to Michael.Borenstein@otda.state.ny.us. Claiming questions from Region 6 should be directed to Marian Borenstein at (212) 961-8250, or email to Marian.Borenstein@otda.state.ny.us.

COUNTY OF SUFFOLK

1071

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF SOCIAL SERVICES

Janet DeMarzo
Commissioner

August 20, 2007

Dale J. Peterson
Director, Bureau of Transitional Programs
Division of Employment and Transitional Supports
40 North Pearl Street, (9-C)
Albany, New York 12243

Dear Ms. Peterson:

In accordance with Local Commissioner's Memorandum 07-LCM-09, attached please find Suffolk County's proposal provide Services to Safety Net Assistance Recipients (SNAP – Safety Net Assistance Project). The following documents are attached:

- Proposed Safety Net Assistance Project Submittal Form (Attachment 2)
- Proposed Safety Net Assistance Project Budget Form (Form 2)
- Proposed Safety Net Assistance Project Budget Form (Form 2A - Narrative)

Should there be further information you require, please do not hesitate to contact my office.

Sincerely,

Janet DeMarzo
Commissioner

JDM:KMS

BOX 18100 HAUPPAUGE, N.Y. 11788 – 8900 (631) 854-9935

Additional back-up material regarding I.R. 1071 is on file in the Legislative Clerk's Office, Hauppauge.

1072

Intro. Res. No. - 2008 Laid on the Table 2/5/08

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

RESOLUTION NO. – 2008, AUTHORIZING THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES TO APPLY FOR A SUBSCRIPTION TO THOMSON MICROMEDEX FOR ACCESS TO THE IDENTIDEX SYSTEM

WHEREAS, this subscription will assist Crime Laboratory staff in the identification of drugs that are seized by law enforcement; and

WHEREAS, proper drug identification is critical to evidentiary reports; and

WHEREAS, this Identidex System is provided by Thomson Micromedex at a cost of $1,800.75 per year; and

WHEREAS, SOP A-02 requires that Legislative approval be granted for membership and subscriptions exceeding $1,000; and

WHEREAS, the 2008 Operating Budget in 001-4720-3070 included funds in anticipation of this subscription renewal; now, therefore be it

1st RESOLVED, that the Department of Health Services is authorized to apply to Thomson Micromedex for renewal of the Identidex System subscription.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV #2-2008

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1072

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

Authorizing the Suffolk County Department of Health Services to apply for a subscription to Thomson Micromedex for access to the Identidex System.

3. Purpose of Proposed Legislation

This subscription will assist Crime Laboratory staff in the identification of drugs that are seized by law enforcement.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

None

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

Not Applicable

8. Proposed Source of Funding

2008 Operating Budget 001-4720-3070

This item was purchased last year under different object code - Dept. did not interpret internet access as a subscription — wish to pay out of proper object code this year

2008 2,500 Budgeted ✓

9. Timing of Impact

2008

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Diane E. Weyer *Principal Financial Analyst* Beth A Reynolds Beth A Reynolds Principal Executive Analyst	Beth A Reynolds	1/16/08

1/16/08

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1072

GENERAL FUND

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

POLICE DISTRICT AND DISTRICT COURT

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

COMBINED

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Master List #26

COUNTY OF SUFFOLK

1072

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.
Commissioner

January 4, 2008

Ben Zwirn, Deputy County Executive
Office of the County Executive, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn: Ben

I request the introduction of the enclosed Resolution authorizing the Suffolk County Department of Health Services to apply for a subscription to Thomson Micromedex for access to the Identidex System. This subscription will assist Crime Laboratory staff in the identification of drugs that are seized by local law enforcement. There are sufficient funds included in the 2008 Operating Budget to support this subscription.

I enclose the financial impact statement and other materials for this Resolution. If you have any questions on the enclosed, please call Diane E. Weyer at 3-6455. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is Reso-HSV-Identidex Subscription.doc.

Sincerely yours,

Humayun J. Chaudhry, D.O., FACP

Humayun J. Chaudhry, D.O., M.S.
Commissioner of Health Services

Enclosures

HJC/lw

C: Margaret B. Bermel, M.B.A, Director of Health Administrative Services
Matthew Miner, Deputy Commissioner
Yvonne Milewski, Chief Medical Examiner
Diane E. Weyer, Principal Financial Analyst

Public Health
Prevent. Promote. Protect.

OFFICE OF THE COMMISSIONER
225 Rabro Drive East, Hauppauge, NY 11788 (631) 853-3000 Fax (631) 853-2927

1072

	Date	Number
STANDARD OPERATING PROCEDURE	7/01	A-02
	Approved by:	

OFFICE OF THE COUNTY EXECUTIVE

ROBERT J. GAFFNEY
SUFFOLK COUNTY EXECUTIVE

MEMBERSHIP IN ASSOCIATIONS, AGENCIES OR ORGANIZATIONS

THIS SOP SUPERCEDES THE SHEETS IN THE SOP MANUAL THAT CONTAIN THE IDENTIFICATION OF SOP A-02. HOLDERS OF THE MANUAL SHOULD REMOVE THE CITED SHEETS AND REPLACE THEM WITH THIS DOCUMENT.

1. **Policy**. The Suffolk County Legislature by Resolution #235-1973 delegated to the County Executive and the Presiding Officer the authority to approve membership in associations, agencies or organizations for County Officers and employees where the cost of such membership does not exceed $1,000.

2. **Scope**. This SOP applies to all departments and agencies of the Suffolk County government requesting approval for memberships in associations, agencies or organizations of $1,000 or under.

3. **References**. Suffolk County Local Law 10-1973.

4. **Applicable Forms**. SCEX Form 166 Request to Renew or Apply for Membership in Association, Agencies, or Organizations.

5. **Procedure**. To obtain approval for membership of $1,000 and under, it is necessary to submit your request on SCEX Form 166 to the Budget Director in triplicate.

   a. Membership must be an approved budget item, explained in itemized detail in each departmental budget request.

   b. Upon Legislative approval of the budget, each department will be notified as to which memberships have been approved for the coming year.

c. Memberships requested during the current budget year, where adequate funds are not available in the appropriate sub-object, must be accompanied by a transfer request.

d. All benefits derived from membership should be fully explained, i.e., monthly periodical, weekly newsletter, discounts for approved budgeted workshops, etc.

e. The County Legislature must still approve request for payment of a membership, which exceeds $1,000 for a single membership. Should the membership cost exceed that allotted within the budget, that excess would need to be addressed separately.

1073

Intro. Res. No. - 2008 Laid on the Table 2/5/08

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. - 2008, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR ORAL SURGERY SERVICES FOR THE DEPARTMENT OF HEALTH SERVICES, JOHN J. FOLEY SKILLED NURSING FACILITY

WHEREAS, Local Law 3 - 1996 requires the County Legislature to approve any contract in excess of $20,000 awarded pursuant to an RFP process in which only one party responds to the County's solicitation of proposals; and

WHEREAS, the Department of Health Services requested an RFP for "Oral Surgery Services" for the John J. Foley Skilled Nursing Facility; and

WHEREAS, the Purchasing Division of the Department of Public Works advertised for these services and mailed the RFP to four (4) potential vendors and received only one response from Sharon A. Pollick, DMD, PC; and

WHEREAS, an independent evaluation committee reviewed the proposal from Sharon A. Pollick, DMD,PC and found her quality of work and experience satisfactory, and her cost proposal submission within the industry standards, and have recommended that the Department of Health Services enter into a contractual agreement with Sharon A. Pollick, DMD, PC; and

WHEREAS, there are sufficient funds in the 2008 Suffolk County Operating Budget to cover the cost of this contract; now therefore, be it

1ST RESOLVED, that upon receiving a two-thirds vote of the County Legislature as required by Local Law 3-1996 that the Department of Health Services enter into a contractual agreement with Sharon A. Pollick, DMD, PC for the provision of oral surgery services; and be it further

2ND RESOLVED, that the County Executive be and hereby is authorized to execute a contract with Sharon A. Pollick, DMD, PC.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV # 5-2008

1073

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ___ Charter Law ___

2. Title of Proposed Legislation
Requesting legislative approval of a contract award for Oral Surgery Services for the Department of Health, Services John J. Foley Skilled Nursing Facility.

3. Purpose of Proposed Legislation
To comply with Local Law 3 – 1996 requiring the County Legislature to approve any Contract in excess of $20,000 awarded pursuant to a Request for Proposal (RFP) process in which only one party responds to the County's solicitation of proposals.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
Funds were already included in the 2008 Suffolk County Operating Budget

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

8. Proposed Source of Funding – Dental services have sufficient funds.
2008 Operating funds

9. Timing of Impact

Upon execution of contract with Sharon Pollick, D.D.S.

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Diane E. Weyer ***Principal Financial Analyst***	Diane E Weyer	1/10/08
Beth A Reynolds Principal Executive Analyst	Beth A Reynolds	1/16/08

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1073

GENERAL FUND

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

POLICE DISTRICT AND DISTRICT COURT

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

COMBINED

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Master List #35
CK/BReynolds

COUNTY OF SUFFOLK

JAN 11 2008

1073

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.
Commissioner

January 9, 2008

Ben Zwirn, Deputy County Executive
Office of the County Executive, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution requesting Legislative approval of a contract award for Oral Surgery Services for the Department of Health Services John J. Foley Skilled Nursing Facility. This legislation is needed to comply with Local Law 3 – 1996 requiring the County Legislature to approve any Contract in excess of $20,000 awarded pursuant to a Request for Proposal (RFP) process in which only one party responds to the County's solicitation of proposals. A **Certificate of Necessity** is included to allow timely execution of the contract in order to maintain continuity of services to residents at the Nursing Faciliy.

I enclose the financial impact statement and other materials for this Resolution. If you have any questions on the enclosed, please call Deidre DeSimone at 3-3174. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is Reso-HSV-Oral Surgery Contract.doc.

Sincerely yours,

David G. Graham, M.D., M.P.H.
Chief Deputy Commissioner

Humayun J. Chaudhry, D.O., M.S.
Commissioner of Health Services

Enclosures

HJC/lw

C: Margaret B. Bermel, M.B.A, Director of Health Administrative Services
Matthew Miner, Deputy Commissioner
Deidre DeSimone, Principal Contracts Examiner
John Digilio, Director, John J. Foley Skilled Nursing Facility
Diane E. Weyer, Principal Financial Analyst

1074

Intro. Res. No. - 2008 Laid on the Table 2/5/08

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

RESOLUTION NO. - 2008, ACCEPTING AND APPROPRIATING 100% STATE GRANT FUNDS FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO THE DEPARTMENT OF HEALTH SERVICES, DIVISION OF MEDICAL, LEGAL INVESTIGATIONS AND FORENSIC SCIENCES FOR THE TOXICOLOGY LAB – AID TO CRIME LABS

WHEREAS, the New York State Division of Criminal Justice Services has awarded 100% State grant funds to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the Toxicology Lab – Aid to Crime Labs in the amount of $104,763 for the period 04/01/07-06/30/08; and

WHEREAS, this grant funding is provided to enhance the effectiveness, efficiency, reliability, and accuracy of laboratory services within New York State's forensic laboratories; and

WHEREAS a portion of this funding is already included in the 2008 Suffolk County Operating Budget and $37,723 needs to be appropriated; and

WHEREAS, these funds are 100% State funded; now therefore, be it

1ST RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate $37,723 in grant funds as follows:

REVENUES

001-3322 Target Crime Initiative Program	$37,723

APPROPRIATIONS

Department of Health Services (HSV)
Division of Medical, Legal Investigations and Forensic Sciences
Toxicology Lab – Aid to Crime Labs
001-HSV-4722

Personal Services	
1120 Overtime Salaries	$18,000
	$18,000
Supplies	
3080 Research and Law Books	$19,500
3650 Repairs: Buildings	$ 6,000
3680 Repairs: Special Equipment	$ 3,000
	$10,500
Travel	
4340 Travel: Other	$ 223
	$ 223

and be it further

2ND RESOLVED, that the funding and the expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

3RD RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV # 6-2008

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1074

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

Accepting and Appropriating 100% State grant funds from the New York State Division of Criminal Justice Services to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for Toxicology Lab - Aid to Crime Labs.

3. Purpose of Proposed Legislation

The grant funding is provided to enhance the effectiveness, efficiency, reliability and accuracy of laboratory services within New York State's forensic laboratories.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

Not applicable

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

None

8. Proposed Source of Funding

100% State grant funds from the New York State Division of Criminal Justice Services ✓

9. Timing of Impact

2008

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Diane E. Weyer	Diane E. Weyer	1/10/08
Principal Financial Analyst	Dave A Reynolds	1/16/08

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1074

GENERAL FUND

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

POLICE DISTRICT AND DISTRICT COURT

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

COMBINED

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

NOTES:
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2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Master List # 36
K. Reinold

COUNTY OF SUFFOLK

JAN 11 2008

1074

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.
Commissioner

January 9, 2008

Ben Zwirn, Deputy County Executive
Office of the County Executive, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution to accept and appropriate 100% State grant funds from the New York State Division of Criminal Justice Services to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the Toxicology Lab – Aid to Crime Labs. These grant funds are provided to enhance the effectiveness, efficiency, reliability and accuracy of laboratory services within New York State's forensic laboratories.

I enclose the financial impact statement and other materials for this Resolution. If you have any questions on the enclosed, please call Carolyn Kagan at 2-2814. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is Reso-HSV-Tox Lab-Aid to Crime Labs.doc.

Sincerely yours,

David G. Graham, M.D., M.P.H.
Chief Deputy Commissioner

Humayun J. Chaudhry, D.O., M.S.
Commissioner of Health Services

Enclosures

HJC/lw

C: Margaret B. Bermel, M.B.A, Director of Health Administrative Services
Matthew Miner, Deputy Commissioner
Yvonne Milewski, Chief Medical Examiner
Donald Fahey, Federal and State Aid Claims Coordinator
Carolyn Kagan, Principal Contracts Examiner
Diane E. Weyer, Principal Financial Analyst

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.
Commissioner

To: Liza Wright

From: Carolyn Kagan

Date: January 7, 2008

Subject: Resolution Request

Tocicology Lab - Aid to Crime Labs

Budget Period 04/01/07 - 06/30/08
001-4722
Revenue Code 3322
Reporting Category - not needed

Please write a resolution to accept and appropriate 100 % State grant funds from the NYS Division of Criminal Justice Services for the above mentioned program. The award is $104,763; however only a portion of the funding is in the 2008 budget and $37,723 needs to be appropriated. The appropriations are as follows:

	$37,723
PERSONAL SERVICES:	18,000
1120 Overtime Salaries	18,000
SUPPLIES:	19,500
3080 Research Books	6,000
3650 Repairs, Buildings	3,000
3680 Repairs, Sp Equipment	10,500
TRAVEL:	223
4340 Travel Other Contracts	223

Thank you for your help. Backup is attached and will be faxed.

Public Health
Prevent. Promote. Protect.
FEDERAL & STATE AID CLAIMS UNIT
Riverhead County Center, Rm N216, 300 Center Drive, Riverhead, NY 11901 (631) 852-2810 Fax (631) 852-2818

1074

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE January 3, 2008
Submitting Department/Agency Health Services	Location 225 Rabro Drive East, Hauppauge, NY 11788	
Contact Person In Department/Agency Daniel Burhans	Telephone Number 853-5585	Grant Application Due Date

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title

TOXICOLOGY LAB - AID TO CRIME LABS

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)

New York State Division of Criminal Justice Services

3. Grant/Contract Status (Check One Box)

__ A. New Program Application

__ B. Renewal Application

C. Supplemental (Specify) _____

D. Extension of Funding Period

_X_ E. Contract

3. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)

This funding is provided to enhance the effectiveness, efficiency, reliability and accuracy of laboratory services within New York State's forensic laboratories.

4. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

NONE

II. BUDGET INFORMATION

1. Term of Contract From: 04 / 01 / 07 To: 06 / 30 / 08

2. Financial Assistance Requested

SOURCE	*FIRST FUNDING CYCLE*		*SECOND FUNDING CYCLE*		*THIRD FUNDING CYCLE*	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$	%	$	%	$	%
State	$ 104,763	100.0 %	$	%	$	%
Private	$	%	$	%	$	%
County	$	%	$	%	$	%
Total	$ 104,763	100.0 %	$	%	$	%

3. Explanation of Requested County Financial Assistance

Category	*Total Requested*	*Personnel Costs Requested*	*Non-Personnel Costs Requested*
TOTAL COUNTY SHARE:	$ 0	$	$
A. Cash Contribution	$ 0	$	$
B. In-Kind Contribution	$ 0	$	$

4. Total Number of New Positions Requested
NONE

5. Can This Program Be Refunded by the Proposed Non-County Sources?

X YES NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

NONE

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinued (That is, program termination, reduced services, financial implications, layoffs, etc.)?

This program will be eliminated.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:	Approved Disapproved	2. Signature of Coordinator	3. Date

4. Comments

5. Budget Office Review:	Approved Disapproved	6. Signature of Budget Director	7. Date

8. Comments

Additional back-up material regarding I.R. 1074 is on file in the Legislative Clerk's Office, Hauppauge.

1075

Intro. Res. No. - 2008 Laid on the Table 2/5/08

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

RESOLUTION NO. - 2008, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS PASSED THROUGH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO THE DEPARTMENT OF HEALTH SERVICES, DIVISION OF MEDICAL, LEGAL INVESTIGATIONS AND FORENSIC SCIENCES FOR THE PAUL COVERDELL NATIONAL FORENSIC SCIENCES IMPROVEMENT ACT, FY07

WHEREAS, the New York State Division of Criminal Justice Services has awarded 100% Federal grant funds to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the Paul Coverdell National Forensic Sciences Improvement Act, FY07 in the amount of $43,830 for the period 10/01/07-09/30/08; and

WHEREAS, this grant funding will provide a demonstrated improvement over current operations in the quality and/or timeliness of forensic science services provided by the Crime Laboratory; and

WHEREAS, this is a renewal of a current program and $38,000 has been appropriated in the 2008 Suffolk County Operating Budget; and

WHEREAS, the grant award this cycle provided funding of $5,830 which was not included in the 2008 Suffolk County Operating Budget; and

WHEREAS, these funds are 100% Federal funded; now therefore, be it

1ST RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate $5,830 in grant funds as follows:

REVENUES

001-4320 Crime Control $5,830

APPROPRIATIONS

Department of Health Services (HSV)
Division of Medical, Legal Investigations and Forensic Sciences
Paul Coverdell National Forensic Sciences Improvement Program
001-HSV-4729

Personal Services	$5,830
1120 Overtime Salaries	$5,830

and be it further

2ND RESOLVED, that the funding and the expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

3RD RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV # 4-2008

1075

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ___ Charter Law ___

2. Title of Proposed Legislation

Accepting and Appropriating 100% Federal grant funds passed through the New York State Division of Criminal Justice Services to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the Paul Coverdell National Forensic Sciences Improvement Act, FY07

3. Purpose of Proposed Legislation

To appropriate Federal grant funding that will provide a demonstrated improvement over current operations in the quality and/or timeliness of forensic science services provided by the Crime Laboratory.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

Not applicable

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

None

8. Proposed Source of Funding

100% Federal grant funds passed through the New York State Division of Criminal Justice Services

9. Timing of Impact

2008

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Diane E. Weyer *Principal Financial Analyst*	Diane Weyer	1/8/08
Beth A. Reynolds Principal Executive Analyst	Beth A Reynolds	1/16/08

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1075

GENERAL FUND

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

POLICE DISTRICT AND DISTRICT COURT

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

COMBINED

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Masterfile # 37

1075

COUNTY OF SUFFOLK

JAN 11 2008

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.
Commissioner

January 9, 2008

Ben Zwirn, Deputy County Executive
Office of the County Executive, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution to accept and appropriate 100% Federal grant funds passed through the New York State Division of Criminal Justice Services to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the Paul Coverdell National Forensic Sciences Improvement Act, FY07. These grant funds will provide demonstrated improvement over current operations in the quality and/or timeliness of forensic science services provided by the Crime Laboratory.

I enclose the financial impact statement and other materials for this Resolution. If you have any questions on the enclosed, please call Carolyn Kagan at 2-2814. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is Reso-HSV-P Coverdell Crime lab.doc.

Sincerely yours,

for David G. Graham, M.D., M.P.H.
Chief Deputy Commissioner

Humayun J. Chaudhry, D.O., M.S.
Commissioner of Health Services

Enclosures

HJC/lw

C: Margaret B. Bermel, M.B.A, Director of Health Administrative Services
Matthew Miner, Deputy Commissioner
Yvonne Milewski, Chief Medical Examiner
Donald Fahey, Federal and State Aid Claims Coordinator
Carolyn Kagan, Principal Contracts Examiner
Diane E. Weyer, Principal Financial Analyst

Public Health
Prevent. Promote. Protect.
OFFICE OF THE COMMISSIONER
225 Rabro Drive East, Hauppauge, NY 11788 (631) 853-3000 Fax (631) 853-2927

1075

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE January 2, 2008
Submitting Department/Agency Health Services	Location 225 Rabro Drive East, Hauppauge, NY 11788	
Contact Person In Department/Agency Dan Burhans	Telephone Number 853-5585	Grant Application Due Date

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title

Crime Lab - Paul Coverdell National Forensic Sciences Improvement Act, FY 07

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)

Federal funds passed through New York State Division of Criminal Justice Services

3. Grant/Contract Status (Check One Box)

___ A. New Program Application
__ B. Renewal Application
_ C. Supplemental (Specify) _____
__ D. Extension of Funding Period
_X_ E. Contract

3. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)

This funding will provide a demonstrated improvement over current operations in the quality and/or timeliness of forensic science services provided by the Crime Laboratory.

4. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

NONE

II. BUDGET INFORMATION

1. Term of Contract From: 10 / 01 / 07 To: 09 / 30 / 08

2. Financial Assistance Requested

SOURCE	*FIRST FUNDING CYCLE*		*SECOND FUNDING CYCLE*		*THIRD FUNDING CYCLE*	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$ 43,830	100.0 %	$	%	$	%
State	$	%	$	%	$	%
Private	$	%	$	%	$	%
County	$	%	$	%	$	%
Total	$ 43,830	100.0 %	$	%	$	%

1075

3. Explanation of Requested County Financial Assistance

Category	*Total Requested*	*Personnel Costs Requested*	*Non-Personnel Costs Requested*
TOTAL COUNTY SHARE:	$ 0	$ 0	$ 0
A. Cash Contribution	$ 0	$ 0	$ 0
B. In-Kind Contribution	$ 0	$ 0	$ 0

4. Total Number of New Positions Requested
NONE

5. Can This Program Be Refunded by the Proposed Non-County Sources?
YES X NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

NONE

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinued (That is, program termination, reduced services, financial implications, layoffs, etc.)?

This program will be eliminated.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:	Approved Disapproved	2. Signature of Coordinator	3. Date

4. Comments

5. Budget Office Review:	Approved Disapproved	6. Signature of Budget Director	7. Date

8. Comments

interoffice
MEMORANDUM

[redacted]

1075

to: Liza Wright
from: Carolyn Kagan
subject: Request for Resolution
date: January 2, 2008

Crime Lab – Paul Coverdell National Forensic Sciences Improvement Grant, FY 07
Budget Period 10/01/07- 09/30/08
Appropriation 001-4729
Revenue Code 4320
Reporting Category N/A

Please write a resolution to accept and appropriate 100% Federal grant funds passed through the NYS Division of Criminal Justice Services for the above mentioned grant program. This is a renewal of a current program and only a portion of the full award is in the 2008 budget. The award this grant cycle is $43,830 but only $38,000 has been appropriated for 2008; therefore $5,830 needs to be appropriated to fully utilize the award. The appropriations are as follows:

	$5,830
PERSONAL SERVICES:	$5,830
1120 – Overtime Salaries	5,830

Thank you for your help. Backup is attached and will be faxed.

Additional back-up material regarding I.R. 1075 is on file in the Legislative Clerk's Office, Hauppauge.

Intro. Reso. No. 1076-08 **Laid on Table** 2/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, ACCEPTING & APPROPRIATING A GRANT IN THE AMOUNT OF $16,648.00 IN PASS-THROUGH FUNDS FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE RENOVATION AND UPGRADING OF THE SUFFOLK COUNTY POLICE DEPARTMENT'S VIDEO INTERVIEW ROOM WITH 90% SUPPORT.

WHEREAS, the New York State Division of Criminal Justice Services has made $16,648.00 in Federal pass-through funds available to Suffolk County for the renovation and upgrading of the Suffolk County Police Department's Video Interview Room to enhance law enforcement efforts and prosecution outcomes through videotaping of interviews and interrogations.

WHEREAS, the operational period of the program will be from July 1, 2005 through December 31, 2007; and

WHEREAS, said grant funds totaling $16,648.00 have not been included in the 2008 Suffolk County Operating Budget; and

WHEREAS, the $1,849.00 required in matching funds has been included in previous years' Suffolk County Operating Budgets; now, therefore, be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

REVENUE:	**Amount**
001-4326-Federal Pass-Through Funding: Video Interview Room Project	$16,648.00

ORGANIZATIONS:

Police Department (POL)
Video Interview Room
001-POL-3242

2000 Equipment	**$16,648.00**
2010 Furniture & Fixtures	1,457.00
2500 Other Equipment Not Otherwise	15,191.00

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the New York State Department of Criminal Justice Services.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County
Date of Approval:

COUNTY OF SUFFOLK

JAN 3 2008

STEVE LEVY
COUNTY EXECUTIVE

POLICE DEPARTMENT

RICHARD DORMER
POLICE COMMISSIONER

1076

MEMORANDUM

TO: **Ben Zwirn, Assistant Deputy County Executive**
Suffolk County Executive's Office

FROM: **Edward Webber, Chief of Support Services**
Suffolk County Police Department

DATE: **January 3, 2008**

SUBJECT: **Resolution Packets & SCIN Forms for**
The Video Interview Room Project
DCJS # BJ05910630

Attached please find two copies of the following for the New York State Department of Criminal Justice Services sponsored Video Interview Room renovation project:

1. Grant Resolution.
2. Grant SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the proposed contract between the Police Department and the New York State Department of Criminal Justice Services

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW. The original grant contract will be submitted for signature upon approval of the resolution.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, 852-6601.

Thank you for your assistance with this project.

EW/sck
Att.

cc: Don Fahey, Federal & State Aid Claims Coordinator
Brendan Chamberlin, County Executive Assistant

1076

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk	DATE 7/19/2007 REV. 1/3/2008

Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank	
Contact Person In Department/Agency Sarah Furey Sr. Grants Analyst	Telephone Number 852-6042	Grant Application Due Date N/A

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title **Video Interview Room**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) Consolidated Appropriations Act, 2005, Public Law 108-447; U.S. Department of Justice administered by the NYS Division of Criminal Justice Services

3. Grant/Contract Status (Check One Box)
A. _X__New Program Application
B. ___Renewal Application
C. ___Supplemental (Specify) _____
D. ___Extension of Funding Period
E. ___Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.).
Grant funding will provide renovation and upgrade of equipment for the Suffolk County Police Department's Video Interview room.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.) Suffolk County Police Department

II. BUDGET INFORMATION

1. Term of Contract From 7/1/2005 To: 12/31/2007

2. Financial Assistance Requested

SOURCE	*FIRST FUNDING CYCLE*		*SECOND FUNDING CYCLE*		*THIRD FUNDING CYCLE*	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$16,648	90%	$	%	$	%
State	$	%	$	%	$	%
Private	$	%	$	%	$	%
County	$1,849	10%	$	%	$	%
Total	$18,497	100%	$	%	$	%

1076

3. Explanation of Requested County Financial Assistance

Category	*Total Requested*	*Personnel Costs Requested*	*Non-Personnel Costs Requested*
TOTAL COUNTY SHARE:	$1,849.00	$	$1,849.00
A. Cash Contribution	$1,849.00	$	$1,849.00
B. In-Kind Contribution	$	$	$

4. Total Number of New Positions Requested 0

5. Can This Program Be Refunded by the Proposed Non-County Sources?

X YES NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

Some additional indirect costs resulting from administrative oversight may be incurred.

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?

In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Department.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:	Approved Disapproved	2. Signature of Coordinator	3. Date

4. Comments

5. Budget Office Review:	Approved Disapproved	6. Signature of Budget Director	7. Date

8. Comments

1076

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution _X_ Local Law ___ Charter Law ___

2. Title of Proposed Resolution
   Accepting & appropriating a grant in the amount of $16,648.00 in pass-through funds from the New York State Division of Criminal Justice Services for the renovation and upgrading of the Suffolk County Police Department's Video Interview room with 90% support.

3. Purpose of Proposed Legislation
   To accept $16,648.00 from the New York State Division of Criminal Justice Services for the renovation and upgrade of the Suffolk County Police Department's Video Interview Room to enhance law enforcement efforts and prosecution outcomes through videotaping of interviews and interrogations.

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

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

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

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:

   The County will have $16,648.00 available for renovation and equipment upgrades for the Suffolk County Police Department's Video Interview Room thereby enhancing law enforcement efforts and prosecution outcomes through videotaping of interviews and interrogations. The 10% match of 1,849.00 in equipment costs has been included in previous operating budgets.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:

   None

8. Proposed Source of Funding
   Federal Pass-Through Funding from the New York State Division of Criminal Justice Services

9. Timing of Impact
   Immediate

10. Typed Name & Title of Preparer 11. Signature of Preparer 12. Date
    Sarah Furey
    Senior Grants Analyst 1/3/2008

SCIN FORM NO. 175b (10/95)

James P Burt CHIEF BUDGET EXAMINER 1/23/08

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1076

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

1676

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2007			Page 1 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries				
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2090 Radio and Communication 2500 Other Equip Not Otherwise	**16,648** 1,457 15,191	**1,849** 665 1,184		
3000 SUPPLIES MATERIALS & OTHERS: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3160 Computer Software 3500 Other Unclassified 3680 Repairs: Special Equipment				
4000 UTILITIES: 4010 Telephone & Telegraph 4210 Computer Services				
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts				

SCIN Form 164D (10-80)

1076

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2007			Page 2 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees 4770 Special Services				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance				
OTHER (List Source & Brief Explanation)				

I certify that the above in-kind contribution are not currently being used to support other grants

SCIN Form 164D (10-80)

1076

DETAIL LISTING OF 1000 ACCOUNT			PERSONAL SERVICES				Page 3 of 3
TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %			
				GRANTOR	COUNTY	IN-KIND	
None							

SCIN Form 164D (10-80)

Additional back-up material regarding I.R. 1076 is on file in the Legislative Clerk's Office, Hauppauge.

Intro. Reso. No. 1077-08 Laid on Table 2/5/08

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

RESOLUTION NO. -2008, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $88,325.00 FROM THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE, TO TARGET SPEEDING, AGGRESSIVE DRIVING, AND MOTORCYCLE SAFETY WITH 85% SUPPORT.

WHEREAS, the State of New York Governor's Traffic Safety Committee has awarded $88,325.00 in Federal Highway Safety pass-through funds to the Suffolk County Police Department to perform targeted enforcement of speeding and aggressive driving behaviors on all roadways, including corridors, as well as to continue enforcement of vehicle and traffic laws related to motorcycle operation; and

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

WHEREAS, said grant funds totaling $88,325.00 have not been included in the 2008 Suffolk County Operating Budget; now, therefore, be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

REVENUES:	**AMOUNT**
115-4398-Federal Aid: STEP 08	$88,325.00

ORGANIZATIONS:

Police Department (POL)
STEP 08
115-POL-3254

1000-Personal Services	**$82,000.00**
1120-Overtime Salaries	82,000.00
2000-Equipment	**$5,825.00**
2500-Other equipment not otherwise	5,825.00
3000-Supplies Materials & Others	**$500.00**
3040-Printing	500.00

and be it further

2nd RESOLVED, that the fringe benefits associated with the overtime salaries for this grant are included in the 2008 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the State of New York Governor's Traffic Safety Committee.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

MC 48

COUNTY OF SUFFOLK

1077

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

TO: **Ben Zwirn, Assistant Deputy County Executive**
Suffolk County Executive's Office

FROM: **Edward Webber, Chief of Support Services**
Suffolk County Police Department

DATE: **January 11, 2008**

SUBJECT: **Resolution Packets & SCIN Forms for**
STEP (Selective Traffic Enforcement Program)-08
Governor's Traffic Safety Committee Project # PT-5200463

Attached please find two copies of the following for the STEP-08 grant program

1. Grant Resolution.
2. Grant SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the proposed contract modification between the Police Department and Governor's Traffic Safety Committee.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW. The original grant contract will be submitted for signature upon approval of the resolution.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, at 852-6601.

Thank you for your assistance with this project.

EW/sck
Att.

cc: Don Fahey, Federal & State Aid Claims Coordinator
Brendan Chamberlin, County Executive Assistant

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk	DATE 5/12/07 REV 1/11/07 1077

Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank	
Contact Person In Department/Agency Sarah Furey Sr. Grants Analyst	Telephone Number 852-6042	Grant Application Due Date N/A

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title STEP (Selective Traffic Enforcement Program) 08

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) Public Law 89-564, National Highway Traffic Safety Administration, passed through the State of New York Governor's Traffic Safety Committee.

3. Grant/Contract Status (Check One Box)
A. ___New Program Application
B. _X_Renewal Application
C. ___Supplemental (Specify) _____
D. ___Extension of Funding Period
E. ___Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.).
This grant will allow the Suffolk County Police Department to continue to perform targeted enforcement of speeding and aggressive driving behaviors on all local roadways, including corridors. It will also continue SCPD's targeted enforcement of Vehicle and Traffic Laws related to motorcycle operation. Enforcement operations are aimed at reducing crashes and fatalities.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.) Suffolk County Police Department

II. BUDGET INFORMATION

1. Term of Contract From: 10/01/2007 To: 9/30/2008

2. Financial Assistance Requested

SOURCE	*FOURTH FUNDING CYCLE*		*FIFTH FUNDING CYCLE*		*SIXTH FUNDING CYCLE*	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$65,800	84.56%	$65,600	84.5%	$88,325	85%
State	$	%	$	%	$	%
Private	$	%	$	%	$	%
County	$12,092	15.44%	$12,037	15.5%	$15,047	15%
Total	$77,892	100%	$77,637	100%	$103,372	100%

1077

3. Explanation of Requested County Financial Assistance

Category	*Total Requested*	*Personnel Costs Requested*	*Non-Personnel Costs Requested*
TOTAL COUNTY SHARE:	$15,047	$	$15,047
A. Cash Contribution	$15.047	$	$15,047
B. In-Kind Contribution	$	$	$

4. Total Number of New Positions Requested 0

5. Can This Program Be Refunded by the Proposed Non-County Sources?

X YES NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

Some additional indirect costs resulting from administrative oversight may be incurred.

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?

In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:	Approved Disapproved	2. Signature of Coordinator	3. Date

4. Comments

5. Budget Office Review:	Approved Disapproved	6. Signature of Budget Director	7. Date

8. Comments

1077

GRANT BUDGET ANALYSIS COUNTY BUDGET YEAR 2007

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES:	**82,000**			
1100 Permanent Salaries				
1110 Interim Salaries				
1120 Overtime Salaries	82,000			
2000 EQUIPMENT:	**5,825**			
2010 Furniture & Fixtures				
2020 Office Machines				
2090 Radio and Communication				
2500 Other Equip Not Otherwise	5,825			
3000 SUPPLIES MATERIALS & OTHERS:	**500**			
3010 Office Supplies				
3020 Postage				
3030 Photostat, Photograph, Blueprint				
3040 Printing	500			
3160 Computer Software				
3310 Clothing and Accessories				
3500 Other Unclassified				
3680 Repairs: Special Equipment				
3770 Advertising				
4000 UTILITIES:				
4010 Telephone & Telegraph				
4210 Computer Services				
4300 TRAVEL:				
4310 Employee Misc - Expenses				
4330 Travel Employee Contracts				
4340 Travel Other Contracts				

SCIN Form 164D (10-80)

(20)

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2007			Page 2 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	PPROPRIATION NUMBE IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees 4770 Special Services				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance		**15,047** 13,858 1,189		These expenses are not eligible for reimbursement under this program
OTHER (List Source & Brief Explanation)				

I certify that the above in-kind contribution are not currently being used to support other grants

SCIN Form 164D (10-80)

DETAIL LISTING OF 1000 ACCOUNT PERSONAL SERVICES

TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %		
				GRANTOR	COUNTY	IN-KIND
Police Officer	6	79.17/hr OT	Various	100%		
Sergeant		93.39/hr OT	Various	100%		

107

SCIN Form 164D (10-80)

1077

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution _X_ Local Law ___ Charter Law ___

2. Title of Proposed Resolution
   Accepting and appropriating a grant in the amount of $88,325.00 from the State of New York Governor's Traffic Safety Committee, to target speeding, aggressive driving, and motorcycle safety with 85% support.

3. Purpose of Proposed Legislation
   To accept $88,325.00 from the State of New York Governor's Traffic Safety Committee to fund the Suffolk County Police Department's Aggressive Driving and Speed Enforcement Program, targeting speeding and aggressive driving behaviors on all roadways, including corridors, as well as the enforcement of vehicle and traffic laws related to motorcycle operation.

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

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

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

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:
   Sufficient funds are included in the 2008 Operating Budget to cover Non-reimbursable fringe benefit costs of approximately $15,047.00 which will be incurred through September 30, 2008. Additional costs will only be incurred if the program receives additional funding in subsequent years.

8. Proposed Source of Funding
   National Highway Traffic Safety Administration, Department of Justice, passed through the State of New York Governor's Traffic Safety Committee.

9. Timing of Impact
   Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
James P. Burt Assistant Budget Director	James P Burt	1/24/08

SCIN FORM NO. 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1077

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Rec'd 1/7/07 SF

STATE OF NEW YORK
GOVERNOR'S TRAFFIC SAFETY COMMITTEE
DEPARTMENT OF MOTOR VEHICLES

ELIOT SPITZER
Governor

DAVID J. SWARTS
Chair

1077

December 27, 2007

Sergeant Vincent Maronski
Suffolk County Police Department
Office of the Chief of Patrol, Command 4000
30 Yaphank Avenue
Yaphank, New York 11980

Re: PT-5200463
Selective Traffic Enforcement Program (STEP)
EFFECTIVE DATE: October 1, 2007

Dear Sergeant Maronski:

On behalf of Governor Eliot Spitzer, I am pleased to notify you that Suffolk County has been awarded $88,325 to participate in the statewide "Selective Traffic Enforcement Program." Our goal is to reduce aggressive driving and speeding.

Thank you for participating in this very important statewide program. I wish you success in your efforts. If you have any questions, please contact the Governor's Traffic Safety Committee at (518) 474-5111.

Sincerely,

David J. Swarts

David J. Swarts
Chair and
Commissioner of Motor Vehicles

DJS:kjp
Enclosure
cc: Sarah Furey
Donald E. Fahey, Jr.

6 Empire State Plaza, Albany, NY 12228
Telephone: (518) 474-5111 & 474-5777 Fax: (518) 473-6946

Additional back-up material regarding I.R. 1077 is on file in the Legislative Clerk's Office, Hauppauge.

1078

Intro. Res. No. - 2008 Laid on the Table 2/5/08

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

RESOLUTION NO. – 2008, AMENDING THE 2008 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH TO VARIOUS MENTAL HEALTH AGENCIES AND TO TRANSFER EXISTING FUNDS

WHEREAS, the New York State Office of Mental Health has awarded $1,453,103 in additional 100% State aid for the provision of services to the seriously and persistently mentally ill; and

WHEREAS, $68,500 is targeted for Family Service League (FSL) for a suicide prevention program; and

WHEREAS, $56,233 is allocated to F.E.G.S. for its Transitional Employment and Placement program; and

WHEREAS, $538,192 is allocated to Maryhaven for the Sheltered Workshop; and

WHEREAS, $522,150 is allocated to CONCERN for two community residence sites; and

WHEREAS, $107,528 is allocated to Nassau - Suffolk Law Services Mental Health Project to provide funding for the full year; and

WHEREAS, $80,250 is allocated to Family Service League and $80,250 is allocated to Clubhouse of Suffolk for a shelter clinic case management program; and

WHEREAS, this unallocated 100% additional State aid is not currently included in the 2008 Adopted Operating Budget; and

WHEREAS, $145,388 in funding for the Maryhaven Psychosocial Rehabilitation Special Employment Program has been collapsed into the funding for the Sheltered Workshop program as per the agency's request; and now therefore, be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate $1,453,103 in additional state aid as follows:

REVENUES

001-HSV-3493 State Aid: Community Support Services +$1,453,103

ORGANIZATIONS

Department of Health Services (HSV)
Division of Community Mental Hygiene Services
Community Support Services
001-HSV-4330-4980

XORG	Object Name	2008 Adopted	Change
XXXX	FSL Suicide Prevention Program	0	+$ 68,500
GGP1	F.E.G.S. Psych Rehab Spec Employ	0	+$ 56,233
ALC1	Maryhaven	$596,190	+$538,192
XXXX	CONCERN	0	+$522,150
HYO1	Nassau Suffolk Law Services	$102,800	+$107,528
XXXX	FSL Shelter-Clinic Case Management	0	+$ 80,250
XXXX	Clubhouse Shelter-Clinic Case Management	0	+$ 80,250

and be it further

2nd RESOLVED, that the County Comptroller and County Treasurer be and they are hereby authorized to transfer funds as follows:

ORGANIZATIONS

Department of Health Services (HSV)
Division of Community Mental Hygiene Services
Community Support Services
001-HSV-4330-4980

XORG	Object Name	Change
ALC5	Maryhaven Psych Rehab Spec Employ	-$145,388
ALC1	Maryhaven	+$145,388

and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with each of the above-named agencies; and be it further

4th RESOLVED, that the funding and the expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

5th RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1078

GENERAL FUND

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

POLICE DISTRICT AND DISTRICT COURT

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

COMBINED

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1078

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation
Amending the 2008 Adopted Operating Budget to accept and appropriate 100% additional State aid from the New York State Office of Mental Health to various mental health agencies and to transfer existing funds.

3. Purpose or Proposed Legislation
Accept and appropriate additional 100% State aid from New York State Office of Mental Health to various mental health agencies for suicide prevention, transitional employment, sheltered workshop, community residence and shelter clinic case management and to transfer existing funds as requested by agency.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
Not applicable

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
None

8. Proposed Source of Funding

100% State aid from New York State Office of Mental Health

9. Timing of Impact

Immediate upon approval of the Resolution and execution of contracts with provider agencies.

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Diane E. Weyer *Principal Financial Analyst*	Diane E. Weyer	1/9/08
	Beth A. Reynolds Beth A Reynolds Principal Executive Analyst	1/18/08

SCIN FORM 175b (10/95)

COUNTY OF SUFFOLK

JAN 11 2008

1078

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.
Commissioner

January 9, 2008

Ben Zwirn, Deputy County Executive
Office of the County Executive, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution amending the 2008 Adopted Operating Budget to accept and appropriate 100% additional State aid from the New York State Office of Mental Health to various mental health agencies and to transfer existing funds. These funds will be used by mental health agencies to provide suicide prevention, transitional employment, workshops, community residences, and shelter clinic case management. Also, at the request of Maryhaven, we are collapsing funding for the Psychosocial Rehabilitation Special Employment Program into the funding for the Sheltered Workshop program.

I enclose the financial impact statement and other materials for this Resolution. If you have any questions on the enclosed, please call Mary K. Howe at 3-8517. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is Reso-HSV-MH Various Agcys.doc.

Sincerely yours,

David G. Graham, M.D., M.P.H.
Chief Deputy Commissioner

Humayun J. Chaudhry, D.O., M.S.
Commissioner of Health Services

Enclosures

HJC/lw

C: Margaret B. Bermel, M.B.A, Director of Health Administrative Services
Matthew Miner, Deputy Commissioner
Thomas O. MacGilvray, Director, Division of Community Mental Hygiene Services
Mary K. Howe, Chief Management Analyst
Diane E. Weyer, Principal Financial Analyst
Sheila Reagan, Senior Program Examiner
Glenn Terry, Auditor

Public Health
Prevent. Promote. Protect.

OFFICE OF THE COMMISSIONER
225 Rabro Drive East, Hauppauge, NY 11788 (631) 853-3000 Fax (631) 853-2927

Attachment A

Funding Source Allocation Table

County Code: 52 **County Name: Suffolk** **Year: 2008**

NYS Office of Mental Health
Aid to Localities Financial Systems

Authorized On: 12/05/2007
Printed On: 12/6/2007

Funding Source	Code	Type	Total Per Previous Letter	Changes Since Previous Letter	Revised Total	Beds	Slots	Managers
Local Assistance	001A	General State Aid	$0	$137,792	$137,792			
Community Support Services	014	General State Aid	$0	$4,425,896	$4,425,896 per Reso 271-2007			
Direct Shlt Wrkshp	020	General State Aid	$0	$842,260	$842,260			
ICM	034A	General State Aid	$0	$280,968	$280,968		480	40
ICM C&Y	034B	General State Aid	$0	$42,148	$42,148		60	6
ICM Svce. Dollars	034C	General State Aid	$0	$646,476	$646,476			
ICM Svce. Dollar C&Y	034E	General State Aid	$0	$131,940	$131,940			
CPEP	036	General State Aid	$0	$0	$0			
Integrated Supp Emp	037	General State Aid	$0	$50,624	$50,624			
PROS	037P	General State Aid	$0	$0	$0			
Case Management	039B	General State Aid	$0	$2,496	$2,496			
MICA	039C	General State Aid	$0	$51,630	$51,630			
Therapeutic Nursery	039F	General State Aid	$0	$22,364	$22,364			
Adult Family Support	039G	General State Aid	$0	$24,248	$24,248			
Psych Rehab	039L	General State Aid	$0	$99,766	$99,766			
Clinical Infrastructure-Adult	039P	General State Aid	$0	$25,664	$25,664			
Innovative Rehab.	039Q	General State Aid	$0	$210,330	$210,330			
CMHS Block Grant Adult	041	Federal Funds	$0	$1,257,503	$1,257,503			
CMHS Block Grant C&F	044	Federal Funds	$0	$608,458	$608,458			
Clinical Infrastructure-C&F	046A	General State Aid	$0	$7,732	$7,732			
Emergency Services C&F	046G	General State Aid	$0	$29,720	$29,720			
School Based Services Initiative	046K	General State Aid	$0	$357,324	$357,324			
Community Support Programs-C&F	046L	General State Aid	$0	$28,372	$28,372			
Child & Family Clinic Plus	046N	General State Aid	$0	$0	$0			
School Support Services	046S	General State Aid	$0	$32,568	$32,568			
PATH	048A	Federal Funds	$0	$273,953	$273,953			
2000 bed Capital Plan	072F	General State Aid	$0	$522,150	$522,150			
Family Based Treatmt	074	General State Aid	$0	$0	$0	25		
Supported Housing	078	General State Aid	$0	$464,072	$464,072			

1078

107 8

Attachment A

Funding Source Allocation Table

County Code: 52 **County Name: Suffolk** **Year: 2008**

NYS Office of Mental Health
Aid to Localities Financial Systems

Authorized On: 12/05/2007
Printed On: 12/6/2007

Funding Source	Code	Type	Total Per Previous Letter	Changes Since Previous Letter	Revised Total	Beds	Slots	Managers
Supportive Case Mgt	104	General State Aid	$0	$1,686,036	$1,686,036		2,082	72
SCM Svce. Dollar	104A	General State Aid	$0	$507,492	$507,492			
ACT - MNGRS	105	General State Aid	$0	$280,632	$280,632			
ACT - SRVC DOLL	105A	General State Aid	$0	$125,656	$125,656			
State Operated ACT	106	General State Aid	$0	$21,668	$21,668			
CSP Miscellaneous	122	General State Aid	$0	$0	$0			
HCRA ACT Team	140E	HCRA State Aid	$0	$0	$0			
HCRA C&F Family Support Services	140J	HCRA State Aid	$0	$162,484	$162,484			
HCRA C&F SCM Service Dollars	140M	HCRA State Aid	$0	$0	$0			
HCRA ADULT ICM MNGRS	140Q	HCRA State Aid	$0	$0	$0			
HCRA ADULT SCM MNGRS	140R	HCRA State Aid	$0	$0	$0			
HCRA ADULT ICM SRV. DOLLARS	140S	HCRA State Aid	$0	$0	$0			
HCRA ADULT SCM SRV. DOLLARS	140T	HCRA State Aid	$0	$0	$0			
HCRA C&F SCM MNGRS	140U	HCRA State Aid	$0	$0	$0			
HCRA ADULT ACT SRV. DOLLARS	140V	HCRA State Aid	$0	$0	$0			
HCRA ADULT CM OTHER	140Y	HCRA State Aid	$0	$150,256	$150,256			
Suicide Prevention	164	General State Aid	$0	$68,500	$68,500			
AOT ICM Kendra's Law	170A	General State Aid	$0	$35,128	$35,128		72	5.9
Trans. Mgmt. Kendra's	170B	General State Aid	$0	$199,312	$199,312			3.6
MGP Admin Kendra's	170C	General State Aid	$0	$50,956	$50,956			
Kendra's AOT ACT	170F	General State Aid	$0	$10,256	$10,256			
Kendra's AOT Other	170K	General State Aid	$0	$79,600	$79,600			
Kendra's AOT ICM Service Dollars	170L	General State Aid	$0	$65,972	$65,972			
Service Dollars AOT SCM Kendra's	170M	General State Aid	$0	$52	$52			
AOT ACT Service Dollars - Kendra	170N	General State Aid	$0	$4,832	$4,832			
Com. Reinvestment	200	General State Aid	$0	$2,685,382	$2,685,382			
Homeless/MICA	300	General State Aid	$0	$705,716	$705,716			
Commissioner's Perf.	400	General State Aid	$0	$638,690	$638,690			
COLA for Federal PATH	503A	General State Aid	$0	$23,632	$23,632			
Adult Home Managers	550	HCRA State Aid	$0	$300,780	$300,780		480	16
Adult Home Service Dollars	550A	HCRA State Aid	$0	$105,560	$105,560			

1078

Attachment A

Funding Source Allocation Table

County Code: 52 **County Name: Suffolk** **Year: 2008**

NYS Office of Mental Health
Aid to Localities Financial Systems

Authorized On: 12/05/2007
Printed On: 12/6/2007

Funding Source	Code	Remarks

Remarks :-

3	020	Maryhaven converted to PROS. As a result of that conversion, the CSP Medicaid associated with the sheltered workshop program needs to be converted to State aid. This transaction accomplishes that task. The LFY and full annual value of that change is $538,192. Once Maryhaven's CDT is closed, we will reconcile the amount of CSP Medicaid they received to the amount they should have received and make up the difference. The effective date of this change is 1/1/08. To restore funding to Maryhaven's Sheltered Workshop program, as the funding was erroneously converted to PROS. This ensures funding is restored for the January - June 2008 period. The 2008 LFY and AV impact of this change is $304,068.
	034A	Transfer of funding from 140Q for 14 Mgrs. as part of the fund code consolidation plan, This is an increase of $98,340 for the 2008 fiscal year and Annualized Value. New Annualized Value is $280,968 effective 1/1/2008.
	034C	Transfer of funding from 140S for ICM service dollars as part of the fund code consolidation plan, This is an increase of $184,712 for the 2008 fiscal year and Annualized Value. New Annualized Value is $646,476 effective 1/1/2008.
	037	Reflects correction of alignment of base funding for LFY08. LFY and full annual change is an overall decrease of $50,789. Agency, slots and funding are as follows: Skills Unlimited/28 VESID slots/9 VESID rehab slots/$50,624 State aid, $38,041 CSP.
	039F	The allocation funds a Therapeutic Nurseries program.
	039P	The allocation funds an Adult Clinical Infrastructure program and is complemented with $367,500 in Federal CMHS Block Grant-Adult funds (FC 041). Net deficit funding was replaced with CSP Medicaid funds.
	041	The allocation includes $367,500 for an Adult Clinical Infrastructure program, $8,500 for Case Management services (SCM training provided by Pederson-Krag), $256,503 for Kendra's Case Management (includes $5,546 in State aid for 1 ICM manager and $74,017 in service dollars for 5.9 ICM managers; and $176,940 for 6 ACT teams and 408 slots); and $625,000 for MICA programs. These allocations are complemented with Adult Clinical Infrastructure General funds (FC 039P), Case Management General funds (FC 039B), AOT ICM Kendra's Law General funds (FC 170A), Kendra's AOT ACT General funds (FC 170F), Kendra's AOT ICM Service Dollars General funds (FC 170L), AOT ACT Service Dollars-Kendra General funds (FC 170N), and MICA General funds (FC 039C). Federal CMHS block grant funds are covered under CFDA Number 93.958. Please refer to OMH's Federal Funds Guidelines for important information about Federal certifications, audit reporting, monitoring, and restrictions and prohibitions on expenditures for both counties and subcontract providers.
	044	The allocation includes $122,500 for a C&F Clinical Infrastructure program, $180,000 for C&F Community Support Programs (Family Support Services), $225,000 for C&F Emergen Services (Homebased Crisis Intervention), and $80,958 for the School Support 2 program at the Huntington Intermediate School (47 children) and Woodhull Intermediate School (52 children) in Huntington, NY. These allocations are complemented with C&F Clinical Infrastructure General funds (FC 046A), C&F Community Support Programs General funds (FC 046L), C&F Emergency Services General funds (FC 046G), and School Support Services General funds (FC 046S). Federal CMHS block grant funds are covered under CFDA Numbe 93.958. Please refer to OMH's Federal Funds Guidelines for important information about Federal certifications, audit reporting, monitoring, and restrictions and prohibitions on expenditures for both counties and subcontract providers.

1678

NYS Office of Mental Health
Aid to Localities Financial Systems

Attachment A
Funding Source Allocation Table
County Code: 52 County Name: Suffolk Year: 2008

Authorized On: 12/05/2007
Printed On: 12/6/2007

Funding Source	Code	Remarks
	046A	The allocation funds a C&F Clinical Infrastructure program and is complemented with $122,500 in Federal CMHS Block Grant-C&F funds (FC 044). Net deficit funding was replace with CSP Medicaid funds.
	046G	The allocation funds a Home Based Crisis Intervention program.and is complemented with $225,000 in Federal CMHS Block Grant-C&F funds (FC 044). Net deficit funding was replaced with CSP Medicaid funds for this program.
	046K	The allocation funds a school-based mental health services program. These funds were previously allocated through an OMH direct contract with Pederson-Krag that expired on December 31, 2006.
	046L	The allocation funds a C&F Family Support Services program. This allocation is complemented with $180,000 in Federal CMHS Block Grant-C&F funds (FC 044). Net deficit fundi was replaced with CSP Medicaid funds.
	046S	The allocation funds the School Support 2 program at the Huntington Intermediate School (47 children) and the Woodhull Intermediate School (52 children) in Huntington, NY. This allocation is complemented with $80,958 in Federal CMHS Block Grant-C&F funds (FC 044).
	048A	Funding is for the Federation of Organizations ($161,953). Federal PATH Grant funds are covered under CFDA Number 93.150. Counties and subcontract agencies are referred to OMH's Federal Funds Guidelines for important information about Federal certification, audit reporting, monitoring, and restrictions and prohibitions on expenditures. Added PATH funds for FREE ($28,000) as of 7/05. Additional PATH funding for HALI ($112,000 annually) beginning 1/06 as a service match for S+C. Moved $28,000 for F.R.E.E. from Suffolk to Nassau effective 1/08.
4	072F	Off site service funding beginning January 2008 to be passed to Concern of $174,050 for the 50 bed CR-SRO located in Sayville and $174,050 for the 50 bed CR-SRO located in Riverhead. Total of $348,100 is the combined full annual amount. Off site service funding beginning January 2008 to be passed to Concern of $174,050 for the 50 bed CR-SRO located in Sayville and $174,050 for the 50 bed CR-SRO located in Riverhead. Total of $348,100 is the combined full annual amount. This 1/08 payment also includes a one time payment of $174,050 to be passed to Concern for their Sayville site. This one time funding of $174,050 does not annualze in 2009. The full annual amount in 2009 for the 2 sites is $348,100.
	078	Includes full annual COLA from April 2007 and full annual rent stipend increase effective July 2007. (two quarter stipend increase added to 10/07 payment).
	104	Transfer of funding from HCRA for 23 SCM Mgrs. as part of the fund code consolidation plan. This is an increase of $538,600 for the 2008 fiscal year and Annualized Value. New Annualized Value is $1,686,036 effective 1/1/2008.
	104A	Transfer of funding from HCRA for SCM service dollars as part of the fund code consolidation plan. This is an increase of $184,240 for the 2008 fiscal year and Annualized Value. New Annualized Value is $507,492 effective 1/1/2008.
	105	Transfer of funding from 140E for ACT as part of the fund code consolidation plan. This is an increase of $280,632 for the 2008 fiscal year and Annualized Value effective 1/1/2008.

