1148

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

Laid on Table 3/4/08

RESOLUTION NO. –2008, BAN THE PURCHASE OF BOTTLED WATER BY SUFFOLK COUNTY

WHEREAS, the use of bottled water requires significant consumption of non-renewable resources; and

WHEREAS, supplying the plastic water bottles that are purchased in the United States annually requires more than 47 million gallons of oil, and results in the release of the equivalent of one billion pounds of carbon dioxide into the atmosphere; and

WHEREAS, many used water bottles, despite being made of recyclable plastic, nonetheless end up in incinerators, landfills, or littering roadsides and parks; and

WHEREAS, only 14% of plastic water bottles were recycled in 2005, with an estimated two-million tons of PET plastic bottles thrown away annually rather than being recycled; and

WHEREAS, a 2002 study found that discarded water bottles made up a disproportionately high percentage of the beverage container litter found in parks and roadsides; and

WHEREAS, the most inexpensive bottled water still costs 1,000 times more than tap water supplied by the Suffolk County Water Authority (SCWA); now, therefore be it

1st **RESOLVED**, that no public moneys shall be expended for the purchase of single serving bottled water, defined for the purposes of this Resolution as a bottle of water packaged for individual consumption with a volume of 1 liter or less, by any Suffolk County department, office or agency; and be it further

2nd **RESOLVED**, that the provisions of this Resolution shall not apply to the purchase of single serving bottled water if purchased as part of an underlying contract with a vending machine distributor or supplier; and be it further

3rd **RESOLVED**, that the Commissioner of the Department of Health Services is hereby authorized, empowered and directed to issue a waiver from the provisions of this law if testing reveals that any public water supplied to a county building is unsafe for human consumption; provided however that any waiver granted pursuant to this Resolved clause shall cease upon remediation of the health risk; 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-ban-bottled-water

1149

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

Laid on Table 3/4/08

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

WHEREAS, Resolution No. 23-2008 appointed James F. Gaughran as a member of the Suffolk County Water Authority for a term of office to expire on March 24, 2008; now, therefore be it

1st **RESOLVED**, that **James F. Gaughran,** of Huntington, New York, is hereby reappointed as a member of the Suffolk County Water Authority with said term of office to expire March 24, 2013, 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-reappoint-gaughran

1149

JAMES F. GAUGHRAN, ESQ.

191 New York Avenue, Huntington, New York 11743 (631) 385-7004

Professional Experience

- Attorney in Private Practice, Northport and Huntington, NY 1984 to present

  Nature of Practice: General practice with emphasis on land use and zoning; environmental issues, municipal law, residential and commercial real estate matters; wills, trust and estates, telecommunications and corporate representation.

- Huntington Community Development Agency, Huntington, NY. Special Counsel 1998 to present

  Nature of Practice: Represent urban renewal agency and directors in litigation against agency; counsel agency on all requirements of the United State Department of Housing and Urban Development; prepare legislation concerning affordable housing programs; negotiate contracts with private developers and not-for-profits for public/private affordable housing projects; and coordinate all agency real estate matters.

- Village of Northport, Northport, NY

  Nature of Practice: Represented Village and officials in litigation against village; counsel to Mayor and Village Board; counsel to village police department; attorney for zoning board, planning board and architectural review board; negotiated police union and other municipal contracts; and counseled village on civil service matters.

  Village Attorney. April 1998 to April 1999

  Special Counsel. April 1999 to March 2000

- Town of Babylon, Babylon, NY
  Special Counsel. January 2001 to March 2004

  Nature of Practice: Represent Town on specific land use and zoning issues.

- Office of Congressman Gary Ackerman, Huntington, NY
  January to May 1994
  Assisted Congressman with establishing Suffolk County office.

- New York State Senate, Albany and New York, NY
  September 1979 to December 1983
  Long Island regional representative for Minority Leader.

1149

Elected Public Offices

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

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

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

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

Education

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

Bar Admissions

- New York 1984
- U.S. District Court, Eastern District New York 1998

Personal

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

Intro. Res. No. 1150 -2008
Introduced by Legislator Schneiderman

Laid on Table 3/4/08

RESOLUTION NO. -2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (LANGMAN 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 pursuant to the traditional Suffolk County Open Space Program;

PARCEL:	**SUFFOLK COUNTY TAX MAP NUMBER:**		**ACRES:**	**REPUTED OWNER AND ADDRESS:**
No. **1**	District	0900	1.116	Frieda Langman
	Section	098.00		62 Wingam Drive
	Block	02.00		Islip, NY 11751
	Lot	018.023		

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:

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County Executive of Suffolk County

Date:

s:\res\r-langman-multifaceted-plan-steps

1151

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

Laid on Table 3/4/08

RESOLUTION NO. -2008, APPOINT MEMBER TO SUFFOLK COUNTY CITIZENS CORPS COUNCIL (EDMUND MOORE)

WHEREAS, Resolution No. 1283-2004 created a Suffolk County Citizens Corps Council to develop and coordinate volunteer programs to assist emergency responders; now, therefore be it

1st **RESOLVED**, that Edmund Moore from Hampton Bays is hereby appointed to serve as a member of the Suffolk County Citizens Corps Council for a one year term of office, effective immediately; and be it further

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

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND RESOLUTION NO. 1283-2004

s:\res\r-appt-citizen-corps-moore

EDMUND B. MOORE
11 Stuart Court
Hampton Bays, NY 11946
collectmoore@verizon.net

H: (631) 728-5452 C: (631) 764-7888

1151

CAREER SUMMARY

Private investor with a unique background in community service, local government, public relations and project management. Skilled in analysis, process implementation, constituent service and budget compliance. Focused, detail and results oriented.

PROFESSIONAL EXPERIENCE

Suffolk County Department of Public Works, Yaphank, NY **2000 – 2004**
Purchasing Agent
Maximized taxpayer dollar utility by ensuring the procurement of the highest quality commodities for Suffolk County Offices from the most favorable bidders with the most cost effective rates.

Town of Southampton, Southampton, NY **1985 – 2000**
Records Retention Manager 1997 – 2000
Oversaw the processing, retrieval, disposition and storage of records and archives for Southampton Town.
Developed and implemented procedures for the operation and quality assurance of the records retention system.
Driver / Messenger 1996 – 1997
Department of Parks and Recreation - Seasonal Employee 1985 – 1993

Suffolk County Dept of Social Services, Westhampton, NY **1994 – 1996**
Program Examiner Trainee
Supervised the Department of Social Services Micrographics Quality Control Units.

Suffolk County Executive Office, Hauppauge, NY **1993 – 1994**
Neighborhood Aide
Provided community relations support for the office of the Suffolk County Executive, Robert Gaffney.

Dugout Card Company, Hampton Bays, NY **1979 – 2000**
Founder / President - Established and maintained a sports memorabilia business.

COMMUNITY INVOLVEMENT

Town of Southampton Licensing Review Board	2008 - Present
Hampton Bays Volunteer Fire Department	1990 - Present
Hampton Bays Exempt Fireman's Benevolent Association, President	2004 - Present
Hampton Bays Fire Department 75th Anniversary Committee, Master of Ceremonies	2005
Hampton Bays Citizens Advisory Committee, *Chairman 1994 – 2000*	1992 – 2000
Southampton Town Republican Committeeman	1990 - Present
Southampton Republican Club, *President*	1994 - 2000
Hampton Bays Hamlet Strategy Advisory Committee	
Southampton Town Police Citizen's Academy	
Benevolent and Protective Order of Elks, Southampton Lodge 1574	
Hampton Bays Beautification Association, Operation Flagpole 2001	
Irish American Society of the Hamptons	
Friendly Sons of St. Patrick Society of Long Island	
Ancient Order of Hibernians, Michael Collins Division 11	
National Maritime Historical Society	

EDUCATION

Adelphi University, Garden City, NY **B.A.,** Political Science
Internship: State Assemblyman Doug Prescott, Bayside, New York

1152

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

Laid on Table 3/4/08

RESOLUTION NO. -2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (BROOKFIELD PRESBYTERIAN CHURCH PROPERTY) TOWN OF BROOKHAVEN (SCTM NO. 0200-559.00-03.00-034.001 p/o)

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	±15.74	Brookfield Presbyterian Church c/o James Johnston 142 Forrest Avenue Shirley, NY 11967-1953
	Section	559.00		
	Block	03.00		
	Lot	034.001p/o		

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:

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County Executive of Suffolk County

Date:

s:\res\r-brookfield-presbyterian-multifaceted-plan-steps

1153

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

Laid on Table 3/4/08

RESOLUTION NO. -2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (ZOUMAS PROPERTY) TOWN OF RIVERHEAD (SCTM NO. 0600-075.00-03.00-004.000)

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

WHEREAS, the Shoreham Wading River Little League (SWRLL) has proposed an active parkland acquisition for the captioned property for use as youth sports fields and other community recreational needs; and

WHEREAS, SWRLL has made a commitment to Suffolk County to assume responsibility for construction and maintenance of the fields; 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 in accordance with the programmatic criteria set forth in Resolution No. 602-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0600	18	Ioannis & William Zoumas Route 25A Wading River, NY 11792
	Section	075.00		
	Block	03.00		
	Lot	004.000		

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-refile-zoumas-multifaceted-plan-steps

1154

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

Laid on Table 3/4/08

RESOLUTION NO. -2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (LONG ISLAND BEAGLE CLUB PROPERTY) TOWN OF RIVERHEAD (SCTM NO. 0600-078.00-01.00-002.000)

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

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

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

PARCEL:	**SUFFOLK COUNTY TAX MAP NUMBER:**		**ACRES:**	**REPUTED OWNER AND ADDRESS:**
No. **1**	District	0600	150	L.I. Beagle Club, Inc. 1179 Edwards Avenue Baiting Hollow, NY 11933
	Section	078.00		
	Block	01.00		
	Lot	002.000		

Property is adjacent to County owned farmland

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:

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County Executive of Suffolk County

Date:

s:\res\r-li-beagle-club-multifaceted-plan-steps

Intro. Res. No. 1155 -2008
Introduced by Legislator Alden

Laid on Table 3/4/08

RESOLUTION NO. –2008, TO RE-ESTABLISH THE DARE PROGRAM IN SUFFOLK COUNTY

WHEREAS, the Drug Abuse Resistance Education Program ("DARE") is a nationally recognized program designed to reduce drug-related crime by educating young students, parents and the community at-large to the dangers of drug abuse; and

WHEREAS, the current version of the DARE Program continues to enjoy strong support from school districts throughout the country; and

WHEREAS, proposals to reorganize and/or scale back the DARE Program have been offered in many parts of the country in the past, and have typically sought to contain costs within a municipality's budget; and

WHEREAS, the County of Suffolk has recently ceased providing sworn Suffolk County Police Officers to school districts that have historically offered the DARE Program, meaning that school districts located within the Police District must effectively discontinue DARE; and

WHEREAS, the County of Suffolk has replaced the DARE Program with an Enhanced Health Smart Program, designed to provide students with continuing education on the health effects of drugs and tobacco, as well as dealing with self esteem issues and bullying; and

WHEREAS, the long term health education provided by Enhanced Health Smart is a laudable goal, however this program will not contain the intense interaction between young students and police officers that is essential to building camaraderie and trust between the police and the community; and

WHEREAS, the DARE Program is effective at building a relationship between young students and the police, which is known to be effective at guiding young people away from crime and gangs; now, therefore be it

1st **RESOLVED**, that the Commissioner of the Suffolk County Police Department is hereby authorized, empowered and directed, pursuant to Article XII of the SUFFOLK COUNTY CHARTER, to initiate all necessary procedures for establishing the DARE Program within the Suffolk County Police Department, with the goal of providing sworn officers to teach the DARE Program at Suffolk County schools beginning in the 2008/2009 school year; 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:

Intro. Res. No 1156 - 2008 Laid on Table 3/4/08
Introduced by Presiding Officer Lindsay

RESOLUTION NO. -2008, AUTHORIZING THE COUNTY OF SUFFOLK TO DEDUCT FROM A CREDIT FUND ESTABLISHED FOR THE BENEFIT OF THE SUFFOLK COUNTY WATER AUTHORITY, THE AUTHORITY'S SHARE OF THE COST FOR THE PREPARATION OF THE UPDATE OF THE SUFFOLK COUNTY COMPREHENSIVE WATER RESOURCES MANAGEMENT PLAN (the "PLAN")

WHEREAS, on February 27, 2005, the County of Suffolk and the Suffolk County Water Authority (the "SCWA") entered into a Stipulation of Settlement attached hereto as Exhibit A and hereinafter the "Stipulation" to resolve a certain action brought by the SCWA against the County pursuant to which the County established a $1.5 million dollar interest accruing credit in the favor of the SCWA (the "SCWA Credit"); and

WHEREAS, pursuant to the Stipulation, SCWA could use the SCWA Credit or any portion thereof as consideration for any acquisition of real or personal property from the County of Suffolk or in lieu of payment for any services provided by the County on behalf of SCWA; and

WHEREAS, the County is preparing or causing to be prepared an update of the Plan; and

WHEREAS, the SCWA and the County entered into an Agreement dated April 22, 2005 attached hereto as Exhibit B under which the SCWA agreed to pay up to $300,000.00 in direct funding for the Plan's preparation; and

WHEREAS, the SCWA, by check dated June 15, 2005, paid the County $100,000.00 of the pledged $300,000.00; and

WHEREAS, the SCWA wishes to use a $200,000.00 portion of the SCWA Credit to pay for its remaining direct funding share of the Plan; now therefore, be it

RESOLVED, that the County hereby deducts from the SCWA Credit the sum of $200,000.00 in full satisfaction of the SCWA's share of direct funding for the Plan; and be it further

RESOLVED, that the County Attorney's Office is directed to provide an accounting of the funds remaining in the SCWA Credit.

DATED:

STIPULATION OF SETTLEMENT

This Agreement made on the 27th day of FEBRUARY, 2005, between SUFFOLK COUNTY WATER AUTHORITY ("SCWA"), with offices at 4060 Sunrise Highway, Oakdale, New York 11769 and COUNTY OF SUFFOLK ("COUNTY") with offices at H. Lee Dennison Building, P.O. Box 6100, Veterans Memorial Highway, Hauppauge, N.Y. 11788;

WHEREAS, an action was commenced on September 10, 1999, by SUFFOLK COUNTY WATER AUTHORITY against the COUNTY OF SUFFOLK, in Supreme Court, County of Suffolk, under Index No. 99-20187, as a result of perchlorate contamination of wells located at Old Country Road, Westhampton, New York; and

WHEREAS, as a result of the perchlorate contamination SCWA was caused to and did comply with New York State Department of Health ("NYSDOH") action plans and discontinued one well at the subject site and curtailed the use of three other wells at the site to ensure that perchlorate levels did not exceed the standards set by NYSDOH for potable drinking water and to protect the public health and safety of its customers; and

WHEREAS, the parties to this Agreement desire to settle this pending lawsuit to avoid the expense and uncertainty of future litigation;

NOW, THEREFORE, based on the mutual covenants, conditions and premises contained herein, the parties agree as follows:

1. The term "Real Property" as used herein shall include any real property or real property interest that the County has, including but not limited to any fee ownership, easement,

license, leasehold interest or other real property interest that the County can convey, including but not limited to any parkland, surplus property and/or property acquired through tax sale. This Agreement shall in no way require or establish that SCWA shall be required to pay any consideration for any Real Property acquired by the County in accordance with the 1/4 percent Sales Tax Drinking Water Protection Program pursuant to Suffolk County Code, Article XII, Suffolk County Drinking Water Protection Program.

2. The term "Services" as used herein shall include any service that the County is required or requested to do on behalf of SCWA that the County may lawfully charge fees of SCWA. Such services include, but are not limited to, fees required for review of plans and specifications in accordance with applicable NYS fire prevention and building code safety laws.

3. The term "Subject Property" and "Subject Site" as used herein shall include SCWA's wellfield located at Old Country Road, Westhampton, New York, as well as the property owned by the County located at Old Country Road, Westhampton, New York, designated as SCTM#900-33-1-1.

4. The County hereby establishes a credit in favor of SCWA in the sum of $1.5 million for use as consideration for any acquisition of Real Property or personal property from the County or for use in lieu of payment for any Services provided by the County on behalf of SCWA.

5. The balance of any unused credit herein established shall accrue interest at the rate of five percent (5%) per annum, which interest shall become a part of the remaining credit balance. The SCWA may apply the credit (and accrued interest) as consideration in the acquisition of Real

Property or payment for Services within five (5) years of the date of this Agreement. The balance of any unused credit (with accrued interest) at the expiration of the five (5) year period shall be paid by the County to the SCWA within ninety (90) days of said expiration. Notwithstanding the foregoing or any other provision of this Agreement, the County may pay down the credit with cash at any time prior to the expiration of said five (5) year period.

6. The parties recognize that there are two (2) remaining useful wells at the subject site, Well No. 1A and Well No. 4, that may be impacted by either an increase in the level of contamination in these wells or a change in the drinking water standards for perchlorate. In the event that any new standard, guideline, regulation or other government directive for perchlorate or an increase in the level of perchlorate contamination requires SCWA to abandon use of either of the remaining useful wells at the subject site or to provide treatment for perchlorate contamination at either of said wells, then the credit established herein shall be increased in the amount of $400,000 per impacted well. In the event the SCWA is caused to abandon either of the remaining useful wells at the subject site or to provide treatment therefor because of perchlorate contamination for any reason after the five (5) year period set forth in paragraph 5 herein, the County shall pay the SCWA the said $400,000 per impacted well within ninety (90) days of the date the new standard, guideline, regulation or other government directive becomes effective or within ninety (90) days of the date the increase in the level of perchlorate contamination requires SCWA to abandon or treat the impacted well(s) for perchlorate. The County shall not be required to make any payments as described in this paragraph 6 if Well No. 1A and Well No. 4 do not

require treatment for perchlorate contamination or are not removed from service due to perchlorate contamination within ten (10) years from the date of this Agreement.

7. This Agreement shall in no way alter, amend, abridge or supersede any law, rule or regulation with respect to the sale or acquisition of Real Property or personal property or the payment for Services and is merely intended to permit SCWA to offer and use any credit balance available as consideration for the acquisition of said Real Property or payment for said Services, and the County hereby expressly acknowledges SCWA's right to apply such credit balances as consideration for such purposes subject to the terms of this Agreement.

8. SCWA shall have discretion as to when and how much of a credit SCWA intends to offer as consideration for any particular transaction, and hereby expressly reserves the right to pay for Real Property or Services in any other lawful manner, provided, however, that SCWA shall include no more than ten percent (10%) cash as consideration for each particular transaction until such time as the credit is used or paid in accordance with the terms of this Agreement. SCWA must provide the County with reasonable notice of the amount of the credit SCWA wishes to apply in any given transaction.

9. The County shall be required to maintain a record of any credit used and provide SCWA with a statement at least annually of the balance available to SCWA.

10. For each and every transaction for which SCWA uses a credit sum as consideration, the credit shall not be deemed applied unless and until there is a closing of the transaction and the appropriate transfer documents, such as a deed, easement or bill of sale, is

tendered and accepted by SCWA or until such Services are duly rendered in accordance with any separate agreement or contract between the County and SCWA.

11. Acquisition of Real Property:

(a) Any Real Property that SCWA desires to acquire and the County desires to convey to SCWA may be sold on such terms and conditions as the parties so determine. The County shall not be compelled to convey any particular Real Property, and final consent to any such conveyance shall remain solely with the County.

(b) In the event the parties cannot come to terms on the price for the acquisition, the parties agree that the price for such acquisition shall be established in the following manner:

(i) An appraisal will be commissioned by the County, at the County's sole cost and expense, from the County's list of approved appraisers as same may be amended from time to time. The appraiser will be selected from the approved list on a rotating basis.

(ii) The appraiser shall perform an appraisal in accordance with the agreed upon criteria established by the County and SCWA.

(iii) The appraisal shall form the basis for the price for acquiring the Real Property and be binding upon the parties for period of six (6) months from the date the appraisal is completed.

(iv) The foregoing provisions are intended merely to establish the price for the Real Property for a limited period of time based upon the criteria agreed to by the parties and is

not intended to force a conveyance of the property. The County and SCWA must otherwise agree, in writing, to the terms and conditions of the conveyance.

(c) SCWA shall clearly designate in any contract the sum of credit SCWA intends to use for purposes of the acquisition. At the time SCWA designates the credit sum to be applied, the County shall confirm, in writing, the credit available to SCWA for use in connection with the transaction.

12. In the event of a breach of this Agreement by the County, SCWA shall notify the County, in writing, of such breach with such notice being provided to the County Attorney's Office at: H. Lee Dennison Building, P.O. Box 6100, Veterans Memorial Highway, Hauppauge, N.Y. 11788, and the County shall be given twenty-one (21) days from receipt of said notice to cure said breach. In the event said breach is not cured within said twenty-one (21) days, then, SCWA shall be entitled to file an affidavit evidencing same and the County consents to a judgment against the County in the sum of any unused credit.

13. In consideration of the terms and conditions of this Agreement, SCWA hereby stipulates to discontinue, with prejudice, the action commenced against the County in the Supreme Court of Suffolk County filed under Index #99-20187 and will file said Stipulation with the Supreme Court of the County of Suffolk on the form annexed hereto (Exhibit "A") and provide a General Release to the County regarding this action annexed hereto (Exhibit "B"). The parties understand and agree that this Agreement settles all property damage claims with respect to perchlorate contamination of wells at the Old Country Road, Westhampton, New York.

14. The terms and conditions of this Settlement shall not be altered or modified unless mutually agreed to, in writing, by both parties.

15. In the event any court of competent jurisdiction makes a determination, which determination is not subject to further appeal, that any provisions of this Agreement are unlawful, then, the remaining provisions shall remain in full force and effect. In the event it is determined that SCWA cannot use the credit as intended, then, the County hereby agrees to pay the sum of the balance of any unused credit to SCWA within a period of ninety (90) days from the date of any such final determination.

16. IT IS EXPRESSLY AGREED AND UNDERSTOOD that each and all of the plaintiff's claims in the foregoing claim are disputed. The disposition of the foregoing action and/or the consideration paid hereunder are not evidence of nor any admission of any wrongdoing whatsoever by any of the named defendants or any unnamed or unidentified Suffolk County personnel and/or official(s) in the foregoing claim.

17. By execution of this Agreement, the SCWA releases and agrees to hold harmless the County of Suffolk, and heirs, executors, administrators, successors, agents, servants, employees, officials, and assigns, from all actions, causes of action, suits, debts, dues, sums of money, accounts, agreement, promises, variances, trespasses, damages, judgments, extents, executions, claims, and demands whatsoever, in law, admiralty or equity, which against the SCWA or its executors, administrators, successors and assigns ever had, now have or hereafter can, shall or may, have for, upon, or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of the date of this agreement arising out of any and all property damage

claims of any kind or any nature whatsoever, which were raised, in the claim entitled SCWA v. County of Suffolk, Index No. 99-20187.

IN WITNESS WHEREOF, the parties have set their hands to this Agreement on the day set forth below.

COUNTY OF SUFFOLK

Witness

By: _____
Steve Levy,
Suffolk County Executive

SUFFOLK COUNTY WATER AUTHORITY

_____
Witness

By: _____
Stephen M. Jones,
Chief Executive Officer

STATE OF NEW YORK)
ss:
COUNTY OF SUFFOLK)

On the 27th day of February, in the year 2007, before me, the undersigned, a Notary Public in and for said state, personally appeared Steve Levy, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

Notary Public - State of New York
No. 01GU6033375
Qualified in Suffolk County
My Commission Expires 2, 2007

STATE OF NEW YORK)
ss:
COUNTY OF SUFFOLK)

On the 14th day of February, in the year ~~2005~~ 2006, before me, the undersigned, a Notary Public in and for said state, personally appeared Stephen M. Jones personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Timothy J. Hopkins
Notary Public, State of New York
No. 02HO6040236
Term Expires April 17, 2010
Qualified in Suffolk County

Notary Public

Intro. Res. No 1157 - 2008 Laid on Table 3/4/08
Introduced by Presiding Officer Lindsay

RESOLUTION NO. -2008, AUTHORIZING THE COUNTY OF SUFFOLK TO DEDUCT FROM A CREDIT FUND ESTABLISHED FOR THE BENEFIT OF THE SUFFOLK COUNTY WATER AUTHORITY THE COST OF THE INSTALLATION OF CERTAIN WATER MAIN ON COUNTY ROAD 39 BY THE COUNTY

WHEREAS, on February 27, 2005, the County of Suffolk and the Suffolk County Water Authority (the "SCWA") entered into a Stipulation of Settlement attached hereto as Exhibit A and hereinafter the "Stipulation" to resolve a certain action brought by the SCWA against the County pursuant to which the County established a $1.5 million dollar interest accruing credit in the favor of the SCWA (the "SCWA Credit"); and

WHEREAS, pursuant to the Stipulation, SCWA could use the SCWA Credit or any portion thereof as consideration for any acquisition of real or personal property from the County of Suffolk or in lieu of payment for any services provided by the County on behalf of SCWA; and

WHEREAS, the County is making road improvements to County Road 39 in Southampton; and

WHEREAS, the County at the request of SCWA installed water main as part of the road improvements at the cost of $18,597.00 and has requested SCWA to pay for the installation; and

WHEREAS, the SCWA wishes to use a $18,597.00 portion of the SCWA Credit to pay for the cost of the water main installation; now therefore, be it

RESOLVED, that the County hereby deducts from the SCWA Credit the sum of $18,597.00 in full satisfaction for the cost of installing the water main for the County Road 31 improvement project; and be it further

RESOLVED, that the County Attorney's Office is directed to provide an accounting of the funds remaining in the SCWA Credit.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1157

STIPULATION OF SETTLEMENT

This Agreement made on the 22nd day of FEBRUARY, 2005, between SUFFOLK COUNTY WATER AUTHORITY ("SCWA"), with offices at 4060 Sunrise Highway, Oakdale, New York 11769 and COUNTY OF SUFFOLK ("COUNTY") with offices at H. Lee Dennison Building, P.O. Box 6100, Veterans Memorial Highway, Hauppauge, N.Y. 11788;

WHEREAS, an action was commenced on September 10, 1999, by SUFFOLK COUNTY WATER AUTHORITY against the COUNTY OF SUFFOLK, in Supreme Court, County of Suffolk, under Index No. 99-20187, as a result of perchlorate contamination of wells located at Old Country Road, Westhampton, New York; and

WHEREAS, as a result of the perchlorate contamination SCWA was caused to and did comply with New York State Department of Health ("NYSDOH") action plans and discontinued one well at the subject site and curtailed the use of three other wells at the site to ensure that perchlorate levels did not exceed the standards set by NYSDOH for potable drinking water and to protect the public health and safety of its customers; and

WHEREAS, the parties to this Agreement desire to settle this pending lawsuit to avoid the expense and uncertainty of future litigation;

NOW, THEREFORE, based on the mutual covenants, conditions and premises contained herein, the parties agree as follows:

1. The term "Real Property" as used herein shall include any real property or real property interest that the County has, including but not limited to any fee ownership, easement,

license, leasehold interest or other real property interest that the County can convey, including but not limited to any parkland, surplus property and/or property acquired through tax sale. This Agreement shall in no way require or establish that SCWA shall be required to pay any consideration for any Real Property acquired by the County in accordance with the 1/4 percent Sales Tax Drinking Water Protection Program pursuant to Suffolk County Code, Article XII, Suffolk County Drinking Water Protection Program.

2. The term "Services" as used herein shall include any service that the County is required or requested to do on behalf of SCWA that the County may lawfully charge fees of SCWA. Such services include, but are not limited to, fees required for review of plans and specifications in accordance with applicable NYS fire prevention and building code safety laws.

3. The term "Subject Property" and "Subject Site" as used herein shall include SCWA's wellfield located at Old Country Road, Westhampton, New York, as well as the property owned by the County located at Old Country Road, Westhampton, New York, designated as SCTM#900-33-1-1.

4. The County hereby establishes a credit in favor of SCWA in the sum of $1.5 million for use as consideration for any acquisition of Real Property or personal property from the County or for use in lieu of payment for any Services provided by the County on behalf of SCWA.

5. The balance of any unused credit herein established shall accrue interest at the rate of five percent (5%) per annum, which interest shall become a part of the remaining credit balance. The SCWA may apply the credit (and accrued interest) as consideration in the acquisition of Real

Property or payment for Services within five (5) years of the date of this Agreement. The balance of any unused credit (with accrued interest) at the expiration of the five (5) year period shall be paid by the County to the SCWA within ninety (90) days of said expiration. Notwithstanding the foregoing or any other provision of this Agreement, the County may pay down the credit with cash at any time prior to the expiration of said five (5) year period.

6. The parties recognize that there are two (2) remaining useful wells at the subject site, Well No. 1A and Well No. 4, that may be impacted by either an increase in the level of contamination in these wells or a change in the drinking water standards for perchlorate. In the event that any new standard, guideline, regulation or other government directive for perchlorate or an increase in the level of perchlorate contamination requires SCWA to abandon use of either of the remaining useful wells at the subject site or to provide treatment for perchlorate contamination at either of said wells, then the credit established herein shall be increased in the amount of $400,000 per impacted well. In the event the SCWA is caused to abandon either of the remaining useful wells at the subject site or to provide treatment therefor because of perchlorate contamination for any reason after the five (5) year period set forth in paragraph 5 herein, the County shall pay the SCWA the said $400,000 per impacted well within ninety (90) days of the date the new standard, guideline, regulation or other government directive becomes effective or within ninety (90) days of the date the increase in the level of perchlorate contamination requires SCWA to abandon or treat the impacted well(s) for perchlorate. The County shall not be required to make any payments as described in this paragraph 6 if Well No. 1A and Well No. 4 do not

require treatment for perchlorate contamination or are not removed from service due to perchlorate contamination within ten (10) years from the date of this Agreement.

7. This Agreement shall in no way alter, amend, abridge or supersede any law, rule or regulation with respect to the sale or acquisition of Real Property or personal property or the payment for Services and is merely intended to permit SCWA to offer and use any credit balance available as consideration for the acquisition of said Real Property or payment for said Services, and the County hereby expressly acknowledges SCWA's right to apply such credit balances as consideration for such purposes subject to the terms of this Agreement.

8. SCWA shall have discretion as to when and how much of a credit SCWA intends to offer as consideration for any particular transaction, and hereby expressly reserves the right to pay for Real Property or Services in any other lawful manner, provided, however, that SCWA shall include no more than ten percent (10%) cash as consideration for each particular transaction until such time as the credit is used or paid in accordance with the terms of this Agreement. SCWA must provide the County with reasonable notice of the amount of the credit SCWA wishes to apply in any given transaction.

9. The County shall be required to maintain a record of any credit used and provide SCWA with a statement at least annually of the balance available to SCWA.

10. For each and every transaction for which SCWA uses a credit sum as consideration, the credit shall not be deemed applied unless and until there is a closing of the transaction and the appropriate transfer documents, such as a deed, easement or bill of sale, is

tendered and accepted by SCWA or until such Services are duly rendered in accordance with any separate agreement or contract between the County and SCWA.

11. Acquisition of Real Property:

(a) Any Real Property that SCWA desires to acquire and the County desires to convey to SCWA may be sold on such terms and conditions as the parties so determine. The County shall not be compelled to convey any particular Real Property, and final consent to any such conveyance shall remain solely with the County.

(b) In the event the parties cannot come to terms on the price for the acquisition, the parties agree that the price for such acquisition shall be established in the following manner:

(i) An appraisal will be commissioned by the County, at the County's sole cost and expense, from the County's list of approved appraisers as same may be amended from time to time. The appraiser will be selected from the approved list on a rotating basis.

(ii) The appraiser shall perform an appraisal in accordance with the agreed upon criteria established by the County and SCWA.

(iii) The appraisal shall form the basis for the price for acquiring the Real Property and be binding upon the parties for period of six (6) months from the date the appraisal is completed.

(iv) The foregoing provisions are intended merely to establish the price for the Real Property for a limited period of time based upon the criteria agreed to by the parties and is

not intended to force a conveyance of the property. The County and SCWA must otherwise agree, in writing, to the terms and conditions of the conveyance.

(c) SCWA shall clearly designate in any contract the sum of credit SCWA intends to use for purposes of the acquisition. At the time SCWA designates the credit sum to be applied, the County shall confirm, in writing, the credit available to SCWA for use in connection with the transaction.

12. In the event of a breach of this Agreement by the County, SCWA shall notify the County, in writing, of such breach with such notice being provided to the County Attorney's Office at: H. Lee Dennison Building, P.O. Box 6100, Veterans Memorial Highway, Hauppauge, N.Y. 11788, and the County shall be given twenty-one (21) days from receipt of said notice to cure said breach. In the event said breach is not cured within said twenty-one (21) days, then, SCWA shall be entitled to file an affidavit evidencing same and the County consents to a judgment against the County in the sum of any unused credit.

13. In consideration of the terms and conditions of this Agreement, SCWA hereby stipulates to discontinue, with prejudice, the action commenced against the County in the Supreme Court of Suffolk County filed under Index #99-20187 and will file said Stipulation with the Supreme Court of the County of Suffolk on the form annexed hereto (Exhibit "A") and provide a General Release to the County regarding this action annexed hereto (Exhibit "B"). The parties understand and agree that this Agreement settles all property damage claims with respect to perchlorate contamination of wells at the Old Country Road, Westhampton, New York.

14. The terms and conditions of this Settlement shall not be altered or modified unless mutually agreed to, in writing, by both parties.

15. In the event any court of competent jurisdiction makes a determination, which determination is not subject to further appeal, that any provisions of this Agreement are unlawful, then, the remaining provisions shall remain in full force and effect. In the event it is determined that SCWA cannot use the credit as intended, then, the County hereby agrees to pay the sum of the balance of any unused credit to SCWA within a period of ninety (90) days from the date of any such final determination.

16. IT IS EXPRESSLY AGREED AND UNDERSTOOD that each and all of the plaintiff's claims in the foregoing claim are disputed. The disposition of the foregoing action and/or the consideration paid hereunder are not evidence of nor any admission of any wrongdoing whatsoever by any of the named defendants or any unnamed or unidentified Suffolk County personnel and/or official(s) in the foregoing claim.

17. By execution of this Agreement, the SCWA releases and agrees to hold harmless the County of Suffolk, and heirs, executors, administrators, successors, agents, servants, employees, officials, and assigns, from all actions, causes of action, suits, debts, dues, sums of money, accounts, agreement, promises, variances, trespasses, damages, judgments, extents, executions, claims, and demands whatsoever, in law, admiralty or equity, which against the SCWA or its executors, administrators, successors and assigns ever had, now have or hereafter can, shall or may, have for, upon, or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of the date of this agreement arising out of any and all property damage

1157

claims of any kind or any nature whatsoever, which were raised, in the claim entitled SCWA v. County of Suffolk, Index No. 99-20187.

IN WITNESS WHEREOF, the parties have set their hands to this Agreement on the day set forth below.

COUNTY OF SUFFOLK

Witness

By: _____
Steve Levy,
Suffolk County Executive

SUFFOLK COUNTY WATER AUTHORITY

_____
Witness

By: _____
Stephen M. Jones,
Chief Executive Officer

STATE OF NEW YORK)
ss:
COUNTY OF SUFFOLK)

On the 27th day of February, in the year 2007, before me, the undersigned, a Notary Public in and for said state, personally appeared Steve Levy, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public - State of New York
No. 01GU6033375
Qualified in Suffolk County
2007

Notary Public

1157

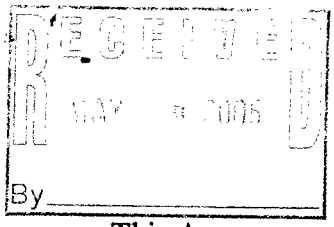
STATE OF NEW YORK)
ss:
COUNTY OF SUFFOLK)

On the 14th day of February, in the year ~~2005~~ 2006, before me, the undersigned, a Notary Public in and for said state, personally appeared Stephen M. Jones personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Timothy J. Hopkins
Notary Public, State of New York
No. 02HO6040236
Term Expires April 17, 2010
Qualified in Suffolk County

Notary Public

Exhibit B



Agreement # 525 8237 1110 00 00004

AGREEMENT

1157

This Agreement made this 22nd day of April, 2005 ~~2004~~, between the Suffolk County Water Authority with offices at 4060 Sunrise Highway, Oakdale, New York 11769 (hereinafter "SCWA") and the Suffolk County Department of Health Services, with offices at 225 Rabro Drive East, Hauppauge, New York 11788 (hereinafter "Suffolk").

WITNESSETH

WHEREAS, Suffolk County will enter into a contract with Camp Dresser & McKee (hereinafter "CDM") to update the Suffolk County Comprehensive Water Resources Management Plan (hereinafter the "Plan") by performing the tasks identified in the Technical Services Requirements of the Request for Proposals (hereinafter the "Plan RFP") attached hereto and made a part hereof as Exhibit A and will oversee the efforts of CDM through its designated Project Manager, and

WHEREAS, the Suffolk County Water Authority will benefit from the Plan in choosing the direction of its future activities and is therefore willing to contribute funds and in-kind-services to facilitate the preparation of the Plan,

NOW THEREFORE, based on the mutual covenants, conditions and premises contained herein, the parties agree as follows:

1. The County will provide approximately $400,000.00 in direct funding to CDM for the purpose of paying CDM for their services related to the RFP. The initial $200,000 from Suffolk County is subject to a Legislative appropriation of funding authorized for 2004 under Capital Program 8237. Subsequent County appropriations are contingent on future authorizing resolutions of the Suffolk County Legislature.

2. The County shall use its best efforts to cooperate and facilitate the preparation of the Plan.

3. The County shall designate a Project Manager who shall be a County employee whose responsibilities shall include directing the preparation of the Plan, acting as a liaison between the County and its agencies, SCWA and CDM, and determining whether an enumerated task identified in the Plan RFP is complete.

4. SCWA will provide the County a combination of direct funding and staff support in a value not to exceed $400,000.00 for the preparation of the Plan as set forth below. The SCWA funding is contingent upon a resolution of the Suffolk County Legislature accepting and appropriating the funds to the Suffolk County Department of Health Services.

5. SCWA will provide up to $300,000.00 in direct cash funding to the County for the purpose of paying CDM for their services, payable as follows:

a. $100,000.00 within 30 days of receipt of a fully executed contract between the County and CDM.

b. $100,000.00 within 30 days of receipt of written notification from the Project Manager that CDM has substantially completed Task 9 of the Plan RFP.

c. $100,000.00 within 30 days of receipt of written notification from the Project Manager that CDM has delivered the Plan in final form to the County.

6. SCWA will provide in-kind services consisting of staff support and direct contract expenditures. The value of the in-kind services will be up to $100,000.00.

7. Staff support shall include, but not be limited to, having SCWA staff contribute to the completion of several tasks identified in the Plan RFP*. In the event of a conflict between the Plan RFP and this Agreement, this Agreement shall prevail. SCWA work shall support but not necessarily represent, completion of:

a. Task 3.1 "Historic Land Use & Population Densities." SCWA shall provide digitized (geo-code), registered files of historic aerial photos for the years 1947, 1962, 1972, 1977-78, and 1984.

b. Task 3.2 "Current and Future Land Use." SCWA shall supply the Suffolk County Planning Department with an updated tax map base with assessor codes for each parcel.

c. Task 5.4 "CLEARS Data." SCWA shall digitize (geo-code) all CLEARS sites, produce image files of the CLEARS reports and provide a database link between the CLEAR sites and the CLEARS reports. Suffolk and SCWA, working cooperatively, shall identify those CLEARS sites that represent a significant potential threat to water supplies or surface water resources.

d. Task 7.3 "Community Water Supplies." SCWA shall compile data and analyses on SCWA well and distribution system resources (including the history of system consolidations and recently inactivated wells).

e. Task 8.1 "Water Production Costs." SCWA shall detail in tabular and graphic form construction and operation cost estimates (excluding treatment costs) for a range of typical SCWA well and wellfield production

* As per, Section IV - Technical Services Requirements - RFP - Comprehensive Water Resources Management Plan attached.

capacities for different areas of the county.

f. Task 8.2 "Wellhead Treatment Costs." SCWA shall detail in tabular and graphic form construction and operation cost estimates for wellhead treatment for a range of contaminants or combinations of contaminants and a range of volumetric rates.

g. Task 8.3 "Water Main Transmission Costs." SCWA shall detail the calculated per gallon costs of piping various volumes of water from the Pine Barrens east to the North & South Forks, and west through existing interconnected systems using water system models.

8. SCWA retains the option to hire third party vendors to perform SCWA items, subject to concurrence by the Project Manager which shall not be unreasonably withheld. SCWA shall also provide the County and CDM reasonable access to its records concerning its operations as requested. SCWA shall maintain a record of the number of hours spent performing services specifically related to the Plan, including assembly of the requested records, and shall review same periodically with the Project Manager.

9. Direct contract expenditures shall include, but not be limited to, contracts between SCWA and third party vendors for a service or product necessary for the completion of the Plan. Direct contract expenditures are not limited to the SCWA products identified in the Plan RFP. SCWA shall arrange for a direct contract expenditure upon written request of the Project Manager. All third party vendors must be approved by the Project Manager, whose approval shall not be unreasonably withheld.

10. This Agreement reflects the parties mutual intent on preparing the Plan and to have

SCWA contribute to the cost of such Plan. Regardless of any contrary rule of construction, no provision or alleged ambiguity of this Agreement shall be construed in favor of one of the parties because it was drafted by the other party.

11. This Agreement constitutes the entire agreement between the parties with respect to the subject matter covered hereby, and cannot be changed or modified other than by a written agreement executed by both parties.

IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the date first written above.

SUFFOLK COUNTY WATER AUTHORITY

By: _____ Date 12/2/04
Stephen M. Jones,
Chief Executive Officer

Approved as to Legality:
Christine Malafi
County Attorney

By: _____ Date 12/22/04
Cynthia Kay Parry
Assistant County Attorney

COUNTY OF SUFFOLK

By: _____ Date 4/22/2005
Paul Sabatino II
Chief Deputy County Executive

Approved:
Department of Health Services

By _____ Date 12/1/04
John R. Heilbrunn, Assistant Director
of Management and Research

Recommended:
Division of Environmental Quality

By _____ Date 12/8/04
Vito Minei, P.E., Director

1157 Revised 11/3/03

Section IV
Technical Services Requirements

1. General Background

a. The County of Suffolk (County), acting through the Suffolk County Department of Health Services (Department), invites proposals from qualified companies (Contractor) interested in providing the Department with consultant services for the development of a Comprehensive Water Resources Management Plan (Plan).

b. This proposed capital project will involve the application of the County's groundwater models to assess the adequacy of current water resource protection programs, and to evaluate the costs and benefits of various future resource management options. This effort is vitally needed to assure the County's 1.5 million residents that the Sole Source Aquifer on which they are totally reliant for their drinking water will be protected and utilized in the most cost-effective and scientifically defensible manner. At the same time, the potential impacts of groundwater management decisions on coastal waters and ecological systems will be considered as an integral part of the planning process.

c. Likely recommendations may include the need to plan for extending sewer districts, increased inspection and monitoring of potentially major point sources such as gas stations and dry cleaners, and increased monitoring and control of nonpoint source contamination from agricultural activities so as to protect both ground and coastal marine waters. The Plan will also determine whether the export of Pine Barrens water to western Suffolk County and/or the East End is cost-effective, and whether such export will have adverse impacts on the Peconic River and Estuary.

2. Technical Services Specifications

The following is a list of tasks required to complete the Plan. These tasks involve responsibilities of the Contractor, the Department and the Suffolk County Water Authority (SCWA). The expected timeline for the following tasks shall be in accordance with the Project Delivery Schedule, attached and labeled as Attachment I of this Section IV of the RFP.

a. TASK 1 – INTRODUCTION

i. Task 1.1 – Project Purpose and Scope

Objective: To provide an overview of the project's overall purpose and scope, including the need for undertaking the project at this time.

Approach: The Department will review existing documents that identify the need to perform this capital budget project at this time, and will abstract the salient points. Such documents will include the final reports of the Source Water Assessment Program (SWAP), and recent public water supply master plans or work plans submitted by water purveyors.

Information Sources: The Department is in possession of all needed materials.

Products: The Department will produce the "Project Purpose and Scope" section of the introductory chapter that will provide an overview of the project's overall purpose and scope.

Department Responsibility: The Department will have full responsibility for completing this sub-task.

Contractor Responsibility: None.

ii. Task 1.2 – Planning History

Objective: To provide background information with which to place the current project into a proper historical perspective.

Approach: The Department will briefly describe previous comprehensive water resources management planning efforts in Suffolk County, including the 1970 Comprehensive Public Water Supply Study (CPWS-24; H2M, 1970), the Long Island Comprehensive Waste Treatment Management Plan (208 Plan; LIRPB, 1978), the Long Island Segment of the Nationwide Urban Runoff Program (NURP; LIRPB, 1982), the Suffolk County Comprehensive Water Resources Management Plan (WRMP; D&B, 1987), the Long Island Comprehensive Special Groundwater Protection Area Plan (SGPA Plan; LIRPB, 1992), and the Central Pine Barrens Comprehensive Land Use Plan and GEIS (CPB Joint Planning & Policy Commission, 1996), as well as the recently completed Source Water Assessment Program (SWAP; NYSDOH, 2003), and how these efforts provide the groundwork for this current project.

Information Sources: The Department is in possession of all needed materials.

Products: The Department will produce the "Planning History" section of the introductory chapter that will describe previous water resource planning efforts and their relevance to this current project.

Department Responsibility: The Department will have full responsibility for conducting this sub-task.

Contractor Responsibility: None.

iii. Task 1.3 – Project Approach

Objective: To provide a summary of the project's structure, including the responsibilities of the Department, the Suffolk County Planning Department (SCPD), the Suffolk County Department of Public Works (SCDPW) and the SCWA, and expected responsibilities of the Contractor, as well as a summary of the project's schedule and final products.

Approach: The Department will develop a summary of the project approach using the project outline and schedule contained in the RFP, as modified following Contractor selection and the contract finalization process.

Information Sources: This sub-task will be based on the outline and schedule contained in the final project work plan.

Products: The Department will produce the "Project Approach" section of the introductory chapter that will describe Department and Contractor responsibilities, as well as the project schedule and final products.

Department Responsibility: The Department will have full responsibility for conducting this sub-task.

Contractor Responsibility: None.

iv. Task 1.4 – Groundwater, Surface Water, and Coastal Marine Resources Overview

Objective: To provide a summary of the current status of groundwater, surface water, and coastal marine resources, as it is presently understood (at the start of the project).

Approach: The Department will review prior studies, including the SWAP reports and results of the Peconic Estuary, South Shore Estuary, North Shore Embayments, and Long Island Sound Studies, as well as studies of Suffolk County's fresh water lakes and ponds. Special emphasis will be placed on the relationship between groundwater quality and impacts on fresh surface and coastal marine resources.

Information Sources: The Department and SCWA are in possession of all relevant reports dealing with Suffolk County. The Contractor may provide additional references and/or documents from the general literature.

Products: The Department will produce the "Groundwater, Surface Water, and Coastal Marine Resources Overview" section of the introductory chapter that will summarize the current (start of study) understanding of existing groundwater, surface water, and coastal marine conditions, as well as the impact of groundwater contamination on these resources.

Department Responsibility: The Department will review all documents, and will produce the final sub-task report.

Contractor Responsibility: The Contractor will provide additional references and/or documents from the general literature, if necessary, and will review and comment on Department drafts of the sub-task report.

v. Task 1.5 – Water Supply Overview

Objective: To provide a status summary of water supply in Suffolk County, including the role of the SCWA, water districts, private water companies, non-community systems, and private wells, so as to put later technical chapters into perspective.

Approach: The Department will review existing documents and data recently compiled for the SWAP program, and will summarize the status of current water supplies in terms of numbers, strengths and weaknesses.

Information Sources: The Department is in possession of all relevant reports and data.

Products: The Department will produce the "Water Supply Overview" section of the introductory chapter that will summarize the status of current water supplies as an introduction to later technical chapters on water supplies.

Department Responsibility: The Department will be responsible for conducting this sub-task.

Contractor Responsibility: None.

vi. Task 1.6 – Public Information and Education

Objective: To provide an overview of the project's public information and education mechanisms, including the creation of a Citizens Advisory Committee, the conduction of public meetings, the dissemination of draft and final reports, and the availability of presentations to governmental and civic groups.

Approach: The Department will develop a summary of expected public information and education activities during the development of the Plan, and immediately following the completion of the final plan report.

Information Sources: This sub-task will be based on the proposed public information and education activities contained in the final project work plan.

Products: The Department will produce the "Public Information and Education" section of the introductory chapter of the project report that will summarize the public information and education activities.

Department Responsibility: The Department will be responsible for conducting this sub-task.

Contractor Responsibility: None.

b. TASK 2 – EXISTING LEGISLATION, REGULATIONS, AND AGENCY PROGRAMS

i. Task 2.1 – Legislation

Objective: To assess existing laws related to water supply and water resource protection in terms of their relevance to future management options in Suffolk County.

Approach: The Contractor will review existing legislation in terms of their original intents, and the effectiveness of their implementation. Emphasis will be placed on recent (post 1987 WRMP) legislation, such as the 1996 Safe Drinking Water Act (SDWA) Amendments (SWAP, MCLs, UIC), Small Business Liability Relief and Brownfields Revitalization Act (PL 107-118), NYS Public Health Law, Federal & State emergency plan and anti-terrorism assessment requirements,

estuary studies (LIS, PEP, SSE), Federal & State stormwater and non-point source (NPS) controls, and Suffolk County hydrant law (Local Law 1984-1) relative to security issues.

Information Sources: The Department is in possession of copies of all relevant legislation on a State and local level. National legislation is available over the Internet.

Products: The Contractor will produce a memo report that includes a summary and assessment of all relevant legislation related to the management of groundwater, water supplies, and surface water resources.

Department Responsibility: The Department will provide copies of all laws and existing assessments in its possession.

Contractor Responsibility: The Contractor will review all relevant documents, and will develop the required summaries and assessments.

ii. Task 2.2 – Regulations, Codes, and Standards

Objective: To assess existing regulations, codes and standards related to water supply and water resource protection in terms of their relevance to future management options in Suffolk County.

Approach: The Contractor will review existing regulations, codes, and standards in terms of their original intents, and the effectiveness of their implementation. These will include Maximum Contaminant Levels (MCLs), monitoring requirements, NPS controls, Watershed Rules and Regulations, Sanitary Code Articles 6, 7 and 12, and town overlay districts.

Information Sources: The Department is in possession of copies of all relevant regulations, codes, and standards on a State and local level. National regulations, codes and standards are available over the Internet.

Products: The Contractor will produce a memo report that includes a summary and assessment of all relevant regulations, codes, and standards related to the management of groundwater, water supplies, and surface water resources. This report will identify issues that will need additional technical assessment during later project tasks.

Department Responsibility: The Department will provide copies of all regulations, codes, and standards, and any existing assessments in its possession.

Contractor Responsibility: The Contractor will review all relevant documents, and will develop the required summaries and assessments.

iii. Task 2.3 – Agency Programs

Objective: To assess existing agency programs related to water supply and water resource protection in terms of their relevance to future management options in Suffolk County.

Approach: The Contractor will review existing agency programs in terms of their original intents, and the effectiveness of their implementation (including the adequacy of funding sources). Emphasis will be placed on agency programs such as SWAP, A-95 Review, underground injection control (UIC), sewer needs assessment, bulk petroleum and chemical storage control (including backup fuel storage at power plants), and sewer treatment plant (STP) siting and permitting, as well as the impacts of discontinued programs such as approvals of modified subsurface sewage disposal systems (i.e., de-nitrification systems). This task will include a review and assessment of monitoring well data on groundwater quality collected downgradient of STPs, and groundwater data collected throughout the County from the Department's monitoring well network.