1078

Attachment A

Funding Source Allocation Table

County Code: 52 County Name: Suffolk Year: 2008

NYS Office of Mental Health
Aid to Localities Financial Systems

Authorized On: 12/05/2007
Printed On: 12/6/2007

Funding Source	Code	Remarks
	105A	Transfer of funding from 140V for ACT service dollars as part of the fund code consolidation plan. This is an increase of $125,656 for the 2008 fiscal year and Annualized Value effective 1/1/2008.
	140E	Transfer of funding for ACT teams to fund code 105 as part of the fund code consolidation plan, This is a decrease in funding to $0 for the 2008 fiscal year. New Annualized Value is $0 effective 1/1/2008.
	140J	The allocation funds a C&F Family Support Services program.
	140M	Transfer of HCRA SCM service dollar funding to FC104A as part of the fund code consolidation plan. This is a decrease to Annualized Value to $0 effective 1/1/2008.
	140Q	Transfer of funding to 034A as part of the fund code consolidation plan. This is a decrease to Annualized Value of to $0 effective 1/1/2008.
	140R	Transfer of HCRA SCM Manager funding to FC104 as part of the fund code consolidation plan. This is a decrease to Annualized Value to $0 effective 1/1/2008.
	140S	Transfer of funding to 034C as part of the fund code consolidation plan. This is a decrease to Annualized Value of to $0 effective 1/1/2008.
	140T	Transfer of HCRA SCM service dollar funding to FC104A as part of the fund code consolidation plan. This is a decrease to Annualized Value to $0 effective 1/1/2008.
	140U	Transfer of HCRA SCM Manager funding to FC104 as part of the fund code consolidation plan. This is a decrease to Annualized Value to $0 effective 1/1/2008.
	140V	Transfer of funding for ACT service dollars to fund code 105A as part of the fund code consolidation plan, This is a decrease in funding to $0 for the 2008 fiscal year. New Annualized Value is $0 effective 1/1/2008.
1	164	Addition of $68,500, targeted for Family Service League. This represents the OMH Long Island NY Field Office 'Regional Coalition Development' funding in the 2007-08 Suicide Prevention budget.
2	200	To return $56,233 (AV=$56,233) which was previously converted to PROS to FEGS for its Transitional Employment and Placement program. The effective date of this transaction is January 1, 2008.

8701

NYS Office of Mental Health
Aid to Localities Financial Systems

Attachment A
Funding Source Allocation Table

County Code: 52 County Name: Suffolk Year: 2008

Authorized On: 12/05/2007
Printed On: 12/6/2007

Medicaid CAPS

Funding Source	Code	Type	Gross	Medicaid Income
ICM	034A	General State Aid	$2,911,720	$2,630,760
ICM C&Y	034B	General State Aid	$436,758	$394,614
CMHS Block Grant Adult	041	Federal Funds	$198,503	$0
Supportive Case Mgt	104	General State Aid	$5,241,096	$3,555,000
ACT - MNGRS	105	General State Aid	$3,355,532	$3,074,908
AOT ICM Kendra's Law	170A	General State Aid	$363,965	$328,845
Kendra's AOT ACT	170F	General State Aid	$1,889,060	$1,878,806

1078

Fund	Flex	Pseudo	Agency	Program	Program Desc	Units	Program Name	Allocation	Total Program
34A	084A	XXXX	CLUBHOUSE	0820	BLENDED CM	700	CLUBHOUSE SHELTER CLINIC CASE MGMT	$ 7,024	
140Y		XXXX	CLUBHOUSE	0820	BLENDED CM		CLUBHOUSE SHELTER CLINIC CASE MGMT	$ 46,836	
34C		XXXX	CLUBHOUSE	2830	BLENDED CM		CLUBHOUSE SHELTER CLINIC CASE MGMT	$ 13,194	
104A		XXXX	CLUBHOUSE	2830	BLENDED CM		CLUBHOUSE SHELTER CLINIC CASE MGMT	$ 13,196	$ 80,250
34A	084A	XXXX	FSL	0820	BLENDED CM	700	FSL SHELTER CLINIC CASE MGMT	$ 7,024	
140Y		XXXX	FSL	0820	BLENDED CM		FSL SHELTER CLINIC CASE MGMT	$ 46,836	
34C		XXXX	FSL	2830	BLENDED CM		FSL SHELTER CLINIC CASE MGMT	$ 13,194	
104A		XXXX	FSL	2830	BLENDED CM		FSL SHELTER CLINIC CASE MGMT	$ 13,196	$ 80,250

Icm Model amount = 7024
Scm Model amount = 23418
Icm Service Dollars = 13194
Scm Service Dollars = 6598

A Member of Catholic Health Services of Long Island
A Non-Profit Agency Founded by the Daughters of Wisdom in 1930

Port Jefferson Station, NY
Telephone
www.

1078

January 8, 2008

Ms. Angelica Torres
Suffolk County Dept. of Health Services
225 Rabro Drive East
Hauppauge, NY 11788

Dear Angie,

Due to the conversion of the Ongoing Integrated Supported Work program to PROS CSS ALC5 contract has been substantially reduced. As a result we would like to combine both our workshop contracts. The ALC5 contract which covers our Special Employment Workshop program would be eliminated and the funding would be added the ALC1 contract.

If you have any questions, I can be reached at (631) 474-4120 ext. 226.

Sincerely,

Laura Pepper

Laura Pepper
Director of Financial Reporting

Cc: Susan Dickinson

2008 CSS revisions .doc

NYS Office of Mental Health
Aid to Localities Financial Systems

Attachment A
Funding Source Allocation Table
County Code: 52 County Name: Suffolk Year: 2008

Authorized On: 12/05/2007
Printed On: 12/6/2007

Funding Source	Code	Type	Total Per Previous Letter	Changes Since Previous Letter	Revised Total	Beds	Slots	Managers
Grand Total			$0	$18,485,046	$18,485,046			

108

Additional back-up material regarding I.R. 1078 is on file in the Legislative Clerk's Office, Hauppauge.

REVISED AS OF 1/29/08

Intro. Res. No. 1079-2008
Introduced by Legislator Beedenbender

Laid on Table 2/5/2008

RESOLUTION NO. –2008, AMENDING THE 2008 OPERATING BUDGET AND TRANSFERRING FUNDS FOR SACHEM COMMUNITY YOUTH SERVICES IN THE YOUTH BUREAU

WHEREAS, the 2008 Operating Budget does not include sufficient funds to provide contracted agencies in the Youth Bureau to supply Suffolk County residents with the necessary services for an improved lifestyle; and

WHEREAS, the Sachem Community Youth Services can provide youth with improved services and recreational equipment; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2008 Operating Budget and transfer $5,000 to the Sachem Community Youth Services in the Youth Bureau; and

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

1st RESOLVED, that the 2008 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations:

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	DPW	1363	0000	4410	Rent: Offices & Buildings	-$5,000

TO:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	EXE	7320	XXXX	4980	Sachem Community Youth Services	+$5,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the Sachem Community Youth Services; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Sachem Community Youth Services.

DATED:

1080

Intro. Res. No. -2008 Laid on Table 2/5/2008

Introduced by Legislators Beedenbender, Stern, Eddington

RESOLUTION NO. –2008, AMENDING THE 2008 OPERATING BUDGET AND TRANSFERRING FUNDS FOR VETERANS OF FOREIGN WARS SUFFOLK COUNTY COUNCIL IN VETERANS SERVICES

WHEREAS, the 2008 Operating Budget does not include sufficient funds to provide contracted agencies in Veterans Services to supply Suffolk County residents with necessary services for an improved lifestyle; and

WHEREAS, the Veterans of Foreign Wars Suffolk County Council is able to provide veterans with needed food and emergency assistance in times of need; and

WHEREAS, every Veteran deserves our great respect and gratitude, as well as the dignity of essential services for themselves and their families; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2008 Operating Budget and transfer $10,000 to the contracted agency Veterans of Foreign Wars Suffolk County Council in Veterans Services; and

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

1ST RESOLVED, that the 2008 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	DPW	1363	0000	4410	Rent: Offices & Buildings	-$10,000

TO:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	EXE	6510	XXXX	4980	Veterans of Foreign Wars Suffolk County Council	+$10,000

and be it further

2ND RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the Veterans of Foreign Wars Suffolk County Council; and be it further

3RD RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Veterans of Foreign Wars Suffolk County Council.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

T:\BRO\Amend Op Bud (Veterans Of Foreign Wars S.C. Council).doc

1081

Intro. Res. No. -2008

Introduced by Legislator Browning

Laid on Table 2/5/08

RESOLUTION NO. -2008, AUTHORIZING CONVEYANCE OF PARCEL WITHIN THE MASTIC ROAD BUSINESS DISTRICT, TOWN OF BROOKHAVEN (SECTION 72-h, GENERAL MUNICIPAL LAW)

WHEREAS, the County of Suffolk is the owner of a parcel of vacant land within the Mastic Road Business District, Town of Brookhaven; and

WHEREAS, the County of Suffolk has declared this parcel to be surplus County property; and

WHEREAS, the Town of Brookhaven has requested, via town board resolution, that this property be transferred from the County of Suffolk to the Town of Brookhaven for the purpose of developing a municipal parking lot; now, therefore, be it

1st **RESOLVED**, that the Director of the County Division of Real Property Acquisition and Management, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to execute and deliver a quitclaim deed to the Town of Brookhaven in consideration for the sum of One Dollar ($1.00), with back taxes waived, for said property, more particularly described and designated as Suffolk County Tax Map No. District 0200, Section 968.00, Block 04.00, Lot 017.000, pursuant to Section 72-h of the NEW YORK GENERAL MUNICIPAL LAW, for the purpose of transferring the interest of Suffolk County in the above described property to the Town of Brookhaven in order for the Town to develop a municipal parking lot; and be it further

2nd **RESOLVED**, that said quitclaim deed issued by the Director of the County Division of Real Property Acquisition and Management, his or her deputy, pursuant to this resolution, shall contain a reverter clause to the effect that title to the said above described parcel shall revert to the County of Suffolk in the event that the above-described property is not used for the above-described public governmental purposes within three (3) years after delivery of the Deed of transfer to the grantee; or in the event that the Town of Brookhaven attempts to sell, transfer, or otherwise dispose of or does, in fact, sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes subsequent to delivery of said deed to the Town of Brookhaven; or in the event that the Town of Brookhaven imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991 or in the event that the Town violates Resolution No. 256-1998, whichever occurs first; 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/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

1081

RESOLUTION NO. 44
MEETING: MARCH 21, 2006

ACQUISITION OF LAND FROM THE COUNTY OF SUFFOLK PURSUANT TO GENERAL MUNICIPAL LAW §72-h TO IMPLEMENT CORRIDOR REDEVELOPMENT EFFORTS ON NEIGHBORHOOD ROAD AND MASTIC ROAD SCTM Nos. 0200-968.00-04-017, 0200-974.70-02-003, 0200-974.70-04-001, 0200-980.40-02-062, 0200-980.40-02-039 & 0200-980.40-04-002

WHEREAS, the Town of Brookhaven Planning Division has identified six (6) parcels owned by Suffolk County along Neighborhood Road and Mastic Road and available in its surplus property inventory to meet the Town's planning objectives for redevelopment land preservation; and

WHEREAS, the six (6) parcels have been identified by the Planning Division and the Town of Brookhaven Open Space Committee for acquisition, and are identified as SCTM Nos. 0200-968.00-04-017, 0200-974.70-02-003, 0200-974.70-04-001, 0200-980.40-02-062, 0200-980.40-02-039 & 0200-980.40-04-002 as indicated on the attached Exhibits "A", "B" & "C"; and

WHEREAS, the County of Suffolk is willing to transfer these undeveloped parcels of land from its inventory to the Town of Brookhaven in order for the Town to implement corridor redevelopment efforts on Neighborhood Road and Mastic Road pursuant to Town Code Section 17A, which calls for redevelopment of blighted areas and preservation of wooded lots and vistas along this same corridor pursuant to §72-h of the General Municipal Law of New York; and

WHEREAS, such acquisition shall be for no consideration other than the payment of back taxes or an amount to be established by the Suffolk County Department of Real Estate plus costs and disbursements for adjustments if any apply, and the cost of recording the deed(s);

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Brookhaven that the acquisition of the six parcels located on Neighborhood Road and Mastic Road identified as SCTM Nos. 0200-968.00-04-017, 0200-974.70-02-003, 0200-974.70-04-001, 0200-980.40-02-062, 0200-980.40-02-039 & 0200-980.40-04-002 as indicated on the attached Exhibits "A", "B" & "C" is hereby authorized in accordance with the provisions of §72-h of the General Municipal Law; and be it further

RESOLVED that by this resolution the Town Board hereby requests of the County of Suffolk that said aforementioned parcel be transferred to the Town of Brookhaven in accordance with the provisions of §72-h of the General Municipal Law; and be it further

RESOLVED that the Commissioner of Finance is hereby authorized to disburse the necessary funding to effectuate the transfer.

2006 TUE 09:55 AM

451-6505

1089

COUNTY OF SUFFOLK

RECEIVED

DEC 09 2005

PLANNING DIVISION

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

THOMAS A. ISLES, A.I.C.P.
DIRECTOR OF PLANNING

DEPARTMENT OF PLANNING

December 6, 2005

Brenda Prusinowski, Acting Commissioner
Department of Planning, Environment and Land Management
One Independence Hill
Farmingville, NY 11738

Re: Proposed transfer of County Land to the Town

Dear Ms. Prusinowski:

I have received your letter in which you have indicated that the Town may be requesting the transfer of certain County-owned lots to the Town. The lots are located in Mastic Beach and could be used for parking and open space preservation.

The County frequently transfers land to municipalities under Section 72H of GML for a variety of public purposes. To accomplish the transfer, please send a certified copy of the Town Board resolution requesting the transfer to Mr. Wayne Thompson of the County Division of Real Estate. His address is H. Lee Dennison Building, 100 Veterans Memorial Highway, 2nd Floor, Hauppauge, NY 11788. Please note there may be certain costs associated with the transfer such as back taxes.

Best of luck with your fine efforts to revitalize this portion of Mastic Beach.

Sincerely,

Thomas A. Isles, Director
Department of Planning

TAI:ce

Cc: Wayne Thompson

LOCATION
H. LEE DENNISON BLDG. - 4TH FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5190
TELECOPIER (631) 853-4044

Town of Brookhaven
Long Island

1081

Pamela J. Betheil, Town Clerk & Registrar

March 22, 2006

Robert F. Quinlan, Town Attorney
Law Department
Town of Brookhaven

Re: **ACQUISITION OF LAND FROM THE COUNTY OF SUFFOLK PURSUANT TO GENERAL MUNICIPAL LAW §72-h TO IMPLEMENT CORRIDOR REDEVELOPMENT EFFORTS ON NEIGHBORHOOD ROAD AND MASTIC ROAD SCTM No. 0200-968.00-04-017, 0200-974.70-02-003, 0200-974.70-04-001, 0200-980.40-02-062, 0200-980.40-02-039 & 0200-980.40-04-002**

Dear Mr. Quinlan:

Annexed hereto please find copy of the resolution adopted at the **March 21, 2006** Brookhaven Town Board meeting, relative to the above matter.

Kindly provide this office with copies of ensuing correspondence.

Sincerely,

Pamela J. Betheil

PAMELA J. BETHEIL
TOWN CLERK

PB:ldg
Enc.
CC: Highway
Assessor
Planning/Planning Board
PELM
John Turner, Dir. Environmental ✓
Finance

APR - 4

Office of the Town Clerk
One Independence Hill • Farmingville • NY 11738 • Phone (631) 451-9101 • Fax (631) 451-9264
www.brookhaven.org

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1082

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

Laid on Table 2/5/08

RESOLUTION NO. -2008, AUTHORIZING USE OF MAKAMAH PRESERVE IN NORTHPORT BY NORTHPORT ROAD RUNNERS CLUB

WHEREAS, the Northport Road Runners Club is a nonprofit club whose members are active volunteers improving and maintaining nature trails throughout Long Island; and

WHEREAS, the Northport Road Runners Club would like to use the County-owned Makamah Preserve to sponsor a 8K race for the purpose of honoring Dr. Douglas Wood and benefiting the Douglas Wood Scholarship Fund, which funds would be awarded to a promising high school athlete; and

WHEREAS, the race would be held on April 12, 2008 at the Makamah Preserve in Northport; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Two Hundred Fifty and 00/100 ($250.00) Dollars, payment of which shall be guaranteed by the Northport Road Runners Club; and

WHEREAS, the use of County property for such fund drive to benefit the Douglas Wood Scholarship Fund would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore be it

1st **RESOLVED**, that the use of County-owned property, i.e. the Makamah Preserve in Northport, in consideration of the payment of Two Hundred Fifty and 00/100 ($250.00) Dollars, for the purpose of a 8K race on April 12, 2008, between the hours of 8:30 a.m. and 11:00 a.m., is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the County's receipt of a Certificate of Insurance naming the County of Suffolk as an additional insured from the Northport Road Runners Club, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

2nd **RESOLVED**, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER and Section 378-7 of the SUFFOLK COUNTY CODE to issue a permit to the Northport Road Runners Club. The Department of Parks, Recreation and Conservation and the County Department of Public Works are further authorized, empowered and directed to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive for support of the services to benefit the public provided by the Northport Road Runners Club at Makamah Preserve in Northport by the Northport Road Runners Club; and be it further

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

S:\res\2008\r-northport-road-runners

1083

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

Laid on Table 2/5/2008

RESOLUTION NO. –2008, AMENDING THE 2008 OPERATING BUDGET AND TRANSFERRING FUNDS FOR THE TOWN OF BROOKHAVEN FOR MEDFORD MEMORIAL PARK AND STREET LIGHTING

WHEREAS, the 2008 Operating Budget does not include sufficient funds to provide contracted agencies in the Department of Economic Development and Workforce Housing to supply Suffolk County residents with a protected and anodyne environment; and

WHEREAS, Medford Memorial Park is in need of restoration; and

WHEREAS, improved street lighting will provide a safe and secure environment; and

WHEREAS, the contracted agency Town of Brookhaven can furnish these improvements to provide places for Suffolk County residents to interact and traverse freely; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2008 Operating Budget and transfer $20,000 each to the contracted agencies Town of Brookhaven and Town of Brookhaven – Street Lighting in the Department of Economic Development and Workforce Housing; and

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

1ST RESOLVED, that the 2008 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	ECD	6410	GVU1	4980	Bayport-Blue Pt Chamber Of Comm.	-$20,000
001	ECD	6410	HWF1	4980	Medford Chamber of Commerce	-$20,000

TO:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	ECD	6410	XXXX	4980	Town of Brookhaven	+$20,000
001	ECD	6410	XXXX	4980	Town of Brookhaven – Street Lighting	+$20,000

and be it further

2ND RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the Town of Brookhaven and for the Town of Brookhaven – Street Lighting; and be it further

3RD RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding restoration of the Medford Memorial Park and improved street lighting in the Town of Brookhaven.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

T:\BRO\Amend Op Bud (Town of Brookhaven).doc

1084

Intro. Res. No. -2008 Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 1431-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1431-2007; 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. 1431-2007

In the 4th RESOLVED paragraph change the Fund No.:

FROM:

525-CAP-1729.518
(Fund 001-Debt Service)

TO:

525-CAP-1729.518
(Fund 016-Debt Service)

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1085

Intro. Res. No. -2008 Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 1232-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1232-2007; 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

1ST RESOLVED, that the Clerk of the Legislature shall make the following technical correction:

Resolution No. 1232-2007

In the 4th RESOLVED paragraph change the Fund Nos.:

FROM:

525-CAP-5709.111
(Fund 00-Debt Service)

TO:

525-CAP-5709.111
(Fund 625-Debt Service)

FROM:

525-CAP-5709.310
(Fund 001-Debt Service)

TO:

525-CAP-5709.310
(Fund 625-Debt Service)

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1086

Intro. Res. No. -2008 Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. –2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 671-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 671-2007; 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

1st RESOLVED, that the Clerk of the Legislature shall make the following technical corrections:

Resolution No. 671-2007

In the Title paragraph change the CP No.:

FROM:

(CP 3301.110)

TO:

(CP 3301.121)

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

Intro. Res. No. 1087-08 Laid on Table 2/5/08
Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. –2008, ACCEPTING AND APPROPRIATING 100% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS OFFICE OF HOMELAND SECURITY IN THE AMOUNT OF $827,000 FOR THE "STATE HOMELAND SECURITY PROGRAM (SHSP) FY2007" ADMINISTERED BY THE SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE & EMERGENCY SERVICES AND TO EXECUTE GRANT RELATED AGREEMENTS

WHEREAS, the New York State Office of Homeland Security has awarded Suffolk County federal funds under the SHSP FY2007 program to be implemented by the Suffolk County Department of Fire, Rescue & Emergency Services; and,

WHEREAS, the SHSP FY2007 will provide funds to support planning, equipment, training and exercise needs associated with preparedness and prevention activities for terrorist events using weapons of mass destruction involving chemical, biological, radiological, nuclear and explosive materials; and

WHEREAS, this grant is for a thirty-six (36) period in which the County will receive 100% grant funding in the amount of $827,000 for the SHSP FY2007; and,

WHEREAS, the SHSP FY2007 is slated to operate for the period beginning 07/01/2007 to 06/30/10; and,

WHEREAS, said funds have not been included in the 2008 Operating Budget; and

WHEREAS, the SHSP FY 2007 grant includes funding to continue the employment of two (2) part-time Training Officers for terrorism training; and

WHEREAS, these positions already exist in the 2007 Operating Budget in 001-FRE-3412 as positions numbers 0300-0001 and 0300-0002; and

WHEREAS, the Department of FRES requests said positions be continued and be transferred effective July 1, 2008, to 001-FRE-3416 as position numbers 0300-001 and 0300-0002;

WHEREAS, the SHSP FY 2007 grant includes funding to continue the employment of one (1) Planning Aide for the Department of Fire, Rescue and Emergency Services; and

WHEREAS, the position already exist in the 2008 Operating Budget in 001-FRE-3408 as position number 0100-0001; and

WHEREAS, the Department of FRES requests said position be continued and be transferred effective 5/26/2008, to 001-FRE-3416 as position number 0100-0001; and,

WHEREAS, the SHSP FY 2007 grant includes funding for the purchase of one (1) Multi-Modal Transportation Security Command/Response Vehicle for the Police Department to properly and safely respond to transportation security incidents; and

WHEREAS, the purchase of this vehicle will increase the fleet of the Police Department by one (1); and

WHEREAS, Chapter 186 of the Suffolk County Code requires that no vehicle shall be purchased or leased unless explicit approval for the acquisition of such vehicle, via lease or purchase has been granted via duly enacted Resolution of the Suffolk County Legislature; and, now therefore be it

1st RESOLVED, the County Comptroller and the County Treasurer be and they hereby are authorized to accept $827,000 and appropriate said grant funds as follows:

SHSP FY 2007 - $827,000

REVENUES	AMOUNT
001-FRE-4332– SHSP FY07	$452,000
001-POL-4332 – SHSP FY07	$250,000
001-HSV-4332 – SHSP FY07	$100,000
001-IST-4332 - SHSP FY07	$ 25,000

ORGANIZATIONS

Suffolk County Police Department
SHSP FY2007
001-POL-3265 - $250,000

2000 – Equipment	$250,000
2040 - Trucks, Trailers & Jeeps	$ 60,000
2090 – Communications Equipment	$ 43,000
2500 – Other Equipment	$147,000

Suffolk County Dept of Fire, Rescue & Emergency Services
Domestic Preparedness Support
001-FRE-3416 - $408,934

1000 – Personnel Services	$162,078
1100 – Permanent Salaries	$162,078
3000 – Supplies	$141,556
3040 – Outside Printing	$ 86,556
3680 – Repairs, Special Equipment	$ 55,000
4000 – Utilities	$ 90,000
4010 – Telephone & Telegraph	$ 90,000
4500 – Contractual Expenses	$ 15,300
4560 – Fees for Services – Non Employees	$ 15,300

Suffolk County Dept of Health Services
Division of Emergency Medical Services
001-HSV-4627 - $100,000

2000 – Equipment	$100,000
2080 – Medical, Dental, Laboratory Equipment	$100,000

Suffolk County Information Technology Services
001-ITS-1680 - $25,000

2000 - Equipment	$ 25,000
2020 – Office Machines	$ 25,000

Employee Benefits
Social Security
001-EMP - 9030 - $12,399

8000 – Employee Benefits	$ 12,399
8330 – Social Security	$ 12,399

Employee Benefits
Retirement
001-EMP-9010 – $6,602

Employee Benefits	$6,602
8280 – Retirement	$6,602

Employee Benefits
Welfare Fund
001-EMP-9080 - $2,187

Employee Benefits	$2,187
8380 – Welfare Fund Contribution	$2,187

Interfund Transfer
Transfer to Employee Medical Health Plan
001-IFT-E039 - $21,878

Employee Benefits	$21,878
9600 Transfer of Funds	$21,878

2nd RESOLVED, that the following interfund revenues for Employee Medical Health Plan be accepted and appropriated as follows:

REVENUES

039-IFT-R0001 Transfer from General Fund $21,878

ORGANIZATION

Employee Benefits
Major Medical Claim
039-EMP-9060

Employee Benefits	$21,878
8360 – Health Insurance	$21,878

2nd RESOLVED, that the County Executive be and hereby is authorized to execute related agreements; and be it further

3rd RESOLVED, that the following positions be and they hereby are transferred in the Department of Fire, Rescue and Emergency Services effective July 1, 2008:

Department of Fire, Rescue & Emergency Services

Transfer **FROM**:

Position No.	Spec No.	Position Title	JC	Grade
3412-0300-0001/0002	5812	Training Officer-Emergency Preparedness	C	16

Tranfer **TO**:

Position No.	Spec No.	Position Title	JC	Grade
3416-0300-0001/0002	5812	Training Officer-Emergency Preparedness	C	16

4th RESOLVED, that the following positions be and they hereby are transferred in the Department of Fire, Rescue and Emergency Services effective May 26,2008:

Department of Fire, Rescue & Emergency Services

Transfer **FROM**:

Position No.	Spec No.	Position Title	JC	Grade
3408-0100-0001	1510	Planning Aide	C	17

Tranfer **TO**:

Position No.	Spec No.	Position Title	JC	Grade
3416-0100-0001	1510	Planning Aide-	C	17

5th RESOLVED, that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of the individuals filling the positions created by this Resolution at the conclusion of the grant funding provided for such positions created by said grant; and be it further

6th RESOLVED, that the County Legislature hereby authorized the fleet of the Police Department to be increased one (1) vehicle; and be it further

7th RESOLVED, that the purchase of one (1) Multi-Modal Transportation Security Command/Response Vehicle is hereby approved pursuant to Chapter 186-2 (b)(6) of the SUFFOLK COUNTY CODE, and in accordance with or exceeding the county vehicle standard, and be it further

8th 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 the 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 of Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County
Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1087

1.Type of Legislation

Local Law: _____ Charter Law: _____ Resolution: ___X_____

2.Title of Proposed Legislation

Accepting and appropriating 100% federal pass-through grant funds from the NYS Office of Homeland Security in the amount of $827,000 for the "State Homeland Security Program (SHSP) FY2007" administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related agreements.

3. Purpose of Proposed Legislation

To support planning, equipment, training and exercise needs associated with preparedness and prevention activities for terrorist events using weapons of mass destruction involving chemical, biological, radiological, nuclear and explosive materials..

Accept and appropriate funding in the Departments of FRES, Police, Health and Information Technology.

Fund and transfer two (2) part-time Training Officer positions from 001-FRE-3406 to 001-FRE-3412 effective July 1, 2008 Fund and transfer one (1) Planning Aide position from 001-FRE-3408 to 001-FRE-3416 effective May 26, 2008..

Authorize the increase of the fleet size of the SCPD to purchase a multi-modal transporation security command/response vehicle.

4.Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No __X__

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.

7.Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision
$827,000 SHSP FY2007

8.Proposed Source of Funding
NYS Office of Homeland Security pass-through of US Dept of Homeland Security

9.Timing of Impact: 07/01/2007 – 06/30/2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Susan M. Nielsen, Administrator I	Susan M. Nielsen	January 15, 2008

SCIN FORM 175b (10/95)

Allen M. Kovesdy
Director of MGT

1/25/08

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1087

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Gen C 2

COUNTY OF SUFFOLK

JAN 17 2008

1087

JOSEPH F. WILLIAMS
COMMISSIONER

BELINDA PAGDANGANAN
DEPUTY COMMISSIONER

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

WARREN HORST
CHIEF FIRE MARSHAL

EDWARD C. SCHNEYER
DIRECTOR OF EMERGENCY PREPAREDNESS

DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES

TO: Ben Zwirn, Assistant Deputy County Executive
Intergovernmental Relations

FROM: Joseph F. Williams
Commissioner

DATE: January 15, 2008

SUBJECT: Request for Introductory Resolution: SHSP FY2007 Grant

Enclosed for further processing are an introductory resolution and supporting documents to accept and appropriate $827,000 in funding from the US Department of Homeland Security through the NYS Office of Homeland Security. In addition to this department, the grant involves the Police Department, Dept of Health Services and Dept of Information Technology.

If you have any questions, please contact Sue Nielsen of my office at 25338.

JFW:smn

Enclosures

cc: Brendan Chamberlain, County Executive Assistant
Donald Fahey, Federal & State Aid Claims Unit

PO BOX 127 – YAPHANK AVENUE
YAPHANK, NEW YORK 11980-0127

COMMISSIONER'S OFFICE: (631) 852-4850
FIRE MARSHAL'S OFFICE: (631) 852-4855
EMERGENCY MGMT OFFICE: (631) 852-4900
COMM. CENTER (24-HOUR): (631) 852-4815
FAX: (631) 852-4861

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

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

Submitting Department (Dept. Name & Location):	Department Contact Person (Name & Phone No.):
Fire, Rescue & Emergency Services	Joseph F. Williams 24850

Suggestion Involves:

_____ Technical Amendment

_____ New Program

__X__ Grant Award

_____ Contract (New ____ Rev. _____)

_____ Other

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

To support planning, equipment, training and exercise needs associated with preparedness and prevention activities for terrorist events using weapons of mass destruction involving chemical, biological, radiological, nuclear and explosive materials..

Accept and appropriate funding in the Departments of FRES, Police, Health and Information Technology.

Fund and transfer two (2) part-time Training Officer positions from 001-FRE-3406 to 001-FRE-3412 effective July 1, 2008
Fund and transfer one (1) Planning Aide position from 001-FRE-3408 to 001-FRE-3416 effective May 26, 2008..

Authorize the increase of the fleet size of the SCPD to purchase a multi-modal transporation security command/response vehicle.

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

N/A

PLEASE FILL IN REVERSE SIDE OF FORM

SCIN Form 175a (10/95) Prior edition of this form are obsolete.

Intro Res. No. 1088-08 Laid on Table 2/5/08
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, AMENDING THE 2008 OPERATING BUDGET FOR SUFFOLK COUNTY SEWER DISTRICT NO. 2 - TALLMADGE WOODS, APPROPRIATING FUNDS FOR OPERATION AND MAINTENANCE, AUTHORIZING THE CREATION AND RELEASE OF POSITIONS AND APPROVING THE USER CHARGE

WHEREAS, Resolution 734-2004, as amended by Resolution 324-2005, provided the basis of the creation of SC Sewer District No. 2 – Tallmadge Woods and this district creation was approved by the NYS Comptroller but no assets were transferred to the District pending the approval of an operating budget; and

WHEREAS, after due consideration and public information meetings and a public hearing for a rate increase to $503 per year per household over that originally listed in the creation report of 2002 at $420 per year per household; and,

WHEREAS, it is now necessary to create the 2008 Operating Budget for Sewer District No. 2 – Tallmadge Woods, create and authorize release of the positions required to provide assistance to the operation (Request for a new STP Operator Trainee position) and approve the user charges necessary to pay for the operating costs since nothing has been included in the adopted 2008 Operating Budget; now therefore, be it

1st **RESOLVED**, that the 2008 Operating Budget is amended as follows:

REVENUES	540,672
202-2121 Sewer Rents	540,672

APPROPRIATIONS

Department of Public Works
Sewer District No. 2 - Tallmadge Woods
202-8112

Equipment	33,000
2500 – Other Equipment	33,000
Supplies, Materials and Other Expenses	106,725
3060 - Fuel for Operations	1,000
3120 – Small Tools & Auto Maint. Supplies	750
3160 – Computer Software	1,500
3180 – Sewer Maintenance Supplies	25,000
3200 – Ground Equipment Supplies	500
3230 – Road Materials	10,000
3250 – Building Materials	2,000
3350 – Safety Supplies	500
3360 – Chemicals	36,000
3370 – Medical, Dental & Lab Supplies	475
3500 – Other: Unclassified	4,000
3650 - Repairs: Buildings	5,000
3680 – Repairs: Special Equipment	20,000

4000 – Utilities	83,700
4010 – Telephone and Telegraph	900
4020 – Light, Power & Water	82,800

INTERFUND EXPENSE:

202-IFT-E261 Tr to Fund 261 Sewer Op & Maintenance	317,247

INTERFUND REVENUE:

261-IFT-R202 Transfer from Sewer District #2	317,247

And be it further

2nd **RESOLVED**, that the position(s) to provide the necessary assistance for operation and maintenance are hereby created and are authorized to be hired as follows:

POSITION	No.	Grade	Spec No.
Maintenance Mechanic III 61-8199-2000-0115	+1	15	7004

3rd **RESOLVED** that the users of the Tallmadge Woods sewerage facilities will be charged based on the percentage of adjusted water flows determined by the Department of Public Works. Rates charged will fluctuate from year to year based on the actual costs of operating and maintaining the facilities, including debt service.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County
Date of Approval:

1088

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution _x_ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

AMENDING THE 2008 OPERATING BUDGET FOR SUFFOLK COUNTY SEWER DISTRICT NO. 2-TALLMADGE WOODS, APPROPRIATING FUNDS FOR OPERATION AND MAINTENANCE, AUTHORIZING THE CREATION AND RELEASE OF POSITIONS AND APPROVING THE USER CHARGE

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE.

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): New Sewer District No. 2**
Library District **Fire District**

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

THIS RESOLUTION AUTHORIZES THE INCREASE FROM $420 PER YEAR PER TYPICAL RESIDENTIAL DISTRICT MEMBER TO $503 PER YEAR TYPICAL RESIDENTIAL DISTRICT MEMBER. AMENDS THE 2008 OPERATING BUDGET.

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

2008-$540,672
2009- 562,299
2010- 584,791
2011-$602,335
2012- 620,405

8. Proposed Source of Funding

SEWER DISTRICT USER FEES, RENTS AND CHARGES

9. Timing of Impact

2008

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. DATE
DEBRA KOLYER PRINCIPAL FINANCIAL ANALYST	Deb Kolyer	JANUARY 28, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1088

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1088

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

DATE: January 17, 2008

SUBJECT: **Introductory Resolution Calling for Amending of the 2008 Operating Budget for the Funding of Operation and Maintenance of Sewer District No. 2 Tallmadge Woods**

Attached is a draft resolution (filed as **Reso DPW SD 2 Tallmadge Amend 2008 Operating Budget)** and appropriate forms with backup (filed as **Reso-backup DPW SD 2 Tallmadge Amend 2008 Operating Budget).**

The resolution requests the addition of funding into the 2008 Operating Budget for the expense of operating the District throughout 2008 as the above referenced sewer district is expected to be acquired in the first quarter of 2008.

TL:BW:gf

cc: Brendon Chamberlain, County Executive Assistant
Jim Morgo, Chief Deputy County Executive
Gil Anderson, PE, Commissioner
Laura Conway, CPA Chief Accountant
Ben Wright, PE, Chief Engineer – Sanitation Division
E-mail to CE Reso Review
SD2 Ops.Budget Revision Request for 2008TR Ltr B. Zwirn 1-17-08

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4010 FAX (631) 852-4150

Intro. Res. No. 1089-08 Laid on Table 2/5/08
Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. –2008, ACCEPTING AND APPROPRIATING 100% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS OFFICE OF HOMELAND SECURITY IN THE AMOUNT OF $2,000,000 FOR THE "URBAN AREA SECURITY INITIATIVE PROGRAM (UASI)" FY2007" ADMINISTERED BY THE SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE & EMERGENCY SERVICES AND TO EXECUTE GRANT RELATED AGREEMENTS

WHEREAS, the New York State Office of Homeland Security has awarded Suffolk County federal funds under the UASI FY2007 program to be implemented by the Suffolk County Department of Fire, Rescue & Emergency Services; and,

WHEREAS, the UASI FY2007 will provide funds to support planning, equipment, training and exercise needs associated with preparedness and prevention activities for terrorist events using weapons of mass destruction involving chemical, biological, radiological, nuclear and explosive maters; and

WHEREAS, this grant is for a thirty-six (36) month period in which the County will receive 100% grant funding in the amount of $2,000,000; and,

WHEREAS, the UASI FY2007 is slated to operate for the period beginning 07/01/2007 to 06/30/2010; and,

WHEREAS, said funds have not been included in the 2008 Operating Budget; and

WHEREAS, the UASI FY 2007 grant includes funding to continue the employment of a Resources Management Officer (full-time) for the Department of Fire, Rescue and Emergency Services to handle WMD logistics; and

WHEREAS, the position already exist in the 2008 Operating Budget in 001-FRE-3413 as position number 0300-0003; and

WHEREAS, the Department of FRES requests said positions be continued and be transferred effective July 1, 2008, to 001-FRE-3417 as position number 0300-0003; and

WHEREAS, the UASI FY 2007 grant includes funding to continue the employment of four (4) Resources Management Officers (part-time) for the Department of Fire, Rescue and Emergency Services; and

WHEREAS, the positions already exist in the 2008 Operating Budget in 001-FRE-3409 as position numbers 0100-0001/2/3/4; and

WHEREAS, the Department of FRES requests said positions be continued and be transferred effective January 1, 2009, to 001-FRE-3417 as position number 0300-0004/5/6/7; and

WHEREAS, the UASI FY 2007 grant includes funding for the purchase of one (1) Critical Infrastructure Protection Vehicle for the Police Department to properly and safely respond to incidents of energetic materials or weapons of mass destruction; and funding for the purchase of one (1) Trailer for the Medical Examiner's Office of the Dept of Health Services for the transport of supplies and equipment to for response to mass fatality incidents; and

WHEREAS, the purchase of these vehicles will increase the fleet of the Police Department and Department of Health Services by one (1) each; and

WHEREAS, Chapter 186 of the Suffolk County Code requires that no vehicle shall be purchased or leased unless explicit approval for the acquisition of such vehicle, via lease or purchase has been granted via duly enacted Resolution of the Suffolk County Legislature; and now therefore be it

1st RESOLVED, the County Comptroller and the County Treasurer be and they hereby are authorized to accept $2,000,000 and appropriate said grant funds as follows:

UASI FY 2007 - $2,000,000

REVENUES	AMOUNT
001-FRE-4328 – UASI FY07	$774,462
001-POL-4328 – UASI FY07	$803,000
001-HSV-4328 – UASI FY07	$230,550
001-DPW-4328 – UASI FY2007	$159,988
001-PKS-4328 – UASI FY2007	$ 2,000
001-SHF-4328 – UASI FY2007	$ 30,000

ORGANIZATIONS

Suffolk County Department of Fire, Rescue & Emergency Svcs
001-FRE-3417 - $727,530

1000 – Personnel Services	$197,202
1100 – Permanent Salaries	$126,302
1120 – Overtime	$ 70,900
2000 – Equipment	$356,328
2090 – Radio & Communications Equipment	$340,012
2500 – Equipment - Other	$ 16,316
3000 – Supplies	$ 35,000
3500 – Supplies, Other	$ 35,000
4300 – Travel	$ 19,000
4360 - Employee Training	$ 19,000
4500 – Contractual Expenses	$ 53,000
4770 – Contract Agencies	$ 53,000

Suffolk County Police Department
001-POL-3258 - $747,100

1000 – Personnel Services	$319,100
1120 – Overtime	$319,100
2000 – Equipment	$375,000
2040 – Trucks, Trailers and Jeeps	$375,000
4700 – Special Services	$ 53,000
4770 – Special Services	$ 53,000

Suffolk County Dept of Health Services
Division of Emergency Medical Services
001-HSV-4626 - $228,425

1000 – Personnel Services	$ 12,875	
1120 – Overtime	$ 12,875	
2000 – Equipment	$ 30,000	
2040 – Trucks, Trailers & Jeeps	$ 15,000	
2090 – Radio & Communications Equipment	$ 15,000	
3000 – Supplies	$159,450	
3010 – Office Supplies	$103,500	
3160 – Computer Software	$ 30,000	
3500 – Other Supplies		$ 7,500
3680 – Repairs – Miscellaneous Equipment	$ 18,450	
4500 – Contractual Expenses		$ 26,100
4560 – Fees for Services-Non Employees	$ 26,100	

Dept of Public Works
001-DPW-5121 - $159,988

2000 – Equipment	$159,988
2090 – Radio & Communication Supplies	$ 59,988
2500 – Equipment, Other	$100,000

Sheriff's Office
001-SHF-3116 - $25,738

1000 – Personnel Services	$ 25,738
1120 – Overtime	$ 25,735

Parks Department
001-PKS-7110 - $1,725

1000 – Personnel Services	$ 1,725
1120 – Overtime	$ 1,725

Employee Benefits
Social Security
001-EMP - 9030 - $22,798

Employee Benefits	$22,798
8330 – Social Security	$22,798

Employee Benefits
Retirement
001-EMP-9010 – $67,697

Employee Benefits	$67,697
8280 – Retirement	$67,697

Employee Benefits
Welfare Fund
001-EMP-9080 - $1,726

Employee Benefits	$1,726
8380 – Welfare Fund Contribution	$1,726

Interfund Transfer
Transfer to Employee Medical Health Plan
001-IFT-E039 - $17,273

Employee Benefits	$17,273
9600 Transfer of Funds	$17,273

2nd RESOLVED, that the following interfund revenues for Employee Medical Health Plan be accepted and appropriated as follows:

REVENUES

039-IFT-R0001 Transfer from General Fund	$17,273

ORGANIZATION

Employee Benefits
Major Medical Claim
039-EMP-9060

Employee Benefits	$17,273
8360 – Health Insurance	$12,273

3rd RESOLVED, that the County Executive be and hereby is authorized to execute related agreements; and be it further

4th RESOLVED, that the following positions be and they hereby are created in the Department of Fire, Rescue and Emergency Services:

Department of Fire, Rescue & Emergency Services

Transfer **FROM**:

Position No.	Spec No.	Position Title	JC	Grade	No. Created
3413-0300-0003	5808	Resources Mgmt Officer Emergency Preparedness	C	16	1
3409-0100-0001/2/3/4	5808	Resources Mgmt Officer Emergency Preparedness	C	16	4

Transfer **TO**:

3417-0300-0003	5808	Resources Mgmt Officer Emergency Preparedness	C	16	1
3417-0300-0004/5/6/7	5808	Resources Mgmt Officer Emergency Preparedness	C	16	4

5th RESOLVED, that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of the individuals filling the positions created by this Resolution at the conclusion of the grant funding provided for such positions created by said grant; and be it further

6th RESOLVED, that the County Legislature hereby authorizes the fleet of the Department of Health Services and Police Department be increased by one (1) vehicle each; and be it further

7th RESOLVED, the purchase of one (1) Critical Infrastructure Protection Vehicle for use by the Police Department and one (1) trailer for use by the Dept of Health Services is hereby approved pursuant to Chapter 186-2 (b)(6) of the SUFFOLK COUNTY CODE, and in accordance with or exceeding the county vehicle standard, and be it further

8th 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 the 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 of Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County
Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1089

1.Type of Legislation

Local Law: _____ Charter Law: _____ Resolution: ___X_____

2.**Title of Proposed Legislation**
Accepting and appropriating 100% federal pass-through grant funds from the NYS Office of Homeland Security in the amount of $2,000,000 for the "Urban Area Security Initiative Program (UASI) FY2007" administered by the Suffolk County Department of Fire, Rescue and Emergency Services and to execute grant related agreements.

3.**Purpose of Proposed Legislation**
Support planning, equipment, training and exercise needs associated with preparedness and prevention activities for terrorist events using weapons of mass destruction involving chemical, biological, radiological, nuclear and explosive materials.

Accept and appropriate funding in the Departments of FRES, Police, Health, Public Works, Sheriff and Parks accordingly.

Fund and transfer one (1) Resources Mgmt Officer (full-time) in the Dept of FRES from 001-FRE-34013 to 001-FRE-3417 effective July 1, 2008. Fund the transfer of four (4) Resources Mgmt Officers (part-time) in the Dept of FRES from 001-FRE-3409 to 001-FRE-3417 effective January 1, 2009.

Authorize the increase of the fleet size of the Department of Health Services for a trailer for the ME's Office to transport equipment and supplies to mass fatality incidents and that of Police Department for a Critical Infrastructure Protection Vehicle.

4.Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No __X__

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.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision
$2,000,000

8. Proposed Source of Funding
NYS Office of Homeland Security pass-through of US Dept of Homeland Security

9. Timing of Impact: 07/01/2007 – 06/30/10

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Susan M. Nielsen, Administrator I.	Susan M Nielsen	January 14, 2008

SCIN FORM 175b (10/95)

1/28/08

FINANCIAL IMPACT
2007 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1089

GENERAL FUND

TOWN	2007 PROPERTY TAX LEVY	2007 COST TO AVG TAXPAYER	2007 AV TAX RATE PER $100	2007 FEV TAX RATE PER $1000
BABYLON	$0	$0.00	$0.000	$0.000
BROOKHAVEN	$0	$0.00	$0.000	$0.000
E. HAMPTON	$0	$0.00	$0.000	$0.000
HUNTINGTON	$0	$0.00	$0.000	$0.000
ISLIP	$0	$0.00	$0.000	$0.000
RIVERHEAD	$0	$0.00	$0.000	$0.000
SHELTER ISLAND	$0	$0.00	$0.000	$0.000
SMITHTOWN	$0	$0.00	$0.000	$0.000
SOUTHAMPTON	$0	$0.00	$0.000	$0.000
SOUTHOLD	$0	$0.00	$0.000	$0.000
TOTAL		**$0.00**		$0.000

POLICE DISTRICT AND DISTRICT COURT

TOWN	2007 PROPERTY TAX LEVY	2007 COST TO AVG TAXPAYER	2007 AV TAX RATE PER $100	2007 FEV TAX RATE PER $1000
BABYLON	$0	$0.00	$0.000	$0.000
BROOKHAVEN	$0	$0.00	$0.000	$0.000
E. HAMPTON	$0	$0.00	$0.000	$0.000
HUNTINGTON	$0	$0.00	$0.000	$0.000
ISLIP	$0	$0.00	$0.000	$0.000
RIVERHEAD	$0	$0.00	$0.000	$0.000
SHELTER ISLAND	$0	$0.00	$0.000	$0.000
SMITHTOWN	$0	$0.00	$0.000	$0.000
SOUTHAMPTON	$0	$0.00	$0.000	$0.000
SOUTHOLD	$0	$0.00	$0.000	$0.000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

TOWN	2007 PROPERTY TAX LEVY	2007 COST TO AVG TAXPAYER	2007 AV TAX RATE PER $100	2007 FEV TAX RATE PER $1000
BABYLON	$0	$0.00	$0.000	$0.000
BROOKHAVEN	$0	$0.00	$0.000	$0.000
E. HAMPTON	$0	$0.00	$0.000	$0.000
HUNTINGTON	$0	$0.00	$0.000	$0.000
ISLIP	$0	$0.00	$0.000	$0.000
RIVERHEAD	$0	$0.00	$0.000	$0.000
SHELTER ISLAND	$0	$0.00	$0.000	$0.000
SMITHTOWN	$0	$0.00	$0.000	$0.000
SOUTHAMPTON	$0	$0.00	$0.000	$0.000
SOUTHOLD	$0	$0.00	$0.000	$0.000
TOTAL	**$0**	**$0.00**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2005.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2005-2006.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2005 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1089

GENERAL FUND

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

POLICE DISTRICT AND DISTRICT COURT

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

COMBINED

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

New York State
Office of Homeland Security

DIRECTOR
F. DAVID SHEPPARD

September 5, 2007

1089

The Honorable Steve Levy
Suffolk County Executive
100 Veterans Memorial Highway
PO Box 6100
Hauppauge, New York 11788-0099

Dear Mr. Levy,

I am pleased to announce that the New York State Office of Homeland Security (OHS) is awarding Suffolk County $827,000 under the State Homeland Security Program (SHSP). Funding for this grant is provided by the Federal Emergency Management Agency's (FEMA) National Preparedness Directorate.

It is important that we allocate scarce homeland security funding towards critical Federal, State, and local priorities. The OHS Homeland Security Strategy Work Group (HSSWG) has identified 48 priority projects for your consideration (Encl. 1). These projects were developed by the HSSWG after extensive input, including surveys and stakeholder outreach meetings, from Counties throughout the State.

Your County's presence in a federally-designated high-threat Urban Area highlights your unique security needs. In response to the current urban threat environment, I request your attention towards the following specific areas:

Area	Project Number(s) from Priority List
Transportation (Rail) Security	22
Citizen Preparedness	36-42
Training	7, 22, 30, 43, 45-48
Exercises	31, 44

Rail security efforts should be done in conjunction with your local law enforcement agencies and operators of rail transit infrastructure in your area. In terms of citizen preparedness, all activities should be coordinated with your local Citizen Corps Councils.

If you would like to implement a unique project that does not fall within one of the 48 proposed projects, please submit a written request to OHS for our review. All projects must support one of the fifteen 2007 State Investment Justifications (Encl. 2).

Similar to 2006, OHS has allocated specific funding in support of bomb squad planning, equipment, training, and exercise activities. Unlike 2006, this will be a competitive process in 2007. OHS will provide more information on this process to the bomb squad community in the

1220 Washington Avenue, State Office Building Campus
Building 7A
ALBANY, NY 12226

coming weeks. If approved, funding will be awarded in a separate contract for each individual squad.

As you develop your County's application, it is important that you ensure a coordinated homeland security program by involving local officials as well as the first responder and emergency management community. The application requires you to describe these important coordination efforts.

Enclosure 3 is a form to designate (or confirm) a point of contact for the FY07 SHSP grant. Please complete the form and fax it to the Office of Homeland Security (518-457-5657, Attn. Shelley Wahrlich) as soon as possible.

Applications must be submitted to OHS via the agency's updated E-Grants system. It is imperative that you, or your official with signatory authority, be registered in this system. Your designated County grant POC must also register in E-Grants using the enclosed form (Encl. 4). In order for the State to provide these critical funds to you as quickly as possible, we request that your application be submitted in E-Grants by October 31, 2007.

Following the receipt and approval of your application, a standard contract will be executed and funds may be available to advance to you to implement your plans. HSGP funds are subject to a 120-day drawdown restriction; therefore, in order to receive advanced funds, we will require you to certify that these funds will be disbursed in 120 days. Please take steps immediately to address any County legislative or budget requirements that are critical to processing these funds.

In order to provide you with immediate assistance, we have established a Grant Assistance Hotline where you can call to receive answers to any questions you may have. The toll free number is: 866-837-9133 and is available during business hours Monday through Friday.

Thank you for your continued support of New York State's homeland security initiatives. I look forward to working with you in executing the FY 2007 grant program.

Sincerely,

David Sheppard

F. David Sheppard
Director

Enclosures

1. Priority Projects List
2. Summary of FY07 NYS Investment Justifications
3. Form: Designation of County Point of Contact
4. Form: E-Grants Registration

New York State
Office of Homeland Security

DIRECTOR
F. DAVID SHEPPARD

1089

September 7, 2007

The Honorable Steve Levy
County Executive
Suffolk County
100 Veterans Memorial Highway
PO Box 6100
Hauppauge, New York 11788-0099

Dear Mr. Levy,

I am pleased to announce that the New York State Office of Homeland Security (OHS) is awarding Suffolk County $2,000,000 under the Urban Area Security Initiative (UASI). Funding for this grant is provided by the Federal Emergency Management Agency's (FEMA) National Preparedness Directorate.

The 2007 UASI program provides the opportunity to enhance regional preparedness efforts. Your UASI area should employ regional approaches to overall preparedness and these efforts should be coordinated by the Urban Area Working Group (UAWG). All 2007 UASI expenditures must support at least one of the Investment Justifications submitted by your UAWG (Encl. 1).

As you develop your application for 2007 UASI funding, it is important that you ensure a coordinated homeland security program by involving local officials, the UAWG, as well as the first responder and emergency management community. The application requires you to describe these important coordination efforts.

Enclosure 2 is a form to designate (or confirm) a point of contact for the FY07 UASI grant. Please complete the form and fax it to the Office of Homeland Security (518-457-5657, Attn. Shelley Wahrlich) as soon as possible.

Applications must be submitted to OHS via the agency's updated E-Grants system. It is imperative that you, or your official with signatory authority, be registered in this system. Your designated County grant POC must also register in E-Grants using the enclosed form (Encl. 3). In order for the State to provide these critical funds to you as quickly as possible, we request that your application be submitted in E-Grants by October 31, 2007.

Following the receipt and approval of your application, a standard contract will be executed and funds may be available to advance to you to implement your plans. HSGP funds are subject to a 120-day drawdown restriction; therefore, in order to receive advanced funds, we will require you to certify that these funds will be disbursed within 120 days. Please take steps

1220 Washington Avenue, State Office Building Campus
Building 7A
ALBANY, NY 12226

1089

immediately to address any County legislative or budget requirements that are critical to processing these funds.

In order to provide you with immediate assistance, we have established a Grant Assistance Hotline where you can call to receive answers to any questions you may have. The toll free number, 866-837-9133, is available during business hours Monday through Friday.

Thank you for your continued support of New York State's homeland security initiatives. I look forward to working with you in executing the FY 2007 grant program.

Sincerely,

David Sheppard

F. David Sheppard
Director

Enclosures

1. Summary of FY07 UASI Investment Justifications
2. Form: Designation of County Point of Contact
3. Form: E-Grants Registration

Gen C4

COUNTY OF SUFFOLK

JAN 17 2008

1089

JOSEPH F. WILLIAMS
COMMISSIONER

BELINDA PAGDANGANAN
DEPUTY COMMISSIONER

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

WARREN HORST
CHIEF FIRE MARSHAL

EDWARD C. SCHNEYER
DIRECTOR OF EMERGENCY PREPAREDNESS

DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES

TO: Ben Zwirn, Assistant Deputy County Executive
Intergovernmental Relations

FROM: Joseph F. Williams
Commissioner

DATE: January 15, 2008

SUBJECT: Request for Introductory Resolution: UASI FY2007 Grant

Enclosed for further processing are an introductory resolution and supporting documents to accept and appropriate $2,000,000 in funding from the US Department of Homeland Security through the NYS Office of Homeland Security. In addition to this department, the grant involves the Departments of Health Services, Police, Public Works, and Sheriff's Office.

If you have any questions, please contact Sue Nielsen of my office at 25338.

JFW:smn

Enclosures

cc: Brendan Chamberlain, County Executive Assistant
Donald Fahey, Federal & State Aid Claims Unit

PO BOX 127 – YAPHANK AVENUE
YAPHANK, NEW YORK 11980-0127

COMMISSIONER'S OFFICE: (631) 852-4850
FIRE MARSHAL'S OFFICE: (631) 852-4855
EMERGENCY MGMT OFFICE: (631) 852-4900
COMM. CENTER (24-HOUR): (631) 852-4815
FAX: (631) 852-4861

Intro Res. No. 1090-08 Laid on Table 2/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2008, APPROVING A VOLUNTARY LAND EXCHANGE BETWEEN THE COUNTY OF SUFFOLK AND BRIAN V. KLUG AND MONICA KLUG, HIS WIFE

WHEREAS, the County of Suffolk owns a sewage treatment plant located on the west side of County Road 51, East Moriches-Riverhead Road, Hamlet of Speonk, Town of Southampton, Suffolk County, New York; said parcel having a Suffolk County Tax Map Identification Number of District 0900 Section192.00 Block 01.00 Lot 013.005 (hereinafter referred to a the "Sewage Treatment Plant'); and

WHEREAS, this Sewage Treatment Plant treats raw sewage generated by the Suffolk County Community College situated on Suffolk County Tax Map Parcel District 0900 Section 212.00 Block 02.00 Lot 007.002; and

WHEREAS, presently the Suffolk County Community College is connected to the Sewage Treatment Plant described above by a sewer pipeline that traverses over the privately owned lands of Brian V. Klug and Monica Klug, his wife, said privately owned lands having a Suffolk County Tax Map Identification Number of District 0900 Section192.00 Block 01.00 Lot 003.000; and

WHEREAS, there is no formal easement of public record that exists allowing the County of Suffolk to use, occupy, maintain, expand or upgrade said sewer pipeline over that portion of the sewer pipeline that traverses over the privately owned lands of Brian V. Klug and Monica Klug, His wife; and

WHEREAS, abutting the above-described privately-owned property of Brian V. Klug and Monica Klug, his wife, is an unused and surplus portion of Old Moriches-Riverhead Road owned by the County of Suffolk that is no longer used as a part of the County Road System but for which the County is still fiscally responsible and liable for its maintenance and upkeep; and

WHEREAS, the County of Suffolk would like to obtain a permanent subsurface sanitary sewer easement from Brian V. Klug and Monica Klug, his wife that allows that portion of said sewage pipeline that traverses over their privately owned land to be maintained, expanded, and/or upgraded to accommodate the future sewage treatment needs of the Suffolk County Community College, and

WHEREAS, Brian V. Klug and Monica Klug, his wife, have offered to provide the County of Suffolk with said permanent subsurface sanitary sewer easement in exchange for a fee simple conveyance of a section of the surplus portion of Old Moriches-Riverhead Road; and

WHEREAS, a map and description of the fee simple conveyance requested by Brian V. Klug and Monica Klug his wife is attached hereto as Parcel "A" and a map and description of the permanent subsurface sewer easement requested by the County of Suffolk is attached hereto as Parcel "B"; and

WHEREAS, Brian V. Klug and Monica Klug, his wife, have additionally agreed to construct a new entrance and ramp to the Sewage Treatment Plant from County Road 51, East Moriches-Riverhead Road, along with all necessary appurtenances thereto at their own cost and expense, in accordance with Suffolk County Department of Public Works specifications and standards, as a part of the consideration provided by them to the County of Suffolk required as a result of this voluntary land exchange; and

WHEREAS, this voluntary land exchange, if approved by the County of Suffolk, would provide the following valuable benefits to the County of Suffolk:

A. It would allow the County of Suffolk to properly maintain, expand, and/or upgrade it's current sewer line connecting the Suffolk County Community College to the Sewage Treatment Plant;

B. It would relieve the County of Suffolk from any and all fiscal responsibility and liability for the maintenance and upkeep over the surplus portion of Old Moriches Riverhead Road conveyed to Brian V. Klug and Monica Klug, his wife; and

C. It would provide for enhanced access to the Sewage Treatment Plant off of County Road 51, East Moriches-Riverhead Road to accommodate pumping and maintenance trucks sufficient for handling current and future sewage waste loads; and

WHEREAS, the Departments of Public Works has determined that the portion of Old Moriches Riverhead Road as described in Parcel "A" attached hereto is surplus to the needs of the County of Suffolk and is not needed for public highway purposes; and

WHEREAS, all of the exchanges indicate a lesser market value for the County-owned parcel (Parcel "B") to be conveyed to the private property owners than for easement and the goods and services to be provided by Brian V. Klug and Monica Klug, his wife as a result of this exchange; now therefore, be it

1ST **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act (SEQRA) Env. Con. Law Art. 8, hereby finds and determines that this resolution constitutes a Type II action pursuant to Volume 6 of the New York Code of Rules and Regulations (NYCRR) Section 617.5(c) (20) and (27) in that the Resolution concerns routine or continuing agency administration, not including new programs or major reordering of priorities that may affect the environment, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2ND **RESOLVED**, that a copy of this Resolution shall be filed with the Suffolk County Department of Public Works, the initiating unit of said project, and with the Council on Environmental Quality (C.E.Q.); and be it further

3RD **RESOLVED**, that the portion of Old Moriches Riverhead Road as described in Parcel "B" attached hereto is surplus to the needs of the County of Suffolk and is not needed for public highway purposes is hereby declared surplus for the purpose of the exchange of properties described herein; and be it further

4TH **RESOLVED** that the exchanges as stated and outlined in this Resolution are hereby authorized and approved; and be it further

5TH **RESOLVED**, that the Suffolk Department of Public Works is hereby authorized, empowered, and directed to take such actions as may be necessary and appropriate to consummate such acquisitions, including but not limited to obtaining surveys, obtaining engineering reports, securing title searches and insurance, conducting environmental surveys, and executing such other documents as are required to acquire such interest in said lands, subject to the following terms and conditions:

a. the exchange shall be equitable and at no cost to the County of Suffolk;

b. compliance by the owners of the privately owned lands with Suffolk County Code Chapter 342 (Land Acquisition Disclosure) and all County Laws relating to land exchanges, including, but not limited to New York County Law Section 215;

and be it further

6TH **RESOLVED**, that in the event that one or more Suffolk County Tax Map Identification Numbers contained in this Resolution has been deleted or removed, or has been changed by either subsequent technical modification of the Suffolk County Tax Map System, or prior technical modification that was unknown to the Suffolk County Department of Public Works at the time at which said Exhibit was prepared, the Tax Map Designation shall be deemed to include such successor Tax Map Identification Number as represents the parcel to be acquired and certified in writing by the Director of the Suffolk County Department of Planning, and further, the Tax Map Designation shall be deemed to include those blocks and lots located in the same section listed therein, which blocks and lots may not be listed therein.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1090

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

. –2008, APPROVING A VOULUNTARY LAND EXCHANGE BETWEEN THE COUNTY OF SUFFOLK AND BRIAN V. KLUG AND MONICA KLUG, HIS WIFE

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

This legislation will relieve the County of Suffolk from any and all fiscal responsibility and liability for the maintenance and upkeep of the surplus portion of Old Moriches-Riverhead Road.

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 2008

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
CARMINE CHIUSANO CHIEF FINANCIAL ANALYST	Carmine Chiusano	1/25/08

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1090

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1090

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

TO: Ben Zwirn, Deputy County Executive

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

DATE: January 17, 2008

RE: VOULUNTARY LAND EXCHANGE BETWEEN THE COUNTY OF SUFFOLK AND BRIAN V. KLUG AND MONICA KLUG, HIS WIFE

Attached are a draft resolution and a duplicate copy authorizing the Department of Public Works to exchange County-owned property surplus to DPW needs with privately-owned property interests. Also Attached are SCIN Forms 175a and 175b.

The following documents are also annexed:

1. Legal descriptions of the properties that are the subject of this transaction;
2. Maps of the properties that are the subject of this transaction;
3. Copy of the Appraisal Review; and
4. Copy of the DPW construction cost estimates.

This transaction, if approved, will allow the Department of Public Works to enter into a formal permanent subsurface sewage easement with a private property owner that connects the Suffolk County Community College to an off-site sewage treatment plant. Presently, no such easement exists and is limiting the County from properly maintaining, expanding and/or upgrading this sewer line. Additionally, approval of this resolution will benefit the County by disposing of unused portions of Old Riverhead Moriches Road which the County is presently responsible for maintaining.

The private owners are aware of the fact that the transaction must be equitable to the County and must be conducted at no expense to the County.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso - DPW Land Exchange with Klug.doc".

TL:WH:gjm
Attach.
cc.: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Chief Budget Analyst
William Hillman, P.E., Chief Engineer
James K. Peterman, P.E., Assistant to the Chief Engineer
Geoff Mascaro, Property Management Administrator
Eileen Reilly, Administrator I

Intro. Res. No. 1091 -2008 **Laid on Table 2/5/08**
Introduced by the Presiding Officer on request of County Executive

RESOLUTION NO. -2008, ACCEPTING & APPROPRIATING A GRANT IN THE AMOUNT OF $8,640 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT (GTSC FFY2008) BUCKLE-UP NY PROGRAM WITH 100% SUPPORT FOR SHERIFF'S TRAFFIC SAFETY INITIATIVE

WHEREAS, THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE has made $8,640 in funds available to Suffolk County for the (GTSC FFY2008) Buckle-Up NY program to be administered by the Suffolk County Sheriff's Office; and

WHEREAS, this program provides high visibility enforcement, public information and education, designed to save lives and reduce the severity of injuries by increasing seatbelt use; 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 Suffolk County Operating Budgets; 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 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 $8,640 as follows:

REVENUE:	**Amount**
001-4392-Federal Aid: Sheriff- Traffic Safety Initiative	$8,640

ORGANIZATIONS:

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

1000-Personal Services	**$8,640**
1120-Overtime Salaries	$8,640

DATED:

APPROVED BY:

_____
County Executive of Suffolk County
Date of Approval

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1091

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $8,640 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT (GTSC FFY2008) BUCKLE-UP NY POGRAM WITH 100% SUPPORT FOR SHERIFF'S TRAFFIC SAFETY INITIATIVE

3. Purpose of Proposed Legislation

See above.

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes** ____ **No** _X____

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE

9. Timing of Impact

Upon Adoption

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders Assistant Executive Analyst	T Saunders	January 28, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

POLICE DISTRICT AND DISTRICT COURT

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

NOTES:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Memorandum

JAN 18 2008

1091

To: Ben Zwirn, Deputy County Executive

From: Lt. Michael P. Sharkey, Office of the Chief of Staff

Date: 1/14/2008

Re: Buckle-Up NY Program Grant, Request for Legislation

The Sheriff's Office is a successful applicant for the New York State, Governor's Traffic Safety Committee [GTSC], Buckle-Up NY Program With 100% Support for Sheriff's Traffic Safety Initiative. The GTSC has made $8,640 in funds (GTSC FFY2008) available for the Sheriff's Office for seat belt enforcement.

Buckle Up New York is a statewide enforcement campaign designed to save lives and reduce the severity of injuries by increasing safety restraint use. The Governor's Traffic Safety Committee (GTSC) has set a strategic goal to:

Reduce the proportion of occupants in vehicles covered by the seat belt law who are killed in crashes from .29% in 2004 to .22% in 2011.
Reduce the proportion of occupants in vehicles covered by the seat belt law who suffer serious injuries in crashes from 2.70% in 2004 to 2.25% in 2011.
Reduce the Mean Severity of Injury for occupants in vehicles covered by the seat belt law from 1.25 in 2004 to 1.20 in 2011.

In order to achieve these goals, the following performance objectives have been established:

Increase the safety restraint usage rate for front seat motor vehicle occupants from 83% in 2006 to 86% in 2007.
Increase knowledge and awareness of the importance of safety restraint use.
Target low use areas and groups for increased awareness and/or enforcement.

Thank you for your consideration in reviewing this draft resolution.

MPS/dlh

Att.

cc: Brendan Chamberlain, County Executive Assistant

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1091

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law

2. Title of Proposed Legislation **ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $8,640 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE (GTSC FFY2008) BUCKLE-UP NY PROGRAM 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** __X__ **No**

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

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

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact. $8,640 of grant money will be used to perform random seatbelt checks.

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 FFY2008) Buckle-Up NY Program.

9. Timing of Impact - **FY 2008**

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date:
Lt. Michael P. Sharkey Office of the Chief of Staff		1/14/2008

SCIN FORM 175b (10/95)

Intro. Res. No. 1092-08 Laid on Table 2/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $8,500 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE (GTSC FFY2008) CHILD PASSENGER SAFETY PROGRAM TO SUPPORT A SHERIFF'S TRAFFIC SAFETY INITIATIVE

WHEREAS, the New York State Governor's Traffic Safety Committee has made $8,500 in funds available to Suffolk County for the Child Passenger Safety Program (GTSC FFY2008) to be administered by the Suffolk County Sheriff's Office; and

WHEREAS, child safety seats reduce the risk of fatal injury by 71% when used correctly, however, misuse reduces effectiveness and more than 90% of child safety seats are used improperly; and

WHEREAS, the Sheriff's Office will address this issue by participating in the New York State Child Passenger Safety Program; 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 include in the 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 $8,500 as follows:

REVENUES:	AMOUNT
001-4392-Federal Aid: Sheriff – Traffic Safety Initiative	$8,500

APPROPRIATION:

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

3000-Supplies, Materials & Other Expenses	**$8,500**
3500-Other: Unclassified	$8,500

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:_____

1092

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $8,500 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT (GTSC FFY2008) CHILD PASSENGER SAFETY PROGRAM TO SUPPORT A SHERIFF'S TRAFFIC SAFETY INITIATIVE

3. Purpose of Proposed Legislation

See above.

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes** ____ **No** _X____

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE

9. Timing of Impact

Upon Adoption

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders Assistant Executive Analyst	T Saunders	January 28, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1092

GENERAL FUND

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

POLICE DISTRICT AND DISTRICT COURT

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1092

OFFICE OF THE SHERIFF

VINCENT F. DEMARCO
SHERIFF

To: Ben Zwirn, Deputy County Executive

From: Michael P. Sharkey, Chief of Staff's Office

Date: 1/17/2008

Re: Child Passenger Safety Seat Grant, Request for Legislation

The Sheriff's Office is a successful applicant for the New York State, Governor's Traffic Safety Committee [GTSC], Child Passenger Safety Seat Grant. The GTSC has made $8,500 in funds (GTSC FFY2008) available for the Sheriff's Office to provide a Child Passenger Safety Program.

Child safety seats reduce the risk of fatal injury by 71% when used correctly, however, misuse reduces effectiveness. More than 90% of child safety seats are used incorrectly or are improperly installed. Using grant funding, Deputy Sheriffs will mitigate against these dangers, help protect infants and young children, increase public safety, and increase compliance with the child passenger safety seat provisions of the NYS vehicle & Traffic Law. This will be accomplished by conducting free child safety seat inspections, installation, and public education. In addition, proper seats will be provided and installed free of charge to needy Suffolk County residents.

Thank you for your consideration in reviewing this draft resolution.

cc: Brendan Chamberlain, County Executive Assistant

MPS/dlh

Att.

100 CENTER DRIVE
RIVERHEAD, NEW YORK 11901-3390
(631) 852-2200

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1092

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law

2. Title of Proposed Legislation **ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $8,500 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE (GTSC FFY2008) CHILD PASSENGER SAFETY PROGRAM TO SUPPORT A SHERIFF'S TRAFFIC SAFETY INITIATIVE**

3. Purpose of Proposed Legislation –**See number 2 above.**

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

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

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

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact. $8,500 of grant money will be used to perform Child Passenger Safety Seats testing, public education, and the purchase of seats to be distributed free of charge to members of the public in need.

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 FY2008) Child Passenger Safety Program

9. Timing of Impact - **FY 2008**

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date:
Michael P. Sharkey, Chief of Staff's Office		1/17/2008

Intro. Reso. No. 1093-08 Laid on Table 2/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, ACCEPTING & APPROPRIATING A GRANT IN THE AMOUNT OF $154,000.00 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S OPERATION HOT WHEELS IV PROGRAM WITH 100% SUPPORT

WHEREAS, the New York State Division of Criminal Justice Services has made $154,000.00 in State Motor Vehicle Theft and Insurance Fraud Prevention Program funds available to Suffolk County for the continuance of the Suffolk County Police Department's Operation Hot Wheels Program; and

WHEREAS, this program is designed to reduce the incidence of motor vehicle theft and insurance fraud within Suffolk County; and

WHEREAS, the operational period of the program will be from January 1, 2008 through December 31, 2008; and

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

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

REVENUE:	**Amount**
001-3365-State Aid: Operation Hot Wheels IV	$154,000

ORGANIZATIONS:

Police Department (POL)
Operation Hot Wheels IV
001-POL-3262

1000-Personnel Services	**$127,081**
1120-Overtime Salaries	127,081
4000-Utilities	**$3,684**
4015-Cellular Communications	3,684

Employee Benefits
Retirement
001-EMP-9010

8000-Employee Benefits	**$21,400**
8280-Employee Retirement System	21,400

Employee Benefits
Social Security
001-EMP-9030

8000-Employee Benefits	**$1,835**
8330-Social Security	1,835

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the New York State Department of Criminal Justice Services.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County
Date of Approval:

1093

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk	DATE 9/17/2007 REV 1/14/08

Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank	
Contact Person In Department/Agency Sarah Furey Sr. Grants Analyst	Telephone Number 852-6042	Grant Application Due Date 9/13/2007

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title **Operation Hot Wheels IV**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program): 1994 NYS Executive Law 846, The Motor Vehicle Theft and Insurance Fraud Prevention Demonstration Program, administered by NYS Division of Criminal Justice Services.

3. Grant/Contract Status (Check One Box)
A. _ __New Program Application
B. _X __Renewal Application
C. ___Supplemental (Specify) _____
D. ___Extension of Funding Period
E. ___Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.).
The Suffolk County Police Department's Vehicle Theft Section proposes to continue its multi-pronged approach to reducing vehicle theft and insurance fraud in Suffolk County.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.) District Attorney

II. BUDGET INFORMATION

1. Term of Contract From 1/01/2008 To: 12/31/2008

2. Financial Assistance Requested

SOURCE	*SECOND FUNDING CYCLE*		*THIRD FUNDING CYCLE*		*FOURTH FUNDING CYCLE*	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$	%	$	%	$	%
State	$100,000.00	100%	$100,000.00	100%	$154,000.00	100%
Private	$	%	$	%	$	%
County	$	%	$	%	$	%
Total	$100,000.00	100%	$100,000.00	100%	$154,000.00	100%

1093

3. Explanation of Requested County Financial Assistance			
Category	***Total Requested***	***Personnel Costs Requested***	***Non-Personnel Costs Requested***
TOTAL COUNTY SHARE:	$ 0	$	$
A. Cash Contribution	$	$	$
B. In-Kind Contribution	$	$	$

4. Total Number of New Positions Requested 0	5. Can This Program Be Refunded by the Proposed Non-County Sources? X YES NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

Some additional indirect costs resulting from administrative oversight may be incurred.

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?

In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:	Approved Disapproved	2. Signature of Coordinator	3. Date
4. Comments			
5. Budget Office Review:	Approved Disapproved	6. Signature of Budget Director	7. Date
8. Comments			

SCIN FORM 164

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2007			Page 1 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES:	**127,081**			
1100 Permanent Salaries				
1110 Interim Salaries				
1120 Overtime Salaries	127,081			
2000 EQUIPMENT:				
2010 Furniture & Fixtures				
2020 Office Machines				
2090 Radio and Communication				
2500 Other Equip Not Otherwise				
3000 SUPPLIES MATERIALS & OTHERS:				
3010 Office Supplies				
3020 Postage				
3030 Photostat, Photograph, Blueprint				
3040 Printing				
3160 Computer Software				
3500 Other Unclassified				
3680 Repairs: Special Equipment				
4000 UTILITIES:	**3,684**			
4010 Telephone & Telegraph				
4015 Cellular Communications	3,684			
4210 Computer Services				
4300 TRAVEL:				1093
4310 Employee Misc - Expenses				
4330 Travel Employee Contracts				
4340 Travel Other Contracts				

SCIN Form 164D (10-80)

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2007			Page 2 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees 4770 Special Services				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance	**23,235** 21,400 1,835			
OTHER (List Source & Brief Explanation)				1093

I certify that the above in-kind contribution are not currently being used to support other grants

SCIN Form 164D (10-80)

DETAIL LISTING OF 1000 ACCOUNT PERSONAL SERVICES

TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %		
				GRANTOR	COUNTY	IN-KIND
Detective		88.68/hr OT	Various	100		
Detective Sergeant		98.07/hr OT	Various	100		
Detective Lieutenant		109.17/hr OT	Various	100		

10923

SCIN Form 164D (10-80)

1093

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution _X_ Local Law ___ Charter Law ___

2. Title of Proposed Resolution
   Accepting & appropriating a grant in the amount of $154,000.00 from the New York State Division of Criminal Justice Services for the Suffolk County Police Department's Operation Hot Wheels IV program with 100% Support

3. Purpose of Proposed Legislation
   To accept $154,000.00 from the New York State Division of Criminal Justice Services for the continuation of the Suffolk County Police Department's Operation Hot Wheels program, a multi-pronged approach to reducing vehicle theft and insurance fraud in Suffolk County.

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

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

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

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:

   The County will have $154,000.00 available for the continuation of the Suffolk County Police Department's Operation Hot Wheels program, for overtime, fringe benefits and equipment, funded entirely by the grantor.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:

   Continuance of this program will be re-evaluated based on availability of outside funding, community needs, and resources available within the Police Department.

8. Proposed Source of Funding
   New York State Division of Criminal Justice Services: Motor Vehicle Theft and Insurance Fraud Prevention Program

9. Timing of Impact
   Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Sarah Furey Senior Grants Analyst	Sarah Furey	1/17/2008

SCIN FORM NO. 175b (10/95)

Additional back-up material regarding I.R. 1093 is on file in the Legislative Clerk's Office, Hauppauge.

Intro. Res. No. 1094 -2008 Laid on Table 2/5/08
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE BACTOLAC PHARMACEUTICAL, INC., (SUFFOLK COUNTY TAX MAP NO.'s 0800-185.00-01.00-029.000; 032.000; and 050.003)

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on - 2008, a proposed local law entitled, "**A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE BACTOLAC PHARMACEUTICAL, INC., (SUFFOLK COUNTY TAX MAP NO.'s 0800-185.00-01.00-029.000; 032.000; and 050.003)**," 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 AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE BACTOLAC PHARMECEUTICAL, INC., (SUFFOLK COUNTY TAX MAP NO.'s 0800-185.00-01.00-029.000; 032.000; and 050.003)

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

Section 1. Legislative Intent.

This Legislature finds and determines that pursuant to Local Law No. 14-2003, this Legislature authorized the designation of an Empire Zone; that Local Law 15-2003 established Empire Zone boundaries; and that a new local law is required to submit to New York State a request to revise the zone boundaries to include Bactolac Pharmaceutical, Inc., located at premises described as Suffolk County Tax Map No.'s 0800-185.00-01.00-029.000; 032.000; and 050.003).

This Legislature also finds and determines that New York State has amended the Empire Zone Program to include specific projects deemed as Regionally Significant Projects. Regionally Significant Projects are defined as company and site specific projects located outside the existing zone boundaries that will create fifty (50) or more jobs.

This Legislature further finds and determines that Bactolac Pharmaceutical, Inc., a manufacturer of nutraceutical products located at 7 Oser Avenue, 35 Engineers Road and 611 Old Willets Path, Hauppauge, New York 11788, meets the criteria of Section 957(d) of the NEW YORK GENERAL MUNICIPAL LAW for a Regionally Significant Project and has requested consideration for such designation by the Suffolk County Empire Development Zone - Zone Administrative Board.

Therefore, the purpose of this law is to authorize the submission of an application to New York State to amend the boundaries of the Suffolk County Empire Development Zone, to include the above location.

Section 2. Application.

The Suffolk County Empire Zone - Zone Administrative Board, is hereby authorized, empowered and directed in accordance with Section 3 of this Law to submit an application to the New York State Department of Economic Development to augment the boundaries of the existing Empire Zone and to execute such documents as are necessary and desirable to effectuate the purposes of this Law.

Section 3. Request for Consideration.

A.) The Commissioner of the New York State Department of Economic Development is hereby requested to revise the boundaries of the Empire Zone in accordance with this Law.

B.) The Clerk of the Suffolk County Legislature is hereby authorized, empowered and directed to file a certified copy of this local law with said Commissioner upon its adoption.

Section 4. Designation of Revised Empire Zone Boundaries.

The boundary of the Empire Zone, designated in Local Law 14-2003 and Local Law 15-2003, as adopted, shall be amended to include Suffolk County Tax Map No.'s 0800-185.00-01.00-029.000; 032.000; and 050.003.

Section 5. Real Property Tax Exemption.

A.) The property included in the revised boundaries as described and designated by this Law is hereby granted an exemption from the taxes and special ad valorem levies by the County of Suffolk and the exemption shall be granted for the period and to the extent provided for in Section 485-e of the New York Real Property Tax Law. This exemption shall be for a term of (10) years, notwithstanding that the designation of the Empire Zone may expire prior to the end of such ten (10) year term.

B.) The exemption granted pursuant to this Law shall only take effect as to the revised Empire Zone designation in the event that the revised designation is approved by New York State and placed on the tax rolls. In the event the revised Empire Zone designation is not approved, the exemption granted pursuant to Local Law No. 14-2003, as adopted, shall continue pursuant to the terms of that Law.

Section 6. Applicability.

This Law shall apply to all actions and taxable status dates occurring on or after the effective date except as otherwise provided for herein.

Section 7. Severability.

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of the 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 8. SEQRA Determination.

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

Section 9. Effective Date.

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

DATED:

APPROVED BY:

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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

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

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

DATE: **JANUARY 30, 2008**

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 AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE BACTOLAC PHARMACEUTICAL, INC. (SUFFOLK COUNTY TAX MAP NO.'s 0800-185.00-01.00-029.000; 032.000; and 050.003)**

SPONSOR: **PRESIDING OFFICER ON REQUEST OF COUNTY EXECUTIVE**

DATE OF RECEIPT BY COUNSEL: 1/29/2008 **PUBLIC HEARING:** 3/4/2008

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

Enactment of this proposed local law would authorize the submission of an application to re-designate the boundaries of the Suffolk County Empire Zone. This Local Law would authorize the designation of a revised Empire Zone to include the Bactolac Pharmaceutical, Inc., property in Hauppauge.

If these new boundaries are accepted by the New York State Department of Economic Development, the above properties would be granted an exemption from real property taxes, special ad valorem levies, and certain other taxes by the County of Suffolk pursuant to State law.

This local law would be effective immediately upon its filing in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-empire-zone-bactolac-pharmaceutical

1094

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ____ Local Law __X__ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. – 2008, A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE BACTOLAC PHARMACEUTICAL, INC., (SUFFOLK COUNTY TAX MAP NO.'S 0800-185.00-04.00-029.000; 032.000 AND 050.003)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes** ____ **No** __X__

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

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

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

NO FISCAL IMPACT ON COUNTY. ANY TAX BREAKS WHICH MAY AFFECT THE COUNTY ARE MADE UP BY NYS.

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

UPON FILING IN THE OFFICE OF THE SECRETARY OF STATE

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
James P. Burt Assistant Budget Director	Jm P Burt	January 24, 2008

SCIN FORM 175b (10/95)

1094

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Gen C1

JAN 11 2008

1094

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
Office of the County Executive

FROM: Carolyn E. Fahey, Intergovernmental Relations Coordinator

DATE: January 10, 2007

SUBJECT: **Resolution to Amend Empire Zone Boundaries to include Bactolac Pharmaceutical, Inc.**

****

The Department of Economic Development and Workforce Housing requests the submission of the attached resolution which amends the Suffolk County Empire Zone boundaries to include the tax maps associated with Bactolac Pharmaceutical, Inc. of Hauppauge, a manufacturer of nutraceutical products. Empire State Development has reviewed this request for designation as a Regionally Significant Project and has approved its formal submission.

Attached please find the draft resolution and required SCIN 175a and 175b. Electronic copies have been submitted to the County Executive Resolution Review Committee.

Thank you.

CF/kmb
cc: Jim Morgo, Deputy County Executive
✓ Brendan Chamberlain, County Executive Assistant

Steve Levy
Suffolk County Executive

Jim M. Morgo
Commissioner

1095

Intro. Res. No. -2008
Introduced by Presiding Officer Lindsay

Laid on Table 2/5/08

RESOLUTION NO. –2008, REPEALING SUFFOLK COUNTY PRESCRIPTION DRUG COST COMPARISON PROGRAM

WHEREAS, the County of Suffolk enacted Resolution 922-2001, "Establishing Suffolk County Prescription Drug Cost Comparison Program," whereby the County Department of Health Services was to develop a list of the twenty-five prescription drugs most used by senior citizens, for the purpose of conducting a comparative cost survey on a quarterly basis; and

WHEREAS, Resolution 664-2004, amended this program to increase the number of prescription drugs to be studied to fifty; and

WHEREAS, since the program's inception, the Department of Health Services has regularly reported on prescription drug prices, and several other County departments have helped to disseminate this information to the citizens of the County; and

WHEREAS, since beginning this program, the amount of information available to the public regarding prescription drug prices has grown—via the internet, not-for-profit organizations, pharmacies, or from the drug companies directly—making the Suffolk County Prescription Drug Cost Comparison Program redundant and unnecessary; and

WHEREAS, only a half-dozen pharmacies are now participating in the Drug Cost Comparison Program; and

WHEREAS, in the absence of the County's program, the citizens of Suffolk County will still have access to information on drug prices from alternative sources; and

WHEREAS, the County of Suffolk must constantly evaluate its programs, and look to eliminate or modify programs that provide no useful benefit to Suffolk taxpayers; now, therefore be it

1st **RESOLVED**, that Resolution 922-2001 is hereby repealed in its entirety; and be it further

2nd **RESOLVED**, that Resolution 664-2004 is hereby repealed in its entirety.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\res\r-repeal-prescription-comparison-program

1096

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

Laid on Table 2/5/08

RESOLUTION NO. –2008, DESIGNATING THE FIRST WEEK OF MAY AS "AMYOTROPHIC LATERAL SCLEROSIS WEEK" IN SUFFOLK COUNTY

WHEREAS, Amyotrophic Lateral Sclerosis (ALS) also known as Lou Gehrig's disease, is a rapidly progressive, invariably fatal neurological disease that attacks the nerve cells responsible for controlling voluntary muscles; and

WHEREAS, over 5,000 new ALS patients are diagnosed annually; and

WHEREAS, ALS is one of the most common neuromuscular diseases worldwide, affecting people of all races and ethnic backgrounds; and

WHEREAS, the early symptoms of ALS, which are often subtle, include twitching, cramping, muscle weakness that affects the arms or legs, slurred and nasal speech and stiffness of muscles; and

WHEREAS, ALS eventually causes a person's muscles to atrophy as they become a functional quadriplegic; and

WHEREAS, the Suffolk County Legislature wishes to increase the public's awareness of ALS by encouraging health care organizations and professionals to participate in appropriate activities that will educate their patients and encourage further research into the causes and the cures of all types of neurological diseases; now, therefore, be it

1st **RESOLVED**, that beginning in May 2008 and continuing every year thereafter, the first week of May shall be designated as "Amyotrophic Lateral Sclerosis Week" in Suffolk County; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\res\r-ALS Desingation

1097

Intro. Res. No. -2008 Laid on Table 2/5/08

Introduced by Legislator Beedenbender

RESOLUTION NO. –2008, DECLARING MAY 18 THROUGH MAY 24, 2008 AS "ALPHA-1 ANTITRYPSIN DEFICIENCY AWARENESS WEEK" IN SUFFOLK COUNTY

WHEREAS, Alpha-1 antitrypsin deficiency, also called AAT, is an inherited condition that causes lung disease in adults and liver disease in children and adults; and

WHEREAS, Alpha-1 antitrypsin is a protein made in the liver; and

WHEREAS, this protein goes into the bloodstream and helps protect the body's organs from the harmful effects of other proteins, with the lungs being the main organ it protects; and

WHEREAS, AAT deficiency occurs when the AAT proteins made in the liver are misshapen, become caught in the liver cells and fail to reach the bloodstream; and

WHEREAS, if too few AAT proteins travel to the lungs, the risk of lung disease increases and if there are too many AAT proteins in the liver, liver disease can develop; and

WHEREAS, Alpha-1 can lead to lung destruction and is often misdiagnosed as asthma, emphysema or smoking-related Chronic Obstructive Pulmonary Disease (COPD); and

WHEREAS, AAT can be detected by a simple blood test; and

WHEREAS, the Suffolk County Legislature wishes to increase awareness of this serious hereditary and often misdiagnosed disorder, as well as to educate the public and the medical community on Alpha-1 detection and treatment for those affected with this condition; now, therefore be it

1st **RESOLVED**, that the week of May 18, 2008 through May 24, 2008 is hereby designated as **"ALPHA-1 ANTITRYPSIN DEFICIENCY AWARENESS WEEK"** within the County of Suffolk to increase awareness of this inherited disorder that causes lung disease in adults and liver disease in children and adults and for which there is no cure; and be it further

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

DATED:

APPROVED BY:

1098

Intro. Res. No. -2008

Introduced by Legislator Horsley

Laid on Table 2/5/08

RESOLUTION NO. –2008, DIRECTING THE DEVELOPMENT OF BEST MANAGEMENT PRACTICES FOR THE MAINTENANCE OF GREASE TRAPS AT FOOD SERVICE ESTABLISHMENTS

WHEREAS, a thriving business community is vital to the economic and social well-being of Suffolk County, but the business community must also respect the fragile nature of the County's environment; and

WHEREAS, when food service establishments discharge waste water containing grease into the County's sewer systems, they run the risk of causing sewer overflows and interfering with proper sewage treatment operations; and

WHEREAS, the discharge of grease into sewer systems often is not done intentionally, but instead is the result of improperly maintained grease traps or grease interceptors, which separate grease from waste water before the waste water is discharged into the sewers; and

WHEREAS, it is in the best interest of the County of Suffolk to encourage the proper maintenance of grease traps and grease interceptors at food service establishments, especially by promoting the regular pumping out of these devices; now, therefore be it

1st **RESOLVED**, that the Department of Health Services, with the assistance of the Department of Public Works, shall, within sixty (60) days of the effective date of this Resolution, develop best management practices (BMPs) for the proper care and maintenance of grease traps and/or grease interceptors at food service establishments throughout Suffolk County; and be it further

2nd **RESOLVED**, that the Department of Health Services shall incorporate such BMPs into the food manager training course provided by the Department, and shall develop written materials on such BMPs for dissemination to all individuals attending this course; 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

1099

Intro. Res. No. -2008 Laid on Table 2/5/08
Introduced by Legislator Schneiderman

RESOLUTION NO. -2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (PB DEVELOPERS, INC., PROPERTY) TOWN OF BROOKHAVEN

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 environmentally sensitive land acquisition;

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	.222	PB Developers, Inc.
	Section	917.00		Columbus Avenue
	Block	03.00		East Moriches, NY 11940
	Lot	048.000		

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\r-pb-developers-multifaceted-preserv-plan-steps

1100

Intro. Res. No. -2008 Laid on Table 2/5/08
Introduced by Legislator Schneiderman

RESOLUTION NO. -2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (FLANDERS PROPERTY) TOWN OF SOUTHAMPTON

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 environmentally sensitive land acquisition;

SEE ATTACHED EXHIBIT "A"

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\r-flanders-property-multifaceted-plan-steps

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:	ACRES:	REPUTED OWNER AND ADDRESS: (One Share)
No. 1	District 0900 Section 142.00 Block 01.00 Lot 054.003	22	Faye Reynolds PO Box 1074 Mattituck, NY 11952 Susan Psillos 11 Bartkiewicz Road Chester, CT 06412 H. Thomas Hubbard P.O. Box 638 Jamesport, NY 11947 David Hubbard PO Box 593426 Orlando, FL 32859 **One Share** Louise Pipczynski 55 Whitebrook Drive Riverhead, NY 11901 **One Share** Joan Francke 417 Evelyn Avenue, #213 Albany, CA 94706 **One Share** Charles Smolka 15 Mine Hill Road New Milford, CT 06776 Elaine Mondi 12 Dickinson Lane Manalapan, NJ 07726 Carole Cataudella 3300 Michelle Drive Weddington, NC 28104

EXHIBIT "A"

Intro. Res. No. 1101 -2008 Laid on Table 2/5/08
Introduced by Legislator Schneiderman

RESOLUTION NO. -2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (CURTIS PROPERTY) TOWN OF BROOKHAVEN

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 environmentally sensitive land acquisition;

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	1.644	Stephen & Angela Curtis
	Section	834.00		95 Pine Edge Drive
	Block	04.00		East Moriches, NY 11940
	Lot	003.007		

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\r-curtis-multifaceted-plan-steps

Intro. Res. No. 1102-2008
Introduced by Legislator Schneiderman

Laid on Table 2/5/08

RESOLUTION NO. -2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (LEVINE PROPERTY) TOWN OF BROOKHAVEN

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 environmentally sensitive land acquisition;

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	.222	Scott Levine
	Section	834.00		95 Pine Edge Drive
	Block	04.00		East Moriches, NY 11940
	Lot	003.006		

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\r-levine-multifaceted-plan-steps

Intro. Res. No. 1103 -2008
Introduced by Legislator Schneiderman

Laid on Table 2/5/08

RESOLUTION NO. -2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (WIDENOR PROPERTY) TOWN OF BROOKHAVEN

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 environmentally sensitive land acquisition;

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	2.467	Malcolm & Marcia Widenor 11 Downing Avneue Sea Cliff, NY 11579
	Section	834.00		
	Block	04.00		
	Lot	002.007		

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\r-widenor-multifaceted-plan-steps

Intro. Res. No. 1104 -2008
Introduced by Legislator Schneiderman

Laid on Table 2/5/08

RESOLUTION NO. -2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (CARBON BEACH PROPERTY) TOWN OF SOUTHAMPTON

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 environmentally sensitive land acquisition;

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0900	1.83598	Carbon Beach Property
	Section	030.00		720 Lopers Path
	Block	01.00		Southampton, NY 11968
	Lot	001.012		

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\r-carbon-beach-multifaceted-plan-steps

1105

Intro. Res. No. -2008 Laid on Table 2/5/08

Introduced by Legislators Beedenbender and Eddington

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO PROMOTE FAIR BUSINESS PRACTICES BY STRENGTHENING REQUIREMENTS FOR OCCUPATIONAL LICENSES

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 PROMOTE FAIR BUSINESS PRACTICES BY STRENGTHENING RQUIREMENTS FOR OCCUPATIONAL LICENSES**" 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 PROMOTE FAIR BUSINESS PRACTICES BY STRENGTHENING REQUIREMENTS FOR OCCUPATIONAL LICENSES

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 federal law requires businesses to verify that their employees are legally eligible to be employed in the United States. However, this law (known popularly as the "Simpson-Mazzoli" law) has never been effectively enforced and many employers continue to ignore its requirements.

This Legislature further finds that some employers also fail to pay taxes (Social Security, Medicare, unemployment taxes) that are designed to provide a financial safety net for their employees.

This Legislature also finds and determines that employers who fail to comply with applicable federal, state and local laws gain an unfair financial advantage over employers who play by the rules and who necessarily incur additional costs when they properly hire employees, obtain insurance and pay taxes.

This Legislature also finds that the County of Suffolk adopted Local Law 52-2006 to require companies doing business with the County to certify their compliance with federal law with respect to the lawful hiring of employees.

This Legislature further finds that the County of Suffolk, through its Office of Consumer Affairs, presently licenses and regulates a number of occupations to ensure that the County's residents and consumers are served by reputable businesses and protected from unscrupulous operators.

This Legislature also determines that the County's licensees should comply with all applicable laws and regulations including those relating to the proper hiring of employees and payment of payroll taxes.

Therefore, the purpose of this local law is to require all applicants for occupational licenses to affirm that their employees are legally eligible to be employed in the United States and that all necessary payroll taxes are being paid.

Section 2. Amendments.

I. Chapter 275 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 275, Electricians and Plumbers

* * * *

§ 275-3. Application procedure; qualifications; examinations.

* * * *

B. Qualifications of applicant.

* * * *

(4) All applications shall include a representation by the applicant that they are in compliance with Title 8 U.S.C. Section 1324a, with respect to the hiring of employees. If such representation is not made, a license will not be issued. An applicant shall be obligated to continue to comply with the requirements of Title 8 U.S.C. Section 1324a, during the term of their license and their failure to so comply shall constitute grounds for the imposition of a fine or the suspension or revocation of a license or the denial of an application for the renewal of a license, in accordance with the applicable provisions of this Chapter.

(5) All applications shall include a representation by the applicant that they are making all required payroll tax payments for their employees including Social Security taxes, Medicare taxes, and state and federal unemployment taxes. If such representation is not made, a license will not be issued. The applicant's failure to make required payroll tax payments during the term of their license shall constitute grounds for the imposition of a fine or the suspension or revocation of a license or the denial of an application for the renewal of a license, in accordance with the applicable provisions of this Chapter.

* * * *

II. Chapter 345 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 345 LICENSED OCCUPATIONS
ARTICLE I, Provisions Applicable to All Licenses

* * * *

§ 345-5. Application Procedure; information required; qualifications; issuance of license.

* * * *

K. All license applications shall include a representation by the applicant that they are in compliance with Title 8 U.S.C. Section 1324a, with respect to the hiring of employees. If such representation is not made, a license shall not be issued. An applicant shall be obligated to continue to comply with the requirements of Title 8 U.S.C. Section 1324a, during the term of their license and their failure to so comply shall constitute grounds for the imposition of a fine or the suspension or revocation of a license or the denial of an application for the renewal of a license, in accordance with the applicable provisions of this Chapter.

L. All applications shall include a representation by the applicant that they are making all required payroll tax payments for their employees including Social Security taxes, Medicare taxes, and state and federal unemployment taxes. If such representation is not made, a license will not be issued. The applicant's failure to make required payroll tax payments during the term of their license shall constitute grounds for the imposition of a fine or the suspension or revocation of a license or the denial of an application for the renewal of a license, in accordance with the applicable provisions of this Chapter

* * * *

Section 3. Affirmative Defense.

It shall be an affirmative defense in any hearing or proceeding brought under this law alleging a violation related to Title 8 U.S.C. 1324a that an applicant or licensee has complied in good faith with the requirements of Title 8 U.S.C. 1324a.

Section 4. Promulgation of Rules and Regulations.

The Suffolk County Office of Consumer Affairs is hereby authorized, empowered and directed to promulgate such rules and regulations as it deems necessary for the implementation and enforcement of the provisions of this law.

Section 5. Applicability.

This law shall apply to all applications for licenses and license renewals submitted to the Office of Consumer Affairs on and after 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 180 days after its filing in the Office of the Secretary of State.

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\laws\l-occupational license law

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1105

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: January 30, 2008

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 PROMOTE FAIR BUSINESS PRACTICES BY STRENGTHENING REQUIREMENTS FOR OCCUPATIONAL LICENSES

SPONSOR: LEGISLATORS BEEDENBENDER AND EDDINGTON

DATE OF RECEIPT BY COUNSEL: 1/30/08 **PUBLIC HEARING:** 3/4/08

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

This proposed local law would require all applicants for occupational licenses issued by the Office of Consumer Affairs under Chapters 275 and 345 of the SUFFOLK COUNTY CODE, to represent in their applications that they are:

1.) in compliance with Title 8, U.S.C. Section 1324a, which requires businesses to verify that their employees are legally eligible to be employed in the United States; and

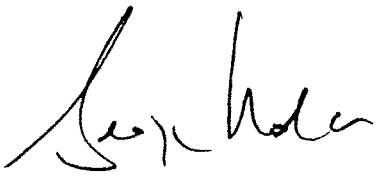
2.) making all required payroll tax payments for their employees, including Social Security, Medicare, and unemployment taxes.

A license will not be issued by the Office of Consumer Affairs if an applicant fails to make these representations. An applicant's subsequent failure to comply with Title 8 U.S.C. Section 1324a, or to pay legally required payroll taxes shall constitute grounds for the imposition of a civil fine or the suspension or revocation of a license, or the denial of an application for the renewal of a license.

This local law authorizes the Suffolk County Office of Consumer Affairs to promulgate such rules and regulations as it deems necessary for the implementation and enforcement of the provisions of this law.

1105

This law shall take effect 180 days after its filing in the Office of the Secretary of State and shall apply to all applications for licenses and license renewals submitted to the Office of Consumer Affairs on and after the effective date of the law.



GEORGE NOLAN
Counsel to the Legislature

GN:mjk

s:\rule28\28-occupational-license-law

1106

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

Laid on Table 2/5/08

RESOLUTION NO. -2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (HEDGES CREEK COUNTY WETLANDS ADDITION) TOWN OF BROOKHAVEN

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 pursuant to the traditional Suffolk County Open Space Program;

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	25.1	Port Grove Associates 1671-1 Route 112 Coram, NY 11727
	Section	982.90		
	Block	08.00		
	Lot	023.000		

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\r-hedges-creek-wetlands-addition-multifaceted-plan-steps

Intro. Res. No. 1107 -2008
Introduced by Legislator Horsley

Laid on Table 2/5/08

RESOLUTION NO. -2008, AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF LINDENHURST FOR THE IMPROVEMENT OF CR 3, WELLWOOD AVENUE, TOWN OF BABYLON

WHEREAS, Resolution 758-2007 amended the 2007 Capital Budget Program and appropriated $200,000.00 for improvements on CR 3 Wellwood Avenue, in the Village of Lindenhurst, Town of Babylon; and

WHEREAS, the Village of Lindenhurst is planning to make its own improvements along Wellwood Avenue within the village including resurfacing roads, drainage improvements, curbing and sidewalk repairs, decorative street lighting and tree plantings; and

WHEREAS, it is in the best interests of the County of Suffolk and the Village of Lindenhurst to enter into an intermunicipal agreement whereby the Village will make the improvements contemplated by Resolution 758-2007 along CR 3, Welllwood Avenue, Village, Lindenhurst; now, therefore be it

1st **RESOLVED**, that, pursuant to NEW YORK GENERAL MUNICIPAL LAW §119-o, the County Executive or his designee is hereby authorized to enter into an intermunicipal agreement with the Village of Lindenhurst whereby the Village of Lindenhurst will utilize the monies appropriated by Resolution 758-2007 to complete improvements along CR 3, Wellwood Avenue, Village of Lindenhurst, specifically construction of a median promenade, in conjunction with other improvements that are further undertaken by the Village; and be it further

2nd **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution pertains to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; since this resolution is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\res\r-intermunicipal agreement CR 3

Intro Res. No. 1108 - 2008 Laid on Table 2/5/08
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008 DONATION AND DEDICATION OF CERTAIN LAND NOW OWNED BY RIVERHEAD ESTATES, INC. TO THE COUNTY OF SUFFOLK (S.C.T.M. NO. 0900-135.00-01.00-059.000)

WHEREAS, Riverhead Estates, Inc. is the owner of an environmentally sensitive property with no site or building improvements thereon located in the hamlet of Riverside, Town of Southampton; and

WHEREAS, said property, is an overlay parcel, totaling 0.52± acres and is currently in a natural state, within the Peconic River County Park (SH12) and within the Pine Barrens Core Area (Exhibit A); and

WHEREAS, the Suffolk County Department of Planning recommends that the County acquire this overlay parcel for groundwater and watershed protection purposes; and

WHEREAS, Riverhead Estates, Inc. has agreed to donate this property at no cost to the County of Suffolk for preservation purposes as part of a Suffolk County Department of Health Services Board of Review determination (File No. S09-06-0061) dated and amended on November 19, 2007, requiring the owner to relinquish its ownership of this parcel without an actual transfer of density due to its status as an overlay parcel (Exhibit B); and

WHEREAS, upon acceptance of this parcel from the donor, the Suffolk County Department of Environment and Energy, Division of Real Property Acquisition and Management shall transfer jurisdiction to the Suffolk County Department of Parks, Recreation and Conservation for passive recreational purposes; now, therefore be it

1ST RESOLVED, that the County of Suffolk hereby approves the donation of the subject property set forth below, as an environmentally sensitive land acquisition, at no cost to the County:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:	ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District 0900 Section 135.00 Block 01.00 Lot 059.000	0.52±	Riverhead Estates, Inc. 135 Northern Parkway Riverhead, NY 11901

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to accept this donation of overlay parcel(s) listed herein above from the reputed owner; and, be it further

3rd RESOLVED, that the Assessor of the Town of Southampton, and all other assessors having jurisdiction thereof, be and they are hereby directed to mark the assessment rolls of their jurisdiction to show that said properties are owned by the County of Suffolk and are hereby exempt from taxation and exempt from special ad valorem levies and special assessments to

the extent permitted by law pursuant to Section 406(1) of the New York Real Property Tax Law; and be it further

4th RESOLVED, that the Suffolk County Department of Environment and Energy, Division of Real Property Acquisition and Management shall transfer jurisdiction of said land to the Suffolk County Department of Parks, Recreation and Conservation for protection of environmentally sensitive lands/passive recreation purposes; and be it further

5th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

6th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

1.) the proposed action will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and

2.) the proposed use of the subject parcel(s) will be for protection of environmentally sensitive lands/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

7th RESOLVED, in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

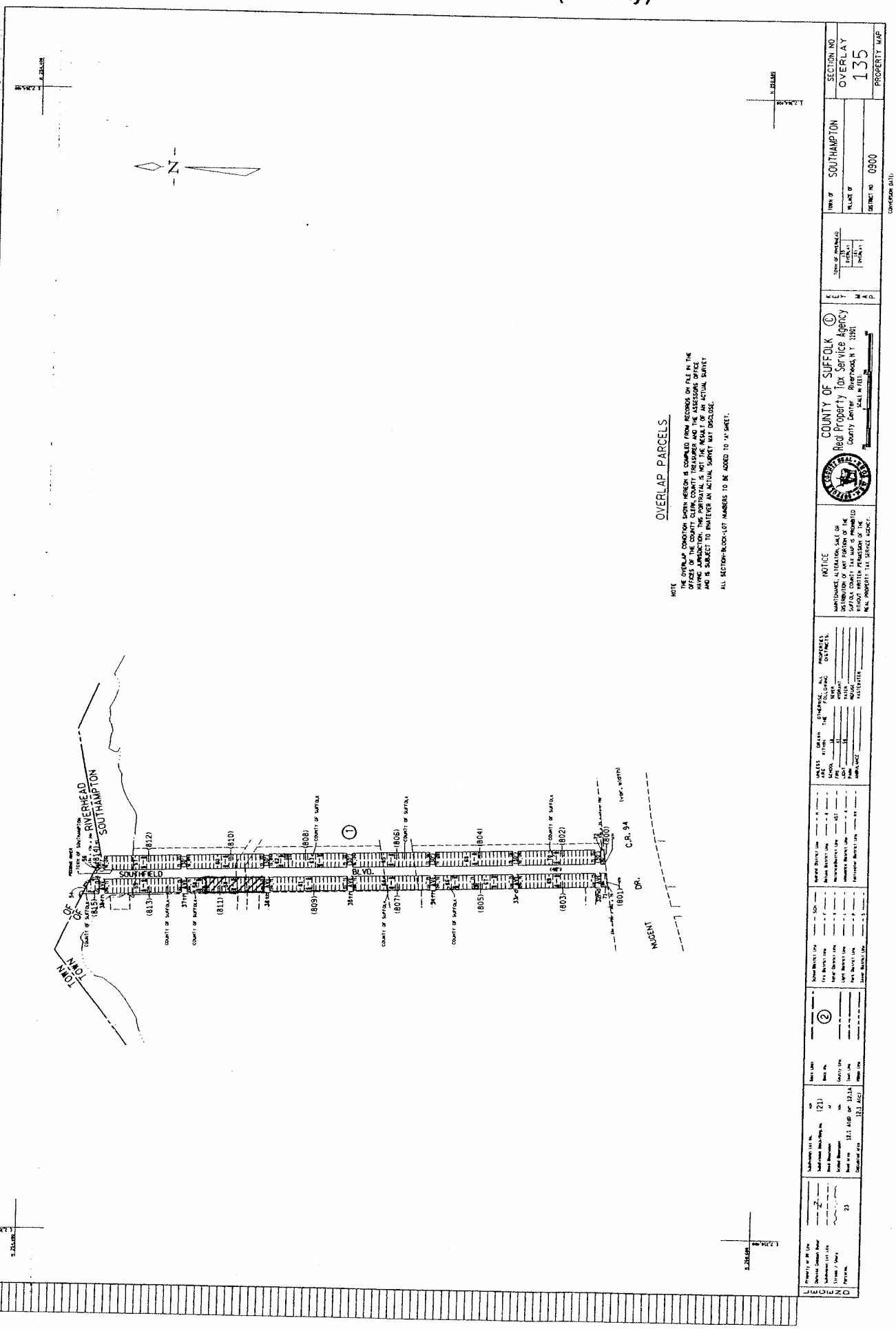
APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Exhibit A
0900-135.00-01.00-059.000 (Overlay)



1108

Exhibit A
0900-135.00-01.00-059.000

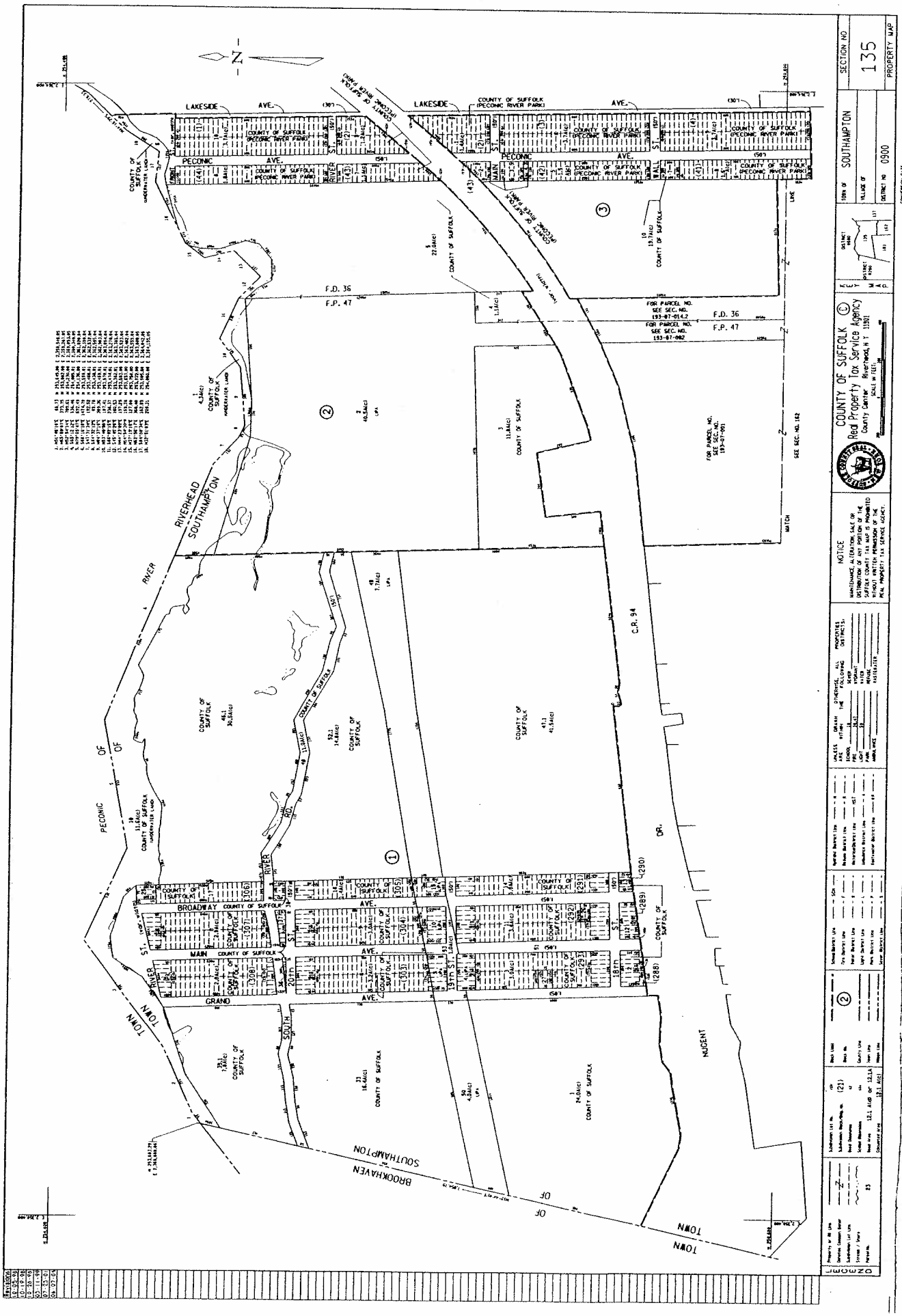


Exhibit B

1108

COUNTY OF SUFFOLK

COPY

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.
COMMISSIONER

November 19, 2007

Mr. Vincent Taldone
Riverhead Estates, Inc.
135 Northern Parkway
Riverhead, NY 11901

Subject: Board of Review Hearing ~ January 18, 2007
S09-06-0061 ~ Asher Lee Reserve II, w/s Flanders Blvd., 540 ft. s/o Tyler Street, Flanders – t/o Southampton – SCTM: 0900-14500-0300-017002, 017003

Dear Mr. Taldone:

Enclosed is a copy of the *amended* findings, recommendations and determination of the Board of Review concerning the subject application.

Based on the information submitted, the Board granted the request for variance/waiver with the provisions indicated in the determination.

The granting of this waiver does not imply that your application will be automatically approved. It is your responsibility to ensure that your application is complete; otherwise, your approval will be subject to unnecessary delay.