Information Sources: Basic descriptions of most agency programs are available from the implementing agency. The Department will provide monitoring well data from STPs and the County network.

Products: The Contractor will produce a memo report that includes a summary and assessment of all relevant agency programs and data related to the management of groundwater, water supplies, and surface water resources. This report will identify issues that will need additional technical assessment during later project tasks.

Department Responsibility: The Department will provide copies of information on all its programs, and any existing assessments in its possession.

Contractor Responsibility: The Contractor will review all relevant documents, and will develop the required summaries and assessments.

iv. Task 2.4 – Early Action Recommendations

Objective: To develop early action recommendations related to water supply and water resource protection based on prior plan and program recommendations, the findings of Source Water Assessment Program, and the assessments conducted during Tasks 2.1 through 2.3.

Approach: The Contractor will review the recommendations developed during prior comprehensive water resources planning efforts, and may develop new recommendations based on the findings of the SWAP, to identify actions that should be initiated immediately or at least prior to the completion of the project. These may include actions needed to successfully conduct later tasks of the project, such as changes in data base structure or modifications to models or other planning tools.

Information Sources: This sub-task will rely on the same information sources used in Tasks 2.1 through 2.3.

Products: The Contractor will produce a memo report that identifies actions that should be taken immediately to improve regulatory programs and/or to assure the successful completion of this project.

Department Responsibility: The Department will provide copies of all information needed to complete this task.

Contractor Responsibility: The Contractor will review all relevant documents, and will develop the required early action recommendations.

c. TASK 3 – LAND USE AND POPULATION DATA

i. Task 3.1 – Historic Land Use & Population Densities

Objective: To develop qualitative land use and population trend descriptions for the contributing areas of selected public supply wells with impacted water quality.

Approach: The Contractor, in consultation with the Department and SCWA, will select 30 public supply wells with a history of impacted water quality. Emphasis will be placed on relatively shallow wells with clear water quality trends for nitrate, volatile organic compounds (VOCs) or pesticides; perchlorate issues will also be addressed. The SCPD will then estimate land use and population trends for the contributing areas, as identified by the SWAP models, using historical aerial photos (1930, 1947, 1972 et al.). This information will be used in the assessment of land use impacts in Task 5.1.

Information Sources: The Department and SCWA will provide the necessary public water supply data and SWAP capture zone delineations. The Department will provide sets of historic aerial photos (1947, 1962, 1972, 1977-8, 1984). SCWA will provide the SCPD digitized, registered files of historic aerial photos for the years 1947 and 1972, and possibly more.

Products: SCWA will produce digitized, registered files of historic aerial photos for the years 1947 and 1972, and possibly more. The SCPD will produce a memo report that includes estimates of land use and population trends for the contributing areas to 30 impacted public supply wells for use in the assessment of land use impacts in Task 5.1.

Department Responsibility: The Department will provide the SWAP results and, with the SCWA, will help select the 30 wells to be used in the analysis. The SCWA will perform all photo digitization and registration activities. The SCPD will develop all land use and population data estimates for the contributing areas.

Contractor Responsibility: The Contractor will assist the Department and SCWA in selecting the 30 wells to be used in the analysis.

ii. Task 3.2 – Current And Future Land Use

Objective: To compile current land use data and to identify potential future land use, based on the current zoning of vacant land, for input to groundwater models in Task 5.

Approach: The SCPD will compile town and groundwater management zone breakdowns of acreages for each land use category using existing land use

information, and will compile estimates of future acreages based on the current zoning of land available for development (i.e., vacant land).

Information Sources: The SCPD will provide the required land use data.

Products: The SCPD will produce a memo report that includes a Geographic Information System (GIS) map showing existing land use, and a GIS map depicting land available for development coded by standard land use categories (including residential densities) based on existing zoning classifications. This memo will also include tabulations of existing and potential future land use acreages by town and groundwater management zone.

Department Responsibility: The SCWA will supply an updated tax map base with assessor codes for each parcel to the SCPD. The SCPD will compile all needed zoning information and will develop all maps and tables of current and potential future land use acreages.

Contractor Responsibility: None.

iii. Task 3.3 – Population Breakdowns and Projections

Objective: To compile current (2000) and future (saturation) population data and densities.

Approach: The SCPD will use 2000 Census population figures to develop tables and GIS maps showing year-round and seasonal population totals and densities by census tract, town, and groundwater management zone. The SCPD will also estimate year-round and seasonal populations at full build out (saturation) based on current zoning, and will develop tables and maps similar to those for the 2000 data. This information will then be used by the groundwater models in Task 5.

Information Sources: The SCPD will provide all population and population density data.

Products: The SCPD will produce a memo report that includes GIS maps of year 2000 and future (saturation) population densities by census tract, and tables of year-round, seasonal and saturation population totals and population densities for each census tract, town, and groundwater management zone. This report will include a summary of the methods used to compile the population data.

Department Responsibility: The SCPD will develop all maps and tables of year 2000 and saturation population totals and densities.

Contractor Responsibility: None.

d. TASK 4 – GROUNDWATER RESOURCE DESCRIPTION AND MODELING

i. Task 4.1 – Groundwater Conditions and Quality Trends

Objective: To provide a summary of native groundwater quality, current groundwater conditions, and quality trends for selected contaminants.

Approach: The Contractor will review publications of the United States Geological Survey (USGS), as well as Department water quality databases for public, private, and monitoring wells, and will summarize the state of groundwater quality conditions by aquifer and sub-region. This summary will include a description of naturally occurring constituents and man-made contaminants. Semi-quantitative analyses of general quality trends will be made using Department data for the period 1980 through 2002 for nitrate and selected VOCs (PCE, TCE, TCA, MTBE); these trend analyses will be similar to those presently being done by the Department on pesticides.

Information Sources: The Department will provide the required raw water quality data and copies of USGS reports. The Department will also provide a copy of its trend analyses of pesticides prepared for the New York State Department of Environmental Conservation (NYSDEC).

Products: The Contractor will produce a memo report that includes a description of naturally occurring constituents and man-made contaminants by aquifer and sub-region, and the semi-quantitative analyses of general quality trends for the period 1980 through 2002 for nitrate and selected VOCs (PCE, TCE, TCA, MTBE). This memo report will also incorporate the Department findings on pesticide trends.

Department Responsibility: The Department will provide all necessary documents and data.

Contractor Responsibility: The Contractor will describe naturally occurring constituents and man-made contaminants by aquifer and sub-region, and will conduct semi-quantitative analyses of general quality trends for nitrate and selected VOCs.

ii. Task 4.2 – Hydrogeologic Framework

Objective: To assess the adequacy of the current Suffolk County groundwater models to represent the County's hydrogeologic framework.

Approach: The Contractor will review the hydrogeologic framework of the current Suffolk County models to assess the adequacy of the current assumptions and model configurations, as calibrated, and will recommend modifications, if needed.

Information Sources: The Department and SCWA have most of the modeling documents needed for this sub-task. Additional information may need to be obtained by the Department from Camp, Dresser & McKee (CDM), the developer of the Suffolk County and SWAP models.

Products: The Contractor will produce a memo report that includes a brief review of the hydrogeologic framework of the current Suffolk County and SWAP models, an assessment of the adequacy of current configurations and underlying assumptions of the calibrated models, and any recommended modifications, if appropriate.

Department Responsibility: The Department will provide all necessary documents and outputs.

Contractor Responsibility: The Contractor will compile the required review, and will make recommendations for modifications, if appropriate.

iii. Task 4.3 – Hydrology

Objective: To describe Suffolk County's water balance, emphasizing rainfall pattern data, recharge rates, discharges to streams, and underflow discharges to near shore coastal waters, as used in or determined by the models.

Approach: The Contractor will review the previous (e.g., USGS) estimates of water balance components, and will develop detailed breakdowns of water fluxes for specific geographic areas and segments of the coastline (using the groundwater models, if necessary).

Information Sources: The Department has most of the background documents and copies of the models needed for this sub-task. Additional information may need to be obtained by the Department from CDM.

Products: The Contractor will produce a memo report that includes estimates of water balance components, as well as updated, detailed breakdowns of water fluxes for specific geographic areas and segments of the coastline.

Department Responsibility: The Department will provide all necessary background documents and models.

Contractor Responsibility: The Contractor will develop the detailed breakdowns of water fluxes for specific geographic areas and segments of the coastline (using the groundwater models, if necessary).

iv. Task 4.4 – Boundary Conditions

Objective: To assess how the existing models handled boundary conditions, including recharge patterns, stream discharges, underflow, and fixed head boundaries along the coast.

Approach: The Contractor will review documentation on the existing models to assess how they handle various boundary conditions, including an assessment of the impacts of past sea level rise (since land-based elevation benchmarks were established) and projected future sea level rise, and will make recommendations for changes, if needed.

Information Sources: The Department and SCWA have most of the background documents and copies of the models needed for this sub-task. Additional information may need to be obtained by the Department from CDM.

Products: The Contractor will produce a memo report that details the assessment of how the existing models handled boundary conditions, including recharge patterns, stream discharges, underflow and fixed head boundaries

along the coast (including the impacts of sea level rise), and will make recommendations for changes, if needed.

Department Responsibility: The Department will provide all necessary background documents and models.

Contractor Responsibility: The Contractor will develop the detailed assessment of boundary conditions, and will make recommendations for changes, if needed.

v. Task 4.5 – Significant Model Findings

Objective: To summarize the Suffolk County groundwater model results for the Southwest Sewer District and drought conditions, and the SWAP model results for public water supply wells.

Approach: The Contractor will review final reports on the Suffolk County models and the SWAP results, and will summarize and assess the significant findings from these previous efforts. A brief history of other Long Island groundwater models (e.g., the Hele-Shaw model used during CPWS-24, and the USGS electric analog and digital finite-difference models) and their findings will also be prepared so as to place the recent findings into historical perspective.

Information Sources: The Department has the documents and copies of model results needed for this sub-task. Additional information may need to be obtained by the Department from CDM and the USGS.

Products: The Contractor will produce a memo report that summarizes and assesses the significant findings from previous modeling efforts.

Department Responsibility: The Department will provide all necessary background documents and model results.

Contractor Responsibility: The Contractor will summarize and assess the significant findings from previous modeling efforts.

vi. Task 4.6 – On-going Model Update Needs

Objective: To develop an approach for addressing on-going model update needs, (e.g., due to changes in boundary conditions such as new pumping centers).

Approach: The Contractor will review final reports on the Suffolk County models and the SWAP project, and will document on-going update needs as well as recommended approaches for addressing those needs.

Information Sources: The Department has the documents and copies of model results needed for this sub-task. Additional information may need to be obtained by the Department from CDM.

Products: The Contractor will produce a memo report that documents on-going model update needs, and will recommend approaches for addressing those needs.

Department Responsibility: The Department will provide all necessary background documents and model results.

Contractor Responsibility: The Contractor will document on-going model update needs, and will develop recommended approaches for addressing those needs.

e. TASK 5 – GROUNDWATER QUALITY MODELING ASSESSMENTS

i. Task 5.1 – Past & Current Land Use Impacts

Objective: To assess the impacts of development on public water supplies, and the adequacy of current protection measures.

Approach: The Contractor will use the SWAP-delineated capture zones and qualitative land use and population trend descriptions for the 30 selected wells from Task 3.1, as well as empirical water quality data from these wells, to assess the impacts on public water supplies from unsewered residential and commercial-industrial areas. It will also assess the overall adequacy of the present Suffolk County Sanitary Code provisions to protect water supplies.

Information Sources: The Department has some of the needed water quality data. Additional data may need to be obtained from the SCWA and other water purveyors.

Products: The Contractor will produce a memo report that will assess the impacts on public water supplies from unsewered residential and commercial-industrial areas using the groundwater models and historic land use, population, and water quality data, and will assess the adequacy of the present Suffolk County Sanitary Code provisions to protect those supplies.

Department Responsibility: The Department will obtain all necessary water quality data.

Contractor Responsibility: The Contractor will assess the impacts of development on public water supplies, and the adequacy of current protection measures.

ii. Task 5.2 – Future Land Use Impacts

Objective: To assess the cumulative impacts of sewage treatment plant discharges to groundwater and unsewered development on public water supplies.

Approach: The Contractor will use the groundwater models to assess the cumulative impacts of point and nonpoint sanitary sewage discharges, including those from small sequencing batch reactors (SBRs), Chromaglass systems, and de-nitrification systems on public water supplies, and will assess the adequacy of present Sanitary Code restrictions to protect those supplies. In addition, up to 10 future land use scenarios will be solicited from town and village planning agencies and will undergo water supply impact analysis.

Information Sources: The Department will provide copies of the groundwater models.

Products: The Contractor will produce a memo report that will summarize the assessment of the cumulative impacts of point and nonpoint sanitary sewage discharges on public water supplies, and the adequacy of present Sanitary Code restrictions.

Department Responsibility: The Department will provide all necessary data on existing and future proposed STPs.

Contractor Responsibility: The Contractor will assess the cumulative impacts of point and nonpoint sanitary sewage discharges on public water supplies, and the adequacy of present Sanitary Code restrictions.

iii. Task 5.3 – Contaminated Aquifer Segments

Objective: To delineate and map areas of existing groundwater quality problems that may adversely impact water supplies or surface water resources in the future.

Approach: The Contractor will review all available reports and other documents that depict or describe contaminated aquifer segments that may adversely impact water supplies or surface water resources in the future. This information will be compiled into GIS maps of appropriate scale for visual reference and for input to groundwater models.

Information Sources: The Department has most of the needed reports and much of the needed additional water quality data. Additional data may need to be obtained from the NYSDEC and United States Environmental Protection Agency (USEPA).

Products: The Contractor will produce a memo report that will delineate contaminated aquifer segments (by aquifer), and will present a compilation of these findings in GIS maps of appropriate scale for visual reference and for input to groundwater models.

Department Responsibility: The Department will provide all necessary reports and water quality data.

Contractor Responsibility: The Contractor will delineate the contaminated aquifer segments and compile the appropriate maps.

iv. Task 5.4 – CLEARS Data

Objective: To summarize and geo-code high-priority data from the Cornell Laboratory for Environmental Applications of Remote Sensing (CLEARS) December 1991 inventory of potential hazardous disposal sites for input to the groundwater models.

Approach: The SCWA will review the CLEARS reports, and will digitize (geo-code) all sites that the SCWA, in consultation with the Department, determines to represent a significant potential threat to water supplies or surface water resources ("significant sites").

Information Sources: The Department has copies of all CLEARS documents.

Products: The SCWA will produce a memo report that will summarize the review process procedure and will list all significant sites. The SCWA will also produce a GIS map of all "significant sites."

Department Responsibility: The Department will provide all necessary CLEARS reports, and will review the SCWA's methodology for selecting significant sites.

Contractor Responsibility: None.

v. Task 5.5 – Refined Source Water Assessments

Objective: To improve source water assessments by incorporating information on contaminated aquifer segments, CLEARS sites, and expected future pumping centers, and by modifying the pumpage of existing wells to better reflect anticipated future rates. A database of tax parcels within each contributing area will also be established.

Approach: The Contractor will utilize the SWAP sub-regional or equivalent models and data from Sub-tasks 5.3 and 5.4 to assess potential impacts on water supplies. These assessments will be based on projected 2025 pumpage rates, will phase in pumpage from all planned future public water supply wells, and will be run in a quasi time-variable mode. The pumpage rates of existing wells will be modified, as necessary, to reflect anticipated changes due to projected water demands and/or the provision of water treatment systems, which may increase the use of currently-restricted wells. A database will then be developed that lists all the tax parcels whose centroids fall within the contributing areas of public supply wells (with appropriate buffers); the database will specify the well or wells to which each parcel contributes, and the calculated time of travel interval.

Information Sources: The SCWA and the water purveyors have the needed information on future water supply well fields and anticipated well depths and capacities.

Products: The Contractor will produce a memo report that will summarize the new assessments and will highlight significant changes from the SWAP results, including the presence of significant CLEARS sites and contaminated aquifer segments within the contributing areas. Products will also include GIS maps of the new contributing areas (on disk) and a database of contributing tax parcels.

Department Responsibility: The Department will contact the SCWA and other water purveyors to obtain information on future wells and well fields. These will be reviewed with the NYSDEC prior to providing them to the Contractor.

Contractor Responsibility: The Contractor will run the SWAP or equivalent models, produce the updated contributing area maps and tax parcel database, and will identify significant changes in model assessment results.

f. TASK 6 – FRESH SURFACE & COASTAL WATER RESOURCES

i. Task 6.1 – Freshwater Streams, Ponds and Wetlands

Objective: To describe the quality and ecological values of fresh surface waters, to assess potential impacts of human activities on these resources, and to identify water quality trends from contaminants such as nitrogen, VOCs, and pesticides on 12 major streams.

Approach: The Contractor will review existing reports and additional unpublished data to describe and assess the status of freshwater resources in Suffolk County. The Contractor will also identify past and potential impacts on these resources from lowered groundwater levels due to withdrawals and sewering, and from non-point sources of pollution such as unsewered development and stormwater runoff. The Contractor will also review Department and USGS data to identify water quality trends from contaminants such as nitrogen, VOCs, and pesticides on 12 major streams, including the Nissequogue, Connetquot, Carmans, and Peconic Rivers.

Information Sources: The effects of the Southwest Sewer District have been assessed by the County during the Flow Augmentation Needs Study (FANS) study and during regional groundwater modeling studies. Other assessments of water quality, ecology, and human impacts are available from the USGS, Stony Brook University, and The Nature Conservancy.

Products: The Contractor will produce a memo report that will describe the status of Suffolk County's freshwater resources and the potential impacts on those resources, and that will identify water quality trends from contaminants such as nitrogen, VOCs, and pesticides on 12 major streams.

Department Responsibility: The Department will provide copies of the FANS reports and any other relevant reports and data in its possession. The Department will also contact other agencies and groups to obtain additional reports and data.

Contractor Responsibility: The Contractor will review all documents and data, and produce a status report and assessment of potential impacts and stream quality trends.

ii. Task 6.2 – Coastal Marine Resources

Objective: To describe the quality and ecological values of coastal marine resources, and to assess potential impacts of human activities on these resources.

Approach: The Contractor will review existing reports and additional unpublished data to describe and assess the status of coastal marine resources in Suffolk County. The Contractor will also identify past and potential impacts on these resources from reduced stream and groundwater discharges, from contamination carried by these discharges, and from point and non-point sources of contamination such as sewerage discharges, agriculture, and stormwater runoff.

Information Sources: The effects of reduced streamflows and underflow due to the Southwest Sewer District have been assessed by the County during the FANS study. The impacts of groundwater contamination were assessed during the Peconic Estuary Program (PEP) and other coastal bay studies, while the impacts of point and non-point sources have been addressed by Nationwide Urban Runoff Program and the Long Island Sound Study (LISS).

Products: The Contractor will produce a memo report that will describe the status of Suffolk County's coastal marine resources, and the potential impacts on those resources.

Department Responsibility: The Department will provide copies of the FANS and NURP reports and any other relevant reports and data in its possession. The Department will also contact other agencies and groups to obtain additional reports and data.

Contractor Responsibility: The Contractor will review all documents and data, and produce a status report and assessment of potential impacts.

iii. Task 6.3 – Estuary Study Recommendations

Objective: To review and assess the recommendations made in the Peconic Estuary Program, Long Island Sound Study, and the North Shore and South Shore Estuary Studies.

Approach: The Contractor will review the recommendations from the relevant project reports, and will assess the extent to which they have been implemented, identifying those of highest priority. The Contractor will also identify additional actions, if needed, for controlling the impacts on coastal marine resources from reduced stream and groundwater discharges, from contamination carried by these discharges, and from point and non-point sources of contamination such as sewerage discharges, agriculture, and stormwater runoff.

Information Sources: The Department is in possession of all relevant studies.

Products: The Contractor will produce a memo report that will describe the status of Suffolk County's coastal marine resource study recommendations, and will identify those of highest priority, as well as additional actions needed.

Department Responsibility: The Department will provide copies of the PEP, LISS, and North Shore and South Shore Estuary Studies, and will provide information of the extent of implementation of recommendations contained in those studies.

Contractor Responsibility: The Contractor will review all documents and data, and produce a status report and assessment of plan recommendations, and make additional recommendations, if necessary.

g. TASK 7 – WATER SUPPLY STATUS

i. Task 7.1 – Drinking Water Standards

Objective: To describe the standards, guidelines, and action levels applicable to Suffolk County water supplies, and to identify those that are problematic or lacking.

Approach: The Contractor will review all relevant drinking water standards, guidelines and action levels established by the USEPA and NYS Department of Health. The Contractor will also review reports and other data collected by the Department, USGS, and other agencies relative to Suffolk County groundwater and drinking water quality, and will identify where new and/or modified standards are needed. In addition, the Contractor will summarize and assess the adequacy of the standards setting process.

Information Sources: The Department has all the current standards, guidelines and action levels, as well as most reports on groundwater and drinking water quality. Other documents may need to be obtained from the USGS and other agencies.

Products: The Contractor will produce a memo report that will describe its review of relevant drinking water standards, guidelines and action levels, and will include recommendations for new and/or modified standards, if needed.

Department Responsibility: The Department will provide copies of all standards and relevant water quality reports.

Contractor Responsibility: The Contractor will conduct all required reviews of relevant reports and data, and will make recommendations, as needed.

ii. Task 7.2 – Drinking Water Monitoring Programs

Objective: To describe the history of monitoring programs and laboratory capabilities, the current programs for public and private wells, the general water quality trends identified, and the emerging issues that will need greater attention in the future.

Approach: The Contractor will review reports and additional data on the history of monitoring programs and laboratory capabilities, and current Department programs for public and private wells. The Contractor will also summarize the general water quality trends identified, as well as emerging issues (i.e., newly-identified contaminants and new microbiological indicators) as they may impact monitoring and/or disinfection requirements. The Contractor will also outline strategies for increased or targeted monitoring (including remote sensing of distribution systems), and will identify the additional laboratory staffing and

equipment, and field staffing and equipment, needed to implement such strategies.

Information Sources: The Department has the relevant reports and data on its own programs.

Products: The Contractor will produce a memo report that will describe past and current water supply monitoring programs and laboratory capabilities, and probable required future expansions to these programs and capabilities.

Department Responsibility: The Department will provide copies of all reports and data, and will obtain any additional materials needed from other agencies.

Contractor Responsibility: The Contractor will conduct all required reviews of relevant reports and data, and will identify probable future needs.

iii. Task 7.3 – Community Water Supplies

Objective: To document, in detail, the community water supply resources of Suffolk County, which will be used in modeling and resource management tasks.

Approach: The Contractor will compile tables of well capacities, depths, screened intervals, aquifer tapped, average pumping rates, date of service, etc. for all active and recently inactive wells. The Contractor will also develop a map of well locations, and a brief history of community water supplies in Suffolk County, including consolidations and takeovers. The Contractor will also assess per capita and daily use (pumpage) patterns, including the impacts of lawn irrigation systems, and the implications for infrastructure needs to satisfy fire flow requirements. Rate structures will also be examined as they relate to water conservation issues. It is anticipated that the SCWA will undertake most of this task as it applies to its wells and service areas.

Information Sources: The community water supply history will be culled from prior comprehensive studies (which the Department possesses) and annual reports of the SCWA (which both the Department and SCWA can provide). Most of the needed well data and maps are already available from the groundwater model, but will need to be checked and updated. Additional well data may need to be obtained from the water purveyors and/or the NYSDEC.

Products: The Contractor will produce a memo report that will describe the history of public supply resources and the details of current and recent wells, including data tables and maps (GIS maps); this report will incorporate the data and analyses compiled by the SCWA.

Department Responsibility: The Department will provide copies of all reports and data, and will obtain any additional materials needed from the water purveyors or other agencies.

Contractor Responsibility: The Contractor will conduct all required reviews of relevant reports and data, and will produce the required history, data tables, and maps.

iv. Task 7.4 – Non-Community Water Supplies

Objective: To document the non-community water supply resources of Suffolk County, and to assess the condition and vulnerability of those resources.

Approach: The Contractor will describe the nature and extent (past and present numbers) of non-community public water systems, and will review data on the depths and pumpage rates of non-community wells in order to assess their vulnerability to contamination. The Contractor will review and assess the assumptions and results of the SWAP relative to non-community supplies. The Contractor will also identify structural and operational problems found frequently at non-community water supplies in relation to Federal and State "capacity" requirements (for the purpose of making recommendations to correct these problems in Task 9).

Information Sources: Data on non-community public water supplies are available from the files of the Department and the NYSDEC. Additional data may need to be obtained from non-community water suppliers.

Products: The Contractor will produce a memo report that will describe the non-community water supply resources of Suffolk County, and will assess the condition, vulnerability, and problems associated with those resources.

Department Responsibility: The Department will provide copies of all reports and data, and will obtain any additional materials needed from the water supply owners or other agencies.

Contractor Responsibility: The Contractor will conduct all required reviews of relevant reports and data, and will produce the required descriptions and assessments.

v. Task 7.5 – Private Water Supply Wells

Objective: To document the use of private (homeowner) water supply wells in Suffolk County, and to assess the condition and vulnerability of these systems.

Approach: The Contractor will describe the nature and extent (past and present numbers, and geographic distribution) of private (homeowner) water supply wells in Suffolk County, and will identify structural and operational problems found frequently in these systems, as well as water quality problems to which they are vulnerable (for the purpose of making recommendations to correct these problems in Task 9). The Contractor will also assess current Department private well construction standards, and will identify needed improvements or changes.

Information Sources: Data on private wells are available from the files of the Department. The SCWA will provide GIS data on the location of service mains and accounts within its service area.

Products: The Contractor will produce a memo report with generalized map that will describe the extent and use of private wells in Suffolk County, and will assess the condition, vulnerability, and problems associated with these systems.

Department Responsibility: The Department will provide copies of all reports and data, and will obtain any additional materials needed from other agencies.

Contractor Responsibility: The Contractor will conduct all required reviews of relevant reports and data, and will produce the required descriptions and assessments.

vi. Task 7.6 – Groundwater Pumpage

Objective: To document past trends in groundwater pumpage, present usage rates, and future pumpage projections.

Approach: The Contractor will compile and break down data on past and current pumpage rates (including those for irrigation and cooling water purposes) by town, groundwater management zone, and aquifer; well permitting and reporting deficiencies will be identified. The Contractor will also develop future pumpage rate estimates for the year 2025 using land use and population projections from Task 3.

Information Sources: Data on historic and current groundwater withdrawals are available from the Department, SCWA, and the NYSDEC. Land use and population projections will be provided by the SCPD as part of Task 3.

Products: The Contractor will produce a memo report that will detail in tabular form past trends in groundwater pumpage, present usage rates, and future pumpage projections.

Department Responsibility: The Department will provide copies of all reports and data, and will obtain any additional materials needed from other agencies.

Contractor Responsibility: The Contractor will conduct all required reviews of relevant reports and data, and will produce the required tabulations and projections.

vii. Task 7.7 – Consumptive Use

Objective: To document past trends in the consumptive use of groundwater, present consumptive use rates, and future consumptive use rate projections.

Approach: The Contractor will compile and break down data on past and current consumptive use rates by town, groundwater management zone, and aquifer. The Contractor will also develop future consumptive use rate estimates for the year 2025 using projected lawn and agricultural irrigation rates, estimates of unaccounted-for water losses, and projected sewage treatment plant effluent discharges to coastal marine waters.

Information Sources: Estimates of historic consumptive use rates are contained in the 1987 WRMP. Estimates of future lawn irrigation needs will be based, in part, on future land use projections provided by the SCPD as part of Task 3. Estimates of future agricultural irrigation needs (and losses) will be obtained from

the Cornell Cooperative Extension Service. Estimates of future STP discharges will be obtained from the SCDPW.

Products: The Contractor will produce a memo report that will detail in tabular form past trends in the consumptive use of groundwater, present consumptive use rates, and future consumptive use rate projections.

Department Responsibility: The Department will provide copies of all reports and data, and will obtain any additional materials needed from other agencies.

Contractor Responsibility: The Contractor will conduct all required reviews of relevant reports and data, and will produce the required tabulations and projections.

h. TASK 8 – WATER SUPPLY MANAGEMENT OPTIONS

i. Task 8.1 – Water Production Costs

Objective: To compile wellfield construction and operations cost estimates over a range of volumes for various areas of Suffolk County.

Approach: The SCWA will compile construction and operation cost estimates (excluding treatment costs) for a range of typical well and wellfield production capacities for different areas of Suffolk County, to be used in subsequent tasks involving cost comparisons of water supply options.

Information Sources: Estimates of well and wellfield construction costs over a range of production capacities for different areas of Suffolk County are available from local and regional well drillers and equipment suppliers and installers, as well as various bid documents.

Products: The SCWA will produce a memo report that will detail in tabular and graphic form construction and operation cost estimates (excluding treatment costs) for a range of typical well and wellfield production capacities for different areas of Suffolk County.

Department Responsibility: The SCWA will be responsible for this task.

Contractor Responsibility: None.

ii. Task 8.2 – Wellhead Treatment Costs

Objective: To compile wellhead treatment cost estimates over a range of contaminants or combinations of contaminants, and a range of volumetric rates.

Approach: The SCWA will compile construction and operation cost estimates for wellhead treatment, including granular activated carbon (GAC), ion exchange, and reverse osmosis, for a range of contaminants or combinations of contaminants (e.g., metals, nitrate, VOCs, SVOCs, perchlorate, and MTBE) and a range of volumetric rates, to be used in subsequent tasks involving the cost comparison of options. It is assumed that Best Available Technologies will be used for USEPA regulated contaminants. The feasibility of various treatment

system waste reduction and disposal methods, including the use of injection wells into brackish groundwater, will also be assessed.

Information Sources: Estimates of wellhead treatment construction and operation costs are available from equipment suppliers and installers.

Products: The SCWA will produce a memo report that will detail in tabular and graphic form construction and operation cost estimates for wellhead treatment for a range of contaminants or combinations of contaminants and a range of volumetric rates.

Department Responsibility: The SCWA will be responsible for this task.

Contractor Responsibility: None.

iii. Task 8.3 – Water Main Transmission Costs

Objective: To calculate the per gallon costs of piping various volumes of water from the Pine Barrens east to the North & South Forks, and west through existing interconnected systems using water system models.

Approach: The SCWA will calculate the per gallon costs of piping various volumes of water from the Pine Barrens east to the North & South Forks, and west through existing interconnected systems using water system models, and through new, large-diameter transmission mains. The costs of booster stations, disinfection equipment, and other appurtenances will be included in the cost analyses.

Information Sources: Estimates of water main installation costs for various flow capacities are available from suppliers and installers.

Products: The SCWA will produce a memo report that will detail the calculated per gallon costs of piping various volumes of water from the Pine Barrens east to the North & South Forks, and west through existing interconnected systems.

Department Responsibility: The SCWA will be responsible for this task.

Contractor Responsibility: None.

iv. Task 8.4 – Alternate Sources and Approaches

Objective: To update the status and costs of various water supply alternatives such as desalinization, point-of-use treatment, and filter districts.

Approach: The Contractor will identify and evaluate alternative water supply approaches, including desalinization of saline and brackish groundwater, point-of-use treatment, and filter districts, as well as water reuse, dual water systems, bottled water, and mandatory water conservation. Such evaluations will include the costs, benefits, and problems (including legal liabilities) associated with implementing each of these approaches.

Information Sources: Information on alternative approaches is available in the technical literature and from equipment suppliers and installers.

Products: The Contractor will produce a memo report that will detail its evaluation of alternative water supply approaches, including their costs, benefits, and problems associated with implementation.

Department Responsibility: The Department will supply reports and data on alternative approaches contained in its files.

Contractor Responsibility: The Contractor will collect all required information and data from the technical literature and from equipment suppliers and installers. It will review these and other relevant data, and will produce the required evaluations.

i. TASK 9 – WATER SUPPLY MANAGEMENT RECOMMENDATIONS

i. Task 9.1 – General Water Supply Recommendations

Objective: To provide recommendations for water supply management on the main body of Suffolk County.

Approach: The Contractor will make specific recommendations, with appropriate discussions and justifications, concerning water supply management on the main body of Suffolk County, including the desirability of large-scale transport of water out of the Pine Barrens to serve parts of western Suffolk County and/or the North and South Forks. Groundwater monitoring needs, including the installation of outpost wells for wells threatened by contaminated aquifer segments, as determined in Task 5, will be identified.

Information Sources: Products generated from Tasks 8, 10 and 11.

Products: The Contractor will produce a memo report that details its recommendations, with appropriate discussions and justifications, concerning water supply management on the main body of Suffolk County, including the desirability of large-scale transport of water out of the Pine Barrens to serve parts of western Suffolk County and/or the North and South Forks.

Department Responsibility: None.

Contractor Responsibility: The Contractor will develop all recommendations, and supply all supporting discussions and justifications.

ii. Task 9.2 – Water Supply Problem Area Recommendations

Objective: To provide recommendations for water supply management in water supply problem areas of Suffolk County.

Approach: The Contractor will make specific recommendations, with appropriate discussions and justifications, concerning water supply management (including adequate fire flows) in water supply problem areas of Suffolk County, including insular areas such as Montauk and Shelter Island, and barrier beaches such as Fire Island, where storm erosion is a potential problem.

Information Sources: Products generated from Tasks 8, 10 and 11.

Products: The Contractor will produce a memo report that details its recommendations, with appropriate discussions and justifications, concerning water supply management in water supply problem areas of Suffolk County, including insular areas such as Montauk and Shelter Island.

Department Responsibility: None.

Contractor Responsibility: The Contractor will develop all recommendations, and supply all supporting discussions and justifications.

j. TASK 10 – GROUNDWATER AND SURFACE WATER PROTECTION OPTIONS

i. Task 10.1 – Structural Protection Options

Objective: To assess the costs of sewering and sewage treatment, to identify new small-scale sewage options that could facilitate Smart Growth and affordable housing programs.

Approach: The Suffolk County Department of Public Works will compile data on the costs of sewering and sewage treatment as a function of district size and housing density from construction cost manuals, government publications, industry publications, etc. The SCDPW will also identify and assess new small-scale sewage collection and treatment options that could facilitate Smart Growth and affordable housing programs. Cost data will also be compiled for stormwater treatment and recharge. The costs of these systems will be compared to the benefits derived from the protection of ground and surface water resources.

Information Sources: Capital and Operating & Maintenance costs for various types and sizes of sewage and stormwater collection and treatment systems are available in cost manuals, government publications, etc. Data on water quality improvements due to sewering are available in the files of the Department and other agencies.

Products: The SCDPW will produce a memo report that details the costs of sewering and sewage treatment as a function of district size and housing density, identifies and assess new small-scale sewage collection and treatment options that could facilitate Smart Growth and affordable housing programs, and compares costs to the benefits derived from the protection of ground and surface water resources.

Department Responsibility: The SCDPW will have responsibility for completing this task. The Department and SCWA will provide copies of all reports and data, and will obtain any additional materials needed from other agencies.

Contractor Responsibility: None.

ii. Task 10.2 – Non-Structural Protection Options

Objective: To assess on-going regulatory programs for point sources such as sewage treatment plants, gas stations and dry cleaners, and on nonpoint sources

such as unsewered residential development, agricultural activities, and stormwater runoff.

Approach: The Contractor will assess the costs and benefits of on-going regulatory programs for point sources such as sewage treatment plants, gas stations and dry cleaners, and on nonpoint sources such as unsewered residential development, agricultural activities, and stormwater runoff. The Contractor will detail possible code changes in regard to allowable development densities (particularly on the East End in Zone IV of the Suffolk County Sanitary Code for groundwater management) and in regard to STP siting. It will also assess the potential for implementing watershed rules and regulations, utilizing Transfer of Development Rights (TDR) programs to protect watersheds, and implementing agricultural environmental management (AEM) programs. The outlines of needed model codes and ordinances will be developed. In addition, the Contractor will design a training and certification program for gas station operators that will identify needed resources, interagency coordination, and industry contacts.

Information Sources: Information on existing regulatory programs is available from the Department.

Products: The Contractor will produce a memo report that details the costs and benefits of on-going regulatory programs for point sources such as sewage treatment plants, gas stations and dry cleaners, and on nonpoint sources such as unsewered residential development, agricultural activities, and stormwater runoff. This memo report will also include details of possible code changes, and outlines of new model code and ordinances that would address these sources, as well as assessments of the potential for implementing watershed rules and regulations, and utilizing TDR programs to protect watersheds. It will also include the design of a gas station operators' training and certification program.

Department Responsibility: The Department will provide copies of information on existing regulatory programs.

Contractor Responsibility: The Contractor will review Department and other relevant data, and will produce the required evaluations.

iii. Task 10.3 – Education and Outreach

Objective: To identify cost-effective means for public education and outreach for reducing nonpoint sources of contamination.

Approach: The Contractor will assess various public education and outreach approaches (e.g., SCWA bill inserts) for reducing nonpoint sources of contamination, including homeowner activities (e.g., lawn fertilization, disposal of medications and consumer products) and will identify the most cost-effective approach; the Stop Throwing Out Pollutants (S.T.O.P.) program will specifically be assessed.

Information Sources: Information on existing programs is available from the Department.

Products: The Contractor will produce a memo report that details its assessment of various public education and outreach approaches (e.g., S.T.O.P.) for reducing nonpoint sources of contamination, and that identifies the most cost-effective approach.

Department Responsibility: The Department will provide copies of information on existing programs.

Contractor Responsibility: The Contractor will review Department and other relevant data, and will produce the required evaluations.

k. TASK 11 – GROUND AND SURFACE WATER PROTECTION RECOMMENDATIONS

i. Task 11.1 – Structural Recommendations

Objective: To recommend whether, and to what extent, sewage collection and treatment systems should be installed or expanded in order to protect groundwater and surface waters.

Approach: The Contractor will use the assessments developed in previous tasks and during previously completed 201 sewer studies (performed in connection with Section 201 of the Federal Water Pollution Control Act of 1972) to recommend whether, and under what circumstances (e.g., at what housing densities or proximity of development to surface waters) centralized sewage collection and treatment systems should be used to protect groundwater and surface waters. The Contractor will also make general recommendations concerning the use of smaller systems for individual developments or projects.

Information Sources: Primarily the Products generated from Tasks 5, 6 and 10.

Products: The Contractor will produce a memo report that includes recommendations as to whether, and under what circumstances centralized or smaller sewage collection and treatment systems should be used to protect groundwater and surface waters.

Department Responsibility: None.

Contractor Responsibility: The Contractor will develop all recommendations, and supply all supporting discussions and justifications.

ii. Task 11.2 – Non-Structural Recommendations

Objective: To make specific recommendations concerning regulatory and educational programs for control and reduction of point and non-point sources of ground and surface water contamination.

Approach: The Contractor will use the assessments developed in previous tasks to recommend additions or modifications to regulatory and educational programs for point sources such as sewage treatment plants, gas stations and dry

cleaners, and on nonpoint sources such as unsewered residential development, agricultural activities, stormwater runoff, lawn fertilizers and consumer products. It will also make recommendations concerning the use of watershed rules and regulations, and the use of TDR programs to protect watersheds.

Information Sources: Primarily the Products generated from Tasks 5, 6 and 10.

Products: The Contractor will produce a memo report that includes recommendations concerning regulatory and educational programs for control and reduction of point and non-point sources of ground and surface water contamination. Regulatory recommendations will be in the form of model rules, codes, ordinances, etc.

Department Responsibility: None.

Contractor Responsibility: The Contractor will develop all recommendations, and supply all supporting discussions and justifications.

I. TASK 12 – PLAN IMPLEMENTATION

i. Task 12.1 – Plan Implementation Costs/Benefits

Objective: To summarize the costs and benefits of each recommended program, and identify possible funding mechanisms.

Approach: The Contractor will summarize the costs and benefits of each of the recommendations made in Tasks 9 and 11. For each of these recommendations, the Contractor will identify potential funding mechanisms.

Information Sources: Primarily the Products generated from Tasks 8 through 11.

Products: The Contractor will produce a memo report that summarizes the costs and benefits of each recommended program, and identifies possible funding mechanisms.

Department Responsibility: None.

Contractor Responsibility: The Contractor will summarize the costs and benefits of each of the recommendations made in Tasks 9 and 11, and will identify potential funding mechanisms for each.

ii. Task 12.2 – Plan Implementation Coordination and Oversight

Objective: To recommend an administrative structure for plan implementation coordination and oversight, and the institutional relationships that will be needed.

Approach: The Contractor will identify and recommend an administrative structure for plan implementation coordination and oversight, and the institutional relationships that will be needed.

Information Sources: Primarily the Products generated from Tasks 8 through 11.

Products: The Contractor will produce a memo report that summarizes the recommended administrative structure for plan implementation coordination and oversight, and the institutional relationships that will be needed.

Department Responsibility: None.

Contractor Responsibility: The Contractor will identify and recommend an administrative structure for plan implementation coordination and oversight, and the institutional relationships that will be needed.

iii. **Task 12.3 – Water Quantity and Quality Data Management System Needs**

Information Sources: Data management needs will be identified during the course of the project, particularly during Tasks 4 through 7.

Department Responsibility: None.

Contractor Responsibility: The Contractor will describe and provide cost estimates for needed data management systems.

iv. **Task 12.4 – Ongoing Groundwater Model Update Needs**

Information Sources: On-going groundwater model update needs will be identified during the course of Task 5.

Department Responsibility: None.

Contractor Responsibility: The Contractor will describe and provide cost estimates for an on-going groundwater model update function.

v. **Task 12.5 – Technology Needs**

Information Sources: On-going technology needs will be identified during the course of the project, particularly in Task 6.

Department Responsibility: None.

Contractor Responsibility: The Contractor will identify and provide cost and benefit estimates for other equipment and technology that might aide in plan implementation, such as infrared aerial photography and remote sensing.

vi. **Task 12.6 – Implementation Progress Monitoring**

Information Sources: None.

Department Responsibility: None.

Contractor Responsibility: The Contractor will describe and provide cost estimates for an on-going process to monitor plan implementation progress.

m. TASK 13 – PUBLIC PARTICIPATION/EDUCATION AND OUTREACH MEETINGS

i. Task 13.1 – Progress Meetings

Information Sources: None.

Department Responsibility: None.

Contractor Responsibility: The Contractor will conduct and provide minutes for 12 bi-monthly progress meetings with the Department and other involved agencies.

ii. Task 13.2 – Technical Advisory Committee

Information Sources: None.

Department Responsibility: The Department will set up the initial membership in the Technical Advisory Committee.

Contractor Responsibility: The Contractor will conduct and provide minutes for 8 quarterly Technical Advisory Committee meetings.

iii. Task 13.3 – Citizens Advisory Committee

Information Sources: None.

Department Responsibility: The Department will set up the initial membership in the Citizens Advisory Committee.

Contractor Responsibility: The Contractor will conduct and provide minutes for 6 Citizens Advisory Committee meetings.

n. TASK 14 – REPORT PREPARATION & PRINTING

i. Task 14.1 – Draft Report

Information Sources: None.

Department Responsibility: None.

Contractor Responsibility: The Contractor will prepare 20 paper copies of the draft report in black and white and 50 full color copies on CD. All documents will be in Microsoft Word and Adobe Acrobat.

ii. Task 14.2 – Final Report

Information Sources: None.

Department Responsibility: None.

Contractor Responsibility: The Contractor will prepare 50 copies of final report in full color, and a version that can be made available on the Department web site.

3. Technical Proposal Minimum Requirements

Contractors shall submit a technical plan that includes their strategies, plans, and methodologies for achieving all of the requirements included in this RFP. In addition, Proposals must contain, at a minimum, the following information:

a. An executive summary consisting of one to three pages, highlighting the aspects of the Contractor's Proposal.

b. A detailed list, if necessary, of any additions, deletions or changes to the tasks described in paragraph 2 of this Section IV.

4. General Requirements

a. Subcontracting

Contractor may elect to subcontract certain services required in this contract.

i. Services that are to be subcontracted must be clearly defined in the Proposal.

ii. Contractor retains responsibility for all acts and omissions of the subcontractor.

iii. Contractor must submit all contracts with a subcontractor to the Department for prior approval.

5. Anticipated Award and Contract Timetable

It is anticipated that this RFP process shall be concluded and a "letter of award" made during February 2004. The anticipated commencement date of Services shall be March 1, 2004. Services shall be provided for a duration of approximately two years.

End of Text for Section IV

1158

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

Laid on Table 3/4/08

RESOLUTION NO. -2008, NAMING THE SUPREME COURT BUILDING IN RIVERHEAD THE "THOMAS STARK SUPREME COURT BUILDING"

WHEREAS, Justice Thomas Stark is a lifelong resident of Riverhead and a 1942 graduate of Riverhead High School; and

WHEREAS, Justice Stark served as an officer in the United States Navy; and

WHEREAS, Justice Stark is a graduate of Holy Cross College and Harvard Law School; and

WHEREAS, Justice Stark has had a distinguished career as an attorney practicing law in Suffolk County; and

WHEREAS, Justice Stark served as a Suffolk County Court Judge from 1963 to 1969; and

WHEREAS, Justice Stark was elected to the New York State Supreme Court in Suffolk County and served the 10th Judicial District for 30 years until his retirement in 1998; and

WHEREAS, since his retirement, Justice Stark has maintained an active life in his native Riverhead, writing and publishing a book on the history of the Town of Riverhead; and

WHEREAS, Justice Stark is also the author of a genealogy of the Stark family, beginning with his great-grandfather, a Baiting Hollow farmer, John Stark ; now, therefore be it

1st **RESOLVED**, that, pursuant to Section 215(1) of the NEW YORK COUNTY LAW, the new courthouse located on Griffing Avenue in Riverhead, upon its completion, shall be named the "Thomas Stark Supreme Court Building" to honor his contributions to the local community and his dedication to the judicial system; and be it further

2nd **RESOLVED**, that the Suffolk County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take all actions necessary and appropriate to effectuate this naming and dedication; 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:

1159

Intro. Res. No. -2008

Introduced by Legislator Cooper

Laid on Table 3/4/08

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A CHARTER LAW TO CHANGE THE LEGISLATIVE TERM OF OFFICE

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , a proposed local law entitled, "**A CHARTER LAW TO CHANGE THE LEGISLATIVE TERM OF OFFICE**" 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 CHARTER LAW TO CHANGE THE LEGISLATIVE TERM OF OFFICE

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 Suffolk County's elected officials, with the exception of County Legislators, serve a four (4) year term of office. County Legislators are elected to a two (2) year term of office.

This Legislature further finds and determines that as Suffolk County's population has grown, the issues and problems facing our county have grown in complexity and difficulty, making the need for long-term planning and careful, nuanced policy-making more acute.

This Legislature also finds that a two year legislative term is an impediment to solid, long-range planning and policy making. A two year term leads to an unhealthy focus on short-terms needs and quick fixes, often at the expense of the long-term interests of Suffolk County residents.

This Legislature further determines that a two year election cycle forces legislators to spend much of their time planning and fundraising for their next political campaign. A three year term would sharply reduce fundraising pressures and thereby diminish the potential influence of special interest contributors.

Therefore, the purpose of this law is to increase the term of a County Legislator from two (2) to three (3) years, still subject to the current term limit of twelve (12) consecutive years.

Section 2. Amendment.

Section 2-5 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

ARTICLE II
The County Legislature

* * * *

Section 2-5. Term of office for Legislators.

A.) The term of office of a County Legislator shall be three [two] years, which shall begin on the first day of January following the general election at which the County Legislators are elected.

* * * *

Section 3. Applicability.

This law shall initially apply to the term of office for County Legislators commencing on January 1, 2010, the general election for which will be held in 2009, and then to all subsequent terms of office for County Legislator. This law shall not be construed to extend the time a County Legislator may serve beyond the twelve consecutive years that is presently authorized in Section C2-5 (B) of the SUFFOLK COUNTY CHARTER.

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 in validate 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)(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 6. Form of Proposition.

The question to be submitted to the electorate pursuant to Section 7 of this law shall read as follows:

Shall Resolution No. -2008, Adopting A Charter Law to Reduce the Number of Political Campaigns by Changing the Legislative Term of Office for County Legislators from Two (2) Years to Three (3) Years for an Overall Limit of Four (4) Terms totaling Twelve (12) Consecutive Years, Be Approved?

Section 7. Effective Date.

This law shall not take effect until the first day of the first fiscal year after its approval by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting upon a proposition for its approval in conformity with the provisions of Section 34 of the NEW YORK MUNICIPAL HOME RULE LAW. After approval by the electorate, this law, as well as any other law converted into a mandatory referendum pursuant to Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW, by a vote of the County Legislature, may only be amended, modified, repealed, or altered by enactment of an appropriate Charter law subject to mandatory referendum in accordance with prevailing law.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

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OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1159

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

DATE: **FEBRUARY 28, 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 CHANGE THE LEGISLATIVE TERM OF OFFICE**

SPONSOR: **LEGISLATOR COOPER**

DATE OF RECEIPT BY COUNSEL: 2/7/08 **PUBLIC HEARING:** 3/18/08

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

This proposed law would amend Section C2-5 of the SUFFOLK COUNTY CHARTER to increase the term of office of County Legislator from two to three years. This law will apply initially to the term of office commencing January 1, 2010, and to all subsequent terms of office of County Legislator. The 12 year term limit for County Legislators authorized under Section C2-5(B) of the SUFFOLK COUNTY CHARTER shall remain in effect.

This law is subject to a mandatory referendum.

GEORGE NOLAN
Counsel to the Legislature

GN:tm

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Intro. Res. No. 1160 -2008 Laid on Table 3/4/08
Introduced by Presiding Officer on request of County Executive

RESOLUTION NO. -2008, ADOPTING A POLICY REGARDING THE DEVELOPMENT OF THE HAMPTON BUSINESS AND TECHNOLOGY PARK AND A STATE ENVIRONMENTAL QUALITY REVIEW ACT FINDINGS STATEMENT FOR THE FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT

WHEREAS, since adopting the 1981 Airport Master Plan the County of Suffolk County has continually planned on redeveloping 58.6 acres of property at the Francis S. Gabreski Airport as an industrial park that would be an economic engine for year round, high paying, career type jobs for the east end and for all of Suffolk County: and

WHEREAS, over the last 2 years the County of Suffolk has assisted the Town of Southampton in preparing and having adopted a Southampton Town Airport Planned Development District (APDD) Master Plan which delineates the permitted uses for the APDD, sets overall and individual site development criteria and adopts an expedited town review process for proposed developments; and

WHEREAS, this cooperative effort included, in addition to the formal hearings held by the Town of Southampton, several meetings with the Gabreski Airport Community Advisory Boards APDD sub-committee. These meetings resulted in the inclusion of and changes to items of concern to the local community, specifically density and design; and

WHEREAS, the APDD Master Plan required the Town of Southampton to have prepared a Generic Environmental Impact Statement; and

WHEREAS, the Central Pine Barrens Joint Planning and Policy Commission (CPBJPPC) determined that the redevelopment of the subject site with light industrial development "is considered nondevelopment pursuant to ECL 57-0107(13) (i)". Therefore the development would not be subject to further review for conformance with the Central Pine Barrens Comprehensive Land Use Plan; and

WHEREAS, after numerous Public Hearings, on June 26 2007 the Town of Southampton adopted the APDD through Local Law and adopted and accepted the Findings Statement as presented in the FGEIS; and

WHEREAS, the APDD is substantially consistent or conforms with the 1981 Master Plan, 1990 Master Plan Update, 1995 Central Pine Barrens Comprehensive Land use Plan, 1992 Long Island Comprehensive Special Groundwater Protection Area Plan, the 1970 and 1999 Town of Southampton Master Plan, Suffolk County Industrial and Commercial Incentive Board Plan as adopted by Southampton Town and the Town of Southampton Eastport-Speonk-Remsenburg-Westhampton Area Plan and the Long Island Comprehensive Wastewater Treatment Management Plan; and

WHEREAS, incentives for increased density have been built into the Master Plan not only to reflect the APDD as a Pine Barrens Receiving Site but also to allow increased density for construction meeting the LEEDS Gold Standard; and

WHEREAS, as an involved agency Suffolk County must also adopt a Findings Statement on the proposed development; now therefore be it

1st RESOLVED, that the Legislature finds that there is a need for a strategy to address the redevelopment of this site that reflects the goals and needs of the County, the Town of Southampton and the residents neighboring Gabreski Airport; and be it further

2nd RESOLVED, that the Findings Statement attached (Exhibit A) conforms with the 1990 Master Plan with respect to the development of the 58.6 acres to be known as the Hampton Business and Technology Park; and be it further

3RD RESOLVED, that the Legislature supports the Findings Statement, as a means of coordinating and overseeing future development of this site, consistent with all applicable laws; and be it further

4th RESOLVED, the Legislature adopts policy for the development within the APDD that requires development proposals and applicants to adhere to the conditions set forth in the Town of Southampton's APDD Master Plan (Exhibit B) and its associated FGEIS (Exhibit C); and be it further

5th RESOLVED, that, pursuant to 6 NYCRR Part 617 and Chapter 279 of the Suffolk County Charter, the Legislature hereby adopts the Statement of Findings annexed hereto, incorporated by reference and made a part hereof, certifies that the requirements of SEQRA have been met, and certifies that, consistent with social, economic and other essential considerations, the proposed APDD Master Plan and associated county actions have been developed from among the reasonable alternatives available, as the choice that avoids or minimizes potential adverse, environmental impacts, to the maximum extent practicable; and be it further

6th RESOLVED, that the Legislature certifies that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporation, as conditions within the Statement of Findings, where those mitigative measures that have been identified as practicable; and be it further

7th RESOLVED, that the Commissioner of the Suffolk County Department of Economic Development and Workforce Housing or his designee, and the Commissioner of Public Works or his designee are hereby authorized and directed to oversee the development process necessary to implement this development including the review by

the Airport Conservation and Assessment Panel of those proposals recommended by the Departments.

DATED:

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date:

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Exhibit A

State Environmental Quality Review Act Findings Statement

GABRESKI AIRPORT PLANNED DEVELOPMENT DISTRICT MASTER PLAN & ITS IMPLEMENTING REGULATIONS

Suffolk County Legislature

Name of Action:	*Establishing review process and future actions by Suffolk County in conjunction with the Town of Southampton's Gabreski Airport Planned Development District (APDD) Master Plan*
Lead Agency:	*Town Board of the Town of Southampton* *116 Hampton Road* *Southampton, NY 11968*
Involved Agency:	*Suffolk County*
Contact Person:	*Tom Isles, Director* *Suffolk County Planning Department – 4th floor* *PO Box 6100* *Hauppauge, New York 11788-0099* *Carolyn E. Fahey* *Intergovernmental Relations Coordinator* *Suffolk County Department of Economic Development & Workforce Housing – 2nd floor* *PO Box 6100* *Hauppauge, New York 11788-0099*

This Findings Statement has been prepared in accordance with Article 8 of the New York Conservation Law and Chapter 279 of the Suffolk county Code

H:\EcoDevAdmin\cfahey\Legislature\2007\HBTP\Findings Statement\Findings Exhibit A Jan 17.doc

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INTRODUCTION

Suffolk County Department of Economic Development and Workforce Housing and the Suffolk County Department of Planning have prepared these findings related to the significant issues identified in the Draft and Final Generic Environmental Impact Statement (GEIS) prepared for the proposed action by the Town of Southampton as Lead Agency.

LOCATION

The subject property is approximately 58.6 acres in size and occupies the west-central portion of the overall 1,486±-acre Gabreski Airport property; the subject site is located on the eastern side of CR 31, Old Riverhead Road, opposite Stewart Avenue, on the north and south sides of Walden Avenue, on the west side of Sheldon Way and north of Cook Street. The tax lot designation of the airport is District 0900, Section 312, Block 1, Lot 4.2. Gabreski Airport (including the Gabreski Airport APDD) is owned by Suffolk County.

The airport is bordered by the Long Island Rail Road (LIRR) to the south and CR 31 (Old Riverhead Road) along the western property boundary. The majority of land surrounding the airport to the north and east are preserved New York State (NYS), Suffolk County, and Town of Southampton lands, including the Quogue Wildlife Refuge immediately adjacent to the east.

The subject site is within or subject to restrictions of the following service and planning entities:

- Westhampton Beach Union Free School District (UFSD)
- Westhampton Beach Fire District
- Town Police Department
- Suffolk County Department of Economic Development & Workforce Housing
- Suffolk County Department of Health Services
- Suffolk County Department of Public Works
- Suffolk County Legislature
- Suffolk County Sheriff
- Suffolk County Water Authority (SCWA)
- New York State Police
- Long Island Power Authority (LIPA)
- National Grid/KeySpan
- Verizon
- Gabreski APDD
- Groundwater Management Zone III (300 gpd/acre)
- Town Central Pine Barrens Overlay District
- Town Aquifer Protection Overlay District
- Central Suffolk Special Groundwater Protection Area (SGPA)
- Central Pine Barrens Zone, Compatible Growth Area (CGA)

The project site is within the Central Pine Barrens Zone's CGA. However, in 1996 the Central Pine Barrens Joint Planning and Policy Commission (CPBJPPC) determined that redevelopment of the subject site with light industrial development of the type represented by the proposed project "...is considered nondevelopment pursuant to ECL 57-0107(13)(i)". Thus, the proposed project would not be subject to further review for conformance with the Central Pine Barrens Comprehensive Land Use Plan. Nevertheless, the proposed project conforms to the standards and guidelines of the Plan, thereby minimizing the potential for adverse environmental impacts in the CGA.

BRIEF PROJECT HISTORY & OVERVIEW

The Gabreski Airport is owned and operated by Suffolk County, thereby providing a unique opportunity for the Town and County to situate quality industrial development and mixed complementary uses on a site well-suited for growth. The 58.6-acre site has been designated by the Town of Southampton as a Planned Development District (PDD) under Section 330-248 of the Town Code to establish a general vision of the type of growth that would be suitable for this site. In 2002, the Town retained Nelson, Pope & Voorhis to prepare a Master Plan to create a comprehensive vision for development of the APDD intended to coordinate future development, foster compatible future land uses, and provide direction and guidance for the County, the Town, and prospective developers. The Master Plan reviews site resources, constraints and opportunities for the orderly growth of the site. The Master Plan would be used to focus efforts by both the Town and County to solicit and locate appropriate non-aviation based business development within the established standards and guidelines.

The Master Plan recognizes the current and potential use opportunities associated with the Airport, existing utilities, density transfer receiving site potential, and Town as well as County needs and desires toward this facility. Key to this project is the close coordination and establishment of common interests and common goals of the Town and County. The completion of this Plan is expected to assist with marketing and efficiency of project review; specifically, the pre- determination of uses and general design would provide greater certainty and guidance to facilitate the identification and approval of quality tenants on the site. In addition, uses that are consistent with the Master Plan and GEIS would not be subject to further SEQRA review and would undergo a more expedited review process given their conformance with use and design guidelines under the plan. The Master Plan creates standards and guidelines for:

- Site uses;
- Dimensional & Yield regulations;
- Coordinated building development;
- Site parking, recharge and utility needs and coordination;
- Architectural elements;
- Streetscape elements;
- Landscape elements; and
- General design guidelines.

It is recognized that use opportunities should support and inter-relate with the general PDD such that internal self-sustaining uses are provided that would not detract from or compete with local business or downtown areas.

Based on the recommendations in the Master Plan, a set of proposed amendments to the Southampton Town Zoning Code were sponsored by the Town Board of the Town of Southampton. These amendments were intended to provide land use regulations controlling development in the Gabreski Airport Planned Development District (APDD), which was established previously by the Town Board. The Draft and Final GEIS's were prepared as a result of these proposed amendments.
The Draft GEIS described and discussed the proposed amendments, the anticipated environmental impacts of this proposed action, and presents the measures taken to mitigate those adverse impacts of these regulations, if any. The Final GEIS contained the transcripts of the public hearings held on the Draft GEIS and the proposed Master Plan, as well as the written comments on those two documents; the Final GEIS also contained a description and analysis of the potential impacts of revisions made to the Master Plan as a result of those public and agency comments.

On June 26, 2007 (resolution # 2007-914) the Town of Southampton adopted the APDD Master Plan and on June 26, 2007 (resolution # 2007-913) as SEQRA Lead Agency the Town of Southampton accepted the Final GEIS and adopted the associated Findings Statement.

DESCRIPTION OF ACTION

The 58-acre Gabreski Airport Planned Development District was originally created and adopted in the Town Zoning Code in 1998 as Section 330-248. The PDD allows numerous industrial uses specified by Standard Industrial Code (SIC), and permits development to a building coverage of 20% and three (3) stories (maximum building height of 40 feet). It is estimated that under current zoning, the full build-out of the existing APDD is 1.5 million square feet. The proposed project is intended to provide a Master Plan for more cohesive and coordinated development in terms of architecture, landscaping and site design. The Master Plan also provides for an overall design coordination of entrance and road connections. Further goals of the Master Plan are to provide a more appropriate list of allowed and special permit uses, and to establish controls on the floor area ratio (FAR) of development, which would provide a better form of control. The Master Plan also provides procedures for inter-agency coordination of leases and site plan development to facilitate proper development and improved communication and end product. Finally, the Master Plan and GEIS provide a means to redeem Pine Barrens Credits to preserve Pine Barrens and allow appropriate intensification of use at the APDD under established guidelines.

The proposed action is the establishment of a review process and future actions by Suffolk County in conjunction with the Town of Southampton's Airport Planned Development District Master Plan for development within the Gabreski APDD, now known as the Hampton Business and Technology Park. However, in order to provide a basis for analysis and discussion of impacts associated with development resulting from this plan, the Draft GEIS assumed conforming industrial uses for the site, with the reasonable, hypothetical maximum yields. For purposes of analysis, it was anticipated that the Gabreski APDD would be developed with a total of 510,500 square feet (s/f) of industrial floor area, along with associated accessory parking, parking isles, access roadways and drainage to be distributed into a campus-like setting based upon the number of buildings to be built. Subsequent to the public hearings on the Draft GEIS, and as a result of comments from the involved agencies and the public, the Town and the County came to a consensus on a number of revisions to the Master Plan and proposed APDD zoning

amendments. These revisions are intended to reduce potential impacts and/or respond to comments on the Draft GEIS and are described and discussed below.

Yield

Under the existing APDD zoning, approximately 1.5 million square feet of industrial/office uses could be achieved at the site (20% building coverage and 3 story buildings) without transferring/extinguishing Pine Barrens Credits (PBC's). The need to limit the maximum future development of the APDD without additional SEQR analysis is recognized by the County. Therefore, the APDD legislation establishes a maximum development limit of 510,500 gross SF for the overall APDD, with each lease area having a floor area ratio (FAR) cap of 0.2. This 0.2 FAR is to be applied to each leased lot in order to determine the allowed yield as each lot is mapped.

Increases in Yield

In keeping with the policies set forth in the Central Pine Barrens Plan and the Town's Central Pine Barrens Overlay District, transfer of additional yield to individual lease lots would continue to be permitted through the transfer of Pine Barrens credits or development rights, so long as the total gross floor area of the APDD does not exceed 510,500 gross SF. The following are the mechanisms whereby this can be accomplished.

- an increased amount of building Gross Floor Area (GFA) can be achieved by redeeming PBCs at a rate of 1PBC/5,000 Gross Square Foot (GSF), to a maximum of 5% of each lease lot.
- the maximum allowed building height of 35 feet (and 50 feet for motion picture production uses) can be exceeded, by redeeming one (1) PBC for each additional 100,000 cubic feet (CF) of building volume, to a maximum building height of 50 feet (56 feet for motion picture production uses).
- the maximum gross floor area of a building may be increased up to 25% resulting in an increase in FAR within a leased area if the entirety of such building is built and certified to a Leadership in Energy and Environmental Design (LEED) Green Building Rating System Gold Standard and the maximum total gross floor area of 510,500 SF for the overall APDD is not exceeded.

Permitted & Special Exception Uses

The list of uses has been streamlined by automatically permitting categories of desired uses, prohibiting all aviation related uses, and requiring Special Exception approval for only a limited number of uses in the APDD. The amended APDD would continue to limit retail and service uses to be accessory and incidental to a primary use, to a maximum of 5% of the total gross floor area of each use (note that "retail" use does not include food service, such as a delicatessen; see below). This is done in order to ensure that the site is utilized for light industrial/business development and does not compete with the retail and service uses within surrounding hamlets and downtowns. Note that for purposes of this APDD, food service is not considered to be a retail use. Food service is specifically an allowed use in this APDD; however the amount of GFA is limited to a maximum of 5,000 SF exclusive of any restaurant associated with a hotel within the overall 58 acre APDD parcel.

Building Height

The maximum allowed as-of-right building height in the APDD has been revised to be two stories and 35 feet. However, this limit may be increased to a maximum of 50 feet by use of Pine Barrens Credits, or by construction to the LEED Gold Standard. A movie, film or other digital media studio (due to the nature of these uses) may exceed the 35-foot height requirement up to a maximum of 56 feet by use of Pine Barrens Credit, or

by construction to the LEED Gold Standard. In no case shall the total gross floor area of all buildings within the APDD exceed 510,500 SF or the height exceed 2 stories.

FACTS, CONCLUSIONS AND MITIGATION MEASURES CONTAINED WITHIN THE DRAFT & FINAL GEIS'S RELIED UPON TO SUPPORT SUFFOLK COUNTY'S DECISION

The following is a synopsis of the conclusions of Suffolk County with regard to the environmental impacts associated with the subject action. These conclusions are based upon a review of the Draft GEIS, the Final GEIS and public commentary, as well as all other relevant planning, zoning and environmental information.

Geological Resources

Soils

1. The two soil types identified in the Suffolk County Soil Survey, (Carver and Plymouth sand and Cut and Fill Land) pose "moderate" to "severe" limitations for development, due specifically to slopes and a sandy surface layer. However, the majority of the site (approximately 90%) is covered by "Cut and Fill Land", which is produced by disturbing the native soils during previous clearing and grading operations. This removal of the native surface soils has resulted in the exposure of an underlying loamy sand material, which is characteristically unstable and barren.

2. The CuB soil type poses moderate and severe limitations for development, though the limiting characteristics of these soils, slopes and a sandy surface layer, can be addressed through site design such that these conditions would not be an impediment to development. Only localized slopes exist and these areas have been previously disturbed and would be properly graded in connection with new development. Foundations would extend to stable native soils and the surface layer would either be established in parking or landscaping. Parking lots would be placed on stable or compacted soils and landscaped areas would be supplemented with topsoil and proper plant installation techniques.

3. The CpA soil, which presents a severe limitation due to the sandy surface layer, would be left natural, properly regraded or supplemented for landscape purposes so that limitations would not pose a constraint on site use.

4. Installation of native or native-compatible vegetative species would provide a means of stabilizing the site's exposed soils to prevent erosion as soon as practicable following clearing and grading.

5. As part of the site plan review process for individual parcels, adherence to the erosion and stormwater control standards and guidelines of the NYSDEC would significantly reduce the potential for adverse impacts to the site's soils during and after construction. The construction operations are not anticipated to result in significant adverse impacts to soils, and soils with limitations on development would be managed such that these conditions would not have an impact on construction or long-term site occupancy

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Topography

1. As the site is already partially developed and in the past has been almost completely disturbed, minimal additional grading is anticipated, so that impacts to site topography are not expected.

2. Suffolk County shall prepare or cause to prepare an Infrastructure Plan depicting the internal site improvements proposed including roads, sidewalks, street trees, site furniture including bus shelter(s), drainage improvements, water main and underground utility (electric, telephone and cable) extensions, hydrants, street lighting, landscaping and landscaping berms, irrigation, bike lanes, signage and access improvements on or in the vicinity of CR 31. The Infrastructure Plan may be phased and shall be subject to review and approval of the Town of Southampton Engineer and Planning Board. Infrastructure required to access and operate within a leased area shall be in place prior to the issuance of any Certificate of Occupancy for the leased area building.

3. Each specific use will be subject to site plan review, which will consider proper site grading through planning and engineering review.

4. Grading may be necessary to achieve suitable elevations for the proposed development. Typical site planning would result in newly created slopes of 1:3 or less, and proper soil stabilization and erosion control for each individual site. Efforts should be made to reduce the amount of cut and balance cut and fill across the site. If excess material results, it will be exported from the site using roll-off container trucks during normal daytime weekday hours over the course of several weeks, and thus represents a short-term/temporary impact that would be dispersed over daily hours and thus is not expected to be significant. As a result, grading activities are not expected to cause a significant adverse impact with respect to topography.

5. A Stormwater Pollution Prevention Plan ("SWPPP") will be prepared for the NYSDEC General Permit for Stormwater Discharges from Construction Activities (NYSDEC Permit No. GP-02-01, General Permit), and this SWPPP will include the appropriate erosion and sedimentation controls and water quality and quantity controls to minimize the impacts to land during construction.

Groundwater Resources

The Draft GEIS contained extensive and thorough studies and analyses of the potential for impacts to water resources on and beneath the site from operation of the proposed project, as well as for impacts to resources downslope and downgradient.

Hydrogeological Conditions

1. Development of the site will result in the installation of impervious surfaces consisting of buildings and paved parking areas, which will significantly increase the volume of stormwater generated. Stormwater generated on these surfaces will be retained on-site through drainage systems designed in accordance with Town standards.

2. There is adequate depth to groundwater (a minimum of 22 feet from the site's existing low point, a recharge basin that would be filled) to allow for the proper functioning of the stormwater recharge system.

3. Based on the SONIR computer model results for the proposed project, a total of 48.64 MGY of water would be recharged on the site. This represents a 2.6% increase in recharge generated on the property, as compared with the existing recharge volume of 47.40 MGY. Of this anticipated recharge volume, stormwater would account for 99% and irrigation for 1%. Given the depth to groundwater and soil permeability of glacial till soils in the area of the site, it is not anticipated that this increase in volume would be sufficient to cause a significant rise in the water table in the area, nor in any change in the regional direction of groundwater flow.

Groundwater Quality

1. The proposed action is for an APDD in which industrial uses are specifically proposed. While the occupants are not known at this time, it is possible that toxic and/or hazardous chemicals may be stored, used or generated by these tenants. In such a case, conformance with the Suffolk County Sanitary Code (CSC) would be required; Article 7 prohibits and limits storage of restricted toxic and hazardous materials in deep recharge zones (which includes the subject site), and Article 12 regulates handling and storage of toxic and hazardous materials. Separately and in combination, these regulations minimize the potential for impacts to groundwater resources.

2. The Suffolk County Department of Health Services is in the process of awarding a contract for design of the remediation necessary at the APDD and will ensure that the cleanup is accomplished. According to Suffolk County, the design will be based upon the completed work plan.

3. The Gabreski APDD would utilize the existing airport Sewage Treatment Plant (STP) for treatment and disposal of sanitary wastewater in order to use an existing off-site treatment facility planned and designed to include the subject site. Pursuant to correspondence from the County dated September 15, 2006; the County has set aside 48,000± gallons per day (gpd) of capacity for the APDD. This facility is operated by the Suffolk County Department of Public Works (DPW) and its treatment processes, effluent limitation conformance, and operational performance are also subject to review by the SCDHS, as well as permitting by the NYSDEC under the State Pollutant Discharge Elimination System (SPDES) Program. A SPDES permit has been issued. Suffolk County would be responsible to maintain compliance with the SPDES program through plant modification (if necessary), operation and permitting, as flow from the Gabreski APDD is increased over time. This wastewater treatment scenario is the most environmentally- acceptable method of waste handling for the proposed project. As a result, it is not anticipated that any significant adverse impacts to groundwater quality are anticipated from recharge of sanitary wastewater.

4. The concentration of nitrates (as nitrogen) in site-generated recharge would be increased by the proposed action, due primarily to the presence of nitrogen in lawn fertilizers (sanitary wastewater would be treated off-site). Specifically, overall nitrogen concentration would be increased to 0.33 mg/l, from its current level of 0.02 mg/l (conservatively assuming the maximum of 15% fertilizer usage). This is less than the NYS 10 mg/l nitrogen standard for drinking water, and therefore no significant adverse impacts are expected from nitrogen in recharge. This concentration assumes the applicable SCDHS design flow standard for industrial development. Nitrogen in stormwater accounts for 6.8% of this concentration, irrigation represents 0.5% and fertilization accounts for 92.7%.

Water Resources Plans and Studies

1. Long Island Comprehensive Waste Treatment Management Plan - The proposed action would conform to the recommendations of the 208 Study by utilizing an existing SCDPW- operated STP to treat and recharge all sanitary wastewater generated by the project. In addition, and as recommended by the Study, the proposal would utilize an on-site drainage system designed by Suffolk County to handle stormwater from the roads system (drainage from individual lease/development parcels would be reviewed by the Town) and would minimize fertilizer use by restricting acreage of fertilizer-dependant landscaping to a maximum of 15% of the site (8.8 acres).

2. Central Suffolk Special Groundwater Protection Area (SGPA) Plan - The proposed project conforms to the applicable recommendations of the SGPA Plan, in that its primary potential impact to groundwater quality, from recharge of sanitary wastewater, would be eliminated by use of an off-site, SCDPW-operated STP. In addition, the potential for impact from lawn/landscaping fertilizers would be minimized by limiting the use of such substances to a maximum of 15% of the property, or 8.8 acres.

3. Conformance to Article 6 of the Suffolk County Sanitary Code and adherence to the required SPDES permit provisions for an STP would mitigate potential impacts. Use of an existing STP (which was designed, built and is being operated under the review of the County), and design, review and installation of a proper drainage system would further mitigate potential impacts to groundwater quality. Limiting maintained landscaping to up to 15% of the site would reduce the potential for adverse impacts from lawn chemical usage.

Ecological Resources

The Draft GEIS contained extensive and thorough studies and analyses of the potential for impacts to ecological resources on and in the vicinity of the site. Following are discussions from that document in regard to potential impacts:

Vegetation

1. The majority of the subject site was cleared in the past for the prior use, with untended lawn becoming the dominant vegetation type, resulting in minimal habitat acreages and quality on the property.

2. The project site is within the Central Pine Barrens Zone's Compatible Growth Area (CGA). However, the Central Pine Barrens Joint Planning and Policy Commission (CPBJPPC) determined that redevelopment of the subject site with light industrial development of the type represented by the proposed project "...is considered nondevelopment pursuant to ECL 57-0107(13)(i)". Thus, the proposed project would not be subject to further review for conformance with the Central Pine Barrens Comprehensive Land Use Plan. Nevertheless, the analysis presented in the GEIS establishes that the proposed project conforms to the standards and guidelines of the Plan, thereby minimizing the potential for adverse environmental impacts in the CGA.

3. Only a small area in the site's northwestern corner retains its original natural vegetation (approximately 3.9 acres, 6.6% of the property). Preservation of the existing vegetation in this area will be considered and implemented as practicable during the site plan review by the Town Planning Board. An 80-foot buffer will be retained along CR 31 that would include landscaping in existing

open areas and retention of 1.2 acres of natural vegetation in the northwestern corner of the site.

4. The proposed project would result in coverage's of 11.7 acres of buildings, 12.7 acres of pavement, 24.2 acres of unfertilized lawn/landscaping, 8.8 acres of maintained (fertilized and irrigated) landscaping and 1.2 acres of retained natural vegetation. The 34.3 acres of existing vegetation to be cleared (mainly untended lawn) would be replaced by substantial amounts of native landscaping species, of which a maximum of 15% (8.8 acres) would be fertilized. Native and native-compatible landscape species listed in the Central Pine Barrens Comprehensive Land Use Plan would be utilized in landscape plantings.

Wildlife

1. The majority of the subject site was cleared in the past for the prior use, with untended lawn becoming the dominant vegetation type, resulting in minimal habitat acreages that is not generally expected to support wildlife species. The small amount of natural vegetation is located on the site's boundary, so that its partial removal would not cause fragmentation of habitat.

2. The majority of wildlife activity would be expected to be transient individuals and species tolerant of human activity. As with any development activity, less-mobile individuals would be impacted (this may include small mammals inhabiting field areas); however, no endangered, threatened or special concern species are expected in association with the site. Common species abundant in commercial/industrial areas include primarily mobile avian species and a low wildlife population density is expected on this site. Therefore, the effects of the development on wildlife populations are not expected to be significant, as no significant level of wildlife use is expected.

3. The site does not offer wildlife corridors between adjacent woodlands, so that the proposed project would not impact wildlife movement.

4. After development occurs, the proposed project would favor those species that prefer edge and suburban habitats and particularly those that are tolerant of human activity. During construction, most species of wildlife would be expected to migrate to undisturbed areas in the vicinity, and after development landscaping and permanent site use may result in a greater wildlife population and diversity.

Transportation Resources

1. The Draft GEIS contained a detailed, professionally prepared traffic impact study, intended to determine whether and to what extent traffic impacts would occur due to the proposed project.

2. A single site access driveway via Wallen Street, which is located on the east side of Old Riverhead Road opposite Stewart Avenue is proposed. The Infrastructure Plan Prepared by Suffolk County shall include details of the proposed access improvements and be subject to review by the Town Engineer and approval by Suffolk County DPW.

3. The expected maximum total site generated trips that the proposed 510,500 SF industrial park will generate is 501 trips during the AM peak hour (416 entering, 85 exiting) and 518 trips during the PM peak hour (109 entering, 409 exiting).

4. The Traffic Study found that the intersection of Old Riverhead Road at Montauk Highway would not experience any change in level of service (LOS) due to a proposed 510,500 SF industrial park. The Year 2010 Build Traffic Volumes indicate that the intersection would remain at the existing LOS C during both the AM and PM peak periods. The individual movements would not change between the No Build and Build Conditions during either peak hour.

5. Due to the additional volume projected from the 510,500 SF industrial park, the Year 2010 Build Traffic Volumes indicate that the intersection of Old Riverhead Road at Stewart Avenue/Wallen Street, utilized as the site access, would experience an overall reduction in LOS from 'B' in the Existing and No Build Conditions to 'D' during the AM peak hour and from 'B' to 'E' in the PM peak hour. The most significant increase in delay occurs at the southbound left-turn movement entering the site during the AM peak hour and the westbound right-turn movement exiting the site during the PM peak hour.

6. Modification of the signal at Old Riverhead Road at Stewart Avenue/Wallen Street is necessary to reduce delay to the southbound and westbound approaches. The improvements consist of a protected/permissive southbound left turn phase, a concurrent westbound overlapping right turn phase, and an increase to the cycle lengths to accommodate the additional phases. These improvements would improve the intersection operations from LOS D/E to LOS B.

7. The Infrastructure Plan prepared by/on behalf of Suffolk County shall include a phasing plan that specifically identifies the phase where the required signal modifications will be completed. The Phasing Plan will be subject to review and approval of Suffolk County DPW and the Town Engineer.

8. Additional improvements (specifically a second left-turn lane) to the Old Riverhead Road at Stewart Avenue/Wallen Street south bound left-turn volume may be necessary if the traffic volume is greater than the estimated Year 2010 Build Traffic Volumes (358 vehicles). The Final EIS suggested a supplemental review occur at 75% of the maximum 510,500 SF build- out. If a proposed project brings the traffic count/assessment above that noted in the FGEIS, the County will prepare or will have prepared a supplemental traffic impact assessment.

9. Provision for a bus shelter either along CR 31 or within the APDD should also be considered during future improvement plans to CR 31 or in the County's Infrastructure Plan prepared for the APDD.

Land Use, Zoning and Plans

The Draft GEIS contained thorough discussions and analyses of the potential for impacts to the patterns of land use and zoning in the vicinity, as well as to the potential for impact on the applicable recommendations of the various land use plans and studies which apply to the APDD site.

Land Use

1. The proposed action would result in redevelopment of an existing, developed (though underused) industrial property adjoining a regional airport and across from other industrial properties to the west, along CR 31. In this sense, there would be no change in the type of land use of the site, though the intensity of that industrial usage would be increased by the project.

2. Future development, while an increase in intensity, would be the result of collaborative planning effort undertaken by the Town and County specifically for this parcel. The overall proposal is designed to locate high-quality industrial/commercial uses in a campus like setting, on a well-located site served by the necessary infrastructure.

3. The Gabreski APDD Master Plan provides guidelines and recommendations for building design, access and architectural appearances so that the potential for adverse visual impacts from dissimilar, unattractive building appearances would be minimized. The RFP designed by the County will request those developers interested in installing the required infrastructure to include amenities compatible with a campus style with creative features to be utilized by the employees of the site including but not limited to trails, open space, etc.

4. The uses identified as permitted by the Master Plan were selected to minimize or eliminate the potential for offensive or otherwise undesirable or inappropriate tenants to occupy the site. These provisions for compatible uses and building appearances would result in an attractive project that would contribute to the area's attractiveness, the site's economic success, and the region's vitality.

5. The Suffolk County DPW shall be the permitting agency for any work that may be performed at the intersection of CR31 and Wallen Street, CR31/CR80 intersection and any other work that may be required along the County Road ROW of CR31. This work is not limited to traffic signal construction, highway infrastructure work and or all utility work.

Zoning

Development at the site will be in accordance with Southampton Town's ADPP zoning and it's associated Master Plan.

Land Use Plans

1. Pursuant to the analysis presented in the GEIS, the proposed action has been specifically designed to conform to the requirements of the Central Pine Barrens Comprehensive Land Use Plan as well as the Town's Central Pine Barrens Overlay District and the Aquifer Protection Overlay District with respect to allowed land use types, yields, clearing and fertilization. An on-site drainage system would be required for the overall site per Town requirements, the amount of fertilizer dependent vegetation would be limited to 15% of the site, and erosions and sediment controls will be required during construction activity.

2. The proposed action conforms to the recommendations of the Town Comprehensive Plan Update for expanded and upgraded industrial/commercial development of the Gabreski Airport PDD, via the establishment of a comprehensive Master Plan for this district.

3. The proposed project is classified by the Central Pine Barrens Comprehensive Land Use Plan as non-development pursuant to ECL 57-0107(13) (i). Nevertheless, the proposed action conforms to the applicable regulations of the Central Pine Barrens Comprehensive Land Use Plan, as codified in the Town Central Pine Barrens Overlay District and Aquifer Protection Overlay District. The Gabreski APDD is identified in the Central Pine Barrens Plan as a receiving site for transferred development rights; this implies that this site is considered acceptable and appropriate for increased development.

4. Pursuant to the evaluation provided in the GEIS, the proposed action is substantially consistent with the recommendations of the Suffolk County Gabreski Airport Master Plan Suffolk County Gabreski Airport Business Plan, and Suffolk County Industrial and Commercial Incentive Board (ICIB) Plan which recommend the establishment of a high- quality industrial park at the subject site.

Public Services

The Draft GEIS contained extensive and thorough studies and analyses of the potential for impacts to the various public services on and in the vicinity of the site.

Taxes and Economic Impacts

1. The taxes which the County would collect from the site's tenants are anticipated to offset at least a portion of the increased costs of the various services discussed below. Pursuant to an analysis commissioned by the Suffolk County Department of Economic Development and Workforce Housing (prepared by Martin R. Cantor, CPA, MA) the total projected annual tax revenue would be ±$502,034, with ±$343,743 allocated to the school district, conservatively based on a market value of $125.00/SF and a 90% occupancy of the APDD.

2. The proposed industrial use will provide additional benefits beyond tax revenue, specifically by providing a job base through employment (650 jobs are estimated), construction jobs, investment in materials and services, maintenance jobs, sales tax and income tax.

Police Protection, Fire Protection and Emergency Services

1. The proposed project will incrementally increase the potential for need of police services to the site, due to the increased intensity of use of the site. However, the proposed action is not anticipated to significantly impact the existing level of security demand on the Southampton Police Department, as surveillance services provided by Suffolk County Sheriff are already being expended on-site, and these existing services can be increased in frequency and/or intensity. The individual tenants would be free to incorporate appropriate safety/security systems, alarms, private security services, etc. to supplement the police department's efforts.

2. There would be an incremental increase in the potential for need of the fire protective services of the Westhampton Beach Fire Department, due to the increase in building area and use intensity associated with the proposed action. However, this impact would be offset in consideration of the following:
    - The Westhampton Beach Fire Department will review and provide comments on the overall Infrastructure Plan prepared for/by the County, as submitted to Southampton Planning for compliance with all applicable State Buildings and Fire Codes. In addition, each lease lot site plan shall be referred to the appropriate Fire District for review and comment during the site plan review process.
    - The County will continue to conform to its requirements regarding fire inspections of the site and individual tenants. Suffolk County will continue to be responsive to Westhampton Beach Fire Department requests for updates (whether periodic or not) regarding specific building occupants, uses and presence/handling procedures of toxic and/or hazardous materials.
    - The County and Town shall pursue reasonable provisions to reduce the number of false and/or false automatic fire alarms, suggested by

the Westhampton Beach Fire Department. As currently required by Town Code, each tenant will conform to requirements of Chapter 85 (Alarm Systems).

- The County will contract with SCWA to install and maintain the necessary water services in conformance with County and local standards.

3. All roadways will be designed in compliance with local and county standards.

4. The County has indicated it will consider designating a small portion of property for a fire substation within the overall Gabreski Airport property if such a substation is deemed necessary by the County.

5. The Town of Southampton is in the process of evaluating a proposed town wide emergency vehicle preemption (EVP) system at their traffic signals. The County does not install EVP systems on a new traffic signal unless it is part of a corridor of traffic signals that the Town has already installed EVP systems. The traffic signal on CR 31, Old Riverhead Road, at Stewart Avenue/Wallen Street is an isolated intersection, nearly one and one-half mile from the signal to the south on CR 31 at CR 80, Montauk Highway. In keeping with the County's standard operating procedures with other towns and villages, the County will include the appropriate cables to facilitate the installation of an EVP system by the Town at some future date in any proposed traffic signal design. This provision will save the Town thousands of dollars in labor costs.

Water Supply

1. Based on SCDHS design criteria, the proposed project would utilize 20,421 gpd of potable water. An additional 3,600 gpd of water is anticipated for irrigation purposes, assuming 15%of the site is fertilized and irrigated. This water volume shall be served by public water and subject to the approval of the SC Department of Health Services (SCDOHS) and the SC Water Authority (SCWA). SCWA has provided correspondence dated August 8, 2006, indicating that the agency is ready to provide water to facilitate the development of the Airport PDD. SCWA has indicated that if future development at the Airport PDD requires modifications to SCWA's distribution system or capital improvements to increase the amount of water available to serve the PDD or for fire flow purposes, the improvements will be made provided their cost is paid by the sponsor of the project which necessitated such improvements.

2. Suffolk County's Infrastructure Plan will provide adequate water supply as determined by the Suffolk County Water Authority for the proposed buildout of the site.

Wastewater Treatment

1. The Gabreski APDD will utilize the existing airport STP for treatment and disposal of sanitary wastewater in order to use an existing off-site treatment facility planned and designed to include the subject site. This facility has a design capacity of 100,000 gpd, and an average influent of 10,000 gpd, leaving 90,000 gpd of available capacity.

2. Pursuant to correspondence from the County dated September 15, 2006; the County has set aside 48,000 gpd of capacity for the APDD. This facility is operated by the SCDPW, and its treatment processes, effluent limitation conformance, and operational performance are also subject to review by the SCDHS, as well as permitting by the NYSDEC under the State Pollutant Discharge Elimination System (SPDES) Program.

3. Suffolk County would be responsible to maintain compliance with the SPDES program through plant modification (if necessary), operation and permitting as flow from the Gabreski APDD is increased over time.

Solid Waste Handling and Disposal

1. Solid waste generated daily by the proposed action would be removed by private carters and disposed of at an approved facility, at the expense of the tenants.

2. Any hazardous or toxic wastes present would be removed by carters licensed by New York State and disposed of at facilities approved by the NYSDEC in accordance with applicable procedures and requirements.

Energy

1. Development associated with the proposed action would increase the level of electrical and natural gas consumption in the area; it is anticipated that LIPA and KeySpan Energy would be able to provide adequate energy supplies.

2. The Infrastructure Plan prepared by/for Suffolk County will evaluate the existing energy service networks in the area and identify any improvements necessary to serve the site.

Community Character

The Draft GEIS contained extensive and thorough studies and analyses of the potential for impacts to the character of the site and community.

Visual Resources

1. Under existing conditions the majority of the site is presently cleared, the buildings are visible from CR 31, and are low and widely-scattered, resulting in views into the site that are of an unattractive, barren and impacted property. The sparse fringing natural vegetation along CR 31 does not effectively screen the site's interior from outside observers.

2. Use of vegetated buffer (minimum 80' wide) and an earthen berm is planned along the length of the western property frontage with C.R. 31 to supplement the existing vegetated areas, extend the natural pine barrens character of the roadsides from the north, shield the buildings (particularly the rear facades) and parking areas from cars traveling on C.R. 31, and reduce noise generated from traffic.

3. A substantial amount of landscaping would be provided by the proposed project, both between buildings and along the entire perimeter of the developed area. The County's Infrastructure Plan will include details of proposed landscaping along CR 31 and the internal site roadways. Landscaping plans for individual tenants will also be required and subject to review by the Town Planning Board during the site plan review process.

4. The buildings would be set well back from CR 31 amid landscaping and parking areas. The Master Plan provides recommendations with respect to the types, colors and textures of building materials, would be appropriate to the area in terms of aesthetics such that all structures would be designed in an architectural style which would complement the "campus style" development style desire for the site. Overall, the Master Plan recommendations should be consulted during site plan preparation to ensure coordinated building placement and compatible facade treatment, coordinated;

well-placed and interconnected parking areas, sidewalks, landscaping and overall improved design.

Cultural Resources

1. Review of the OPRHP records does not indicate the presence or proximity of identified or suspected cultural resources on the site or in the vicinity. As a result, no impacts to cultural resources is anticipated.

Noise

1. The 58.6-acre project site is in an area zoned for industry, and is part of a regional airport property. The subject site lies between CR 31, a county highway, and the airport and, as a result, is currently subject to high noise levels.

2. The nearest residence is approximately 3,900 feet to the west, and there are no sensitive receptors in proximity to the site. The project is not expected to generate excessive noise levels, especially in the context of its surroundings.

3. Based on the types of land uses proposed, it is anticipated that the majority of noise impacts would occur during construction of the project. The construction phase would include site clearing, grading and building activities that would result in temporarily elevated noise levels. These noise levels would vary based on the type of construction equipment being used; it should be noted that heavy equipment typically utilized during the site preparation phase results in the highest levels of noise. Equipment-related construction noise is expected to be in the range of 75 to 95 decibels, A-weighted scale (dBA). Construction activities would not occur in proximity to residential areas, as none are nearby.

4. Construction activities would occur during normal daytime hours. Therefore, while temporary noise impacts are to be expected, no significant long-term noise impacts due o construction are expected.

5. In the long term, it is anticipated that minor levels of noise may be generated by activities associated with the industrial tenants. However, the significant distances between these sources and potential residential receptors would, in consideration of the thickness and depth of natural vegetation and presence of intervening structures (as well as noise generated by the adjacent Gabreski Airport), dissipate and/or mask any noises that may be generated on-site. In consideration of these factors, no significant long-term noise impacts are anticipated.

1160

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

ADOPTING A POLICY REGARDING THE DEVELOPMENT OF THE HAMPTON BUSINESS AND TECHNOLOGY PARK AND A STATE ENVIRONMENTAL QUALITY REVIEW ACT FINDINGS STATEMENT FOR THE FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT

3. Purpose of Proposed Legislation

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 or Other Subdivision.

8. Proposed Source of Funding

2005 Operating Budget

9. Timing of Impact

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

SCIN FORM 175b (10/95)

Gen A 1

1160

FEB 0 1 2008

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
Office of the County Executive

FROM: Carolyn E. Fahey, Intergovernmental Relations Coordinator
Department of Economic Development & Workforce Housing

DATE: January 30, 2008

SUBJECT: **Resolution Request – Finding Statement – Hampton Business and Technology Park**

****

The Hampton Business and Technology Park at Gabreski Airport was the subject of a Town of Southampton Planned Development District and its associated Draft and Final GEIS. On June 26, 2007, the Town of Southampton adopted the APDD through Local Law and adopted and accepted the Findings Statement as presented in the FGEIS. As an involved party, Suffolk County must adopt its own SEQRA Findings Statement. Once the Findings are adopted by the county, we can proceed with leases and development in the Hampton Business and Technology Park. This is the last step in the environmental review process.

The attached draft resolution accepts the attached Findings Statement as well as adopts a policy that the development at the Hampton Business and Technology Park will be in conformance with the guidelines and zoning as set forth by the Town of Southampton Airport Planned Development District Master Plan. The attached Findings Statement was prepared by this department, Jenny Kohn from the County Attorneys Office, Jim Bagg, staff to CEQ and Dan Gulizio, Deputy Director of Planning.

Attached please find the draft resolution, Findings Statement and required SCIN's 175a and 175b. Copies have been filed electronically as required.

CEF/kmb
Attachment

cc: Jim Morgo, Chief Deputy County Executive

Steve Levy
Suffolk County Executive

Jim M. Morgo
Commissioner

Introductory Resolution No. 1161-08 Laid on Table 3/4/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. –2008, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSES

WHEREAS, the County of Suffolk is the fee owner of certain parcels which are particularly described in Exhibit "A" attached hereto:

WHEREAS, said parcels are surplus to the needs of the County of Suffolk; and

WHEREAS, section 72-H of the General Municipal Law permits the sale of real property between Municipal Corporations; and

WHEREAS, the Town of Brookhaven, Suffolk County, New York, has requested the County of Suffolk convey the above-described parcel to it see annexed Resolution hereto marked as Exhibit "B"; and

WHEREAS, the transfer of these parcels are pursuant to and in accordance with Local Law 13-2000, 2-2002 and 17-2004 which established and modified the Affordable Housing Opportunities Program; and

WHEREAS, the Suffolk County Department of Economic Development and Workforce Housing has approved the use of these parcels for the purposes stated above; now, therefore, be it

1st **RESOLVED,** the subject parcels shall be conveyed to the Town of Brookhaven, Suffolk County, New York for affordable housing use, together with the following restrictive covenants that will run with the land so conveyed and, additionally, if any one or more of the following occurs, the subject premises shall revert to the grantor as herein provided and as provided in any deed evidencing the transfer of the subject premises from the grantor to the grantee:

1. If the grantee is not restricted in its use of the subject premises solely and exclusively for affordable housing purposes; with all right, title, and interest reverting to the grantor, at the sole option of the grantor, in the event that the grantee, at any time uses or attempts to use said subject premises for other than affordable housing purposes, in

accordance with the approved plan submitted by the grantee. Such reverter clauses contained herein shall apply to the grantee, or any transferee from the grantee undertaking the construction, reconstruction or rehabilitation of affordable housing on the subject premises;

2. If the grantee fails to construct or complete construction of affordable housing unit or units on said property within three (3) years from the date of transfer unless an extension of time is granted in writing, for good cause shown, by the Suffolk County Director of Affordable Housing or any successor thereto. Such extension shall not exceed two two year extensions unless approved by duly enacted resolution of the grantor;

3. If the income, at initial occupancy, of the occupant should exceed 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;

4. If the subsidized purchase price of home should exceed 60% of median sales price for Suffolk County based upon the State of New York Mortgage Agency Guidelines;

5. If the rent should exceed HUD established fair market rent for Nassau-Suffolk PSMA based upon bedroom size;

6. If the affordable housing unit or units are owner-occupied, and the unit or units fail(s) to remain the principal residence of the owner for a period of five (5) consecutive years. If the affordable housing unit or units are tenant-occupied, and the unit or units fail(s) to remain affordable for ten (10) consecutive years;

7. If the grantee fails to certify to the Suffolk County Director of Affordable Housing prior to closing of the title with any affordable housing grantee

a. the dates of completion and occupancy for any affordable housing unit or units constructed or rehabilitated on said property; and

b. the total household income, from all sources, of the purchaser or purchasers of the property and his or her family; and

c. the total purchase or rental price of the affordable housing unit or units sold or otherwise transferred; and

d. the affordable housing unit or units meet local building and zoning codes;

8. If the grantee shall fail to provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31 of each year commencing December 31, 2008, on the subject premises, including, but not limited to, the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises; or

9. If any subsequent grantee fails to comply with all applicable state, federal, and local regulations pertaining to price, income eligibility and marketing standards for affordable housing programs.

2nd **RESOLVED,** the grantee will be restricted in its use of the subject parcels and will use said parcels solely and exclusively for affordable housing with all right title and interest reverting to the County of Suffolk in the event that the grantee at any time, uses or attempts to use said subject parcels for other than affordable housing or attempts to sell, transfer or otherwise dispose of or does, in fact, sell transfer or otherwise dispose of said subject parcels with said parcels being used thereafter for other than affordable housing.

3rd **RESOLVED,** that neither grantee nor any subsequent grantee shall bill or charge back to grantor any cost incurred or projected to be incurred for the cleaning up, removal and disposal of any debris, waste and /or contamination on said properties. In the event that such charge back or bill is rendered to the grantor the transfer shall be void ab initio and the realty shall revert to the grantor.

4th **RESOLVED,** that it is intended and agreed that the agreements and covenants contained in the deed evidencing transfer of subject premises shall be covenants running with the land and that they shall be, in any event , and without regard to technical classification of designation, legal or otherwise, and except only by law, binding for the benefit and in favor of, and enforceable by, the grantor, it being further understood that such agreements and covenants shall be binding only upon the grantee, if it be a municipality or any assignee of the grantee, undertaking the construction, reconstruction or rehabilitation of affordable housing, only for such period as they shall have title to or an interest in or possession of the property or part thereof.

5th **RESOLVED,** the conveyance of the parcel described to the Town of Brookhaven for the purposes described herein shall be for the sum of One Dollar, and, upon payment of such sum, all subsequent grantees of such subject premises shall comply with all applicable state, federal, and local regulations pertaining to the price, income eligibility and marketing standards for affordable housing programs.

6th **RESOLVED**, that Christopher E. Kent, Director of Real Property Acquisition and Management, or his designee, be and hereby is authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above-described properties upon the above-described terms and conditions.

7th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution is a Type II Action, constituting a Legislative decision in connection with routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities (NYCRR Section 617.5(c)(20) and (27)). As a Type II Action, the Legislature has no further responsibilities under SEQRA (6 NYCRR Section 617.5(a).

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Exhibit "A"

Tax Map No.	Location	Acre
0200-853.00-02.00-036.000	S/W/C/O Clinton Ave. & Herkimer St., Mastic	0.23
0200-909.00-08.00-020.000	S/S/O Coventry Ave., 246' E/O Clover St., Mastic	0.358

1161

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Section 72-h , General Municipal Law authorizing the sale of County owned Real Estate to a Municipality

3. Purpose of Proposed Legislation

Convey County owned parcel to the Town of Brookhaven for affordable housing purposes

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)

__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

Loss of County investment
Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2008

10. Name & Title of Preparer Signature of Preparer Date

R. J. Bhatt _____ _____ _____
LMS III

1161

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building - 2nd Floor
100 Veterans Memorial Highway
Post Office Box 6100
Hauppauge, New York 11788

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES
TOWN OF BROOKHAVEN

Tax Map No.: See attached Exhibit "A"

Section 72-h, Gen'l Municipal Law

	Amount
County Investment	$ 114,833.05
Demolition Cost	15,075.75
Total County Investment	$ 129,908.80

PURPOSE:

A. Affordable Housing	X
B. Town Parks	
C. Road/Highway	
D. Drainage/Recharge Basin	
E. Other	

Wayne R. Thompson
Property Manager
(631) 853-5971

WRT:slb

Gen A 2

1161

Ben Zwirn
Deputy County Executive
Intergovernmental Relations
H. Lee Dennison Building - 11th Floor
100 Veterans Memorial Highway
Post Office Box 6100
Hauppauge, NY 11788

Re: Tax Map No.: see attached Exhibit "A"
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the Town of Brookhaven for affordable housing purposes

Dear Mr. Zwirn:

Enclosed herewith is the original and one copy of the proposed resolution with documentation pursuant to:

Section 72-h, G.M.L. authorizing the sale of County owned real estate to the Town of Brookhaven for affordable housing purposes.

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

CEK:WRT:slb

Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo
Copy w/ Resolution to:
Connie Corso, Budget Director
Thomas A. Isles, Director of Planning
Jill Rosen-Nikoloff, Director of Affordable Housing
CE Reso Review, via e-mail

Introductory Resolution No. 1162-08 Laid on Table 3/4/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSES

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1. If the grantee is not restricted in its use of the subject premises solely and exclusively for affordable housing purposes; with all right, title, and interest reverting to the grantor, at the sole option of the grantor, in the event that the grantee, at any time uses or attempts to use said subject premises for other than affordable housing purposes, in accordance with the approved plan submitted by the grantee. Such reverter clauses contained herein shall apply to the grantee, or any transferee from the grantee undertaking the construction, reconstruction or rehabilitation of affordable housing on the subject premises;

2. If the grantee fails to construct or complete construction of affordable housing unit or units on said property within three (3) years from the date of transfer unless an extension of time is granted in writing, for good cause shown, by the Suffolk County Director of Affordable Housing or any successor thereto. Such extension shall not exceed two two year extensions unless approved by duly enacted resolution of the grantor;

3. If the income, at initial occupancy, of the occupant should exceed 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;

4. If the subsidized purchase price of home should exceed 60% of median sales price for Suffolk County based upon the State of New York Mortgage Agency Guidelines;

5. If the rent should exceed HUD established fair market rent for Nassau-Suffolk PSMA based upon bedroom size;

6. If the affordable housing unit or units are owner-occupied, and the unit or units fail(s) to remain the principal residence of the owner for a period of five (5) consecutive years. If the affordable housing unit or units are tenant-occupied, and the unit or units fail(s) to remain affordable for ten (10) consecutive years;

7. If the grantee fails to certify to the Suffolk County Director of Affordable Housing prior to closing of the title with any affordable housing grantee

a. the dates of completion and occupancy for any affordable housing unit or units constructed or rehabilitated on said property; and

b. the total household income, from all sources, of the purchaser or purchasers of the property and his or her family; and

c. the total purchase or rental price of the affordable housing unit or units sold or otherwise transferred; and

d. the affordable housing unit or units meet local building and zoning codes;

8. If the grantee shall fail to provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31 of each year commencing December 31, 2008, on the subject premises, including, but not limited to, the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises; or

9. If any subsequent grantee fails to comply with all applicable state, federal, and local regulations pertaining to price, income eligibility and marketing standards for affordable housing programs.

2nd **RESOLVED,** the grantee will be restricted in its use of the subject parcels and will use said parcels solely and exclusively for affordable housing with all right title and interest reverting to the County of Suffolk in the event that the grantee at any time, uses or attempts to use said subject parcels for other than affordable housing or attempts to sell, transfer or otherwise dispose of or does, in fact, sell transfer or otherwise dispose of said subject parcels with said parcels being used thereafter for other than affordable housing.

3rd **RESOLVED,** that neither grantee nor any subsequent grantee shall bill or charge back to grantor any cost incurred or projected to be incurred for the cleaning up, removal and disposal of any debris, waste and /or contamination on said properties. In the event that such charge back or bill is rendered to the grantor the transfer shall be void ab initio and the realty shall revert to the grantor.