Very truly yours,

Stephen A. Costa, P.E., Chief Engineer
Chairman, Board of Review

Enclosure

C: Board of Review File ~ Yaphank
Ms. Patricia Floria, P.E. ~ Reviewer
Mr. Andrew Freleng ~ Planning Department
Ms. Lauretta Fischer ~ Planning Department

Public Health
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♦DIVISION OF ENVIRONMENTAL QUALITY ♦ BOARD OF REVIEW ♦ 360 YAPHANK AVENUE, SUITE 2B ♦ YAPHANK NY 11980♦
PHONE (631) 852-5801 FAX (631) 852-5825

Exhibit B

1108

SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES
DIVISION OF ENVIRONMENTAL QUALITY
BOARD OF REVIEW
ARTICLE 2, SECTION 220, SUFFOLK COUNTY SANITARY CODE

To: David G. Graham, M.D., M.P.H., Acting Commissioner

From: Stephen A. Costa, P.E., Chairman, Board of Review

Subject: Findings and Recommendations of the Review Board Regarding:
S09-06-0061 ~ Asher Lee Reserve II, w/s Flanders Blvd., 540 ft. s/o Tyle r Street, Flanders – t/o Southampton –
SCTM: 0900-14500-0300-017002, 017003

Hearing Date: January 18, 2007, Full Hearing
Board Members: Robert Farmer, P.E., Martin Trent
Reviewer: Patricia Floria, P.E.

Statement of Problem

Parcels served by individual sewage systems in Groundwater Management Zone 3 must have a minimum lot area of 40,000 square feet, or equivalent yield, in accordance with Article 6, §760-605, paragraphs A.4 and B.2 of the Suffolk County Sanitary Code. The applicant is proposing lot sizes less than 40,000 square feet.

Findings and Facts

1. The parcel to be subdivided is located in Groundwater Management Zone 3.

2. The parcel is depicted as two lots on the 1981 tax map. Tax lot 8 is approximately 4,437 square feet (sf), and lot 17 is approximately 22,000 sf.

3. The parcel size is 26,437 square feet (sf). It is proposed to subdivide the parcel into two lots at 12,000 sf and 14,437 sf. Average lot size is 13,218.5 sf.

4. The average lot size is 33% of the required lot size. The yield at density would be one residential lot.

5. Town zoning is CR-40 residence (40,000 sf). Neither of the original lots conforms to current town zoning and therefore the lots do not qualify for an exception under §760-609B of Article 6. The lots are also shown as 13 lots on the map of Riverhead Estates Block 1, Section C, but that map was filed in 1914 and is not recognized by the Department.

6. Sewage disposal will be via septic tank and leaching pools.

7. Depth to groundwater is 14 feet below existing grade.

8. Soils are acceptable with sandy clay from grade to 23 feet below and coarse sand thereafter. However, difficulties may be encountered since poor soils must be removed below groundwater.

9. The proposed lots will be connected to the public water supply serviced by Suffolk County Water Authority with a water main extension.

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SCTM: 0900-14500-0300-017002, 017003

10. The parcel is located in the Pine Barrens Compatible Growth Area. In approving the project, the Town of Southampton has required redemption of 0.40 Pine Barrens Credits.

11. The applicant claims to also have donated the lot identified as SCTM: 0900-14500-0300-014000 (tax lot 14) to the town in furtherance of this application. Tax lot 14 is a 4,000 sf parcel to the south of the proposed project.

12. The applicant is also offering to donate the parcel identified as SCTM: 0900-13500-0100-059000 to the county in furtherance of this project. This parcel is 22,500 sf in area, and is located in Flanders in Groundwater Management Zone 3.

13. The proposed sending lot does not appear on the 1981 tax maps, but instead appears to be located in parts of 1981 lots 32, 39 and South River Road. In the current tax maps, the parcel seems to be parts of lots 46.1, 52.1 and South River Road. However, there is in place an overlay map that does show tax lot 59. Except for several parcels on the overlay map, it appears that all other property in the vicinity belongs to the county.

14. The applicant has submitted a letter from the Suffolk County Planning Department strongly recommending that the county acquire the property to add to its park holdings. Town zoning is shown as R-40 Campgrounds, which, if similar to R-40 zoning would require minimum 40,000 sf lots, and it appears that Town zoning variance would be needed for lot area in order for the applicant to receive a full credit for the lot.

15. Although this specific parcel does not appear in the department's database of Pine Barrens parcels due to an apparent problem with the tax map overlay, all of the parcels in this tax map section are listed as being in the core area.

16. The applicant submitted the subject sending parcel to the Pine Barrens Credit Clearinghouse which has confirmed that the lot is located in the Pine Barrens Core Area. The applicant has requested a credit value determination which value depends on the zoning classification of the lot in 1991.

17. However, because of the tax map overlay problem, the applicant was advised by his attorney that the process to convert the lot to Pine Barrens credits would be a lengthy one and could result in a long project delay.

18. The applicant is paying property taxes on this lot.

19. The applicant is requesting that the Board of Review grant the application without adding additional Pine Barrens Credit requirements. The applicant proposes to donate the parcel to the county as open space instead.

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SCTM: 0900-14500-0300-017002, 017003

20. The applicant did not proceed to validate this parcel earlier because he was erroneously told by department staff that no variance was needed for the project and the residential permits could be approved by staff without the need for a realty development application or Board of Review hearing. However, this error was corrected by staff just prior to delivery of residential approvals to the applicant.

Determination

It was a 3 to 0 determination of the Board to grant the request for the variance, provided the following conditions are met:

- The applicant shall make appropriate arrangements to relinquish any claim on and transfer to the County of Suffolk, unconditionally in accordance with a procedure acceptable to the county attorney, at no cost, the lot identified as SCTM: 0900-13500-0100-059000. The applicant shall be responsible to make arrangements for the transfer and pay any administrative, legal and technical costs associated with the transfer.

The applicant has redeemed 0.4 Pine Barrens credits and has donated a small lot to the town. Additionally, the applicant is relinquishing any claim to a lot which at 20,000 sf is large enough to be credited for at least ½ Pine Barrens credit. The lot is in the Pine Barrens Core Area, and the Board usually does not accept lots in the core area except through the Pine Barrens redemption process. However, the Board is making an exception in this case, and only requiring a simple relinquishment of any ownership claims the applicant may have on the lot without an actual transfer of density because of the aforementioned overlay problem and the delay that would be caused by the accreditation of the lot and the disputed or split ownership with the county. Approval of this application will not affect the overall groundwater resource since equivalent parcels will be sterilized, which will compensate for the shortage in density. As per §760-609 of the Suffolk County Sanitary Code, the approval of the variance is in harmony with the general purpose and intent of the Sanitary Code to protect groundwater and drinking water supplies, surface water and other natural resources, and public health, safety and welfare. In compliance with §760-609(1)(a), the proposed variance is in general conformity with the Sanitary Code. The variance should not impair groundwater, surface water and drinking water supplies, and, as such, is consistent with criteria specified in §760-609(1)(b).

February 20, 2007
Amended November 19, 2007

Stephen A. Costa, P.E.
Chairman ~ Board of Review

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1108

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

DONATION AND DEDICATION OF CERTAIN LAND NOW OWNED BY RIVERHEAD ESTATES, INC. TO THE COUNTY OF SUFFOLK (S.C.T.M. NO. 0900-135.00-01.00-059.000)

3. Purpose of Proposed Legislation

To accept the donation of property within the Peconic River County Park in the Town of Southampton and dedicate them to the County Department of Parks, Recreation and Conservation for passive park use.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
N/A

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

8. Proposed Source of Funding
N/A

9. Timing of Impact
N/A

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Lauretta R. Fischer Principal Environmental Analyst		January 4, 2008

SCIN FORM 175b (10/95)

Gen D 1

COUNTY OF SUFFOLK

JAN 8 2008

1108

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES, A.I.C.P
DIRECTOR OF PLANNING

January 4, 2008

Mr. Ben Zwirn, Deputy County Executive
H. Lee Dennison Building – 11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is a proposed Introductory Resolution for the donation and dedication of the Riverhead Estates, Inc. property in the Town of Southampton. One overlay parcel is being donated, at no cost, totaling 0.52± acres and is situated within the Peconic River County Park (SH12) where the County has been acquiring properties for open space/environmental preservation purposes.

Please contact me if you require any additional information.

Sincerely,

Thomas A. Isles
Director

cc: Lauretta R. Fischer, Principal Environmental Analyst, Department of Planning
Carrie Meek Gallagher, Commissioner, Department of Environment and Energy
Christopher Kent, Director, Department of Environment and Energy, Division of Real Property Acquisition and Management
Janet Longo, Assistant to the Director, Department of Environment and Energy, Division of Real Property Acquisition and Management
Michael Amoroso, Bureau Chief, Department of Law
Brendan Chamberlain, County Executive Assistant
CE Reso Review (e-mail copy only)

LOCATION
H. LEE DENNISON BLDG. - 4TH FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5191
TELECOPIER (631) 853-4044

Intro Res. No. 1108 - 2008 Laid on Table 2/5/08
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008 DONATION AND DEDICATION OF CERTAIN LAND NOW OWNED BY RIVERHEAD ESTATES, INC. TO THE COUNTY OF SUFFOLK (S.C.T.M. NO. 0900-135.00-01.00-059.000)

WHEREAS, Riverhead Estates, Inc. is the owner of an environmentally sensitive property with no site or building improvements thereon located in the hamlet of Riverside, Town of Southampton; and

WHEREAS, said property, is an overlay parcel, totaling 0.52± acres and is currently in a natural state, within the Peconic River County Park (SH12) and within the Pine Barrens Core Area (Exhibit A); and

WHEREAS, the Suffolk County Department of Planning recommends that the County acquire this overlay parcel for groundwater and watershed protection purposes; and

WHEREAS, Riverhead Estates, Inc. has agreed to donate this property at no cost to the County of Suffolk for preservation purposes as part of a Suffolk County Department of Health Services Board of Review determination (File No. S09-06-0061) dated and amended on November 19, 2007, requiring the owner to relinquish its ownership of this parcel without an actual transfer of density due to its status as an overlay parcel (Exhibit B); and

WHEREAS, upon acceptance of this parcel from the donor, the Suffolk County Department of Environment and Energy, Division of Real Property Acquisition and Management shall transfer jurisdiction to the Suffolk County Department of Parks, Recreation and Conservation for passive recreational purposes; now, therefore be it

1ST RESOLVED, that the County of Suffolk hereby approves the donation of the subject property set forth below, as an environmentally sensitive land acquisition, at no cost to the County:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:	ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District 0900 Section 135.00 Block 01.00 Lot 059.000	0.52±	Riverhead Estates, Inc. 135 Northern Parkway Riverhead, NY 11901

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to accept this donation of overlay parcel(s) listed herein above from the reputed owner; and, be it further

3rd RESOLVED, that the Assessor of the Town of Southampton, and all other assessors having jurisdiction thereof, be and they are hereby directed to mark the assessment rolls of their jurisdiction to show that said properties are owned by the County of Suffolk and are hereby exempt from taxation and exempt from special ad valorem levies and special assessments to

the extent permitted by law pursuant to Section 406(1) of the New York Real Property Tax Law; and be it further

4th RESOLVED, that the Suffolk County Department of Environment and Energy, Division of Real Property Acquisition and Management shall transfer jurisdiction of said land to the Suffolk County Department of Parks, Recreation and Conservation for protection of environmentally sensitive lands/passive recreation purposes; and be it further

5th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

6th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

1.) the proposed action will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and

2.) the proposed use of the subject parcel(s) will be for protection of environmentally sensitive lands/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

7th RESOLVED, in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

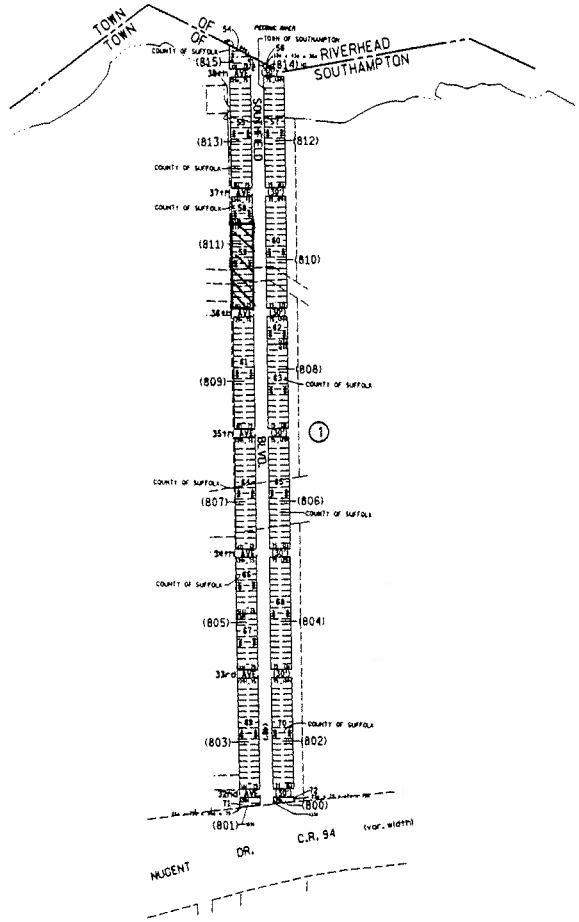
APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Revisions
09-20-99
06-20-01



N

OVERLAP PARCELS

NOTE

THE OVERLAP CONDITION SHOWN HEREON IS COMPILED FROM RECORDS ON FILE IN THE OFFICES OF THE COUNTY CLERK, COUNTY TREASURER AND THE ASSESSORS OFFICE HAVING JURISDICTION. THIS PORTRAYAL IS NOT THE RESULT OF AN ACTUAL SURVEY AND IS SUBJECT TO WHATEVER AN ACTUAL SURVEY MAY DISCLOSE.

ALL SECTION-BLOCK-LOT NUMBERS TO BE ADDED TO 'A' SHEET.

LEGEND

Property or PR Line	
General Common Owner	Z
Subdivision Lot Line	
Stream / Shore	
Parcels	23
Subdivision Lot No.	1LP
Subdivision Block/Bldg. No.	(21)
Block Dimension	42
Added Dimension	42h
Deed Area	12.1 A(D) or 12.1A
Calculated Area	12.1 A(C)
Block Limit	
Block No.	2
County Line	
Town Line	
Hamlet Line	
School District Line	SCH
Fire District Line	F
Refuse District Line	R
Light District Line	L
Park District Line	P
Sewer District Line	S
Hydrant District Line	H
Refuse District Line	R
Waterwaste District Line	HST
Ambulance District Line	A
Transmitter District Line	TR

UNLESS OTHERWISE, ALL PROPERTIES ARE DRAWN WITHIN THE FOLLOWING DISTRICTS:

SCHOOL	18	SEWER	
FIRE	61	HYDRANT	
LIGHT	50	WATER	
PARK		REFUSE	
AMBULANCE		WASTEWATER	

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

KEY MAP

TOWN OF RIVERHEAD
135 OVERLAY
161 OVERLAY

TOWN OF	SOUTHAMPTON
VILLAGE OF	
DISTRICT NO	0900
SECTION NO	OVERLAY 135
	PROPERTY MAP

CONVERSION DATE:

Exhibit A
0900-135.00-01.00-059.000 (Overlay)

108
Page 1 of 2

Exhibit A

0900-135.00-01.00-059.000

1108

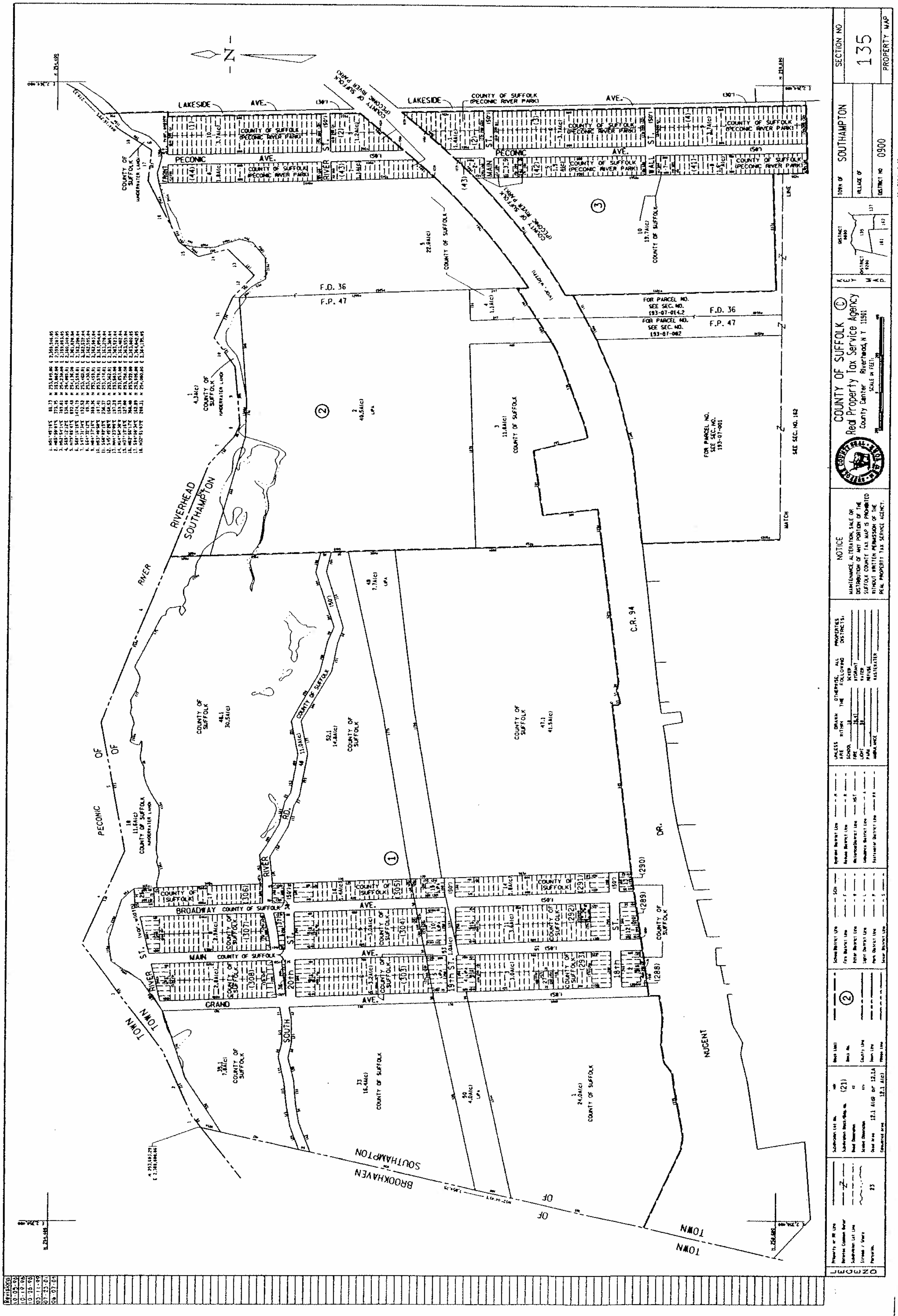


Exhibit B

1108

COUNTY OF SUFFOLK

COPY

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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DIVISION OF ENVIRONMENTAL QUALITY
BOARD OF REVIEW
ARTICLE 2, SECTION 220, SUFFOLK COUNTY SANITARY CODE

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From: Stephen A. Costa, P.E., Chairman, Board of Review

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February 20, 2007
Amended November 19, 2007

Stephen A. Costa, P.E.
Chairman ~ Board of Review

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1108

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
N/A

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

8. Proposed Source of Funding
N/A

9. Timing of Impact
N/A

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Lauretta R. Fischer Principal Environmental Analyst		January 4, 2008

SCIN FORM 175b (10/95)

Gen D 1

COUNTY OF SUFFOLK

JAN 8 2008

1108

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES, A.I.C.P
DIRECTOR OF PLANNING

January 4, 2008

Mr. Ben Zwirn, Deputy County Executive
H. Lee Dennison Building – 11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is a proposed Introductory Resolution for the donation and dedication of the Riverhead Estates, Inc. property in the Town of Southampton. One overlay parcel is being donated, at no cost, totaling 0.52± acres and is situated within the Peconic River County Park (SH12) where the County has been acquiring properties for open space/environmental preservation purposes.

Please contact me if you require any additional information.

Sincerely,

Thomas A. Isles
Director

cc: Lauretta R. Fischer, Principal Environmental Analyst, Department of Planning
Carrie Meek Gallagher, Commissioner, Department of Environment and Energy
Christopher Kent, Director, Department of Environment and Energy, Division of Real Property Acquisition and Management
Janet Longo, Assistant to the Director, Department of Environment and Energy, Division of Real Property Acquisition and Management
Michael Amoroso, Bureau Chief, Department of Law
Brendan Chamberlain, County Executive Assistant
CE Reso Review (e-mail copy only)

LOCATION
H. LEE DENNISON BLDG. - 4TH FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5191
TELECOPIER (631) 853-4044

Intro. Res. No. 1109 2008 Laid on Table 2/5/08
Introduced by the Presiding Officer on request of the County Executive and Legislator Schneiderman

RESOLUTION NO. -2008, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY OPEN SPACE PRESERVATION PROGRAM – FOR THE BAYNE ESTATE PROPERTY – MILLER PLACE/YAPHANK ROAD NP ADDITION (TOWN OF BROOKHAVEN – SCTM#0200-188.00-04.00-016.000)

WHEREAS, Resolution No. 762-1986 established a Capital Budget and Program for the acquisition of land designated as the Open Space Preservation Program and appropriated sixty million dollars ($60,000,000.00) in connection therewith; and

WHEREAS, subsequent resolutions have been adopted to increase funding for the Open Space Preservation Program; and

WHEREAS, any of these proposed acquisitions shall be consummated in accordance with and subject to the provisions of Resolution 762-1986 establishing and outlining the role of the Board of Trustees of the Department of Parks, Recreation and Conservation in connection with such Open Space acquisitions; and

WHEREAS, Resolution No. 877-2005 authorized planning steps for acquisition of the subject property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; and, therefore, be it

WHEREAS, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and 877-2005 – Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s) as described in the 1st Resolved is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively;

1ST RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below for acquisition under the Suffolk County Open Space Preservation Program for a total purchase price of Five Thousand Dollars ($5,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title report and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	0.045±	Estate of Leonard Bayne,
	Section	188.00		Bridgett Hyatt, Executor
	Block	04.00		1795 Shamrock Avenue
	Lot	016.000		Santa Clara, CA 95051

; and be it further

2nd **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Open Space Preservation Program, for a purchase price of Five Thousand Dollars ($5,000.00), subject to a final survey; and, be it further

3rd **RESOLVED,** that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $5,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7144.213, Suffolk County Open Space Preservation Program, for this acquisition; and, be it further

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

5th **RESOLVED,** that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

6th **RESOLVED,** that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already be issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Gen b 2

COUNTY OF SUFFOLK

JAN 8 2008

1109

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER
CHRISTOPHER E. KENT
DIRECTOR

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

January 3, 2008

Mr. Ben Zwirn, Asst. Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Bayne Estate (Miller Place/Yaphank Road NP Addition) property, in the Town of Brookhaven, under the Suffolk County Open Space Preservation Program. The purchase price is $5,000.00 for 0.045± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

CEK:pd
Att.
cc: Jeff Szabo, Deputy County Executive
Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
Thomas A. Isles, Director, Planning Department
Janet M. Longo, Acquisition Supervisor
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
Tom Vaughn, County Executive Assistant
Brendan Chamberlain, County Executive Assistant
Phyllis Benincasa, Acquisition Agent
CE Reso Review (e-mail copy only)

LOCATION
H. LEE DENNISON BLDG. - 2nd Floor
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5900
Fax (631) 853-5906
Fax (631) 853-5905

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1109

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the Suffolk County Open Space Preservation Program, of the Bayne Estate property (Miller Place/Yaphank Road NP Addition), SCTM#0200-188.00-04.00-016.000, (Town of Brookhaven).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

N/A

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

N/A

8. Proposed Source of Funding

Suffolk County Open Space Preservation Program

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Janet M. Longo Acquisition Supervisor	Janet Longo	January 3, 2008

SCIN FORM 175b (10/95)

Intro. Res. No. 1110 2008 Laid on Table 2/5/08
Introduced by the Presiding Officer on request of the County Executive and Legislator Losquadro

RESOLUTION NO. -2008, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY OPEN SPACE PRESERVATION PROGRAM – FOR THE MCLAUGHLIN PROPERTY – MILLER PLACE/YAPHANK ROAD NP ADDITION (TOWN OF BROOKHAVEN – SCTM#0200-213.00-01.00-007.000)

WHEREAS, Resolution No. 762-1986 established a Capital Budget and Program for the acquisition of land designated as the Open Space Preservation Program and appropriated sixty million dollars ($60,000,000.00) in connection therewith; and

WHEREAS, subsequent resolutions have been adopted to increase funding for the Open Space Preservation Program; and

WHEREAS, any of these proposed acquisitions shall be consummated in accordance with and subject to the provisions of Resolution 762-1986 establishing and outlining the role of the Board of Trustees of the Department of Parks, Recreation and Conservation in connection with such Open Space acquisitions; and

WHEREAS, Resolution No. 877-2005, authorized planning steps for acquisition of the subject property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; and, therefore, be it

WHEREAS, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and 877-2005 – Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s) as described in the 1st Resolved is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively;

1ST RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below for acquisition under the Suffolk County Open Space Preservation Program for a total purchase price of Twenty Thousand Dollars ($20,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title report and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	0.18±	J. Stewart McLaughlin
	Section	213.00		350 East Main Street
	Block	01.00		Bay Shore, NY 11706
	Lot	007.000		

; and be it further

2nd **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Open Space Preservation Program, for a purchase price of Twenty Thousand Dollars ($20,000.00), subject to a final survey; and, be it further

3rd **RESOLVED,** that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $20,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7144.213, Suffolk County Open Space Preservation Program, for this acquisition; and, be it further

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

5th **RESOLVED,** that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

6th **RESOLVED,** that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already be issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Gen B3

COUNTY OF SUFFOLK

JAN 8 2008

1110

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER
CHRISTOPHER E. KENT
DIRECTOR

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

January 3, 2008

Mr. Ben Zwirn, Asst. Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the McLaughlin property (Miller Place/Yaphank Road NP Addition), in the Town of Brookhaven, under the Suffolk County Open Space Preservation Program. The purchase price is $20,000.00 for 0.18± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

CEK:pd
Att.
cc: Jeff Szabo, Deputy County Executive
Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
Thomas A. Isles, Director, Planning Department
Janet M. Longo, Acquisition Supervisor
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
Tom Vaughn, County Executive Assistant
Brendan Chamberlain, County Executive Assistant
Phyllis Benincasa, Acquisition Agent
CE Reso Review (e-mail copy only)

LOCATION
H. LEE DENNISON BLDG. - 2nd Floor
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5900
Fax (631) 853-5906
Fax (631) 853-5905

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1110

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the Suffolk County Open Space Preservation Program, of the McLaughlin property (Miller Place/Yaphank Road NP Addition), SCTM#0200-213.00-01.00-007.000, (Town of Brookhaven).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

N/A

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

N/A

8. Proposed Source of Funding

Suffolk County Open Space Preservation Program

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Janet M. Longo Acquisition Supervisor	Janet Longo	January 3, 2008

SCIN FORM 175b (10/95)

Intro. Res. No. 1111 - 2008 Laid on Table 2/5/08
Introduced by the Presiding Officer on request of the County Executive and Legislator Mystal

RESOLUTION NO. -2008 AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12- 5(E)(1)(a)] – FOR THE HOLDER PROPERTY – CARLLS RIVER WATERSHED ADDITION (TOWN OF BABYLON - SCTM#0100-041.00-03.00-021.000)

WHEREAS, Article XII of the SUFFOLK COUNTY CHARTER established the Old Suffolk County Drinking Water Protection Program, as amended and effective as of November 30, 2000, the first priority of which being the acquisition of qualified lands to be funded by revenues generated by the quarter percent (1/4%) sales and compensating use tax; and

WHEREAS, in compliance with Sections C12-3(B) and (C) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, prior to the Division Director of the Division of Real Property Acquisition and Management entering into any negotiations for the acquisition of, and consummation of acquisition of any such parcel, the Board of Trustees of the Department of Parks, Recreation and Conservation shall review and recommend its acquisition; and

WHEREAS, adequate funding is provided for, under the Old Suffolk County Drinking Water Protection Program, pursuant to Section C12-5(E)(1)(a) of Article XII of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000,for the acquisition of such land; and

WHEREAS, Resolution No. 877-2005, authorized planning steps for the acquisition of the subject property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; now, therefore, be it

WHEREAS, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and 877-2005 – Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s) as described in the 1st Resolved is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively;

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(a), as amended and effective as of November 30, 2000, for a total purchase price of Fifty Thousand Dollars ($50,000.00±), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0100	0.33±	Ira S. and Gladys Holder
	Section	041.00		768 Norstrand Avenue
	Block	03.00		Uniondale, NY 11533
	Lot	021.000		

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Fifty Thousand Dollars ($50,000.00), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $50,000.00, subject to a final survey, from previously appropriated funds in MY-176-LAW-GDHI under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and, be it further

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

5th RESOLVED, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreation use; and, be it further

6th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already be issued in Suffolk County Resolution No. 1083-2007.

DATE:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

111

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law ____

2. Title of Proposed Legislation

Authorizing the acquisition under the Old Suffolk County Drinking Water Protection Program, of the Holder property (Carlls River Watershed), SCTM#0100-041.00-03.00-021.000, (Town of Babylon).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

N/A

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

N/A

8. Proposed Source of Funding

Old Suffolk County Drinking Water Protection Program

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Janet M. Longo Acquisition Supervisor	Janet Longo	January 18, 2008

SCIN FORM 175b (10/95)

Gen D 4

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER
CHRISTOPHER E. KENT
DIRECTOR

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

January 18, 2008

Mr. Ben Zwirn, Asst. Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Holder property (Carlls River Watershed Addition), in the Town of Babylon, under the Old Suffolk County Drinking Water Protection Program. The purchase price is $50,000.00 for 0.33± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

CEK:pd
Att.
cc: Jeff Szabo, Deputy County Executive
Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
Thomas A. Isles, Director, Planning Department
Janet M. Longo, Acquisition Supervisor
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
Tom Vaughn, County Executive Assistant
√ Brendan Chamberlain, County Executive Assistant
Phyllis Benincasa, Acquisition Agent
CE Reso Review (e-mail copy only)

LOCATION
H. LEE DENNISON BLDG. - 2nd Floor
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5900
Fax (631) 853-5906
Fax (631) 853-5905

1112

Intro. Res. No. -2008 Laid on Table 2/5/08

Introduced by the Presiding Officer on request of the County Executive and Legislator Romaine

RESOLUTION NO. –2008 AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM - FOR THE CRYSTAL BAY CONSTRUCTION, INC. PROPERTY (TOWN OF RIVERHEAD – SCTM#0600-127.00-07.00-012.000 & 0600-129.00-06.00-017.000)

WHEREAS, the 5th RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution 751-1997; pursuant to the traditional Suffolk County Open Space Program; pursuant to Chapter 8 of the SUFFOLK COUNTY CODE; 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, Resolution No. 277-2007 appropriated $11,833,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

WHEREAS, Resolution No. 1324-2006 authorized planning steps for acquisition of the subject property; and

WHEREAS, the Town of Riverhead has approved Resolution No 1095-2007 on November 20, 2007, amended by Resolution No. 53-2008 on January 10, 2008, authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; now, therefore, be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to the traditional Suffolk County Open Space Preservation Program (1986 et seq), for a total purchase price of One Million Six Hundred Ten Thousand Dollars ($1,610,000.00), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling One Million One Hundred Twenty Seven Thousand Dollars ($1,127,000.00) for a seventy percent (70%) undivided interest; and the Town's share, totaling Four Hundred Eighty Three Thousand Dollars ($483,000.00), for a thirty percent (30%) undivided interest, as tenants-in-common, subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0600	7.72±	Crystal Bay Construction, Inc.
	Section	127.00		5014 Expressway Drive South
	Block	07.00		Ronkonkoma, NY 11779
	Lot	012.000		
No. 2	District	0600		
	Section	129.00		
	Block	06.00		
	Lot	017.000		

; and, be it further

2nd **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for the County's portion of the purchase price of One Million One Hundred Twenty Seven Thousand Dollars ($1,127,000.00), subject to a final survey; and, be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $1,127,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177.227, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and, be it further

4th **RESOLVED,** that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, with the County of Suffolk owning a seventy percent (70%) undivided interest and the Town owning a thirty percent (30%) undivided interest; and, be it further

5th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such other actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports, and environmental audits, making tax adjustments, and executing such other documents as are required to acquire such County interest in said lands; and, be it further

6th **RESOLVED,** that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

7th **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management is hereby authorized to negotiate and enter into any necessary collateral agreements with the Town to effectuate the terms of the resolution; and, be it further

8th **RESOLVED,** if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation, is hereby authorized to negotiate and enter into a municipal

cooperative agreement with the Town for the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department of Parks, Recreation and Conservation, who is charged with the management and operation of said property; and, be it further

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

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

1.) the proposed action will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and

2.) the proposed use of the subject parcel(s) will be passive recreation.

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

11th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

11/20/07

1112 Adopted

TOWN OF RIVERHEAD

Resolution # 1095

ACCEPTS OFFER OF SALE OF REAL PROPERTY LOCATED IN THE TOWN OF RIVERHEAD KNOWN AS RIVERSIDE MEADOWS (Property Owners: Crystal Bay Construction, Inc.)

COUNCILMAN BARTUNEK offered the following resolution, was seconded by COUNCILMAN DENSIESKI:

WHEREAS, the Open Space Committee ("the Committee") has received an offer for the sale of a parcel of real property from Crystal Bay Construction, Inc., on approximately 7.7158 acres of their agricultural lands located on the n/s of Riverside Drive, e/o East Main Street, Riverhead, New York, at $230,000.00 per acre, further described as Suffolk County Tax Map #0600-129.00-06.00-017.000 and 0600-127.00-07.00-012.000, to the Town of Riverhead; and

WHEREAS, the Committee has commissioned an appraisal of the value of the subject real property; and

WHEREAS, the Committee has assessed the subject real property with respect to the criteria provided in Chapter 14 of the Code of the Town of Riverhead and has formally recommended that the Town Board of the Town of Riverhead consider the purchase of this property; and

WHEREAS, the Town Board has carefully considered the merits of the offer of sale, the appraisal of Rogers & Taylor Appraisers, Inc., the report of the Open Space Committee, the criteria set forth in Chapter 14 of the Code of the Town of Riverhead and all other pertinent planning, zoning and environmental information; and

WHEREAS, the Town Board finds that the acquisition of the subject parcel is the best alternative for the protection of community character of all reasonable alternatives available to the Town, and

WHEREAS, the County of Suffolk and the Town of Riverhead are desirous of sharing the cost of purchasing said real property, and

WHEREAS, the County of Suffolk will acquire a seventy percent (70%) undivided interest in and to the premises, and the Town of Riverhead will acquire a thirty percent (30%) undivided interest in and to the premises, as tenants in common,

1112

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby accepts the offer of sale of open space from the subject real property of Crystal Bay Construction, Inc., pursuant to Chapter 14 and Chapter 44, Section 44-5B(2) of the Code of the Town of Riverhead, and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract, deed and other closing documents necessary for purchase of the subject property in an amount not to exceed two hundred thirty thousand dollars ($230,000.00) per acre and authorizes the Town Attorney to order a survey and title report for the subject real property and directs the Accounting Department to set up a budget, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Michael Strauss, Esq., 1303 Main Street, Suite 4, Port Jefferson, New York 11777-2217; the Open Space Committee; Peconic Land Trust, Attn: Laura Fischer, 296 Hampton Road, P.O. Box 1776, Southampton, New York, 11969; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Town Attorney's Office.

THE VOTE

Bartunek	☒ Yes	☐ No	Dunleavy	☒ Yes	☐ No
Blass	☒ Yes	☐ No	Densieski	☒ Yes	☐ No
Cardinale	☒ Yes	☐ No			

The Resolution ☒ Was ☐ Was Not
Thereupon Duly Declared Adopted

1112

Adopted

1/10/08

TOWN OF RIVERHEAD

Resolution # 53

AMENDS RESOLUTION NO. 1095 ADOPTED AT THE NOVEMBER 20, 2007 TOWN BOARD MEETING

COUNCILMAN WOOTEN offered the following resolution, was seconded by COUNCILWOMAN BLASS:

WHEREAS, the Open Space Committee ("the Committee") has received an offer from Crystal Bay Construction, Inc., for the sale of 7 building lots, totaling approximately 7.7158 acres, located on the n/s of Riverside Drive, e/o East Main Street, Riverhead, New York, at $230,000.00 per building lot, further described as Suffolk County Tax Map #0600-129.00-06.00-017.000 and 0600-127.00-07.00-012.000, to the Town of Riverhead; and

WHEREAS, the Committee has commissioned an appraisal of the value of the subject real property; and

WHEREAS, the Committee has assessed the subject real property with respect to the criteria provided in Chapter 14 of the Code of the Town of Riverhead and has formally recommended that the Town Board of the Town of Riverhead consider the purchase of this property; and

WHEREAS, the Town Board has carefully considered the merits of the offer of sale, the appraisal of Rogers & Taylor Appraisers, Inc., the report of the Open Space Committee, the criteria set forth in Chapter 14 of the Code of the Town of Riverhead and all other pertinent planning, zoning and environmental information; and

WHEREAS, the Town Board finds that the acquisition of the subject parcel is the best alternative for the protection of community character of all reasonable alternatives available to the Town, and

WHEREAS, the County of Suffolk and the Town of Riverhead are desirous of sharing the cost of purchasing said real property, and

WHEREAS, the County of Suffolk will acquire a seventy percent (70%) undivided interest in and to the premises, and the Town of Riverhead will acquire a thirty percent (30%) undivided interest in and to the premises, as tenants in common,

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby accepts the offer of sale of open space from the subject real property of Crystal

1112

Bay Construction, Inc., pursuant to Chapter 14 and Chapter 44, Section 44-5B(2) of the Code of the Town of Riverhead, and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract, deed and other closing documents necessary for purchase of the subject property in an amount not to exceed two hundred thirty thousand dollars ($230,000.00) per building lot and authorizes the Town Attorney to order a survey and title report for the subject real property and directs the Accounting Department to set up a budget, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Michael Strauss, Esq., 1303 Main Street, Suite 4, Port Jefferson, New York 11777-2217; the Open Space Committee; Peconic Land Trust, Attn: Laura Fischer, 296 Hampton Road, P.O. Box 1776, Southampton, New York, 11969; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Town Attorney's Office.

THE VOTE

Buckley	☒ Yes	☐ No	Dunleavy	☒ Yes	☐ No
Blass	☒ Yes	☐ No	Wooten	☒ Yes	☐ No
Cardinale	☒ Yes	☐ No			

The Resolution ☒ Was ☐ Was Not
Thereupon Duly Declared Adopted

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1112

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the Suffolk County Multifaceted Land Preservation Program, of the Crystal Bay Construction, Inc. property, SCTM#0600-127.00-07.00-012.000 & 0600-129.00-06.00-017.000, (Town of Riverhead).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

N/A

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

N/A

8. Proposed Source of Funding

Suffolk County Multifaceted Land Preservation

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Janet M. Longo Acquisition Supervisor	Janet Longo	January 3, 2008

SCIN FORM 175b (10/95)

Gen DS

COUNTY OF SUFFOLK

JAN 11 2008

1112

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER
CHRISTOPHER E. KENT
DIRECTOR

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

January 3, 2008

Mr. Ben Zwirn, Asst. Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Crystal Bay Construction, Inc. property, in the Town of Riverhead, under the Suffolk County Multifaceted Land Preservation Program-Open Space. The purchase price is $1,610,000.00, of which the County of Suffolk's share will be $1,127,000.00 for 7.72± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

CEK:pd
Att.
cc: Jeff Szabo, Deputy County Executive
Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
Thomas A. Isles, Director, Planning Department
Janet M. Longo, Acquisition Supervisor
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
Tom Vaughn, County Executive Assistant
Brendan Chamberlain, County Executive Assistant
Phyllis Benincasa, Acquisition Agent
CE Reso Review (e-mail copy only)

LOCATION
H. LEE DENNISON BLDG. - 2nd Floor
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5900
Fax (631) 853-5906
Fax (631) 853-5905

Intro. Res. No. -2008 1113-08 Laid on Table 2/5/08
Introduced by the Presiding Officer, on request of the County Executive

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW REFINING VETERANS PROPERTY TAX EXEMPTION AFFORDED TO COLD WAR VETERANS

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2008 a proposed local law entitled **"A LOCAL LAW REFINING VETERANS PROPERTY TAX EXEMPTION AFFORDED COLD WAR VETERANS"** 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 as follows:

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

A LOCAL LAW REFINING VETERANS PROPERTY TAX EXEMPTION AFFORDED TO COLD WAR VETERANS

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Local Law 37-2007 established a Suffolk County tax exemption for Cold War veterans under state legislation authorizing counties, towns, villages and cities to establish a real property tax exemption for Cold War veterans, their spouses or unremarried spouses. After enactment of Local Law 37-2007, the state law was amended to alter the Cold War veterans' exemption.

Therefore, the purpose of this law is to amend Local Law 37-2007 to conform the criteria for the Suffolk County Cold War veterans' tax exemption to New York State law to assist eligible Cold War veterans to receive the real property tax exemption.

Section 2. Amendments.

Section 2 of Local Law 37-2007 is hereby amended to read as follows:

Section 2. Amendments.

* * * *

§ 458-22. Definitions.

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

COLD WAR VETERAN—A person who served on active duty [for a period of more than 365 days] in the United States Army, Navy, Marine Corps, Air Force or Coast Guard, during the time period from September 2, 1945 to December 26, 1991, who was discharged or released therefrom under honorable conditions [and has been awarded the Cold War recognition certificate under the National Defense Authorization Act].

* * * *

Section 3. Applicability.

This law shall apply to any 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 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) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (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

1113

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: **JANUARY 30, 2008**

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 REFINING VETERANS PROPERTY TAX EXEMPTION AFFORDED TO COLD WAR VETERANS**

SPONSOR: **PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE**

DATE OF RECEIPT BY COUNSEL: 1/30/2008 **PUBLIC HEARING:** 3/4/2008

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

This proposed local law would amend Local Law 37-2007, which established a property tax exemption for Cold War Veterans in Suffolk County.

Specifically, the proposed local law would amend the definition of "Cold War Veteran", consistent with an amendment of the New York Real Property Law that was recently enacted by the State Legislature. The new definition of Cold War Veteran would be person who served on active duty in the United States Army, Navy, Marine Corps, Air Force or Coast Guard, during the time period from September 2, 1945 to December 26, 1991, who was discharged or released therefrom under honorable conditions.

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

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-tax-exemption-cold-war-veterans

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1113

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

ADOPTING LOCAL LAW ____ - 2008, A LOCAL LAW REFINING VETERANS PROPERTY TAX EXEMPTION AFFORDED TO COLD WAR VETERANS.

3. Purpose of Proposed Legislation

CONFORM THE CRITERIA FOR SUFFOLK COUNTY COLD WAR VETERAN'S TAX EXEMPTION TO NEW YORK STATE LAW TO ASSIST ELIGIBLE CLOLD WAR VETERANS TO RECEIVE THE REAL PROPERTY TAX EXEMPTION.

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): Community College**
Library District	**Fire District**	

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

THIS RESOLUTION WILL HAVE NO DIRECT FINANCIAL IMPACT. THERE IS NO NET EFFECT ON THE OPERATING BUDGET.

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

N/A

8. Proposed Source of Funding

Budget revenue will be received from the ten towns per the tax warrants

9. Timing of Impact

UPON ADOPTION OF LOCAL LAW

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Allen M. Kovesdy Director of Management and Research		January 30, 2008

SIN FORM 175b (10/95)

FINANCIAL IMPACT
2007 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1113

GENERAL FUND

TOWN	2007 PROPERTY TAX LEVY	2007 COST TO AVG TAXPAYER	2007 AV TAX RATE PER $100	2007 FEV TAX RATE PER $1000
BABYLON	$0	$0.00	$0.000	$0.000
BROOKHAVEN	$0	$0.00	$0.000	$0.000
E. HAMPTON	$0	$0.00	$0.000	$0.000
HUNTINGTON	$0	$0.00	$0.000	$0.000
ISLIP	$0	$0.00	$0.000	$0.000
RIVERHEAD	$0	$0.00	$0.000	$0.000
SHELTER ISLAND	$0	$0.00	$0.000	$0.000
SMITHTOWN	$0	$0.00	$0.000	$0.000
SOUTHAMPTON	$0	$0.00	$0.000	$0.000
SOUTHOLD	$0	$0.00	$0.000	$0.000
TOTAL		**$0.00**		$0.000

POLICE DISTRICT AND DISTRICT COURT

TOWN	2007 PROPERTY TAX LEVY	2007 COST TO AVG TAXPAYER	2007 AV TAX RATE PER $100	2007 FEV TAX RATE PER $1000
BABYLON	$0	$0.00	$0.000	$0.000
BROOKHAVEN	$0	$0.00	$0.000	$0.000
E. HAMPTON	$0	$0.00	$0.000	$0.000
HUNTINGTON	$0	$0.00	$0.000	$0.000
ISLIP	$0	$0.00	$0.000	$0.000
RIVERHEAD	$0	$0.00	$0.000	$0.000
SHELTER ISLAND	$0	$0.00	$0.000	$0.000
SMITHTOWN	$0	$0.00	$0.000	$0.000
SOUTHAMPTON	$0	$0.00	$0.000	$0.000
SOUTHOLD	$0	$0.00	$0.000	$0.000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

TOWN	2007 PROPERTY TAX LEVY	2007 COST TO AVG TAXPAYER	2007 AV TAX RATE PER $100	2007 FEV TAX RATE PER $1000
BABYLON	$0	$0.00	$0.000	$0.000
BROOKHAVEN	$0	$0.00	$0.000	$0.000
E. HAMPTON	$0	$0.00	$0.000	$0.000
HUNTINGTON	$0	$0.00	$0.000	$0.000
ISLIP	$0	$0.00	$0.000	$0.000
RIVERHEAD	$0	$0.00	$0.000	$0.000
SHELTER ISLAND	$0	$0.00	$0.000	$0.000
SMITHTOWN	$0	$0.00	$0.000	$0.000
SOUTHAMPTON	$0	$0.00	$0.000	$0.000
SOUTHOLD	$0	$0.00	$0.000	$0.000
TOTAL	**$0**	**$0.00**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2005.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2005-2006.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2005 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Introductory Resolution No. 1114-08 Laid on Table 2/5/08

Introduced by Presiding Officer Lindsay on request of County Executive Steve Levy

RESOLUTION NO. -2008
AUTHORIZING THE TRANSFER OF CERTAIN PROPERTIES TO SUFFOLK COUNTY DEPARTMENT OF PARKS, RECREATION AND CONSERVATION

WHEREAS, the COUNTY OF SUFFOLK is the owner of certain real property, surplus to its needs, described in Exhibit A attached hereto and made a part hereof; and

WHEREAS, these parcels, as shown on aforesaid Exhibit A have been identified by the Suffolk County Planning Department and Suffolk County Department of Parks, Recreation and Conservation and Division of Real Property Acquisition and Management as containing or are directly adjacent stream corridor systems and their associated tidal and/or freshwater wetlands as well as under water lands; or are adjacent or associated with presently existing Suffolk County Parkland/Nature Preserve; and

WHEREAS, as a result thereof the jurisdiction of said parcels should be transferred to the Suffolk County Department of Parks, Recreation and Conservation in order to become part of said Suffolk County Parkland; and

WHEREAS, if it is found that such properties shown on Exhibit A, once transferred or dedicated, have created a landlocked parcel or parcels, or denied access to such parcel or parcels, such portion of the dedication was inadvertent, and it is the intention of the Suffolk County Legislature not to dedicate such land to Suffolk County Parks system and/or Nature Preserve as may be required to maintain access and to prevent said properties from being either landlocked or having access denied thereto; and

WHEREAS, it is not the intention of the Suffolk County Legislature to grant rights to adjacent property owners that did not exist at the time of this dedication; and

WHEREAS, Section 406, Real Property Law provides that municipal real property held on public use shall be free of taxation; now, therefore, be it

1st **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, be authorized to transfer to the Suffolk County Department of Parks, Recreation and Conservation, No Number Montauk Highway, Sayville, New York, the interest of Suffolk County in the above described properties for the above stated reasons and purpose; and be it further

2nd **RESOLVED**, that in the event that it is determined that an abutting property becomes landlocked, or access is denied thereto, such occurrence was not the intention of this dedication, and the Suffolk County Legislature shall provide such easements and/or rights-of-way as it deems just and property to effectuate the intent of this resolution, without the necessity of a mandatory referendum, solely by a duly adopted resolution by a majority of its members; and be it further

3rd **RESOLVED**, that said parcel (s) are held in public use and free of taxation under Section 406 (1) New York Real Property Tax Law and the assessor of the Town of Babylon, Brookhaven, East Hampton, Huntington, Islip, Riverhead, Smithtown, Southampton and Southold and all other assessors having jurisdiction thereof, be and they hereby are directed to mark the assessment rolls of their jurisdiction to show that said property is owned by the County of Suffolk and is exempt from taxation and exempt from special ad valorem levies and special assessments to the extent permitted by law, and further that the Clerk of the Legislature shall transmit a copy of this resolution to the a fore stated assessors for this purpose; and be it further,

4th **RESOLVED,** that the designation of such property to the Suffolk County Department of Parks, Recreation and Conservation is a Type II action under the provisions of Title 6 NYCRR Part 617.5 (c) (20), routine or continuing agency administration, with no further environmental review necessary.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

EXHIBIT 'A'
Parks Dedication

D S B L	Rationale	ACQ	LIBER	PAGE	ACERAGE
0100 08300 0200 014000	Carlls River County Park	07-10-03	12260	584	0.45
0100 08300 0200 069001	Carlls River County Park	07-10-03	12260	584	0.22
0100 08300 0200 069002	Carlls River County Park	07-10-03	12260	584	0.22
0100 08400 0100 014000	Carlls River County Park	07-10-03	12260	584	0.39
0100 08400 0100 015000	Carlls River County Park	07-10-03	12260	584	0.58
0101 00800 0300 060000	Ketchum Creek County Wetlands	06-09-05	12392	121	0.06
0200 20300 0200 002001	Columbus Ave. County Nature Preserve	09-02-04	12341	445	0.14
0200 29700 0100 011001	Robert C. Murphy County Park	09-02-04	12341	445	0.23
0200 32700 0400 036000	Pine Trail County Nature Preserve	08-15-05	12403	637	0.40
0200 32700 0400 050000	Pine Trail County Nature Preserve	08-15-05	12403	637	0.46
0200 41100 0500 003001	Robert C. Murphy County Park- Core	09-02-04	12341	445	0.50
0200 41100 0500 004001	Robert C. Murphy County Park- Core	09-02-04	12341	445	0.50
0200 41100 0500 009001	Robert C. Murphy County Park- Core	09-02-04	12341	445	0.50
0200 41100 0500 010001	Robert C. Murphy County Park- Core	09-02-04	12341	445	0.49
0200 41100 0500 015004	Robert C. Murphy County Park- Core	09-02-04	12341	445	0.50
0200 41100 0500 016002	Robert C. Murphy County Park- Core	09-02-04	12341	445	0.50
0200 41300 0200 045000	Manorville Pine Barrens-Core	09-02-04	12341	445	0.15
0200 41300 0200 047000	Manorville Pine Barrens-Core	09-02-04	12341	445	0.12
0200 51100 0500 010000	Manorville Pine Barrens-Core	09-02-04	12341	445	0.78
0200 52800 0200 045000	Warbler Woods County Park-Core	09-02-04	12341	445	0.14
0200 52900 0500 017000	Warbler Woods County Park-Core	08-15-05	12403	637	0.18
0200 53000 0700 049000	Warbler Woods County Park-Core	08-15-05	12403	637	0.18
0200 56100 0300 021001	Manorville Vistas County Nature Preserve	09-02-04	12341	445	0.23
0200 61700 0300 042000	Manor-Yaphank Road County Nature Preserve	12-10-04	12362	673	0.12

EXHIBIT 'A'
Parks Dedication

D S B L	Rationale	ACQ	LIBER	PAGE	ACERAGE
0200 74400 0300 013000	Southaven County Park	08-15-05	12403	637	0.09
0200 75000 0600 022000	Forge River County Park	07-12-01	12139	300	0.46
0200 75000 0600 023000	Forge River County Park	03-01-88	10551	549	0.14
0200 78700 0700 002000	Forge River County Park	07-06-95	11731	977	0.23
0200 82400 0700 047001	Forge River County Park	01-31-03	12233	236	0.22
0200 90200 0300 020000	Beaverdam Creek County Wetlands	09-02-04	12341	445	0.09
0200 90200 0300 021000	Beaverdam Creek County Wetlands	09-02-04	12341	445	0.37
0200 92200 0900 001000	Patchogue River County Nature Preserve	09-02-04	12341	445	0.50
0200 93200 0200 010000	Beaverdam Creek County Wetlands	09-02-04	12341	445	0.06
0200 96100 0200 048000	Beaverdam Creek County Wetlands	08-15-05	12403	637	0.11
0200 96100 0200 065000	Beaverdam Creek County Wetlands	09-02-04	12341	445	0.11
0200 97520 0300 059000	Tuthill's Creek County Park	09-02-04	12341	445	0.02
0200 97910 0300 046000	Mastic Shirley County Conservation Area	09-02-04	12341	445	0.14
0200 98060 0800 021000	Mastic Shirley County Conservation Area	03-07-03	12239	108	0.23
0200 98070 0100 034000	Mastic Shirley County Conservation Area	08-15-05	12403	637	0.04
0200 98070 0400 015000	Mastic Shirley County Conservation Area	09-02-04	12341	445	0.23
0200 98080 0700 013001	Corey Creek County Park	09-02-04	12341	445	0.30
0200 98210 0200 004000	Mastic Shirley County Conservation Area	03-07-03	12239	108	0.14
0200 98230 0300 051000	Corey Creek County park	09-02-04	12341	445	0.06
0200 98330 0200 030000	Mastic Shirley County Conservation Area	09-02-04	12341	445	0.18
0200 98350 0200 044000	Mastic Shirley County Conservation Area	08-15-05	12403	637	0.23
0200 98350 0200 055000	Mastic Shirley County Conservation Area	03-07-03	12239	108	0.23
0200 98400 0500 075000	Hedges Creek County Wetlands	09-02-04	12341	445	0.15
0200 98460 0100 004000	Mastic Shirley County Conservation Area	09-25-03	12274	112	0.23

EXHIBIT 'A'
Parks Dedication

D S B L	Rationale	ACQ	LIBER	PAGE	ACERAGE
0200 98470 0100 023000	Mastic Shirley County Conservation Area	07-12-01	12129	300	0.04
0204 00300 0100 026004	Tuthill's Creek County Park	09-25-03	12274	112	0.57
0300 04100 0200 030000	Acabonac Harbor County Park	06-03-04	12323	70	0.65
0300 09000 0100 002000	Northwest Harbor County Park	06-03-04	12323	70	4.13
0300 01200 0300 011000	Freshwater Wetlands	02-27-03	12237	533	0.39
0400 16900 0200 013000	Emerald Estates - Open Space	04-13-01	12113	275	0.12
0500 29300 0300 004004	Orowoc Creek Wetlands	11-18-03	12288	737	1.00
0500 41500 0100 066007	Willets Creek County Wetlands	02-27-03	12237	534	1.00
0600 13700 0400 010004	Peconic River County Park-Core	09-15-03	12272	172	1.70
0600 13700 0400 011007	Peconic River County Park-Core	04-06-05	12382	122	4.10
0600 14900 0200 009000	Robert C. Murphy County Park-Core	04-06-05	12380	884	0.14
0800 02100 0600 005000	Arthur H. Kunz Memorial County Park	06-17-04	12325	487	0.16
0800 11600 0100 013000	Cannon Park, Commack				0.76
0900 03600 0100 041001	Noyack County Greenbelt	08-08-05	12402	494	5.20
0900 03600 0100 041002	Noyack County Greenbelt	08-08-05	12402	494	1.70
0900 05500 0100 024000	Sagaponac Woods County Park	04-19-93	11625	906	2.00
0900 06400 0100 147000	North Sea Watershed County Park	06-22-04	12330	839	0.04
0900 06400 0100 150000	North Sea Watershed County Park	06-22-04	12330	839	0.09
0900 07700 0200 019000	North Sea Watershed County Park	11-13-03	12285	585	0.34
0900 07802 0100 012000	North Sea Watershed County Park	06-22-04	12330	839	0.40
0900 07900 0100 020000	North Sea Watershed County Park	06-22-04	12330	839	0.09
0900 10000 0100 089000	North Sea Watershed County Park	11-13-03	12285	585	1.10
0900 14500 0300 031000	Flanders County Nature Preserve	06-22-04	12330	839	0.18
0900 19501 0100 004000	Flanders County Nature Preserve	08-08-05	12402	494	0.46

EXHIBIT 'A'
Parks Dedication

D S B L	Rationale	ACQ	LIBER	PAGE	ACERAGE
0900 21300 0100 134000	Hampton Hills County Nature Preserve-Overlay-Core	08-08-05	12402	494	1.38
0900 21400 0400 002000	Hampton Hills County Nature Preserve-Overlay-Core	08-08-05	12402	494	0.69
0900 21400 0400 015000	Hampton Hills County Nature Preserve-Overlay-Core	06-22-04	12330	839	0.69
0900 21900 0100 036000	East Quogue County Watershed	06-22-04	12330	839	0.22
0900 23600 0300 008000	Hampton Hills County Nature Preserve-Overlay-Core	06-22-04	12330	839	0.69
0900 24100 0100 007000	Hampton Hills County Nature Preserve-Core	06-22-04	12330	839	0.23
0900 24100 0100 018000	Hampton Hills County Nature Preserve-Core	06-22-04	12330	839	0.09
0900 27500 0400 003000	Hampton Hills County Nature Preserve-Overlay-Core	06-22-04	12330	839	0.69
0900 30600 0300 014000	Dwarf Pine Plains County Nature Preserve-Core	08-08-05	12402	494	0.23
0900 30600 0400 004000	Dwarf Pine Plains County Nature Preserve-Core	08-08-05	12402	494	0.23
0900 30700 0200 039000	Dwarf Pine Plains County Nature Preserve-Core	06-22-04	12330	839	0.14
0900 32900 0100 006000	Dwarf Pine Plains County Nature Preserve	08-08-05	12402	494	0.57
0900 33400 0300 007000	Dwarf Pine Plains County Nature Preserve-Core	06-22-04	12330	839	1.42
0900 33400 0300 016000	Dwarf Pine Plains County Nature Preserve-Core	06-22-04	12330	839	0.09
0900 33600 0100 046000	Dwarf Pine Plains County Nature Preserve-Core	06-22-04	12330	839	1.43
1000 05300 0100 004000	Pipes Cove Wetlands	04-09-03	12245	347	7.80
					55.55

Gen D 7

COUNTY OF SUFFOLK

JAN 29 2008

1114

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

January 24, 2008

Ben Zwirn
Assistant Deputy County Executive
Intergovernmental Relations
H. Lee Dennison Bldg. 11th Flr.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: RESOLUTION AUTHORIZING THE TRANSFER OF CERTAIN PROPERTIES TO SUFFOLK COUNTY DEPARTMENT OF PARKS, RECREATION AND CONSERVATION

Dear Mr. Zwirn:

Enclosed herewith for your approval are the original and one (1) copy of a proposed resolution with documentation which would authorize the transfer of Suffolk County Properties to the Department of Parks, Recreation and Conservation for Parks purposes.