4th **RESOLVED,** that it is intended and agreed that the agreements and covenants contained in the deed evidencing transfer of subject premises shall be covenants running with the land and that they shall be, in any event , and without regard to technical classification of designation, legal or otherwise, and except only by law, binding for the benefit and in favor of, and enforceable by, the grantor, it being further understood that such agreements and covenants shall be binding only upon the grantee, if it be a municipality or any assignee of the grantee, undertaking the construction, reconstruction or rehabilitation of affordable housing, only for such period as they shall have title to or an interest in or possession of the property or part thereof.

5th **RESOLVED,** the conveyance of the parcel described to the Town of Brookhaven for the purposes described herein shall be for the sum of One Dollar, and, upon payment of such sum, all subsequent grantees of such subject premises shall comply with all applicable state, federal, and local regulations pertaining to the price, income eligibility and marketing standards for affordable housing programs.

6th **RESOLVED**, that Christopher E. Kent, Director of Real Property Acquisition and Management, or his designee, be and hereby is authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above-described properties upon the above-described terms and conditions.

7th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution is a Type II Action, constituting a Legislative decision in connection with routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities (NYCRR Section 617.5(c)(20) and (27)). As a Type II Action, the Legislature has no further responsibilities under SEQRA (6 NYCRR Section 617.5(a).

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Exhibit "A"

Tax Map No.	Location	Acre
0200-959.00-05.00-029.000	715 Michigan Avenue Bellport	0.17
0200-959.00-06.00-017.000	819 Doane Avenue Bellport	0.20
0200-973.70-04.00-032.000	716 Narragansett Avenue Patchogue	0.18

Exhibit "B"

1162

ADOPTED

BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 578-07
MEETING OF: June 5, 2007

AUTHORIZATION TO EXECUTE ALL DEEDS AND RELATED DOCUMENTS TO TRANSFER SUFFOLK COUNTY FORECLOSED PROPERTIES TO TOWN OF BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSES IN BELLPORT AND PATCHOGUE

WHEREAS, the County of Suffolk wishes to transfer undeveloped properties from its foreclosure inventory to the Town of Brookhaven in order for the Town to transfer these properties to not-for-profit corporations for the development of affordable housing; and

WHEREAS, the Bellport, Hagerman, East Patchogue Alliance (BHEP) and the Community Development Corporation of Long Island have requested that the Town of Brookhaven transfer Suffolk County parcels as noted in Exhibit "A" attached herein, in order for these organizations to jointly undertake an affordable housing project; and

WHEREAS, the Town of Brookhaven is desirous of assisting these not-for-profit corporations to construct housing that is affordable to lower income residents; and

NOW, THEREFORE BE IT RESOLVED by the Town Board of the Town of Brookhaven that the Supervisor or his deputy is hereby authorized to execute any agreements and/or instruments, approved as to form by the Department of Law, providing for the conveyance of the foreclosed properties more particularly described in Exhibit "A" hereto, from the County of Suffolk to the Town of Brookhaven and subsequently from the Town of Brookhaven to the Bellport, Hagerman, East Patchogue Alliance (BHEP) and the Community Development Corporation of Long Island, for the express purpose of developing affordable housing; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to post and publish the notice of adoption of this resolution, which is subject to permissive referendum.

1162

REFERENDUM CERTIFICATE

CERTIFICATE OF CLERK

I, PAMELA J. BETHEIL, Town Clerk of the Town of Brookhaven, in the County of Suffolk, State of New York, HEREBY CERTIFY, as follows:

That a resolution of the Town Board of the Town of Brookhaven, in the County of Suffolk, State of New York, was adopted on June 5, 2007 regarding authorizing the execution of all deeds and related documents to transfer Suffolk County foreclosed properties to Town of Brookhaven for affordable housing purposes to the following not-for-profit corporations: Bellport, Hagerman, East Patchogue Alliance and the Community Development Corporation of Long Island and such resolution was subject to a permissive referendum, and that notice setting forth the date of adoption of the resolution and containing an abstract of said resolution which concisely stated the purpose and effect, thereof, was duly posted and published as required by law.

That no petition signed and acknowledged by the electors of the Town protesting against said resolution, and requesting that it be submitted for the approval or disapproval of the electors of the Town, has been filed with the Town Clerk within thirty (30) days after the date of adoption, thereof, or at any other time since said adoption.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 6th day of July, 2007.

THIS IS TO CERTIFY THAT THIS IS A TRUE AND ACCURATE CERTIFIED COPY OF THE OFFICIAL DOCUMENT ON FILE IN THE TOWN CLERK'S OFFICE OF THE TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NY

Pamela J. Betheil

PAMELA J. BETHEIL, TOWN CLERK DATED: 7/25/07

DO NOT ACCEPT UNLESS THE RAISED SEAL OF THE TOWN OF BROOKHAVEN IS AFFIXED HEREON

Pamela J. Betheil

PAMELA J. BETHEIL, TOWN CLERK
TOWN OF BROOKHAVEN

EXHIBIT A

1162

DSBL	LOCATION	TRANSFER TO
200-959-06-017	819 Doane Ave., Bellport	BHEP
200-959-05-029	715 Michigan Ave., Bellport	BHEP
200-973.70-04-032	716 Narragansett Ave., Patchogue	CDCLI

THIS IS TO CERTIFY THAT THIS IS A TRUE AND ACCURATE CERTIFIED COPY OF THE OFFICIAL DOCUMENT ON FILE IN THE TOWN CLERK'S OFFICE OF THE TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NY

Pamela J. Bethell

PAMELA J. BETHEIL, TOWN CLERK DATED: 7/25/07

DO NOT ACCEPT UNLESS THE RAISED SEAL OF THE TOWN OF BROOKHAVEN IS AFFIXED HEREON

1162

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building - 2nd Floor
100 Veterans Memorial Highway
Post Office Box 6100
Hauppauge, New York 11788

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES
TOWN OF BROOKHAVEN

Tax Map No.: See attached Exhibit "A"

Section 72-h, Gen'l Municipal Law

	Amount
County Investment	$146,405.32
Demolition & Cleanup Cost	$ 36,175.78
Total County Investment	182,581.10

PURPOSE:

A. Affordable Housing	X
B. Town Parks	
C. Road/Highway	
D. Drainage/Recharge Basin	
E. Other	

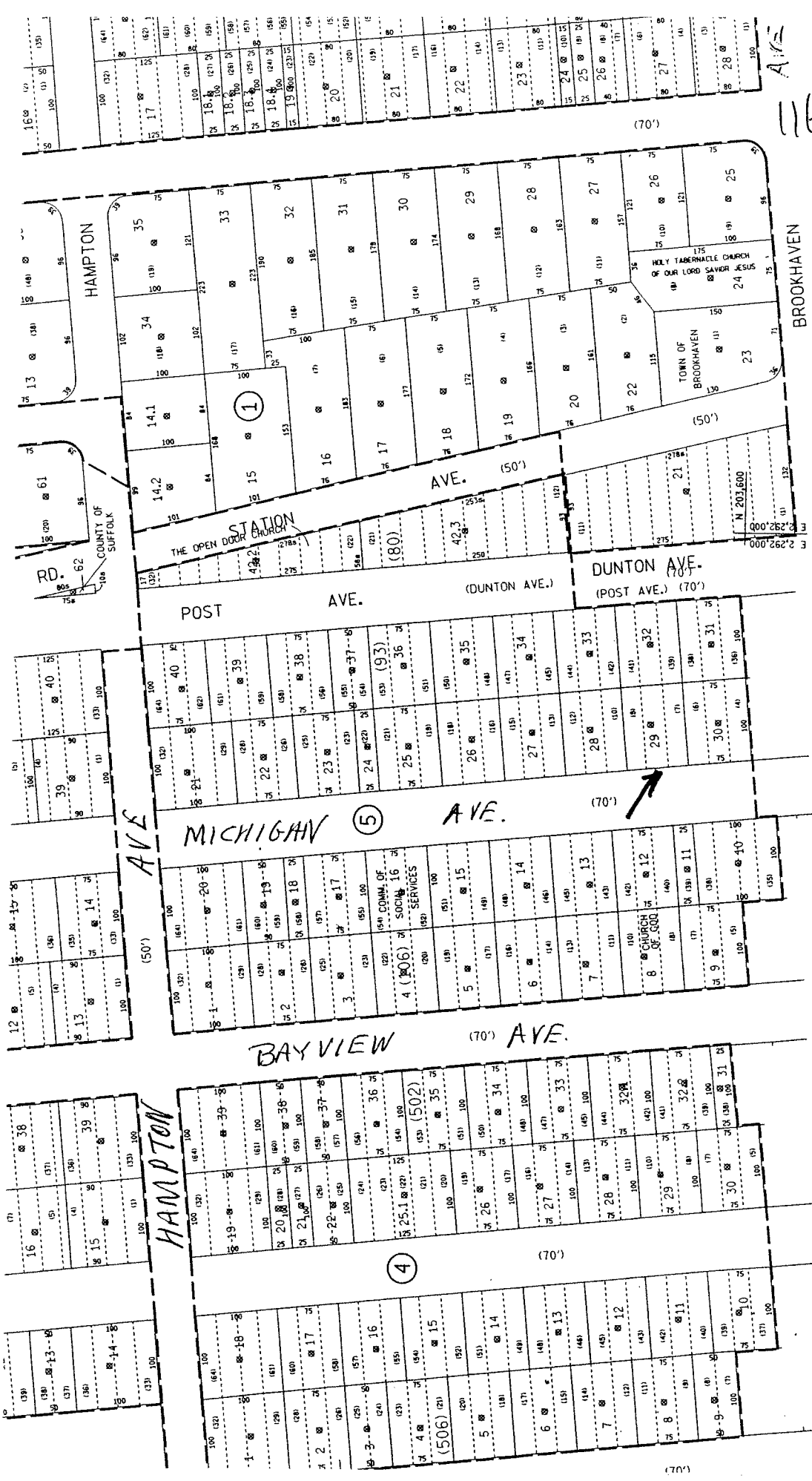
Wayne R. Thompson
Property Manager
(631) 853-5971

WRT:slb

1162

BUILDING DEMOLISHED
ON
NOVEMBER 1ST 2006

http://gas.county.suf/servlet/com.esri.esrimap.Esrimap?ServiceName=real&ClientVersion=4.0&Form=True&Encode=False



TM # 0200-959.00-05.00-029

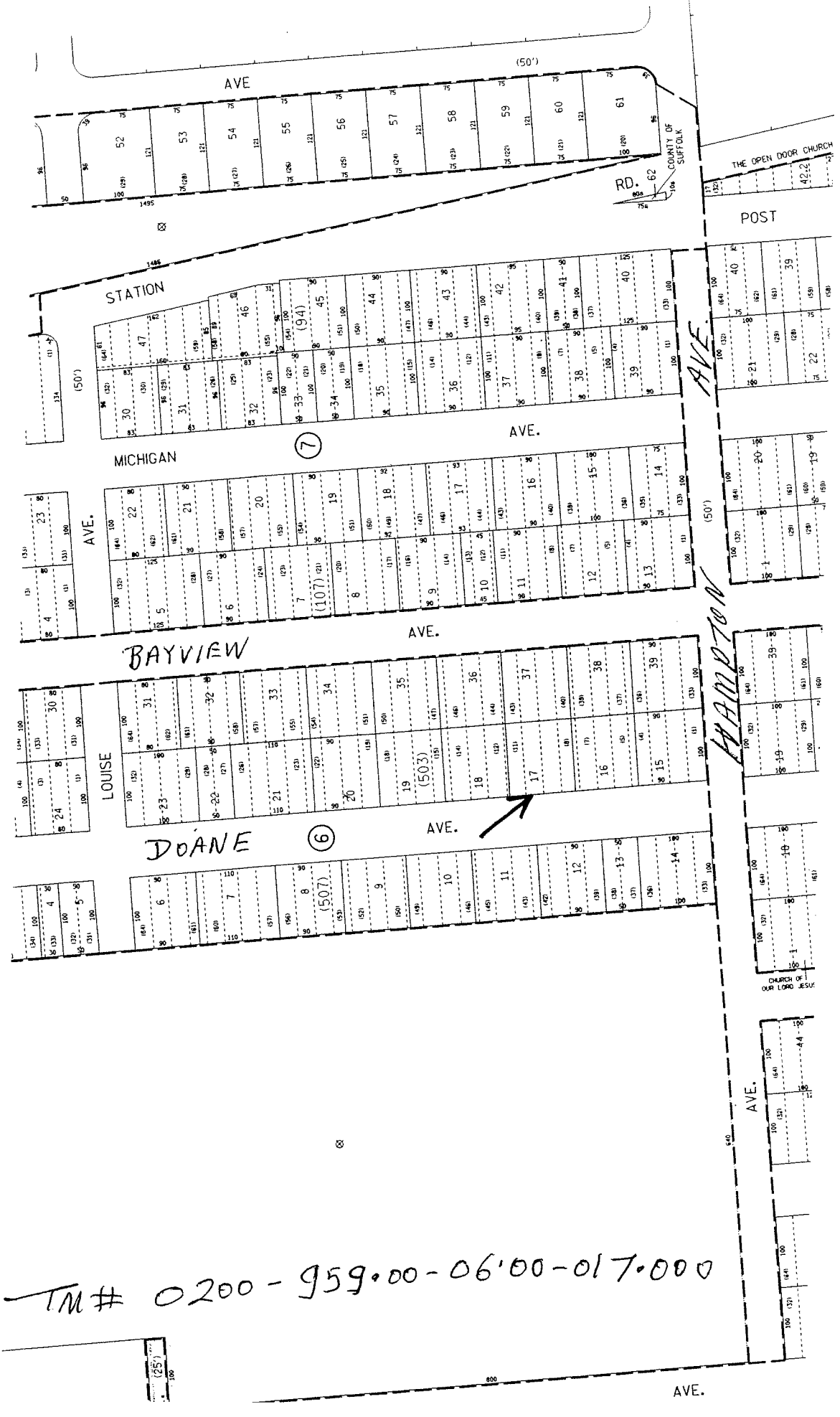
1/28/2008 -- 8:08:47 AM -- \\R4\rp\draft\viewer0200\prod\2095900x.dgn DSBL: 0200 95900 0500 029000

TM# 0200-959.00-06.00-017.000

1162

BUILDING DEMOLISHED ON NOVEMBER 1ST 2006

1162



TM# 0200-959.00-06.00-017.000

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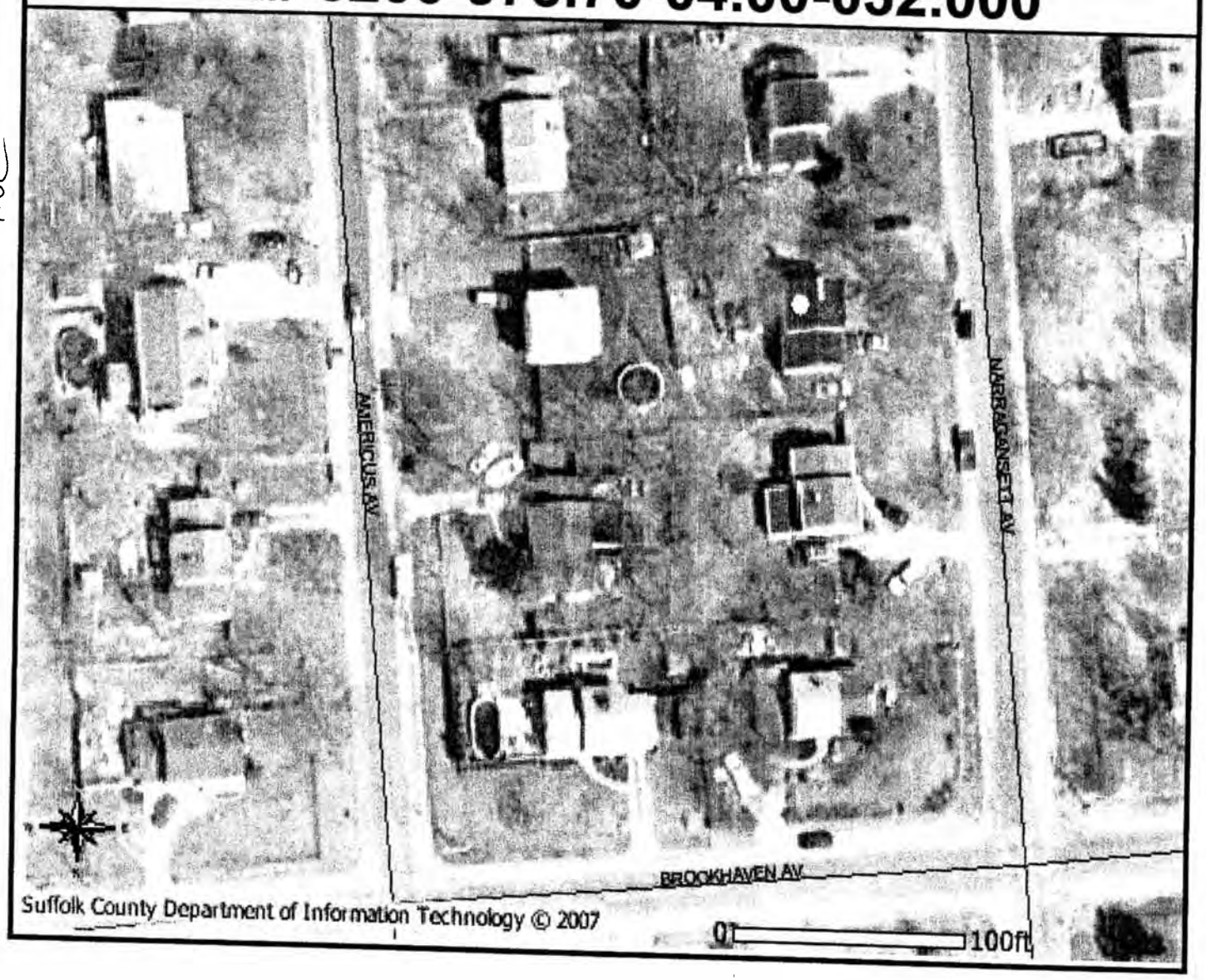
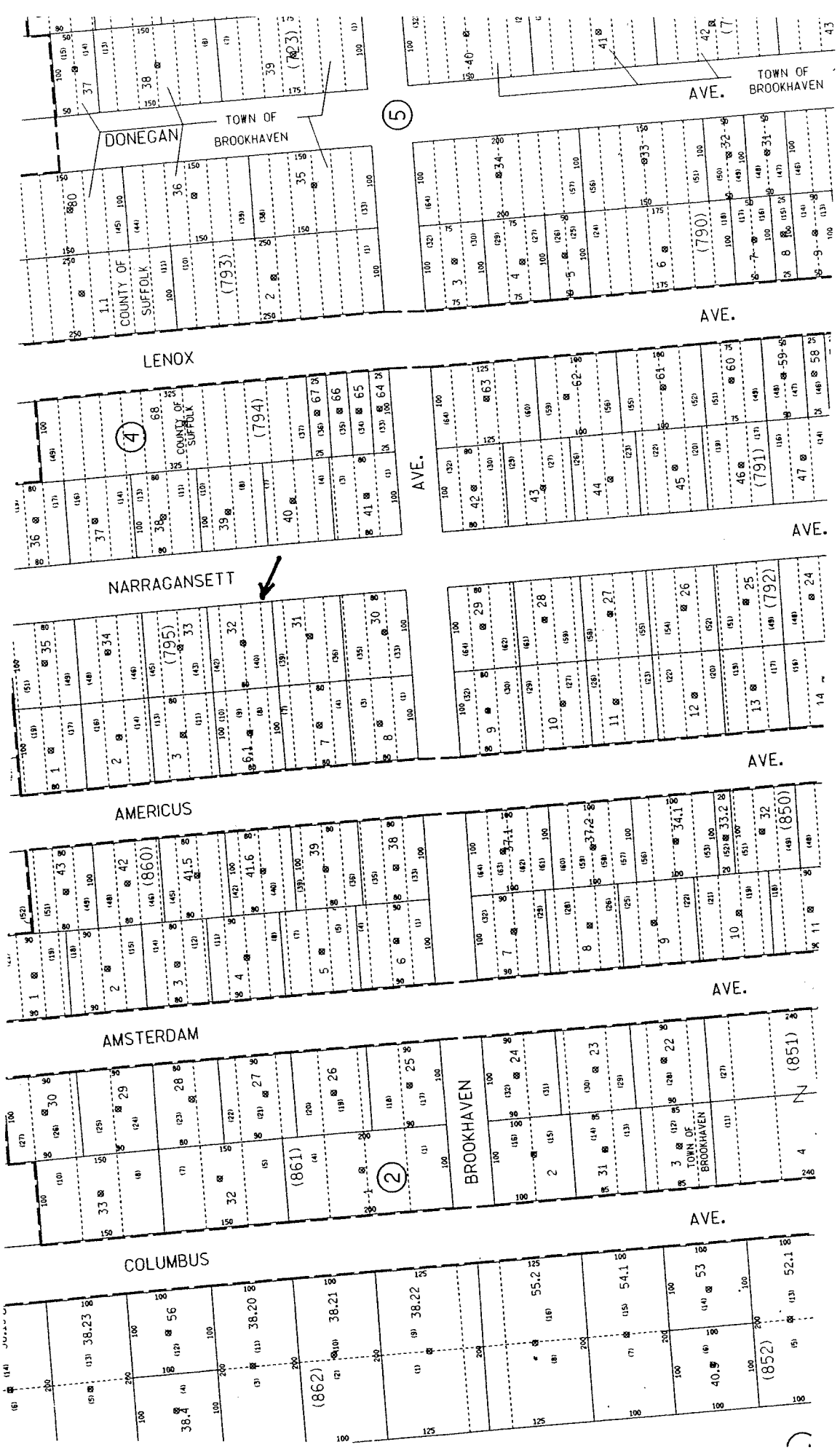
TM# 0200-973.70-04.00-032.000





1162

Tm # 0200-973.70-04.00-032.000

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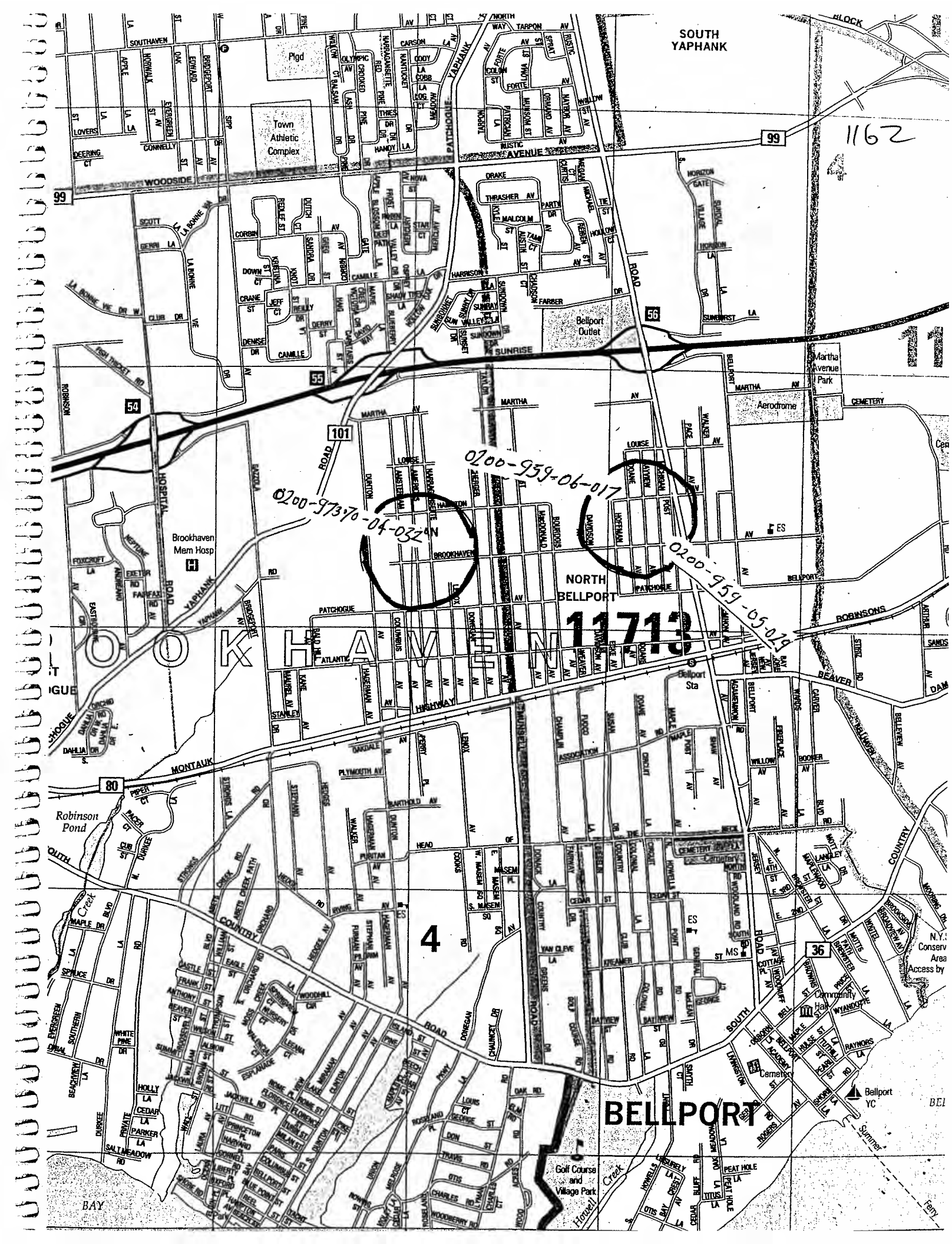


SOUTH YAPHANK
Town Athletic Complex
Bellport Outlet
Martha Avenue Park
Aerodrome
Brookhaven Mem Hosp
NORTH BELLPORT
11713
BROOKHAVEN
Bellport Sta
Robinson Pond
Community Hall
Cemetery
Bellport YC
BELLPORT
Golf Course and Village Park
Howell Creek
Summer
Ferry
BAY
0200-959-06-017
0200-973-70-04-032
0200-959-05-029
1162
4

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1162

1. Type of Legislation

Resolution __X_____ Local Law _____Charter Law _____

2. Title of Proposed Legislation

Section 72-h , General Municipal Law authorizing the sale of County owned Real Estate
to a Municipality

3. Purpose of Proposed Legislation

Convey County owned parcel to the Town of Brookhaven for affordable housing purposes

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)

__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

Loss of County investment
Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2008

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

R. J. Bhatt _____ _____ 1/28/08
LMS III

COUNTY OF SUFFOLK

1162

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

Inter-office Communication
COUNTY OF SUFFOLK

TO: Christopher E. Kent
Director of Real Property Acquisition and Management

FROM: Auction, & Sales Unit

DATE: January 28, 2008

SUBJECT: DISPOSITION OF REAL PROPERTY
SUBMISSION OF RESOLUTION FOR APPROVAL
Tax Map No.: see attached Exhibit "A"

Attached are the following documents for your review and approval:

Transmittal Letter

Resolution Pursuant to Section 72-h, G.M.L.

Summary Statement for Municipal Sale

Sponsor's Memo For County Legislation

APPROVED AND RECOMMENDED BY:

Wayne R. Thompson

Date: 1/29/08

Wayne R. Thompson
Property Manager

Note: Resolution package and file to be returned to agent.

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

Gen A 3
FEB 0 4 2008

1162

COUNTY OF SUFFOLK

CHRISTOPHER E. KENT
DIVISION DIRECTOR

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

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

January 28, 2008

Ben Zwirn
Assistant Deputy County Executive
Intergovernmental Relations
H. Lee Dennison Building - 11th Floor
100 Veterans Memorial Highway
Post Office Box 6100
Hauppauge, NY 11788

Re: Tax Map No.: see attached Exhibit "A"
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to a Town of Brookhaven for Affordable Housing Purposes

Dear Mr. Zwirn:

Enclosed herewith is the original and one copy of the proposed resolution with documentation pursuant to:

Section 72-h, G.M.L. authorizing the sale of County owned real estate to the Town of Brookhaven for affordable housing purposes.

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

CEK:WRT:slb

Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo
Copy w/ Resolution to:
Connie Corso, Budget Director
Thomas A. Isles, Director of Planning
Jill Rosen-Nikoloff,, Director of Affordable Housing
CE Reso Review, via e-mail

Introductory Resolution No. 1163-08 Laid on Table 3/4/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. –2008, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSES (SCTM NO. 0200-979.10-06.00-046.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 979.10, Block 06.00, Lot 046.000, and acquired by tax deed on March 4, 2002, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on March 9, 2002, in Liber 12173, CP 275 and otherwise known as and by Town of Brookhaven, known and designated as Lots No. 5061 to 5065 inclusive as shown on a certain map entitled "Map of Mastic Beach" and filed in the Suffolk County Clerk's Office on June 3, 1926 as Map No. 1004; and

WHEREAS, said parcel is surplus to the needs of the County of Suffolk; and

WHEREAS, section 72-H of the General Municipal Law permits the sale of real property between Municipal Corporations; and

WHEREAS, the Town of Brookhaven, Suffolk County, New York, has requested the County of Suffolk convey the above-described parcel to it (see annexed Resolution hereto marked as Exhibit "A"); and

WHEREAS, the transfer of this parcel is pursuant to and in accordance with Local Law 13-2000, 2-2002 and 17-2004 which established and modified the Affordable Housing Opportunities Program; and

WHEREAS, the Suffolk County Department of Economic Development and Workforce Housing has approved the use of this parcel for the purposes stated above; now, therefore, be it

1st **RESOLVED**, the subject parcel shall be conveyed to the Town of Brookhaven, Suffolk County, New York for affordable housing use, together with the following restrictive covenants that will run with the land so conveyed and, additionally, if any one or more of the following occurs, the subject premises shall revert to the grantor as herein provided and as provided in any deed evidencing the transfer of the subject premises from the grantor to the grantee:

1. If the grantee is not restricted in its use of the subject premises solely and exclusively for affordable housing purposes; with all right, title, and interest reverting to the grantor, at the sole option of the grantor, in the event that the grantee, at any time uses or attempts to use said subject premises for other than affordable housing purposes, in accordance with the approved plan submitted by the grantee. Such reverter clauses contained herein shall apply to the grantee, or any transferee from the grantee undertaking the construction, reconstruction or rehabilitation of affordable housing on the subject premises;

2. If the grantee fails to construct or complete construction of affordable housing unit or units on said property within three (3) years from the date of transfer unless an extension of time is granted in writing, for good cause shown, by the Suffolk County Director of Affordable Housing or any

successor thereto. Such extension shall not exceed two two year extensions unless approved by duly enacted resolution of the grantor;

3. If the income, at initial occupancy, of the occupant should exceed 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;

4. If the subsidized purchase price of home should exceed 60% of median sales price for Suffolk County based upon the State of New York Mortgage Agency Guidelines;

5. If the rent should exceed HUD established fair market rent for Nassau-Suffolk PSMA based upon bedroom size;

6. If the affordable housing unit or units are owner-occupied, and the unit or units fail(s) to remain the principal residence of the owner for a period of five (5) consecutive years. If the affordable housing unit or units are tenant-occupied, and the unit or units fail(s) to remain affordable for ten (10) consecutive years;

7. If the grantee fails to certify to the Suffolk County Director of Affordable Housing prior to closing of the title with any affordable housing grantee

a. the dates of completion and occupancy for any affordable housing unit or units constructed or rehabilitated on said property; and

b. the total household income, from all sources, of the purchaser or purchasers of the property and his or her family; and

c. the total purchase or rental price of the affordable housing unit or units sold or otherwise transferred; and

d. the affordable housing unit or units meet local building and zoning codes;

8. If the grantee shall fail to provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31 of each year commencing December 31, 2008, on the subject premises, including, but not limited to, the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises; or

9. If any subsequent grantee fails to comply with all applicable state, federal, and local regulations pertaining to price, income eligibility and marketing standards for affordable housing programs.

2nd **RESOLVED,** the grantee will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for affordable housing with all right title and interest reverting to the County of Suffolk in the event that the grantee at any time, uses or attempts to use said subject parcel for other than affordable housing or attempts to sell, transfer or otherwise dispose of or does, in fact, sell transfer or otherwise dispose of said subject parcel with said parcel being used thereafter for other than affordable housing.

3rd **RESOLVED,** that neither grantee nor any subsequent grantee shall bill or charge back to grantor any cost incurred or projected to be incurred for the cleaning up, removal and disposal of any debris, waste and /or contamination on said property. In the event that such charge back or bill is rendered to the grantor the transfer shall be void ab initio and the realty shall revert to the grantor.

4th **RESOLVED,** that it is intended and agreed that the agreements and covenants contained in the deed evidencing transfer of subject premises shall be covenants running with the land and that they shall be, in any event , and without regard to technical classification of designation, legal or otherwise, and except only by law, binding for the benefit and in favor of, and enforceable by, the grantor, it being further understood that such agreements and covenants shall be binding only upon the grantee, if it be a municipality or any assignee of the grantee, undertaking the construction, reconstruction or rehabilitation of affordable housing, only for such period as they shall have title to or an interest in or possession of the property or part thereof.

5th **RESOLVED,** the conveyance of the parcel described to the Town of Brookhaven for the purposes described herein shall be for the sum of One Dollar, and, upon payment of such sum, all subsequent grantees of such subject premises shall comply with all applicable state, federal, and local regulations pertaining to the price, income eligibility and marketing standards for affordable housing programs.

6th **RESOLVED**, that Christopher E. Kent, Director of Real Property Acquisition and Management, or his designee, be and hereby is authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above-described property upon the above-described terms and conditions.

7th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution is a Type II Action, constituting a Legislative decision in connection with routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities (NYCRR Section 617.5(c)(20) and (27)). As a Type II Action, the Legislature has no further responsibilities under SEQRA (6 NYCRR Section 617.5(a).

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Exhibit "A" 1163

ADOPTED

BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 575-07
MEETING OF: June 5, 2007

AUTHORIZATION TO EXECUTE ALL DEEDS AND RELATED DOCUMENTS TO TRANSFER SUFFOLK COUNTY FORECLOSED PROPERTIES TO TOWN OF BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSES IN MASTIC

WHEREAS, the County of Suffolk wishes to transfer undeveloped properties from its foreclosure inventory to the Town of Brookhaven in order for the Town to transfer these properties to not-for-profit corporations for the development of affordable housing; and

WHEREAS, Habitat for Humanity of Suffolk has requested that the Town of Brookhaven transfer the Suffolk County parcel as noted in Exhibit "A" attached herein, in order for this organization to undertake an affordable housing project; and

WHEREAS, the Town of Brookhaven is desirous of assisting this not-for-profit corporation to construct housing that is affordable to lower income residents; and

NOW, THEREFORE BE IT RESOLVED by the Town Board of the Town of Brookhaven that the Supervisor or his deputy is hereby authorized to execute any agreements and/or instruments, approved as to form by the Department of Law, providing for the conveyance of the foreclosed property more particularly described in Exhibit "A" hereto, from the County of Suffolk to the Town of Brookhaven and subsequently from the Town of Brookhaven to Habitat for Humanity Suffolk Housing Development Fund Co. for the express purpose of developing affordable housing; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to post and publish the notice of adoption of this resolution, which is subject to permissive referendum.

1163

REFERENDUM CERTIFICATE

CERTIFICATE OF CLERK

I, PAMELA J. BETHEIL, Town Clerk of the Town of Brookhaven, in the County of Suffolk, State of New York, HEREBY CERTIFY, as follows:

That a resolution of the Town Board of the Town of Brookhaven, in the County of Suffolk, State of New York, was adopted on June 5, 2007 regarding authorizing the execution of all deeds and related documents to transfer Suffolk County foreclosed properties to Town of Brookhaven for affordable housing purposes to the following not-for-profit corporation: Habitat for Humanity Suffolk Housing Development Fund Co. and such resolution was subject to a permissive referendum, and that notice setting forth the date of adoption of the resolution and containing an abstract of said resolution which concisely stated the purpose and effect, thereof, was duly posted and published as required by law.

That no petition signed and acknowledged by the electors of the Town protesting against said resolution, and requesting that it be submitted for the approval or disapproval of the electors of the Town, has been filed with the Town Clerk within thirty (30) days after the date of adoption, thereof, or at any other time since said adoption.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 6th day of July, 2007.

THIS IS TO CERTIFY THAT THIS IS A TRUE AND ACCURATE CERTIFIED COPY OF THE OFFICIAL DOCUMENT ON FILE IN THE TOWN CLERK'S OFFICE OF THE TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NY

Pamela J. Betheil

PAMELA J. BETHEIL, TOWN CLERK DATED: 7/25/07

DO NOT ACCEPT UNLESS THE RAISED SEAL OF THE TOWN OF BROOKHAVEN IS AFFIXED HEREON

Pamela J. Betheil

PAMELA J. BETHEIL, TOWN CLERK
TOWN OF BROOKHAVEN

EXHIBIT A

1163

DSBL	LOCATION	TRANSFER TO
200-979.10-06-046	6 Juniper Rd., Mastic	Habitat

THIS IS TO CERTIFY THAT THIS IS A TRUE
AND ACCURATE CERTIFIED COPY OF THE
OFFICIAL DOCUMENT ON FILE IN THE
TOWN CLERK'S OFFICE OF THE TOWN OF
BROOKHAVEN, SUFFOLK COUNTY, NY

Pamela J. Bethell

PAMELA J. BETHEIL, TOWN CLERK DATED: 7/25/07
DO NOT ACCEPT UNLESS THE RAISED SEAL OF
THE TOWN OF BROOKHAVEN IS AFFIXED HEREON

1163

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building - 2nd Floor
100 Veterans Memorial Highway
Post Office Box 6100
Hauppauge, New York 11788

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES
TOWN OF BROOKHAVEN

Tax Map No.: 0200-979.10-06.00-046.000

Section 72-h, Gen'l Municipal Law

	Amount
County Investment	$40,019.77
Maintenance Cost	6,524.00
Total County Investment	46,543.77

PURPOSE:

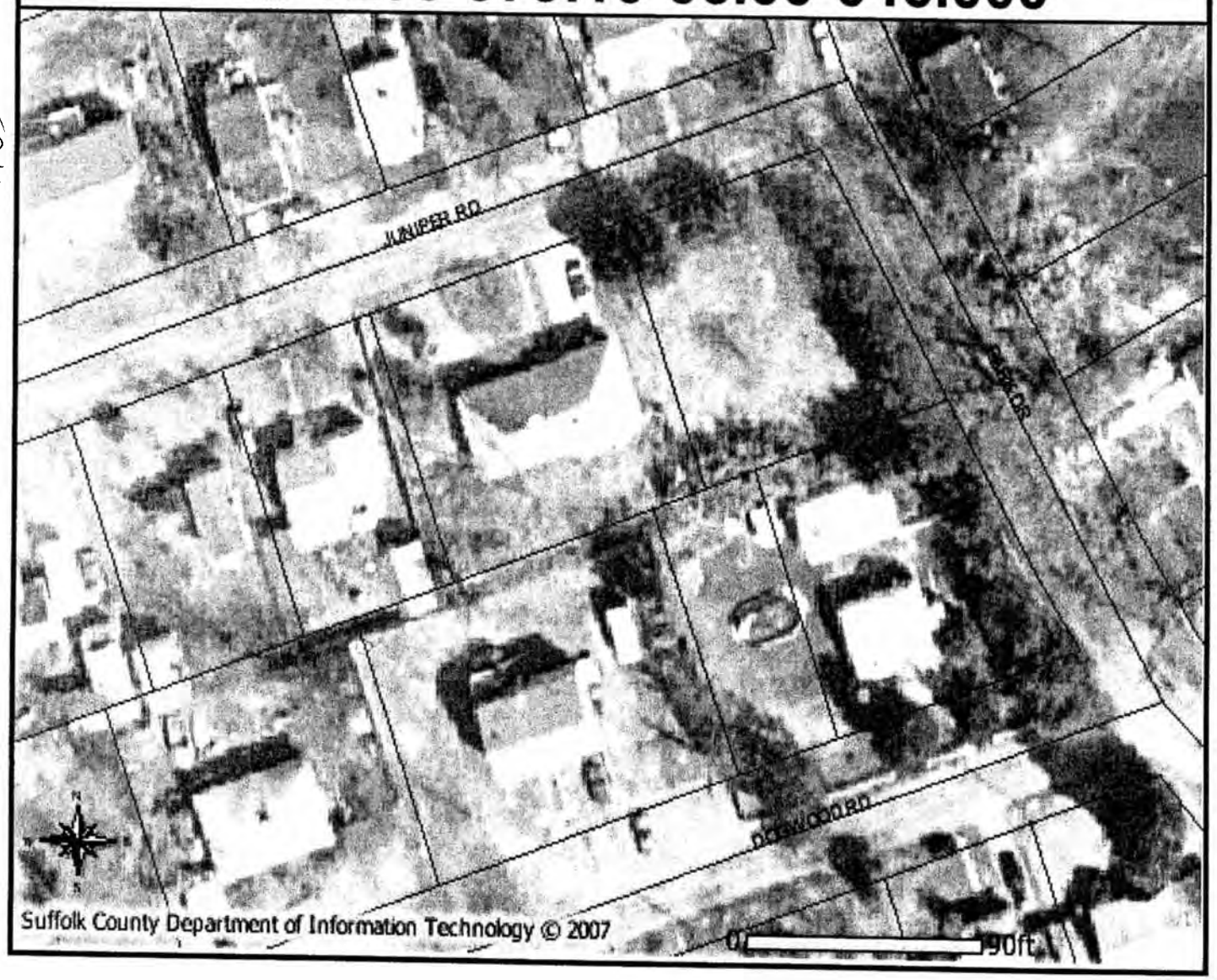
A. Affordable Housing	X
B. Town Parks	
C. Road/Highway	
D. Drainage/Recharge Basin	
E. Other	

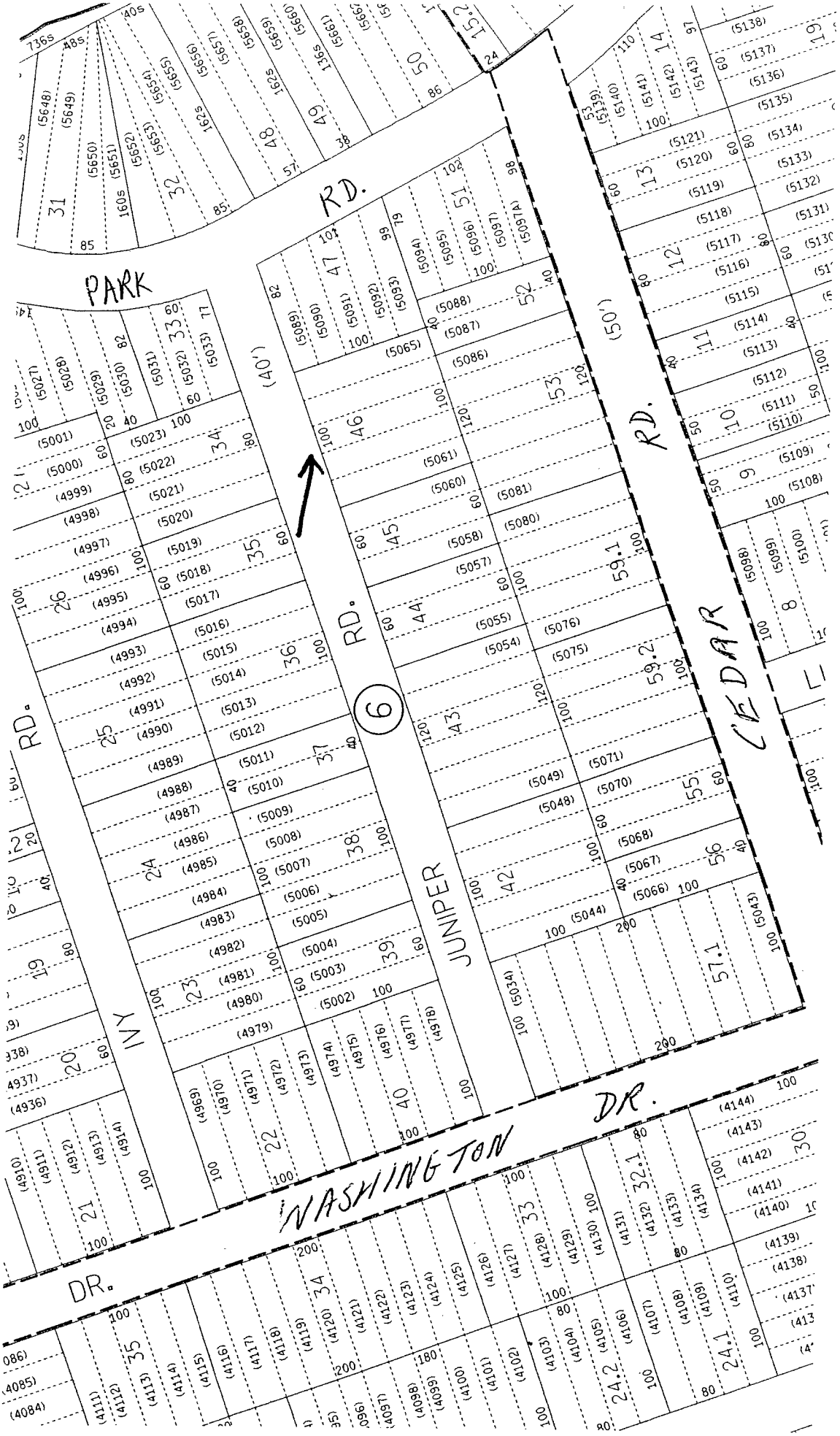
Wayne R. Thompson
Property Manager
(631) 853-5971

WRT:slb

1163

TM# 0200-979.10-06.00-046.000





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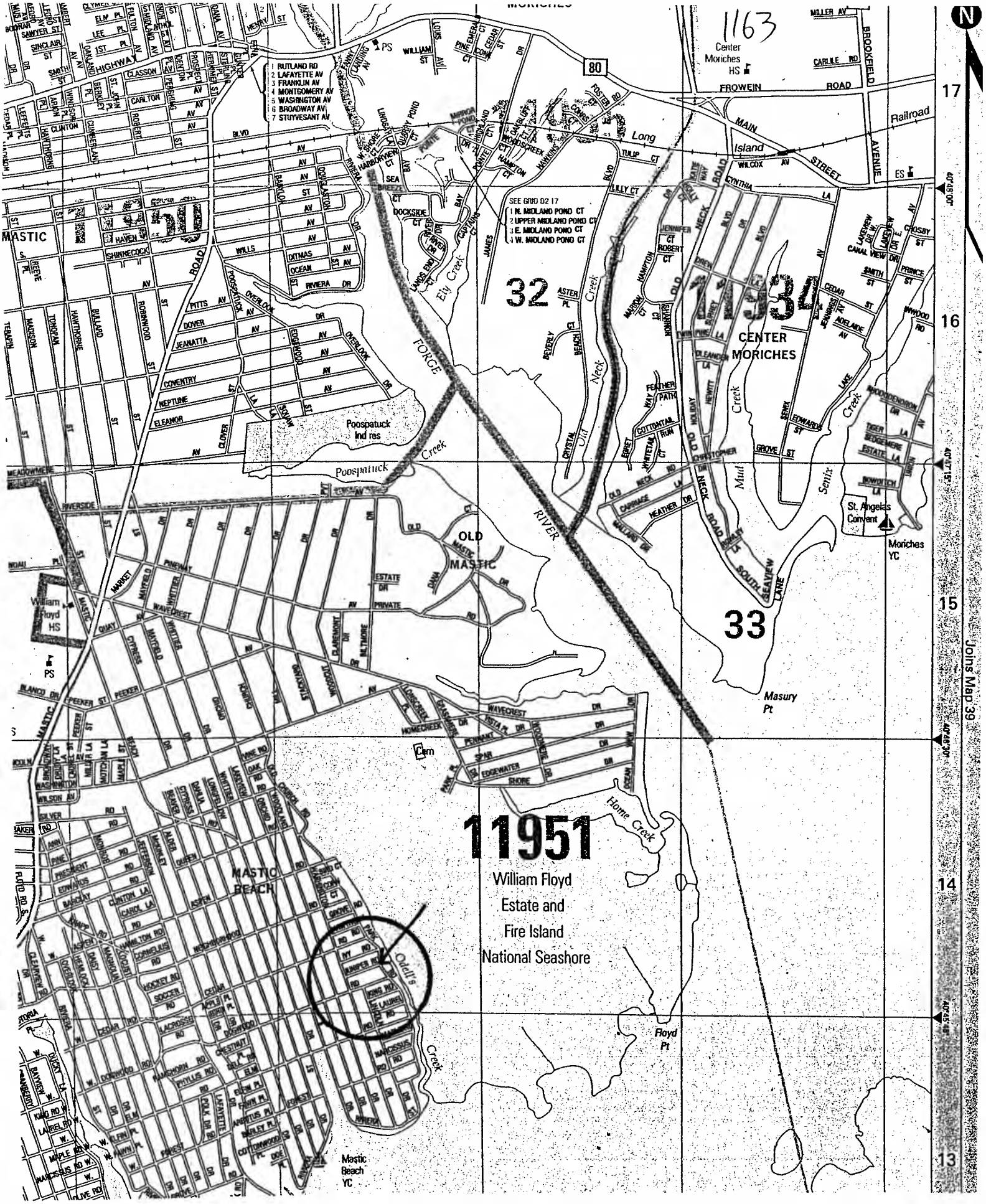

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STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Section 72-h , General Municipal Law authorizing the sale of County owned Real Estate to a Municipality

3. Purpose of Proposed Legislation

Convey County owned parcel to the Town of Brookhaven for affordable housing purposes

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)

__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

Loss of County investment
Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

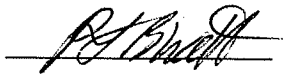
9. Timing of Impact

2008

10. Typed Name & Title of Preparer

R. J. Bhatt
LMS III

Signature of Preparer



Date

1/31/08

Gen AL

FEB 0 5 2008

COUNTY OF SUFFOLK

1163

CHRISTOPHER E. KENT
DIVISION DIRECTOR

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

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

Ben Zwirn
Deputy County Executive
Intergovernmental Relations
H. Lee Dennison Building - 11th Floor
100 Veterans Memorial Highway
Post Office Box 6100
Hauppauge, NY 11788

Re: Tax Map No.: 0200-979.10-06.00-046.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to a Municipality, State, or Federal Government.

Dear Mr. Zwirn:

Enclosed herewith is the original and one copy of the proposed resolution with documentation pursuant to:

Section 72-h, G.M.L. authorizing the sale of County owned real estate to the Town of Brookhaven for affordable housing purposes.