This authorization would transfer 55.55 acres of county owned property which would also save Suffolk County $19,785.36 in yearly tax payments.

I would appreciate your placing this on the legislative agenda as soon as possible so that it may be considered and adopted by the Legislature prior to the March 1, 2008 taxable status day.

Very truly yours,

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

CEK:WRT:slb
Enc: Resolution + 1 copy
Legislative Memorandum

Copy w/Resolution to:
Brendan Chamberlain, County Executive Assistant (2 hard copies)
Thomas Isles, Director of Planning
CE Reso Review, via e-mail (Transfer of Property to Parks)

1114

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution _X_ Local Law _X_ Charter Law _____

2. Title of Proposed Legislation

Transfer of certain properties to Suffolk County Department of Parks, Recreation and Conservation

3. Purpose of Proposed Legislation

Dedicating surplus lands to Suffolk County Parks

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?

_X_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

Yearly tax burden reduced

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

Unknown

8. Proposed Source of Funding

None

9. Timing of Impact

2008

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

Wayne R. Thompson, W. Thompson 1/11/08
Property Manager

1115

Introductory Resolution No. -2008
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 2/5/08

RESOLUTION NO. - 2008, ACCEPTING AND APPROPRIATING AN AMENDMENT TO THE COLLEGE BUDGET FOR A GRANT AWARD FROM THE STATE UNIVERSITY OF NEW YORK FOR STRENGTHENED CAMPUS-BASED ASSESSMENT 100% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, Suffolk County Community College has received a grant award from The State University of New York, in the amount of $5,200, for Strengthened Campus-Based Assessment; and

WHEREAS, the Assessment Program has been increased by an additional amount of $10,400, to continue the assessment for mathematics and writing, bringing the total amount of the grant award to $15,600 for the 2007-08 academic year; and

WHEREAS, it is necessary to amend the College budget in the amount of $10,400 to provide for the increase in the grant award; and

WHEREAS, no matching funds are required as the program is 100% reimbursed by State funds; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the grant award amendment on February 14, 2008 by Resolution No. 2008. ; and

WHEREAS, the College anticipates spending the $10,400, in accordance with the terms of said grant amendment before June 30, 2008; now therefore be it

1st **RESOLVED**, that said 2007-2008 College budget be amended to reflect the increase in the amount of the grant award, and $10,400, from the State University of New York for Strengthened Campus Based Assessment to be appropriated for the operation of the program as follows:

REVENUES: 818-GRT-3295-08	AMOUNT:
State Aid: Strengthened Campus-Based Assessment:	$ 10,400

APPROPRIATIONS: 818-GRT-GC61-08	AMOUNT:
Strengthened Campus-Based Assessment	$ 10,400

Suffolk County Community College
Strengthened Campus-Based Assessment
818-GRT-GC61-08

1000-Personal Services	
1160-Part-time Instructors-Day	$ 8,946
8000-Employee Benefits	
8160-TIAA-CREF Retirement	$ 1,454
8330-Social Security	716
8350-Unemployment Insurance	684
	54

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1115

RESOLUTION NO. 2008. AMENDING THE COLLEGE BUDGET FOR A STRENGTHENED CAMPUS-BASED ASSESSMENT GRANT

WHEREAS, Suffolk County Community College has received a grant award from The State University of New York, in the amount of $5,200, for Strengthened Campus-Based Assessment, and

WHEREAS, the Assessment Program has been increased by an additional amount of $10,400, to continue the assessment for mathematics and writing, bringing the total amount of the grant award to $15,600, and

WHEREAS, no matching funds are required, be it therefore

RESOLVED, that the 2007-2008 College budget be amended to reflect an increase in the amount of $10,400, for the Strengthened Campus-Based Assessment Program, and the College president or her designee is authorized to execute a contract with the administering agency.

Project Director: Dr. Allen Jacobs

Note: No full-time personnel

* * * * * * * * * *

1115

Board of Trustees Meeting
Date: February 14, 2008

ABSTRACT

Grant Proposal ____ Grant Award X

Funding Source: State University of New York

Project Title: Strengthened Campus-Based Assessment

Project Director: Dr. Allen Jacobs
College Associate Dean for Curriculum and Assessment

Project Period: Disbursement is based on using the funds for the intended activity (Rubrics in assessing Mathematics, Basic Communication [Written], and/or Critical Thinking [Reasoning])

Campus: Central

Amount of Award:	$ 10,400
Match/Fees:	none
Total Program Budget:	$ 10,400
In-kind Contribution:	none
Full-Time Positions/Reassigned Time:	none
No. of Students to be Served:	N/A
Type of Student to be Served:	N/A

Description of Project:
Suffolk County Community College's Campus-Based Assessment Plan includes a General Education assessment Plan that is grounded in two convictions about the value of (1) general education, and (2) systematic outcomes assessment as a vehicle for improving teaching and student learning. The Strengthened Campus-Based Assessment (SCBA) Plan reflects existing assessment processes, and also addresses (1) the adoption of externally-referenced measures (rubrics) for the areas of written communication, mathematics, and critical thinking, and (2) the additional use of the Community College Survey of Student Engagement. SCCC's SCBA Plan was developed in accordance with the SUNY General Education Assessment Review (GEAR) Group's guidelines, by following nine criteria specified for developing the college's plan.

THE STATE UNIVERSITY *of* NEW YORK

October 18, 2007

1115

Risa Palm
Provost and
Vice Chancellor
for Academic Affairs

State University Plaza
Albany, New York
12246

518 443 5152
fax - 518 443 5321

risa.palm@suny.edu
www.suny.edu

President Shirley Robinson Pippins
Suffolk County Community College
533 College Road
Selden, New York 11784

Dear Shirley:

I am writing to let you know about the funding that has been approved for your campus' use of rubrics in assessing Mathematics, Basic Communication [Written], and/or Critical Thinking [Reasoning] as part of Strengthened Campus-Based Assessment for the 2007-08 academic year. The allocation you can expect to receive is noted on the next page, and is based on student learning outcome areas and number of students assessed. This information should match figures my office provided to you in November 2006 unless you requested revisions. Also enclosed are other details pertinent to accessing and using these funds as well as reporting on their use to System Administration.

Implementing Strengthened Campus-Based Assessment continues to require significant time, effort, and commitment on the part of all those involved, and I genuinely appreciate your cooperation in this important endeavor.

Sincerely,

Risa

Risa Palm
Provost and Vice Chancellor
for Academic Affairs

Enclosure

Copy: Academic Vice President
Chief Financial Officer
Dr. Pietropaolo

UNIVERSITY CENTERS AND DOCTORAL DEGREE GRANTING INSTITUTIONS University at Albany • Binghamton University • University at Buffalo • Stony Brook University • SUNY Downstate Medical Center • Upstate Medical University • College of Environmental Science and Forestry • College of Optometry • NYS College of Ceramics at Alfred University • NYS College of Agriculture/Life Sciences at Cornell University • NYS College of Human Ecology at Cornell University • NYS College of Industrial/Labor Relations at Cornell University • NYS College of Veterinary Medicine at Cornell University UNIVERSITY COLLEGES SUNY Brockport • Buffalo State College • SUNY Cortland • Empire State College • SUNY Fredonia • SUNY Geneseo • SUNY New Paltz • SUNY Old Westbury • College at Oneonta • SUNY Oswego • SUNY Plattsburgh • SUNY Potsdam • Purchase College TECHNOLOGY COLLEGES Alfred State College • SUNY Canton • SUNY Cobleskill • SUNY Delhi • Farmingdale State College • Maritime College • Morrisville State College • SUNY Institute of Technology COMMUNITY COLLEGES Adirondack • Broome • Cayuga County • Clinton • Columbia-Greene • Corning • Dutchess • Erie • Fashion Institute of Technology • Finger Lakes • Fulton-Montgomery • Genesee • Herkimer County • Hudson Valley • Jamestown • Jefferson • Mohawk Valley • Monroe • Nassau • Niagara County • North Country • Onondaga • Orange County • Rockland • Schenectady County • Suffolk County • Sullivan County • Tompkins Cortland • Ulster County • Westchester

Allocation of Funds for Implementing Strengthened Campus-Based Assessment, 2007-08

1115

Campus Allocation – Suffolk County Community College

Institution	SLO Area	Sample Size	Sample Size (20%)	Allocation	Total Campus Allocation
Suffolk	Mathematics	400	80	$5,200	$10,400
	Writing	400	80	$5,200	

Use of Funds

Although campuses have some autonomy in how they distribute these funds, it is important that any use of this money meet the following two conditions:

1. Distributions must be made to support activities that were directly undertaken in the use of the rubrics (i.e., it would not be appropriate to use the funds to support more general assessment purposes such as assessments of the major or of general education categories not included in SCBA).
2. Faculty may not receive payment from these funds for activities that are considered part of their normal workload. Examples of acceptable activities under this condition include payments to faculty members for conducting norming sessions in the use of the rubrics and for providing a "second read" of a student artifact for the purposes of inter-observer reliability. In contrast, it would not be appropriate to pay a faculty member for a "first read" of a student artifact that would count toward a grade in that faculty member's course.

By the end of June 2008 campuses will receive a reporting form to submit back to System Administration detailing expenditures from these funds for the purposes of accountability.

Please direct specific questions about campus allocations, appropriate uses for these funds, or reporting expectations to Assistant Provost Patricia Pietropaolo, at Patricia.Pietropaolo@suny.edu or (518) 443-5865.

Availability of Funding

The University Budget office has been notified of the award amounts by campus. Below are details on how the funding will be processed. If you have any questions, feel free to contact Wendy Gilman, University Budget Director, at 518-443-5165 or wendy.gilman@suny.edu.

For state-operated campuses
Allocation (funding) will be distributed into account 860126. Campus budget officers will be notified when the allocation transfer has been completed.

For community colleges
The University Budget Office will generate a claim form for your college with the appropriate account information so that payment can be processed. Your Financial Officer will be notified when payment is imminent.

New York State Office of the State Comptroller

Thomas P. DiNapoli, State Comptroller

***** Remittance Information for ACH Trace# 00996362 *****
***** Effective Date of Deposit is January 11, 2008 *****

1115

Agency Code/Name: 28650 SUNY CENTRAL ADMIN 518-443-5352

Reference/Invoice No.	Ref/Inv Date	Invoice Amount	Payment Amount	Batch No.	Voucher No.
STRG CAMP BAS ASSMNT	01/07/2008	10,400.00	10,400.00	461370	8003942
		Total ACH Deposit	10,400.00		

For additional information about your payment, please call the telephone number for the agency listed above.

[History of Payments]

[Information On Other Payments]

Gen D 8

JAN 29 2008

1115

Suffolk
COUNTY COMMUNITY COLLEGE

To: Ben Zwirn, Assistant Deputy County Executive

From: Charles K. Stein, V. P. for Business and Financial Affairs

Date: January 23, 2008

Subject: Request for Resolution Accepting and Appropriating an Amendment to the 2007-2008 College budget for a Grant Award

Enclosed are the application and requisite forms to request acceptance and appropriation of an amendment to the 2007-2008 College budget for an increase in a grant award at Suffolk County Community College

Proposal _____ Grant Award X Subcontract _____

Program Name: Strengthened Campus-Based Assessment

Funding Source: The State University of New York

Amount of Amendment: $ 10,400
Total Amount of Grant Award: $ 15,600

Full Time Positions: none

Please call me if there are questions regarding this request.
An e-mail version of the resolution was sent to CE RESO REVIEW:
File name: Reso-SCCC-Rubrics Amend 08.doc

cc: A. Jacobs, College Associate Dean for Curriculum & Assessment
T. Good, Coordinator/Associate Professor
J. Bullard, Jr., Associate Dean for Financial Affairs
J. Canniff, Vice President for Academic and Student Affairs
M. L. Araneo, Vice President for Institutional Advancement

1115

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation
Accepting and Appropriating an Amendment to the College Budget for a Grant Award from The State University of New York for Strengthened Campus-Based Assessment 100% Reimbursed by State Funds at Suffolk County Community College

3. Purpose of Proposed Legislation
To accept a grant award amendment from the State University of New York, in the amount of $10,400, for Strengthened Campus-Based Assessment, awarded for the 2007-2008 academic year for the use of rubrics in assessing Mathematics and Basic Communications [Writing].

4. Will the Proposed Legislation Have a Fiscal Impact? Yes ___ No X

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

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

6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact
The grant amendment will provide $10,400 from The State University of New York for operating costs for the use of rubrics in assessing Mathematics and Basic Communication [Writing] as part of Strengthened Campus-Based Assessment for the 2007-08 academic year.

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

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

9. Timing of Impact: 2007-2008 academic year

10. Typed Name & Title of Preparer
Deborah E. Lesser, M.S.
Senior Accountant

11. Signature of Preparer
Deborah E. Lesser

12. Date
January 14, 2008

SCIN FORM 175b (10/95)

1116

Intro. Res. No. - 2008 Laid on the Table 2/5/08

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

RESOLUTION NO. – 2008 APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF SEWAGE PUMP-OUT VESSELS (CP 8229)

WHEREAS, the Commissioner of Health Services has requested funds for the Purchase of Sewage Pump-out Vessels; and

WHEREAS, these funds will continue the Sewage Pump-out Vessel Reimbursement Program to assist towns and villages in Suffolk County to purchase these vessels; and

WHEREAS, the adoption of the Clean Water Act in 1972, has made it illegal to discharge raw sewage directly into waters within the three mile limit; and

WHEREAS, purchases of these pump-out vessels would provide more opportunities for boaters to pump out their holding tanks and increase the likelihood of protecting water quality in Suffolk County's embayments; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $150,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature being the lead agency under the State Environmental Quality Review Act ("SEQRA"). Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns the purchase of furnishings equipment and supplies, other than land, radioactive materials, 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 responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty six (56) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the proceeds of $150,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP 8229.511 (Fund 001-Debt Service)	40	Purchase of Sewage Pump-out Vessels	$150,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1116

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF SEWAGE PUMP-OUT VESSELS (CP 8229)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes __X__ No _____**

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2009

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Beth Reynolds Principal Executive Analyst	Beth A Reynolds	JANUARY 29th, 2008

SCIN FORM 175b (10/95)

Suffolk County

General Obligation Serial Bonds
50% Rule

1116

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

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2008					
5/1/2009			$3,000.00	$3,000.00	
11/1/2009	4.00%	$ 24,000	3,000.00	27,000.00	$30,000.00
5/1/2010			2,520.00	2,520.00	
11/1/2010	4.00%	29,000	2,520.00	31,520.00	34,040.00
5/1/2011			1,940.00	1,940.00	
11/1/2011	4.00%	31,000	1,940.00	32,940.00	34,880.00
5/1/2012			1,320.00	1,320.00	
11/1/2012	4.00%	34,000	1,320.00	35,320.00	36,640.00
5/1/2013			640.00	640.00	
11/1/2013	4.00%	32,000	640.00	32,640.00	33,280.00
5/1/2014			-	-	
11/1/2014	4.00%	-	-	-	-
5/1/2015			-	-	
11/1/2015	4.00%	-	-	-	-
5/1/2016			-	-	
11/1/2016	4.00%	-	-	-	-
5/1/2017			-	-	
11/1/2017	4.00%	-	-	-	-
5/1/2018			-	-	
11/1/2018	4.00%	-	-	-	-
5/1/2019			-	-	
11/1/2019	4.00%	-	-	-	-
5/1/2020			-	-	
11/1/2020	4.00%	-	-	-	-
5/1/2021			-	-	
11/1/2021	4.00%	-	-	-	-
5/1/2022			-	-	
11/1/2022	4.25%	-	-	-	-
5/1/2023			-	-	
11/1/2023	4.25%	-	-	-	-
5/1/2024			-	-	
11/1/2024	4.25%	-	-	-	-
5/1/2025			-	-	
11/1/2025	4.25%	-	-	-	-
5/1/2026			-	-	
11/1/2026	4.25%	-	-	-	-
5/1/2027			-	-	
11/1/2027	4.25%	-	-	-	-
5/1/2028			-	-	
11/1/2028	4.25%	-	-	-	-
		$ 150,000	$18,840.00	$168,840.00	$168,840.00

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1116

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$30,000**	**$0.06**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$30,000**	**$0.06**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

1116

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.
Commissioner

January 4, 2008

Ben Zwirn, Deputy County Executive
Office of the County Executive, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn: Ben

I request the introduction of the enclosed Resolution titled "Appropriating Funds in Connection with the Purchase of Sewage Pump-out Vessels (CP 8229)". These funds will be used to continue the Sewage Pump-out Vessel Reimbursement Program. This program assists towns and villages who purchase these vessels, which provide more opportunities for boaters to pump out their holding tanks in an effort to protect Suffolk County's water quality.

I enclose the financial impact statement and other materials for this Resolution. If you have any questions on the enclosed, please call Vito Minei at ext. 2-5800. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is Reso-HSV-CP 8229 Pump out boat.doc.

Sincerely yours,

Humayun J. Chaudhry, D.O., M.S.
Commissioner of Health Services

Enclosures

HJC/lw

C: Margaret B. Bermel, M.B.A, Director of Health Administrative Services
Matthew Miner, Deputy Commissioner
Vito Minei, P.E., Director of Environmental Quality
Diane E. Weyer, Principal Financial Analyst

Public Health
Prevent. Promote. Protect.
OFFICE OF THE COMMISSIONER
225 Rabro Drive East; Hauppauge, NY 11788 (631) 853-3000 Fax (631) 853-2927

2008-2010 Capital Budget
Capital Project 8229
Purchase of Pump-out Vessels

2000 Adopted

Equipment

8229.510 (82031)	Appropriated 2000	Funding	Comments
		$100,000	Res 381-2000
	Obligated		
	Town of Southampton (2 boats)	$30,000	SC 7465 Paid
	Town of East Hampton	$15,000	SC 7962 Paid
	Town of Riverhead	$18,000	SC 9178 Paid
	Village of Greenport	$7,500	SC 9179
	Town of Huntington	$15,425	Paid
	Town of Southold (2 boats)*	$7,000	525-8229-5100-00-00006
	Total obligated	$92,925	
	Residual	$ 7,075	

2005 Adopted

Equipment

8229.511	Appropriated 2005	Funding	Comments
		$100,000	Res 621-2005
	Town of Southold (2 boats)*	23,750	525-8229-5100-00-00007
	Town of Islip	22,000	525-8229-5100-00-00009
	Town of Brookhaven (2 barges, 1 boat)**	54,250	
	Residual		

2008 Request

Equipment

8229.512	2008 Request	Contract Amount	Comments
	Town of Brookhaven**	$150,000	
	Other towns (e.g., Babylon)	$90,085	Pending appropriation of '08 funds
		$52,915	---

*Southold: $30,750 for 2 boats

** Brookhaven: $151,410 needed ($7,075 from residual 2000 appropriation, $54,250 from 2005 appropriation, and $90,085 needed from 2008)

COUNTY OF SUFFOLK

1116

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.
COMMISSIONER

Memorandum

To: Diane Weyer
Budget and Management

From: Vito Minei, PE, Director
Division of Environmental Quality

Date: December 14, 2007

Subject: Request for Introductory Resolution for Capital Program 8229 (2008)
Purchase of Pump-Out Vessels ($150,000)

I am requesting the drafting of an Introductory Resolution in conjunction with the 2008 Capital Project 8229. The resolution would appropriate $150,000 for the project contained in the 2008 Capital Budget for the purchase of sewage pump-out vessels. The $150,000 is requested for 2008 as all prior funding under this capital project has been committed and it is needed to accommodate a request from the Town of Brookhaven to purchase two pump-out barges and one push-boat for docking in Mount Sinai and Port Jefferson Harbors. A preliminary inquiry has also been made by the Town of Babylon.

The use of pump-out boats and stations by boaters helps keep our waters safe and clean. Pathogens in untreated sewage increase the potential for human illness and the possibility of additional shellfish bed and swimming area closures, especially in enclosed harbors where boaters congregate to anchor, swim, and fish. Additional pump-out vessels, and hence more opportunities for boaters to pump out their holding tanks, increase the likelihood of protecting water quality in Suffolk County's embayments.

Since the adoption of the Clean Water Act in 1972, it has been illegal to discharge raw sewage directly into waters within the three mile limit. To further protect water quality, the entire Peconic Estuary, the Port Jefferson Harbor Complex, and the Greater Huntington-Northport Bay Complex are Federally-designated Vessel Waste No Discharge Zones whereby treated and

1116

untreated discharges from marine toilets are prohibited. Additional pump-out vessels will make it easier for boaters to comply with the Vessel Waste No Discharge Zones. The Vessel Waste No Discharge Area is an important concept for other bays in Long Island Sound and South Shore Estuary Reserve as well. Since the USEPA will only approve state NDA designations when the petitioner can demonstrate that there are sufficient pump-out facilities to service the number of boats using the waterbody, the need for more pump-out vessels in Suffolk County's waters is magnified.

VM/kn
C: Matt Miner, Deputy Commissioner
Margaret Bermel, Director of Health Administrative Services
Walter Dawydiak, Jr., P.E. - Chief Engineer - Div of Environmental Quality
Martin Trent, Chief - Office of Ecology

Intro. Res. No. 1117 - 2008 Laid on the Table 2/5/08

Introduced by the Presiding Officer on request of the County Executive and Legislator Beedenbender

RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 97, NICOLLS ROAD, TOWN OF BROOKHAVEN (CAPITAL PROGRAM NUMBER 5512)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Reconstruction of CR 97, Nicolls Road; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $3,500,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1198 of 2007 classified the action contemplated by this as an Unlisted Action which will not have a significant effect on the environment; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-two (62) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary , pursuant to Section C8-2 (X) of the Suffolk County Charter to complete the Reconstruction of CR 97, Nicolls Road; and be it further

4th **RESOLVED**, that the proceeds of $3,500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP- 5512.310 (Fund 001-Debt Service)	50	Reconstruction of CR 97, Nicolls Road	$3,500,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1117

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. –2008, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 97, NICHOLLS ROAD, TOWN OF BROOKHAVEN (CAPITAL PROGRAM NUMBER 5512)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes** __X__ **No** _____

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2009

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
DEBRA KOLYER PRINCIPAL FINANCIAL ANALYST	Deb Kolyer	JANUARY 25, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1117

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$328,290**	**$0.61**		$0.001

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$328,290**	**$0.61**		$0.001

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County

General Obligation Serial Bonds
50% Rule

1117

Term of Bonds	15
Amount to Bonds:	$3,500,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2008					
5/1/2009			$70,644.75	$70,644.75	
11/1/2009	4.00%	$ 187,000	70,644.75	257,644.75	$328,289.50
5/1/2010			66,904.75	66,904.75	
11/1/2010	4.00%	199,000	66,904.75	265,904.75	332,809.50
5/1/2011			62,924.75	62,924.75	
11/1/2011	4.00%	206,000	62,924.75	268,924.75	331,849.50
5/1/2012			58,804.75	58,804.75	
11/1/2012	4.00%	212,000	58,804.75	270,804.75	329,609.50
5/1/2013			54,564.75	54,564.75	
11/1/2013	4.00%	218,300	54,564.75	272,864.75	327,429.50
5/1/2014			50,198.75	50,198.75	
11/1/2014	4.00%	224,000	50,198.75	274,198.75	324,397.50
5/1/2015			45,718.75	45,718.75	
11/1/2015	4.00%	230,000	45,718.75	275,718.75	321,437.50
5/1/2016			41,118.75	41,118.75	
11/1/2016	4.00%	237,000	41,118.75	278,118.75	319,237.50
5/1/2017			36,378.75	36,378.75	
11/1/2017	4.00%	243,000	36,378.75	279,378.75	315,757.50
5/1/2018			31,518.75	31,518.75	
11/1/2018	4.00%	249,000	31,518.75	280,518.75	312,037.50
5/1/2019			26,538.75	26,538.75	
11/1/2019	4.00%	255,000	26,538.75	281,538.75	308,077.50
5/1/2020			21,438.75	21,438.75	
11/1/2020	4.00%	261,000	21,438.75	282,438.75	303,877.50
5/1/2021			16,218.75	16,218.75	
11/1/2021	4.00%	268,000	16,218.75	284,218.75	300,437.50
5/1/2022			10,858.75	10,858.75	
11/1/2022	4.25%	274,000	10,858.75	284,858.75	295,717.50
5/1/2023			5,036.25	5,036.25	
11/1/2023	4.25%	237,000	5,036.25	242,036.25	247,072.50
5/1/2024			-	-	
11/1/2024	4.25%	-	-	-	-
5/1/2025			-	-	
11/1/2025	4.25%	-	-	-	-
5/1/2026			-	-	
11/1/2026	4.25%	-	-	-	-
5/1/2027			-	-	
11/1/2027	4.25%	-	-	-	-
5/1/2028			-	-	
11/1/2028	4.25%	-	-	-	-
		$ 3,500,300	$1,197,737.50	$4,698,037.50	$4,698,037.50

COUNTY OF SUFFOLK

1117

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

MEMORANDUM

LOUIS CALDERONE
DEPUTY COMMISSIONER

TO: Ben Zwirn, Deputy County Executive

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

DATE: January 14, 2008

RE: **C.P. 5512 – Reconstruction of CR 97, Nicolls Road, Town of Brookhaven (Early Implementation Project)**

Attached are a draft resolution and duplicate copy to appropriate the sum of $3,500,000 for construction in connection with the above referenced project. There are sufficient funds included in the 2008 Capital Budget and Program for this project.

DPW has identified that the most critical section of CR 97, Nicolls Road, in terms of congestion, is between the Long Island Expressway (LIE) and NYS Route 25. County Executive Steve Levy, in his State of the County Address, announced plans to advance an Early Implementation Project (EIP) from just north of the LIE to just south of NYS Route 25 and has approved the Department's plans for this EIP. This location currently exhibits operational deficiencies requiring capacity improvements at South Coleman Road, the entrance to Suffolk County Community College, Horseblock Place and the CR 16, Portion Road interchange. This segment of roadway is one of the most congested of all County maintained roads and the proposed improvements will provide major capacity improvements facilitating traffic flow. This Department has also met with SCCC personnel to coordinate this project with their improvement plans for the entrance to the College. The College has committed $500,000 for this purpose. In addition, the College intends to dedicate the necessary property needed for these improvements.

The Suffolk County Council on Environmental Quality has reviewed this project and determined that it is an Unlisted Action and will not have a significant effect on the environment. The Legislature concurred with this decision in Resolution No. 1198 of 2007.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP 5512.doc".

TL:WH:er
attach.
cc: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Chief Financial Analyst
Gilbert Anderson, P.E., Commissioner
William Hillman, P.E., Chief Engineer
William Chandler, Federal Construction Projects Coordinator
Linda Brandolf, CPA, Capital Accounting
James Bagg, Chief Environmental Analyst

Intro. Res. No. 2143-2007 Laid on Table 11/20/2007

Introduced by the Presiding Officer

1117

RESOLUTION NO. 1198 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED RECONSTRUCTION OF CR 97, NICOLLS ROAD (EARLY IMPLEMENTATION PROJECT) FROM FURROWS ROAD TO NYS 25, MIDDLE COUNTRY ROAD, CP 5512, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Reconstruction of CR 97, Nicolls Road (Early Implementation Project) From Furrows Road to NYS 25, Middle Country Road, CP 5512, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the reconstruction of CR 97, Nicolls Road (Early Implementation Project) from Furrows Road to NYS 25, Middle Country Road including roadway widening and improvements at select intersections, new traffic signals, new curb and sidewalks, drainage improvements and roadway resurfacing; and

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

WHEREAS, at its October 17, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; 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 October 26, 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 Reconstruction of CR 97, Nicolls Road (Early Implementation Project) from Furrows Road to NYS 25, Middle Country Road, CP 5512, Town of Brookhaven, 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 project does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code;

3.) The project does not appear to suffer from any severe environmental development constraints (no limiting soil properties; no high groundwater and no unmanageable slopes); and

4.) The section of CR 97 where the project is located experiences severe congestion and is a high accident area, therefore, the action will improve traffic flow and safety;

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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

1118

Intro. Res. No. - 2008

Laid on the Table 2/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH STRENGTHENING AND IMPROVING COUNTY ROADS (CAPITAL PROGRAM NUMBER 5014)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Strengthening and Improving County Roads; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of said request; and

WHEREAS, the professional engineering services associated with the planning, design and construction of this project have been and will be performed by the staff of the Department of Public Works; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $5,500,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1171-1995 classified the action contemplated by this as a Type II Action, which will not have a significant effect on the environment; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty-one (41) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete the Strengthening and Improving County Roads; and be it further

4th **RESOLVED**, that the proceeds of $5,500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5014.345 (Fund 001-Debt Service)	50	Strengthening and Improving County Roads	$5,500,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1118

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. –2008, APPROPRIATING FUNDS IN CONNECTION WITH STRENGTHENING AND IMPROVING COUNTY ROADS (CAPITAL PROGRAM NUMBER 5014)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes** ___X___ **No** _____

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

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

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2009

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
DEBRA KOLYER PRINCIPAL FINANCIAL ANALYST	Deb Kolyer	JANUARY 25, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1118

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$516,017**	**$0.96**		$0.002

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$516,017**	**$0.96**		$0.002

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County

General Obligation Serial Bonds
50% Rule

1118

Term of Bonds: 15
Amount to Bonds: $5,500,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2008					
5/1/2009			$111,008.50	$111,008.50	
11/1/2009	4.00%	$ 294,000	111,008.50	405,008.50	$516,017.00
5/1/2010			105,128.50	105,128.50	
11/1/2010	4.00%	313,000	105,128.50	418,128.50	523,257.00
5/1/2011			98,868.50	98,868.50	
11/1/2011	4.00%	323,000	98,868.50	421,868.50	520,737.00
5/1/2012			92,408.50	92,408.50	
11/1/2012	4.00%	333,000	92,408.50	425,408.50	517,817.00
5/1/2013			85,748.50	85,748.50	
11/1/2013	4.00%	343,300	85,748.50	429,048.50	514,797.00
5/1/2014			78,882.50	78,882.50	
11/1/2014	4.00%	352,000	78,882.50	430,882.50	509,765.00
5/1/2015			71,842.50	71,842.50	
11/1/2015	4.00%	362,000	71,842.50	433,842.50	505,685.00
5/1/2016			64,602.50	64,602.50	
11/1/2016	4.00%	372,000	64,602.50	436,602.50	501,205.00
5/1/2017			57,162.50	57,162.50	
11/1/2017	4.00%	382,000	57,162.50	439,162.50	496,325.00
5/1/2018			49,522.50	49,522.50	
11/1/2018	4.00%	391,000	49,522.50	440,522.50	490,045.00
5/1/2019			41,702.50	41,702.50	
11/1/2019	4.00%	401,000	41,702.50	442,702.50	484,405.00
5/1/2020			33,682.50	33,682.50	
11/1/2020	4.00%	411,000	33,682.50	444,682.50	478,365.00
5/1/2021			25,462.50	25,462.50	
11/1/2021	4.00%	421,000	25,462.50	446,462.50	471,925.00
5/1/2022			17,042.50	17,042.50	
11/1/2022	4.25%	430,000	17,042.50	447,042.50	464,085.00
5/1/2023			7,905.00	7,905.00	
11/1/2023	4.25%	372,000	7,905.00	379,905.00	387,810.00
5/1/2024			-	-	
11/1/2024	4.25%	-	-	-	-
5/1/2025			-	-	
11/1/2025	4.25%	-	-	-	-
5/1/2026			-	-	
11/1/2026	4.25%	-	-	-	-
5/1/2027			-	-	
11/1/2027	4.25%	-	-	-	-
5/1/2028			-	-	
11/1/2028	4.25%	-	-	-	-
		$ 5,500,300	$1,881,940.00	$7,382,240.00	$7,382,240.00

COUNTY OF SUFFOLK

1118

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

DATE: January 16, 2008

RE: **C.P. 5014 – Strengthening and Improving County Roads**

Attached are a draft resolution and duplicate copy to appropriate the sum of $5,500,000 for construction in connection with the above referenced project. There are sufficient funds included in the 2008 Capital Budget and Program for this project. It is important to note that much of this funding is reimbursed through the New York State Consolidated Local Street and Highway Improvement Program (CHIPS).

Increasing traffic volumes and the aging of the county road system require various levels of maintenance. Major reconstruction projects are progressed with individual capital projects. However, the life of the roads can be extended with less costly maintenance operations. Minor repairs, resurfacing and other miscellaneous maintenance projects are performed under CP 5014. Limited resources and non-highway responsibilities do not permit the Department of Public Works Highway Maintenance Division crews to keep pace with deterioration of the road system.

This project includes excavation and replacement of existing deteriorated pavement, patching, other items of work required preparatory to the placement of new concrete or asphalt pavement such as drainage and concrete curb, and the placement of concrete or asphalt pavement. Other associated items of work may also be required including, but not limited to, installation of pavement markings consisting of thermoplastic striping and plowable all-weather reflective markers.

The roads proposed to be strengthened and improved include, but are not limited to, the attached list. It may be necessary to add and/or substitute other roads and/or revise limits of work due to seasonal limitations, changes in priorities or other requirements to be determined by this Department.

The Suffolk County Council on Environmental Quality has reviewed our Strengthening and Improving County Roads Program and found that it constituted a Type II Action and no further review is required. The County Legislature concurred with this finding pursuant to Resolution No. 1171-1995.

TO: Ben Zwirn, Deputy County Executive
RE: CP 5014
January 14, 2008

1118

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP 5014.doc".

TL:WH:er
attach.
cc: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Chief Financial Analyst
Gilbert Anderson, P.E., Commissioner
William Hillman, P.E., Chief Engineer
William Chandler, Federal Construction Projects Coordinator
Linda Brandolf, CPA, Capital Accounting
James Bagg, Chief Environmental Analyst

1118

C.P. 5014 STRENGTHENING and IMPROVING COUNTY ROADS 2008

CR#	Road / Limits	L. D
2	**Straight Path**	
	Sunrise Hwy to NYS Rte 109	14,15
11	**Pulaski Rd**	
	Stony Hollow Rd to Larkfield Rd	18
16	**Horseblock Rd**	
	CR 80 to CR 21	3
	Warner Lane to Ronkonkoma Ave	10,12
21	**Yaphank Ave**	
	CR 16 to LIRR Overpass	3
35	**Park Ave**	
	CR 86 Braodway-Greenlawn to CR 11Pulaski RD	17
43	**Northville Turnpike**	
	CR 73 Roanoke Ave To CR 58	1
46	**Wm Floyd Pkwy**	
	Beacon St. to Robinwood Rd N/B	3
	Beacon St. to Robinwood Rd S/B	3
48	**Middle Rd**	
	Vic Bridge Lane to Peconic Lane W/B	1
67	**Motor Parkway**	
	Veterans Memorial Hwy to Bedford Ave.	12
80	**Montauk Hwy**	
	Old Neck Rd to Brookfield Ave	1,3
97	**Nicolls Rd**	
	Vic of LIE	4,7
99	**Woodside Ave.**	
	Vic of CR 83 N Ocean Ave to vic of NYS Rt 112	7
PENDING CAPITAL PROJECTS REQUIRING ADDITIONAL FUNDING		
80	**Montauk Hwy**	
	Seatuck Rd to Summit Dr	1,2
83	**North Ocean Ave**	
	LIE to NYS Rt 25	4
97	**Nicolls Rd**	
	NYS Rt 347 to vic of Lower Sheep Pasture Rd	5
	Crack Seal Various CRs	Var.
	Misc Pavement Repair	Var.
	Misc Highway Improvement	Var.
	Rehab of Rigid Pavement	Var.

IT MAY BE NECESSARY TO ADD AND / OR SUBSTITUTE OTHER ROADS AND / OR REVISE LIMITS OF WORK DUE TO SEASONAL LIMITATIONS, CHANGES IN PRIORTIES, OR OTHER REQUIREMENTS AS DETERMINED BY THIS DEPAR

CP5014

Intro. Res. No. 2154-95
Introduced by Presiding Officer Blydenburgh

Laid on the Table 10/18/95

1118

RESOLUTION NO. 1171 -1995, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED STRENGTHENING AND IMPROVING COUNTY ROADS

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Strengthening and Improving County Roads", pursuant to Section 6 of Local Law No. 22-1985 which project involves maintenance functions that involve repair/rejuvenation of pavement and other highway appurtenances; and

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

WHEREAS, at its September 20, 1995 meeting, the CEQ reviewed the EAF and information submitted by the Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.13(d)(4) and (21), since it involves repair/rejuvenation of pavement and other highway appurtenances; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated October 3, 1995 of said recommendations;

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

RESOLVED, that this Legislature hereby determines that the proposed strengthening and improving County roads constitutes a Type II action; and be it further

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

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 in accordance with this Resolution.

DATED: December 18, 1995

APPROVED BY:

County Executive of Suffolk County

Date of Approval: 12/20/95

1119

Intro. Res. No. - 2008

Laid on the Table 2/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF DRAINAGE SYSTEMS ON VARIOUS COUNTY ROADS (CAPITAL PROGRAM NUMBER 5024)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Reconstruction of Drainage Systems on Various County Roads; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of said request; and

WHEREAS, the professional engineering services associated with the planning, design and construction of this project have been and will be performed by the staff of the Department of Public Works; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $500,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action (replacement in-kind), pursuant to Section 617.5 (C)(2) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete the Reconstruction of Drainage Systems on Various County Roads; and be it further

4th **RESOLVED**, that the proceeds of $500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP- 5024.310 (Fund 001-Debt Service)	50	Reconstruction of Drainage Systems on Various County Roads	$500,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1119

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. –2008, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF DRAINAGE SYSTEMS ON VARIOUS COUNTY ROAD(CAPITAL PROGRAM NUMBER 5024)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes** __X__ **No** _____

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2009

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
DEBRA KOLYER PRINCIPAL FINANCIAL ANALYST	Deb Kolyer	JANUARY 25, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1119

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$47,190**	**$0.09**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$47,190**	**$0.09**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County

General Obligation Serial Bonds
50% Rule

1119

Term of Bonds	15
Amount to Bonds:	$500,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2008					
5/1/2009			$10,094.75	$10,094.75	
11/1/2009	4.00%	$ 27,000	10,094.75	37,094.75	$47,189.50
5/1/2010			9,554.75	9,554.75	
11/1/2010	4.00%	29,000	9,554.75	38,554.75	48,109.50
5/1/2011			8,974.75	8,974.75	
11/1/2011	4.00%	30,000	8,974.75	38,974.75	47,949.50
5/1/2012			8,374.75	8,374.75	
11/1/2012	4.00%	30,000	8,374.75	38,374.75	46,749.50
5/1/2013			7,774.75	7,774.75	
11/1/2013	4.00%	31,300	7,774.75	39,074.75	46,849.50
5/1/2014			7,148.75	7,148.75	
11/1/2014	4.00%	32,000	7,148.75	39,148.75	46,297.50
5/1/2015			6,508.75	6,508.75	
11/1/2015	4.00%	33,000	6,508.75	39,508.75	46,017.50
5/1/2016			5,848.75	5,848.75	
11/1/2016	4.00%	34,000	5,848.75	39,848.75	45,697.50
5/1/2017			5,168.75	5,168.75	
11/1/2017	4.00%	35,000	5,168.75	40,168.75	45,337.50
5/1/2018			4,468.75	4,468.75	
11/1/2018	4.00%	36,000	4,468.75	40,468.75	44,937.50
5/1/2019			3,748.75	3,748.75	
11/1/2019	4.00%	37,000	3,748.75	40,748.75	44,497.50
5/1/2020			3,008.75	3,008.75	
11/1/2020	4.00%	37,000	3,008.75	40,008.75	43,017.50
5/1/2021			2,268.75	2,268.75	
11/1/2021	4.00%	38,000	2,268.75	40,268.75	42,537.50
5/1/2022			1,508.75	1,508.75	
11/1/2022	4.25%	39,000	1,508.75	40,508.75	42,017.50
5/1/2023			680.00	680.00	
11/1/2023	4.25%	32,000	680.00	32,680.00	33,360.00
5/1/2024			-	-	
11/1/2024	4.25%	-	-	-	-
5/1/2025			-	-	
11/1/2025	4.25%	-	-	-	-
5/1/2026			-	-	
11/1/2026	4.25%	-	-	-	-
5/1/2027			-	-	
11/1/2027	4.25%	-	-	-	-
5/1/2028			-	-	
11/1/2028	4.25%	-	-	-	-
		$ 500,300	$170,265.00	$670,565.00	$670,565.00

1119

C.P. 5024 DRAINAGE IMPROVEMENTS ON COUNTY ROADS 2008

CR#	Road / Limits	L. D
2	**Straight Path**	
	Sunrise Hwy to NYS Rte 109	14,15
11	**Pulaski Rd**	
	Stony Hollow Rd to Larkfield Rd	18
16	**Horseblock Rd**	
	CR 80 to CR 21	3
	Warner Lane to Ronkonkoma Ave	10,12
21	**Yaphank Ave**	
	CR 16 to LIRR Overpass	3
35	**Park Ave**	
	CR 86 Braodway-Greenlawn to CR 11Pulaski RD	17
43	**Northville Turnpike**	
	CR 73 Roanoke Ave To CR 58	1
46	**Wm Floyd Pkwy**	
	Beacon St. to Robinwood Rd N/B	3
	Beacon St. to Robinwood Rd S/B	3
48	**Middle Rd**	
	Vic Bridge Lane to Peconic Lane W/B	1
67	**Motor Parkway**	
	Veterans Memorial Hwy to Bedford Ave.	12
80	**Montauk Hwy**	
	Old Neck Rd to Brookfield Ave	1,3
97	**Nicolls Rd**	
	Vic of LIE	4,7
99	**Woodside Ave.**	
	Vic of CR 83 N Ocean Ave to vic of NYS Rt 112	7
40	**Three Mile Harbor Rd**	2
94	**Nugent Drive**	1

IT MAY BE NECESSARY TO ADD AND / OR SUBSTITUTE OTHER ROADS AND / OR REVISE LIMITS OF WORK DUE TO SEASONAL LIMITATIONS, CHANGES IN PRIORTIES, OR OTHER REQUIREMENTS AS DETERMINED BY THIS DEPAR

Intro. Res. No. 1120-08 Laid on Table 2/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION No. – 2008, APPROPRIATING FURNITURE AND EQUIPMENT FUNDS FOR THE EXPANSION OF SHERIFF'S ENFORCEMENT DIVISION AT CRIMINAL COURT BUILDING (CP 3013)

WHEREAS, the Sheriff has requested funds for the purchase of replacement security control panels and locking devices to be installed during the expansion and renovation of the Enforcement Division's prisoner detention area of the Criminal Court Building; and

WHEREAS, the current security equipment and locking devices are demonstrating signs of deterioration, are obsolete and well past their life expectancy; and

WHEREAS, the number of incarcerated inmates has substantially increased and is projected to continue to rise, placing an added burden on the prisoner detention area of the Criminal Court Building; and

WHEREAS, Suffolk County has committed to the expansion of the Criminal Court Building to address building issues and the growth in the number of Deputy Sheriffs assigned to that area; and

WHEREAS, there are now sufficient funds within the 2008 Capital Budget and Program to cover the costs of said request under Capital Program Number 3013; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $200,000 in Suffolk County Serial Bonds; and

WHEREAS, pursuant to the State Environmental Quality Review Act, Environmental Conservation Law Article 8, Resolution No. 253-2005 classified the action contemplated by this as a Type II, pursuant to the provisions of Title 6 NYCCR, Part 617.5 (c) (7) and (21), as this action involves the construction or expansion of an accessory non-residential facility involving less than 4,000 square feet; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-four (54), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2ND RESOLVED, that the proceeds of $200,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-3013.511 (Fund 001-Debt Service)	18	Furniture & Equipment for the Expansion of Sheriff's Enforcement Division At Criminal Court Building	$200,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1120

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

APPROPRIATING FURNITURE AND EQUIPMENT FUNDS FOR THE EXPANSION OF SHERIFF'S ENFORCEMENT DIVISION AT CRIMINAL COURT BUILDING (CP 3013)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes** __X__ **No** _____

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

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

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2009

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, ASSISTANT EXECUTIVE ANALYST	P Saunders	January 25, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1120

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$40,000**	**$0.07**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$40,000**	**$0.07**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County

General Obligation Serial Bonds
50% Rule

1120

Term of Bonds: 5
Amount to Bonds: $200,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2008					
5/1/2009			$4,000.00	$4,000.00	
11/1/2009	4.00%	$ 32,000	4,000.00	36,000.00	$40,000.00
5/1/2010			3,360.00	3,360.00	
11/1/2010	4.00%	38,000	3,360.00	41,360.00	44,720.00
5/1/2011			2,600.00	2,600.00	
11/1/2011	4.00%	42,000	2,600.00	44,600.00	47,200.00
5/1/2012			1,760.00	1,760.00	
11/1/2012	4.00%	45,000	1,760.00	46,760.00	48,520.00
5/1/2013			860.00	860.00	
11/1/2013	4.00%	43,000	860.00	43,860.00	44,720.00
5/1/2014			-	-	
11/1/2014	4.00%	-	-	-	-
5/1/2015			-	-	
11/1/2015	4.00%	-	-	-	-
5/1/2016			-	-	
11/1/2016	4.00%	-	-	-	-
5/1/2017			-	-	
11/1/2017	4.00%	-	-	-	-
5/1/2018			-	-	
11/1/2018	4.00%	-	-	-	-
5/1/2019			-	-	
11/1/2019	4.00%	-	-	-	-
5/1/2020			-	-	
11/1/2020	4.00%	-	-	-	-
5/1/2021			-	-	
11/1/2021	4.00%	-	-	-	-
5/1/2022			-	-	
11/1/2022	4.25%	-	-	-	-
5/1/2023			-	-	
11/1/2023	4.25%	-	-	-	-
5/1/2024			-	-	
11/1/2024	4.25%	-	-	-	-
5/1/2025			-	-	
11/1/2025	4.25%	-	-	-	-
5/1/2026			-	-	
11/1/2026	4.25%	-	-	-	-
5/1/2027			-	-	
11/1/2027	4.25%	-	-	-	-
5/1/2028			-	-	
11/1/2028	4.25%	-	-	-	-
		$ 200,000	$25,160.00	$225,160.00	$225,160.00

JAN 8 2008.

Memorandum

1120

To: Ben Zwirn, Deputy County Executive

From: Alan Otto, Chief of Staff ARO

Date: 01/03/2008

Re: **CP 3013 – Expansion of Sheriff's Enforcement Division at Criminal Court Building**

As you are aware, this project provides for the expansion of office space for the 80 to 100 Deputy Sheriffs now assigned to the Headquarters Bureau. The current space was originally designed for approximately 20 employees.

Attached for your review is a draft Introductory Resolution requesting that $200,000 in Furniture and Equipment funding be appropriated in 2008 for replacement of the security control panels and locking devices in the prisoner detention areas of the building.

An e-mail version of the resolution was sent to CE RESO REVIEW, saved under the title "Reso–Sheriff 2008 funds for CP 3013-Furnishings for Expansion of Criminal Courts Building".

Thank you for your consideration in reviewing this draft resolution.

Cc Brendan Chamberlain, County Executive Assistant

ARO/jfr

Att.

Intro Res. No. 1227-2005
Introduced by the Presiding Officer

Laid on Table 3/15/2005

RESOLUTION NO. 253 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED PLANNING AND CONSTRUCTION PHASES FOR THE EXPANSION OF THE SHERIFF'S ENFORCEMENT DIVISION AT THE CRIMINAL COURT BUILDING, CP #3013, RIVERHEAD, TOWN OF SOUTHAMPTON

1120

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Planning and Construction Phases for the Expansion of the Sheriff's Enforcement Division at the Criminal Court Building, CP #3013, Riverhead, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the planning and construction of a two-story, 3,740 square foot expansion of the Sheriff's headquarters and office space, as well as additional administrative offices, an expanded squad room, and a larger locker area; and dedicated parking; and

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

WHEREAS, at its January 19, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 27, 2005 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 Planning and Construction Phases for the Expansion of the Sheriff's Enforcement Division at the Criminal Court Building, CP #3013, Riverhead, Town of Southampton constitutes a Type II action pursuant to the provisions of Title 6 NYCRR Part 617.5(c) (7) and (21), as this action involves the planning phase and construction or expansion of an accessory non-residential facility involving less than 4,000 square feet; 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: April 5, 2005

APPROVED BY:

1120

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Intro. Res. No. 1121 - 2008
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 2/5/08

RESOLUTION NO. 2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION OF SIDEWALKS ON VARIOUS COUNTY ROADS (CAPITAL PROGRAM NUMBER 5497)

WHEREAS, the Commissioner of Public Works has requested funds for engineering/construction in connection with the construction of sidewalks on CR 76, Townline Road, from the vicinity of Jackson Street to the vicinity of Walter Street, Towns of Islip and Smithtown; and

WHEREAS, sufficient funds are not included in the 2008 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C-4-13, an offsetting authorization must be provided from another capital project; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act have been performed; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $200,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-three (53) is eligible for approval in accordance with the provisions of 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete the construction of sidewalks on CR 76, Townline Road, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

4th **RESOLVED**, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5039
Project Title: Drainage Improvements on CR 76, Townline Road, Towns of Islip and Smithtown

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$400,000	$600,000B	$400,000B
TOTAL	$463,200	$600,000	$400,000

Project No.: 5497
Project Title: Construction of Sidewalks on Various County Roads

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
1. Planning, Design & Supervision	$400,000	$ 0	$200,000 B
TOTAL	$4,405,000	$500,000	$700,000

and be it further

5th **RESOLVED**, that the proceeds of $200,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5497.113 Fund 001 Debt Service	50	Construction of Sidewalks on CR 76, Townline Road, from the Vicinity of Jackson Street to the Vicinity of Walter Street	$200,000

Dated:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

1121

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION OF SIDEWALKS ON VARIOUS COUNTY ROADS (CAPITAL PROGRAM NUMBER 5497)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes** __X__ **No** _____

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2009

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Steven Forst Auditor	Steven Forst	JANUARY 29, 2008

SCIN FORM 175b (10/95)

COUNTY OF SUFFOLK

1121

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

DATE: January 17, 2008

RE: **C.P. 5497, Construction of Sidewalks on CR 76, Townline Road, from the Vicinity of Jackson Street to the Vicinity of Walter Street, Towns of Islip and Smithtown**

Attached are a draft resolution and duplicate copy to appropriate the sum of $200,000 for engineering in connection with the above referenced project. There are no funds included in the 2008 Capital Budget and Program for this project and, as such, an offset must be provided. It is our intent to utilize $200,000 in construction funds from C.P. 5039 for this project.

This project proposes to install concrete curb and sidewalk along CR 76 within the subject limits as well as possible spot drainage modifications, which will provide a safer environment for pedestrian traffic. This appropriation will allow us to engage the services of a consultant engineer for survey and design for this project.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP 5497 (CR 76).doc".