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

CEK:WRT:slb

Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo
Copy w/ Resolution to:
Connie Corso, Budget Director
Thomas A. Isles, Director of Planning
Jill Rosen-Nikoloff, Director of Affordable Housing
CE Reso Review, via e-mail

Introductory Resolution No. 1164-08 Laid on Table 3/4/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. –2008, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSES

WHEREAS, the County of Suffolk is the fee owner of certain parcels which are particularly described in Exhibit "A" attached hereto:

WHEREAS, said parcels are surplus to the needs of the County of Suffolk; and

WHEREAS, section 72-H of the General Municipal Law permits the sale of real property between Municipal Corporations; and

WHEREAS, the Town of Brookhaven, Suffolk County, New York, has requested the County of Suffolk convey the above-described parcel to it see annexed Resolution hereto marked as Exhibit "B"; and

WHEREAS, the transfer of these parcels are pursuant to and in accordance with Local Law 13-2000, 2-2002 and 17-2004 which established and modified the Affordable Housing Opportunities Program; and

WHEREAS, the Suffolk County Department of Economic Development and Workforce Housing has approved the use of these parcels for the purposes stated above; now, therefore, be it

1st **RESOLVED,** the subject parcels shall be conveyed to the Town of Brookhaven, Suffolk County, New York for affordable housing use, together with the following restrictive covenants that will run with the land so conveyed and, additionally, if any one or more of the following occurs, the subject premises shall revert to the grantor as herein provided and as provided in any deed evidencing the transfer of the subject premises from the grantor to the grantee:

1. If the grantee is not restricted in its use of the subject premises solely and exclusively for affordable housing purposes; with all right, title, and interest reverting to the grantor, at the sole option of the grantor, in the event that the grantee, at any time uses or attempts to use said subject premises for other than affordable housing purposes, in accordance with the approved plan submitted by the grantee. Such reverter clauses contained herein shall apply to the grantee, or any transferee from the grantee undertaking the construction, reconstruction or rehabilitation of affordable housing on the subject premises;

2. If the grantee fails to construct or complete construction of affordable housing unit or units on said property within three (3) years from the date of transfer unless an extension of time is granted in writing, for good cause shown, by the Suffolk County Director of Affordable Housing or any successor thereto. Such extension shall not exceed two two year extensions unless approved by duly enacted resolution of the grantor;

3. If the income, at initial occupancy, of the occupant should exceed 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;

4. If the subsidized purchase price of home should exceed 60% of median sales price for Suffolk County based upon the State of New York Mortgage Agency Guidelines;

5. If the rent should exceed HUD established fair market rent for Nassau-Suffolk PSMA based upon bedroom size;

6. If the affordable housing unit or units are owner-occupied, and the unit or units fail(s) to remain the principal residence of the owner for a period of five (5) consecutive years. If the affordable housing unit or units are tenant-occupied, and the unit or units fail(s) to remain affordable for ten (10) consecutive years;

7. If the grantee fails to certify to the Suffolk County Director of Affordable Housing prior to closing of the title with any affordable housing grantee

a. the dates of completion and occupancy for any affordable housing unit or units constructed or rehabilitated on said property; and

b. the total household income, from all sources, of the purchaser or purchasers of the property and his or her family; and

c. the total purchase or rental price of the affordable housing unit or units sold or otherwise transferred; and

d. the affordable housing unit or units meet local building and zoning codes;

8. If the grantee shall fail to provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31 of each year commencing December 31, 2008, on the subject premises, including, but not limited to, the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises; or

9. If any subsequent grantee fails to comply with all applicable state, federal, and local regulations pertaining to price, income eligibility and marketing standards for affordable housing programs.

2nd **RESOLVED,** the grantee will be restricted in its use of the subject parcels and will use said parcels solely and exclusively for affordable housing with all right title and interest reverting to the County of Suffolk in the event that the grantee at any time, uses or attempts to use said subject parcels for other than affordable housing or attempts to sell, transfer or otherwise dispose of or does, in fact, sell transfer or otherwise dispose of said subject parcels with said parcels being used thereafter for other than affordable housing.

3rd **RESOLVED,** that neither grantee nor any subsequent grantee shall bill or charge back to grantor any cost incurred or projected to be incurred for the cleaning up, removal and disposal of any debris, waste and /or contamination on said properties. In the event that such charge back or bill is rendered to the grantor the transfer shall be void ab initio and the realty shall revert to the grantor.

4th **RESOLVED,** that it is intended and agreed that the agreements and covenants contained in the deed evidencing transfer of subject premises shall be covenants running with the land and that they shall be, in any event , and without regard to technical classification of designation, legal or otherwise, and except only by law, binding for the benefit and in favor of, and enforceable by, the grantor, it being further understood that such agreements and covenants shall be binding only upon the grantee, if it be a municipality or any assignee of the grantee, undertaking the construction, reconstruction or rehabilitation of affordable housing, only for such period as they shall have title to or an interest in or possession of the property or part thereof.

5th **RESOLVED,** the conveyance of the parcel described to the Town of Brookhaven for the purposes described herein shall be for the sum of One Dollar, and, upon payment of such sum, all subsequent grantees of such subject premises shall comply with all applicable state, federal, and local regulations pertaining to the price, income eligibility and marketing standards for affordable housing programs.

6th **RESOLVED,** that Christopher E. Kent, Director of Real Property Acquisition and Management, or his designee, be and hereby is authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above-described properties upon the above-described terms and conditions.

7th **RESOLVED,** that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution is a Type II Action, constituting a Legislative decision in connection with routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities (NYCRR Section 617.5(c)(20) and (27)). As a Type II Action, the Legislature has no further responsibilities under SEQRA (6 NYCRR Section 617.5(a).

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1164

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building - 2nd Floor
100 Veterans Memorial Highway
Post Office Box 6100
Hauppauge, New York 11788

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES
TOWN OF BROOKHAVEN

Tax Map No.: See attached Exhibit "A"

Section 72-h, Gen'l Municipal Law

	Amount
County Investment	$103,420.63

PURPOSE:

A. Affordable Housing	X
B. Town Parks	
C. Road/Highway	
D. Drainage/Recharge Basin	
E. Other	

Wayne R. Thompson
Property Manager
(631) 853-5971

WRT:slb

1164

Exhibit "A"

Tax Map No.	Location	Acre
0200-973.80-05.00-048.001	W/S/O Ecke Ave 125' N/O Patchogue Ave North Bellport	0.459
0200-973.80-05.00-048.002	N/W/C/O Patchogue Ave. & Ecke Ave., North Bellport	0.286
0200-973.80-05.00-054.000	W/S/O Ecke Ave. 150' S/O Brookhaven Ave. North Bellport	0.229
0200-973.80-05.00-056.000	S/W/C/O Brookhaven Ave. & Ecke Ave., North Bellport	0.286
0200-973.80-05.00-057.000	N/W/C/O Brookhaven Ave. & Ecke Ave., North Bellport	0.344
0200-973.80-05.00-058.000	W/S/O Ecke Ave., 150' N/O Brookhaven Ave., North Bellport	0.057
0200-973.80-06.00-001.000	N/E/C/O Brookhaven Ave. & Ecke Ave., North Bellport	0.516
0200-973.80-06.00-004.000	E/S/O Ecke Ave., 100' S/O Brookhaven Ave., North Bellport	0.574
0200-973.80-06.00-006.000	E/S/O Ecke Ave., 250' N/O Patchogue Ave., North Bellport	0.344
0200-973.80-06.00-007.000	N/E/C/O Patchogue Ave., & Ecke Ave., North Bellport	0.574
0200-959.00-03.00-027.000	W/S/O Ecke Ave., 425' S/O Hampton Ave., North Bellport	0.459

1164

0200-959.00-03.00-028.000	W/S/O Ecke Ave., 400' S/O Hampton Ave., North Bellport	0.057
0200-959.00-03.00-030.000	W/S/O Ecke Ave., 125' S/O Hampton Ave., North Bellport	0.574
0200-959.00-03.00-031.000	S/W/C/O Hampton Ave., & Ecke Ave., North Bellport	0.286

Exhibit "B" 1164

ADOPTED

BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 570-07
MEETING OF: June 5, 2007

AMEND RESOLUTION NO. 69-07 FROM THE JANUARY 23, 2007 BOARD MEETING ENTITLED "AUTHORIZATION TO EXECUTE ALL DEEDS AND RELATED DOCUMENTS TO TRANSFER SUFFOLK COUNTY FORECLOSED PROPERTIES TO TOWN OF BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSES"

WHEREAS, Resolution No. 69-07 dated January 23, 2007, authorized the execution of any agreements and/or instruments approved as to form by the Department of Law, providing for the conveyance of the foreclosed properties more particularly described in Exhibit "A" attached hereto from the County of Suffolk to the Town of Brookhaven and subsequently from the Town of Brookhaven to the Long Island Partnership Housing Development Fund Co. and Habitat for Humanity Suffolk Housing Development Fund Co., for the express purpose of developing affordable housing; and

WHEREAS, said Resolution shall be amended to include the following: "Exhibit A-1 hereto includes assignment for each property transfer to Long Island Housing Partnership and Habitat for Humanity Suffolk Housing Development Fund Co.;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Brookhaven, that Resolution No. 69-07 dated January 23, 2007, be amended as hereinabove stated; and be it further

RESOLVED, that all other terms and conditions of Resolution No. 69-07 shall remain in full force and effect.

Exhibit A
Amended Brookhaven Town Board Resolution # 69-07 from January 23, 2007
New Resolution #570-07 June 5, 2007 (new reso. includes assignment for each parcel)

DSBL	OWNER	READY FOR TRANSFER	ORGANIZATION
200-973.8-5-48.1 -5-	Suffolk County	Yes	Habitat for Humanity Suffolk Housing Development Fund Co.
200-973.8-48.2	Suffolk County	Yes	Habitat for Humanity Suffolk Housing Development Fund Co.
200-973.8-5-54	Suffolk County	Yes	Habitat for Humanity Suffolk Housing Development Fund Co.
200-973.8-5-56	Suffolk County	Yes	Long Island Partnership Housing Development Fund Co.
200-973.8-5-57	Suffolk County	Yes	Habitat for Humanity Suffolk Housing Development Fund Co.
200-973.8-5-58	Suffolk County	Yes	Habitat for Humanity Suffolk Housing Development Fund Co.
200-973.8-6-1	Suffolk County	Yes	Long Island Partnership Housing Development Fund Co.
200-973.8-6-4	Suffolk County	Yes	Habitat for Humanity Suffolk Housing Development Fund

			Co.
200-973.8-6-6	Suffolk County	Yes	Long Island Partnership Housing Development Fund Co.
200-973.8-6-7	Suffolk County	Yes	Long Island Partnership Housing Development Fund Co.
200-959-3-27	Suffolk County	Yes	Habitat for Humanity Suffolk Housing Development Fund Co.
200-959-3-28	Suffolk County	Yes	Habitat for Humanity Suffolk Housing Development Fund Co.
200-959-3-30	Suffolk County	Yes	Long Island Partnership Housing Development Fund Co.
200-959-3-31	Suffolk County	Yes	Long Island Partnership Housing Development Fund Co.

1164

ADOPTED

BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 69-07
MEETING OF: January 23, 2007

AUTHORIZATION TO EXECUTE ALL DEEDS AND RELATED DOCUMENTS TO TRANSFER SUFFOLK COUNTY FORECLOSED PROPERTIES TO TOWN OF BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSES

WHEREAS, the County of Suffolk wishes to transfer undeveloped properties from its foreclosure inventory to the Town of Brookhaven in order for the Town to transfer these properties to not-for-profit corporations for the development of affordable housing; and

WHEREAS, the Long Island Housing Partnership and Habitat for Humanity Suffolk Housing Development Fund Co. have requested that the Town of Brookhaven transfer Suffolk County parcels as noted in Exhibit "A" attached herein, in order for these organizations to jointly undertake an affordable housing project; and

WHEREAS, the Town of Brookhaven is desirous of assisting these not-for-profit corporations to construct housing that is affordable to lower income residents; and

NOW, THEREFORE BE IT RESOLVED by the Town Board of the Town of Brookhaven that the Supervisor or his deputy is hereby authorized to execute any agreements and/or instruments, approved as to form by the Department of Law, providing for the conveyance of the foreclosed properties more particularly described in Exhibit "A" hereto, from the County of Suffolk to the Town of Brookhaven and subsequently from the Town of Brookhaven to the Long Island Housing Partnership and Habitat for Humanity Suffolk Housing Development Fund Co., for the express purpose of developing affordable housing; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to post and publish the notice of adoption of this resolution, which is subject to permissive referendum.

THIS IS TO CERTIFY THAT THIS IS A TRUE AND ACCURATE CERTIFIED COPY OF THE OFFICIAL DOCUMENT ON FILE IN THE TOWN CLERK'S OFFICE OF THE TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NY

PAMELA J. BETHEL, TOWN CLERK DATED:
DO NOT ACCEPT UNLESS RAISED SEAL OF THE TOWN OF BROOKHAVEN IS AFFIXED HEREON

1164

EXHIBIT A

DSBL	OWNER	READY FOR TRANSFER?
200-973.8-5-48.1	Suffolk County	Yes
200-973.8-5-48.2	Suffolk County	Yes
200-973.8-5-54	Suffolk County	Yes
200-973.8-5-56	Suffolk County	Yes
200-973.8-5-57	Suffolk County	Yes
200-973.8-5-58	Suffolk County	Yes
200-973.8-6-1	Suffolk County	Yes
200-973.8-6-4	Suffolk County	Yes
200-973.8-6-6	Suffolk County	Yes
200-973.8-6-7	Suffolk County	Yes
200-959-3-27	Suffolk County	Yes
200-959-3-28	Suffolk County	Yes
200-959-3-30	Suffolk County	Yes
200-959-3-31	Suffolk County	Yes

1164

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building - 2nd Floor
100 Veterans Memorial Highway
Post Office Box 6100
Hauppauge, New York 11788

SUMMARY STATEMENT

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TOWN OF BROOKHAVEN

Tax Map No.: See attached Exhibit "A"

Section 72-h, Gen'l Municipal Law

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PURPOSE:

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B. Town Parks	
C. Road/Highway	
D. Drainage/Recharge Basin	
E. Other	

Wayne R. Thompson
Property Manager
(631) 853-5971

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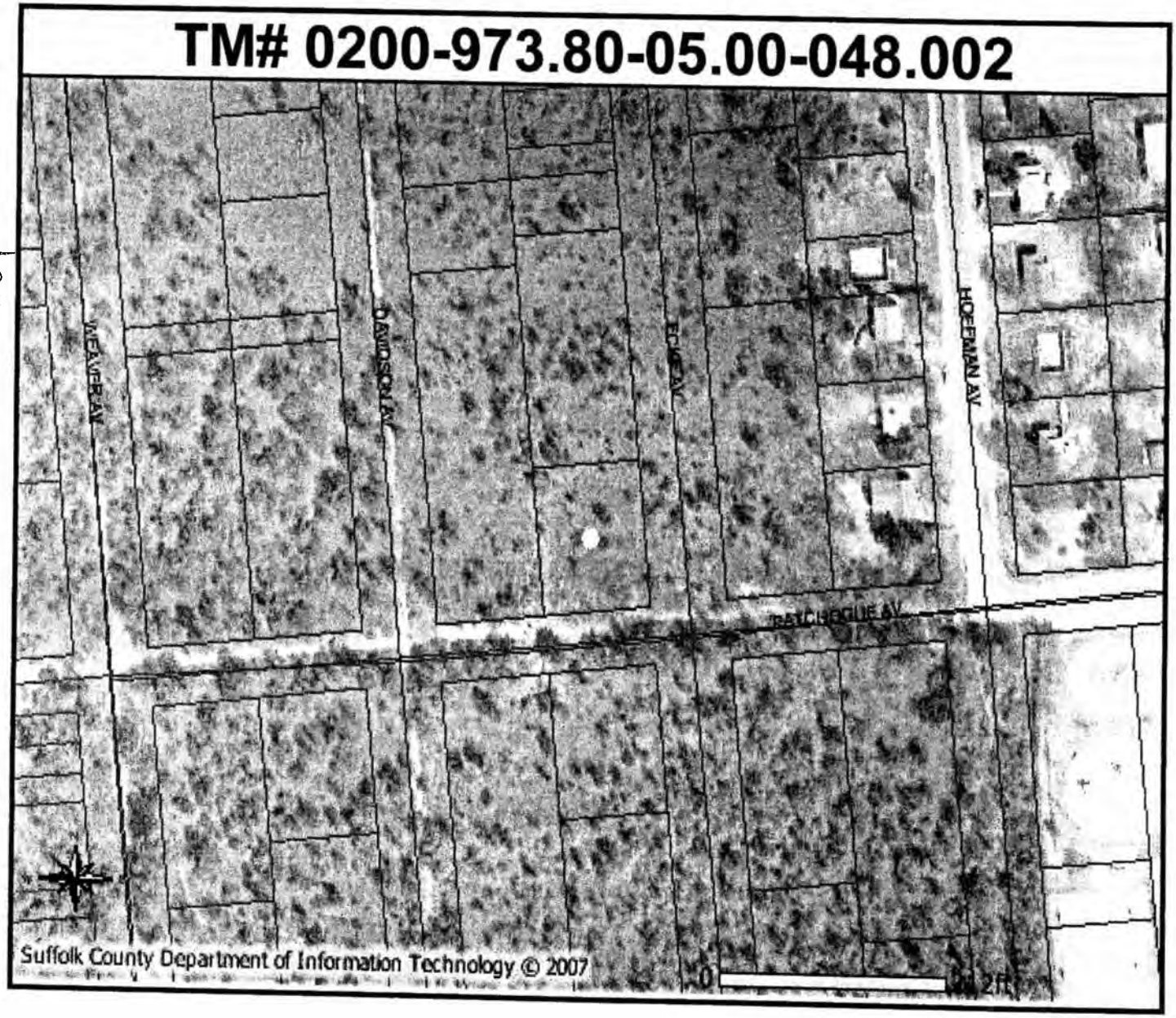

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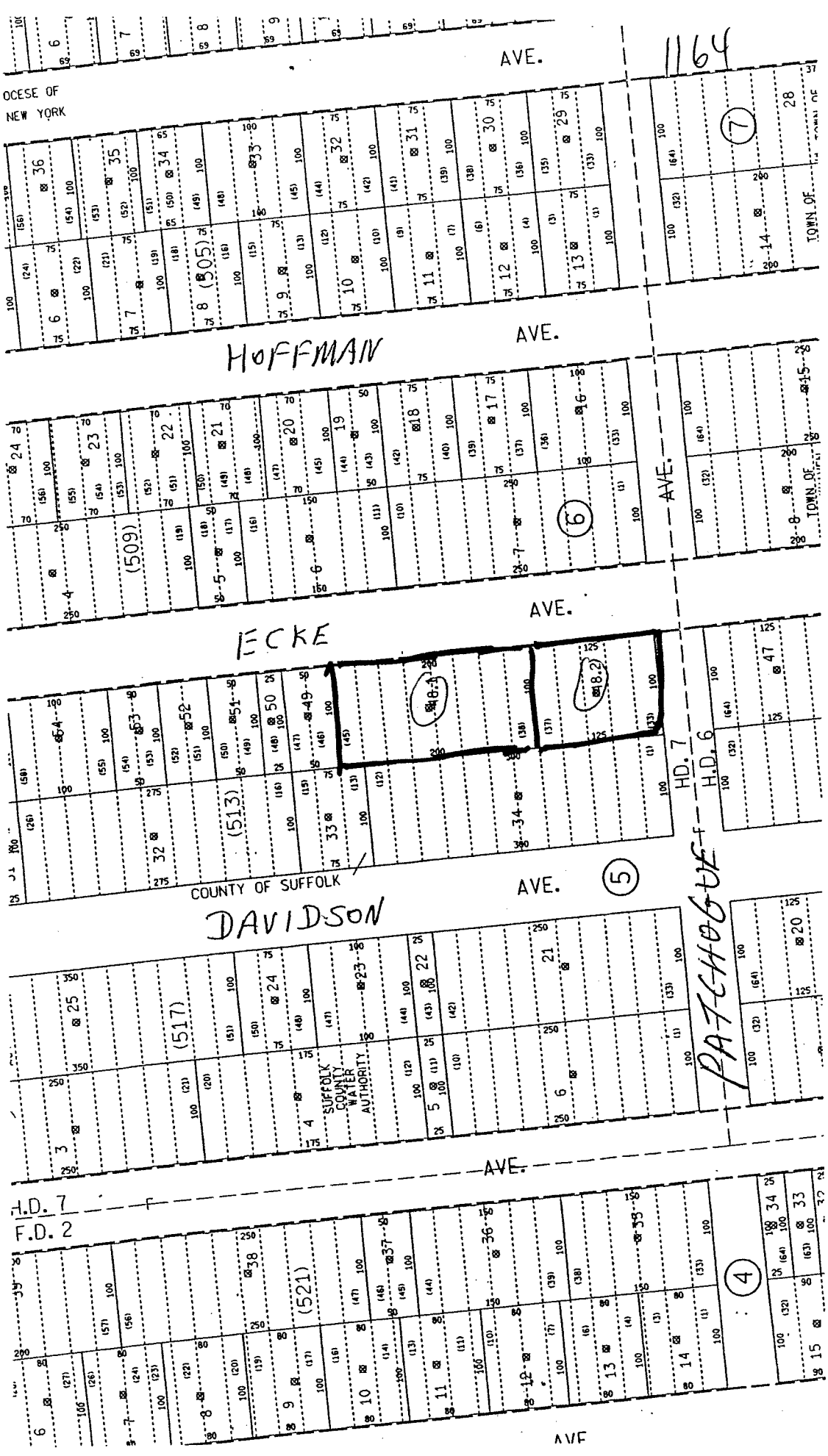

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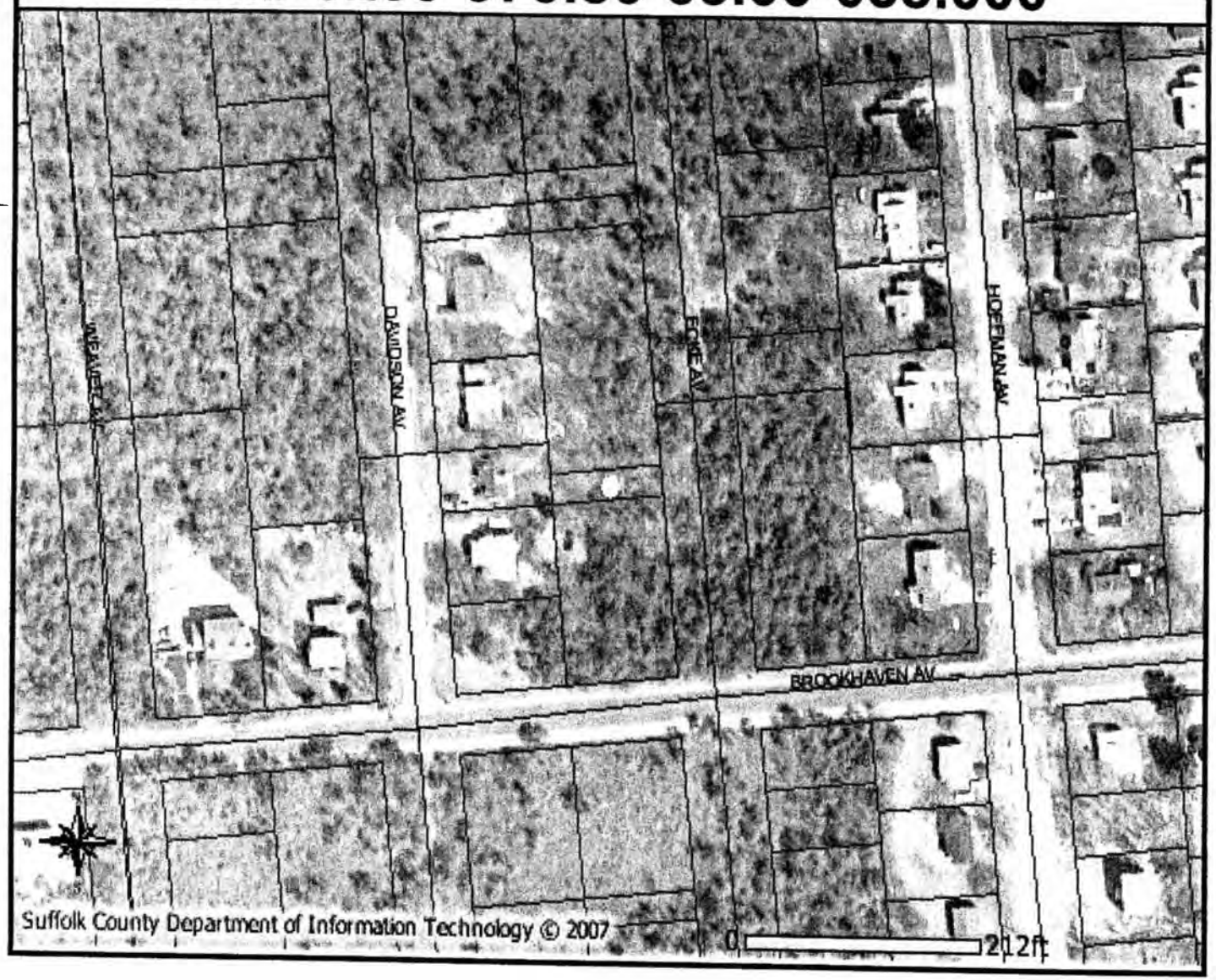

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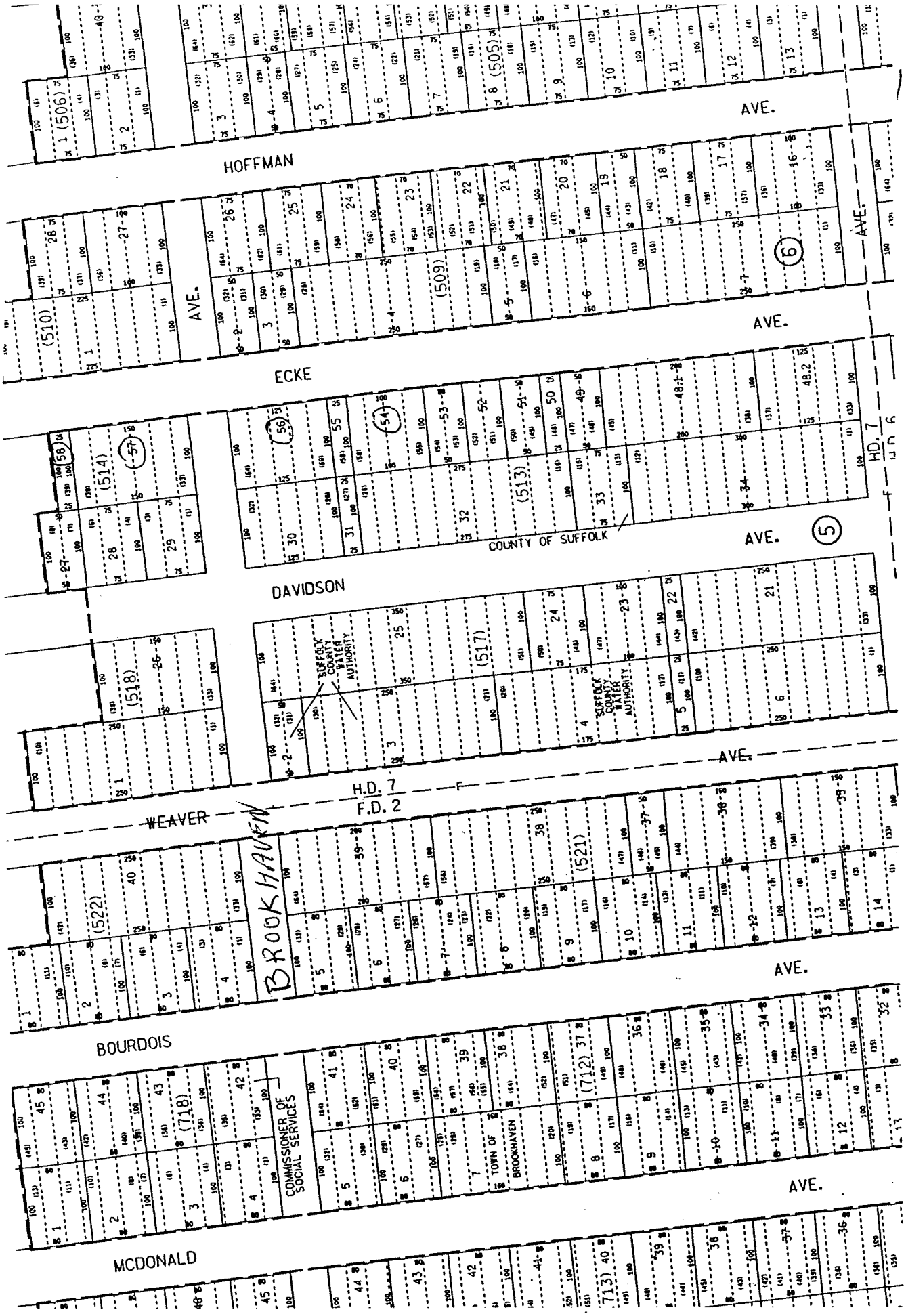

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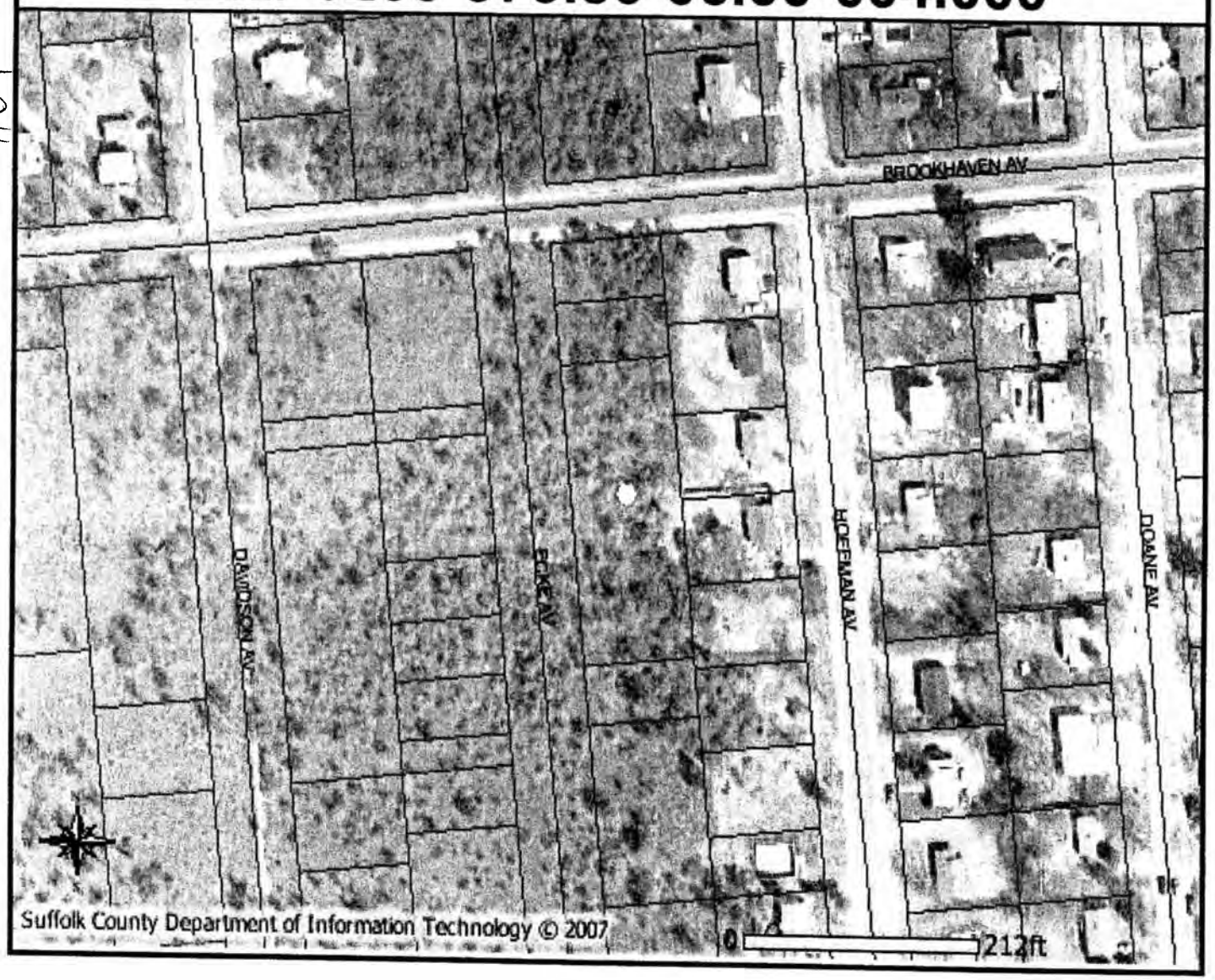

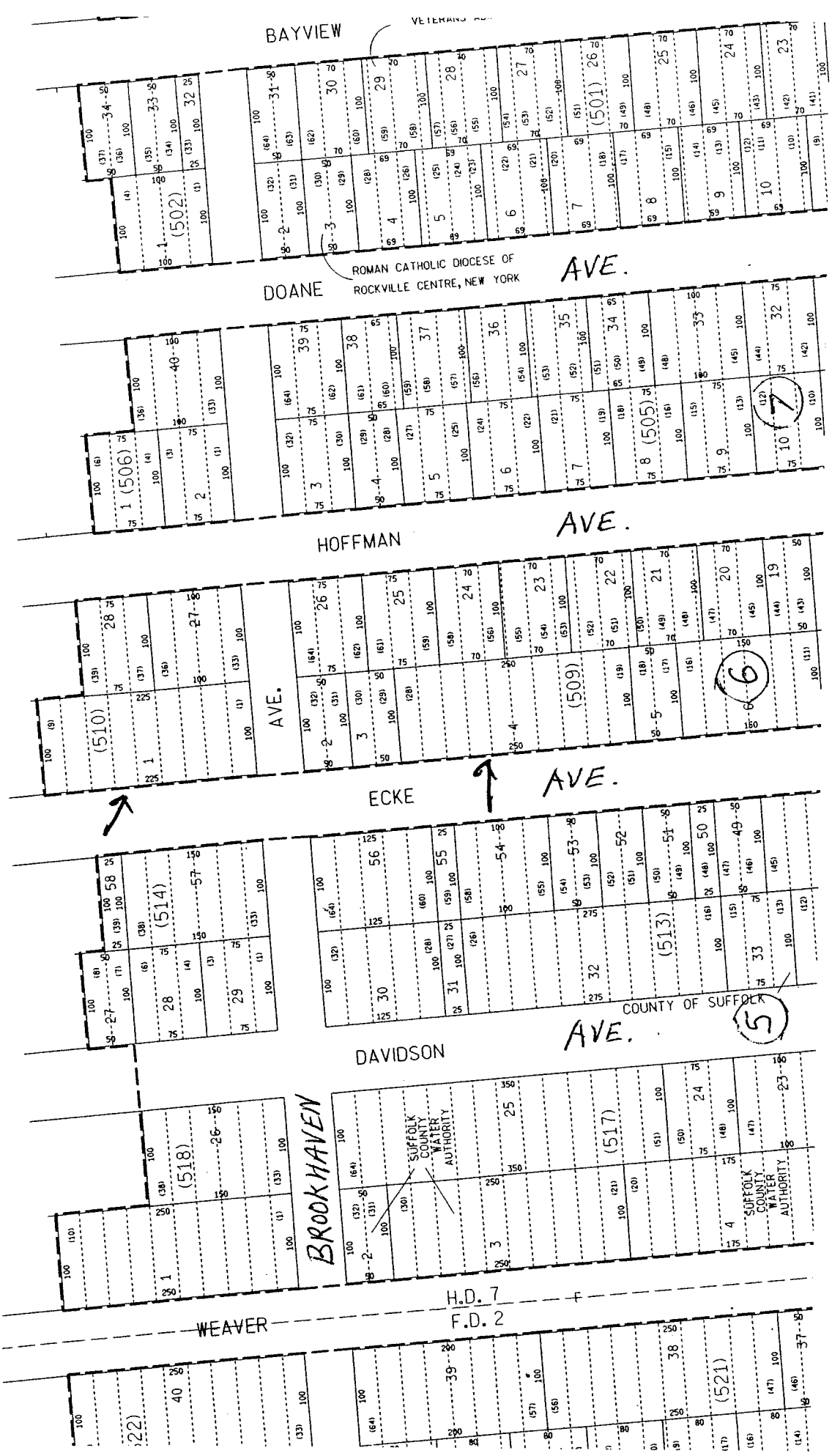

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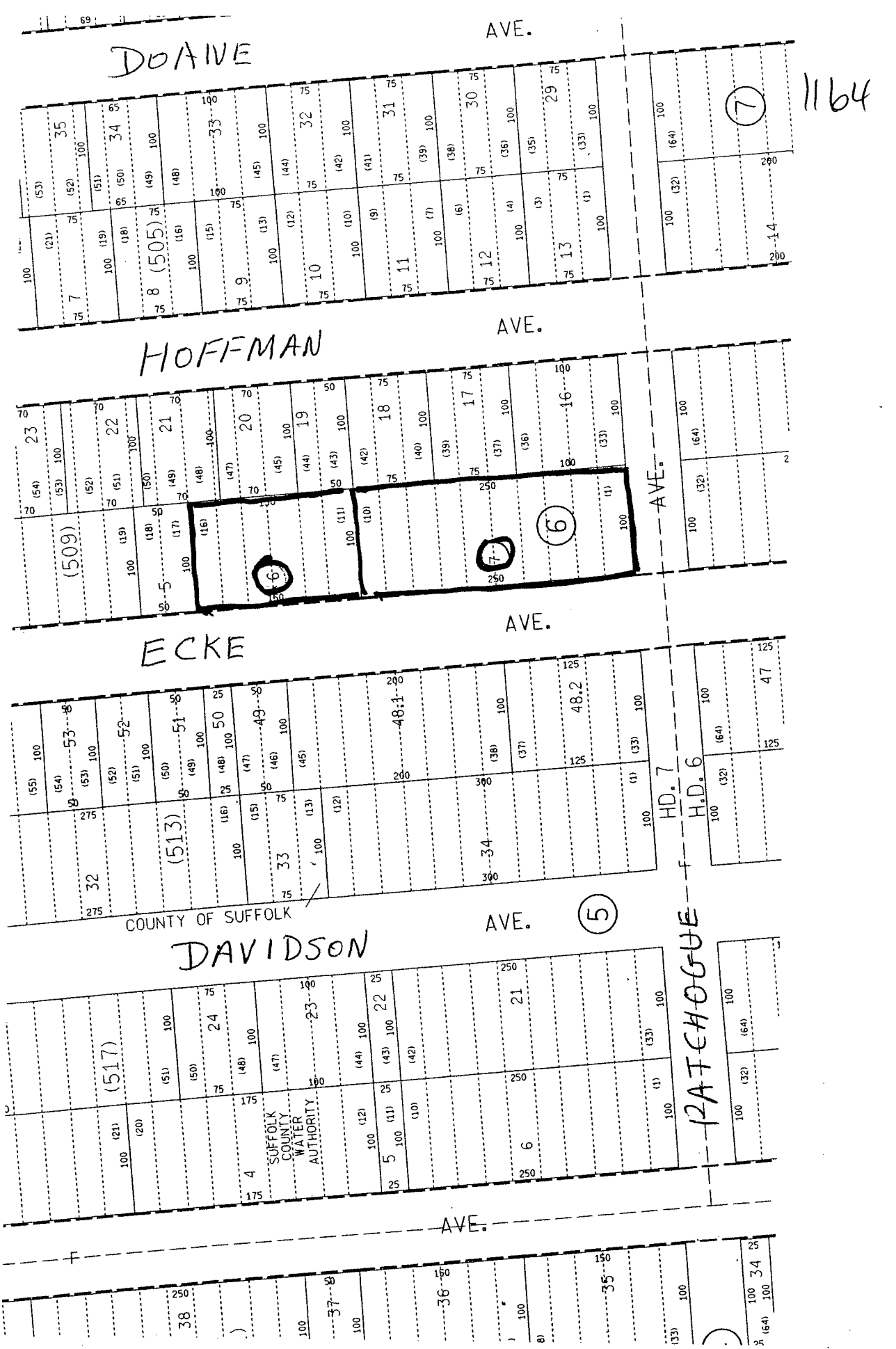

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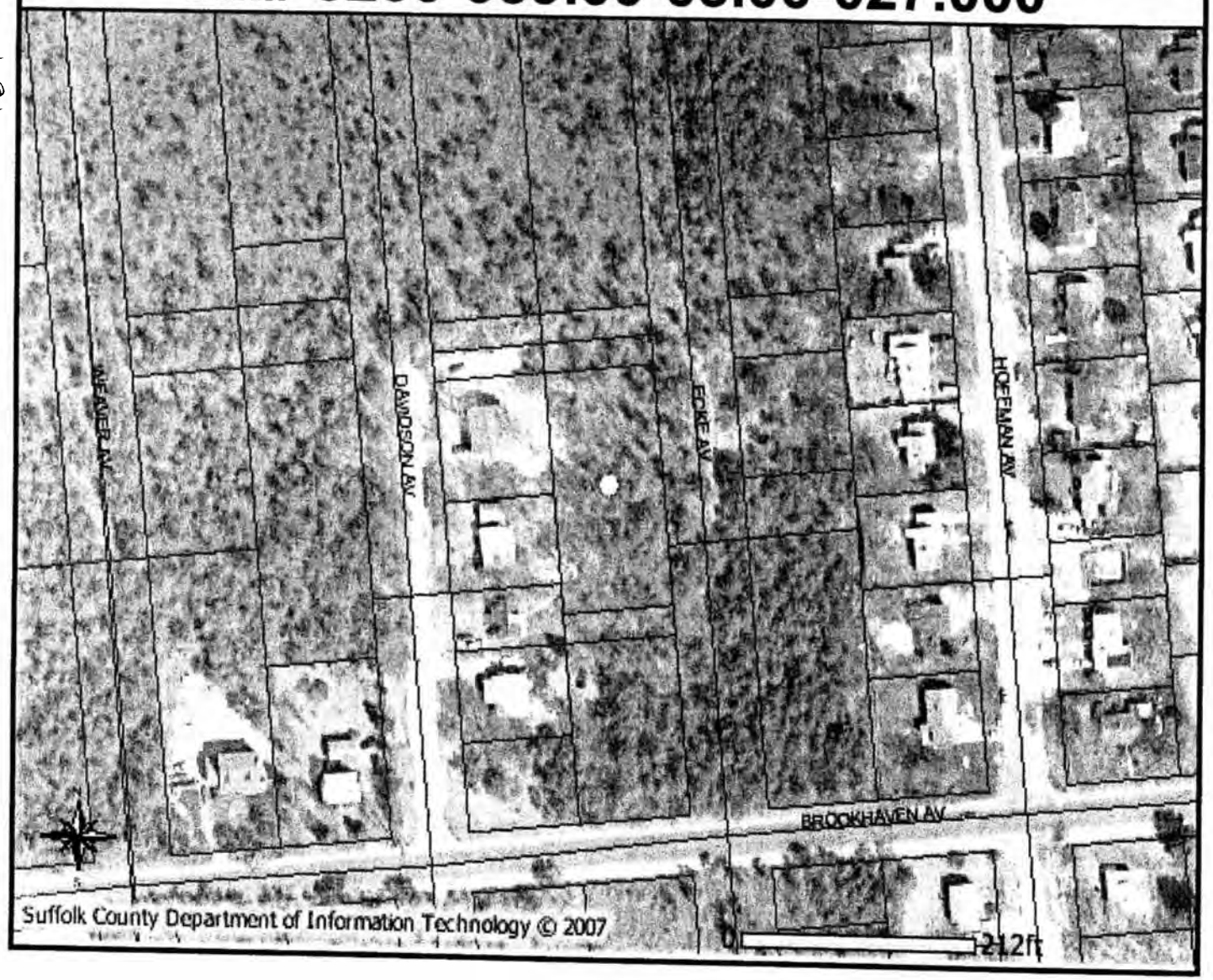

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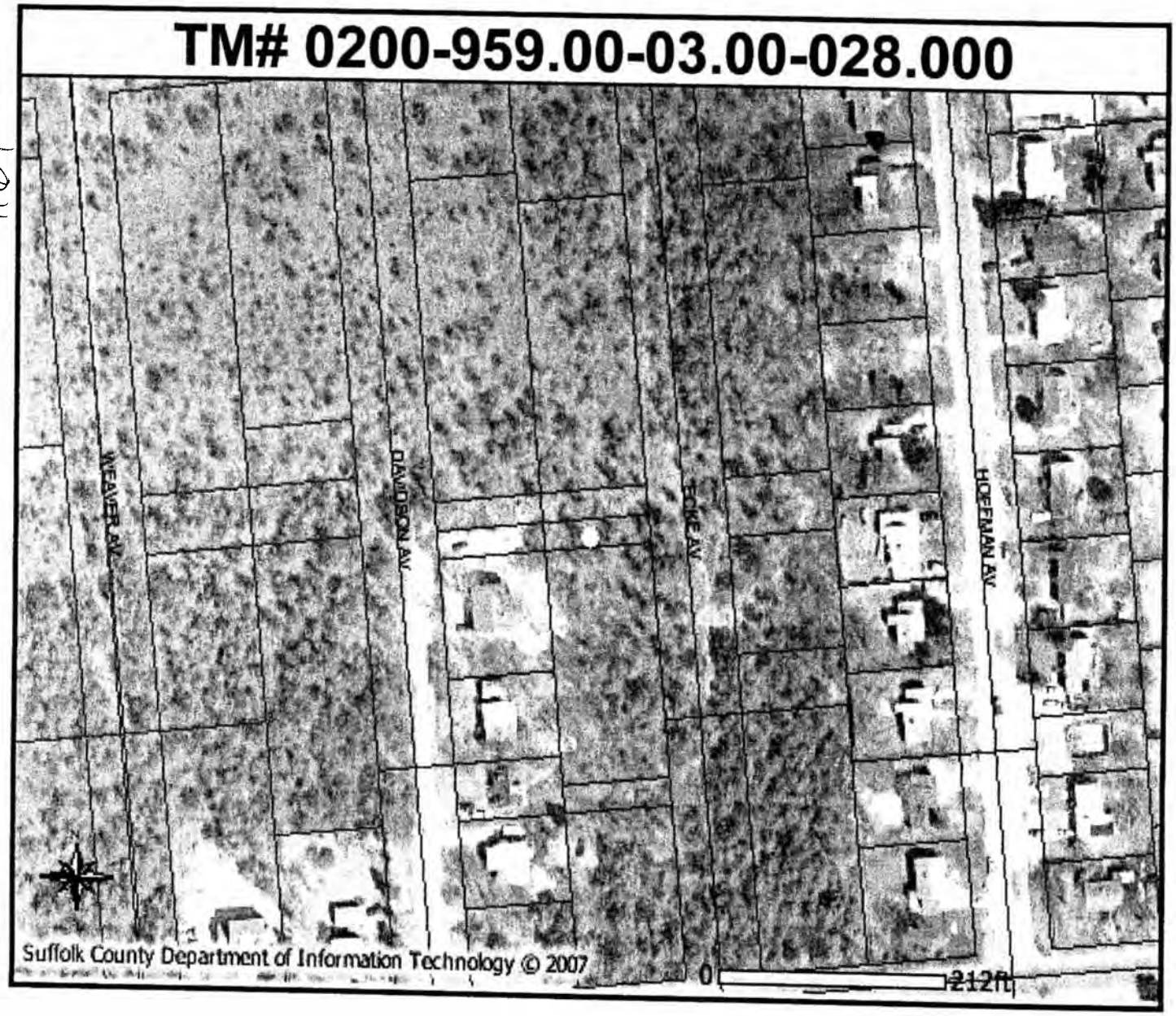
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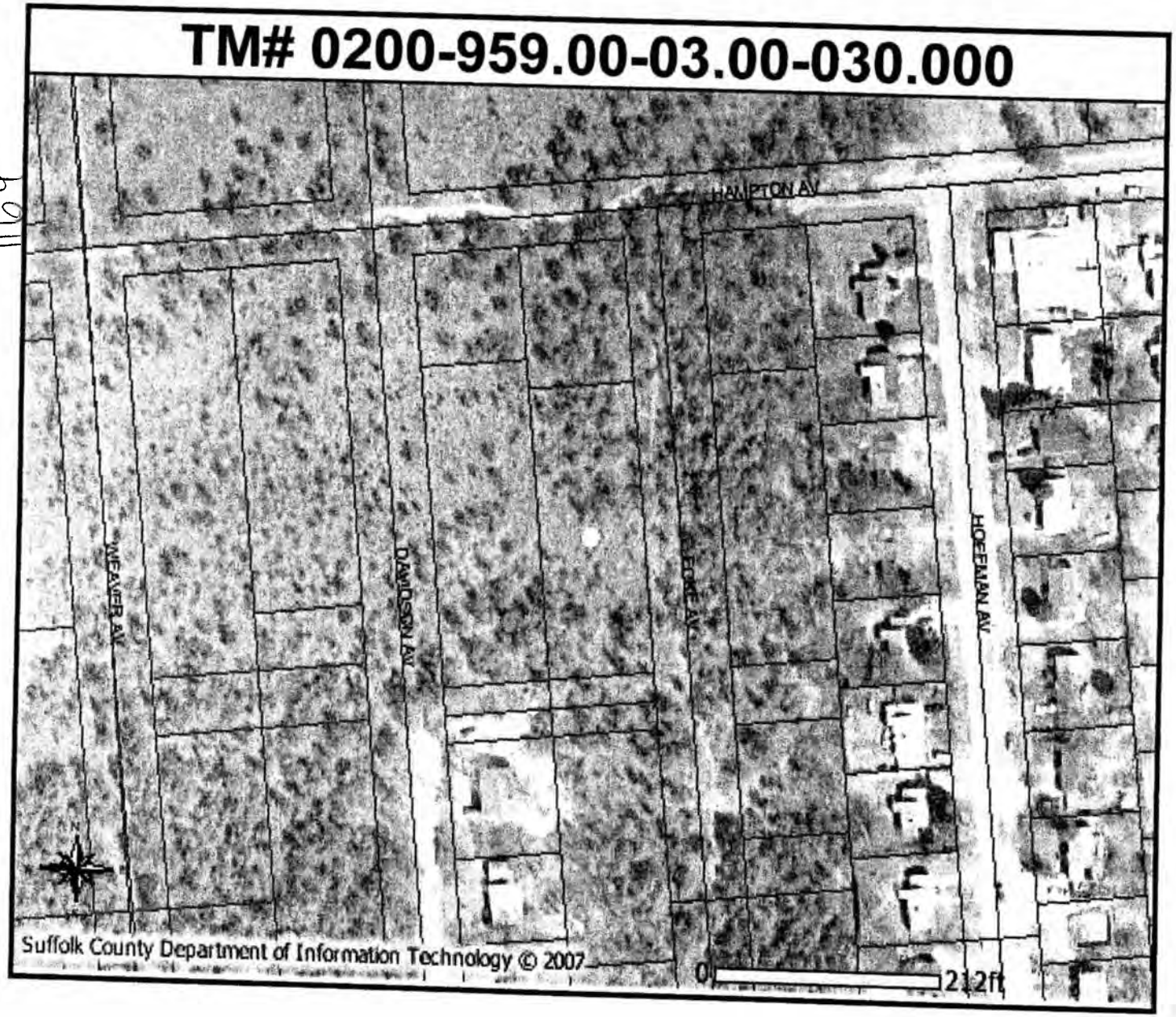

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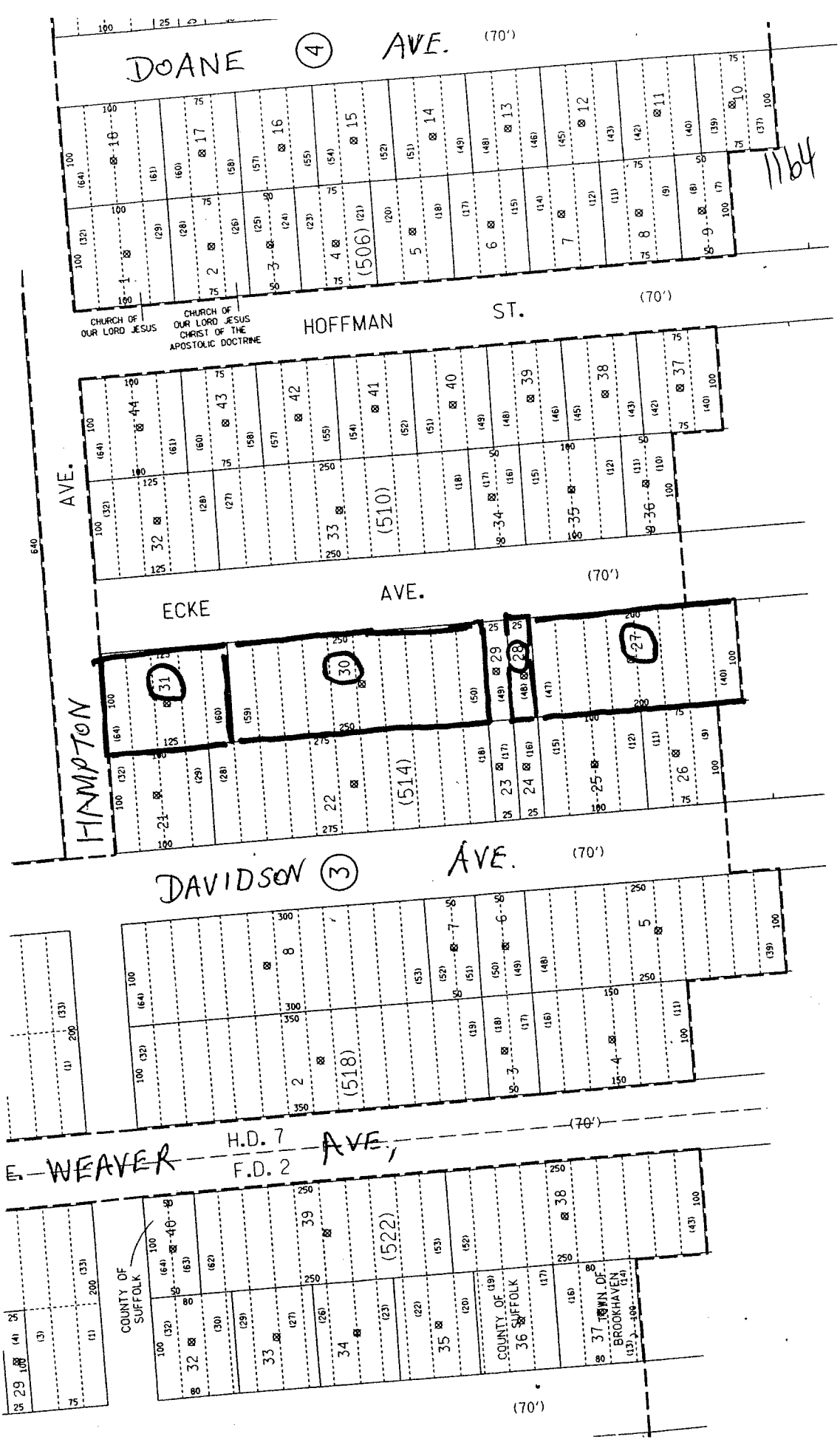

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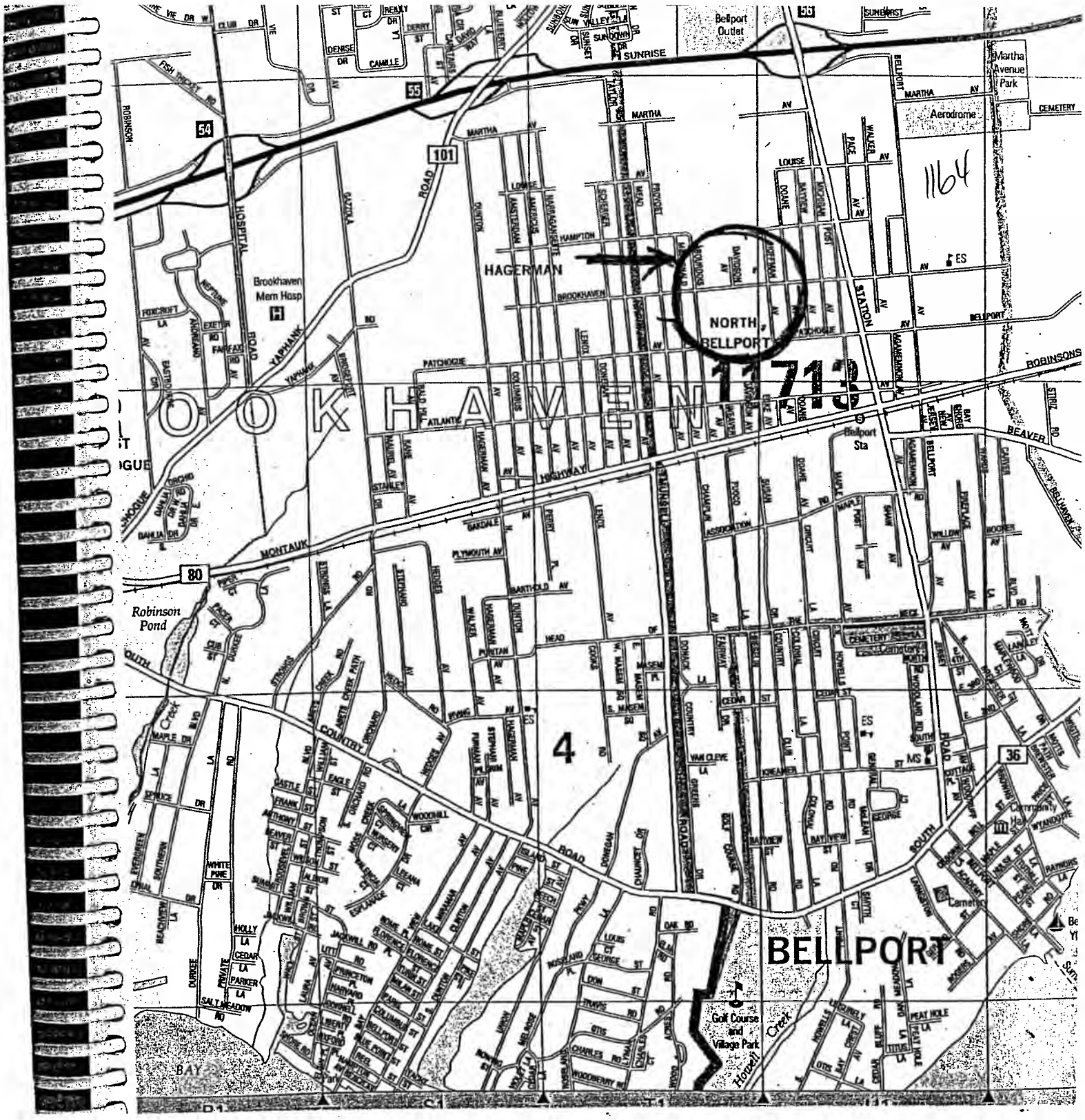


0200-973.80-05.00-048.001 & 048.002

0200-973.80-05.00-054.000, 056.000, 057.000 & 058.000

0200-973.80-06.00-001.00, 004.000, 006.000 & 007.000

0200-959.00-03.00-027.000, 028.000, 030.000 & 031.000

1164

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X_____ Local Law _____Charter Law _____

2. Title of Proposed Legislation

Section 72-h , General Municipal Law authorizing the sale of County owned Real Estate
to a Municipality

3. Purpose of Proposed Legislation

Convey County owned parcel to the Town of Brookhaven for affordable housing purposes

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)

___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

Loss of County investment
Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2008

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

R. J. Bhatt _____ _____ _____
LMS III

FEB 0 8 2008

Gen A5

1164

COUNTY OF SUFFOLK

CHRISTOPHER E. KENT
DIVISION DIRECTOR

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

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

Ben Zwirn
Deputy County Executive
Intergovernmental Relations
H. Lee Dennison Building - 11th Floor
100 Veterans Memorial Highway
Post Office Box 6100
Hauppauge, NY 11788

Re: Tax Map No.: see attached Exhibit "A"
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to a Municipality, State, or Federal Government.