TL:WH:er
attach.
cc: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Chief Financial Analyst
Gilbert Anderson, P.E., Commissioner
William Hillman, P.E., Chief Engineer
William Chandler, Federal Construction Projects Coordinator
Linda Brandolf, CPA, Capital Accounting
James Bagg, Chief Environmental Analyst

Suffolk County

General Obligation Serial Bonds
50% Rule

1121

Term of Bonds	5
Amount to Bonds:	$200,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2008					
5/1/2009			$4,000.00	$4,000.00	
11/1/2009	4.00%	$ 32,000	4,000.00	36,000.00	$40,000.00
5/1/2010			3,360.00	3,360.00	
11/1/2010	4.00%	38,000	3,360.00	41,360.00	44,720.00
5/1/2011			2,600.00	2,600.00	
11/1/2011	4.00%	42,000	2,600.00	44,600.00	47,200.00
5/1/2012			1,760.00	1,760.00	
11/1/2012	4.00%	45,000	1,760.00	46,760.00	48,520.00
5/1/2013			860.00	860.00	
11/1/2013	4.00%	43,000	860.00	43,860.00	44,720.00
5/1/2014			-	-	
11/1/2014	4.00%	-	-	-	-
5/1/2015			-	-	
11/1/2015	4.00%	-	-	-	-
5/1/2016			-	-	
11/1/2016	4.00%	-	-	-	-
5/1/2017			-	-	
11/1/2017	4.00%	-	-	-	-
5/1/2018			-	-	
11/1/2018	4.00%	-	-	-	-
5/1/2019			-	-	
11/1/2019	4.00%	-	-	-	-
5/1/2020			-	-	
11/1/2020	4.00%	-	-	-	-
5/1/2021			-	-	
11/1/2021	4.00%	-	-	-	-
5/1/2022			-	-	
11/1/2022	4.25%	-	-	-	-
5/1/2023			-	-	
11/1/2023	4.25%	-	-	-	-
5/1/2024			-	-	
11/1/2024	4.25%	-	-	-	-
5/1/2025			-	-	
11/1/2025	4.25%	-	-	-	-
5/1/2026			-	-	
11/1/2026	4.25%	-	-	-	-
5/1/2027			-	-	
11/1/2027	4.25%	-	-	-	-
5/1/2028			-	-	
11/1/2028	4.25%	-	-	-	-
		$ 200,000	$25,160.00	$225,160.00	$225,160.00

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1121

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$40,000**	**$0.07**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$40,000**	**$0.07**		$0.000

NOTES:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

1122

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

Laid on the Table 2/5/08

RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 4, COMMACK ROAD, FROM THE VICINITY OF NICOLLS ROAD TO JULIA CIRCLE, TOWNS OF BABYLON AND HUNTINGTON (CAPITAL PROGRAM NUMBER 5560)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with the Reconstruction of CR 4, Commack Road, from the vicinity of Nicolls Road to Julia Circle; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding Capital Projects such as this project; and

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

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

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

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete the Reconstruction of CR 4, Commack Road, from the Vicinity of Nicolls Road to Julia Circle, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

4th **RESOLVED**, that the proceeds of $250,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5560.111 (Fund 001 Debt Service)	50	Engineering/Reconstruction of CR 4, Commack Road, from the vicinity of Nicolls Road to Julia Circle	$250,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1122

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 4, COMMACK ROAD, FROM THE VICINITY OF NICOLLS ROAD TO JULIA CIRCLE, TOWNS OF BABYLON AND HUNTINGTON (CAPITAL PROGRAM NUMBER 5560)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes __X__ No _____**

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2009

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Steven Forst Auditor		JANUARY 29th, 2008

SCIN FORM 175b (10/95)

Suffolk County

General Obligation Serial Bonds
50% Rule

1122

Term of Bonds	5
Amount to Bonds:	$250,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2008					
5/1/2009			$5,000.00	$5,000.00	
11/1/2009	4.00%	$ 40,000	5,000.00	45,000.00	$50,000.00
5/1/2010			4,200.00	4,200.00	
11/1/2010	4.00%	48,000	4,200.00	52,200.00	56,400.00
5/1/2011			3,240.00	3,240.00	
11/1/2011	4.00%	52,000	3,240.00	55,240.00	58,480.00
5/1/2012			2,200.00	2,200.00	
11/1/2012	4.00%	56,000	2,200.00	58,200.00	60,400.00
5/1/2013			1,080.00	1,080.00	
11/1/2013	4.00%	54,000	1,080.00	55,080.00	56,160.00
5/1/2014			-	-	
11/1/2014	4.00%	-	-	-	-
5/1/2015			-	-	
11/1/2015	4.00%	-	-	-	-
5/1/2016			-	-	
11/1/2016	4.00%	-	-	-	-
5/1/2017			-	-	
11/1/2017	4.00%	-	-	-	-
5/1/2018			-	-	
11/1/2018	4.00%	-	-	-	-
5/1/2019			-	-	
11/1/2019	4.00%	-	-	-	-
5/1/2020			-	-	
11/1/2020	4.00%	-	-	-	-
5/1/2021			-	-	
11/1/2021	4.00%	-	-	-	-
5/1/2022			-	-	
11/1/2022	4.25%	-	-	-	-
5/1/2023			-	-	
11/1/2023	4.25%	-	-	-	-
5/1/2024			-	-	
11/1/2024	4.25%	-	-	-	-
5/1/2025			-	-	
11/1/2025	4.25%	-	-	-	-
5/1/2026			-	-	
11/1/2026	4.25%	-	-	-	-
5/1/2027			-	-	
11/1/2027	4.25%	-	-	-	-
5/1/2028			-	-	
11/1/2028	4.25%	-	-	-	-
		$ 250,000	$31,440.00	$281,440.00	$281,440.00

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1122

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$50,000**	**$0.09**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$50,000**	**$0.09**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1122

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

DATE: January 17, 2008

RE: **C.P. 5560, Reconstruction of CR 4, Commack Road from the Vicinity of Nicolls Road to Julia Circle, Towns of Babylon and Huntington**

Attached are a draft resolution and duplicate copy to appropriate the sum of $250,000 for engineering/construction in connection with the above referenced project. There are sufficient funds included in the 2008 Capital Budget and Program for this project.

This project will provide for the reconstruction of CR 4, Commack Road from the vicinity of Nicolls Road to Julia Circle. Commack Road is an urban minor arterial highway which services a large volume of both passenger and commercial traffic. This project extends approximately 2.25 miles and includes the installation of drainage facilities, reconstruction of shoulders, and asphalt concrete resurfacing. All of the work will be completed within the existing right-of-way. The project will improve rideability and the level of safety along this heavily traveled roadway.

We presently have a consultant engineering firm completing preliminary design on this project. It is imperative that this additional funding, which will allow us to proceed to final design, be appropriated as soon as possible because of the significant increase in traffic that will occur in this area due to the new Tanger Outlet Center which will be opening in August of this year.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP 5560.doc".

TL:WH:er
attach.
cc: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Chief Financial Analyst
Gilbert Anderson, P.E., Commissioner
William Hillman, P.E., Chief Engineer
William Chandler, Federal Construction Projects Coordinator
Linda Brandolf, CPA, Capital Accounting
James Bagg, Chief Environmental Analyst

Intro. Res. No. 1123-08 Laid on Table 2/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2007, AUTHORIZING LICENSE AGREEMENT WITH MONTAUK FIRE DISTRICT FOR USE OF GATR SITE IN THEODORE ROOSEVELT COUNTY PARK, MONTAUK, NY

WHEREAS, Montauk Fire District, having its principal office in Montauk, New York, desires to enter into a license agreement with the County to construct, install, maintain and operate a wireless telecommunications equipment complex at the GATR site in Theodore Roosevelt County Park in order to improve its wireless communications and emergency services radio system; and

WHEREAS, the GATR site was once a communications facility and the installation of said equipment will have no impact on the use of the County-owned property by the County or the general public, and

WHEREAS, Montauk Fire District will pay the County an annual license fee for each year of the license equal to 80% of revenues received from operation of said equipment; and

WHEREAS, Montauk Fire District will utilize a wireless telecommunications carrier licensed by the Federal Communications Commission (FCC) to operate in Suffolk County, and

WHEREAS, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8 (hereinafter "SEQRA"), Resolution No. 1334-2007 determined that these actions constitute an unlisted action pursuant to the provisions of Title 6 of the New York Code of Rules and Regulations (NYCRR), Part 617 and Chapter 279 of the Suffolk County Code, and will not have significant adverse impacts on the environment; and

WHEREAS, the County desires to enter into an agreement with Montauk Fire District in order to implement these activities; now, therefore be it

1st RESOLVED, that the Suffolk County Department of Parks, Recreation, Conservation is hereby authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into a License Agreement with Montauk Fire District for a term of ten (10) years, with two (2) optional terms of an additional five (5) years each at the discretion of the Commissioner of Parks, Recreation and Conservation, for a non-exclusive, non-transferable License to construct, install, maintain and operate a wireless telecommunications equipment complex in Theodore Roosevelt County Park at the GATR site in accordance with the provisions set forth above.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1123

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. -2007, AUTHORIZING LICENSE AGREEMENT WITH MONTAUK FIRE DISTRICT FOR USE OF GATR SITE IN THEODORE ROOSEVELT COUNTY PARK, MONTAUK, NY

3. Purpose of Proposed Legislation

To enter into a license agreement with the Montauk Fire District to construct, install, maintain, and operate a wireless telecommunications equipment complex at the GATR site in Theodore Roosevelt County Park in order to improve its wireless communications and emergency services radio system.

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes** __X__ **No** _____

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

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

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

Under the agreement, the County will receive 80% of revenue received from the operation of the telecommunications equipment.

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Steven Forst Auditor	Steve Forst	JANUARY 29th, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1123

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1123

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: **BEN ZWIRN, Deputy County Executive**

FROM: **JOHN W. PAVACIC, Commissioner**

CC: **JIM MORGO, Chief Deputy County Executive**

DATE: **January 21, 2008**

RE: **INTRODUCTORY RESOLUTION AUTHORIZING LICENSE AGREEMENT WITH MONTAUK FIRE DISTRICT FOR USE OF GATR SITE AT THEODORE ROOSEVELT COUNTY PARK**

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS-Authorizing Agreement with Montauk Fire District at GATR.doc".

This resolution is necessary in order for the County to enter into a license agreement with Montauk Fire District to construct, install, maintain and operate a wireless telecommunications equipment complex on County parkland known as the GATR site located in Theodore Roosevelt County Park in Montauk. The Legislature has already approved a SEQRA determination for the proposed facility (*see,* Reso. No. 1334-2007, attached).

Should you require anything further, please contact my office at 4-4984.

Enclosures

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977

SUFFOLK COUNTY PARKS

Intro. Res. No. 2282-2007
Introduced by the Presiding Officer

Laid on Table 12/3/2007

RESOLUTION NO. 1334 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED EMERGENCY COMMUNICATIONS FACILITY AT THE GATR FACILITY, T. ROOSEVELT CO. PARK, TOWN OF EAST HAMPTON

1123

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Emergency Communications Facility at the GATR Facility, T. Roosevelt Co. Park, Town of East Hampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the construction of two wireless communications antenna poles and associated equipment structures at the Roosevelt County Park GATR site to transmit 911 and emergency service calls; and

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

WHEREAS, at its November 21, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Parks; 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 November 26, 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 Emergency Communications Facility at the GATR Facility, T. Roosevelt Co. Park, Town of East Hampton 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; and

2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code; and

3.) The parcel does not appear to suffer from any severe environmental development constraints (limiting soil properties; no high groundwater and no unmanageable slopes); and

4.) The project is compatible with the historic use of the site which served as a cross Atlantic telecommunication facility during World War II and after; and

1123

5.) The two (2) antenna poles will replace existing poles on the site; and

6.) A Stage 1A and Stage 1B Archaeological Survey of the GATR facility has concluded that no significant archaeological resources exist at this site; and

7.) The former antenna poles at the GATR site serve as a navigation reference point for small offshore boats; 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: December 18, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 24, 2007

Intro. Res. No. 1124-08

Laid on the Table 2/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, AMENDING THE 2008 ADOPTED OPERATING BUDGET AND APPROPRIATING FUNDS FROM THE WATER PROTECTION FUND (FUND 477) FUND BALANCE TO COVER THE COST OF AN ENVIRONMENTAL PLANNER POSITION IN THE PLANNING DEPARTMENT

WHEREAS, funds were appropriated in past years' budgets from the fund balance of Fund 477 for water quality-related purposes; and

WHEREAS, the Commissioner of Planning has done a review of the scope of the mandated projects and programs as well as those requested by the County Executive and the Legislature, and has found that there still exists a need for adequate professional staffing to meet discretionary and mandated projects and programs in a reasonable timely and competent manner; and

WHEREAS, on the basis of that review there has been a determination that at least one additional Environmental Planner position is necessary to meet the water protection, water quality, and storm water drainage needs of the County and its citizens; and

WHEREAS, this position will be devoted exclusively to programs and projects which meet the goals and purposes of Fund 477; and

WHEREAS, sufficient funds currently exist within the fund balance of Fund 477 to cover the costs of said position; now therefore be it

1st RESOLVED, that the Adopted 2008 Operating Budget be and hereby is amended and that the following be and hereby are appropriated from the Fund 477 fund balance:

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
PLN	477	8038	1100	Permanent Salaries	$34,179

2nd RESOLVED, that the Suffolk County Classification and Salary Plan and the Department of Planning Operating Budget be and they are hereby amended as follows:

AMENDMENT TO 2008 OPERATING BUDGET
ADDITION

Fd-Agy-Org-Unit	Position Title	Grade	BU	2008 Adopted	2008 MOD	Increase
477-PLN-8038-0100	Environmental Planner	21	02	1	2	+1

3rd **RESOLVED**, that this Legislature hereby determines that the above activity constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR Part 617.5(c), and Chapter 279 of the Suffolk County Code, as the project involves continuing agency administration dealing with the addition of a position in the Department of Planning.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1124

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

AMENDING THE ADOPTED 2008 OPERATING BUDGET AND APPROPRIATING FUNDS FROM THE WATER PROTECTION FUND (Fund 477) FUND BALANCE TO COVER THE COST OF AN ENVIRONMENTAL PLANNER POSITION IN THE PLANNING DEPARTMENT

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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 X	**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

THIS RESOLUTION APPROPRIATES FUNDS FROM FUND 477, WATER QUALITY PROTECTION, TO COVER THE COST OF AN ENVIRONMENTAL PLANNER POSITION AND ADDS THAT POSITION

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

N/A

8. Proposed Source of Funding

FUND 477 FUND BALANCE

9. Timing of Impact

2008

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
GINA KOMMER ASST EXECUTIVE ANALYST		JANUARY 28, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1124

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Division: Water Quality Improvement
Fund: 47-8038
Sheet No.: Form 1A

Form No. 1A (3/84)

County of Suffolk
Budget Request
Program Description

56-192:3/84

ACTIVITY	PRIORITY LISTING	LEGAL MANDATE	WORKLOAD STANDARDS STAFF PER UNIT OF WORK	REVENUES ASSOCIATED PERCENT OF EXPENSE	STAFF ASSIGNED	
					CURRENT	REQUESTED
1	2	3	4	5	6	7
Water Quality Improvement 8038 0100	A	Res. #150-2005 Res. #347-2005	Provide support for all meetings and activities of the Suffolk County Aquaculture Lease Program Advisory Committee which was established by Executive Order. Conduct searches for marine resource reports, fishery and environmental data pertaining to coastal waters and tributaries. Prepare the recommended shellfish aquaculture lease program for consideration and adoption by the County Executive and Legislature. Coordinate environmental planning and habitat restoration feasibility studies involving former duck farm sites located along streams and bay tributaries. Develop scope of services for technical consultant contracts and monitor consultant performance. Provide technical assistance to the Suffolk County Water Quality Review Committee, and other committees conducting water quality and habitat restoration projects in the County.		Envir Planner (vac) 1 Planner – Earmark to Clerk Typist 1 Total 2 01-8020 Planning-General 01-8030 Council on Environ-mental Quality 47-8038 Water Quality Improvement **DEPARTMENT GRAND TOTAL**	Envir Planner (vac) 1 Envir Plner (new) 1 Clerk Typist 1 Total 3 27 2 3 32

1124

partment Planning
vision Water Quality Improvement
Fund 47-8038
eet No. 1 of Form No. 3A

Directions: Show Division, Section, Unit and Name of Account

County of Suffolk
Budget Request
Explanation of New Positions
Form No. 3A (5/97)

os. No.	EXPLANATION - TITLE	Spec No.	Problem Element	Program Unit Assigned	DESCRIPTION Grade/Step	ASSOCIATED COSTS Equip.	Supplies	Other-Specify	Annual Salary
100 0011	Environmental Planner Justification: Develop and implement the Suffolk County Aquaculture Lease Program in Peconic and Gardiners Bays (Capital Budget Project No. 7180). Conduct literature searches for environmental data. Provide support for all activities of the Suffolk County Aquaculture Lease Program Advisory Committee. Secure and monitor technical consultant services. Prepare recommended Aquaculture Lease Program for review and adoption by the County. Coordinate water quality and habitat restoration activities involving former duck farm sites located along streams and bay tributaries. Perform studies and analyses in conjunction with U.S. Army Corps of Engineers authorized Federal shoreline protection and habitat restoration projects. Provide technical assistance to the Suffolk Water Quality Review Committee.	1517			21/01				$45,571

1124

1125

Intro. Res. No. – 2008 Laid on Table 2/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008
AMENDING RESOLUTION NO. 1292-2005 TO AUTHORIZE THE ACQUISITION OF LAND IN CONNECTION WITH THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT- FOR THE WETZEL PROPERTY-MASTIC/SHIRLEY CONSERVATION AREA (TOWN OF BROOKHAVEN -SCTM# 0200-982.10-06.00-005.000)

WHEREAS, Resolution No. 1292-2005 authorized the acquisition of the Wetzel property consisting of .60± acres from the reputed owner John T. Wetzel as executor for the estate of Mary R. Wetzel, for a total purchase price of $35,000.00, the funding for which was to be provided under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund; and

WHEREAS, Section C36-1 (A) (9) of the SUFFOLK COUNTY CHARTER requires that the funds in the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund be issued, appropriated and expended by the County Comptroller, County Executive and County Legislature, via duly enacted resolutions and administrative actions, no later than December 31, 2007, and same cannot take place until after January 1, 2008; and

WHEREAS, Resolution 1292-2005 inadvertently identified the reputed owner incorrectly; and

WHEREAS, Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," Section C12-2(A)(1) authorized the use of 13.55 percent of sales and compensating tax proceeds generated each year for open space acquisitions, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 13.55 percent of the sales and compensating tax proceeds, for the acquisition of the Wetzel property; and

WHEREAS, Resolution No.625-2004, authorized planning steps for the acquisition of said property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition; now, therefore, be it

1st RESOLVED, that the County of Suffolk hereby amends Resolution No. 1292-2005 and approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Thirty Five Thousand Dollars ($35,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	.60±	John T. Wetzel 4635 Pequash Avenue Cutchogue, NY 11935 Patricia McFadden 92 Hollins Lane East Islip, NY 11730 Mary Phelan 1019 SE 7th Court Deerfield Beach, FL 33401 Jeanne Wetzel 2B Goose Neck Lane Riverhead, NY 11901 Joseph Wetzel 86 Winkle Point Drive Northport, NY 11768 Andrew Wetzel 65 Magnolia Drive Mastic, NY 11951 all as heirs of Mary R.
	Section	982.10		
	Block	06.00		
	Lot	005.000		

Wetzel; and

heir to Mary R. Wetzel, by

Charles Wetzel (deceased),

Matt Wetzel
1907 Kristy Court
Longmont, CO 80501
Andrew Wetzel
112 Meadowbrook Circle
Daphene, AL 36526
Guy Wetzel
Box 3244 APO, AE 09226
all as heirs to Charles Wetzel

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owners, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective

as of December 1, 2000, for the County's purchase price of Thirty Five Thousand Dollars ($35,000.00), subject to a final survey; and, be it further

3rd RESOLVED, that the Adopted 2007 Operating Budget be and hereby is amended and that the following be and hereby are appropriated from the Fund 477 balance:

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$35,000.00*

*subject to a final survey
and, be it further

4th RESOLVED, that these interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

Agency	Fund	Revenue Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Fund 477	$35,000.00*

*subject to a final survey
and, be it further

5th RESOLVED, that the $35,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8709.210	New Drinking Water Protection Program	$35,000.00*

*subject to a final survey
and, be it further

6th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers, as described above, to the Capital Fund required to finance this capital project; and, be it further

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $35,000.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and, be it further

8th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

9th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

a.) freshwater/tidal wetlands and buffer lands for same;
d.) lands determined by the County Department of Planning to be necessary for maintaining the quality of surface and/or groundwater in Suffolk County;

and be it further

10th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

11th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

12th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and

2.) the proposed use of the subject parcel(s) is passive recreation; and

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

13th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1125

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the New Suffolk County Drinking Water Protection Program, of the Wetzel property (Mastic/Shirley Conservation Area), SCTM#0200-982.10-06.00-005.000, (Town of Brookhaven).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

N/A

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

N/A

8. Proposed Source of Funding

New Suffolk County Drinking Water Protection Program

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Janet M. Longo Acquisition Supervisor		January 3, 2008

SCIN FORM 175b (10/95)

COUNTY OF SUFFOLK

1125

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER
CHRISTOPHER E. KENT
DIRECTOR

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

January 3, 2008

Mr. Ben Zwirn, Asst. Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to amend Resolution 1292-2005 which authorized the acquisition of the Wetzel property (Mastic/Shirley Conservation Area), in the Town of Brookhaven, under the New Suffolk County Drinking Water Protection Program. The purchase price is $35,000.00 for 0.60± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

CEK:pd
Att.
cc: Jim Morgo, Chief Deputy County Executive
Jeff Szabo, Deputy County Executive
Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
Thomas A. Isles, Director, Planning Department
Janet M. Longo, Acquisition Supervisor
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
Tom Vaughn, County Executive Assistant
Brendan Chamberlain, County Executive Assistant
Lori Sklar, Acquisition Agent
CE Reso Review (e-mail copy only)

LOCATION
H. LEE DENNISON BLDG. - 2nd Floor
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5900
Fax (631) 853-5906
Fax (631) 853-5905

Intro. Res. No. 1126-08 Laid on Table 2/5/08
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION No. – 2008, APPROPRIATING FUNDS In CONNECTION WITH IMPROVEMENTS TO THE COUNTY CORRECTIONAL FACILITY C – 141, RIVERHEAD (CP 3014)

WHEREAS, the Sheriff of Suffolk County has requested additional funds for numerous improvements to the County Correctional Facility – C – 141 – Riverhead including, **but not limited to**, locating and repairing roof and plumbing leaks to include the 4th floor slab extension leakage repairs, reconfiguring the four pod housing areas of the Medium Security Correctional Facility's for direct supervision of inmates which will require the relocation of control panels already scheduled to be replaced and up-graded; replacing 24 air handlers and cleaning all related duct work, replacing the perimeter heating system and controls, replacing the main electrical switch and automatic transfer switch with bypass type; modifying and/or resurfacing the parking lot, providing a sanitary connection for the existing security booth at the Facility's front entrance, repairing and reinforcing the floor and drainage system of the kitchen food preparation area; and

WHEREAS, the Riverhead Correctional Facility continues to deteriorate at an alarming rate and requires immediate repairs to keep the facility operational and habitable; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the Planning and Construction costs of said request under Capital Program Number 3014; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,080,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this legislature being the lead agency under the State Environmental Quality Review Act, Environmental Conservation Law Article 8, hereby finds and determines the action contemplated by this constitutes a Type II action, pursuant to the provisions of Title 6 NYCCR, Part 617.5 (1), (2) and (21), as the project involves planning as well as replacement and rehabilitation involving no substantial changes to an existing structure, or reconstruction of a structure or facility in-kind; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-nine (59), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the proceeds of $1,080,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-3014.318 (Fund 001-Debt Service)	18	Improvements to the County Correctional Facility C-141-Riverhead	$1,000,000

525-CAP-3014.513 (Fund 001-Debt Service)	18	Furniture and Equipment For Improvements to the County Correctional Facility C-141-Riverhead	$ 80,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1126

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

APPROPRIATING FUNDS IN CONNECTION WITH RENOVATIONS TO THE COUNTY CORRECTIONAL FACILITY C – 141, RIVERHEAD (CP 3014)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes** __X__ **No** _____

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2009

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, ASSISTANT EXECUTIVE ANALYST	P. Saunders	January 25, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1126

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$130,200**	**$0.24**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL		**$0.00**		$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$130,200**	**$0.24**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County

General Obligation Serial Bonds
50% Rule

1126

Term of Bonds	10
Amount to Bonds:	$1,080,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2008					
5/1/2009			$21,600.00	$21,600.00	
11/1/2009	4.00%	$ 87,000	21,600.00	108,600.00	$130,200.00
5/1/2010			19,860.00	19,860.00	
11/1/2010	4.00%	95,000	19,860.00	114,860.00	134,720.00
5/1/2011			17,960.00	17,960.00	
11/1/2011	4.00%	100,000	17,960.00	117,960.00	135,920.00
5/1/2012			15,960.00	15,960.00	
11/1/2012	4.00%	104,000	15,960.00	119,960.00	135,920.00
5/1/2013			13,880.00	13,880.00	
11/1/2013	4.00%	108,000	13,880.00	121,880.00	135,760.00
5/1/2014			11,720.00	11,720.00	
11/1/2014	4.00%	112,000	11,720.00	123,720.00	135,440.00
5/1/2015			9,480.00	9,480.00	
11/1/2015	4.00%	116,000	9,480.00	125,480.00	134,960.00
5/1/2016			7,160.00	7,160.00	
11/1/2016	4.00%	121,000	7,160.00	128,160.00	135,320.00
5/1/2017			4,740.00	4,740.00	
11/1/2017	4.00%	125,000	4,740.00	129,740.00	134,480.00
5/1/2018			2,240.00	2,240.00	
11/1/2018	4.00%	112,000	2,240.00	114,240.00	116,480.00
5/1/2019			-	-	
11/1/2019	4.00%	-	-	-	-
5/1/2020			-	-	
11/1/2020	4.00%	-	-	-	-
5/1/2021			-	-	
11/1/2021	4.00%	-	-	-	-
5/1/2022			-	-	
11/1/2022	4.25%	-	-	-	-
5/1/2023			-	-	
11/1/2023	4.25%	-	-	-	-
5/1/2024			-	-	
11/1/2024	4.25%	-	-	-	-
5/1/2025			-	-	
11/1/2025	4.25%	-	-	-	-
5/1/2026			-	-	
11/1/2026	4.25%	-	-	-	-
5/1/2027			-	-	
11/1/2027	4.25%	-	-	-	-
5/1/2028			-	-	
11/1/2028	4.25%	-	-	-	-
		$ 1,080,000	$249,200.00	$1,329,200.00	$1,329,200.00

1126

Memorandum

JAN 8 2008

To: Ben Zwirn, Deputy County Executive

From: Alan Otto, Chief of Staff aro

Date: 01/03/2008

Re: **CP 3014 – Improvements to the County Correctional Facility C - 141**

As you are aware, this capital project provides multiple year funding for the maintenance, repair and upgrade of the Riverhead Correctional Facility. The building is now 44 years old and has been severely overcrowded since 1980.

As you recall, just last month the seriousness of the situation was brought to light when the electrical and plumbing in the kitchen and inmate housing areas deteriorated to the point that corrective action had to be taken. Since these problems recently came to light, funding for these specific repairs was **not** included in CP 3014. Consequently, we requested that a $250,000 offset be authorized.

Attached for your review is a draft Introductory Resolution requesting $1,000,000 in Construction funds and $80,000 in Furniture and Equipment be appropriated so that these much needed repairs and renovations can continue in a timely manner.

An e-mail version of the resolution was sent to CE RESO REVIEW, saved under the title "Reso-Sheriff-2008 funds for CP3014- Improvements to Riverhead Facility".

Thank you for your consideration in reviewing this draft resolution.

CC: Brendan Chamberlain, County Executive Assistant

ARO/jfr

Att.

1127

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

Laid on Table 2/5/2008

RESOLUTION NO. –2008, AMENDING THE 2008 OPERATING BUDGET AND TRANSFERRING FUNDS FOR THE LEAGUE OF WOMEN VOTERS IN THE YOUTH BUREAU

WHEREAS, the 2008 Operating Budget does not include sufficient funds for contracted agencies in the Youth Bureau; and

WHEREAS, the League of Women Voters can provide services to improve school environments through the use of restorative practices; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2008 Operating Budget and transfer $5,000 to the League of Women Voters in the Youth Bureau; and

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

1st RESOLVED, that the 2008 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations:

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	PKS	7110	HOD1	4980	Montauk Observatory	-$5,000

TO:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	EXE	7320	XXXX	4980	League of Women Voters	+$5,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the League of Women Voters; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the League of Women Voters.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

1128

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

Laid on Table 2/5/08

RESOLUTION NO. -2008, AUTHORIZING USE OF SOUTHAVEN COUNTY PARK PROPERTY IN 2008 FOR A 5K RACE

WHEREAS, Alicia Biondo, mother of baby Evelyn who is a victim of Shaken Baby Syndrome, would like to use the Southaven County Park in Brookhaven for the purpose of hosting a fund drive wherein the proceeds go to the raise awareness of the dangers of "Shaken Baby Syndrome"; and

WHEREAS, this race will be held on Sunday, April 27, 2008 from 7:00 a.m. to 12:00 noon; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Two Hundred Fifty Dollars ($250.00), per diem, payment of which shall be guaranteed by Ms. Biondo; and

WHEREAS, a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured will be provided by the Strong Island Sound; and

WHEREAS, the use of County property for such a fund drive will raise awareness of the dangers of "Shaken Baby Syndrome" and educate residents on how to alleviate the stress associated with trying to quiet a crying baby and prevent the occurrence of "Shaken Baby Syndrome"; now, therefore, be it

1st **RESOLVED**, that the use of County-owned property, i.e. the Southaven County Park in Brookhaven, by Alicia Biondo, in consideration of the payment of Two Hundred Fifty Dollars ($250.00) per diem, for the purpose of holding a 5 Kilometer Race on April 27, 2008, between the hours of 7:00 a.m. and 12:00 noon, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured by the County of Suffolk from the Department, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

2nd **RESOLVED**, that before this event shall be permitted to occur, Ms. Biondo must apply for and obtain a permit from the Commissioner of the Department of Parks, Recreation, and Conservation as required by Section 378-7(B) of the Suffolk County Code; and be it further

3rd **RESOLVED**, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, and the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive; and be it further

4th **RESOLVED**, that Ms. Biondo shall also provide an entertainment promoter certificate to Suffolk County if he wishes to allow vendors at the event to sell tangible personal

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

5th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\2008\5K race Shaken Baby Syndrome

Introduced by Presiding Officer Lindsay

Laid on Table 2/5/08

MOTION NO. 1 –2008, PROCEDURAL RESOLUTION
CHANGING LOCATION OF LEGISLATURE MEETINGS

WHEREAS, pursuant to Resolution No. 8-2008, the Suffolk County Legislature has scheduled all regular legislative meetings in Hauppauge for 2008 due to the construction at the Riverhead County Center and the Maxine S. Postal Legislative Auditorium; and

WHEREAS, the media room at Suffolk County Community College's Culinary Arts Center in downtown Riverhead will be made available for the Legislature to hold regular meetings; now, therefore be it

1st **RESOLVED**, that the location of the County Legislature's scheduled meetings on June 24, 2008 and August 19, 2008 shall be changed from the Rose Y. Caracappa Auditorium at the William H. Rogers Building, Hauppauge to the Media Room at the Suffolk County Community College's Culinary Arts Center, 20 East Main Street, in downtown Riverhead; and be it further

2nd **RESOLVED**, that the June 24, 2008 meeting will begin at the scheduled time of 9:30 A.M.; and be it further

3rd **RESOLVED**, that the August 19, 2008 meeting will begin at the scheduled time of 4:00 P.M.; and be it further

4th **RESOLVED**, that the Clerk of the County Legislature is hereby directed to advertise the changed location of the Legislature's meetings on June 24, 2008 and August 19, 2008 to the Suffolk County Community College Culinary Arts Center, 20 East Main Street, Riverhead.

DATED:

Effective pursuant to Section 2-15(A) of the SUFFOLK COUNTY CHARTER.

s:\procedural\r-change-location-legis-meeting

Introduced by Legislator Stern

LOT 2/5/08

PROCEDURAL MOTION NO. 2 - 2008, DESIGNATING VETERANS ORGANIZATIONS TO RECEIVE FUNDING FOR MEMORIAL DAY OBSERVANCES FOR 2008

WHEREAS, each year Veterans Organizations throughout Suffolk County remember and recognize the sacrifice of courageous veterans who have died; and

WHEREAS, one of the many ways these organizations honor these fallen heroes is to place a flag at gravesites at the two National Cemeteries and at other cemeteries in Suffolk County; and

WHEREAS, this Legislature wishes to assist these organizations in the purchase of flags for the Memorial Day observances; and

WHEREAS, §A2-15(A) of the Suffolk County Administrative Code authorizes the appropriation of up to $7,500.00 per year to Veterans Organizations designated by the Veterans and Seniors Committee of the Suffolk County Legislature; now, therefore be it

1st **RESOLVED**, that the Long Island National Cemetery Memorial Committee shall be comprised of the following organizations, pursuant to §A2-15(A) of the Suffolk County Administrative Code, to receive funding in 2008 for the purpose of defraying the expenses of the proper observance of Memorial Day observances at the Long Island National Cemetery, Pinelawn; Calverton National Cemetery, Calverton; and at grave sites of veterans buried in other cemeteries within the County of Suffolk:

1.) Vietnam Veterans of America;
2.) Korean War Veterans;
3.) AMVETS;
4.) American Legion;
5.) American Ex-Prisoners of War;
6.) USCG-CPOA LI Chapter;
7.) Veterans of Foreign Wars;
8.) Masonic War Veterans;
9.) Disabled American Veterans;
10.) Fleet Reserve Association;
11.) Catholic War Veterans;
12.) Jewish War Veterans of the USA;
13.) Huntington Coordinator of Veterans Affairs;
14.) Marine Corps League;
15.) Merchant Marine Veterans;
16.) Navy Seabees;

and be it further

2nd **RESOLVED**, that funding for this purpose shall be expended from Fund 001-LEG-1025-1025-4560; and be it further

3rd **RESOLVED**, that the Legislature's Office of Budget Review shall receive and process all vouchers, receipts, and related documents submitted by the designated

organizations for disbursement of these funds pursuant to the criteria set forth in §A2-15(A) of the Suffolk County Administrative Code; 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) 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 IMMEDIATELY PURSUANT TO §A2-15(A) OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

s:\procedural resolutions\designate veterans groups

Home Rule Message No. 1 -2008 LOT 2/5/2008
Introduced by Presiding Officer Lindsay and Legislator Romaine

HOME RULE MESSAGE REQUESTING NEW YORK STATE LEGISLATURE TO EXTEND TIME AND BENEFITS TO COUNTY EMPLOYEE LEONARD WAYNE BOURNE

WHEREAS, Leonard Wayne Bourne, an employee of the County of Suffolk, was eligible to join the New York State and Local Employees' Retirement System on March 30, 1976, but, for reasons not attributable to his own negligence, did not become a member of the New York State and Local Employees' Retirement System at that time; and

WHEREAS, Leonard Wayne Bourne may be deemed to have become a member of such system on March 30, 1976, and his employment shall be deemed continuous thereby granting him Tier 2 status, if on or before December 31, 2007, he shall file with the State Comptroller a written request to that effect; and

WHEREAS, such a grant of retroactive membership to allow Leonard Wayne Bourne to file with the New York State and Local Employees' Retirement System will increase the County's annual contribution by approximately One Thousand Seven Hundred Dollars ($1,700.00), plus an estimated one-time payment for past services rendered of approximately Ninety-Two Thousand Eight Hundred Dollars ($92,800.00) which would be borne by New York State; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby requests the New York State Legislature to enact Senate Bill S.4052/Assembly Bill A.6981 for the purpose of granting Tier 2 status to Leonard Wayne Bourne, an employee of the County of Suffolk, by deeming his date of membership in the New York State and Local Employees' Retirement System to be March 30, 1976, with the past service costs of such status to be borne by New York State as long as Leonard Wayne Bourne files a written request to that effect on or before December 31, 2007 to the New York State Comptroller; and be it further

2nd **RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor Eliot Spitzer; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:

s:\memres\hr-extend-benefits-bourne-08

BILL TEXT: HR 1

STATE OF NEW YORK

S. 4052 A. 6981

2007-2008 Regular Sessions

SENATE - ASSEMBLY

March 23, 2007

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

IN ASSEMBLY -- Introduced by M. of A. ALESSI -- read once and referred to the Committee on Governmental Employees

AN ACT in relation to granting Leonard Wayne Bourne tier 2 status in the New York state and local employees' retirement system

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

Section 1. Notwithstanding any other provision of law, Leonard Wayne Bourne, who was employed by the Suffolk county department of labor for the period beginning May 3, 1976 and ending December 19, 1977, and who was employed as a public administrator by the Suffolk county department of labor for the period beginning December 22, 1977 and ending September 30, 1980, and who was employed by the Suffolk county department of social services for the period March 30, 1981 and ending July 9, 1981, and who has been employed with the Suffolk county department of social services since July 9, 1984, and who joined the New York state and local employees' retirement system on March 30, 1981 with tier 3 status, and who, for reasons not ascribable to his own negligence did not join such retirement system on March 30, 1976, shall be deemed to have joined such retirement system on March 30, 1976 with tier 2 status, if, on or before December 31, 2007, he shall file a written request with the state comptroller to that effect.

§ 2. All past service costs associated with the implementation of this act shall be borne by the state of New York.

§ 3. This act shall take effect immediately.

FISCAL NOTE.--This bill would grant Leonard Wayne Bourne Tier 2 status in the New York State and Local Employees' Retirement System by changing his date of membership to March 30, 1976.

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

LBD06570-02-7

If this bill is enacted, we anticipate that there will be an increase of approximately $1,700 in the annual contributions of Suffolk County.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $92,800 which would be borne by New York State as a one-time payment. This estimate is based on the assumption that payment will be made on March 1, 2008.

This estimate, dated March 15, 2007 and intended for use only during the 2007 Legislative Session, is Fiscal Note No. 2007-198, prepared by the Actuary for the New York State & Local Employees' Retirement System.

HR 1

SPONSORS MEMO:

NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1

BILL NUMBER: S4052

SPONSOR: LAVALLE

TITLE OF BILL:
An act in relation to granting Leonard Wayne Bourne tier 2 status in the New York state and local employees' retirement system

PURPOSE:
To grant Leonard Wayne Bourne retroactive membership with Tier II status in the New York State and local retirement system.

SUMMARY OF PROVISIONS:

EXISTING LAW:
None.

JUSTIFICATION:
Leonard Wayne Bourne started his employment with the Suffolk County Department of Labor in May of 1976, as part of the CETA 6 program. He then became employed with the Public Administration Office within the Suffolk County Department of Labor. Subsequently, Mr. Bourne gained employment in Suffolk County's Social Services division and then left that post for a period of three years. Mr. Bourne again became employed with Suffolk County Department of Social Services in 1984 and remains employed at present. Although the New York State Retirement System had granted Mr. Bourne the opportunity for retroactive membership dating back to his original date of employment of May 3, 1976, the offer to provide him with coinciding tier status was not extended. This bill would grant Mr. Bourne the opportunity to change his status in the New York State Retirement system from Tier III to Tier II, which he would have been entitled to in 1976.

LEGISLATIVE HISTORY:
2005-06, S.7725

FISCAL IMPLICATIONS:
This bill would grant Leonard Wayne Bourne Tier 2 status in the New York State and Local Employees' Retirement System by changing his date of membership to March 30, 1976. If this bill is enacted, we anticipate that there will be an increase of approximately $1,700 in the annual contributions of Suffolk County. In addition to annual contributions discussed above, there will be an immediate past service cost of approximately $92,000 which would be borne by New York State as a one-time payment. This estimate is based on the assumption that payment will be

made on March 1, 2008. This estimate, dated March 15, 2007 and intended for use only during the 2007 Legislative Session, is Fiscal Note No. 2007-198, prepared by the Actuary for the New York State & Local Employees' Retirement System.

EFFECTIVE DATE:
Immediately.

Home Rule Message No. 2 -2008
Introduced by Presiding Officer Lindsay

LOT 2/5/2008

HOME RULE MESSAGE REQUESTING STATE OF NEW YORK TO ESTABLISH THE PECONIC BAY REGIONAL TRANSPORTATION COUNCIL

WHEREAS, the Peconic Bay region of Suffolk County has experienced rapid growth and development within the past thirty years, which has resulted in strong economic development, but also severe traffic congestion; and

WHEREAS, the increased traffic congestion in the Peconic Bay region is having a deteriorating effect on traffic safety, as well as increasing trip delays and declining air quality thereby threatening the region's tourist and second home industries; and

WHEREAS, the geography of the Peconic Bay region makes augmentation of existing highways and construction of new highways an unrealistic option given the narrow width of the Northern and Southern Forks; and

WHEREAS, although the region's highway infrastructure is overburdened, the public transportation sector remains largely underdeveloped, and new public transit systems may represent the best alternative to the growing traffic congestion problem in the region; and

WHEREAS, a new governmental framework is necessary to coordinate the different layers of government that private sector groups and community organizations must participate in the creation of a successful public transit system for the Peconic Bay region; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby requests the State of New York to create the Peconic Bay Regional Transportation Council as outlined in Senate Bill No. S.1235 and Assembly Bill A.1735, which would establish a transportation action plan for the Peconic Bay region; and be it further

2nd **RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor Eliot Spitzer; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:

s:\memres\hr-peconic-bay-transportation-08

BILL TEXT: HR 2

STATE OF NEW YORK

1235

2007-2008 Regular Sessions

IN SENATE

January 17, 2007

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

AN ACT to amend the general municipal law, in relation to creating the Peconic Bay regional transportation council

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

1 Section 1. Legislative findings. The legislature hereby finds that
2 over the past thirty years, rapid growth and development in the Peconic
3 Bay region of Long Island, while providing for a successful balance of
4 economic opportunity and environmental protection, has also resulted in
5 some unavoidable, adverse impacts that threaten the region's future
6 quality of life and future economic prosperity. Traffic congestion has
7 been one of the primary adverse impacts from such rapid development.
8 Expanding traffic congestion has resulted in deteriorating traffic
9 safety with increased traffic accidents and fatalities. In addition,
10 traffic congestion has resulted in increased trip delays, declining air
11 quality, adverse impacts to historic and rural resources in the region's
12 villages and hamlets, parking problems, adverse impacts to residential
13 communities and neighborhoods resulting from the diversion of traffic
14 from major highways and arteries to rural residential streets and roads.
15 The region's tourist and second home industries, the cornerstone of
16 its prosperity, are threatened if the adverse consequences of traffic
17 congestion are not promptly and adequately addressed. Further, projec-
18 tions from the state department of transportation and local governments
19 indicate that there will be a continued growth in year-round population,
20 seasonal residents, and traffic into the foreseeable future, exacerbat-
21 ing an already major problem.
22 The legislature finds that the unique geography of the Peconic Bay
23 region limits the ability to expand highway capacity for motor vehicles.
24 The narrow forks limit the augmentation of future highway capacity in an
25 east-west direction. The construction of new highways is not a feasible

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

LBD05620-01-7

alternative, and the option of improving capacity on existing highways is limited. In addition, to unique geography, impacts to the region's natural and historic resources, such as open space, farmland, watershed areas, wetlands, and historic sites and landmarks also limit increasing highway capacity.

While the region's highway infrastructure is severely overburdened, its public transit capabilities are underdeveloped. The region possesses underutilized rail capacity with minimal service from the Long Island Rail Road to the region.

The legislature finds that the development of new public transit opportunities for the Peconic Bay region represents the best alternative to address growing traffic congestion and other transportation problems. The region possesses an existing rail infrastructure. Existing service to the region is minimal. Further, there is no coordination between rail service and existing bus service. The opportunity to improve service is clearly available.

The region's local governments have recognized the adverse impacts resulting from growing traffic congestion and the need to explore other transportation options such as public transit. Independently, the comprehensive plans of the region's towns and villages have cited traffic congestion as a critical problem and have identified improved public transit as a future goal. Towns have created task forces and commissions to address the transportation issue.

Further, collectively, as a region, the local governments have joined together to explore public transit options to mitigate traffic congestion. As early as 1994, the East End Economic and Environmental Institute, under the auspices of the East End Mayors and Supervisors Association issued a report entitled Blue Print for Our Future which called for improved and coordinated bus and rail service in the Peconic Bay region.

In 2005, after a four-year public outreach process, the local governments of the region issued the result of its SEEDS (Sustainable East End Development) project. This initiative also recognized the need to create improved transportation opportunities, including selected road improvements and increased and coordinated public transit.

The private sector has also recognized the need for improved regional transportation opportunities. The Institute for Sustainable Development, Southampton College of Long Island University, held a conference and issued a report calling for improved transportation opportunities in the region. Five Town Rural Transit, Inc., a private, not-for-profit corporation, of community leaders has also recognized the need for public transit improvements. In 2005, they unveiled a conceptual plan for an East End Shuttle providing coordinated bus and rail service, and issued a development proposal to further that goal.

In summary, the problem of traffic congestion with its adverse impacts on the local environment, economy, and quality of life has long been recognized. Further, a multitude of local governments, regional cooperative initiatives, and private initiative have all identified improved public transit with increased and coordinated rail and bus service as the cornerstone for solving the problem. The concept has been at the center of public policy discussions for more than a decade.

The next step is the full development of these concepts to provide a proposal that is feasible and workable, before implementation of new transit opportunities can occur.

Currently, no governmental entity exists which can coordinate the multitude of local governments, state government, federal government,

and other stakeholders that must participate to insure the creation and establishment of a successful public transit initiative for the Peconic Bay region.

It is the intent of the legislature with this act to provide the necessary governmental framework and resources that will foster the cooperation necessary to develop a public transit proposal for the Peconic Bay region. This legislation will give the local governments the regional framework to pursue this initiative, and will mandate the cooperation of state and federal agencies necessary to create a public transit proposal capable of being implemented. Further, it will provide for the involvement of all stakeholders and community members in the development process to insure an open and comprehensive decision making process.

The framework created by this legislation will not only provide the mechanism to evaluate public transit opportunities for the Peconic Bay region but to also foster the cooperation and consensus necessary to implement the land use and other transportation improvements necessary to the future welfare of the Peconic Bay region.

§ 2. The general municipal law is amended by adding a new article 5-L to read as follows:

ARTICLE 5-L

PECONIC BAY REGIONAL TRANSPORTATION COUNCIL

Section 119-aaa. Definitions.

119-bbb. Peconic Bay regional transportation council.

119-ccc. Powers and duties of the council.

119-ddd. Agency cooperation.

119-eee. Preparation and adoption of the transportation action plan.

119-fff. Submission to the legislature.

§ 119-aaa. Definitions. As used in this article:

1. "Peconic Bay region" means the towns of East Hampton, Riverhead, Shelter Island, Southampton, and Southold in the county of Suffolk.

2. "County" means the county of Suffolk.

3. "Municipal corporation" means a town or village in the Peconic Bay region.

4. "State" means the state of New York.

5. "State agency" means any office, department, board, commission, bureau, division, authority, public benefit corporation, agency or instrumentality of the state.

6. "Transportation action plan" means the action plan for implementation of public transportation projects required to be adopted pursuant to this article.

7. "Public transportation project" means any rapid transit, railroad, omnibus, marine transportation, or other public transportation project.

8. "Council" means the council created pursuant to section one hundred nineteen-bbb of this article.

9. "Governor" means the governor of the state of New York.

§ 119-bbb. Peconic Bay regional transportation council. 1. There is hereby created the Peconic Bay regional transportation council. Such council shall consist of twenty voting members: one member to be appointed by the governor who will serve at the pleasure of the governor, and fourteen ex officio members who are the county executive of the county of Suffolk, the five town supervisors from the Peconic Bay region, two village mayors to be appointed by the East End Village Officials Association, the United States congressman representing the Peconic Bay region, the state senator representing the Peconic Bay region,

the two state assembly members representing the Peconic Bay region, and the two county legislators representing the Peconic Bay region, and five citizen members with an interest in transportation and public transit to be appointed by the town board of each town in the Peconic Bay region. Each town shall have one appointment. Each ex officio member may appoint a designated representative, by official authority filed with the council, to exercise his or her powers and perform his or her duties, including the right to vote on matters before the council.

2. The council shall elect one of its members as chairperson. Twelve members shall constitute a quorum for the transaction of any business or the exercise of any power or function of the council. An affirmative vote of eleven or more members shall be required to pass a resolution or otherwise exercise any functions or powers of the council.

§ 119-ccc. Powers and duties of the council. The council shall have the following powers:

1. To make by-laws for the regulation and management of its affairs;

2. To establish a citizen advisory committee to assist it with its duties and responsibilities;

3. To establish a technical advisory committee to assist it with its duties and responsibilities;

4. To prepare and adopt a plan, as provided for in section one hundred nineteen-eee of this article, with the advice of the advisory committees;

5. To utilize to the extent practicable, the state and facilities of existing state and local agencies;

6. To make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and duties under this article;

7. To sue and be sued;

8. To appoint an executive officer, officers, agents, employees, and prescribe their duties and qualifications;

9. To hold hearings in the exercise of its powers, functions, and duties as provided for by this article;

10. To contract for professional and technical assistance and advice;

11. To contract for and accept any assistance, including but not limited to gifts, grants, or loans of funds, or of property from the federal government or any agency or instrumentality thereof, or any state agency, or from any other public or private source and to comply, subject to the provisions of this article, with the terms and conditions thereof.

§ 119-ddd. Agency cooperation. 1. Every state agency shall offer full cooperation to the council in carrying out the provisions of this article.

2. Every agency of the county and the municipal corporations shall offer full cooperation to the council in carrying out the provisions of this article.

§ 119-eee. Preparation and adoption of the transportation action plan. 1. The council is hereby directed to prepare a transportation action plan for the Peconic Bay region.

Such plan shall be prepared in two phases.

2. Phase one shall consider the following alternatives:

a. Establishment of shuttle trains utilizing the existing right of way of the Long Island Rail Road;

b. Establishment and coordination of bus transportation to complement shuttle trains;

c. A regional transportation authority, transportation district, or existing state and local governmental agencies to provide improved transportation services.

3. Phase two shall consider, but not be limited to, the following alternatives:

a. Establishment of park and rail facilities;

b. Addition of more non-stop trains from New York city to the Peconic Bay region;

c. Establishment of a health and human services transportation program;

d. Improvements to existing highway infrastructure to reduce traffic congestion;

e. Establishment of land use regulations to foster the transportation goals of the Peconic Bay region;

f. Bike lanes and paths;

g. Water taxi and passenger ferries;

h. Alternatives recommended by the SEEDS project.

4. The plan shall be prepared in sufficient detail and specificity to permit the relevant governmental authorities to proceed directly to the implementation of the plan's recommendations.

5. The plan shall establish a timetable for recommended transportation improvements.

6. The plan shall include no recommendation with regard to vehicle ferries in the Peconic Bay region.

7. The plan shall include a capital plan and budget for its implementation.

8. A draft of phase one of the plan shall be completed by March thirty-first, two thousand eight.

9. At least five public hearings, one in each town in the Peconic Bay region shall be held on the draft of phase one of the plan.

10. The final version of phase one of the plan shall be completed and approved by the council by July thirty-first, two thousand eight.

11. Phase one of the plan as approved by the council, shall be submitted to the voters as a referendum in each of the towns in the Peconic Bay region at the general election to be held in November two thousand eight. Such referendum shall be deemed approved if it is approved by a majority of the voters voting on such referendum in each town in the Peconic Bay region.

12. The draft of phase two of the plan shall be completed by March thirty-first, two thousand nine.

13. At least five public hearings, one in each town in the Peconic Bay region, shall be held on the draft of phase two of the plan.

14. The final version of phase two of the plan shall be completed and approved by the council by July thirty-first, two thousand nine.

15. Phase two of the plan as approved by the council, shall be submitted to the voters as a referendum in each of the towns in the Peconic Bay region at the general election to be held in November two thousand nine. Such referendum shall be deemed approved if it is approved by a majority of the voters voting on such referendum in each town in the Peconic Bay region.

§ 119-fff. Submission to the legislature. Upon approval of the plan by referendum, such approved transportation action plan shall be submitted to the legislature by the council no later than thirty days after such approval.

§ 3. This act shall take effect immediately.

14R 2

SPONSORS MEMO:

NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1

BILL NUMBER: S1235

SPONSOR: LAVALLE

TITLE OF BILL:

An act to amend the general municipal law, in relation to creating the Peconic Bay regional transportation council

PURPOSE:

This legislation would create the Peconic Bay Regional Transportation Council. This council would coordinate a proposal for the development of an improved public transit system for the region.

SUMMARY OF PROVISIONS:

Section 1:

Legislative Findings

Article 5L - Peconic Bay Transportation Council

Section 119-aaa - Definitions

Section 119-bbb - Creates the Peconic Bay Transportation Council, establishes guidelines for membership to the council.

Section 119-ccc - Establishes the powers and duties of the Council.

Section 119-ddd - States that every State agency shall offer full cooperation to the council.

Section 119-eee - Directs the council to prepare a transportation plan for the Peconic Bay region.

JUSTIFICATION:

Expanding traffic congestion in the Peconic Bay region has resulted in deteriorating traffic safety, declining air quality, parking problems, adverse impacts to the historical and rural resources of the area, and has impeded further growth and development in the region. In order to preserve the tourism industry, and provide comfort for the permanent residents of the region, the issue of traffic congestion must be addressed.

As the unique geography of the region does not permit highway expansion, the solution lies with the expansion of the public transit system in the region.

HR 2

This legislation would create an entity to coordinate the local governments, state government and federal government and other interested parties to create and establish a successful public transit initiative for the Peconic Bay region. Bringing the stakeholders and community members together in the development of the plan will ensure an open and comprehensive decision making process.

LEGISLATIVE HISTORY:

2005-06, S.6670.

FISCAL IMPLICATIONS:

To be determined.

EFFECTIVE DATE:
This act shall take effect immediately.

HR2

BILL TEXT:

STATE OF NEW YORK

1735

2007-2008 Regular Sessions

IN ASSEMBLY

January 10, 2007

Introduced by M. of A. THIELE, ALESSI -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to creating the Peconic Bay regional transportation council

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

1 Section 1. Legislative findings. The legislature hereby finds that
2 over the past thirty years, rapid growth and development in the Peconic
3 Bay region of Long Island, while providing for a successful balance of
4 economic opportunity and environmental protection, has also resulted in
5 some unavoidable, adverse impacts that threaten the region's future
6 quality of life and future economic prosperity. Traffic congestion has
7 been one of the primary adverse impacts from such rapid development.
8 Expanding traffic congestion has resulted in deteriorating traffic
9 safety with increased traffic accidents and fatalities. In addition,
10 traffic congestion has resulted in increased trip delays, declining air
11 quality, adverse impacts to historic and rural resources in the region's
12 villages and hamlets, parking problems, adverse impacts to residential
13 communities and neighborhoods resulting from the diversion of traffic
14 from major highways and arteries to rural residential streets and roads.
15 The region's tourist and second home industries, the cornerstone of
16 its prosperity, are threatened if the adverse consequences of traffic
17 congestion are not promptly and adequately addressed. Further, projec-
18 tions from the state department of transportation and local governments
19 indicate that there will be a continued growth in year-round population,
20 seasonal residents, and traffic into the foreseeable future, exacerbat-
21 ing an already major problem.
22 The legislature finds that the unique geography of the Peconic Bay
23 region limits the ability to expand highway capacity for motor vehicles.
24 The narrow forks limit the augmentation of future highway capacity in an
25 east-west direction. The construction of new highways is not a feasible

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

LBD05620-01-7

alternative, and the option of improving capacity on existing highways is limited. In addition, to unique geography, impacts to the region's natural and historic resources, such as open space, farmland, watershed areas, wetlands, and historic sites and landmarks also limit increasing highway capacity.

While the region's highway infrastructure is severely overburdened, its public transit capabilities are underdeveloped. The region possesses underutilized rail capacity with minimal service from the Long Island Rail Road to the region.

The legislature finds that the development of new public transit opportunities for the Peconic Bay region represents the best alternative to address growing traffic congestion and other transportation problems. The region possesses an existing rail infrastructure. Existing service to the region is minimal. Further, there is no coordination between rail service and existing bus service. The opportunity to improve service is clearly available.

The region's local governments have recognized the adverse impacts resulting from growing traffic congestion and the need to explore other transportation options such as public transit. Independently, the comprehensive plans of the region's towns and villages have cited traffic congestion as a critical problem and have identified improved public transit as a future goal. Towns have created task forces and commissions to address the transportation issue.

Further, collectively, as a region, the local governments have joined together to explore public transit options to mitigate traffic congestion. As early as 1994, the East End Economic and Environmental Institute, under the auspices of the East End Mayors and Supervisors Association issued a report entitled Blue Print for Our Future which called for improved and coordinated bus and rail service in the Peconic Bay region.

In 2005, after a four-year public outreach process, the local governments of the region issued the result of its SEEDS (Sustainable East End Development) project. This initiative also recognized the need to create improved transportation opportunities, including selected road improvements and increased and coordinated public transit.

The private sector has also recognized the need for improved regional transportation opportunities. The Institute for Sustainable Development, Southampton College of Long Island University, held a conference and issued a report calling for improved transportation opportunities in the region. Five Town Rural Transit, Inc., a private, not-for-profit corporation, of community leaders has also recognized the need for public transit improvements. In 2005, they unveiled a conceptual plan for an East End Shuttle providing coordinated bus and rail service, and issued a development proposal to further that goal.

In summary, the problem of traffic congestion with its adverse impacts on the local environment, economy, and quality of life has long been recognized. Further, a multitude of local governments, regional cooperative initiatives, and private initiative have all identified improved public transit with increased and coordinated rail and bus service as the cornerstone for solving the problem. The concept has been at the center of public policy discussions for more than a decade.

The next step is the full development of these concepts to provide a proposal that is feasible and workable, before implementation of new transit opportunities can occur.

Currently, no governmental entity exists which can coordinate the multitude of local governments, state government, federal government,

and other stakeholders that must participate to insure the creation and establishment of a successful public transit initiative for the Peconic Bay region.

It is the intent of the legislature with this act to provide the necessary governmental framework and resources that will foster the cooperation necessary to develop a public transit proposal for the Peconic Bay region. This legislation will give the local governments the regional framework to pursue this initiative, and will mandate the cooperation of state and federal agencies necessary to create a public transit proposal capable of being implemented. Further, it will provide for the involvement of all stakeholders and community members in the development process to insure an open and comprehensive decision making process.

The framework created by this legislation will not only provide the mechanism to evaluate public transit opportunities for the Peconic Bay region but to also foster the cooperation and consensus necessary to implement the land use and other transportation improvements necessary to the future welfare of the Peconic Bay region.