Dear Mr. Zwirn:

Enclosed herewith is the original and one copy of the proposed resolution with documentation pursuant to:

Section 72-h, G.M.L. authorizing the sale of County owned real estate to the Town of Brookhaven for affordable housing purposes.

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

CEK:WRT:slb

Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo
Copy w/ Resolution to:
Connie Corso, Budget Director
Thomas A. Isles, Director of Planning
Jill Rosen-Nikoloff, Director of Affordable Housing
CE Reso Review, via e-mail

Introductory Resolution No. 1165-08 Laid on Table 3/4/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 BUDGET ESTATES, INC. (SCTM NO. 0100-039.00-03.00-082.000)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

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 039.00 Block 03.00 Lot 082.000 and acquired by Tax Deed on March 24, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on March 25, 2003 in Liber 12242 at Page 399 and described as follows, Town of Babylon, Map of Harlem Park, Map 1, filed March 3, 1907, Map No. 288, Blk 100 Lots 1 & 2; and

WHEREAS, in accordance with Local Law 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Budget Estates, Inc., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $20,001.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at $20,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of $20,001.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land, now, be it therefore,

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 the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd **RESOLVED,** that Director Christopher E. Kent and/or his designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Budget Estates, Inc., 325 East Sunrise Highway (Suite C), Lindenhurst, N.Y. 11757.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building
100 Veterans Memorial Highway - 2nd Floor
Post Office Box 6100
Hauppauge, New York 11788

1165

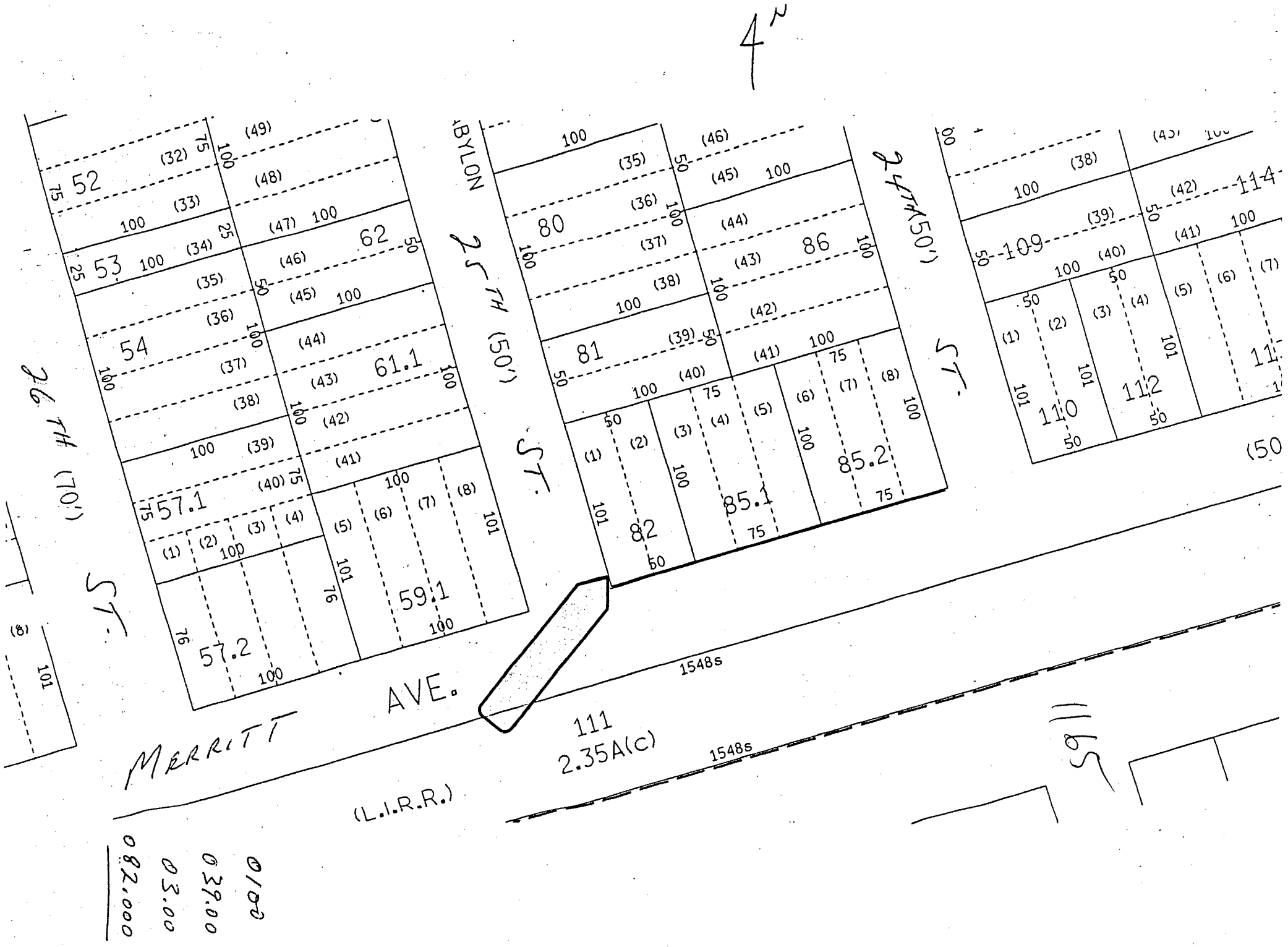
SUMMARY STATEMENT

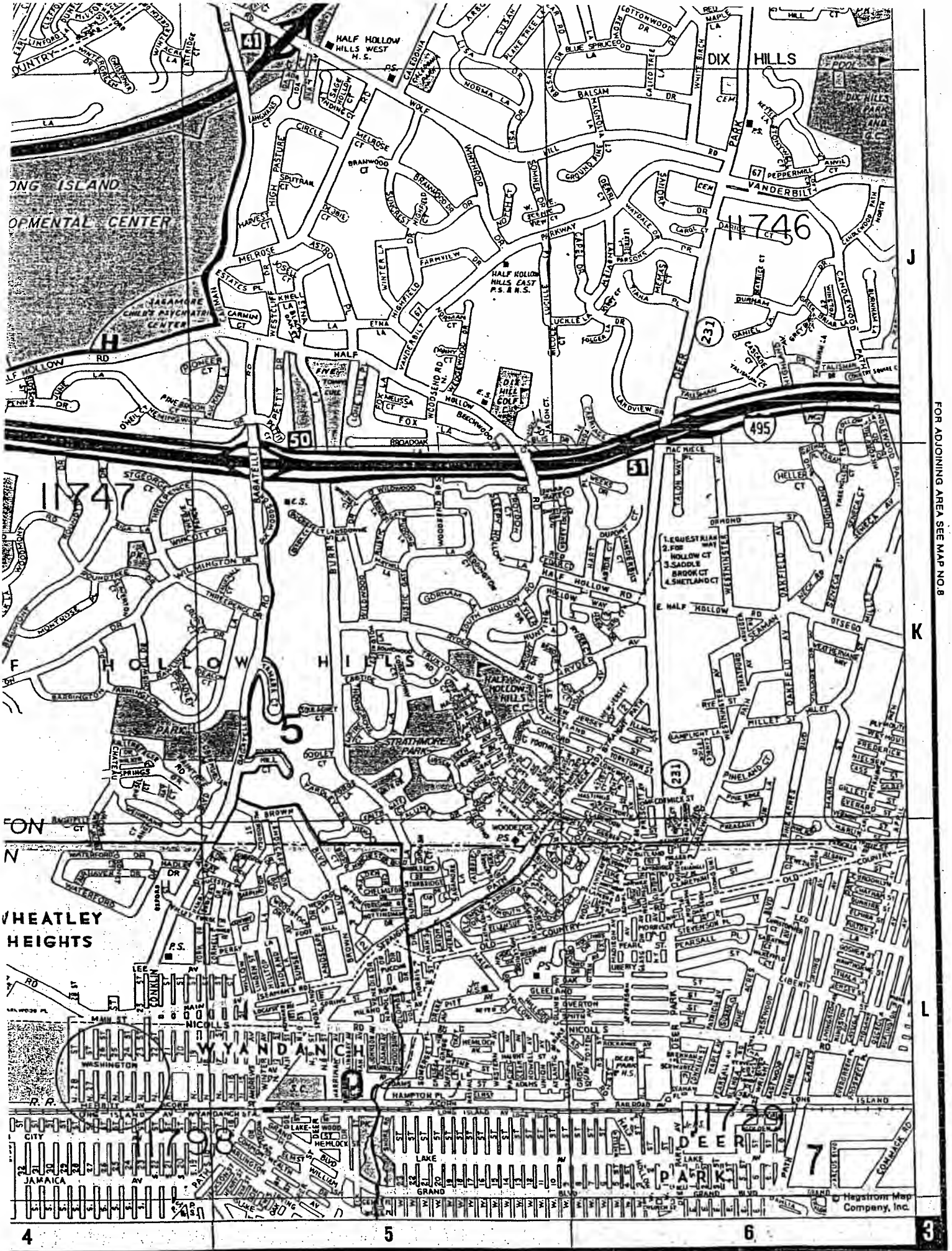
DIRECT SALE:
Suffolk County Local Law 13-1976
Tax Map No. 0100-039.00-03.00-082.000

ADJOINING OWNER	BID	BID	BID
Budget Estates, Inc. 325 E. Sunrise Highway Lindenhurst, NY 11757 0100-039.00-03.00-081.000	$20,001.00		
Budget Estates, Inc. 325 E. Sunrise Highway Lindenhurst, NY 11757 0100-039.00-03.00-085.001	0		

SIZE OF PARCEL: 50' x 100'
APPRAISED VALUE: $20,000.00
COMMENT: Direct Sale to Adjacent Owner

Wayne R. Thompson
Property Manager
(631) 853-5971


4N
BYLON
25TH (50')
24TH (50')
26TH (70')
ST.
ST.
ST.
AVE.
MERRITT
(L.I.R.R.)
1548s
1548s
111
2.35A(C)
52
53
54
62
61.1
57.1
57.2
59.1
80
81
82
86
85.1
85.2
109
110
112
114
0102
039.00
03.00
082,000



100-039-03-082.000

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

   Local Law 13-1976 authorizing the Direct Sale of County owned Real Estate

3. Purpose of Proposed Legislation

   Convey County owned parcel to adjacent 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?

   __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

   Income from sale

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

   2006

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

    Jim Donovan
    LMS I

    Jim Donovan | 1-23-08

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

PATRICIA B. ZIELENSKI
DIVISION DIRECTOR

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

November 16, 2006

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

REFERENCE

Re: Tax Map Number: 0100-039.00-03.00-082.000

Dear Mr. Zwirn:

Enclosed herewith are the original and one copy of the proposed resolution with documentation pursuant to:

Local Law 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Patricia B. Zielenski

Patricia B. Zielenski
Director of the Division of Real Property
Acquisition and Management

PBZ:WRT:gvs
Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo
Copy to: Brian Beedenbender, County Executive Assistant (2 hard copies)
Thomas A. Isles, Director of Planning
CE Reso Review, via e-mail (0100-039-03-082 Budget Estates, Inc.)

Introductory Resolution No. 1166-08 Laid on Table 3/4/08

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
SYLVIA STRONG
0200-980.60-07.00-026.000

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 980.60, Block 07.00, Lot 026.000, and acquired by tax deed on August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007, in Liber 12520, at Page 725, and otherwise known as and by Town of Brookhaven, lot number 640, designated on map entitled "10th Map of Mastic Beach", and filed in the Suffolk County Clerk's Office on the 12th day of June 1938, as Map No. 1260; 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 August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007 in Liber 12520 at Page 725.

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, JOHN BOKLAK, as attorney-in-fact for Sylvia Strong, has made application of said above described parcel and HARVEY GOLDSTEIN, ESQ. has paid the application fee, and HAMLET TITLE AGENCY, INC. has paid $486.56, 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 cc [illegible]g 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 SYLVIA STRONG, 8445 78TH Street Court, Cottage Grove, Minnesota 55016, 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

1166

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

January 29, 2008

Tax Map No.: 0200-980.60-07.00-026.000
Name of Last Legal Fee Owner: SYLVIA STRONG

TREASURER'S COMPUTATION..... $486.56

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..... $486.56

Monies Received..... $486.56

RESOLUTION AMOUNT..... $486.56

APPROVED:

Karen A Slater 1/30/08
Accounting
LB:sc

PREPARED BY:

L. Bertone

Lori Bertone
Redemption Unit
(631) 853-5932

1166

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution **X**
Tax Map Number 0200-980.60-07.00-026.000

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

Lori Bertone | Lori Bertone | 1/29/08

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0200	980.60	07.00	026.000

1166

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05	159.35
2005/06	170.23
2006/07	112.81

TOTAL: 442.39

B. INTEREST DUE	21.00
C. TOTAL	463.39
D. 5% LINE C	23.17
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE $486.56

12/21/07 ek

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. 17-Dec-07

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 06/14/08

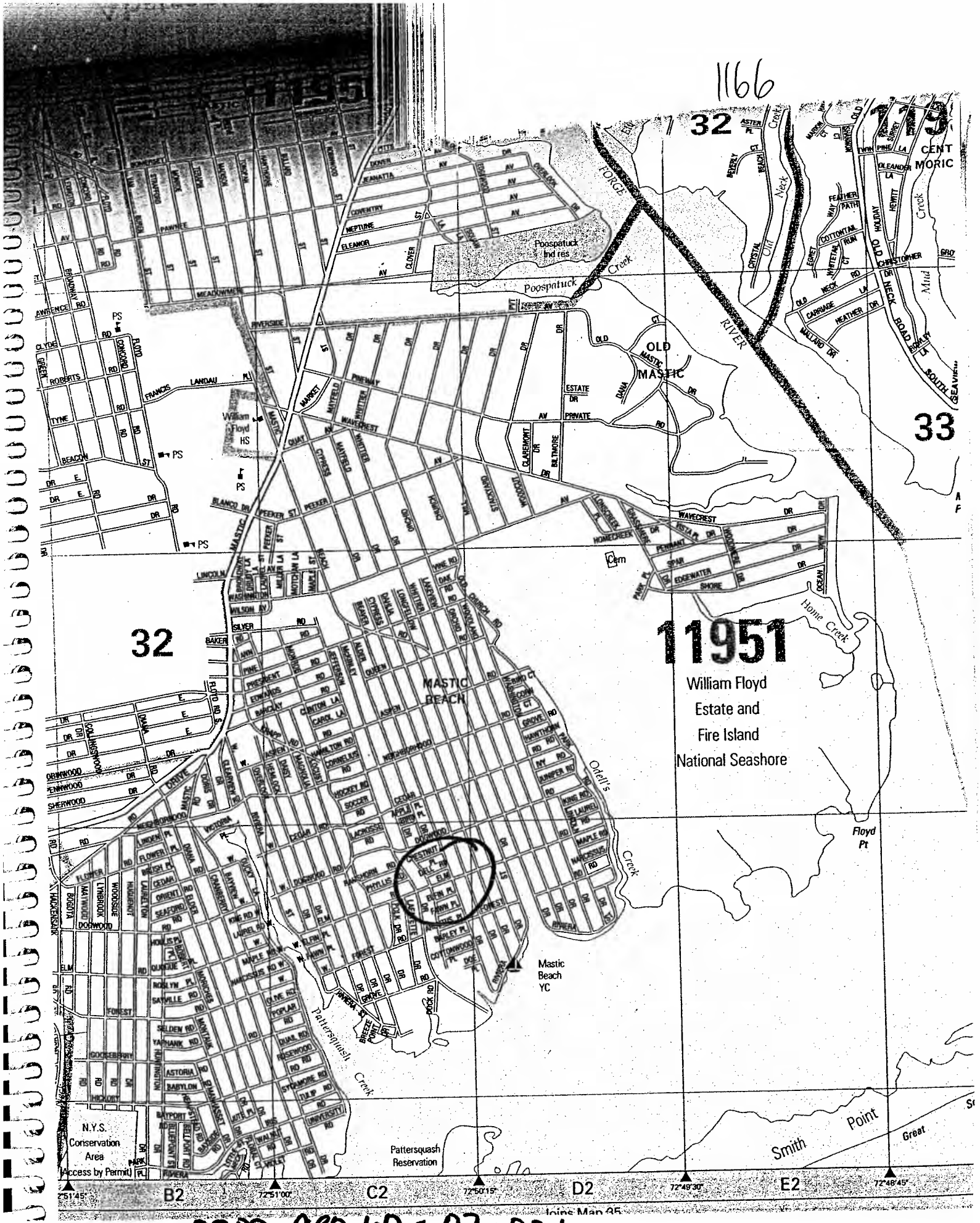
dz

0200
980.60
07
026

34 02 13

PROPERTIES DISTRICTS:	NOTICE	COUNTY OF SUFFOLK ©	K E	978.90	979	TOWN OF BROOKHAVEN	SECTION NO

1166



0200-980.60-07-026

Introductory Resolution No. 1167-08 Laid on Table 3/4/06

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
SECRETARY OF HOUSING AND URBAN DEVELOPMENT
0200-907.00-05.00-025.000

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 907.00, Block 05.00, Lot 025.000, and acquired by tax deed on August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007, in Liber 12520, at Page 725, and otherwise known as and by Town of Brookhaven, County of Suffolk and State of New York, known as "Map of Plan of Tangier, Sec. A" filed in the Office of the Clerk of Suffolk County on March 11, 1911 as Map No. 600 being the north half of Lot 11 in Block 63; 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 August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007 in Liber 12520 at Page 725.

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, NATIONAL HOME MANAGEMENT SOLUTIONS, INC., (as authorized agent for Housing and Urban Development) by Dale Albertelli, Manager, has made application of said above described parcel and NATIONAL HOME MANAGEMENT SOLUTIONS, INC., (as authorized agent for Housing and Urban Development) by Dale Albertelli, Manager, has paid the application fee and $1,443.15, 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, 2008; 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 SECRETARY OF HOUSING AND URBAN DEVELOPMENT, Three Advantage Court, Bordentown, New Jersey 08505, 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

1167

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

January 28, 2008

Tax Map No.: 0200-907.00-05.00-025.000
Name of Last Legal Fee Owner: SECRETARY OF HOUSING AND URBAN DEVELOPMENT

TREASURER'S COMPUTATION..... $1,132.36

Taxes.....2007/2008..... $ 310.79

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $1,443.15

Monies Received..... $1,443.15

RESOLUTION AMOUNT..... $1,443.15

APPROVED:

Karen A Slater 1/30/08
Accounting

LB:sc

PREPARED BY:

Lori Bertone
Redemption Unit
(631) 853-5932

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1167

1. Type of Legislation

Resolution X
Tax Map Number 0200-907.00-05.00-025.000

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

Lori Bertone | Lori Bertone | 1/28/08

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0200	907.00	05.00	025.000

1167

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05	356.91
2005/06	380.09
2006/07	292.00

2007/08 PROPERTY TAXES $310.79 NOT INCLUDED IN COMPUTATION

TOTAL:	1029.00
B. INTEREST DUE	49.43
C. TOTAL	1078.43
D. 5% LINE C	53.92
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$1,132.36
2007/2008	310.79
	1,443.15 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. 21-Dec-07

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 06/18/08

dz

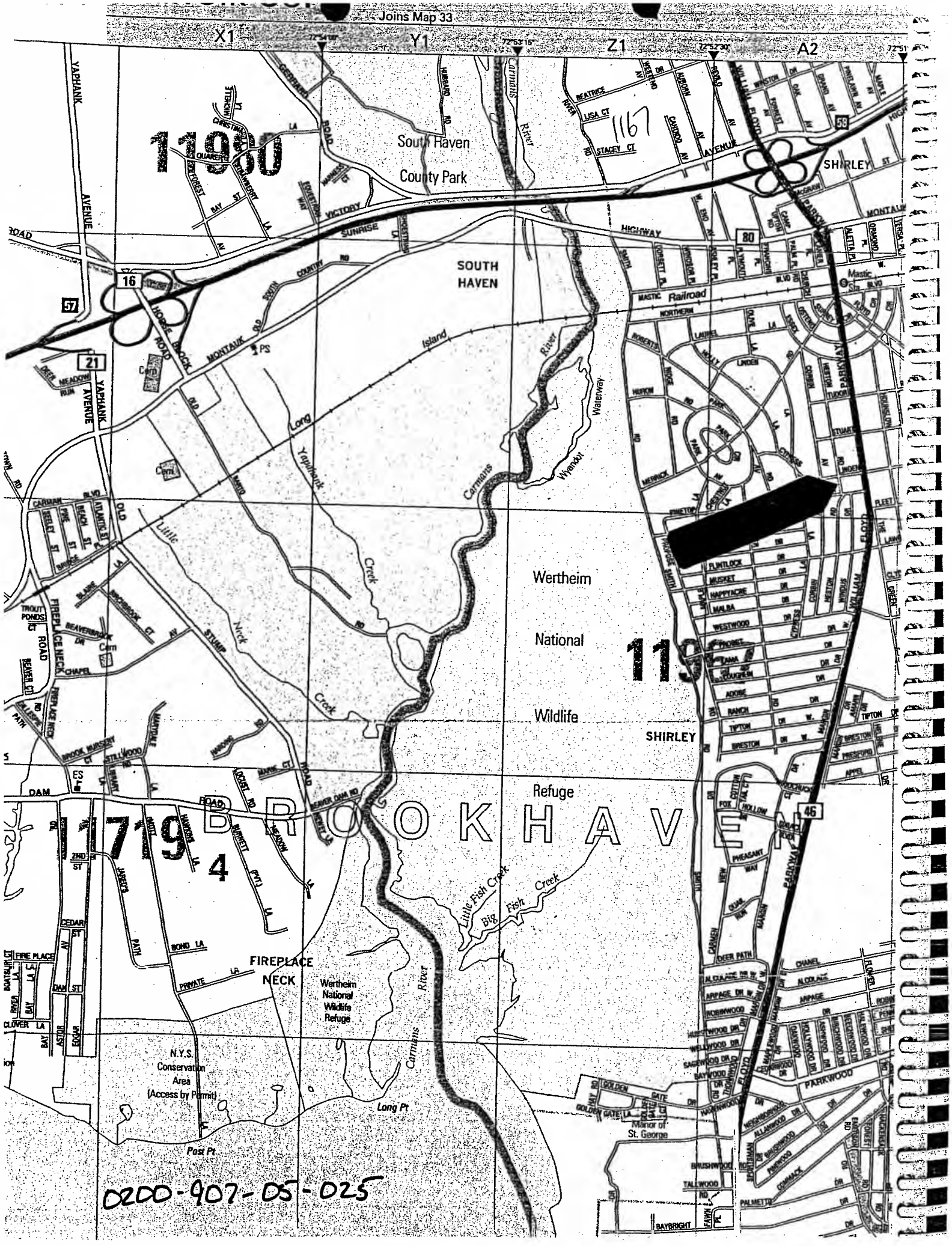
LEGEND

Property or RR Line		Subdivision Lot No.		Block Limit		School District Line	SCH
Denotes Common Owner	Z	Subdivision Block/Bldg. No.	(21)	Block No.	2	Fire District Line	F
Subdivision Lot Line		Deed Dimension		County Line		Water District Line	W
Stream / Shore		Scaled Dimension		Town Line		Light District Line	L
Parcel No.	23	Deed Area	12.1 A(d) or 12.1A	Village Line		Park District Line	P
		Calculated Area	12.1 A(a)			Sewer District Line	S

Hydrant District Line	H
Refuse District Line	R
Historical District Line	HST
Ambulance District Line	A
Wastewater District Line	WW

UNLESS DRAWN OTHERWISE, ARE WITHIN THE FOLLOW

SCHOOL	32	SEWER	
FIRE	FD3,FS1	HYDRAN	
LIGHT	LX1	WATER	
PARK		REFUSE	
AMBULANCE	S.-AM.D. MAS.-AM.D.	WASTE	


Joins Map 33
X1
Y1
Z1
A2
72°54'30"
72°53'15"
72°52'30"
72°51'
1180
1167
South Haven
County Park
SOUTH
HAVEN
SHIRLEY
Mastic
Railroad
Island
River
Waterway
Long
Yaphank
Creek
Carmans
Wyandot
Little
Neck
Creek
Wertheim
National
Wildlife
Refuge
BROOKHAVEN
1179
4
Little Fish Creek
Big Fish Creek
FIREPLACE
NECK
Wertheim
National
Wildlife
Refuge
Carmans River
N.Y.S.
Conservation
Area
(Access by Permit)
Long Pt
Post Pt
Manor of
St. George
PARKWOOD
SHIRLEY
0200-907-05-025

COUNTY OF SUFFOLK

Gen H8

FEB 08 2008

1167

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

February 6, 2008

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

Re: Tax Map No. 0200-907.00-05.00-025.000
SECRETARY OF HOUSING AND URBAN DEVELOPMENT

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, Deputy County Executive for I. R. (original plus 1 hard copy)
Steve Forst, Budget Office (hard copy)
C.E. Reso. Review (electronic copy)
Jim Morgo, Chief Deputy County Executive
- Brendan Chamberlain and Tom Vaughn
Intergovernmental Relations

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. 1168-08 Laid on Table 3/4/08

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
JAFRIA ASSOCIATION OF NORTH AMERICA
0500-160.00-01.00-017.000

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 Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 160.00, Block 01.00, Lot 017.000, and acquired by tax deed on October 16, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 26, 2007, in Liber 12528, at Page 20, and otherwise known as and by Town of Islip, known and designated as Suffolk County New York Tax Map Number District 0500, Section 160.00, Block 01.00, Lot 017.000; 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 16, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 26, 2007 in Liber 12528 at Page 20.

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, SYED H. NAQUI, as President of Jafria Association of North America, has made application of said above described parcel and SYED H. NAQUI has paid the application fee and $13,157.53, 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 JAFRIA ASSOCIATION OF NORTH AMERICA, 124 3rd Street, Brentwood, New York 11717, 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

1168

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

January 31, 2008

Tax Map No.: 0500-160.00-01.00-017.000
Name of Last Legal Fee Owner: JAFRIA ASSOCIATION OF NORTH AMERICA

TREASURER'S COMPUTATION..... $13,157.53

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..... $13,157.53

Monies Received..... $13,157.53

RESOLUTION AMOUNT..... $13,157.53

APPROVED:

Karen A Slater 2/6/08
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

1168

1. Type of Legislation

Resolution X
Tax Map Number 0500-160.00-01.00-017.000

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 _____ _____ _____

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0500	160.00	01.00	017.000

1166

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2002/03	7145.47
2005/06	4954.20

2003/04, 2004/05, AND 2006/07 TAXES PAID BY JAFRIA ASSOC.

TOTAL:	12099.67
B. INTEREST DUE	431.31
C. TOTAL	12530.98
D. 5% LINE C	626.55
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$13,157.53

12/3/07 ef

CERTIFICATION BY COUNTY TREASURER

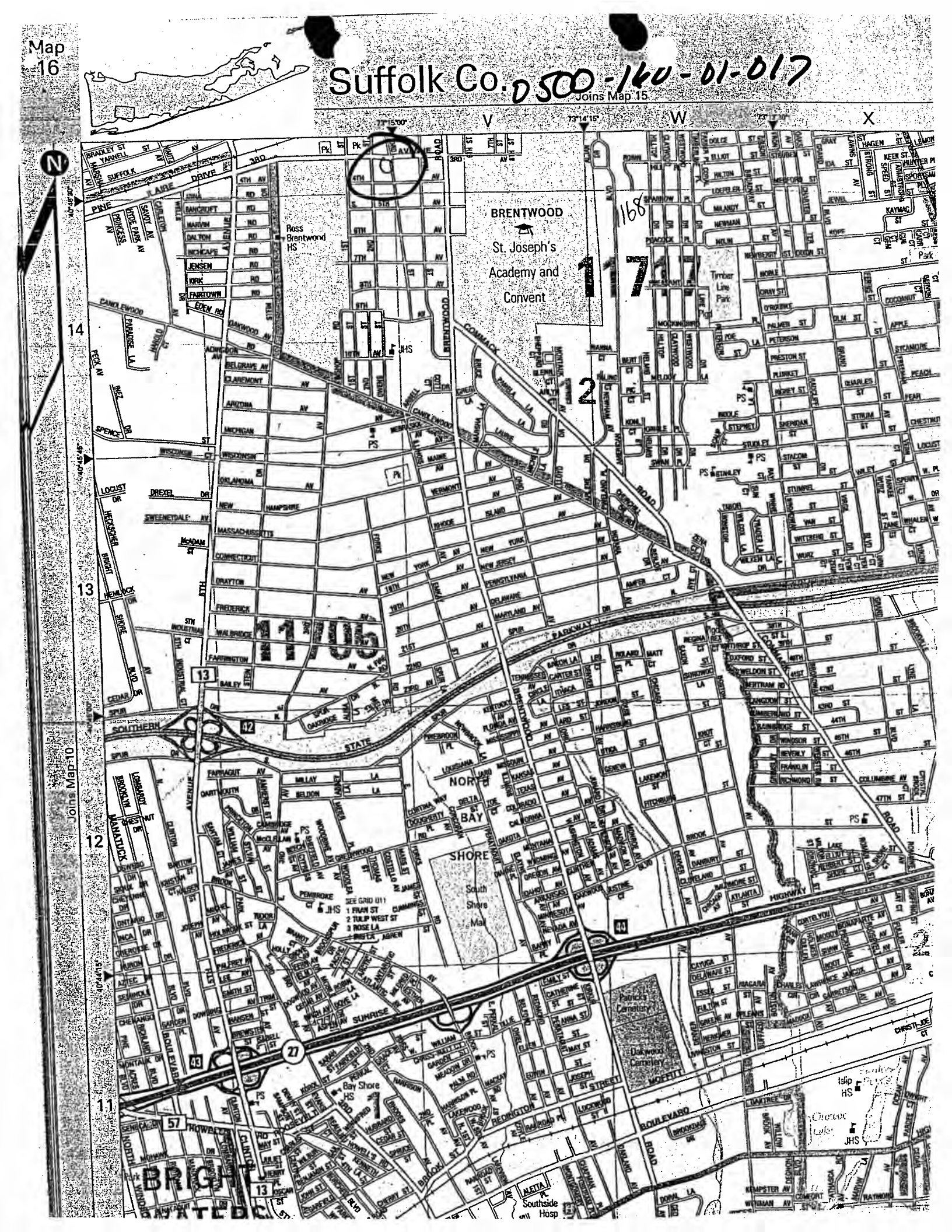
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

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

Diane M. Stuke
Deputy County Treasurer

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

dz


Map 16
Suffolk Co.
0500-140-01-017
Joins Map 15
Joins Map 10
BRENTWOOD
St. Joseph's Academy and Convent
Ross Brentwood HS
Timber Line Park
NORTH BAY SHORE
South Shore Mall
Bay Shore HS
Patricks Cemetery
Oakwood Cemetery
Islip HS
Southside Hosp
BRIGHT WATERS
SOUTHERN STATE PARKWAY
SUNRISE HIGHWAY
MOFFITT BOULEVARD
COMMACK ROAD
SEE GRID 011
1 FRAN ST
2 TULIP WEST ST
3 ROSE LA
1706
1705
1707
1708
1709
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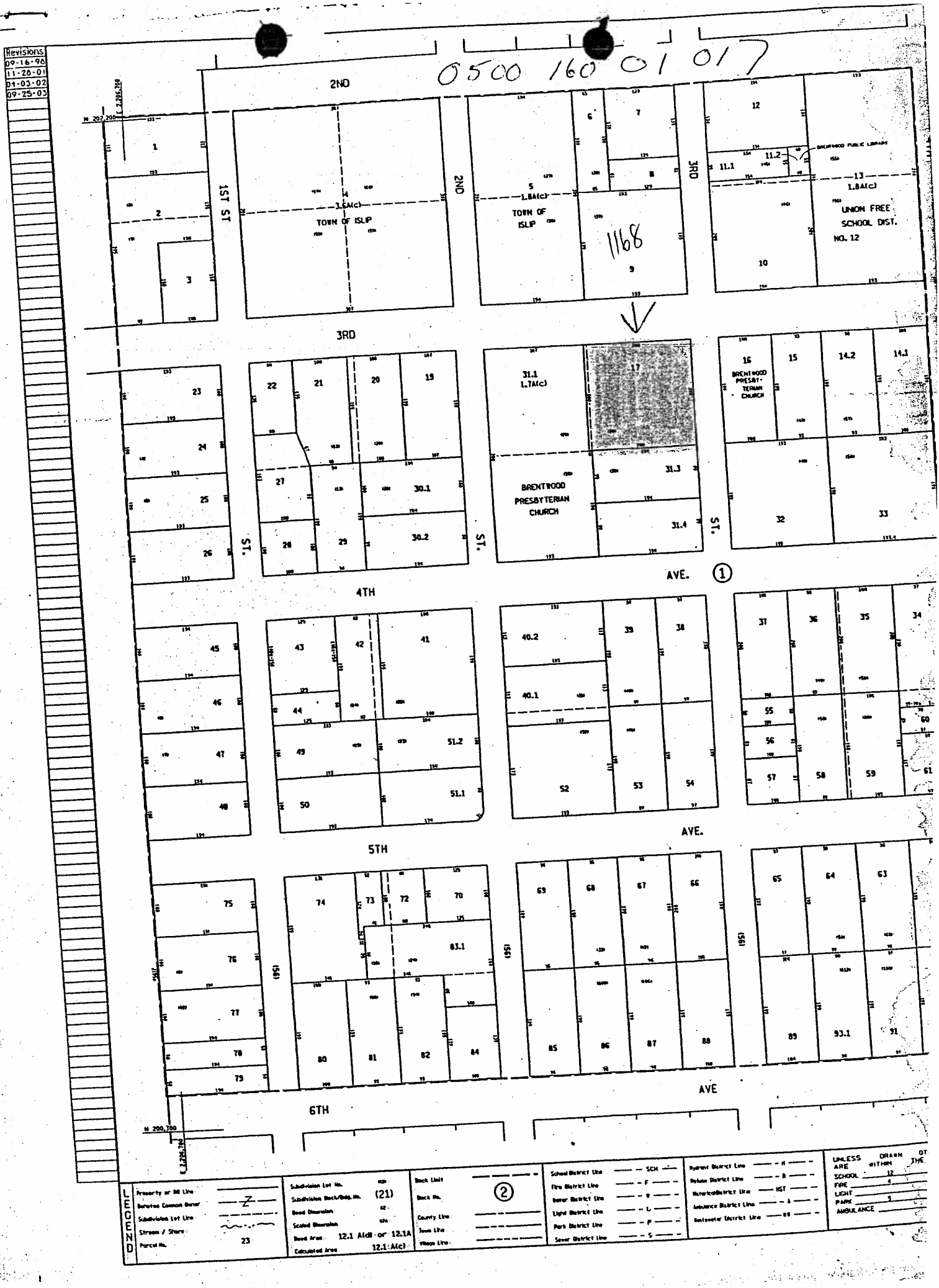
1718



Revisions
09-16-98
11-28-01
04-03-02
09-25-03
0500 160 01 017
2ND
1ST ST
2ND
3RD
3RD
4TH
5TH
6TH
ST.
ST.
ST.
AVE.
AVE.
AVE
TOWN OF ISLIP
3.6A(c)
1.8A(c)
1168
BRENTWOOD PUBLIC LIBRARY
UNION FREE SCHOOL DIST. NO. 12
1.7A(c)
BRENTWOOD PRESBYTERIAN CHURCH
BRENTWOOD PRESBYTERIAN CHURCH
N 202,200
N 200,700
E 2,206,700
LEGEND
Property or Bill Line
Denotes Common Owner
Subdivision Lot Line
Stream / Shore
Parcel No. 23
Subdivision Lot No.
Subdivision Block/Bldg. No. (21)
Deed Dimension
Scaled Dimension
Deed Area 12.1 A(d) or 12.1A
Calculated Area 12.1 A(c)
Block Limit
Block No. 2
County Line
Town Line
Village Line
School District Line SCH
Fire District Line F
Water District Line W
Light District Line L
Park District Line P
Sewer District Line S
Hydrant District Line H
Refuse District Line R
Historic District Line HST
Ambulance District Line A
Wastewater District Line WW
UNLESS ARE DRAWN WITHIN OT THE
SCHOOL 12
FIRE 4
LIGHT
PARK 5
AMBULANCE

Gen A9

COUNTY OF SUFFOLK

FEB 13 2008

1168

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

February 11, 2008

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

Re: Tax Map No. 0500-160.00-01.00-017.000
JAFRIA ASSOCIATION OF NORTH AMERICA

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, Deputy County Executive for I. R. (original plus 1 hard copy)
Steve Forst, Budget Office (hard copy)
C.E. Reso. Review (electronic copy)
Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain and Tom Vaughn - Intergov. Rel.

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. 1169-08 Laid on Table 3/4/08

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
OVLASID REALTY LLC
1000-089.00-03.00-001.001

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 Southold, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 1000, Section 089.00, Block 03.00, Lot 001.001, and acquired by tax deed on April 20, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 26, 2007, in Liber 12502, at Page 651, and otherwise known as and by Town of Southold, County of Suffolk and State of New York, as Suffolk County Tax Map Number: District 1000, Section 089.00, Block 03.00, Lot 001.001; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on April 20, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 26, 2007 in Liber 12502 at Page 651.

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, JNL FUNDING CORP., as Mortgagee, by Timothy Mayette, as C.F.O., has made application of said above described parcel and JNL FUNDING CORP., as Mortgagee, has paid the application fee and $46,073.29, 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 OVLASID REALTY LLC, c/o JNL FUNDING CORP., 4792 Hempstead Turnpike, Farmingdale, New York 11735, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

50.I

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1169

January 31, 2008

Tax Map No.: 1000-089.00-03.00-001.001
Name of Last Legal Fee Owner: OVLASID REALTY LLC

TREASURER'S COMPUTATION..... $40,995.78

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

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... $ 5,077.50

TOTAL..... $46,073.28

Monies Received..... $46,073.29 – overpayment of $.01

RESOLUTION AMOUNT..... $46,073.28

APPROVED:

Karen A. Slater 2/5/08
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 1169

1. Type of Legislation

Resolution X
Tax Map Number 1000-089.00-03.00-001.001

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

2008

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

Cathy O'Neal Cathy O'Neal 2/1/08

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
1000	089.00	03.00	001.001

1169

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05	12871.88
2005/06	12790.72
2006/07	11216.20

TOTAL: 36878.80

B. INTEREST DUE	2164.80
C. TOTAL	39043.60
D. 5% LINE C	1952.18
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE $40,995.78

11/19/07 CR

CERTIFICATION BY COUNTY TREASURER

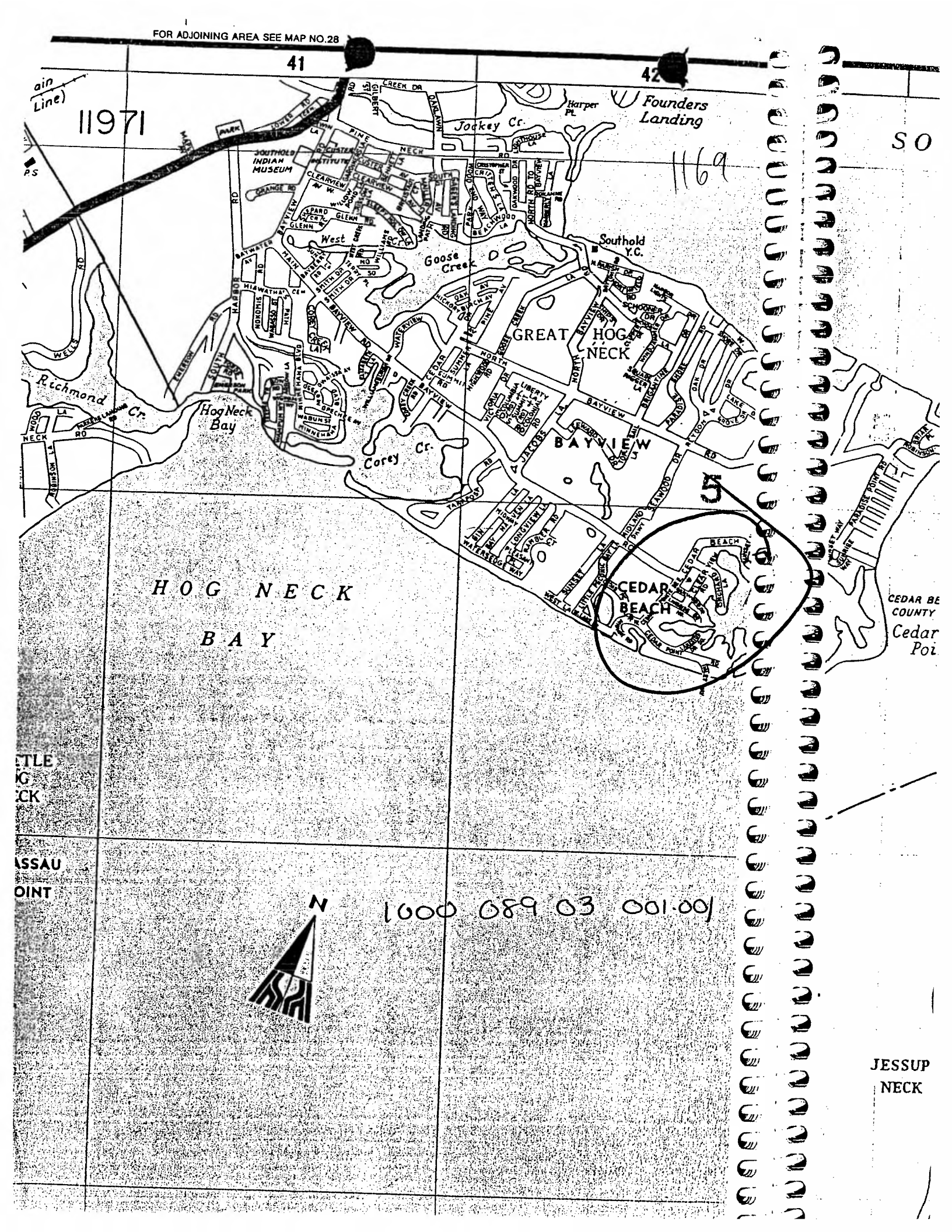
I, Douglas W. Sutherland, Chief Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my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

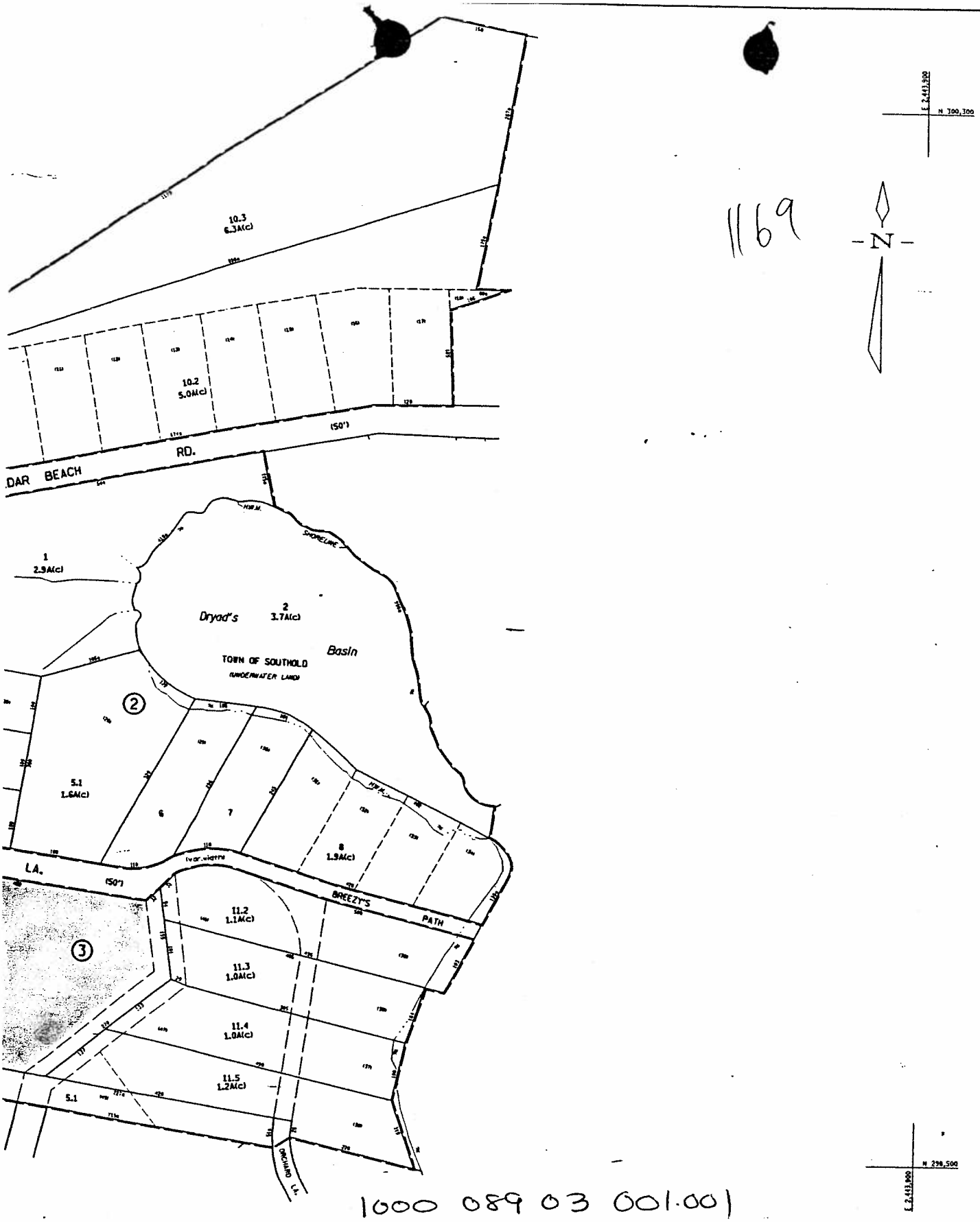
IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 13-Nov-07

Douglas W. Sutherland
Chief Deputy County Treasurer

**Interest and penalty computed to and including 05/11/08

dz


FOR ADJOINING AREA SEE MAP NO.28
41
42
11971
1169
Harper Pt.
Founders Landing
Jockey Cr.
SOUTHOLD INDIAN MUSEUM
Southold Y.C.
Goose Creek
GREAT HOG NECK
BAYVIEW
CEDAR BEACH
Richmond Cr.
Hog Neck Bay
Corey Cr.
HOG NECK BAY
JESSUP NECK
1600 089 03 001.00/



1000 089 03 001.001

PROPERTIES DISTRICTS:

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 SOUTHOLD
VILLAGE OF
DISTRICT NO 1000

SECTION NO
089
PROPERTY MAP

CONVERSION DATE: JAN. 30, 1990

COUNTY OF SUFFOLK

Gen A 10

FEB 13 2008

1169

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

February 11, 2008

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

Re: Tax Map No. 1000-089.00-03.00-001.001
OVLASID REALTY LLC

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, Deputy County Executive for I. R. (original plus 1 hard copy)
Steve Forst, Budget Office (hard copy)
C.E. Reso. Review (electronic copy)
Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain and Tom Vaughn- Intergov. Rel.

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. 1170-08 Laid on Table 3/4/08
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 #291

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
ISLIP:				
0500-294.00-02.00-046.000	2007/08	$4976.50	$0.00	$4976.50
0500-271.00-03.00-013.000	2007/08	$4769.29	$0.00	$4769.29
0500-378.00-01.00-036.001	2007/08	$3471.89	$0.00	$3471.89
0500-378.00-01.00-036.002	2007/08	$5734.47	$0.00	$5734.47
0500-251.00-01.00-002.006	2007/08	$2948.13	$0.00	$2948.13
0500-174.00-01.00-005.003	2007/08	$17768.80	$0.00	$17768.80

Dated:

Approved By:

_____

Suffolk County Executive

Date of Approval:

1170

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   ResolutionXXX Local Law Charter Law

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

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

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

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

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

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

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

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

9. Timing of Impact
   Variable

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

Angie M. Carpenter
County Treasurer

Angie M. Carpenter 2/14/08

Additional back-up material regarding I.R. 1170-08 is on file in the Legislative Clerk's Office, Hauppauge.

Intro Res. No. 1171-08 Laid on Table 3/4/08
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 #292

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:				
0200-777.00-04.00-002.000 Item #3634720	**2007/08**	**$35,407.80**	**$0.00**	**$35,407.80**
0200-985.70-08.00-038.000 Item #8906685	**2007/08**	**$ 3,721.77**	**$0.00**	**$ 3,721.77**

Dated:

Approved By:

_____

Suffolk County Executive

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   ResolutionXXX Local Law Charter Law

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

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

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

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

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

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

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

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

9. Timing of Impact
   Variable

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

Angie M. Carpenter
County Treasurer

Angie M. Carpenter 2/14/08

Additional back-up material regarding I.R. 1171-08 is on file in the Legislative Clerk's Office, Hauppauge.

Intro Res. No. 1172-08 Laid on Table 3/4/08
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 #293

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
EASTHAMPTON:				
0300-048.00-07.00-024-0001	**2007/08**	**$3662.42**	**$0.00**	**$3662.42**

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   ResolutionXXX Local Law Charter Law

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

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

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

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

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

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

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

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

9. Timing of Impact
   Variable

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

Angie M. Carpenter
County Treasurer

Angie M. Carpenter 2/14/08

Additional back-up material regarding I.R. 1172-08 is on file in the Legislative Clerk's Office, Hauppauge.

Intro. Res. No. 1173-2008 Laid on Table 3/4/08
Introduced by Presiding Officer pursuant to Rule 3(A)(14) of the Suffolk County Legislature

RESOLUTION NO. -2008
AUTHORIZING PUBLIC HEARING
FOR APPROVAL OF FERRY RATES FOR
DAVIS PARK FERRY CO.,

WHEREAS, Davis Park Ferry Co., has applied to the Suffolk County Legislature, by a Petition dated and verified January 4, 2008, pursuant to Article 8 of the New York Navigation Law, Section 71 of the New York Transportation Corporations Law, and Chapter 287 of the Suffolk County Code for the approval of its passenger and freight rated between the ferry terminals in Patchogue, NY and the Fire Island communities of Davis Park and Watch Hill at approved rates; it is

RESOLVED:

FIRST: That a Public Hearing on the Petition of Davis Park Ferry Co., shall be held at the Regular Meeting of the Suffolk County Legislature at 2:30 p.m., on the 29th day of April, 2008 at Hauppauge, New York; and it is further

RESOLVED:

SECOND: That pending the consideration of this Petition and the Public Hearing, the Petition is hereby referred to the Public Works and Transportation Committee, or any successor committee thereto, for its consideration and recommendations to the Suffolk County Legislature.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Intro. Res. No.: 1174 -2008 Laid on Table 3/4/08
Introduced by Presiding Office pursuant to Rule 3(A)(14) of the Suffolk County Legislature

RESOLUTION NO. -2008
APPROVING RATES ESTABLISHED
FOR DAVIS PARK FERRY CO.

WHEREAS, Davis Park Ferry Co., has applied to the Suffolk County Legislature, by a Petition dated and verified January 4, 2008, pursuant to Article 8 of the New York Navigation Law, Section 71 of the New York Transportation Corporations Law, and Local Law No 7 of 1982 of Suffolk County for the approval of its passenger and freight rates; and

WHEREAS, the Office of the Legislature Budget Review has submitted its recommendations on said application to the Legislature; and

WHEREAS, the Public Works & Transportation Committee of this Legislature has reported its recommendations on the application to the Legislature as a whole;

NOW THEREFORE, be it

RESOLVED:

FIRST: That the Petition of Davis Park Ferry Co., dated and verified January 4, 2008 is approved as follows:

SERVICE DESCRIPTION
FERRY SERVICE SCHEDULE

See attached following pages

RATE SCHEDULES

See attached following pages

And be it further

RESOLVED:

SECOND: That said rates shall take effect immediately.

And it be further

RESOLVED:

THIRD: That petitioner's application for a Cost of Living Adjustment provision is granted in the form as follows:

And it be further

RESOLVED:

FOURTH: That this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5 (c)(20) and (27), of Title 6 of the New York Code of Rules and Regulations (6NYCRR) and within the meaning of Section8-0109 (2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval _____

Freight Rates

Amusements

Item	Old Rate	New Rate	% Increase
Bowling Game	$17.75	$20.40	15%
Cigarette Machine	$10.50	$12.00	14 ¼%
Football Game	$14.25	$16.35	15%
Juke Box	$15.00	$17.25	15%
Pinball Machine	$17.75	$20.40	15%
Video Game	$14.25	$16.35	15%
Pool Table	$22.75	$26.15	15%

Appliances

Item	Old Rate	New Rate	% Increase
Dishwasher	$9.00	$10.35	15%
Dryer	$9.00	$10.35	15%
Freezer, residential	$23.25	$26.75	15%
Freezer, commercial	$34.30	$39.45	15%
Microwave Oven	$4.50	$5.15	14 ¼%
Range 4 Burner Stove	$13.75	$15.75	14 ½%
Range Top	$3.45	$3.95	14 ½%
Refrigerator, residential	$21.00	$24.15	15%
Refrigerator, commercial	$32.95	$37.90	15%
Soda Machine	$26.50	$30.35	14 ½%
Stove: Coal/Wood	$12.65 min.	$14.55 min.	15%
	$0.05 p/gal	$0.06 p/gal	15%
Trash Compactor	$6.60	$7.60	15.1%
Washing Machine	$13.25	15.25	15.1%

Building Supplies

Item	Old Rate	New Rate	% Increase
Asphalt Tub	$2.65	$3.05	15%
Bricks, p/brick	$0.12	$0.14	15%
Cement, bag 90 lbs	$3.50	$4.00	14 ¼%
Cement block, 8"std/4" solid	$0.50	$0.60	20%
Cement block, 12' std.	$0.60	$0.70	16 ¾%
Cement covers, 5x2'	$13.00	$14.95	15%
Cement covers, 2' round	$7.00	$8.05	15%
Cement mixer	$7.90	$9.10	15.1%

Item	Old Rate	New Rate	% Increase
Doors			
Combo & Exterior	$4.50	$5.15	14 ¼%
Interior & Louvre	$3.00	$3.45	15%
Jalousie w/glass	$4.50	$5.15	14 ¼%
Pre-hung & Shower	$4.50	$5.15	14 ¼%
Sliding glass set, 6'	$11.50	$13.20	14 ¾%
Sliding glass set, 8'	$17.00	$19.55	15%
Door frame, set	$9.50	$10.95	15.2%
Door jambs, set	$0.85	$1.00	17%
Flagstone, per piece, bulk	$0.65	$0.75	15%
Felt, roll	$1.00	$1.15	15%
Fiberglass panel, 2'x8'	$0.75	$0.90	19%
Flue Pipe, 8"x8"	$0.85	$1.00	17%
Flue Pipe, 12' piece	$1.25	$1.45	15 ¾%
Formica, 4'x8' or roll	$3.00	$3.45	15%
Glass minimum per piece	$3.00	$3.45	15%
Gravel, sand 50 lb bag	$2.00	$2.30	15%
Homosote, 4'x8' sheet	$0.85	$1.00	17%
Insulation, bundle	$1.75	$2.00	14 ¼%
Ladder, step	$1.25	$1.45	15 ¾%
Ladder, 20' extension	$2.25	$2.60	15 ¾%
Ladder, 40' extension	$4.50	$5.15	14 ¼%
Lath, 2'x8' wire	$4.00	$4.60	15%
Leader or gutter, 10' piece	$0.75	$0.90	19%
Leader or gutter, 20' piece	$0.75	$0.90	19%
Masonite, 4'x8' panel	$1.10	$1.25	14 ½%
Molding, bundle, per foot	$0.25	$0.30	20%
Nails, 50# box	$1.25	$1.45	15 ¾%
Poles, CCA			
6"x8'	$3.25	$3.75	15 ½%
6"x20'	$5.75	$6.65	15 ¾%
6"x25'	$7.75	$8.95	15 ½%
8"x20'	$8.50	$9.75	14 ¾%
8"x25'	$10.75	$12.30	14 ½%
10"x20'	$12.50	$14.40	15 ¼%
Over 20 feet add p/ft.	$0.85	$1.00	17%
R.R. ties, creosote	$3.25	$3.75	15 ½%
Landscape ties, CCA	$2.00	$2.30	15%
Roof deck, 2'x8' panel	$0.85	$1.00	17%
Roofing, shingles per bundle	$3.50	$4.00	14 ½%
Roofing, roll or split sheet	$1.10	$1.25	14 ½%
Scaffold, w/return	$8.75	$10.10	15 ½%
Screens	$0.85	$1.00	17%

Item	Old Rate	New Rate	% Increase
Sheetrock:			
½" 4'x8' sheet	$1.10	$1.25	14 ½%
½" 4'x10'	$1.15	$1.35	17 ½%
½" 4'x12'	$1.25	$1.45	15 ¾%
Shingles, wood p/bundle	$1.50	$1.75	16 ¾%
Siding break w/return	$8.50	$9.75	14 ¾%
Skylight	$3.25	$3.75	15 ½%
Slate, per piece, bulk	$0.60	$0.70	16%
Siding, bundle	$1.25	$1.45	15 ¾%
Snow fence, 50' roll	$2.75	$3.15	14 ¾%
Snow fence posts, bdl. of 10	$1.50	$1.75	16 ¾%
Split Rail Fence, per piece	$0.70	$0.80	15%
Stockade Fence, 6' x 8' section	$3.50	$4.00	14 ½%
Stockade Fence Post, each	$0.60	$0.70	16 ¾%
Styrofoam, 2' x 8' sheet	$0.50	$0.60	20%
Tar kettle w/return	$35.00	$40.25	15 %
Tar	$1.50	$1.75	16 ¾%
Tar Roofing 5gal. pail	$1.10	$1.25	14 ½%
Tile, ceiling, box	$1.25	$1.45	15 ¾%
Tile, floor, box	$1.50	$1.75	16 ¾%
Tile, ceramic, box	$1.50	$1.75	16 ¾%
Wonderboard	$3.00	$3.45	15%

Bulk Shipments: Liquids, Gas, Etc.

(Price includes return of empties)

Item	Old Rate	New Rate	% Increase
Bulk liquid per gallon	$0.30	$0.35	16 ¾%
55-gal. drum w/gas, oil or kerosene	$15.30	$17.60	15%
Gas, oil, or kerosene p/gal	$0.30	$0.35	16 ¾%
Gas tank, 6 gallon	$1.75	$2.00	14 ¼%
Gas, 5 gal. container	$1.50	$1.75	16 ¾%
Gas cylinder, lg. (Chlorine, etc)	$4.60	$5.30	15 ¼%
Gas cylinder, sm. (Co2, etc)	$3.50	$4.00	14 ½%
Propane cylinder, 100 lb.	$5.00	$5.75	15%
Propane cylinder, 25 lb	$1.25	$1.45	15 ¾%
Freight Boat – minimum charge (unscheduled)	$250.00	$287.50	15%
Barge minimum charge	$500.00	$575.00	15%

Furniture

Item	Old Rate	New Rate	% Increase
Beds & Bedding			
Bed end	$1.50	$1.75	16 ¾%
Bed Frame	$1.50	$1.75	16 ¾%
Bed, Folding	$2.50	$2.90	16%
Mattress or box springs			
Single	$3.25	$3.75	15 ½%
Double	$5.00	$5.75	15%
Queen	$6.50	$7.50	15 ½%
King	$8.75	$10.10	15 ½%
Chair, folding	$0.90	$1.05	17%
Chair	$1.50	$1.75	16 ¾%
Chaise, aluminum	$1.30	$1.50	15 ½%
Chaise, redwood	$2.30	$2.65	15 ¼%
Cabinets, kitchen, per foot:			
Lower Units	$3.50	$4.00	14 ¼%
Upper Units	$2.50	$2.90	16%
Dresser	$3.00	$3.45	15%
Hi-riser	$11.50	$13.25	15 ¼%
Hutch	$8.75	$10.10	15 ½%
Lamp, floor style	$2.25	$2.60	15 ¾%
Lamp, table style	$1.50	$1.75	16 ¾%
Love Seat	$4.75	$5.45	14 ¾%
Piano	$26.20	$30.00	14 ¾%
Play Pen	$1.50	$1.75	16 ¾%
Recliner	$5.00	$5.75	15%
Rocker	$1.75	$2.00	14 ¼%
Rug or padding, roll	$2.50	$2.90	16%
Sofa	$5.00	$5.75	15%
Sofa, convertible	$26.00	$29.90	15%
Table, cocktail	$1.75	$2.00	14 ¼%
Table, dining	$4.25	$4.90	15 ½%
Table, end	$1.50	$1.75	16 ¾%
Table, picnic	$5.00	$5.75	15%
TV Set, cabinet	$5.75	$6.60	15%
TV Set, console	$8.75	$10.10	15 ½%
TV Set, portable	$4.25	$4.90	15 ½%
Stereo component, per piece	$1.50	$1.75	16 ¾%

Garden Supplies & Tools

Item	Old Rate	New Rate	% Increase
Bush 25lb.	$2.00	$2.30	15%
Chainsaw	$1.50	$1.75	16 ¾%
Fertilizer:			
25 lb. bag	$1.15	$1.35	17 ½%
40-50 lb. bag	$2.00	$2.30	15%
75-80 lb. bag	$3.25	$3.75	15 ½%
100 lb. bag	$4.00	$4.60	15%
Flat of plants or flowers	$0.85	$1.00	17%
Hay, bale	$1.75	$2.00	14 ¼%
Mower	$3.25	$3.75	15 ½%
Peat moss, 2 c.f. bale	$1.10	$1.25	14 ½%
Peat moss, 4 c.f. bale	$1.50	$1.75	16 ¾%
Peat moss, 6 c.f. bale	$1.75	$2.00	14 ¼%
Pine bark (chips), bag	$1.50	$1.75	16 ¾%
Plant, single small container	$1.10	$1.25	14 ½%
Rota-tiller	$4.50	$5.15	14 ¼%
Sprayer	$4.50	$5.15	14 ¼%
Table Saw	$8.75	$10.10	15 ½%
Tree, add $2.00 p/ft over 3 ft.	$3.00	$3.45	15%

Groceries, Food, & Restaurant Supplies

Item	Old Rate	New Rate	% Increase
Beer, case of cans	$0.75	$0.85	14 ½%
Beer, case of bottles	$0.75	$0.85	14 ½%
Beer & Soda empties, p/case	$0.75	$0.85	14 ½%
Beer, ¼ keg w/return	$3.75	$4.30	14 ¾%
Beer ½ keg w/return	$5.00	$5.75	15%
Bread or cake, box or bag	$0.75	$0.85	14 ½%
Cigarettes, single case	$1.60	$1.85	15 ¾%
Cigarettes, double case	$2.75	$3.15	14 ¾%
Cones, carton	$0.75	$0.85	14 ½%
Cookies, carton	$1.60	$1.85	15 ¾%
Dairy products, per piece, bulk	$0.65	$0.75	15 ½%
Deli products, per piece, bulk	$0.65	$0.75	15 ½%
Eggs, case	$1.20	$1.40	16 ¾%
Fish, crate or box	$2.65	$3.05	15 ¼%
Fish, carton, bag or bushel	$1.20	$1.40	16 ¾%
Frozen food, p/carton, bulk	$0.45	$0.50	13%
Ice Cream, lg. carton	$4.00	$4.60	15%
Ice Cream, sm. Carton	$2.00	$2.30	15%

Item	Old Rate	New Rate	% Increase
Liquor, case	$2.00	$2.30	15%
Meat, p/100 lb. bulk	$3.60	$4.15	15 ½%
Meat, lg. carton, crate or box	$1.30	$1.50	15 ½%
Meat, sm. carton	$0.80	$0.90	13 ½%
Milk, case w/return	$0.80	$0.90	13 ½%
Newspapers, magazines p/bundle	$0.80	$0.90	13 ½%
Paper logs, kindling, p/bundle	$0.80	$0.90	13 ½%
Soda, case of cans	$0.70	$0.80	15%
Soda, case of bottles	$0.80	$0.90	13 ½%
Soda, empties per case (24)	$0.35	$0.40	15%
Soda Syrup, 4 gal. carton	$1.20	$1.40	16 ¾%
Soda syrup, cylinder w/return	$3.25	$3.75	15 ½%
Supplies, p/carton 25 lbs or less	$0.75	$0.85	14 ½%
Supplies, 25 lbs & over p/lb	$0.05	$0.06	20%
Vegetables & produce carton/crate	$0.80	$0.90	13 ½%
Water, 5gal. bottle w/return	$3.10	$3.55	14 ¾%

Hardware

Item	Old Rate	New Rate	% Increase
Hardware, package or carton	$1.10	$1.25	14 ½%
Paint, case	$1.50	$1.75	16 ¾%
Paint, gallon can	$1.50	$1.75	16 ¾%
Paint, 5 gal. pail	$1.50	$1.75	16 ¾%

Windows

Item	Old Rate	New Rate	% Increase
Single Unit	$3.00	$3.45	15%
Mullion	$4.50	$5.15	14 ¼%
Triple or picture	$8.75	$10.10	15 ½%
Bay or Bow	$10.00	$11.50	15%

Miscellaneous

Item	Old Rate	New Rate	% Increase
Air conditioner	$2.50	$2.90	16%
Battery, std. size	$1.75	$2.00	14 ¼%
Bicycle	$3.00	$3.45	15%
Boats, p/ft.	$1.75	$2.00	14 ¼%
Boat Trailer	$13.00	$14.95	15%
Cash Register	$3.25	$3.75	15 ½%
Carts – Garden	$4.00	$4.75	18 ¾%
Carts – Shopping	$1.25	$1.50	20%
Carton, not exceeding 25 lbs.	$0.75	$0.85	14 ¼%
Carton, over 25 lbs. p/lb.	$0.05	$0.06	20%

Item	Old Rate	New Rate	% Increase
Coal, per bag, 50 lbs.	$1.85	$2.10	14%
Copy machine	$5.90	$6.75	14 ½%
Dry Cleaning, box or bundle	$1.30	$1.50	15 ½%
Garbage can – empty	$1.30	$1.50	15 ½ %
Laundry – bag or bundle w/return	$2.00	$2.30	15%
Motor, outboard 1hp. -10 hp.	$2.30	$2.65	15 ¼%
Sunfish Sailboat	$26.30	$30.25	15%
Surfboard	$3.00	$3.45	15%
Tricycle, small	$1.50	$1.75	16 ¾%
Wagon – empty	$1.25	$1.50	20%
Wagon – Loaded	$2.50	$3.00	20%
Windsurfer	$14.50	$16.75	15 ½%
Windsurfer w/mast, boom, & sail	$20.00	$23.00	15%
Firewood, cord 4'X32"X8'	$62.50	$72.00	15 ¼%

Passenger Luggage

Item	Old Rate	New Rate	% Increase
Box, bag, suitcase (25 lbs. or less)	$0.75	$0.85	14 ½%
Box, bag, suitcase 25 lbs. or more p/lb.	$0.05	$0.06	20%
Wagon	$2.50	$3.00	20%
Shopping Cart	$1.25	$1.50	20%
Garden Cart	$4.00	$4.50	18 ¾%
Hand Truck	$2.50	$3.00	20%

Plumbing Supplies

Item	Old Rate	New Rate	% Increase
Basin	$1.50	$1.75	16 ¾%
Cast Iron Fittings	$0.85	$1.00	17%
Closet set	$4.25	$4.90	15 ½%
Pipe:			
Steel 6' length	$1.50	$1.75	16 ¾%
Steel 8' length	$1.75	$2.00	14 ¼%
Steel 10' length	$2.25	$2.60	15 ¾%
Copper 20' length	$1.25	$1.45	15 ¾%
Copper 10' length	$0.75	$0.85	14%
PVC 10' length	$0.40	$0.45	13%
PVC 20' length	$0.80	$0.90	13%
Shower, enclosure	$4.25	$4.90	15 ½%
Shower, base	$5.00	$5.75	15%
Shower, stall, fiberglass	$20.25	$23.30	15%
Shower, tub size, fiberglass	$38.00	43.70	15%
Sink	$1.50	$1.75	16 ¾%
Toilet	$4.25	$4.90	15 ½%

Item	Old Rate	New Rate	% Increase
Tub, cast iron	$17.50	$20.00	14 ½%
Tub, fiberglass	$7.25	$8.35	15 ¼%
Water Heater, electric or gas			
Per gallon capacity	$0.15	$0.17	15%

Refuse

Shipping of Container only, does not include dumping fees

Item	Old Rate	New Rate	% Increase
30 yard container	$362.80	$417.20	15%
20 yard container	$241.90	$278.15	15%
10 yard container	$181.40	$208.60	15%

Vehicles

Item	Old Rate	New Rate	% Increase
Cushman type scooter	$25.25	$29.00	15%
Small trucks, passenger	$61.50	$70.70	15%
Truck ¾ ton max. capacity	$69.00	$79.35	15%

Vehicles not in operating condition add 50%

Lumber price p/linear ft – New Rates 27% Higher

	CCA	FIR	CEDAR	PINE
1 x 2	$0.0191	$0.0177	$0.0107	$0.0177
1 x 4	$0.0383	$0.0339	$0.0215	$0.0339
1 x 6	$0.0576	$0.0534	$0.0322	$0.0534
5/4 x 4	$0.0499	$0.0463	$0.0279	$0.0463
5/4 x 6	$0.0720	$0.0669	$0.0403	$0.0669
5/4 x 8	$0.0960	$0.0891	$0.0538	$0.0891
2 x 4	$0.0768	$0.0712	$0.0427	$0.0712
2 x 6	$0.1154	$0.1069	$0.0645	$0.1069
2 x 8	$0.1536	$0.1424	$0.0861	$0.1424
2 x 10	$0.1921	$0.1781	$0.1073	$0.1781
2 x 12	$0.2261	$0.2138	$0.1290	$0.2138
3 x 6	$0.1921	$0.1781	$0.1073	$0.1781
3 x 8	$0.2306	$0.2138	$0.1290	$0.2138
4 x 4	$0.1532	$0.1422	$0.0857	--------
6 x 6	$0.3460	$0.3044	--------	--------
8 x 8	$0.6150	$0.5699	--------	--------

Lumber – Miscellaneous

Plywood Price per Sheet

Item	**Old Rate**	**New Rate**	**% Increase**
¼	$0.50	$0.60	20%
3/8	$0.80	$0.90	13 ½%
1/2	$1.10	$1.25	14 ½%
5/8	$1.25	$1.45	15 ¾%
¾	$1.65	$1.90	15 ¼%

Exhibit B

Passenger Rates

	Old Rate	New Rate	% Increase
Adult One Way	$7.00	$8.00	14 ¼%
Child One Way	$4.50	$5.25	16 ¼%
Senior One Way	$6.25	$7.50	16%
Dog (Round Trip Only)	$4.50	$5.25	16 ¼%
20 Trip Book of Tickets	$122.00	$140.00	15%
40 Trip Card	$195.50	$238.00	21 ¾%

Specials

Following July 4th until Thursday before Labor Day.

Family Day – Up to 2 children ride ½ price with 1 parent paying full round trip fare (no tickets, cards, or coupons)

Ladies Day	$14.00 Same day round trip
Teenage Day	$14.00 Same day round trip

1175

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

Laid on Table 3/4/08

RESOLUTION NO. -2008, DECLARING THE MONTH OF APRIL AS "UNDERAGE DRINKING AWARENESS MONTH" IN SUFFOLK COUNTY

WHEREAS, alcohol use by young people is extremely dangerous – both to themselves and to society at large, and is associated with traffic fatalities, violence, unsafe sex, suicide, educational failure, and other problem behaviors; and

WHEREAS, according to the National Council on Alcoholism and Drug Dependence, alcohol is the number one drug of choice for America's young people; and

WHEREAS, those who begin drinking before age 15 are four times more likely to develop alcoholism than those who begin at age 21; and

WHEREAS, each day, 7,000 children in the United States under the age of 16 take their first drink; and

WHEREAS, underage alcohol use costs the nation an estimated $53 billion annually; and

WHEREAS, public awareness needs to be raised for this important issue, and

WHEREAS, this year's theme for the national Alcohol Awareness Month is a Call To Action and it highlights the need to work together to create comprehensive education, prevention, intervention and treatment resources; and

WHEREAS, a public education contest to be held in each school in Suffolk County would raise the awareness of this very serious issue; now, therefore be it

1st **RESOLVED**, that the month of April be declared as "Underage Drinking Awareness Month" in Suffolk County for this year and every year thereafter; and be it further

2nd **RESOLVED**, that the office of the Presiding Officer of the Suffolk County Legislature shall conduct an annual "Underage Drinking Awareness" campaign in elementary, middle, and high schools throughout the County of Suffolk, inviting students to participate in a contest requiring a student's interpretation of what should be done to prevent underage drinking, whether it be in the form of a poster, an essay, a photographic or multimedia presentation; and be it further

3rd **RESOLVED**, that each Legislator shall send letters to the Superintendents of public school districts, located within their pertinent legislative district, advising the school district as to the awareness campaign and contest; and be it further

4th **RESOLVED**, that each Legislator shall judge entries made by students in the elementary, middle, and high school levels in his or her district and recommend to the Presiding Officer of the County Legislature one submission per level to represent their legislative district; and be it further

5th **RESOLVED**, that the deadline for submitting eligible entries shall be March 30 of each year beginning in the year 2009; the Presiding Officer shall then select the winning entries at the elementary, middle and high school levels, which shall be announced at the first regularly scheduled meeting of the Legislature in April each year; and be it further

6th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (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-underage-drinking-awareness-month

Intro. Res. No. 1176 -2008
Introduced by the Presiding Officer

Laid on Table 3/4/08

RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE CARLLS RIVER COUNTY PARK ADDITION – NAPOLI CONSTRUCTION PROPERTY, TOWN OF BABYLON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Carlls River County Park Addition – Napoli Construction Property, Town of Babylon", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.33 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its February 20, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated February 20, 2008 of said recommendations; and

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

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

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

1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;

2.) The proposed use of the subject parcel(s) is passive recreation; and

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

and be it further

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\s-napoli-construction

Intro. Res. No. 1177 -2008
Introduced by Legislator Stern

Laid on Table 3/4/08

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO MAINTAIN THE INTEGRITY OF DRUG AND ALCOHOL SCREENING TESTS

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 MAINTAIN THE INTEGRITY OF DRUG AND ALCOHOL SCREENING TESTS**" 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 MAINTAIN THE INTEGRITY OF DRUG AND ALCOHOL SCREENING TESTS

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 drug and alcohol testing is now a common practice in the American workplace.

This Legislature further finds that drug and alcohol testing can deter the use of illegal drugs and enhance worker productivity but such testing is particularly useful and justified when the interests of public safety are at stake. For example, the federal Omnibus Transportation Employee Testing Act of 1991 requires drug and alcohol testing of safety sensitive transportation employees in aviation, trucking, railroads and mass transportation. At the local level, certain employees are required to undergo drug and alcohol testing including bus drivers who drive our children to and from school.

This Legislature also determines that many products that can be used to defraud or defeat drug screening tests are now widely available and easily obtained. These "masking products" generally fall into one of four categories: 1) dilution substances that are added to a urine specimen at the time it is collected or are ingested before an individual submits the specimen 2) cleansing substances that detoxify or cleanse urine and are ingested before an individual submits a urine specimen 3) adulterants that destroy or alter the chemical makeup of drugs and are added to a urine specimen at the time it is provided, 4) synthetic or drug free urine that is substituted in place of an individual's specimen.

This Legislature further finds and determines that the United States General Accounting Office issued a report that found that the wide number or products available to dilute, cleanse, adulterate or substitute urine specimens could compromise the integrity of drug and alcohol testing programs.

This Legislature further finds that a number of states have enacted legislation that prohibit the manufacture, marketing, distribution and use of drug masking products but the State of New York has not addressed this issue to date.

Therefore, the purpose of this local law is to protect the health, safety, and welfare of Suffolk County residents by prohibiting the sale and use of drug masking products in Suffolk County.

Section 2. Definitions.

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

"ADULTERANT" – any substance or chemical that is intended, for the purpose of defrauding a lawfully administered drug or alcohol screening test, to be consumed by a person, introduced into the body of a person or added to a sample of bodily fluid.

"BODILY FLUID" – blood, urine, saliva or other bodily fluid.

"DRUG OR ALCOHOL SCREENING TEST" an analysis of a sample of bodily fluid collected from a person for the purpose of detecting the presence of alcohol or drugs in the bodily fluid of the person.

Section 3. Prohibitions.

A.) It shall be unlawful for any person to manufacture, advertise, sell, distribute or purchase human urine, synthetic urine or any adulterant which is intend to defeat or defraud a lawfully administered drug or alcohol screening test.

B.) It shall be unlawful for any person to attempt to defeat or defraud a lawfully administered drug or alcohol screening test by the substitution or spiking of a urine sample or other bodily fluid sample.

C.) It shall be unlawful for any person to adulterate a urine sample or other bodily fluid sample with the intent to defeat or defraud a lawfully administered drug or alcohol screening test.

Section 4. Penalties.

Any person who violates the provisions of this law shall be guilty of an unclassified misdemeanor, punishable by a fine of up to one thousand dollars ($1000) and/or one year in prison.

Section 5. Applicability.

This law shall apply to actions occurring on or after this law's effective date.

Section 6. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or

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

Section 7. SEQRA Determination.

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

Section 8. Effective Date.

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\laws\l-drug-alcohol-screening

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1177

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

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

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

DATE: FEBRUARY 28, 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 MAINTAIN THE INTEGRITY OF DRUG AND ALCOHOL SCREENING TESTS

SPONSOR: LEGISLATOR STERN

DATE OF RECEIPT BY COUNSEL: 2/27/2008 **PUBLIC HEARING:** 3/18/2008

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

Enactment of this proposed local law would prohibit the sale and use of drug masking products that are used to defeat or defraud drug screening tests.

This local law would make it unlawful for any person to manufacture, advertise, sell, distribute or purchase human urine, synthetic urine or other chemical or substance which is intended to defeat or defraud a lawfully administered drug or alcohol screening test. This local law would also make it unlawful for any person to attempt to defeat a lawfully administered drug or alcohol screening test by the spiking or substitution of a urine sample or other bodily fluid sample. This local law would further make it unlawful for any person to adulterate a urine sample or other bodily fluid sample with intent to defeat or defraud a lawfully administered drug or alcohol screening test.

Any violation of this local law would constitute an unclassified misdemeanor punishable by a fine of up to $1,000 and/or confinement for a period of one year.

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

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-drug-alcohol-screening

1178

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

Laid on Table 3/4/2008

RESOLUTION NO. –2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STRENGTHENING AND IMPROVING COUNTY ROADS (CP 5014)

WHEREAS, the County's surface transportation infrastructure at the intersection of County Road 11 and County Road 9 / Central Street in the town of Huntington is in need of reconstruction and modernization; and

WHEREAS, this infrastructure reconstruction will additionally improve pedestrian safety and mobility to and from the Greenlawn Park; and

WHEREAS, the deferral of this necessary reconstruction and modernization will result in further surface and structural decay; and

WHEREAS, the 2008 Adopted Capital Budget and Program does not include sufficient funds to cover the reconstruction and modernization, an offsetting authorization must be provided from another capital project; and

WHEREAS, a funding offset within the Adopted 2008 Capital Budget and Program is desirable as it does not increase the Capital Program or increase future Operating Budgets; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of $120,000 in Suffolk County Serial Bonds for this reconstruction and modernization; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and 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; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 41 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998, 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 Number: 1755
Project Title: Infrastructure Improvements for Traffic an Public Safety and Public Health

Cost Elements	Total Estimated Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$2,725,000	$2,845,000 B	$2,725,000 B
TOTAL	$2,725,000	$2,845,000	$2,725,000

Project Number: 5014
Project Title: Strengthening and Improving County Roads

Cost Elements	Total Estimated Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$59,135,000	$5,500,000 B	$5,620,000 B
TOTAL	$59,135,000	$5,500,000	$5,620,000

and be it further

3rd RESOLVED, that the proceeds of $120,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project Number	Project Title	Amount
525-CAP-5014.346	Strengthening and Improving County Roads	$120,000

and be it further

4th 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

5th RESOLVED, 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"), the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

T:\BRO\IR 2008 Amend Cap Bud CP5014 Strengthening and Improving County Roads.doc

Intro. Res. No. 1179 -2008
Introduced by Legislator Stern

Laid on Table 3/4/2008

RESOLUTION NO. –2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH PLANTING TREES & SHRUBS AT VARIOUS LOCATIONS / ROADS (CP 5902)

WHEREAS, vehicle and safety lighting infrastructure in the area of County Road 4 and in the vicinity of North Gate in the towns of Huntington and Smithtown are broadcasting light beyond the roadways and the planting of trees & shrubs in this area is an environmentally safe and preferred remediation to this issue; and

WHEREAS, the Adopted 2008 Capital Budget and Program does not include funds for planting trees and shrubs at various locations and roadways; and

WHEREAS, the 2008 Adopted Capital Budget and Program does not include sufficient funds to cover the planting of trees and shrubs at various locations and roadways, an offsetting authorization must be provided from another capital project; and

WHEREAS, a funding offset within the Adopted 2008 Capital Budget and Program is desirable as it does not increase the Capital Program or increase future Operating Budgets; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of $50,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and 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; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 57 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998, 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 Number: 1755
Project Title: Infrastructure Improvements for Traffic an Public Safety and Public Health

Cost Elements	Total Estimated Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$2,675,000	$2,725,000 B	$2,675,000 B
TOTAL	$2,675,000	$2,725,000	$2,675,000

Project Number: 5902
Project Title: Planting Trees & Shrubs Various Locations / Roads

Cost Elements	Total Estimated Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
4. Site Improvements	$250,000	$0	$50,000 B
TOTAL	$250,000	$0	$50,000

and be it further

3rd RESOLVED, that the proceeds of $50,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project Number	Project Title	Amount
525-CAP-5902.411	Planting Trees & Shrubs Various Locations / Roads	$50,000

and be it further

4th 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

5th RESOLVED, 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"), the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

T:\BRO\IR 2008 Amend Cap Bud CP5902 Planting Trees & Shrubs Various Locations - Roads.doc

1180

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

Laid on Table 3/4/08

RESOLUTION NO. -2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (PATTERSQUASH ISLAND 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	3	Dowling College
	Section	988.30		150 Idle Hour Blvd.
	Block	02.00		Oakdale, NY 11769
	Lot	001.000		Contact: Erik Paulson

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-pattersquash-multifaceted-plan-steps

1181

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

Laid on Table 3/4/08

RESOLUTION NO. –2008, AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [FORMER SECTION C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER] FOR THE SOUTH BAY STREET PROPERTY, (TOWN OF BABYLON - SCTM NO. 0103-025.00-02.00-018.000 and 0103-025.00-02.00-019.000)

WHEREAS, the Old Suffolk County Drinking Water Program, approved in 1987 and amended in 1996, authorized the use of one-third of any surplus funds in the program for the acquisition of parkland in various towns, including the Town of Babylon, on a pro rata basis as determined by population; and

WHEREAS, Resolution No. 1284-2005, authorized planning steps for the acquisition of the South Bay Street Property, in the Town of Babylon, Village of Lindenhurst, under the Old Suffolk County Drinking Water Program; and

WHEREAS, adequate funding is provided for, under the Old Suffolk County Drinking Water Protection Program, formerly Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, for the acquisition of such land; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and had 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 under the Old Suffolk County Drinking Water Program, formerly Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, for a total purchase price of Three Hundred Sixty Thousand Dollars ($360,000.00), 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
1	District:	0103		Incorporated Village of Lindenhurst 430 So. Wellwood Avenue Lindenhurst, NY 11757
	Section	025.00		
	Block	02.00		
	Lot	018.000		
2	District:	0103		Incorporated Village of Lindenhurst 430 So. Wellwood Avenue Lindenhurst, NY 11757
	Section	025.00		
	Block	02.00		
	Lot	019.000		
	Total Acreage		±.22	

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 Old Suffolk County Drinking Water Protection Program, formerly Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, for a purchase price of Three Hundred Sixty Thousand Dollars ($360,000.00), 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 $360,000.00, subject to a final survey, under the Old Drinking Water Protection Program, formerly Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, for this acquisition; and be it further

4th **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

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 the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

7th **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; and be it further

8th **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:

s:\res\r-south-bay-acquire-first-drinking-water

1182

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

Laid on Table 3/4/08

RESOLUTION NO. –2008, ESTABLISHING A POLICY REQUIRING THE USE OF SINGLE-USE SYRINGES AND THE PHASING OUT OF MULTIDOSE MEDICATION VIALS AT COUNTY HEALTH CENTERS

WHEREAS, recent media reports indicate that the improper use of multidose medication vials may have been responsible for the infection of several patients with Hepatitis C in the past several months; and

WHEREAS, medical experts agree that syringes should never be used more than once in dispensing medications, and that infection can be further minimized by eliminating the use of multidose medication vials; and

WHEREAS, though the manufacture and distribution of medications in multidose vials continues to be permitted by the US Food and Drug Administration, and doctors may at times be required to use multidose vials to deliver a correct dose, the only way to ensure proper infection control is to eliminate their use when practical; and

WHEREAS, it should be the goal of the County of Suffolk to ensure that all patients receiving care at Suffolk health centers are free from the risks of cross contamination and infection, both from needles and syringes, and from medication vials; and

WHEREAS, the County of Suffolk should only make use of single dose medication vials, and where given a choice, the County should only purchase such single dose vials; now, therefore be it

1st **RESOLVED**, that it shall be the policy of the County of Suffolk to utilize only single-use syringes for the purpose of dispensing medication in Suffolk County health centers and other facilities where syringes are, or may be, used; and be it further

2nd **RESOLVED**, that it shall further be the policy of the County of Suffolk to phase out the use of multidose medication vials to the greatest extent feasible given the current state of manufacture and distribution of medications in multidose vials; and be it further

3rd **RESOLVED**, that, where applicable, and if there is an option to purchase specific medications in single dose vials, the County of Suffolk shall only purchase such medications in said single dose vials; and be it further

4th **RESOLVED**, that the Commissioner of the Department of Health Services is hereby authorized, empowered and directed to take all actions necessary and appropriate to implement the policy contained in this Resolution no later than 30 days immediately following the effective date of this Resolution, with the further goal of phasing out all multidose medication vials no later than January 1, 2009, where feasible; and be it further

5th **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-single-use-syringes

1183

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

Laid on Table 3/4/08

RESOLUTION NO. –2008, APPOINTING JORDAN K. WILSON AS A MEMBER OF THE SUFFOLK COUNTY INDUSTRIAL DEVLEOPMENT AGENCY (IDA)

WHEREAS, Resolution Nos. 1142-1975 and 1245-1975 implemented the creation of the Suffolk County Industrial Development Agency (IDA) pursuant to Section 911-a of the NEW YORK GENERAL MUNICIPAL LAW and made the initial appointments to that Agency; and

WHEREAS, Section 856(2) of the NEW YORK GENERAL MUNICIPAL LAW permits the appointment of seven (7) members to said IDA; and

WHEREAS, all such members of the IDA serve at the pleasure of the Suffolk County Legislature; now, therefore, be it

1st **RESOLVED**, that Jordan K. Wilson, residing in North Babylon, NY, be and is hereby appointed as a member of the Suffolk County Industrial Development Agency (IDA) to replace member Lutricia (Pat) Edwards; and be it further

2nd **RESOLVED**, that this resolution shall take effect immediately; 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:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND SECTION 856(2) OF THE NEW YORK GENERAL MUNICIPAL LAW

s:\res\r-appt-ida-wilson

1183

JORDAN K. WILSON

42 CENTERWOOD STREET
NORTH BABYLON, NY 11704

friendsofjordan1@aol.com
631.897.8373

PROFESSIONAL & BUSINESS EXPERIENCE:

3/07-11/07 **Suffolk County Legislature, Central Islip, New York**

LEGISLATIVE AIDE TO SUFFOLK COUNTY LEGISLATOR RICARDO MONTANO – Reviewed, research and analyzed proposed legislation before the Suffolk County Legislature. Acted as liaison between constituents and various Town, County, State and Federal offices and respective government officials and staff. Assisted with constituent concerns in the 9th Legislative District Office. Arranged and organized the details of office meetings, special events, press conferences and travel arrangements. Gathered information and prepared reports and agendas.

3/05-Present **National Securities, Huntington, New York**

INVESTMENT SPECIALIST – Enhanced new business for retirees. Researched Initial Public Offerings mainly in the small capital and mid-capital markets for capital appreciation.

10/03 - 3/05 **GunnAllen Financial, Garden City, New York**

SENIOR VICE PRESIDENT- Developed short and long term trading strategies to increase client options using Debt Instruments and Securities.

4/99 - 10/03 **Morgan Stanley, New York, New York; Melville, New York**

ASSOCIATE VICE PRESIDENT- Responsible for over 300 individually managed accounts, retirement planning, college planning, and asset management. Audited client financial statements to assess suitability and risk tolerance.

10/98 - 4/99 **Continental Broker Dealer Corporation, Carle Place, New York**

REGISTERED REPRESENTATIVE-TRAINEE – Advised clients on which securities to buy and sell; managed and assisted with the development of customer accounts and assets. Principal coordinator and contact person for clients within the firm.

6/93 - 9/98 **Highbridge Early Childhood Center, Bronx, New York**

ADMINISTRATIVE DIRECTOR- Managed capital projects and new construction. Expanded from 2 centers to 8. Responsibilities included, architectural design, contractor selection, competitive bidding, field supervision, and regulatory affairs. Supervised 25 employees. Responsible for purchasing, bookkeeping, facilities management, selection of staff, and staff evaluations. Agency Budget-20 Million Dollars.

1/91 – 6/93 **Bi-County Tax Commission, Hauppauge, New York**

CONSULTANT – Sponsored by Nassau and Suffolk Counties to study taxation. Participated in tax feasibility studies.

1/88 – 1/90 **Town of Babylon, Lindenhurst, New York**

ASSISTANT TO TOWN BOARD – Implemented contractual obligations for Town Government, including capital projects and new construction. Served as liaison between various intergovernmental departments. Staffing, personnel, budgeting and constituent services. Town Budget- 150 Million Dollars.

1/86 – 11/87 **Long Island Regional Planning Board, Hauppauge, New York**

RESEARCH ASSISTANT – Compiled research necessary to aid in implementation of councilmanic districts in the Town of Babylon; assisted in preparation of informational pamphlets for the Planning Board.

EDUCATION:
SUNY AT STONY BROOK-B.A., Political Science, MINOR – Technology and Society
DOWLING COLLEGE-Oakdale, New York M.B.A., Banking and Finance, G.P.A. 3.77

1184

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

Laid on Table 3/4/08

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO PREVENT LITTER BY RESTRICTING THE DISTRIBUTION OF PLASTIC ENCASED ADVERTISING MATTER

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 PREVENT LITTER BY RESTRICTING THE DISTRIBUTION OF PLASTIC ENCASED ADVERTISING MATTER**" 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 PREVENT LITTER BY RESTRICTING THE DISTRIBUTION OF PLASTIC ENCASED ADVERTISING MATTER

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 certain individuals and businesses deliver advertising handbills, circulars, flyers and other unsolicited print materials in plastic bags onto the streets, driveway and lawns of our Suffolk County communities.

This Legislature further finds that many Suffolk County residents complain about the proliferation of unsolicited advertising materials that are thrown onto their property, usually wrapped in plastic bags. The circulars and the plastic bags often end up as litter causing visual blight and damage to wildlife and the environment.

This Legislature also finds and determines that reasonable restriction, barring persons from simply throwing print materials onto streets, driveways and lawns will help prevent litter, protect the environment and safeguard wildlife.

Therefore the purpose of this local law is to prohibit persons from throwing, casting or dropping unsolicited advertising handbills, circulars, flyers and brochures, wrapped in plastic, onto the streets, lawns and driveways of Suffolk County.

Section 2. Definitions.

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

ADVERTISING MATTER - any unsolicited handbill, circular, flyer, brochure or other printed advertising matter in a plastic bag.

PERSON – any natural person, corporation, partnership, joint venture, proprietorship or other entity or business organization of any kind.

Section 3. Prohibition.

It shall be unlawful for any person to throw, cast, drop or distribute or permit to be thrown, cast, dropped or distributed, any advertising matter, wrapped in plastic, in or upon any front yard, courtyard, lawn or driveway of any residential dwelling in Suffolk County or upon any street in Suffolk County. This prohibition shall not be construed to regulate the delivery or such matter by the United States Postal Service or the distribution of newspapers or other non-commercial matter. Further, nothing contained herein shall be deemed to prohibit the distribution of advertising matter by hand delivery or by affixing or placing the advertising matter on or in close proximity to a residential dwelling in a manner that will prevent the matter from being scattered or dismantled.

Section . Penalties.

Any person found to be in violation of this law shall be guilty of a violation and shall be subject to a fine not to exceed five hundred dollars ($500.00) or imprisonment of fifteen (15) days, or both for each offense.

Section 5. Effect of Other Laws, Regulations.

This law will have no effect in any town or village located within the County of Suffolk which has enacted an ordinance, resolution or law regulating the distribution of printed advertising matter within their jurisdiction.

Section 6. Applicability.

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

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)(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 9. 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-advertising law

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1184

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: FEBRUARY 28, 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 PREVENT LITTER BY RESTRICTING THE DISTRIBUTION OF PLASTIC ENCASED ADVERTISING MATTER

SPONSOR: LEGISLATOR VILORIA-FISHER

DATE OF RECEIPT BY COUNSEL: 2/7/08 **PUBLIC HEARING:** 3/18/08

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

This proposed local law would make it unlawful for any person to throw, cast, drop, or distribute or permit to be thrown, cast, dropped or distributed any advertising matter wrapped in plastic in or upon the front yard, courtyard, lawn, or driveway of any residential dwelling in Suffolk County or upon any street in Suffolk County. Advertising matter is defined as any unsolicited handbill, circular, flyer, brochure or other printed advertising matter.

This law will not apply to deliveries made by the United States Postal Service or the distribution of newspapers or other non-commercial matter. Further, this law will not prohibit the distribution of advertising matter by hand delivery or by affixing or placing the advertising matter on, or in close proximity to, a residential dwelling in a manner that will prevent the matter from being scattered or dismantled.

Violations of this law shall be punishable by a fine of up to $500.00 or imprisonment of 15 days, or both, for each offense.

This law will have no effect in any town or village in Suffolk County which has enacted an ordinance, resolution or law regulating the distribution of printed advertising matter.