§ 2. The general municipal law is amended by adding a new article 5-L to read as follows:

ARTICLE 5-L

PECONIC BAY REGIONAL TRANSPORTATION COUNCIL

Section 119-aaa. Definitions.

119-bbb. Peconic Bay regional transportation council.

119-ccc. Powers and duties of the council.

119-ddd. Agency cooperation.

119-eee. Preparation and adoption of the transportation action plan.

119-fff. Submission to the legislature.

§ 119-aaa. Definitions. As used in this article:

1. "Peconic Bay region" means the towns of East Hampton, Riverhead, Shelter Island, Southampton, and Southold in the county of Suffolk.

2. "County" means the county of Suffolk.

3. "Municipal corporation" means a town or village in the Peconic Bay region.

4. "State" means the state of New York.

5. "State agency" means any office, department, board, commission, bureau, division, authority, public benefit corporation, agency or instrumentality of the state.

6. "Transportation action plan" means the action plan for implementation of public transportation projects required to be adopted pursuant to this article.

7. "Public transportation project" means any rapid transit, railroad, omnibus, marine transportation, or other public transportation project.

8. "Council" means the council created pursuant to section one hundred nineteen-bbb of this article.

9. "Governor" means the governor of the state of New York.

§ 119-bbb. Peconic Bay regional transportation council. 1. There is hereby created the Peconic Bay regional transportation council. Such council shall consist of twenty voting members: one member to be appointed by the governor who will serve at the pleasure of the governor, and fourteen ex officio members who are the county executive of the county of Suffolk, the five town supervisors from the Peconic Bay region, two village mayors to be appointed by the East End Village Officials Association, the United States congressman representing the Peconic Bay region, the state senator representing the Peconic Bay region,

the two state assembly members representing the Peconic Bay region, and the two county legislators representing the Peconic Bay region, and five citizen members with an interest in transportation and public transit to be appointed by the town board of each town in the Peconic Bay region. Each town shall have one appointment. Each ex officio member may appoint a designated representative, by official authority filed with the council, to exercise his or her powers and perform his or her duties, including the right to vote on matters before the council.

2. The council shall elect one of its members as chairperson. Twelve members shall constitute a quorum for the transaction of any business or the exercise of any power or function of the council. An affirmative vote of eleven or more members shall be required to pass a resolution or otherwise exercise any functions or powers of the council.

§ 119-ccc. Powers and duties of the council. The council shall have the following powers:

1. To make by-laws for the regulation and management of its affairs;

2. To establish a citizen advisory committee to assist it with its duties and responsibilities;

3. To establish a technical advisory committee to assist it with its duties and responsibilities;

4. To prepare and adopt a plan, as provided for in section one hundred nineteen-eee of this article, with the advice of the advisory committees;

5. To utilize to the extent practicable, the state and facilities of existing state and local agencies;

6. To make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and duties under this article;

7. To sue and be sued;

8. To appoint an executive officer, officers, agents, employees, and prescribe their duties and qualifications;

9. To hold hearings in the exercise of its powers, functions, and duties as provided for by this article;

10. To contract for professional and technical assistance and advice;

11. To contract for and accept any assistance, including but not limited to gifts, grants, or loans of funds, or of property from the federal government or any agency or instrumentality thereof, or any state agency, or from any other public or private source and to comply, subject to the provisions of this article, with the terms and conditions thereof.

§ 119-ddd. Agency cooperation. 1. Every state agency shall offer full cooperation to the council in carrying out the provisions of this article.

2. Every agency of the county and the municipal corporations shall offer full cooperation to the council in carrying out the provisions of this article.

§ 119-eee. Preparation and adoption of the transportation action plan. 1. The council is hereby directed to prepare a transportation action plan for the Peconic Bay region.

Such plan shall be prepared in two phases.

2. Phase one shall consider the following alternatives:

a. Establishment of shuttle trains utilizing the existing right of way of the Long Island Rail Road;

b. Establishment and coordination of bus transportation to complement shuttle trains;

c. A regional transportation authority, transportation district, or existing state and local governmental agencies to provide improved transportation services.

3. Phase two shall consider, but not be limited to, the following alternatives:

a. Establishment of park and rail facilities;

b. Addition of more non-stop trains from New York city to the Peconic Bay region;

c. Establishment of a health and human services transportation program;

d. Improvements to existing highway infrastructure to reduce traffic congestion;

e. Establishment of land use regulations to foster the transportation goals of the Peconic Bay region;

f. Bike lanes and paths;

g. Water taxi and passenger ferries;

h. Alternatives recommended by the SEEDS project.

4. The plan shall be prepared in sufficient detail and specificity to permit the relevant governmental authorities to proceed directly to the implementation of the plan's recommendations.

5. The plan shall establish a timetable for recommended transportation improvements.

6. The plan shall include no recommendation with regard to vehicle ferries in the Peconic Bay region.

7. The plan shall include a capital plan and budget for its implementation.

8. A draft of phase one of the plan shall be completed by March thirty-first, two thousand eight.

9. At least five public hearings, one in each town in the Peconic Bay region shall be held on the draft of phase one of the plan.

10. The final version of phase one of the plan shall be completed and approved by the council by July thirty-first, two thousand eight.

11. Phase one of the plan as approved by the council, shall be submitted to the voters as a referendum in each of the towns in the Peconic Bay region at the general election to be held in November two thousand eight. Such referendum shall be deemed approved if it is approved by a majority of the voters voting on such referendum in each town in the Peconic Bay region.

12. The draft of phase two of the plan shall be completed by March thirty-first, two thousand nine.

13. At least five public hearings, one in each town in the Peconic Bay region, shall be held on the draft of phase two of the plan.

14. The final version of phase two of the plan shall be completed and approved by the council by July thirty-first, two thousand nine.

15. Phase two of the plan as approved by the council, shall be submitted to the voters as a referendum in each of the towns in the Peconic Bay region at the general election to be held in November two thousand nine. Such referendum shall be deemed approved if it is approved by a majority of the voters voting on such referendum in each town in the Peconic Bay region.

§ 119-fff. Submission to the legislature. Upon approval of the plan by referendum, such approved transportation action plan shall be submitted to the legislature by the council no later than thirty days after such approval.

§ 3. This act shall take effect immediately.

SPONSORS MEMO:

NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(e)

BILL NUMBER: A1735

SPONSOR: Thiele (MS)

TITLE OF BILL: An act to amend the general municipal law, in relation to creating the Peconic Bay regional transportation council

PURPOSE OR GENERAL IDEA OF BILL: This legislation would create the Peconic Bay Regional Transportation Council. This council would coordinate a proposal for the development of an improved public transit system for the region.

SUMMARY OF SPECIFIC PROVISIONS:

Section 1: Legislative Findings

Article 5L - Peconic Bay Transportation Council

Section 119-aaa - Definitions

Section 119-bbb - Creates the Peconic Bay Transportation Council, establishes guidelines for membership to the council.

Section 119-ccc - Establishes the powers and duties of the Council.

Section 119-ddd - States that every State agency shall offer full cooperation to the council.

Section 119-eee - Directs the council to prepare a transportation plan for the Peconic Bay region.

JUSTIFICATION: Expending traffic congestion in the Peconic Bay region has resulted in deteriorating traffic safety, declining air quality, parking problems, adverse impacts to the historical and rural resources of the area, and has impeded further growth and development in the region. In order to preserve the tourism industry, and provide comfort for the permanent residents of the region, the issue of traffic congestion must be addressed.

As the unique geography of the region does not permit highway expansion, the solution lies with the expansion of the public transit system in the region.

This legislation would create an entity to coordinate the local governments, state government and federal government and other interested parties to create and establish a successful public transit initiative for the Peconic Bay region. Bringing the stakeholders and community members together in the development of the plan will ensure an open and comprehensive decision making process.

1tR 2

PRIOR LEGISLATIVE HISTORY: 2005-06, A.9784; Referred to Local Governments

FISCAL IMPLICATIONS: To be Determined

EFFECTIVE DATE: This act shall take effect immediately

Home Rule Message No. 3 -2008 LOT 2/5/08
Introduced by Presiding Officer Lindsay and Legislator Romaine

HOME RULE MESSAGE REQUESTING THE NEW YORK STATE LEGISLATURE TO AMEND THE TAX LAW, IN RELATION TO AUTHORIZING THE COUNTY OF SUFFOLK TO ELECT TO BE EXEMPT FROM CERTAIN TAXES RELATED TO ANY HYBRID, FUEL EFFICIENT, ALTERNATIVE FUEL, "CLEAN FUEL", OR ELECTRIC MOTOR VEHICLE (ASSEMBLY BILL A.1513)

WHEREAS, cars and trucks in the United States consume 8.2 million barrels of oil each day which translates into 300 million metric tons of carbon emitted into the atmosphere; and

WHEREAS, fuel efficient vehicles, such as hybrid, alternative fuel, "clean fuel" or electric motor vehicles consume less gasoline and produce less carbon dioxide emissions per mile than vehicles powered by conventional gasoline engines; and

WHEREAS, consumers should be given an additional financial incentive to purchase hybrid vehicles to promote their use, thereby lessening the impact of harmful carbon dioxide emissions on the environment; and

WHEREAS, this Legislature has historically been in the forefront of promoting cutting edge technologies to ensure the future environmental well-being of Suffolk residents; and

WHEREAS, Suffolk County Home Rule Message No. 3-3007 was adopted by the Suffolk County Legislature on April 27, 2007 requesting the State of New York to enact Assembly Bill No. A.1513; and

WHEREAS, there is currently legislation pending before the New York State Assembly that would permit Suffolk County to exempt hybrid, alternative fuel, "clean fuel" or electric motor vehicles from sales and compensating use taxes; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby supports New York State Assembly Bill No. A.1513 which would authorize the County of Suffolk to elect to exempt hybrid, fuel efficient, alternative fuel, "clean fuel", or electric motor vehicles from sales and compensating use taxes; and be it further

2nd **RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor Eliot Spitzer; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the

New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:

s:\memres\hr-fuel-efficient-exemption-08

HR3

New York State
ASSEMBLY
Sheldon Silver - Speaker

Tuesday, January 29, 2008

Bill Summary - A01513

Back | New York State Bill Search | Assembly Home

See Bill Text

A01513 Summary:

BILL NO A01513

SAME AS No same as

SPONSOR Thiele

COSPNSR

MLTSPNSR

Add S1115-a, Tax L

Authorizes the county of Suffolk to elect to be exempt from certain taxes related to hybrid, fuel efficient, alternative fuel, "clean fuel" or electric motor vehicle.

A01513 Actions:

BILL NO A01513

01/09/2007 referred to ways and means
01/09/2008 referred to ways and means

A01513 Votes:

A01513 Memo:

BILL NUMBER:A1513

TITLE OF BILL: An act to amend the tax law, in relation to authorizing the county of Suffolk to elect to be exempt from certain taxes related to any hybrid, fuel efficient, alternative fuel, "clean fuel" or electric motor vehicle

HR 3

PURPOSE OR GENERAL IDEA OF BILL: To give the County of Suffolk the option to elect to be exempt from sales and compensating use taxes on hybrid, fuel efficient, alternative fuel, "clean fuel" or electric motor vehicles

SUMMARY OF SPECIFIC PROVISIONS: Adds a new section 1115-a to the tax law.

JUSTIFICATION: Driving a private car is a typical citizen`s most air polluting activity. Americans spend, on average, an hour per day in the car, and collectively over 8 billion hours per year stuck in traffic. Health care costs in America due to transportation pollution total over $60 billion per year. It is time for New York State to take the initiative in helping our society deal with environmental pollution caused by automobiles and the impending gas shortage crisis. Allowing localities to elect whether to provide a tax incentive for the purchase of fuel-efficient vehicles is the first step in the right direction.

PRIOR LEGISLATIVE HISTORY: 2005-06, A10407; Referred to Ways & Means

FISCAL IMPLICATIONS: To be determined.

EFFECTIVE DATE: This act shall take effect immediately; provided that the Suffolk County legislature shall notify the legislative bill drafting commission upon adopting a local law as authorized by section 1115-a of the tax law, as added by section one of this act.

Contact Webmaster

Page display time = 0.004 sec

HR 3

Tuesday, January 29, 2008

Bill Text - A01513

Back | New York State Bill Search | Assembly Home

See Bill Summary

STATE OF NEW YORK

1513

2007-2008 Regular Sessions

IN ASSEMBLY

January 9, 2007

Introduced by M. of A. THIELE -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to authorizing the county of Suffolk to elect to be exempt from certain taxes related to any hybrid, fuel efficient, alternative fuel, "clean fuel" or electric motor vehicle

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The tax law is amended by adding a new section 1115-a to read as follows:

S 1115-A. COUNTY OF SUFFOLK OPTIONAL EXEMPTION FROM SALES AND USE TAXES. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE COUNTY OF SUFFOLK MAY ELECT BY LOCAL LAW, FOR A PERIOD OF TIME TO BE ESTABLISHED BY SUCH COUNTY, FOR RECEIPTS FOR ANY HYBRID, FUEL EFFICIENT, ALTERNATIVE FUEL, "CLEAN FUEL" OR ELECTRIC MOTOR VEHICLE TO BE EXEMPT FROM THE TAX ON RETAIL SALES IMPOSED UNDER SUBDIVISION (A) OF SECTION ELEVEN HUNDRED FIVE OF THIS ARTICLE AND THE COMPENSATING USE TAX IMPOSED UNDER SECTION ELEVEN HUNDRED TEN OF THIS ARTICLE.

S 2. This act shall take effect immediately; provided that the Suffolk county legislature shall notify the legislative bill drafting commission upon adopting a local law as authorized by section 1115-a of the tax law, as added by section one of this act, in order that such commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effecting the provisions of section 44 of the legislative law and section 70-b of the public officers law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets { } is old law to be omitted.

LBD05652-01-7

FRED W. THIELE, JR.
Assemblyman 2ND District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

VICE-CHAIRMAN
Joint Conference Committee

RANKING MINORITY MEMBER
Education Committee

COMMITTEES
Ways and Means
Environmental Conservation
Housing

January 22, 2008

Tim Laube, Clerk
Suffolk County Legislature
W.H. Rogers Legislature Bldg
725 Veterans Memorial Hwy
Smithtown, NY 11787

Dear Mr. Laube:

Please find enclosed, a copy of Assembly Bill 1513, as well as four Home Rule Request forms. This legislation would authorize the County of Suffolk to elect to be exempt from certain taxes related to certain hybrid and electric motor vehicles

Please forward the two Assembly forms to the Office of the Home Rule Counsel, Room 448M, the Capitol, Albany, NY, 12248. The two Senate forms should be sent to Office of the Home Rule Counsel, Room 517, the Capitol, Albany, NY 12247.

The New York State Legislature is prohibited from passing any legislation that affects the property, affairs and government, of a specific local government, or a number of specific local governments, unless the State Legislature has received a request to pass the legislation from the local government(s) involved. This request is known as a Home Rule Request.

On a local level, two-thirds of a legislative body are needed to pass a resolution requesting that the State Legislature pass the bill. Complete instructions of the Home Rule Procedure are on the back of the blue forms. All four forms should be completed, two for the Senate and two for the Assembly.

Please forward the two Assembly forms to the Office of the Home Rule Counsel, Room 448M, the Capitol, Albany, NY, 12248. The two Senate forms should be sent to Office of the Home Rule Counsel, Room 517, the Capitol, Albany, NY 12247.

If you have any questions about this legislative procedure, please contact my Albany Office.

Sincerely yours,

Fred W. Thiele, Jr.
Member of Assembly

FWT/slh

ALBANY OFFICE: Room 443, Legislative Office Building, Albany, New York 12248 • (518) 455-5997, FAX (518) 455-5963
DISTRICT OFFICE: 2302 Main Street, P.O. Box 3062, Bridgehampton, New York 11932 • (631) 537-2583, FAX (631) 537-2836
E-mail Address: thielef@assembly.state.ny.us

Home Rule Message No. 4 -2008 LOT 2/5/08
Introduced by Presiding Officer Lindsay and Legislator Romaine

HOME RULE MESSAGE REQUESTING NEW YORK STATE LEGISLATURE TO AMEND THE TAX LAW, IN RELATION TO AUTHORIZING THE COUNTY OF SUFFOLK TO ELECT TO BE EXEMPT FROM CERTAIN TAXES RELATED TO ANY ENERGY SAVING, FLUORESCENT LIGHT BULB (ASSEMBLY BILL A.8875)

WHEREAS, according to the United States Department of Energy, if every American home replaced just one light bulb with an Energy Star qualified bulb, we would save enough energy to light more than 3 million homes per year, more than $600 million in energy costs, and prevent greenhouse gases equivalent to the emissions of more than 800,000 cars; and

WHEREAS, Energy Star fluorescent light bulbs are four times more efficient and last up to 10 times longer than incandescents; and

WHEREAS, although initially more expensive, the long term savings are greater because these energy efficient bulbs use 1/3 the electricity of incandescents; and

WHEREAS, this Legislature has historically been in the forefront of promoting cutting edge technologies to ensure the future environmental well-being of Suffolk residents; and

WHEREAS, Suffolk County Home Rule Message No. 14-2007 was adopted by the Suffolk County Legislature on June 26, 2007 requesting the State of New York to adopt Assembly Bill No. A.8875; and

WHEREAS, eliminating the sales tax on the purchase of these high efficient, Energy Star fluorescent bulbs would give consumers an incentive to purchase this type of lighting; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby supports Assembly Bill A.8875 which would amend the New York Tax Law in relation to authorizing the County of Suffolk to elect to exempt energy saving, fluorescent light bulbs from sales taxes; and be it further

2nd **RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor Eliot Spitzer; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State

Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:

s:\memres\hr-exempt-tax-bulbs-08

HR 4

New York State
ASSEMBLY
Sheldon Silver - Speaker

Tuesday, January 29, 2008

Bill Summary - A08875

Back | New York State Bill Search | Assembly Home

See Bill Text

A08875 Summary:

BILL NO A08875

SAME AS No same as

SPONSOR Thiele

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Add S1115-a, Tax L

Authorizes the county of Suffolk to elect to be exempt from certain taxes related to the sale or purchase of energy saving, fluorescent lightbulbs.

A08875 Actions:

BILL NO A08875

06/04/2007 referred to ways and means
01/09/2008 referred to ways and means

A08875 Votes:

A08875 Memo:

BILL NUMBER:A8875

TITLE OF BILL: An act to amend the tax law, in relation to authorizing the county of Suffolk to elect to be exempt from certain taxes related to any energy saving, fluorescent lightbulb

PURPOSE OR GENERAL IDEA OF BILL: Energy efficient fluorescent light bulbs offer an environmentally friendly option, but at an increased

HR 4

initial price. Giving Suffolk County the option of electing to eliminate taxes on the bulbs would make them a more affordable option to consumers.

SUMMARY OF SPECIFIC PROVISIONS: The tax law is amended by adding a new section 1115-a

JUSTIFICATION: Energy saving, fluorescent light bulbs use up to 75% less energy and last 10 times longer than traditional bulbs. They also give off75% less heat, making them safer to operate and will slightly cut energy costs associated with home cooling.

Exempting these bulbs from sales tax will slightly offset the increased cost of these bulbs, and will increase consumer awareness and use of energy saving fluorescent bulbs.

PRIOR LEGISLATIVE HISTORY: New Bill

FISCAL IMPLICATIONS: None to the State

EFFECTIVE DATE: Immediately

Contact Webmaster

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HR 4

Tuesday, January 29, 2008

Bill Text - A08875

Back | New York State Bill Search | Assembly Home

See Bill Summary

S T A T E O F N E W Y O R K

8875

2007-2008 Regular Sessions

I N A S S E M B L Y

June 4, 2007

Introduced by M. of A. THIELE -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to authorizing the county of Suffolk to elect to be exempt from certain taxes related to any energy saving, fluorescent lightbulb

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The tax law is amended by adding a new section 1115-a to
2 read as follows:
3 S 1115-A. COUNTY OF SUFFOLK OPTIONAL EXEMPTION FROM SALES AND USE
4 TAXES FOR THE SALE OR PURCHASE OF ANY ENERGY SAVING, FLUORESCENT LIGHT-
5 BULB. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE
6 COUNTY OF SUFFOLK MAY ELECT BY LOCAL LAW, FOR A PERIOD OF TIME TO BE
7 ESTABLISHED BY SUCH COUNTY, FOR RECEIPTS FOR ANY SALE OR PURCHASE OF
8 ENERGY SAVING, FLUORESCENT LIGHTBULB TO BE EXEMPT FROM THE TAX ON RETAIL
9 SALES IMPOSED UNDER SUBDIVISION (A) OF SECTION ELEVEN HUNDRED FIVE OF
10 THIS ARTICLE AND THE COMPENSATING USE TAX IMPOSED UNDER SECTION ELEVEN
11 HUNDRED TEN OF THIS ARTICLE.
12 S 2. This act shall take effect immediately; provided that the Suffolk
13 county legislature shall notify the legislative bill drafting commission
14 upon adopting a local law as authorized by section 1115-a of the tax
15 law, as added by section one of this act, in order that such commission
16 may maintain an accurate and timely effective data base of the official
17 text of the laws of the state of New York in furtherance of effecting
18 the provisions of section 44 of the legislative law and section 70-b of
19 the public officers law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets { } is old law to be omitted.

LBD13249-01-7

FRED W. THIELE, JR.
Assemblyman 2ND District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

VICE-CHAIRMAN
Joint Conference Committee

RANKING MINORITY MEMBER
Education Committee

COMMITTEES
Ways and Means
Environmental Conservation
Housing

January 22, 2008

Tim Laube, Clerk
Suffolk County Legislature
W.H. Rogers Legislature Bldg
725 Veterans Memorial Hwy
Smithtown, NY 11787

Dear Mr. Laube:

Please find enclosed, a copy of Assembly Bill 8875, as well as four Home Rule Request forms. This legislation would authorize the County of Suffolk to elect to be exempt from certain taxes related to the sale or purchase of energy saving, fluorescent light bulbs

The New York State Legislature is prohibited from passing any legislation that affects the property, affairs and government, of a specific local government, or a number of specific local governments, unless the State Legislature has received a request to pass the legislation from the local government(s) involved. This request is known as a Home Rule Request.

On a local level, two-thirds of a legislative body are needed to pass a resolution requesting that the State Legislature pass the bill. Complete instructions of the Home Rule Procedure are on the back of the blue forms. All four forms should be completed, two for the Senate and two for the Assembly.

Please forward the two Assembly forms to the Office of the Home Rule Counsel, Room 448M, the Capitol, Albany, NY, 12248. The two Senate forms should be sent to Office of the Home Rule Counsel, Room 517, the Capitol, Albany, NY 12247.

If you have any questions about this legislative procedure, please contact my Albany Office.

Sincerely yours,

Fred W. Thiele, Jr.
Member of Assembly

FWT/slh

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ALBANY OFFICE: Room 443, Legislative Office Building, Albany, New York 12248 • (518) 455-5997, FAX (518) 455-5963
DISTRICT OFFICE: 2302 Main Street, P.O. Box 3062, Bridgehampton, New York 11932 • (631) 537-2583, FAX (631) 537-2836
E-mail Address: thielef@assembly.state.ny.us

Home Rule Message No. 5 -2008
Introduced by Presiding Officer Lindsay

LOT 2/5/08

HOME RULE MESSAGE REQUESTING NEW YORK STATE LEGISLATURE TO AMEND THE VEHICLE AND TRAFFIC LAW AND THE PUBLIC OFFICERS LAW, IN RELATION TO ADJUDICATIONS AND OWNER LIABILITY FOR A VIOLATION OF TRAFFIC-CONTROL SIGNAL INDICATIONS AND PROVIDING FOR THE REPEAL OF SUCH PROVISIONS UPON EXPIRATION THEREOF (ASSEMBLY BILL A.1231)

WHEREAS, the Insurance Institute for Highway Safety estimates that vehicle drivers running red traffic lights are responsible for an estimated 260,000 crashes each year in the United States, 750 of which are fatal, and that fatal crashes at intersections increased by almost 20 per cent during the five-year period from 1992 through 1996; and

WHEREAS, Suffolk County Local Law 18-2001, "Local Law to Prohibit Red Light Running in Suffolk County", similar to the successful New York City program now in place, was adopted by the Suffolk County Legislature on November 20, 2001, subject to the enactment of enabling State legislation for authority to install and implement traffic-control signal photo-violation monitoring devices to catch red-light runners; and

WHEREAS, Suffolk County Home Rule Message No. 3-2002 requested the New York State Legislature to adopt Senate Bill S. 6083-A, for red light traffic cameras in Suffolk County, and Suffolk County Home Rule Message No. 4-2002 requested the New York State Legislature to enact Assembly Bill A09871 for the same purpose; and

WHEREAS, Suffolk County Home Rule Message 1-2004 and Suffolk County Home Rule Message 2-2004, adopted by the Suffolk County Legislature on May 10, 2004, made similar requests to the New York State Legislature; and

WHEREAS, Suffolk County Home Rule Message No. 3-2005 was adopted by the Suffolk County Legislature on June 7, 2005 requesting the State of New York to enact Assembly Bill A.3393; and

WHEREAS, Suffolk County Home Rule Message No. 4-2006 was adopted by the Suffolk County Legislature on May 16, 2006 requesting the State of New York to enact Assembly Bill A.3393; and

WHEREAS, Suffolk County Home Rule Message No. 4-2007 was adopted by the Suffolk County Legislature on April 24, 2007 requesting the State of New York to enact Assembly Bill A. 1314; and

WHEREAS, there is currently a proposal before the New York State Assembly (A.1231) to amend the NEW YORK VEHICLE AND TRAFFIC LAW (VTL) and the PUBLIC OFFICERS LAW to allow Suffolk County to install and operate traffic-control

signal photo violation-monitoring devices (red-light cameras) at intersections within Suffolk County and to impose monetary liability on the owners of vehicles failing to comply with traffic control signals; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby requests the New York State Legislature to enact Assembly Bill A.1231 for the purpose of:

1.) adding a new Section 1111-b of the VTL to allow Suffolk County to adopt a local law establishing and implementing a demonstration red-light camera program which would impose monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications by installing and operating traffic control signal photo violation-monitoring devices at no more than fifty (50) intersections within the County at any one time;

2.) imposing monetary fines not to exceed fifty ($50.00) dollars per violation for failure to obey a traffic-control device to be adjudicated in the same manner that parking tickets are adjudicated, plus an additional penalty not to exceed twenty-five ($25.00) dollars for each violation for the failure to respond to a notice of liability within the prescribed time period;

3.) utilizing necessary technologies to ensure, to the extent practicable, that photographs produced by such traffic-control signal photo violation-monitoring systems shall not include images that identify the driver, the passengers or the contents of the vehicle;

4.) lessors and rental companies would not be held liable for violations; authorizes vehicles owners to maintain actions for indemnification against operators; and requires the submission of an annual program report to the Legislature and the Governor;

5.) This bill would sunset the program on December 1, 2011.

and be it further

2nd **RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor Eliot Spitzer; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:

s:\memres\hr-red-light-running-2-2008

HR 5

Tuesday, January 29, 2008

Bill Summary - A01231

Back | New York State Bill Search | Assembly Home

See Bill Text

A01231 Summary:

BILL NO A01231

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Amd SS401 & 1809, add S1111-b, V & T L; amd S87, Pub Off L

Relates to adjudications and owner liability for a violation of traffic-control signal indications.

A01231 Actions:

BILL NO A01231

01/03/2007 referred to transportation
01/09/2008 referred to transportation

A01231 Votes:

A01231 Memo:

BILL NUMBER:A1231

TITLE OF BILL: An act to amend the vehicle and traffic law and the public officers law, in relation to adjudications and owner liability for a violation of traffic-control signal indications and providing for the repeal of such provisions upon expiration thereof

PURPOSE OR GENERAL IDEA OF Bill:

HR 5

To reduce incidents of red light running in Suffolk County, thereby enhancing public safety.

SUMMARY OF SPECIFIC PROVISIONS:

The bill authorizes Suffolk County to adopt a local law to implement a program to install photo violation monitoring devices at up to fifty intersections, and impose monetary liability of up to fifty dollars on the owners of vehicles failing to comply with traffic-control signals. The bill protects the due process rights of vehicle owners by setting forth provisions for service of notices of liability; the information required to appear on such notice, including the manner and time for contesting the alleged liability, and a warning that failure to contest is deemed an admission of liability and that a default judgment could be entered; and requiring that such notices of liability be adjudicated by the court having jurisdiction over traffic infractions. It also prevents liability from being imposed against owners who did not give their consent to the operation of their vehicle, and provides for a presumption that the vehicles were operated with the consent of the owner. It also establishes a defense that traffic control indications were malfunctioning at the time of the alleged violation.

The bill contains provisions under which lessors and rental companies would not be held liable for violations, authorizes vehicle owners to maintain actions for indemnification against operators, and requires the submission of an annual program report to the Legislature and governor. Finally, the bill would sunset the program on December 1, 2011.

JUSTIFICATION:

Aggressive driving, including running red lights, is a significant reason for a reported increase in the percentage of fatalities occurring at intersections as noted by the Insurance Institute for Highway Safety. Red light running accidents are often the worst type of accident; they often involve speed and right-angle impacts, which can lead to the most severe injuries. In New York State, 30% of reported vehicular accidents in 1998 occurred at signalized intersections. Of those, 244 involved fatalities, which is just over 17% of all fatal accidents that occurred statewide that year. Of more than 18,000 pedestrian accidents occurring in the same period, 33% were at signalized intersections. Many cities in the United States already have operational photo enforcement for catching red light runners, including Beverly Hills, Los Angeles, Sacramento, San Diego, San Francisco, Boulder (Colorado), Baltimore, Charlotte, Alexandria and Arlington (Virginia) and Washington D.C. Photo enforcement of red light violators has been found to be an effective enforcement tool in reducing red light running, and in making intersections safer.

PRIOR LEGISLATIVE HISTORY:

Similar legislation, A.9871, passed the Assembly in 2002.
2003-2004: A.11683 - Passed Assembly
2005-2006: A.3345-A - Remained in Committee

HR 5

FISCAL IMPLICATIONS FOR STATE AND LOCAL GOVERNMENTS:

Minimal cost to the State; equipment and operational costs for Suffolk County would be covered by fines imposed for violations.

EFFECTIVE DATE:

30 days after enactment, to expire and be deemed repealed on December 1, 2012.

Contact Webmaster

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HR 5

Tuesday, January 29, 2008

Bill Text - A01231

Back | New York State Bill Search | Assembly Home

See Bill Summary

S T A T E O F N E W Y O R K

1231

2007-2008 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 3, 2007

Introduced by M. of A. EDDINGTON -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law and the public officers law, in relation to adjudications and owner liability for a violation of traffic-control signal indications and providing for the repeal of such provisions upon expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 5-a of section 401 of the vehicle and traffic
2 law is amended by adding a new paragraph a-1 to read as follows:
3 A-1. IF AT THE TIME OF APPLICATION FOR A REGISTRATION OR RENEWAL THER-
4 EOF THERE IS A CERTIFICATION FROM A COURT, PARKING VIOLATIONS BUREAU,
5 TRAFFIC AND PARKING VIOLATIONS AGENCY OR ADMINISTRATIVE TRIBUNAL OF
6 APPROPRIATE JURISDICTION OR ADMINISTRATIVE TRIBUNAL OF APPROPRIATE
7 JURISDICTION THAT THE REGISTRANT OR HIS OR HER REPRESENTATIVE FAILED TO
8 APPEAR ON THE RETURN DATE OR ANY SUBSEQUENT ADJOURNED DATE OR FAILED TO
9 COMPLY WITH THE RULES AND REGULATIONS OF AN ADMINISTRATIVE TRIBUNAL
10 FOLLOWING ENTRY OF A FINAL DECISION IN RESPONSE TO A TOTAL OF THREE OR
11 MORE SUMMONSES OR OTHER PROCESS IN THE AGGREGATE, ISSUED WITHIN AN EIGH-
12 TEEN MONTH PERIOD, CHARGING EITHER THAT (I) SUCH MOTOR VEHICLE WAS
13 PARKED, STOPPED OR STANDING, OR THAT SUCH MOTOR VEHICLE WAS OPERATED FOR
14 HIRE BY THE REGISTRANT OR HIS OR HER AGENT WITHOUT BEING LICENSED AS A
15 MOTOR VEHICLE FOR HIRE BY THE APPROPRIATE LOCAL AUTHORITY, IN VIOLATION
16 OF ANY OF THE PROVISIONS OF THIS CHAPTER OR OF ANY LAW, ORDINANCE, RULE
17 OR REGULATION MADE BY A LOCAL AUTHORITY OR (II) THE REGISTRANT WAS
18 LIABLE IN ACCORDANCE WITH SECTION ELEVEN HUNDRED ELEVEN-B OF THIS CHAP-
19 TER FOR A VIOLATION OF SUBDIVISION (D) OF SECTION ELEVEN HUNDRED ELEVEN
20 OF THIS CHAPTER, THE COMMISSIONER OR HIS OR HER AGENT SHALL DENY THE
21 REGISTRATION OR RENEWAL APPLICATION UNTIL THE APPLICANT PROVIDES PROOF

HR 5

22 FROM THE COURT, TRAFFIC AND PARKING VIOLATIONS AGENCY OR ADMINISTRATIVE

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets { } is old law to be omitted.

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A. 1231

2

1 TRIBUNAL WHEREIN THE CHARGES ARE PENDING THAT AN APPEARANCE OR ANSWER
2 HAS BEEN MADE OR IN THE CASE OF AN ADMINISTRATIVE TRIBUNAL THAT HE OR
3 SHE HAS COMPLIED WITH THE RULES AND REGULATIONS OF SAID TRIBUNAL FOLLOW-
4 ING ENTRY OF A FINAL DECISION. WHERE AN APPLICATION IS DENIED PURSUANT
5 TO THIS SECTION, THE COMMISSIONER MAY, IN HIS OR HER DISCRETION, DENY A
6 REGISTRATION OR RENEWAL APPLICATION TO ANY OTHER PERSON FOR THE SAME
7 VEHICLE AND MAY DENY A REGISTRATION OR RENEWAL APPLICATION FOR ANY OTHER
8 MOTOR VEHICLE REGISTERED IN THE NAME OF THE APPLICANT WHERE THE COMMIS-
9 SIONER HAS DETERMINED THAT SUCH REGISTRANT`S INTENT HAS BEEN TO EVADE
10 THE PURPOSES OF THIS SUBDIVISION AND WHERE THE COMMISSIONER HAS REASON-
11 ABLE GROUNDS TO BELIEVE THAT SUCH REGISTRATION OR RENEWAL WILL HAVE THE
12 EFFECT OF DEFEATING THE PURPOSES OF THIS SUBDIVISION. SUCH DENIAL SHALL
13 ONLY REMAIN IN EFFECT AS LONG AS THE SUMMONSES REMAIN UNANSWERED, OR IN
14 THE CASE OF AN ADMINISTRATIVE TRIBUNAL, THE REGISTRANT FAILS TO COMPLY
15 WITH THE RULES AND REGULATIONS FOLLOWING ENTRY OF A FINAL DECISION.
16 FOR PURPOSES OF THIS PARAGRAPH, THE TERM "MOTOR VEHICLE OPERATED FOR
17 HIRE" SHALL MEAN AND INCLUDE A TAXICAB, LIVERY, COACH, LIMOUSINE OR TOW
18 TRUCK.
19 S 2. The vehicle and traffic law is amended by adding a new section
20 1111-b to read as follows:
21 S 1111-B. OWNER LIABILITY FOR FAILURE OF OPERATOR TO COMPLY WITH
22 TRAFFIC-CONTROL INDICATIONS. (A) 1. NOTWITHSTANDING ANY OTHER PROVISION
23 OF LAW, THE COUNTY OF SUFFOLK IS HEREBY AUTHORIZED AND EMPOWERED TO
24 ADOPT AND AMEND A LOCAL LAW OR ORDINANCE ESTABLISHING A DEMONSTRATION
25 PROGRAM IMPOSING MONETARY LIABILITY ON THE OWNER OF A VEHICLE FOR FAIL-
26 URE OF AN OPERATOR THEREOF TO COMPLY WITH TRAFFIC-CONTROL INDICATIONS IN
27 SUCH COUNTY IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION. SUCH
28 DEMONSTRATION PROGRAM SHALL EMPOWER SUCH COUNTY TO INSTALL AND OPERATE
29 TRAFFIC-CONTROL SIGNAL PHOTO VIOLATION-MONITORING DEVICES AT NO MORE
30 THAN FIFTY INTERSECTIONS WITHIN SUCH COUNTY AT ANY ONE TIME.
31 2. SUCH DEMONSTRATION PROGRAM SHALL UTILIZE NECESSARY TECHNOLOGIES TO
32 ENSURE, TO THE EXTENT PRACTICABLE, THAT PHOTOGRAPHS PRODUCED BY SUCH
33 TRAFFIC-CONTROL SIGNAL PHOTO VIOLATION-MONITORING SYSTEMS SHALL NOT
34 INCLUDE IMAGES THAT IDENTIFY THE DRIVER, THE PASSENGERS, OR THE CONTENTS
35 OF THE VEHICLE. PROVIDED, HOWEVER, THAT NO NOTICE OF LIABILITY ISSUED
36 PURSUANT TO THIS SECTION SHALL BE DISMISSED SOLELY BECAUSE A PHOTOGRAPH
37 OR PHOTOGRAPHS ALLOW FOR THE IDENTIFICATION OF THE CONTENTS OF A VEHI-
38 CLE, PROVIDED THAT SUCH COUNTY HAS MADE A REASONABLE EFFORT TO COMPLY
39 WITH THE PROVISIONS OF THIS PARAGRAPH.
40 (B) IN ANY SUCH COUNTY WHICH HAS ADOPTED A LOCAL LAW OR ORDINANCE
41 PURSUANT TO SUBDIVISION (A) OF THIS SECTION, THE OWNER OF A VEHICLE
42 SHALL BE LIABLE FOR A PENALTY IMPOSED PURSUANT TO THIS SECTION IF SUCH
43 VEHICLE WAS USED OR OPERATED WITH THE PERMISSION OF THE OWNER, EXPRESS
44 OR IMPLIED, IN VIOLATION OF SUBDIVISION (D) OF SECTION ELEVEN HUNDRED
45 ELEVEN OF THIS ARTICLE, AND SUCH VIOLATION IS EVIDENCED BY INFORMATION
46 OBTAINED FROM A TRAFFIC-CONTROL SIGNAL PHOTO VIOLATION-MONITORING
47 SYSTEM; PROVIDED HOWEVER THAT NO OWNER OF A VEHICLE SHALL BE LIABLE FOR
48 A PENALTY IMPOSED PURSUANT TO THIS SECTION WHERE THE OPERATOR OF SUCH
49 VEHICLE HAS BEEN CONVICTED OF THE UNDERLYING VIOLATION OF SUBDIVISION
50 (D) OF SECTION ELEVEN HUNDRED ELEVEN OF THIS ARTICLE.
51 (C) FOR PURPOSES OF THIS SECTION, "OWNER" SHALL HAVE THE MEANING

HR 5

52 PROVIDED IN ARTICLE TWO-B OF THIS CHAPTER. FOR PURPOSES OF THIS SECTION,
53 "TRAFFIC-CONTROL SIGNAL PHOTO VIOLATION-MONITORING SYSTEM" SHALL MEAN A
54 VEHICLE SENSOR INSTALLED TO WORK IN CONJUNCTION WITH A TRAFFIC-CONTROL
55 SIGNAL WHICH AUTOMATICALLY PRODUCES TWO OR MORE PHOTOGRAPHS, TWO OR MORE
56 MICROPHOTOGRAPHS, A VIDEOTAPE OR OTHER RECORDED IMAGES OF EACH VEHICLE

1 AT THE TIME IT IS USED OR OPERATED IN VIOLATION OF SUBDIVISION (D) OF
2 SECTION ELEVEN HUNDRED ELEVEN OF THIS ARTICLE.
3 (D) A CERTIFICATE, SWORN TO OR AFFIRMED BY A TECHNICIAN EMPLOYED BY
4 THE COUNTY IN WHICH THE CHARGED VIOLATION OCCURRED, OR A FACSIMILE THER-
5 EOF, BASED UPON INSPECTION OF PHOTOGRAPHS, MICROPHOTOGRAPHS, VIDEOTAPE
6 OR OTHER RECORDED IMAGES PRODUCED BY A TRAFFIC-CONTROL SIGNAL PHOTO
7 VIOLATION-MONITORING SYSTEM, SHALL BE PRIMA FACIE EVIDENCE OF THE FACTS
8 CONTAINED THEREIN. ANY PHOTOGRAPHS, MICROPHOTOGRAPHS, VIDEOTAPE OR OTHER
9 RECORDED IMAGES EVIDENCING SUCH A VIOLATION SHALL BE AVAILABLE FOR
10 INSPECTION IN ANY PROCEEDING TO ADJUDICATE THE LIABILITY FOR SUCH
11 VIOLATION PURSUANT TO A LOCAL LAW OR ORDINANCE ADOPTED PURSUANT TO THIS
12 SECTION.
13 (E) AN OWNER LIABLE FOR A VIOLATION OF SUBDIVISION (D) OF SECTION
14 ELEVEN HUNDRED ELEVEN OF THIS ARTICLE PURSUANT TO A LOCAL LAW OR ORDI-
15 NANCE ADOPTED PURSUANT TO THIS SECTION SHALL BE LIABLE FOR MONETARY
16 PENALTIES IN ACCORDANCE WITH A SCHEDULE OF FINES AND PENALTIES TO BE SET
17 FORTH IN SUCH LOCAL LAW OR ORDINANCE. THE LIABILITY OF THE OWNER PURSU-
18 ANT TO THIS SECTION SHALL NOT EXCEED FIFTY DOLLARS FOR EACH VIOLATION;
19 PROVIDED, HOWEVER, THAT SUCH LOCAL LAW OR ORDINANCE MAY PROVIDE FOR AN
20 ADDITIONAL PENALTY NOT IN EXCESS OF TWENTY-FIVE DOLLARS FOR EACH
21 VIOLATION FOR THE FAILURE TO RESPOND TO A NOTICE OF LIABILITY WITHIN THE
22 PRESCRIBED TIME PERIOD.
23 (F) AN IMPOSITION OF LIABILITY UNDER A LOCAL LAW OR ORDINANCE ADOPTED
24 PURSUANT TO THIS SECTION SHALL NOT BE DEEMED A CONVICTION AS AN OPERATOR
25 AND SHALL NOT BE MADE PART OF THE OPERATING RECORD OF THE PERSON UPON
26 WHOM SUCH LIABILITY IS IMPOSED NOR SHALL IT BE USED FOR INSURANCE
27 PURPOSES IN THE PROVISION OF MOTOR VEHICLE INSURANCE COVERAGE.
28 (G) 1. A NOTICE OF LIABILITY SHALL BE SENT BY FIRST CLASS MAIL TO EACH
29 PERSON ALLEGED TO BE LIABLE AS AN OWNER FOR A VIOLATION OF SUBDIVISION
30 (D) OF SECTION ELEVEN HUNDRED ELEVEN OF THIS ARTICLE PURSUANT TO THIS
31 SECTION. PERSONAL DELIVERY ON THE OWNER SHALL NOT BE REQUIRED. A MANUAL
32 OR AUTOMATIC RECORD OF MAILING PREPARED IN THE ORDINARY COURSE OF BUSI-
33 NESS SHALL BE PRIMA FACIE EVIDENCE OF THE FACTS CONTAINED THEREIN.
34 2. A NOTICE OF LIABILITY SHALL CONTAIN THE NAME AND ADDRESS OF THE
35 PERSON ALLEGED TO BE LIABLE AS AN OWNER FOR A VIOLATION OF SUBDIVISION
36 (D) OF SECTION ELEVEN HUNDRED ELEVEN OF THIS ARTICLE PURSUANT TO THIS
37 SECTION, THE REGISTRATION NUMBER OF THE VEHICLE INVOLVED IN SUCH
38 VIOLATION, THE LOCATION WHERE SUCH VIOLATION TOOK PLACE, THE DATE AND
39 TIME OF SUCH VIOLATION AND THE IDENTIFICATION NUMBER OF THE CAMERA WHICH
40 RECORDED THE VIOLATION OR OTHER DOCUMENT LOCATOR NUMBER.
41 3. THE NOTICE OF LIABILITY SHALL CONTAIN INFORMATION ADVISING THE
42 PERSON CHARGED OF THE MANNER AND THE TIME IN WHICH HE MAY CONTEST THE
43 LIABILITY ALLEGED IN THE NOTICE. SUCH NOTICE OF LIABILITY SHALL ALSO
44 CONTAIN A WARNING TO ADVISE THE PERSONS CHARGED THAT FAILURE TO CONTEST
45 IN THE MANNER AND TIME PROVIDED SHALL BE DEEMED AN ADMISSION OF LIABIL-
46 ITY AND THAT A DEFAULT JUDGMENT MAY BE ENTERED THEREON.
47 4. THE NOTICE OF LIABILITY SHALL BE PREPARED AND MAILED BY THE COUNTY
48 HAVING JURISDICTION OVER THE INTERSECTION WHERE THE VIOLATION OCCURRED,
49 OR BY ANY OTHER ENTITY AUTHORIZED BY THE COUNTY TO PREPARE AND MAIL SUCH
50 NOTIFICATION OF VIOLATION.
51 (H) ADJUDICATION OF THE LIABILITY IMPOSED UPON OWNERS BY THIS SECTION

HR 5

52 SHALL BE BY THE COURT HAVING JURISDICTION OVER TRAFFIC INFRACTIONS.
53 (I) IF AN OWNER RECEIVES A NOTICE OF LIABILITY PURSUANT TO THIS
54 SECTION FOR ANY TIME PERIOD DURING WHICH THE VEHICLE WAS REPORTED TO THE
55 POLICE DEPARTMENT AS HAVING BEEN STOLEN, IT SHALL BE A VALID DEFENSE TO
56 AN ALLEGATION OF LIABILITY FOR A VIOLATION OF SUBDIVISION (D) OF SECTION

1 ELEVEN HUNDRED ELEVEN OF THIS ARTICLE PURSUANT TO THIS SECTION THAT THE
2 VEHICLE HAD BEEN REPORTED TO THE POLICE AS STOLEN PRIOR TO THE TIME THE
3 VIOLATION OCCURRED AND HAD NOT BEEN RECOVERED BY SUCH TIME. FOR PURPOSES
4 OF ASSERTING THE DEFENSE PROVIDED BY THIS SUBDIVISION IT SHALL BE SUFFI-
5 CIENT THAT A CERTIFIED COPY OF THE POLICE REPORT ON THE STOLEN VEHICLE
6 BE SENT BY FIRST CLASS MAIL TO THE COURT HAVING JURISDICTION.
7 (J) AN OWNER WHO IS A LESSOR OF A VEHICLE TO WHICH A NOTICE OF LIABIL-
8 ITY WAS ISSUED PURSUANT TO SUBDIVISION (G) OF THIS SECTION SHALL NOT BE
9 LIABLE FOR THE VIOLATION OF SUBDIVISION (D) OF SECTION ELEVEN HUNDRED
10 ELEVEN OF THIS ARTICLE, PROVIDED THAT HE OR SHE SENDS TO THE COURT
11 HAVING JURISDICTION A COPY OF THE RENTAL, LEASE OR OTHER SUCH CONTRACT
12 DOCUMENT COVERING SUCH VEHICLE ON THE DATE OF THE VIOLATION, WITH THE
13 NAME AND ADDRESS OF THE LESSEE CLEARLY LEGIBLE, WITHIN THIRTY-SEVEN DAYS
14 AFTER RECEIVING NOTICE FROM THE COURT OF THE DATE AND TIME OF SUCH
15 VIOLATION, TOGETHER WITH THE OTHER INFORMATION CONTAINED IN THE ORIGINAL
16 NOTICE OF LIABILITY. FAILURE TO SEND SUCH INFORMATION WITHIN SUCH THIR-
17 TY-SEVEN DAY TIME PERIOD SHALL RENDER THE OWNER LIABLE FOR THE PENALTY
18 PRESCRIBED BY THIS SECTION. WHERE THE LESSOR COMPLIES WITH THE
19 PROVISIONS OF THIS PARAGRAPH, THE LESSEE OF SUCH VEHICLE ON THE DATE OF
20 SUCH VIOLATION SHALL BE DEEMED TO BE THE OWNER OF SUCH VEHICLE FOR
21 PURPOSES OF THIS SECTION, SHALL BE SUBJECT TO LIABILITY FOR THE
22 VIOLATION OF SUBDIVISION (D) OF SECTION ELEVEN HUNDRED ELEVEN OF THIS
23 ARTICLE PURSUANT TO THIS SECTION AND SHALL BE SENT A NOTICE OF LIABILITY
24 PURSUANT TO SUBDIVISION (G) OF THIS SECTION.
25 (K) 1. IF THE OWNER LIABLE FOR A VIOLATION OF SUBDIVISION (D) OF
26 SECTION ELEVEN HUNDRED ELEVEN OF THIS ARTICLE PURSUANT TO THIS SECTION
27 WAS NOT THE OPERATOR OF THE VEHICLE AT THE TIME OF THE VIOLATION, THE
28 OWNER MAY MAINTAIN AN ACTION FOR INDEMNIFICATION AGAINST THE OPERATOR.
29 2. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, NO OWNER OF A
30 VEHICLE SHALL BE SUBJECT TO A MONETARY FINE IMPOSED PURSUANT TO THIS
31 SECTION IF THE OPERATOR OF SUCH VEHICLE WAS OPERATING SUCH VEHICLE WITH-
32 OUT THE CONSENT OF THE OWNER AT THE TIME SUCH OPERATOR FAILED TO OBEY A
33 TRAFFIC-CONTROL INDICATION. FOR PURPOSES OF THIS SUBDIVISION THERE SHALL
34 BE A PRESUMPTION THAT THE OPERATOR OF SUCH VEHICLE WAS OPERATING SUCH
35 VEHICLE WITH THE CONSENT OF THE OWNER AT THE TIME SUCH OPERATOR FAILED
36 TO OBEY A TRAFFIC-CONTROL INDICATION.
37 (L) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT THE LIABILITY
38 OF AN OPERATOR OF A VEHICLE FOR ANY VIOLATION OF SUBDIVISION (D) OF
39 SECTION ELEVEN HUNDRED ELEVEN OF THIS ARTICLE.
40 (M) IN ANY SUCH COUNTY WHICH ADOPTS A DEMONSTRATION PROGRAM PURSUANT
41 TO SUBDIVISION (A) OF THIS SECTION, SUCH COUNTY SHALL SUBMIT AN ANNUAL
42 REPORT ON THE RESULTS OF THE USE OF A TRAFFIC-CONTROL SIGNAL PHOTO
43 VIOLATION-MONITORING SYSTEM TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF
44 THE SENATE AND THE SPEAKER OF THE ASSEMBLY ON OR BEFORE JUNE FIRST, TWO
45 THOUSAND SEVEN AND ON THE SAME DATE IN EACH SUCCEEDING YEAR IN WHICH THE
46 DEMONSTRATION PROGRAM IS OPERABLE. SUCH REPORT SHALL INCLUDE, BUT NOT BE
47 LIMITED TO:
48 1. A DESCRIPTION OF THE LOCATIONS WHERE TRAFFIC-CONTROL SIGNAL PHOTO
49 VIOLATION-MONITORING SYSTEMS WERE USED;
50 2. THE AGGREGATE NUMBER, TYPE AND SEVERITY OF ACCIDENTS REPORTED AT
51 INTERSECTIONS WHERE A TRAFFIC-CONTROL SIGNAL PHOTO VIOLATION-MONITORING

1fR 5

52 SYSTEM IS USED FOR THE YEAR PRECEDING THE INSTALLATION OF SUCH SYSTEM,
53 TO THE EXTENT THE INFORMATION IS MAINTAINED BY THE DEPARTMENT;
54 3. THE AGGREGATE NUMBER, TYPE AND SEVERITY OF ACCIDENTS REPORTED AT
55 INTERSECTIONS WHERE A TRAFFIC-CONTROL SIGNAL PHOTO VIOLATION-MONITORING

1 SYSTEM IS USED, TO THE EXTENT THE INFORMATION IS MAINTAINED BY THE
2 DEPARTMENT;
3 4. THE NUMBER OF VIOLATIONS RECORDED AT EACH INTERSECTION WHERE A
4 TRAFFIC-CONTROL SIGNAL PHOTO VIOLATION-MONITORING SYSTEM IS USED AND IN
5 THE AGGREGATE ON A DAILY, WEEKLY AND MONTHLY BASIS;
6 5. THE TOTAL NUMBER OF NOTICES OF LIABILITY ISSUED FOR VIOLATIONS
7 RECORDED BY SUCH SYSTEMS;
8 6. THE NUMBER OF FINES AND TOTAL AMOUNT OF FINES PAID AFTER FIRST
9 NOTICE OF LIABILITY;
10 7. THE NUMBER OF VIOLATIONS ADJUDICATED AND RESULTS OF SUCH ADJUDI-
11 CATIONS INCLUDING BREAKDOWNS OF DISPOSITION MADE;
12 8. THE TOTAL AMOUNT OF REVENUE REALIZED BY SUCH COUNTY;
13 9. EXPENSES INCURRED BY SUCH COUNTY IN CONNECTION WITH THE PROGRAM;
14 AND
15 10. QUALITY OF THE ADJUDICATION PROCESS AND ITS RESULTS.
16 (N) IT SHALL BE A DEFENSE TO ANY PROSECUTION FOR A VIOLATION OF SUBDI-
17 VISION (D) OF SECTION ELEVEN HUNDRED ELEVEN OF THIS ARTICLE PURSUANT TO
18 A LOCAL LAW OR ORDINANCE ADOPTED PURSUANT TO THIS SECTION THAT SUCH
19 TRAFFIC-CONTROL INDICATIONS WERE MALFUNCTIONING AT THE TIME OF THE
20 ALLEGED VIOLATION.
21 S 3. The opening paragraph of subdivision 1 of section 1809 of the
22 vehicle and traffic law, as amended by section 2 of part M of chapter
23 62 of the laws of 2003, is amended to read as follows:
24 Whenever proceedings in an administrative tribunal or a court of this
25 state result in a conviction for an offense under this chapter or a
26 traffic infraction under this chapter, or a local law, ordinance, rule
27 or regulation adopted pursuant to this chapter, other than a traffic
28 infraction involving standing, stopping, or parking or violations by
29 pedestrians or bicyclists, or other than an adjudication of liability of
30 an owner for a violation of subdivision (d) of section eleven hundred
31 eleven of this chapter in accordance with section eleven hundred
32 eleven-a of this chapter, OR OTHER THAN AN ADJUDICATION OF LIABILITY OF
33 AN OWNER FOR A VIOLATION OF SUBDIVISION (D) OF SECTION ELEVEN HUNDRED
34 ELEVEN OF THIS CHAPTER IN ACCORDANCE WITH SECTION ELEVEN HUNDRED
35 ELEVEN-B OF THIS CHAPTER, there shall be levied a crime victim assist-
36 ance fee and a mandatory surcharge, in addition to any sentence required
37 or permitted by law, in accordance with the following schedule:
38 S 4. The opening paragraph of subdivision 1 of section 1809 of the
39 vehicle and traffic law, as amended by chapter 190 of the laws of 1990,
40 is amended to read as follows:
41 Whenever proceedings in an administrative tribunal or a court of this
42 state result in a conviction for a crime under this chapter or a traffic
43 infraction under this chapter, or a local law, ordinance, rule or regu-
44 lation adopted pursuant to this chapter, other than a traffic infraction
45 involving standing, stopping, parking or motor vehicle equipment or
46 violations by pedestrians or bicyclists, or other than an adjudication
47 of liability of an owner for a violation of subdivision (d) of section
48 eleven hundred eleven of this chapter in accordance with section eleven
49 hundred eleven-a of this chapter, OR OTHER THAN AN ADJUDICATION OF
50 LIABILITY OF AN OWNER FOR A VIOLATION OF SUBDIVISION (D) OF SECTION
51 ELEVEN HUNDRED ELEVEN OF THIS CHAPTER IN ACCORDANCE WITH SECTION ELEVEN
52 HUNDRED ELEVEN-B OF THIS CHAPTER, there shall be levied a mandatory

HR 5

53 surcharge, in addition to any sentence required or permitted by law, in
54 the amount of twenty-five dollars.
55 S 5. Subdivision 2 of section 87 of the public officers law is amended
56 by adding a new paragraph (k) to read as follows:

1 (K) ARE PHOTOGRAPHS, MICROPHOTOGRAPHS, VIDEOTAPE OR OTHER RECORDED
2 IMAGES PREPARED UNDER AUTHORITY OF SECTION ELEVEN HUNDRED ELEVEN-B OF
3 THE VEHICLE AND TRAFFIC LAW.
4 S 6. The purchase or lease of equipment for a demonstration program
5 established pursuant to section 1111-b of the vehicle and traffic law
6 shall be subject to the provisions of section 103 of the general munici-
7 pal law.
8 S 7. This act shall take effect on the thirtieth day after it shall
9 have become a law and shall expire on December 1, 2012 when upon such
10 date the provisions of this act shall be deemed repealed; provided that
11 the amendments to the opening paragraph of subdivision 1 of section 1809
12 of the vehicle and traffic law made by section three of this act shall
13 be subject to the expiration and reversion of such subdivision pursuant
14 to chapter 166 of the laws of 1991, as amended, when upon such date the
15 provisions of section four of this act shall take effect; provided,
16 however, that the amendments to the opening paragraph of subdivision 1
17 of section 1809 of the vehicle and traffic law made by section four of
18 this act shall not affect the expiration of such subdivision and shall
19 expire therewith; and provided, further, that any such local laws as may
20 be enacted pursuant to this act shall remain in full force and effect
21 only until December 1, 2012.

Contact Webmaster

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Home Rule Message No. 6 -2008
Introduced by Presiding Officer Lindsay

LOT 2/5/08

HOME RULE MESSAGE REQUESTING NEW YORK STATE LEGISLATURE TO AMEND THE VEHICLE AND TRAFFIC LAW, IN RELATION TO ESTABLISHING A DEMONSTRATION PROGRAM IMPOSING MONETARY LIABILITY ON THE OWNER OF A VEHICLE FOR FAILURE OF AN OPERATOR THEREOF TO COMPLY WITH TRAFFIC CONTROL INDICATIONS IN SUFFOLK COUNTY (ASSEMBLY BILL A.1314)

WHEREAS, the Insurance Institute for Highway Safety estimates that vehicle drivers running red traffic lights are responsible for an estimated 260,000 crashes each year in the United States, 750 of which are fatal, and that fatal crashes at intersections increased by almost 20 per cent during the five-year period from 1992 through 1996; and

WHEREAS, Suffolk County Local Law 18-2001, "Local Law to Prohibit Red Light Running in Suffolk County", similar to the successful New York City program now in place, was adopted by the Suffolk County Legislature on November 20, 2001, subject to the enactment of enabling State legislation for authority to install and implement traffic-control signal photo-violation monitoring devices to catch red-light runners; and

WHEREAS, Suffolk County Home Rule Message No. 3-2002 requested the New York State Legislature to adopt Senate Bill S. 6083-A, for red light traffic cameras in Suffolk County, and Suffolk County Home Rule Message No. 4-2002 requested the New York State Legislature to enact Assembly Bill A09871 for the same purpose; and

WHEREAS, Suffolk County Home Rule Message 1-2004 and Suffolk County Home Rule Message 2-2004, adopted by the Suffolk County Legislature on May 10, 2004, made similar requests to the New York State Legislature; and

WHEREAS, Suffolk County Home Rule Message No. 3-2005 was adopted by the Suffolk County Legislature on June 7, 2005 requesting the State of New York to enact Assembly Bill A.3393; and

WHEREAS, Suffolk County Home Rule Message No. 4-2006 was adopted by the Suffolk County Legislature on May 16, 2006 requesting the State of New York to enact Assembly Bill A.3393; and

WHEREAS, Suffolk County Home Rule Message No. 4-2007 was adopted by the Suffolk County Legislature on April 24, 2007 requesting the State of New York to enact Assembly Bill A.1314; and

WHEREAS, there is currently a proposal before the New York State Assembly to amend the NEW YORK VEHICLE AND TRAFFIC LAW (VTL) to allow Suffolk

County to install and operate traffic-control signal photo violation-monitoring devices (red-light cameras) at intersections within Suffolk County; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby requests the New York State Legislature to enact Assembly Bill A.1314 for the purpose of:

1.) amending new Section 1111-a of the VTL to allow Suffolk County to adopt a local law establishing and implementing a demonstration red-light camera program which would impose monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications by installing and operating traffic control signal photo violation-monitoring devices at no more than fifty (50) intersections within the County at any one time;

2.) imposing monetary fines not to exceed fifty ($50.00) dollars per violation for failure to obey a traffic-control device to be adjudicated in the same manner that parking tickets are adjudicated, plus an additional penalty not to exceed twenty-five ($25.00) dollars for each violation for the failure to respond to a notice of liability within the prescribed time period; and

3.) utilizing necessary technologies to ensure, to the extent practicable, that photographs produced by such traffic-control signal photo violation-monitoring systems shall not include images that identify the driver, the passengers or the contents of the vehicle;

and be it further

2nd **RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor Eliot Spitzer; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:

s:\memres\hr-red-light-running-08

HR 6

Tuesday, January 29, 2008

Bill Summary - A01314

Back | New York State Bill Search | Assembly Home

See Bill Text

A01314 Summary:

BILL NO A01314

SAME AS No same as

SPONSOR Eddington

COSPNSR Sweeney

MLTSPNSR

Amd S1111-a, V & T L

Authorizes the county of Suffolk to establish a demonstration program to monitor compliance with traffic control indications; provides such county may impose monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic control indications.

A01314 Actions:

BILL NO A01314

01/05/2007 referred to transportation
01/09/2008 referred to transportation

A01314 Votes:

A01314 Memo:

BILL NUMBER:A1314

TITLE OF BILL: An act to amend the vehicle and traffic law, in relation to establishing a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic control indications in Suffolk county

HR 6

PURPOSE OR GENERAL IDEA OF BILL:

To prevent deaths and injuries caused by motorists running red lights.

SUMMARY OF SPECIFIC PROVISIONS:

The bill authorizes Suffolk County to adopt a local law to implement a program to install photo violation-monitoring devices at up to fifty intersections, and impose monetary liability of up to fifty dollars on the owners of vehicles failing to comply with traffic-control signals. The bill sets forth provisions for service of the notices of liability; requiring certain information to appear on such notice, including the manner and time for contesting the alleged liability, a warning that failure to contest is deemed an admission of liability and notice that a default judgment could be entered for such failure. Courts with jurisdiction over traffic infractions would adjudicate violations. No liability could be imposed against owners who did not give their consent to the operation of their vehicle, but there would be a statutory presumption that vehicles were operated with the owners` consent. It also establishes a defense that traffic control indications were malfunctioning at the time of the alleged violation.

The bill contains provisions under which lessors and rental companies would not be held liable for violations, authorizes vehicle owners to maintain actions for indemnification against operators, and requires the submission of an annual program report to the Legislature and governor.

JUSTIFICATION:

Aggressive driving, including running red lights, is a significant reason for a reported increase in the percentage of fatalities occurring at intersections as noted by the Insurance Institute for Highway Safety. Red light running accidents are often the worst type of accident; they often involve speed and right-angle impacts, which can lead to the most severe injuries. In New York State, 30% of reported vehicular accidents in 1998 occurred at signalized intersections. Of those, 244 involved fatalities, which is just over 17% of all fatal accidents that occurred statewide that year. Of more than 18,000 pedestrian accidents occurring in the same period, 33% were at signalized intersections. Many cities in the United States already have operational photo enforcement for catching red light runners, including Beverly Hills, Los Angeles, Sacramento, San Diego, San Francisco, Boulder (Colorado), Baltimore, Charlotte, Alexandria and Arlington (Virginia) and Washington D.C. Photo enforcement of red light violators has been found to be an effective enforcement tool in reducing red light running, and in making intersections safer.

PRIOR LEGISLATIVE HISTORY:

2005-2006: A.3393 - Remained in Committee
2002: A.9871, passed the Assembly.
2003/2004: A.5387b - Remained in committee

FISCAL IMPLICATIONS:

Minimal cost to the State; equipment and operational costs for Suffolk

HR 6

County would be covered by fines imposed for violations.

EFFECTIVE DATE:

This act shall take effect immediately, provided that the amendments to section 1111-a of the Vehicle and Traffic Law shall not affect the repeal of such section and shall be deemed repealed therewith.

Contact Webmaster

Page display time = 0.0046 sec

HR 6

Tuesday, January 29, 2008

Bill Text - A01314

Back | New York State Bill Search | Assembly Home

See Bill Summary

S T A T E O F N E W Y O R K

1314

2007-2008 Regular Sessions

I N A S S E M B L Y

January 5, 2007

Introduced by M. of A. EDDINGTON, SWEENEY -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to establishing a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic control indications in Suffolk county

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph 2 of subdivision (a) of section 1111-a of the vehicle and traffic law, as added by chapter 658 of the laws of 2006, is amended and a new paragraph 3 is added to read as follows:

2. Such demonstration program shall utilize necessary technologies to ensure, to the extent practicable, that photographs produced by such traffic-control signal photo violation-monitoring systems shall not include images that identify the driver, the passengers, or the contents of the vehicle. Provided, however, that no notice of liability issued pursuant to this section shall be dismissed solely because a photograph or photographs allow for the identification of the contents of a vehicle, provided that such city OR COUNTY has made a reasonable effort to comply with the provisions of this paragraph.

3. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE COUNTY OF SUFFOLK IS HEREBY AUTHORIZED AND EMPOWERED TO ADOPT AND AMEND A LOCAL LAW OR ORDINANCE ESTABLISHING A DEMONSTRATION PROGRAM IMPOSING MONETARY LIABILITY ON THE OWNER OF A VEHICLE FOR FAILURE OF AN OPERATOR THEREOF TO COMPLY WITH TRAFFIC-CONTROL INDICATIONS IN SUCH COUNTY IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION. SUCH DEMONSTRATION PROGRAM SHALL EMPOWER A COUNTY TO INSTALL AND OPERATE TRAFFIC-CONTROL SIGNAL PHOTO VIOLATION-MONITORING DEVICES AT NO MORE THAN FIFTY INTERSECTIONS WITHIN SUCH COUNTY AT ANY ONE TIME.

S 2. Subdivisions (b), (d) and (e) of section 1111-a of the vehicle and traffic law, subdivisions (b) and (d) as amended by chapter 658 of

HR 6

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets { } is old law to be omitted.

LBD04352-01-7

the laws of 2006 and subdivision (e) as amended by chapter 479 of the laws of 1994, are amended to read as follows:

(b) In any city OR COUNTY which has adopted a local law or ordinance pursuant to subdivision (a) of this section, the owner of a vehicle shall be liable for a penalty imposed pursuant to this section if such vehicle was used or operated with the permission of the owner, express or implied, in violation of subdivision (d) of section eleven hundred eleven of this article, and such violation is evidenced by information obtained from a traffic-control signal photo violation-monitoring system; provided however that no owner of a vehicle shall be liable for a penalty imposed pursuant to this section where the operator of such vehicle has been convicted of the underlying violation of subdivision (d) of section eleven hundred eleven of this article.

(d) A certificate, sworn to or affirmed by a technician employed by the city OR COUNTY in which the charged violation occurred, or a facsimile thereof, based upon inspection of photographs, microphotographs, videotape or other recorded images produced by a traffic-control signal photo violation-monitoring system, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotape or other recorded images evidencing such a violation shall be available for inspection in any proceeding to adjudicate the liability for such violation pursuant to a local law or ordinance adopted pursuant to this section.

(e) An owner liable for a violation of subdivision (d) of section eleven hundred eleven of this article pursuant to a local law or ordinance adopted pursuant to this section shall be liable for monetary penalties in accordance with a schedule of fines and penalties to be set forth in such local law or ordinance, except that in a city OR COUNTY which, by local law, has authorized the adjudication of such owner liability by a parking violations bureau, such schedule shall be promulgated by such bureau. The liability of the owner pursuant to this section shall not exceed fifty dollars for each violation; provided, however, that such local law or ordinance may provide for an additional penalty not in excess of twenty-five dollars for each violation for the failure to respond to a notice of liability within the prescribed time period.

S 3. Paragraph 4 of subdivision (g) of section 1111-a of the vehicle and traffic law, as added by chapter 746 of the laws of 1988, is amended to read as follows:

4. The notice of liability shall be prepared and mailed by the city OR COUNTY having jurisdiction over the intersection where the violation occurred, or by any other entity authorized by the city OR COUNTY to prepare and mail such notification of violation.

S 4. Subdivision (h) of section 1111-a of the vehicle and traffic law, as added by chapter 746 of the laws of 1988, is amended to read as follows:

(h) Adjudication of the liability imposed upon owners by this section shall be by a traffic violations bureau established pursuant to section three hundred seventy of the general municipal law or, if there be none, by the court having jurisdiction over traffic infractions, except that any city OR COUNTY which has established an administrative tribunal to hear and determine complaints of traffic infractions constituting park-

HR 6

53 ing, standing or stopping violations may, by local law, authorize such
54 adjudication by such tribunal.
55 S 5. Paragraph 1 and the opening paragraph of subparagraph (i) of
56 paragraph 2 of subdivision (j) of section 1111-a of the vehicle and

1 traffic law, as added by chapter 746 of the laws of 1988, are amended to
2 read as follows:
3 1. In a city OR COUNTY where the adjudication of liability imposed
4 upon owners pursuant to this section is by a traffic violations bureau
5 or a court having jurisdiction, an owner who is a lessor of a vehicle to
6 which a notice of liability was issued pursuant to subdivision (g) of
7 this section shall not be liable for the violation of subdivision (d) of
8 section eleven hundred eleven of this article, provided that he or she
9 sends to the traffic violations bureau or court having jurisdiction a
10 copy of the rental, lease or other such contract document covering such
11 vehicle on the date of the violation, with the name and address of the
12 lessee clearly legible, within thirty-seven days after receiving notice
13 from the bureau or court of the date and time of such violation, togeth-
14 er with the other information contained in the original notice of
15 liability. Failure to send such information within such thirty-seven day
16 time period shall render the owner liable for the penalty prescribed by
17 this section. Where the lessor complies with the provisions of this
18 paragraph, the lessee of such vehicle on the date of such violation
19 shall be deemed to be the owner of such vehicle for purposes of this
20 section, shall be subject to liability for the violation of subdivision
21 (d) of section eleven hundred eleven of this article pursuant to this
22 section and shall be sent a notice of liability pursuant to subdivision
23 (g) of this section.
24 In a city OR COUNTY which, by local law, has authorized the adjudi-
25 cation of liability imposed upon owners by this section by a parking
26 violations bureau, an owner who is a lessor of a vehicle to which a
27 notice of liability was issued pursuant to subdivision (g) of this
28 section shall not be liable for the violation of subdivision (d) of
29 section eleven hundred eleven of this article, provided that:
30 S 6. Subdivision (m) of section 1111-a of the vehicle and traffic law,
31 as amended by chapter 658 of the laws of 2006, is amended to read as
32 follows:
33 (m) In any city OR COUNTY which adopts a demonstration program pursu-
34 ant to subdivision (a) of this section, such city OR COUNTY shall submit
35 an annual report on the results of the use of a traffic-control signal
36 photo violation-monitoring system to the governor, the temporary presi-
37 dent of the senate and the speaker of the assembly on or before June
38 first, two thousand seven and on the same date in each succeeding year
39 in which the demonstration program is operable. Such report shall
40 include, but not be limited to:
41 1. a description of the locations where traffic-control signal photo
42 violation-monitoring systems were used;
43 2. within each borough of such city OR WITHIN EACH COUNTY, the aggre-
44 gate number, type and severity of accidents reported at intersections
45 where a traffic-control signal photo violation-monitoring system is used
46 for the year preceding the installation of such system, to the extent
47 the information is maintained by the department of motor vehicles of
48 this state;
49 3. within each borough of such city OR WITHIN EACH COUNTY, the aggre-
50 gate number, type and severity of accidents reported at intersections
51 where a traffic-control signal photo violation-monitoring system is
52 used, to the extent the information is maintained by the department of

HR 6

53 motor vehicles of this state;
54 4. the number of violations recorded at each intersection where a
55 traffic-control signal photo violation-monitoring system is used and in
56 the aggregate on a daily, weekly and monthly basis;

1 5. the total number of notices of liability issued for violations
2 recorded by such systems;
3 6. the number of fines and total amount of fines paid after first
4 notice of liability issued for violations recorded by such systems;
5 7. the number of violations adjudicated and results of such adjudi-
6 cations including breakdowns of dispositions made for violations
7 recorded by such systems;
8 8. the total amount of revenue realized by such city OR COUNTY from
9 such adjudications;
10 9. expenses incurred by such city OR COUNTY in connection with the
11 program; and
12 10. quality of the adjudication process and its results.
13 S 7. This act shall take effect immediately, provided, however, the
14 amendments to section 1111-a of the vehicle and traffic law made by this
15 act shall not affect the repeal of such section and shall be deemed
16 repealed therewith.

Contact Webmaster

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Home Rule Message No. 7 -2008
Introduced by Legislator Romaine

LOT 2/5/08

HOME RULE MESSAGE REQUESTING NEW YORK STATE LEGISLATURE TO AMEND THE GENERAL MUNICIPAL LAW, IN RELATION TO THE REGULATION OF TAXICABS AND LIMOUSINES (ASSEMBLY BILL A.8873)

WHEREAS, legislation has been introduced in the New York State Legislature that would permit the County of Suffolk to adopt local laws regulating the registration of taxicabs and limousines; and

WHEREAS, the registration of livery businesses allows municipalities to hold owners and drivers of taxis and limousines to certain standards; and

WHEREAS, the registration of livery businesses will protect County residents from operators who may not provide safe, reliable transportation; and

WHEREAS, Suffolk County Home Rule Message No. 13-2007 was adopted by the Suffolk County Legislature on June 12, 2007 requesting the State of New York to adopt Assembly Bill No. A.8873; and

WHEREAS, in order to obtain reciprocity agreements with neighboring counties, the County of Suffolk needs to establish a Taxi and Limousine Commission, which first requires authorizing legislation from the State of New York; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby requests enactment of New York State Assembly bill A.8873, which would authorize Suffolk County to regulate and register taxicabs and limousines; and be it further

2nd **RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor Eliot Spitzer; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:

s:\memres\hr-regulate-taxi-limo-08

HR7

Wednesday, January 30, 2008

Bill Summary - A08873

Back | New York State Bill Search | Assembly Home

See Bill Text

A08873 Summary:

BILL NO A08873

SAME AS No same as

SPONSOR Thiele

COSPNSR

MLTSPNSR

Amd S181, Gen Muni L

Authorizes Suffolk county to regulate taxicabs and limousines.

A08873 Actions:

BILL NO A08873

06/04/2007 referred to local governments
01/09/2008 referred to local governments

A08873 Votes:

A08873 Memo:

BILL NUMBER:A8873

TITLE OF BILL: An act to amend the general municipal law, in relation to the regulation of taxicabs and limousines in Suffolk county

PURPOSE OR GENERAL IDEA OF BILL: This legislation would allow the County of Suffolk to adopt ordinances regulating the registration of taxicabs and limousines.

HR7

SUMMARY OF SPECIFIC PROVISIONS: Subdivision 1 of section 181 of the general municipal law, as amended by chapter 430 of the laws of 2003 is amended to allow Suffolk County to adopt local ordinances regulating the registration of taxicabs and limousines.

JUSTIFICATION: Chapter 549 of the laws of 2006 requires any taxi or limousine company to be licensed with the City of New York, in order to pre-arrange pick-ups and drop-offs in New York City. Licensing requires that companies meet strict criteria, including a ten fleet minimum.

Current law puts smaller limousine and taxi companies in neighboring counties at a disadvantage, as they are unable to schedule pre-arranged trips to New York City.

This legislation would allow Suffolk County to set its own standards and practices with regard to the registration of taxicabs and limousines.

PRIOR LEGISLATIVE HISTORY: New Bill

FISCAL IMPLICATIONS: None to the State

EFFECTIVE DATE: Immediately

Contact Webmaster

Page display time = 0.0042 sec

HR 7

Wednesday, January 30, 2008

Bill Text - A08873

Back | New York State Bill Search | Assembly Home

See Bill Summary

STATE OF NEW YORK

8873

2007-2008 Regular Sessions

IN ASSEMBLY

June 4, 2007

Introduced by M. of A. THIELE -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to the regulation of taxicabs and limousines in Suffolk county

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 1 of section 181 of the general municipal law, as amended by chapter 430 of the laws of 2003, is amended to read as follows:

1. The registration and licensing of taxicabs and may limit the number of taxicabs to be licensed and the county of Westchester may adopt ordinances regulating the registration and licensing of taxicabs and limousines and may limit the number to be licensed; {and} the county of Nassau may adopt ordinances regulating the registration of taxicabs and limousines; AND THE COUNTY OF SUFFOLK MAY ADOPT ORDINANCES REGULATING THE REGISTRATION OF TAXICABS AND LIMOUSINES.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets { } is old law to be omitted.

LBD13181-01-7

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FRED W. THIELE, JR.
Assemblyman 2ND District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

VICE-CHAIRMAN
Joint Conference Committee

RANKING MINORITY MEMBER
Education Committee

COMMITTEES
Ways and Means
Environmental Conservation
Housing

January 22, 2008

Tim Laube, Clerk
Suffolk County Legislature
W.H. Rogers Legislature Bldg
725 Veterans Memorial Hwy
Smithtown, NY 11787

Dear Mr. Laube:

Please find enclosed, a copy of Assembly Bill 8873, as well as four Home Rule Request forms. This legislation would allow the County of Suffolk to adopt ordinances regulating the registration of taxicabs and limousines.

The New York State Legislature is prohibited from passing any legislation that affects the property, affairs and government, of a specific local government, or a number of specific local governments, unless the State Legislature has received a request to pass the legislation from the local government(s) involved. This request is known as a Home Rule Request.

On a local level, two-thirds of a legislative body are needed to pass a resolution requesting that the State Legislature pass the bill. Complete instructions of the Home Rule Procedure are on the back of the blue forms. All four forms should be completed, two for the Senate and two for the Assembly.

Please forward the two Assembly forms to the Office of the Home Rule Counsel, Room 448M, the Capitol, Albany, NY, 12248. The two Senate forms should be sent to Office of the Home Rule Counsel, Room 517, the Capitol, Albany, NY 12247.

If you have any questions about this legislative procedure, please contact my Albany Office.

Sincerely yours,

Fred W. Thiele, Jr.
Member of Assembly

FWT/slh

08 JAN 25 AM 1:52

ALBANY OFFICE: Room 443, Legislative Office Building, Albany, New York 12248 • (518) 455-5997, FAX (518) 455-5963
DISTRICT OFFICE: 2302 Main Street, P.O. Box 3062, Bridgehampton, New York 11932 • (631) 537-2583, FAX (631) 537-2836
E-mail Address: thielef@assembly.state.ny.us

Home Rule Message No. 8 -2008
Introduced by Presiding Officer Lindsay

LOT 2/5/08

HOME RULE MESSAGE REQUESTING NEW YORK STATE LEGISLATURE TO AMEND THE GENERAL MUNICIPAL LAW, THE VEHICLE AND TRAFFIC LAW AND THE CRIMINAL PROCEDURE LAW, IN RELATION TO ESTABLISHING A TRAFFIC AND PARKING VIOLATIONS AGENCY IN THE COUNTY OF SUFFOLK (ASSEMBLY BILL A.9593 AND SENATE BILL S.4174)

WHEREAS, the growing number of traffic and parking infractions in Suffolk County has led to a backlog of such cases in the County's district courts; and

WHEREAS, the strain on the district courts due to such a tremendous number of cases often means that many of these traffic and parking summonses go unanswered and unpaid; and

WHEREAS, villages, cities and towns throughout the State are authorized to establish a separate traffic violations bureau to assist in the disposition of infractions related to traffic and parking violations, and such a traffic violations agency has been established in Nassau County; and

WHEREAS, establishing a traffic violations agency in Suffolk County will ease the burden on the district courts and speed the disposition of traffic and parking violations; and

WHEREAS, there is legislation pending in the New York State Legislature that would permit the County of Suffolk to establish, by local law, a traffic and parking violations bureau to assist the district court in the disposition of traffic and parking infractions; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby requests the State of New York to enact Assembly Bill No. A.9593 and Senate Bill No. S.4174 for the purpose of establishing a traffic and parking violations agency in Suffolk County; and be it further

2nd **RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor Eliot Spitzer; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:

s:\memres\hr-traffic-and-parking-violations-agency

HR 8

BILL TEXT:

STATE OF NEW YORK

9593

IN ASSEMBLY

(Prefiled)

January 9, 2008

Introduced by M. of A. FIELDS -- read once and referred to the Committee on Transportation

AN ACT to amend the general municipal law, the vehicle and traffic law and the criminal procedure law, in relation to establishing a traffic and parking violations agency in the county of Suffolk

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

1 Section 1. Section 370 of the general municipal law is amended by
2 adding a new subdivision 3 to read as follows:
3 3. The board of supervisors of the county of Suffolk may by local law
4 establish a traffic and parking violations agency to assist the Suffolk
5 county district court to administer and dispose of traffic and parking
6 infractions.
7 § 2. Section 370-a of the general municipal law, as added by chapter
8 496 of the laws of 1990, subdivision 1 as amended by chapter 527 of the
9 laws of 2002, is amended to read as follows:
10 § 370-a. Definitions. For the purpose of this article:
11 1. "Traffic and parking violations agency" shall mean a department of
12 the Nassau county government established pursuant to subdivision two of
13 section three hundred seventy of this article or a department in the
14 Suffolk county government established pursuant to subdivision three of
15 such section to administer and dispose of traffic and parking infrac-
16 tions.
17 2. "Traffic prosecutor" shall mean an attorney duly admitted to prac-
18 tice law in the state of New York who, having been appointed and either
19 hired or retained pursuant to section three hundred seventy-four of this
20 article, has the responsibility of prosecuting any traffic and parking
21 infractions returnable before the Nassau county district court or the
22 Suffolk county district court pursuant to the jurisdictional limitations
23 of section three hundred seventy-one of this article.
24 § 3. Subdivisions 2, 3 and 4 of section 371 of the general municipal
25 law, subdivision 2 as added and subdivision 3 as amended by chapter 496

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

LBD10530-02-7

of the laws of 1990 and subdivision 4 as amended by chapter 465 of the laws of 1998, are amended to read as follows:

2. The Nassau county traffic and parking violations agency, as established, may be authorized to assist the Nassau county district court, **and the Suffolk county traffic and parking violations agency, as established, may be authorized to assist the Suffolk county district court,** in the disposition and administration of infractions of traffic and parking laws, ordinances, rules and regulations, except that such [~~agency~~] **agencies** shall not have jurisdiction over (a) the traffic infraction defined under subdivision one of section eleven hundred ninety-two of the vehicle and traffic law; (b) the traffic infraction defined under subdivision five of section eleven hundred ninety-two of the vehicle and traffic law; (c) the violation defined under paragraph (b) of subdivision four of section fourteen-f of the transportation law and the violation defined under clause (b) of subparagraph (iii) of paragraph (d) of subdivision two of section one hundred forty of the transportation law; (d) the traffic infraction defined under section three hundred ninety-seven-a of the vehicle and traffic law and the traffic infraction defined under subdivision (g) of section eleven hundred eighty of the vehicle and traffic law; (e) any misdemeanor or felony; or (f) any offense that is part of the same criminal transaction, as that term is defined in subdivision two of section 40.10 of the criminal procedure law, as a violation of subdivision one of section eleven hundred ninety-two of the vehicle and traffic law, a violation of subdivision five of section eleven hundred ninety-two of the vehicle and traffic law, a violation of paragraph (b) of subdivision four of section fourteen-f of the transportation law, a violation of clause (b) of subparagraph (iii) of paragraph (d) of subdivision two of section one hundred forty of the transportation law, a violation of section three hundred ninety-seven-a of the vehicle and traffic law, a violation of subdivision (g) of section eleven hundred eighty of the vehicle and traffic law or any misdemeanor or felony.

3. A person charged with an infraction which shall be disposed of by either a traffic violations bureau [~~or~~], the Nassau county traffic and parking violations agency, **or the Suffolk county traffic and parking violations agency** may be permitted to answer, within a specified time, at the traffic violations bureau, [~~and~~] in Nassau county at the traffic and parking violations agency **and in Suffolk county at the traffic and parking violations agency**, either in person or by written power of attorney in such form as may be prescribed in the ordinance or local law creating the bureau or agency, by paying a prescribed fine and, in writing, waiving a hearing in court, pleading guilty to the charge or admitting liability as an owner for the violation of subdivision (d) of section eleven hundred eleven of the vehicle and traffic law, as the case may be, and authorizing the person in charge of the bureau or agency to enter such a plea or admission and accept payment of said fine. Acceptance of the prescribed fine and power of attorney by the bureau or agency shall be deemed complete satisfaction for the violation or of the liability, and the violator or owner liable for a violation of subdivision (d) of section eleven hundred eleven of the vehicle and traffic law shall be given a receipt which so states. If a person charged with a traffic violation does not answer as hereinbefore prescribed, within a designated time, the bureau or agency may cause a complaint to be entered against him forthwith and a warrant to be issued for his arrest and appearance before the court, such summons to be predicated upon the personal service of said summons upon the person charged with the

infraction. Any person who shall have been, within the preceding twelve months, guilty of a number of parking violations in excess of such maximum number as may be designated by the court, or of three or more violations other than parking violations, shall not be permitted to appear and answer to a subsequent violation at the traffic violations bureau or agency, but must appear in court at a time specified by the bureau or agency. Such bureau or agency shall not be authorized to deprive a person of his right to counsel or to prevent him from exercising his right to appear in court to answer to, explain, or defend any charge of a violation of any traffic law, ordinance, rule or regulation.

4. Notwithstanding any inconsistent provision of law, fines, penalties and forfeitures collected by the Nassau county **or Suffolk county** traffic and parking violations agency shall be distributed as provided in section eighteen hundred three of the vehicle and traffic law. All fines, penalties and forfeitures for violations adjudicated by the Nassau county **or Suffolk county** traffic and parking violations agency pursuant to subdivision two of this section, with the exception of parking violations, and except as provided in subdivision three of section ninety-nine-a of the state finance law, shall be paid by such [~~agency~~] **agencies** to the state comptroller within the first ten days of the month following collection. Each such payment shall be accompanied by a true and complete report in such form and detail as the comptroller shall prescribe.

§ 4. Section 374 of the general municipal law, as amended by chapter 527 of the laws of 2002, is amended to read as follows:

§ 374. Traffic prosecutor selection and oversight. (a) The executive director of the Nassau county traffic and parking violations agency, **and the executive director of the Suffolk county traffic and parking violations agency**, appointed pursuant to subdivision (b) of this section, shall select and may contract with or hire one or more persons who are attorneys, duly admitted to the practice of law in New York state for the prosecution of any traffic and parking infraction, except those described in paragraphs (a), (b), (c), (d), (e) and (f) of subdivision two of section three hundred seventy-one of this article, to be heard, tried or otherwise disposed of by the district court of Nassau county **in the case of an attorney selected by the Nassau county executive director, or by the district court of Suffolk county, in the case of an attorney selected by the Suffolk county executive director**. Such persons shall be known as "traffic prosecutors", as that term is defined in section three hundred seventy-a of this article. Traffic prosecutors shall have the same power as a district attorney would otherwise have in the prosecution of any traffic or parking infraction which may, pursuant to the jurisdictional provisions of section three hundred seventy-one of this article, be prosecuted before the district court of Nassau county **or the district court of Suffolk county, as the case may be**. The executive director shall give active consideration to requiring that such traffic prosecutors serve on a full-time basis. Traffic prosecutors are prohibited from appearing in any capacity other than as a traffic prosecutor in any part of the Nassau county district court **or the Suffolk county district court, as the case may be** on any matter relating to traffic or parking violations and are further prohibited from appearing in any capacity other than as a traffic prosecutor in any other court or administrative tribunal on any matter relating to traffic or parking violations.

(b) The county executive of the county of Nassau shall appoint a person to serve as the executive director of the Nassau county traffic

HR 8

and parking violations agency subject to the confirmation of the county legislature of the county of Nassau. The county executive of the county of Suffolk shall appoint a person to serve as the executive director of the Suffolk county traffic and parking violations agency subject to the confirmation of the county legislature of the county of Suffolk. The executive director shall be responsible for the oversight and administration of the agency. The executive director of Nassau county is prohibited from appearing in any capacity in any part of the Nassau county district court and the executive director of Suffolk county is prohibited from appearing in any capacity in any part of the Suffolk county district court on any matter relating to traffic or parking violations and is further prohibited from appearing in any capacity in any other court or administrative tribunal on any matter relating to traffic or parking violations.

(c) It shall be a misdemeanor for the executive director, any traffic prosecutor or any judicial hearing officer assigned to hear traffic or parking violations cases pursuant to section one thousand six hundred ninety of the vehicle and traffic law to establish any quota of traffic violation convictions which must be obtained by any traffic prosecutor or judicial hearing officer. Nothing contained herein shall prohibit the taking of any job action against a traffic prosecutor or judicial hearing officer for failure to satisfactorily perform such prosecutor's or officer's job assignment except that the employment productivity of such prosecutor or officer shall not be measured by the attainment or nonattainment of any conviction quota. For the purposes of this section a conviction quota shall mean a specific number of convictions which must be obtained within a specific time period.

(d) The legislature of the county of Nassau may appropriate those monies which, in the legislature's sole discretion, are necessary for the compensation of those persons selected to serve as executive director and traffic prosecutors and to cover all other expenses associated with the administration of the Nassau county traffic and parking violations agency.

(e) The legislature of the county of Suffolk may appropriate those monies which, in the legislature's sole discretion, are necessary for the compensation of those persons selected to serve as executive director and traffic prosecutors and to cover all other expenses associated with the administration of the Suffolk county traffic and parking violations agency.

§ 5. The article heading of article 44-A of the vehicle and traffic law, as added by chapter 496 of the laws of 1990, is amended to read as follows:

AUTHORITY OF THE NASSAU AND SUFFOLK
COUNTY DISTRICT COURT
JUDICIAL HEARING [~~OFFICER~~] OFFICERS

§ 6. The section heading, subdivision 1 and subdivision 4 of section 1690 of the vehicle and traffic law, the section heading and subdivision 4 as added by chapter 496 of the laws of 1990 and subdivision 1 as amended by chapter 420 of the laws of 2001, are amended to read as follows:

Authority of the Nassau county and Suffolk county district court judicial hearing [~~officer~~] officers. 1. Notwithstanding any other provision of law, where the trial of a traffic or parking infraction is authorized or required to be tried before the Nassau county district court or Suffolk county district court, and such traffic and parking infraction

does not constitute a misdemeanor, felony, violation of subdivision one of section eleven hundred ninety-two, subdivision five of section eleven hundred ninety-two, section three hundred ninety-seven-a, or subdivision (g) of section eleven hundred eighty of this chapter, or a violation of paragraph (b) of subdivision four of section fourteen-f or clause (b) of subparagraph (iii) of paragraph d of subdivision two of section one hundred forty of the transportation law, or any offense that is part of the same criminal transaction, as that term is defined in subdivision two of section 40.10 of the criminal procedure law, as such a misdemeanor, felony, violation of subdivision one of section eleven hundred ninety-two, subdivision two of section eleven hundred ninety-two, section three hundred ninety-seven-a or subdivision (g) of section eleven hundred eighty of this chapter, or a violation of paragraph (b) of subdivision four of section fourteen-f or clause (b) of subparagraph (iii) of paragraph d of subdivision two of section one hundred forty of the transportation law, the administrative judge of the county in which the trial court is located, may assign judicial hearing officers to conduct such a trial. Such judicial hearing officers shall be village court justices or retired judges either of which shall have at least two years of experience conducting trials of traffic and parking violations cases and shall be admitted to practice law in this state. Where such assignment is made, the judicial hearing officer shall entertain the case in the same manner as a court and shall:

(a) determine all questions of law;

(b) act as the exclusive trier of all issues of fact;

(c) render a verdict;

(d) impose sentence; or

(e) dispose of the case in any manner provided by law.

4. Judicial hearing officers are prohibited from appearing in any capacity other than as a judicial hearing officer in any part of the Nassau county **or Suffolk county** district court on any matter relating to traffic or parking violations and are further prohibited from appearing in any capacity other than as a judicial hearing officer in any other court or administrative tribunal on any matter relating to traffic or parking violations.

§ 7. Subdivision 5 of section 350.20 of the criminal procedure law, as added by chapter 496 of the laws of 1990, is amended to read as follows:

5. Notwithstanding the provisions of subdivision one of this section, **for all proceedings before the district court of Nassau county** the administrative judge of Nassau county may, **and for all proceedings before the district court of Suffolk county, the administrative judge of Suffolk county may,** without the consent of the parties, assign matters involving traffic and parking infractions except those described in paragraphs (a), (b), (c), (d), (e) and (f) of subdivision two of section three hundred seventy-one of the general municipal law to a judicial hearing officer [~~for all proceedings before the district court of Nassau county~~] in accordance with the provisions of section sixteen hundred ninety of the vehicle and traffic law.

§ 8. Notwithstanding any provision of law to the contrary no non-judicial employee of the Suffolk county district court shall suffer a diminution of salary, employment status or rights solely by operation of this act provided that nothing herein shall limit the legal authority of the chief administrator of the courts to supervise the administration and operation of the unified court system.

§ 9. The administrative judge of Suffolk county shall issue on an annual basis, beginning eighteen months following the creation of the

Suffolk county traffic and parking violations agency pursuant to Suffolk county local law, a report detailing the progress, development and operations of the traffic and parking violations agency. The report shall be provided to the governor, the temporary president of the senate, the speaker of the assembly, the Suffolk county executive, the Suffolk county board of supervisors, the presiding judge of the Suffolk county district court and the Suffolk county district attorney.

§ 10. This act shall take effect immediately; provided, however, the amendments to sections 370-a, subdivisions 2, 3 and 4 of section 371 and section 374 of the general municipal law, the article heading of article 44-A and the section heading and subdivisions 1 and 4 of section 1690 of the vehicle and traffic law and subdivision 5 of section 350.20 of the criminal procedure law, as made by sections two, three, four, five, six and seven of this act, respectively, shall take effect only in the event that the county of Suffolk shall have by local law established a traffic and parking violations agency; provided that the board of supervisors of the county of Suffolk shall notify the legislative bill drafting commission upon the occurrence of the enactment of the legislation provided for in sections two, three, four, five, six and seven of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law; provided, however, that the amendments to section 371 of the general municipal law made by section three of this act shall not affect the expiration of such section and shall be deemed to expire therewith.

HR 8

NEW YORK STATE ASSEMBLY
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Assembly Rule III, Section 1(e)

BILL NUMBER: A.9593

SPONSOR: Fields

TITLE OF BILL:
An act to amend the general municipal law, the vehicle and traffic law and the criminal procedure law, in relation to establishing a traffic and parking violations agency in the county of Suffolk

PURPOSE:
To allow for the establishment of a traffic and parking violations agency in the County of Suffolk and for the appointment of traffic prosecutors.

SUMMARY OF PROVISIONS:
This legislation anlends the general municipal law to allow Suffolk County, by local law, to establish a traffic and parking violations agency to assist the Suffolk County district court in administering and disposing of traffic and parking infractions. The Suffolk County Executive shall appoint a person to serve as the executive director of the Suffolk County traffic and parking violations agency subject to the confirmation of the Suffolk County Legislature. An annual report by the administrative judge of Suffolk County detailing the progress, development and operations of the traffic violations agency would be required under the provisions of this legislation.

JUSTIFICATION:
Current law allows the legislative body of a city, village or town, by local law, to authorize the court having jurisdiction of traffic cases to establish a traffic violations bureau to assist in the disposition of infractions in relation to traffic violations. Such a traffic and parking violations agency has also been established in Nassau County. This legislation, introduced at the request of the Suffolk County Legislature, would provide for the establishment of a traffic and parking violations agency in the County of Suffolk to assist the district court in the administration and disposition of traffic and parking infractions.

This agency would be established to assist the district court in the administration and disposition of traffic and parking infractions to lessen any backlog of unanswered and unpaid traffic and parking summonses issued in Suffolk County. This would ease the burden on the district court in disposing of the tremendous number cases that these types of infractions tend to generate. Speedy and equitable disposition of charges alleging traffic and parking violations will preserve the quality of life in Suffolk County. Residents would be assured that traffic and parking laws will be enforced and appropriate the penalties will be imposed on those persons who have been found guilty of violating them.

LEGISLATIVE HISTORY:
New Legislation, 2007.

FISCAL IMPLICATIONS:
None.

EFFECTIVE DATE:
This act shall take effect immediately.

BILL TEXT: HR 8

STATE OF NEW YORK

4174

2007-2008 Regular Sessions

IN SENATE

March 29, 2007

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

AN ACT to amend the general municipal law, the vehicle and traffic law and the criminal procedure law, in relation to establishing a traffic and parking violations agency in the county of Suffolk

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

1 Section 1. Section 370 of the general municipal law is amended by
2 adding a new subdivision 3 to read as follows:
3 3. The board of supervisors of the county of Suffolk may by local law
4 establish a traffic and parking violations agency to assist the Suffolk
5 county district court to administer and dispose of traffic and parking
6 infractions.
7 § 2. Section 370-a of the general municipal law, as added by chapter
8 496 of the laws of 1990, subdivision 1 as amended by chapter 527 of the
9 laws of 2002, is amended to read as follows:
10 § 370-a. Definitions. For the purpose of this article:
11 1. "Traffic and parking violations agency" shall mean a department of
12 the Nassau county government established pursuant to subdivision two of
13 section three hundred seventy of this article or a department in the
14 Suffolk county government established pursuant to subdivision three of
15 such section to administer and dispose of traffic and parking infrac-
16 tions.
17 2. "Traffic prosecutor" shall mean an attorney duly admitted to prac-
18 tice law in the state of New York who, having been appointed and either
19 hired or retained pursuant to section three hundred seventy-four of this
20 article, has the responsibility of prosecuting any traffic and parking
21 infractions returnable before the Nassau county district court or the
22 Suffolk county district court pursuant to the jurisdictional limitations
23 of section three hundred seventy-one of this article.

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

LBD10530-02-7

HR 8

§ 3. Subdivisions 2, 3 and 4 of section 371 of the general municipal law, subdivision 2 as added and subdivision 3 as amended by chapter 496 of the laws of 1990 and subdivision 4 as amended by chapter 465 of the laws of 1998, are amended to read as follows:

2. The Nassau county traffic and parking violations agency, as established, may be authorized to assist the Nassau county district court, **and the Suffolk county traffic and parking violations agency, as established, may be authorized to assist the Suffolk county district court,** in the disposition and administration of infractions of traffic and parking laws, ordinances, rules and regulations, except that such [~~agency~~] **agencies** shall not have jurisdiction over (a) the traffic infraction defined under subdivision one of section eleven hundred ninety-two of the vehicle and traffic law; (b) the traffic infraction defined under subdivision five of section eleven hundred ninety-two of the vehicle and traffic law; (c) the violation defined under paragraph (b) of subdivision four of section fourteen-f of the transportation law and the violation defined under clause (b) of subparagraph (iii) of paragraph (d) of subdivision two of section one hundred forty of the transportation law; (d) the traffic infraction defined under section three hundred ninety-seven-a of the vehicle and traffic law and the traffic infraction defined under subdivision (g) of section eleven hundred eighty of the vehicle and traffic law; (e) any misdemeanor or felony; or (f) any offense that is part of the same criminal transaction, as that term is defined in subdivision two of section 40.10 of the criminal procedure law, as a violation of subdivision one of section eleven hundred ninety-two of the vehicle and traffic law, a violation of subdivision five of section eleven hundred ninety-two of the vehicle and traffic law, a violation of paragraph (b) of subdivision four of section fourteen-f of the transportation law, a violation of clause (b) of subparagraph (iii) of paragraph (d) of subdivision two of section one hundred forty of the transportation law, a violation of section three hundred ninety-seven-a of the vehicle and traffic law, a violation of subdivision (g) of section eleven hundred eighty of the vehicle and traffic law or any misdemeanor or felony.

3. A person charged with an infraction which shall be disposed of by either a traffic violations bureau [~~or~~], the Nassau county traffic and parking violations agency, **or the Suffolk county traffic and parking violations agency** may be permitted to answer, within a specified time, at the traffic violations bureau, [~~and~~] in Nassau county at the traffic and parking violations agency **and in Suffolk county at the traffic and parking violations agency,** either in person or by written power of attorney in such form as may be prescribed in the ordinance or local law creating the bureau or agency, by paying a prescribed fine and, in writing, waiving a hearing in court, pleading guilty to the charge or admitting liability as an owner for the violation of subdivision (d) of section eleven hundred eleven of the vehicle and traffic law, as the case may be, and authorizing the person in charge of the bureau or agency to enter such a plea or admission and accept payment of said fine. Acceptance of the prescribed fine and power of attorney by the bureau or agency shall be deemed complete satisfaction for the violation or of the liability, and the violator or owner liable for a violation of subdivision (d) of section eleven hundred eleven of the vehicle and traffic law shall be given a receipt which so states. If a person charged with a traffic violation does not answer as hereinbefore prescribed, within a designated time, the bureau or agency may cause a complaint to be entered against him forthwith and a warrant to be issued for his arrest

HR 8

and appearance before the court, such summons to be predicated upon the personal service of said summons upon the person charged with the infraction. Any person who shall have been, within the preceding twelve months, guilty of a number of parking violations in excess of such maximum number as may be designated by the court, or of three or more violations other than parking violations, shall not be permitted to appear and answer to a subsequent violation at the traffic violations bureau or agency, but must appear in court at a time specified by the bureau or agency. Such bureau or agency shall not be authorized to deprive a person of his right to counsel or to prevent him from exercising his right to appear in court to answer to, explain, or defend any charge of a violation of any traffic law, ordinance, rule or regulation.

4. Notwithstanding any inconsistent provision of law, fines, penalties and forfeitures collected by the Nassau county **or Suffolk county** traffic and parking violations agency shall be distributed as provided in section eighteen hundred three of the vehicle and traffic law. All fines, penalties and forfeitures for violations adjudicated by the Nassau county **or Suffolk county** traffic and parking violations agency pursuant to subdivision two of this section, with the exception of parking violations, and except as provided in subdivision three of section ninety-nine-a of the state finance law, shall be paid by such [~~agency~~] **agencies** to the state comptroller within the first ten days of the month following collection. Each such payment shall be accompanied by a true and complete report in such form and detail as the comptroller shall prescribe.

§ 4. Section 374 of the general municipal law, as amended by chapter 527 of the laws of 2002, is amended to read as follows:

§ 374. Traffic prosecutor selection and oversight. (a) The executive director of the Nassau county traffic and parking violations agency, **and the executive director of the Suffolk county traffic and parking violations agency**, appointed pursuant to subdivision (b) of this section, shall select and may contract with or hire one or more persons who are attorneys, duly admitted to the practice of law in New York state for the prosecution of any traffic and parking infraction, except those described in paragraphs (a), (b), (c), (d), (e) and (f) of subdivision two of section three hundred seventy-one of this article, to be heard, tried or otherwise disposed of by the district court of Nassau county **in the case of an attorney selected by the Nassau county executive director, or by the district court of Suffolk county, in the case of an attorney selected by the Suffolk county executive director**. Such persons shall be known as "traffic prosecutors", as that term is defined in section three hundred seventy-a of this article. Traffic prosecutors shall have the same power as a district attorney would otherwise have in the prosecution of any traffic or parking infraction which may, pursuant to the jurisdictional provisions of section three hundred seventy-one of this article, be prosecuted before the district court of Nassau county **or the district court of Suffolk county, as the case may be**. The executive director shall give active consideration to requiring that such traffic prosecutors serve on a full-time basis. Traffic prosecutors are prohibited from appearing in any capacity other than as a traffic prosecutor in any part of the Nassau county district court **or the Suffolk county district court, as the case may be** on any matter relating to traffic or parking violations and are further prohibited from appearing in any capacity other than as a traffic prosecutor in any other court or administrative tribunal on any matter relating to traffic or parking violations.

HR 8

(b) The county executive of the county of Nassau shall appoint a person to serve as the executive director of the Nassau county traffic and parking violations agency subject to the confirmation of the county legislature of the county of Nassau. **The county executive of the county of Suffolk shall appoint a person to serve as the executive director of the Suffolk county traffic and parking violations agency subject to the confirmation of the county legislature of the county of Suffolk.** The executive director shall be responsible for the oversight and administration of the agency. The executive director **of Nassau county** is prohibited from appearing in any capacity in any part of the Nassau county district court **and the executive director of Suffolk county is prohibited from appearing in any capacity in any part of the Suffolk county district court** on any matter relating to traffic or parking violations and is further prohibited from appearing in any capacity in any other court or administrative tribunal on any matter relating to traffic or parking violations.

(c) It shall be a misdemeanor for the executive director, any traffic prosecutor or any judicial hearing officer assigned to hear traffic or parking violations cases pursuant to section one thousand six hundred ninety of the vehicle and traffic law to establish any quota of traffic violation convictions which must be obtained by any traffic prosecutor or judicial hearing officer. Nothing contained herein shall prohibit the taking of any job action against a traffic prosecutor or judicial hearing officer for failure to satisfactorily perform such prosecutor's or officer's job assignment except that the employment productivity of such prosecutor or officer shall not be measured by the attainment or nonattainment of any conviction quota. For the purposes of this section a conviction quota shall mean a specific number of convictions which must be obtained within a specific time period.

(d) The legislature of the county of Nassau may appropriate those monies which, in the legislature's sole discretion, are necessary for the compensation of those persons selected to serve as executive director and traffic prosecutors and to cover all other expenses associated with the administration of the Nassau county traffic and parking violations agency.

(e) The legislature of the county of Suffolk may appropriate those monies which, in the legislature's sole discretion, are necessary for the compensation of those persons selected to serve as executive director and traffic prosecutors and to cover all other expenses associated with the administration of the Suffolk county traffic and parking violations agency.

§ 5. The article heading of article 44-A of the vehicle and traffic law, as added by chapter 496 of the laws of 1990, is amended to read as follows:

AUTHORITY OF THE NASSAU **AND SUFFOLK**
COUNTY DISTRICT COURT
JUDICIAL HEARING [~~OFFICER~~] **OFFICERS**

§ 6. The section heading, subdivision 1 and subdivision 4 of section 1690 of the vehicle and traffic law, the section heading and subdivision 4 as added by chapter 496 of the laws of 1990 and subdivision 1 as amended by chapter 420 of the laws of 2001, are amended to read as follows:

Authority of the Nassau county **and Suffolk county** district court judicial hearing [~~officer~~] **officers**. 1. Notwithstanding any other provision of law, where the trial of a traffic or parking infraction is authorized

or required to be tried before the Nassau county district court **or Suffolk county district court**, and such traffic and parking infraction does not constitute a misdemeanor, felony, violation of subdivision one of section eleven hundred ninety-two, subdivision five of section eleven hundred ninety-two, section three hundred ninety-seven-a, or subdivision (g) of section eleven hundred eighty of this chapter, or a violation of paragraph (b) of subdivision four of section fourteen-f or clause (b) of subparagraph (iii) of paragraph d of subdivision two of section one hundred forty of the transportation law, or any offense that is part of the same criminal transaction, as that term is defined in subdivision two of section 40.10 of the criminal procedure law, as such a misdemeanor, felony, violation of subdivision one of section eleven hundred ninety-two, subdivision two of section eleven hundred ninety-two, section three hundred ninety-seven-a or subdivision (g) of section eleven hundred eighty of this chapter, or a violation of paragraph (b) of subdivision four of section fourteen-f or clause (b) of subparagraph (iii) of paragraph d of subdivision two of section one hundred forty of the transportation law, the administrative judge of the county in which the trial court is located, may assign judicial hearing officers to conduct such a trial. Such judicial hearing officers shall be village court justices or retired judges either of which shall have at least two years of experience conducting trials of traffic and parking violations cases and shall be admitted to practice law in this state. Where such assignment is made, the judicial hearing officer shall entertain the case in the same manner as a court and shall:

(a) determine all questions of law;

(b) act as the exclusive trier of all issues of fact;

(c) render a verdict;

(d) impose sentence; or

(e) dispose of the case in any manner provided by law.

4. Judicial hearing officers are prohibited from appearing in any capacity other than as a judicial hearing officer in any part of the Nassau county **or Suffolk county** district court on any matter relating to traffic or parking violations and are further prohibited from appearing in any capacity other than as a judicial hearing officer in any other court or administrative tribunal on any matter relating to traffic or parking violations.

§ 7. Subdivision 5 of section 350.20 of the criminal procedure law, as added by chapter 496 of the laws of 1990, is amended to read as follows:

5. Notwithstanding the provisions of subdivision one of this section, **for all proceedings before the district court of Nassau county** the administrative judge of Nassau county may, **and for all proceedings before the district court of Suffolk county, the administrative judge of Suffolk county may,** without the consent of the parties, assign matters involving traffic and parking infractions except those described in paragraphs (a), (b), (c), (d), (e) and (f) of subdivision two of section three hundred seventy-one of the general municipal law to a judicial hearing officer [~~for all proceedings before the district court of Nassau county~~] in accordance with the provisions of section sixteen hundred ninety of the vehicle and traffic law.

§ 8. Notwithstanding any provision of law to the contrary no non-judicial employee of the Suffolk county district court shall suffer a diminution of salary, employment status or rights solely by operation of this act provided that nothing herein shall limit the legal authority of the chief administrator of the courts to supervise the administration and operation of the unified court system.

§ 9. The administrative judge of Suffolk county shall issue on an annual basis, beginning eighteen months following the creation of the Suffolk county traffic and parking violations agency pursuant to Suffolk county local law, a report detailing the progress, development and operations of the traffic and parking violations agency. The report shall be provided to the governor, the temporary president of the senate, the speaker of the assembly, the Suffolk county executive, the Suffolk county board of supervisors, the presiding judge of the Suffolk county district court and the Suffolk county district attorney.

§ 10. This act shall take effect immediately; provided, however, the amendments to sections 370-a, subdivisions 2, 3 and 4 of section 371 and section 374 of the general municipal law, the article heading of article 44-A and the section heading and subdivisions 1 and 4 of section 1690 of the vehicle and traffic law and subdivision 5 of section 350.20 of the criminal procedure law, as made by sections two, three, four, five, six and seven of this act, respectively, shall take effect only in the event that the county of Suffolk shall have by local law established a traffic and parking violations agency; provided that the board of supervisors of the county of Suffolk shall notify the legislative bill drafting commission upon the occurrence of the enactment of the legislation provided for in sections two, three, four, five, six and seven of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law; provided, however, that the amendments to section 371 of the general municipal law made by section three of this act shall not affect the expiration of such section and shall be deemed to expire therewith.

HR 8

SPONSORS MEMO:

NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1

BILL NUMBER: S4174

SPONSOR: TRUNZO

TITLE OF BILL:
An act to amend the general municipal law, the vehicle and traffic law and the criminal procedure law, in relation to establishing a traffic and parking violations agency in the county of Suffolk

PURPOSE:
To allow for the establishment of a traffic and parking violations agency in the County of Suffolk and for the appointment of traffic prosecutors.

SUMMARY OF PROVISIONS:
This legislation anlends the general municipal law to allow Suffolk County, by local law, to establish a traffic and parking violations agency to assist the Suffolk County district court in administering and disposing of traffic and parking infractions. The Suffolk County Executive shall appoint a person to serve as the executive director of the Suffolk County traffic and parking violations agency subject to the confirmation of the Suffolk County Legislature. An annual report by the administrative judge of Suffolk County detailing the progress, development and operations of the traffic violations agency would be required under the provisions of this legislation.

JUSTIFICATION:
Current law allows the legislative body of a city, village or town, by local law, to authorize the court having jurisdiction of traffic cases to establish a traffic violations bureau to assist in the disposition of infractions in relation to traffic violations. Such a traffic and parking violations agency has also been established in Nassau County. This legislation, introduced at the request of the Suffolk County Legislature, would provide for the establishment of a traffic and parking violations agency in the County of Suffolk to assist the district court in the administration and disposition of traffic and parking infractions.

This agency would be established to assist the district court in the administration and disposition of traffic and parking infractions to lessen any backlog of unanswered and unpaid traffic and parking summonses issued in Suffolk County. This would ease the burden on the district court in disposing of the tremendous number cases that these types of infractions tend to generate. Speedy and equitable disposition of charges alleging traffic and parking violations will preserve the quality of life in Suffolk County. Residents would be assured that traffic and parking laws will be enforced and appropriate the penalties will be imposed on those persons who have been found guilty of violating them.

HR 8

LEGISLATIVE HISTORY:
New Legislation, 2007.

FISCAL IMPLICATIONS:
None.

EFFECTIVE DATE:
This act shall take effect immediately.