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

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-advertising litter

1185

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

Laid on Table 3/4/08

RESOLUTION NO. -2008, AUTHORIZING THE USE OF COUNTY OWNED LAND AT THE H. LEE DENNISON BUILDING BY THE HAUPPAUGE GIRL SCOUTS FOR THE PURPOSE OF BURYING A TIME CAPSULE

WHEREAS, in 2007, the Girl Scouts of America celebrated their 95th anniversary as an organization dedicated to helping girls grow into strong, independent and capable women, all the while providing valuable community service; and

WHEREAS, the Girl Scouts help girls become contributing members of the community from an early age through their fledgling "Daisy" and "Brownie" programs; and

WHEREAS, the Hauppauge Girl Scouts have expressed a desire to honor those girl scouts of the past by burying a time capsule which will be opened by the girl scouts of the future; and

WHEREAS, any location for a time capsule must be permanent, and the H. Lee Dennison Building in Hauppauge meets the needs of the Girls Scouts of Hauppauge, as the building is centrally located and is safe from further development, thus ensuring the posterity of any time capsule buried there; now, therefore be it

1st **RESOLVED**, that the County of Suffolk hereby consents to the use of a portion of County owned land at the site of the H. Lee Dennison Building in Hauppauge by the Girl Scouts of Hauppauge for the purposes of burying a time capsule and for the erection of a plaque commemorating the same no later than April 22nd, 2008; and be it further

2nd **RESOLVED**, that the Department of Public Works is hereby authorized, empowered and directed to specify a site on the grounds surrounding the H. Lee Dennison Building in Hauppauge that is suitable for the purposes enumerated in this Resolution; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

1186

Intro. Res. No. -2008 Laid on Table 3/4/2008
Introduced by Legislator Browning

RESOLUTION NO. –2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE OF THE RECONSTRUCTION OF CR 80, MONTAUK HIGHWAY, SHIRLEY/MASTIC (CP 5516) FOR CONSTRUCTION OF SEWER INFRASTRUCTURE

WHEREAS, funds have been appropriated to reconstruct Montauk Highway, east of the William Floyd Parkway in Shirley; and

WHEREAS, this portion of Montauk Highway is a densely developed commercial area that is important to the local economy; and

WHEREAS, it would be prudent and cost effective to incorporate the installation of sewer lines now while the roadway is under reconstruction; and

WHEREAS, providing for the future installation of sewers along this environmentally sensitive portion of Montauk Highway would eliminate the use of cesspools and protect the fresh-water of the Forge River from the leaching of pollutants; and

WHEREAS, sufficient funds have not been included in the 2008 Capital Budget and Program to install sewer lines along Montauk Highway in Shirley and pursuant to Suffolk County Charter, Section C-4-13, an offsetting authorization must be provided from another capital project; and

WHEREAS, the 2009-2011 Capital Program Budget Requests identify several projects which do not require funds scheduled in the 2008 Adopted Capital Budget and Program; and

WHEREAS, those capital projects identified as having excess funds scheduled in the 2008 Adopted Capital Budget and Program are used as offsets to expand the scope of this project; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of $3,000,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and 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; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 53 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998, 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 Number: 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	$2,395,000	$2,845,000B	$2,395,000B
TOTAL	$2,395,000	$2,845,000	$2,395,000

Project Number: 3301
Project Title: Safety Improvements as Various Intersections

Cost Elements	Total Estimated Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
2. Land Acquisition	$4,650,000	$950,000B	$100,000B
3. Construction	$6,675,000	$1,060,000B	$560,000B
TOTAL	$12,267,000	$2,110,000	$760,000

Project Number: 5375
Project Title: Bulkheading at Various Locations

Cost Elements	Total Estimated Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$1,985,000	$500,000B	$0
TOTAL	$1,985,000	$500,000	$0

Project Number: 5128
Project Title: Intersection Improvements on CR 19, Patchogue-Holbrook Road at Furrows Road

Cost Elements	Total Estimated Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$0	$700,000B	$0
TOTAL	$270,000	$700,000	$0

Project Number: 5516
Project Title: County Share of the Reconstruction of CR 80, Montauk Highway, Shirley/Mastic, Town of Brookhaven

Cost Elements	Total Estimated Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$23,155,000	$4,477,500B $15,000,000F $677,500S	$7,477,000B $15,000,000F $677,500S
TOTAL	$32,605,000	$20,155,0000	$23,155,000

and be it further

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

Project Number	JC	Project Title	Amount
525-CAP-5534.310	50	County Share of the Reconstruction of CR 80, Montauk Highway, Shirley/Mastic, Town of Brookhaven, Construction of Sewer Infrastructure	$3,000,000

and be it further

4th 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 implements a program for which SEQRA review was previously completed and, therefore, the resolution constitutes 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:

T:\BRO\sewerlines for cp5516.doc

Intro Res. No. 1187 - 2008 Laid on Table 3/4/08
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. - 2008, ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR AN EMERGENCY SHELTER GRANTS PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT

WHEREAS, the Suffolk County Community Development Office has been awarded an Emergency Shelter Grant for fiscal year 2008 under Title IV of the Stewart B. McKinney Homeless Assistance Act, Subpart B, P.O. 100-77; and

WHEREAS, the County has been awarded an Emergency Shelter Grant in the amount of $163,391; and

WHEREAS, $8,165 of said funds are to be used for operational costs; and

WHEREAS, these funds have been included in the 2008 Adopted Operating Budget, now, therefore, be it

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

2nd RESOLVED, that $8,165 of these funds be used to reimburse budgeted county expenses and that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate the following funds.

REVENUES:	AMOUNT
354-4910 Federal Aid: Community Development	$163,391

ORGANIZATIONS:

ECONOMIC DEVELOPMENT
EMERGENCY SHELTER GRANTS PROGRAM
354-CDV-8780

Contracted Services	$155,226
4980-Contracted Agencies	$155,226

INTERFUND TRANSFER
TRANSFER TO FUND 351
IFT-9600

354-IFT-E351 Transfer to Fund 351 Comm Dev Admin	$ 8,165

and be it further

3rd RESOLVED, that the reporting category for the County Integrated Financial Management System (IFMS) is CD10; and be it further

4th RESOLVED, that this Legislature being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes Type II action, pursuant to 6 NYCRR and; be it further

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1187

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, ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR AN EMERGENCY SHELTER GRANTS PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT

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 the 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.

RESOLUTION WILL PROVIDE $163,391 IN FEDERAL HUD FUNDING TO CONTINUE WITH HOMELESS HOUSING ASSISTANCE TO DSS CLIENTS THROUGH COOPERATING AGENCIES.

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

8. Proposed Source of Funding

100% U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

9. Timing of Impact
APRIL 2008

10. Typed Name and Title of Preparer	11. Signature of Preparer	12. Date
JAMES P. BURT ASSISTANT BUDGET DIRECTOR		February 25, 2008

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1187

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

0

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

FEB 19 2008

1187

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

JOSEPH T. SANSEVERINO
COMMUNITY DEVELOPMENT DIRECTOR

OFFICE OF COMMUNITY DEVELOPMENT

TO: Ben Zwirn
Deputy County Executive

FROM: Joseph T. Sanseverino
Community Development Director

DATE: February 14, 2008

RE: FY 2008 Community Development Resolutions

Attached please find the fiscal year 2008 Resolutions for the Community Development Block Grant, HOME Investment Partnership Program and the Emergency Shelter Grant. Please lay all three Resolutions on the table at the March 18, 2008 Legislative meeting. An electronic version of the Resolution and backup was sent to "CE RESO Review" under the following titles:

Reso-CD-Community Development Block Grant Acceptance
Backup-CD-Community Development Block Grant Acceptance SCIN 175a, 175b

Reso-CD-HOME Grant Acceptance
Backup-CD-HOME Grant Acceptance SCIN 175a, 175b

✓ Reso-CD-ESG Grant Acceptance
Backup-CD-ESG Grant Acceptance SCIN 175a, 175b

The County also received an allocation of $14,613 through the American Dream Downpayment Initiative. This allocation is included as part of the HOME Resolution.

LOCATION
H. LEE DENNISON BLDG. 11TH FLOOR
100 VETERANS MEMORIAL HIGHWAY

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

(631) 853-5705
TELECOPIER (631) 853-5688

Should you have any questions regarding the resolutions, please do not hesitate to contact me. Thank you for your assistance.

JTS:rf
Attachment

1187

cc: James Morgo
Chief Deputy County Executive

Carolyn Fahey
Economic Development and Workforce Housing

Intro Res. No. 1188 -2008 Laid on Table 3/4/08
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. - 2008 ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS

WHEREAS, the County Legislature by Resolution No. 598-1999 authorized the County Executive to enter into cooperation agreements with towns and villages to apply for Federal Aid for Community Development; and

WHEREAS, the Department of Economic Development/Community Development Division has submitted an application for a Community Development Entitlement Block Grant for Federal Fiscal Year 2008 under the Housing and Community Development Acts of 1974 (P.L. 93-383) as amended; and

WHEREAS, the County Consortium has been awarded a FY 2008 entitlement Community Development Block Grant in the amount of $3,639,781; and has program income of $75,000; and

WHEREAS, $414,781 of said funds are to be used for operational costs; and

WHEREAS, these funds have already been included in the 2008 Adopted Operating Budget to offset operational costs; and

WHEREAS, the programs developed under the grant have been approved by the Consortium municipalities and coordination of these programs is essential to the success and continuation of the program; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Legislature hereby authorizes the County Executive to accept the Community Development Block Grant and to contract with HUD and the cooperating municipalities for the expenditure of these funds; and be it further

2nd **RESOLVED,** that $414,781 of these funds be used to reimburse budgeted county expenses and that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate the following funds.

REVENUES:

352-4920 Federal Aid:	Community Development	$3,639,781
	Program Income	$ 75,000

ORGANIZATIONS:

ECONOMIC DEVELOPMENT
GRANTS TO COOPERATING MUNICIPALITIES
352-CDV-8035

4980-Contracted Services	$3,300,000
4980-Contracted Agencies TOWN OF BROOKHAVEN 352-9247	$2,030,000
4980-Contracted Agencies TOWN OF EAST HAMPTON 352-9248	108,000
4980-Contracted Agencies TOWN OF RIVERHEAD 352-9249	156,000
4980-Contracted Agencies TOWN OF SHELTER ISLAND 352-9250	16,000
4980-Contracted Agencies TOWN OF SMITHTOWN 352-9251	292,000
4980-Contracted Agencies TOWN OF SOUTHAMPTON 352-9252	204,000
4980-Contracted Agencies TOWN OF SOUTHOLD 352-9253	130,000
4980-Contracted Agencies VILLAGE OF BELLPORT 352-9254	16,000
4980-Contracted Agencies VILLAGE OF LAKE GROVE 352-9255	52,000
4980-Contracted Agencies VILLAGE OF PATCHOGUE 352-9256	222,000
4980-Contracted Agencies VILLAGE OF PORT JEFFERSON 352-9257	23,000
4980-Contracted Agencies VILLAGE OF SAG HARBOR 352-9258	16,000
4980-Contracted Agencies VILLAGE OF SOUTHAMPTON 352-9259	23,000
4980-Contracted Agencies VILLAGE OF WESTHAMPTON BEACH 352-9262	12,000

INTERFUND TRANSFER
TRANSFER TO FUND 351
IFT-9600

352-IFT-E351	Transfer to Fund 351 Comm Dev Admin
	$414,781

and be it further

3rd RESOLVED, that the reporting category for the County Integrated Financial Management System (IFMS) is CD11.

4th RESOLVED, that this Legislature being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes Type II action, pursuant to 6 NYCRR and; be it further

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1188

1. Type of Legislation

Resolution __X__ Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. - 2008 ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS

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 the 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.

RESOLUTION WILL PROVIDE $3,639,781 IN FEDERAL HUD FUNDING TO COUNTY, TOWNS AND VILLAGES TO CONTINUE TO FUND NEIGHBORHOOD REVITALIZATION, HOME IMPORVEMENTS AND PUBLIC IMPROVEMENT PROJECTS.

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

N/A

8. Proposed Source of Funding

100% U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT – COMMUNITY DEVELOPMENT BLOCK GRANT

9. Timing of Impact
APRIL 2008

10. Typed Name and Title of Preparer	11. Signature of Preparer	12. Date
JAMES P. BURT ASSISTANT BUDGET DIRECTOR	James P Burt	February 25, 2008

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1188

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

0

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

FEB 19 2008

1188

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

JOSEPH T. SANSEVERINO
COMMUNITY DEVELOPMENT DIRECTOR

OFFICE OF COMMUNITY DEVELOPMENT

TO: Ben Zwirn
Deputy County Executive

FROM: Joseph T. Sanseverino
Community Development Director

DATE: February 14, 2008

RE: FY 2008 Community Development Resolutions

Attached please find the fiscal year 2008 Resolutions for the Community Development Block Grant, HOME Investment Partnership Program and the Emergency Shelter Grant. Please lay all three Resolutions on the table at the March 18, 2008 Legislative meeting. An electronic version of the Resolution and backup was sent to "CE RESO Review" under the following titles:

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Backup-CD-Community Development Block Grant Acceptance SCIN 175a, 175b

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Backup-CD-HOME Grant Acceptance SCIN 175a, 175b

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Backup-CD-ESG Grant Acceptance SCIN 175a, 175b

The County also received an allocation of $14,613 through the American Dream Downpayment Initiative. This allocation is included as part of the HOME Resolution.

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Should you have any questions regarding the resolutions, please do not hesitate to contact me. Thank you for your assistance.

1188

JTS:rf
Attachment

cc: James Morgo
Chief Deputy County Executive

Carolyn Fahey
Economic Development and Workforce Housing

1189

Intro Res. No. – 08

Laid on the Table 3/4/08

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. –2008, TO APPROVE THE LEASE OF ONE (1) REPLACEMENT FIFTEEN (15) PASSENGER VAN IN THE SUFFOLK COUNTY DEPARTMENT OF LABOR, IN COMPLIANCE WITH LOCAL LAW 20-2003.

WHEREAS, Local Law 20-2003, "A Local Law to Restrict Purchase of Sports Utility Vehicles (SUV) by Suffolk County" was filed in the Office of the Secretary of State on July 10, 2003; and

WHEREAS, Local Law 20-2003 stipulates that "6. No vehicle of any nature whatsoever shall be purchased or leased by the County of Suffolk unless: ... (b) the purchase or lease of the vehicle is based on the County Vehicle Standard...; and (c) explicit approval for the acquisition of such vehicle, via lease or purchase, has been granted via duly enacted Resolution of the County of Suffolk."; and

WHEREAS, the Suffolk County Department of Labor included funding for program vehicles in the 2008 Operating Budget Request, and the vehicles were approved and funded in the 2008 Adopted Budget; and

WHEREAS, the Code of Federal Regulations, Title 48, Part 31 categorizes vehicle lease costs for federal grant programs as an "allowable cost" to the extent that the rates are reasonable; and

WHEREAS, leased vehicles are program vehicles used for transporting participants for the Suffolk Works Employment Program and the cost is allocated to this program in compliance with the approved New York State Cost Allocation Plan for the Suffolk County Department of Labor; and

WHEREAS, the existing leases for one (1) full-size van terminates in March 2008; now, therefore be it

1st RESOLVED, that the Suffolk County Department of Labor is authorized to initiate the process for the replacement of leased vehicle through the Purchase Requisition process; and be it further

2nd RESOLVED, that the Department of Public Works, Purchasing Division, in adherence with New York State General Municipal Law, is hereby authorized to conduct a formal sealed bid process, in which the specifications for these vehicles will comply with the 'County Vehicle Standard'; and be it further

3rd RESOLVED, that the Suffolk County Department of Labor is duly authorized to enter into a contractual agreement to lease the following vehicles:

1 – Full-size 15 passenger van;

and be it further

4th RESOLVED, that there will be no net increase in the number of vehicles in the Department's fleet as a result of this Resolution.

DATED:

APPROVED BY: _____

County Executive of Suffolk County

Date of Approval:

1189

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1.	Type of Legislation Resolution _X__ Local Law __ Charter Law
	Title of Proposed Legislation: TO APPROVE THE LEASE OF ONE(1) REPLACEMENT VEHICLE IN THE SUFFOLK COUNTY DEPARTMENT OF LABOR, IN COMPLIANCE WITH LOCAL LAW 20-2003.
3.	Purpose of Proposed Legislation **TO LEASE ONE (1) VEHICLES.**
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? (check appropriate category) __ _ County _____Town _____Economic Impact _____Village _____School District __X__ Other (Specify) _____Library District _____Fire District _____NOT APPLICABLE
6.	If the answer to item 4 is "yes", Provide Detailed Explanation of Impact **Fiscal Impact: additional funding not required. Funding exists in 2008 budget.**
7.	Total Financial Cost of Funding over 5 Years on Each Affected Political or Subdivision. **To be determined by bid process.** Annual estimated cost for 1 vehicle is $8,424.00
8.	Proposed Source of Funding New York State Department of Labor
9.	Timing of Impact **CURRENT LEASE EXPIRES MARCH, 2008**

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
JOANNE KANDELL **PRINCIPAL ACCOUNTANT**	Joanne Kandell	February 13, 2008

SCIN FORM 175b (10/95)

Carmen Cheusano 2/25/08
Assistant Budget Director

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1189

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER $100	2008 FEV TAX RATE PER $1000
TOTAL	**$8,424**	**$0.02**		$0.000

0

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	**$8,424**	**$0.02**		$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

1189
FEB 19 2008

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

ROBERT W. DOW, JR.
COMMISSIONER
DEPARTMENT OF LABOR
725 VETERANS MEMORIAL HIGHWAY
HAUPPAUGE, N.Y. 11788

ADDRESS CORRESPONDENCE TO:
P.O. BOX 1319
SMITHTOWN, N.Y. 11787-0895
e-mail:sc.dol@suffolkcountyny.gov
FAX # (631) 853-6510
www.suffolkcountyny.gov/labor

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
Suffolk County Executive's Office

FROM: Robert W. Dow, Jr., Commissioner

DATE: February 13, 2008

RE: **INTRODUCTORY RESOLUTION**

Attached please find the following Introductory Resolution for the next Legislative meeting:

RESOLUTION NO. -08, TO APPROVE THE LEASE OF 1 REPLACEMENT VEHICLE IN THE SUFFOLK COUNTY DEPARTMENT OF LABOR, IN COMPLIANCE WITH LOCAL LAW 20-2003.

Thank you for your assistance.

* * *

RWD:jk
Attachment

cc: Jim Morgo, Chief Deputy County Executive

Intro. Reso. No. 1190-08 **Laid on Table** 3/4/08
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, AUTHORIZING AN INCREASE IN THE FLEET OF THE SUFFOLK COUNTY POLICE DEPARTMENT TO ACCOMMODATE SPECIALIZED VEHICLES PURCHASED WITH UNITED STATES DEPARTMENT OF HOMELAND SECURITY GRANT FUNDING WITH 100% SUPPORT

WHEREAS, Resolution No.'s 807-2005, 809-2005 and 1177-2006 accepted and appropriated grant funds from the United States Department of Homeland Security, passed through the New York State Office of Homeland Security; and

WHEREAS, said grant funds also included funding for six (6) specialized vehicles for the Suffolk County Police Department; and

WHEREAS, said resolutions did not provide for an increase in the fleet of the Suffolk County Police Department; 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; now, therefore, be it

1st RESOLVED, that the County Legislature hereby authorizes the fleet of the Suffolk County Police Department be increased by three (3) undercover surveillance, intelligence and response vehicles, approved pursuant to Chapter 186-2 (b)(6) of the SUFFOLK COUNTY CODE, and in accordance with or exceeding the county vehicle standard, for use by the Electronic Investigations Unit, Criminal Intelligence Section and the Hostage Negotiation Unit of the Suffolk County Police Department; and be it further

2nd RESOLVED, that the County Legislature hereby authorizes the fleet of the Suffolk County Police Department be increased by one (1) heavy duty four wheel drive truck body with special mounting platform and equipment, approved pursuant to Chapter 186-2 (b)(6) of the SUFFOLK COUNTY CODE, and in accordance with or exceeding the county vehicle standard, fur use by the Electronic Investigations Unit of the Suffolk County Police Department; and be it further

3rd RESOLVED, that the County Legislature hereby authorizes the fleet of the Suffolk County Police Department be increased by one (1) heavy duty four wheel drive vehicle with a gross combined weight rating of 26,000 pounds, for the purpose of providing transport for Port Security grant funded vessels, approved pursuant to Chapter 186-2 (b)(6) of the SUFFOLK COUNTY CODE, and in accordance with or exceeding the county vehicle standard, fur use by the Marine Bureau of the Suffolk County Police Department; and be it further

4th RESOLVED, that the County Legislature hereby authorizes the fleet of the Suffolk County Police Department be increased by one (1) cut-away van with a 139 inch

wheel base, customized for use as a CBRNE Post Blast Investigation vehicle, approved pursuant to Chapter 186-2 (b)(6) of the SUFFOLK COUNTY CODE, and in accordance with or exceeding the county vehicle standard, fur use by the Arson Section of the Suffolk County Police Department; and be it further

5th 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:

1190

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution _X_ Local Law ___ Charter Law ___

2. Title of Proposed Resolution
   Authorizing an increase in the fleet of the Suffolk County Police Department to accommodate specialized vehicles purchased with United States Department of Homeland Security grant funding with 100% support.

3. Purpose of Proposed Legislation
   To authorize an increase in the fleet for the Suffolk County Police Department of six (6) specialized vehicles. These vehicles are customized to provide various Homeland Security related functions.

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:

   The purchase price of these vehicles is 100% funded by the grantor. All vehicles come with warrantees. Operating maintenance costs will be borne by the County.

8. Proposed Source of Funding
   New York State Office of Homeland Security

9. Timing of Impact
   Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Sarah Furey Senior Grants Analyst	Sarah Furey	1/28/2008

SCIN FORM NO. 175b (10/95)

JAMES P. BURT
ASSISTANT BUDGET DIRECTOR

Jim P Burt 2/21/2008

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1190

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

0

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:

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To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

JAN 3 1 2008

1190

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

To: Ben Zwirn, Deputy County Executive
Suffolk County Executive's Office

From: Edward Webber, Chief
Support Services Division

Date: January 28, 2008

Re: **Resolution Packet to Authorize an Increase in the Fleet for the Suffolk County Police Department (Reso-POL-Increase Fleet)**
Concerning Six (6) Customized Vehicles Funded with Homeland Security Grant Funding
Resolution No.'s 807-2005, 809-2005 and 1177-2006

Attached please find the following for the **Resolution Authorizing an Increase in the Fleet of the Suffolk County Police Department:**

- Proposed Grant-related Resolution
- Grant SCIN Forms
- Request for Introduction of Legislation
- Financial Impact Statement
- Copy of Resolution No.'s 807-2005, 809-2005 and 1177-2006

A copy of this package is also being forwarded to the Federal and State Aid Claims Unit. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW.

If you have any questions concerning this resolution package please do not hesitate to contact Susan C. Krause, Grants Technician, at (631) 852-6601 or Sarah Furey, Senior Grants Analyst, at (631) 852-6042.

EW/sf
Attachments

CC: Jim Morgo, Chief Deputy County Executive
Don Fahey, Federal and State Aid Claims Coordinator

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk	DATE 1/28/2008
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank 1190
Contact Person In Department/Agency Sarah Furey Sr. Grants Analyst	Telephone Number (631) 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 Law Enforcement Terrorism Prevention Program FY 06 (LETPP 06)(Reso No. 1177-2006), Law Enforcement Terrorism Prevention Program FY 05 (LETPP 05)(Reso No. 809-2005), State Homeland Security Program FY 05 (SHSP 05)(Reso No. 807-2005)

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) Public Laws 108-334 and 109-90 Department of Homeland Security Appropriations Acts of 2005 and 2006, administered by the NYS Office of Homeland Security.

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.). Grant funding has provided Suffolk County funds to enhance its terrorism detection, prevention, and response capabilities, through the purchase of six (6) specialized vehicles. The fleet was not increased in the original resolutions accepting and appropriating grant funding.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

II. BUDGET INFORMATION

1. Term of Contract From 10/1/2004 To: 3/31/2008

2. Financial Assistance Requested

SOURCE	*FIRST FUNDING CYCLE*		*SECOND FUNDING CYCLE*		*THIRD FUNDING CYCLE*	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$624,217	100%	$	%	$	%
State	$	%	$	%	$	%
Private	$	%	$	%	$	%
County	$	%	$	%	$	%
Total	$624,217	100%	$	100%	$	100%

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	$	$ 1190
B. In-Kind Contribution	$0	$	$

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.)

Actual costs of vehicles is greater than originally estimated, however cost savings in other areas of the grants have allowed the vehicles to be 100% grant funded.

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.)?

Operating maintenance costs will be borne by the County. Once warrantee periods have expired, repair costs will also be the responsibility of the County.

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			

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2008			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 2030 Automobiles & Motorcycles 2040 Trucks, Trailers & Jeeps 2070 Cameras and Photographic 2090 Radio & Communications 2500 Other Equip Not Otherwise	**624,217** 624,217			Cost of vehicles funded by grants under Reso No.'s 807-2005, 809-2005 and 1177-2006 for SCPD 6 vehicles total
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				
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts				

SCIN Form 164D (10-80)

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2008			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 1190				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees				
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)

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							

1190

SCIN Form 164D (10-80)

Intro. Res. No. 1191-08 Laid on Table 3/4/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008 AUTHORIZING THE TRANSFER OF FIFTY (50) SURPLUS COUNTY RADIO UNITS TO THE CENTERPORT FIRE DISTRICT

WHEREAS, the Suffolk County Department of Public Works has submitted a list of surplus/obsolete radio hardware which has been declared surplus; and

WHEREAS, this equipment has been taken out of service because it is obsolete technology; and

WHEREAS, the Centerport Fire District has requested the donation of radio equipment of this kind from the County; and

WHEREAS, the Centerport Fire District is willing to assume responsibility for the removal of this equipment; now, therefore be it

1st **RESOLVED,** that the Suffolk County Department of Public works is hereby authorized, empowered, and directed to transfer the following surplus equipment to the following municipal corporation, for use in its operations for a nominal consideration:

TO:
Centerport Fire District
9 Park Circle
Centerport, NY 11721
Contact: John C. Engberg.
Phone: 631 261-5916

EQUIPMENT:
Fifty (50) Motorola Syntor X model T99VB+001W trunk mount radios complete with control heads, cables, microphones, speakers, mounting plates, brackets, antennas (no cables) and programmer.

and be it further

2nd **RESOLVED,** that the above-described surplus County property is hereby declared to be of scrap value only and is transferred to the above listed municipal corporation 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 municipal corporation 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) and (25) 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:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1191

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

AUTHORIZING THE TRANSFER OF FIFTY (50) SURPLUS COUNTY RADIO UNITS TO THE CENTERPORT FIRE DISTRICT

3. Purpose of Proposed Legislation

This resolution will authorize the Department of Public works to transfer fifty surplus Motorola trunk-mount radio units to the Centerport Fire District for nominal consideration. This equipment has been rendered obsolete for County operations by the deployment of a new 800MHZ radio system.

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 the 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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

N/A

10. Typed Name and Title of Preparer	11. Signature of Preparer	12. Date
Steve Arata Purchasing Agent	S Arata	1-24-08
Deb Kolyer Principal Fiscal Analyst	Deb Kolyer	2/20/08

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1191

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

0

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

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

1191

MEMORANDUM

TO: Ben Zwirn
Deputy County Executive

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

DATE: January 29, 2008

RE: **Resolution Authorizing the Transfer of Surplus County Portable Radios to the Centerport Fire Department**

Attached is a draft resolution that will permit the Department of Public Works to transfer 50 surplus Motorola Syntor X programmable multi-channel, trunk-mount radios to the Centerport Fire District. These radios have been rendered obsolete for County purposes by the recent deployment of the new 800MHZ radio system.

The SCIN Forms 175a and Statement of Financial Impact Form are attached.

This proposed resolution, with backup, will be forwarded electronically titled: "Reso-DPW-Transfer of Surplus Radios to Centerport FD."

Please initiate the process to have this resolution introduced at the next Suffolk County Legislature meeting. If you have any questions, please do not hesitate to contact this office.

TL/sa/bl
Enclosure
cc: Jim Morgo, Chief Deputy County Executive w/enclosure
Brendan Chamberlain, County Executive Assistant w/enclosure
Kathleen Koppenhoefer, General Service Manager
Steve Arata, Purchasing Agent
CE Reso Review List via email

1192

Intro Res. No. -2008 Laid on Table 3/4/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO - 2008, AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FEDERAL AND STATE AID FUNDING FOR THE CONTINUATION OF THE HOV BUS SERVICE ON THE LONG ISLAND EXPRESSWAY FOR 2008

WHEREAS, the New York State Department of Transportation has requested an extension of the bus service which operates in the High Occupancy Lane of the Long Island Expressway for the period January 1, 2008 through December 31, 2008; and

WHEREAS, Federal and State funding has been made available to cover the deficit related to the operation of this service; and

WHEREAS, the Federal funds are in the amount of $520,000 and the State funds are in the amount of $130,000 for a total of $650,000; and

WHEREAS, sufficient funds as well as the revenue estimates have been included in the 2008 Operating Budget for these services; and

WHEREAS, no County match is required; 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 the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) (25) and (27), in that the resolution concerns purchasing 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 the Designee of the County Executive of Suffolk County is hereby authorized to execute an agreement with the New York State Department of Transportation to accept these funds.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County
Date of Approval

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1192

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FEDERAL AND STATE AID FUNDING FOR THE CONTINUATION OF THE HOV BUS SERVICE ON THE LONG ISLAND EXPRESSWAY FOR 2008

3. Purpose of Proposed Legislation

Enables the County to receive the federal & state aid to cover the deficit related to the operation of this service

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 the 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

Federal Funds - $520,000 and State Funds - $130,000 = $650,000 (Deficit)

9. Timing of Impact
N/A

10. Typed Name and Title of Preparer	11. Signature of Preparer	12. Date
Robert W. Shinnick, Director Transportation Operations DEBRA Kolyer Budget Office	Robert W Shinnick Debra Kolyer	2/6/08 2/21/08

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1192

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

0

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

FEB 13 2008

1192

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
Department of Public Works

DATE: February 8, 2008

RE: **PROPOSED RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FEDERAL AND STATE AID FUNDING FOR THE CONTINUATION OF THE HOV BUS SERVICE ON THE LONG ISLAND EXPRESSWAY FOR 2008**

New York State Department of Transportation has requested an extension of the bus service which operates in the High Occupancy Lane of the Long Island Expressway. Additional federal and state funds have been made available to the County to fund the deficit related to the operation of this service for the period January 1, 2008 through December 31, 2008. There is no required match on the part of the County.

Sufficient funds as well as the revenue estimates have been included in the 2008 operating budget for this service.

The SCIN Forms 175a and Statement of Financial Impact Form are attached.

This proposed resolution, with backup, will be forwarded electronically titled: "Reso-DPW-Cont. HOV Bus SVC. LIE for 2008

Please initiate the process to have this resolution introduced at the next Suffolk County Legislature meeting. If you have any questions, please do not hesitate to contact Robert W. Shinnick, Director of Transportation Operations, at 24880.

TL:RWS:cfn
Enclosures

cc: Jim Morgo, Chief Deputy County Executive, w/enc.
Brendan Chamberlain, County Executive Assistant
Laura Conway, DPW Finance, w/enc.
Jim Burt, Budget Office, w/enc.
Don Fahey, Federal & State Aid Office, w/enc
CE Reso Review List, e-mail

Intro Res.No. 1193-08 Laid on Table 3/4/08

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 NYS OFFICE OF EMERGENCY MANAGEMENT OF THE NYS DIVISION OF MILITARY AND NAVAL AFFAIRS FOR A SUFFOLK COUNTY CITIZEN CORPS COUNCIL PROGRAM.

WHEREAS, the New York State Office of Emergency Management has awarded to Suffolk County - Department of Fire, Rescue and Emergency Services - $53,449 in grant funds to improve the effectiveness of citizen response during times of natural or man-made disaster; and

WHEREAS, these funds will be used to ensure minimal loss of life and property through a nationwide initiative call for volunteer citizens to assist in homeland defense, and

WHEREAS, these funds will continue the work funded by Resolutions 768-2003; 545-2004; 1218-2005; and 1183-2006 and performed by the Suffolk County Citizen Corps Council (created by Resolution 1283-2004) initiating and guiding the Suffolk County Community Emergency Response Team (CERT) program, the Suffolk County Volunteers in Police Service (VIPS) program, and the Suffolk County Medical Reserve Corps (MRC); and

WHEREAS, this is a grant program beginning July 1, 2007 to June 30, 2010 in which the County will receive one hundred percent grant funding in the amount of $53,449, and

WHEREAS, $ 19,569 of said funds have been included in the 2007 Operating Budget, and

WHEREAS, $ 33,880 of said funds have not been included in the 2007 Operating Budget, now, therefore, be it

1st RESOLVED, that the County Comptroller and County Treasurer be and that they hereby are authorized to accept $53,449, including $13,947 included in the 2007 Operating Budget (001-FRE-3400-1100) and appropriate said grant funds as follows:

REVENUES:	AMOUNT
001-4089 Federal Aid: Other	$ 53,449

ORGANIZATIONS:

Citizen Corps Council
001-FRE-3411 - $24,570

2000	Equipment	$ 1,719
2020	Office Machines	$1,719

3000	Supplies, Materials & Other Expenses	$11,101
3010	Office Supplies	$362
3310	Clothing & Accessories	$3,918
3370	Medical Supplies	$2,589
3500	Other, Unclassified	$3,732
3510	Rent- Business Machines & Systems	$500
4000	Contractual Expenses	$11,750
4560	Fees for Services	$11,750

Fire, Rescue & Emergency Services
001-FRE-3400 - $24,119

1000	Personal Services	$24,119
1100	Permanent Salaries	$13,947
1120	Overtime Salaries	$10,172

Employee Benefits - $4,760

Social Security
001-EMP-9030

8330	Social Security	$1,047

Retirement
001-EMP-9010

8280	Retirement	$1,809

Welfare Fund
001-EMP-9080

8380	Welfare Fund Contribution	$238

Transfer to Employee Medical Health Plan
001-IFT-E039

9600	Transfer of Funds	$1,666

2nd RESOLVED, that the reporting category for the County Integrated Financial Management System (IFMS) is EM13.

DATED:

Approved by:

_____
County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1193

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 US Department of Homeland Security for the Suffolk County Citizen Corps Council.

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

$53,449

8. Proposed Source of Funding

The United States Department of Homeland Security

9. Timing of Impact

Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Joseph F. Williams, Commissioner		1/31/08

SCIN FORM 175b (10/95)

Eileen M. Kovessy
Dep Mgr.

1/30/08

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1193

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

0

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

1193

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 31, 2008

SUBJECT: **2007 CITIZEN CORPS COUNCIL GRANT**

Please find enclosed the necessary documents to accept and appropriate one hundred percent federal pass through grant funds from the New York State Office of Emergency Management of the New York State Division of Military and Naval Affairs for a Suffolk County Citizen Corps Council Program.

If you have any questions regarding this resolution, please contact Tom O'Hara of my office at (631) 852-4908.

Thank you.

JFW:kp
cc: J. Morgo, Chief Deputy County Executive
Enclosures

PO BOX 127 – YAPHANK AVENUE
YAPHANK, NEW YORK 11980-0127

COMMISSIONER'S OFFICE: (631) 852-48
FIRE MARSHAL'S OFFICE: (631) 852-48
EMERGENCY MGMT OFFICE: (631) 852-49
COMM. CENTER (24-HOUR): (631) 852-48
FAX: (631) 852-48

REC'D OCT 17 2007

New York State Emergency Management Office
1220 Washington Avenue
Building 22, Suite 101
Albany, NY 12226-2251

Eliot Spitzer, Governor

John R. Gibb, Director

October 12, 2007

1193

Joseph F. Williams
Commissioner
Suffolk County Dept. of Fire,
Rescue & Emergency Services
P.O. Box 127
Yaphank, New York 11980-0127

RE: FFY07 Citizen Corps Grant Program

Dear Mr. Williams:

I am pleased to inform you that the New York State Emergency Management Office has approved the Suffolk County grant application in the amount of $ 53,449. As there is no matching requirement, this grant will provide 100% federal reimbursement of eligible expenses incurred up to the grant amount in connection with authorized activities related to the program.

As defined in the Request for Application (RFA) and Grant Guidance, all applications were divided into one of three categories based on population. They were then rated according to objective criteria and ranked accordingly. Your application was placed in the high population category. The allowance for the entire high population category was $ 267,243.00. Your final award amount was determined by your application's ranking and your requested amount.

It will be necessary, however, for you to make a few administrative changes to your proposal by revising your Work Plan and budget to reflect your award. You will receive, in the very near future, a draft contract that will more clearly specify those activities approved for funding within your grant application. The amounts of the funding categories outlined in your approved revised budget plan will be included in the final version of this contract.

The grant's performance period will cover three years, beginning July 1, 2007, and ending on June 30, 2010. Financial and program reports are due quarterly, no later than 30 days after the end of each quarter. You will soon receive more detailed information regarding the required reporting.

If you have any questions, please contact Nora Porter, New York State Citizen Corps Coordinator at (518) 292-2326 or via email at nora.porter@semo.state.ny.us .

Sincerely,

John R. Gibb
Director

Introductory Resolution No. 1194-08 Laid on Table 3/4/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 MAYA KARABLINA AND SOFIA KRUCHER AS TENANTS IN COMMON (SCTM NO. 0200-974.80-01.00-002.000)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

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 974.80 Block 01.00 Lot 002.000 and acquired by Tax Deed on December 18, 1969 from Chester F. Jacobs, the County Treasurer of Suffolk County, New York, and recorded on December 19, 1969 in Liber 6678 at Page 290 and described as follows, Town of Brookhaven, known as Northerly ½ of Lot #23 Map of Shirley, L.I. Unit P Filed in the County Clerk's Office of Suffolk County on September 25, 1956, as Map # 2632 ; and

WHEREAS, in accordance with Local Law 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Maya Karablina and Sofia Krucher , have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $6,002.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at $6,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of $6,002.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land, now, be it therefore,

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 the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd **RESOLVED,** that Director Christopher E. Kent and/or his designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said
Maya Karablina and Sofia Krucher
2965 Avenue Z (Apt 6-0)
Brooklyn, NY 11235.

DATED:

APPROVED BY

_____
County Executive of Suffolk County

Date of Approval:

1194

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building
100 Veterans Memorial Highway - 2nd Floor
Post Office Box 6100
Hauppauge, New York 11788

SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law 13-1976
Tax Map No. 0200-974.80-01.00-002.000

ADJOINING OWNER	BID	BID	BID
Maya Karablina & Sofia Krucher 2965 Avenue Z (Apt 6-0) Brooklyn, NY 11235 0200-974.80-01.00-001.000	$6002.00		
White Oak Development I LLC. 476 Expressway Drive South Medford, NY 11763 0200-974.80-01.00-003.000	$0		
Richard & Janis P. Grim and Philip Tavani P.O. Box # 539 Remsenburg, NY 11960 0200-974.70-04.00-016.000	$0		

SIZE OF PARCEL: 20' x 100'
APPRAISED VALUE: $6000.00
COMMENT: Direct Sale to Adjacent Owner

Wayne R. Thompson
Property Manager
(631) 853-5971

1194

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

   Local Law 13-1976 authorizing the Direct Sale of County owned Real Estate

3. Purpose of Proposed Legislation

   Convey County owned parcel to adjacent 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?

   _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

   Income from sale

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

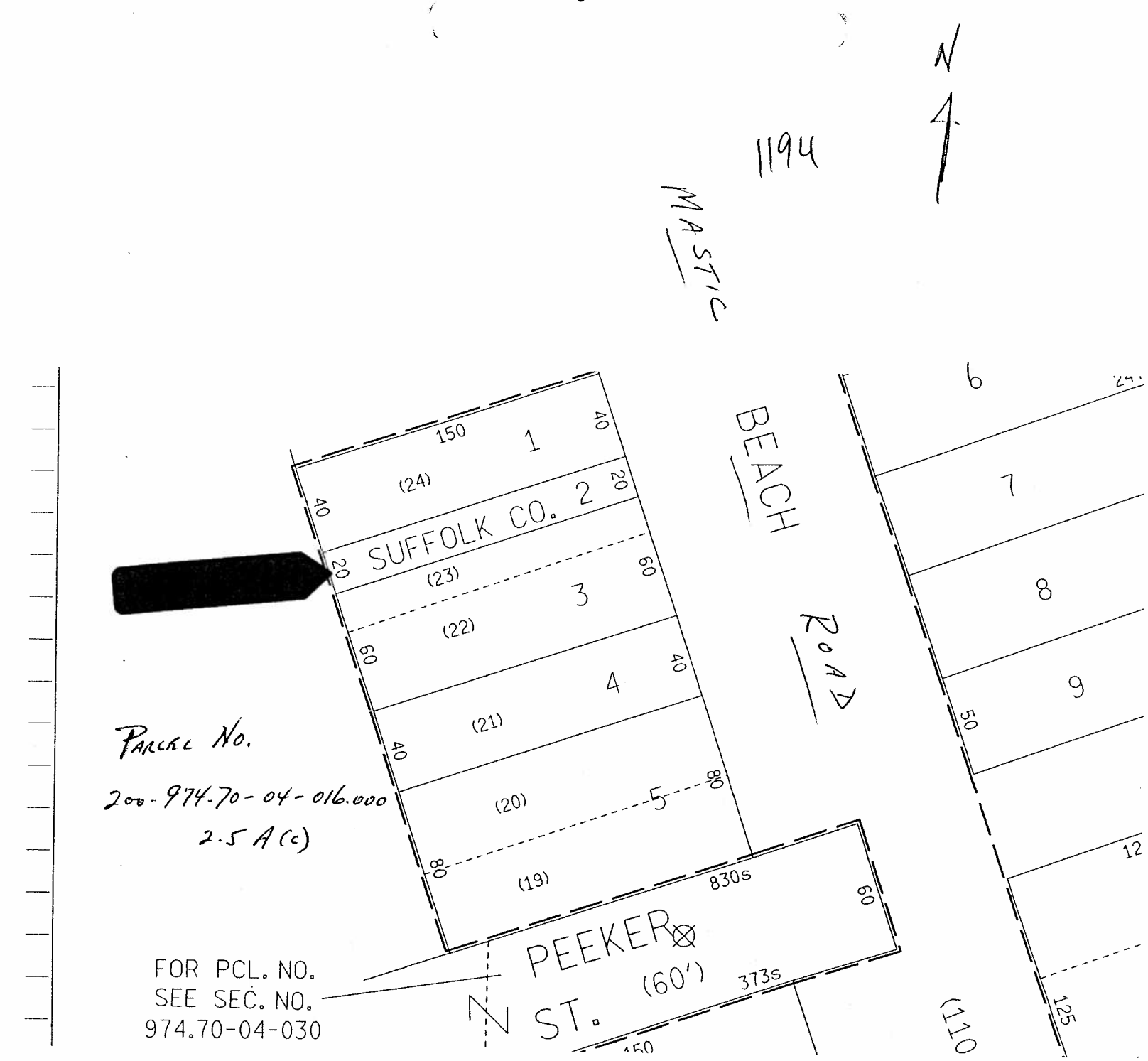
10. Typed Name & Title of Preparer | Signature of Preparer | Date

    Jim Donovan
    L.M.S.-1

    Jim Donovan

    2-11-08

10/28/2007 4:05:28 PM -- \\r14\rp\draft\viewer\0200\prod\2097480x.dgn DSBL: 0200 97480 0100 002000



Parcel No.
200-974-70-04-016.000
2.5 A(c)

TM# 0200-974.80-01.00-002.000
PEEKER ST
PEEKER AV
Suffolk County Department of Information Technology © 2007
0
181ft

hbll

FOR ADJOINING AREA SEE MAP NO.17

FOR ADJOINING AREA SEE MAP NO.21

Gen 38

COUNTY OF SUFFOLK

1194

FEB 25 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

February 8, 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: Tax Map Number: 0200-974.80-01.00-002.000

Dear Mr. Zwirn:

Enclosed herewith are the original and one copy of the proposed resolution with documentation pursuant to:

Local Law 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

CEK:WRT:slb
Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

Copy to: Thomas A. Isles, Director of Planning
CE Reso Review, via e-mail
BRENDAN CHAMBERLAIN - COUNTY EXECUTIVE ASSISTANT (2 COPIES)

Introductory Resolution No. 1195-08 Laid on Table 3/4/08

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
HELMUTH WOEHNCKE and ELLEN WOEHNCKE, his wife
0500-163.00-01.00-027.000

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 Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 163.00, Block 01.00, Lot 027.000, and acquired by tax deed on July 2, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 13, 2007, in Liber 12513, at Page 418, and otherwise known as and by Town of Islip, as Suffolk County Tax Map Number: District 0500, Section 163.00, Block 01.00, Lot 027.000 ; 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 July 2, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 13, 2007 in Liber 12513 at Page 418.

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, HELMUTH WOEHNCKE, has made application of said above described parcel and HELMUTH WOEHNCKE, has paid the application fee and will be paying $36,414.20 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 HELMUTH WOEHNCKE and ELLEN WOEHNCKE, his wife, 13 Gray Street, Brentwood, New York 11717, 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

1195

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

February 1, 2008

Tax Map No.: 0500-163.00-01.00-027.000
Name of Last Legal Fee Owner: HELMUTH WOEHNCKE and ELLEN WOEHNCKE, his wife

TREASURER'S COMPUTATION..... $36,414.20

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..... $36,414.20

Monies to be Received.....$36,414.20

RESOLUTION AMOUNT.....$36,414.20

APPROVED:

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

Karen A Slater 2/13/08
Accounting
CO:sc

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1195

1. Type of Legislation

Resolution X
Tax Map Number 0500-163.00-01.00-027.000

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 2/1/08

COMPUTATI[redacted] SUFFOLK COUNTY TR[redacted]RER

DISTRICT	SECTION	BLOCK	LOT
0500	163.00	01.00	027.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES: 1195

2002/03	7405.10
2003/04	7488.69
2004/05	6893.51
2005/06	6526.31
2006/07	5179.00

TOTAL: 33492.61

B. INTEREST DUE	1187.58
C. TOTAL	34680.19
D. 5% LINE C	1734.01
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE $36,414.20 9/4/07 ef

CERTIFICATION BY COUNTY TREASURER

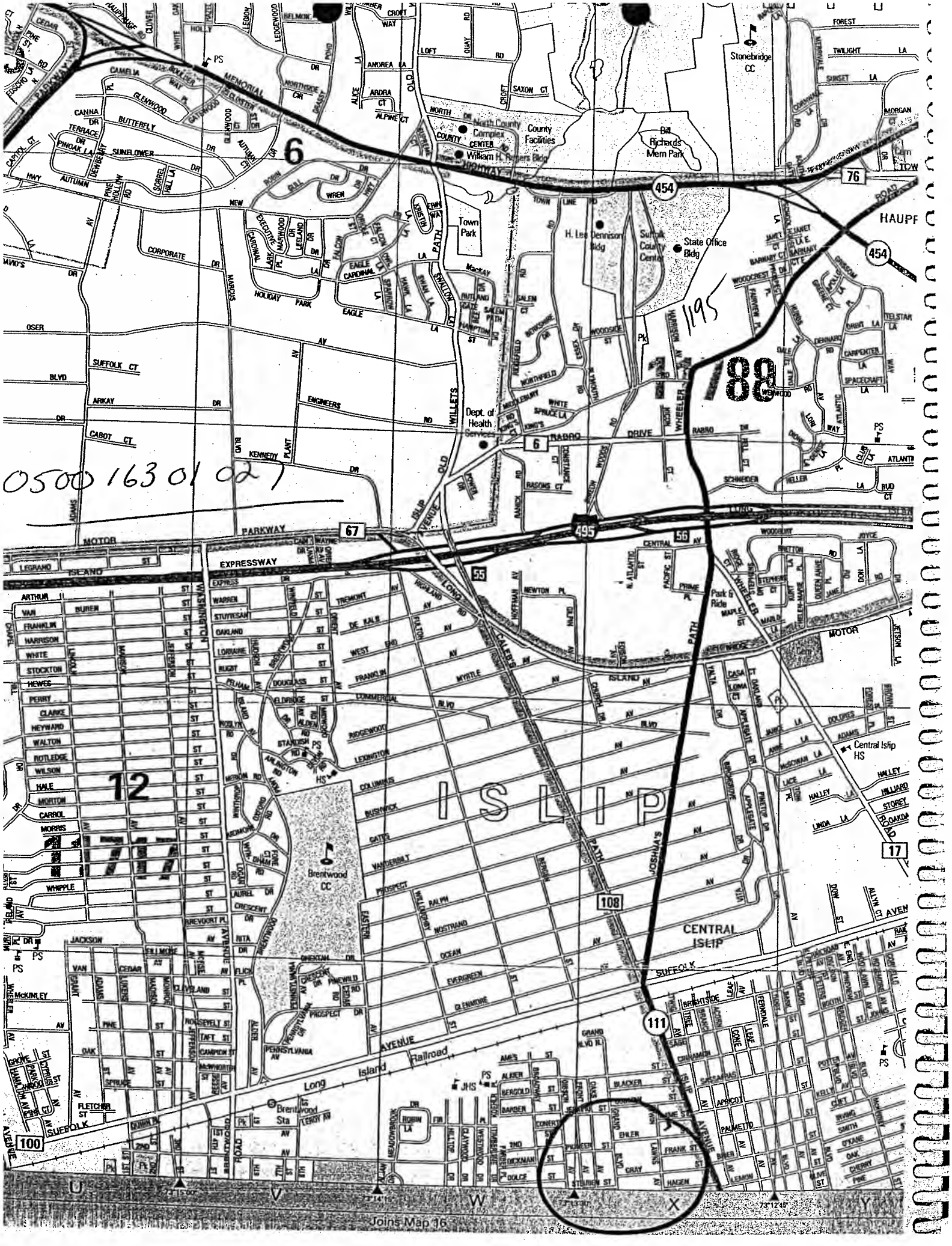
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 22-Aug-07

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 02/18/08

dz



0500 163 01 027
1195
788
6
12
111
ISLIP
CENTRAL ISLIP
Brentwood CC
Brentwood Sta
Central Islip HS
Park & Ride
Town Park
H. Lee Dennison Bldg
Suffolk County Center
State Office Bldg
Dept. of Health Services
North County Complex
County Facilities
William H. Rogers Bldg
Bill Richards Mem Park
Stonebridge CC
Long Island Railroad
MOTOR PARKWAY
EXPRESSWAY
MEMORIAL HIGHWAY
Joins Map 16

0500 163 01 027

1195

Revisions
06-01-96
10-12-00
01-02-01
09-09-03
12-23-03
09-16-04
10-07-04

Introductory Resolution No. 1196-08 Laid on Table 3/4/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT
JOHN STAMOULIS
0200-029.00-12.00-035.001

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 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 029.00, Block 12.00, Lot 035.001, and acquired by tax deed on August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007, in Liber 12520, at Page 725, and otherwise known as and by Town of Brookhaven, County of Suffolk, State of New York, known and designated as part of Lot 8536 as shown on a certain map entitled, "Fourth Map of Sound Beach, Section A" and filed in the Office of the Clerk of Suffolk County on July 25, 1929, as File No. 663; 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 August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007 in Liber 12520 at Page 725.

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, JOHN STAMOULIS has made application of said above described parcel and JOHN STAMOULIS has paid the application fee and $400.00, 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, 2008; and

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

2nd - **RESOLVED**, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to JOHN STAMOULIS, 28 Syosset Road, Sound Beach, New York 11789, 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

1196

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

Re: Tax Map No. 0200-029.00-12.00-035.001
JOHN STAMOULIS

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, Deputy County Executive for I. R. (original plus 1 hard copy)
Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain and Tom Vaughn, Intergovernmental Relations
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.
53

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

February 7, 2008

Tax Map No.: 0200-029.00-12.00-035.001
Name of Last Legal Fee Owner: JOHN STAMOULIS

1196

TREASURER'S COMPUTATION..... $328.65

Taxes.....2007/2008..... $ 71.13

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $399.78

Monies Received..... $400.00 – overpayment of $.22

RESOLUTION AMOUNT..... $399.78

PREPARED BY:

APPROVED:

Lori Bertone
Redemption Unit
(631) 853-5932

Accounting
LB:sc

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0200-029.00-12.00-035.001

1196

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

Lori Bertone

Introductory Resolution No. 1197-08 Laid on Table 3/4/08

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
JOSEPH PHILIP MARCARIO a/k/a JOSEPH MARCARIO and MARIEN RONEA MARCARIO, his wife
0200-453.00-04.00-005.000

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 453.00, Block 04.00, Lot 005.000, and acquired by tax deed on August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007, in Liber 12520, at Page 725, and otherwise known as and by Town of Brookhaven, Suffolk County Tax Map Number: District 0200, Section 453.00, Block 04.00, Lot 005.000; 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 August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007 in Liber 12520 at Page 725.

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, JOSEPH MARCARIO a/k/a JOSEPH PHILIP MARCARIO has made application of said above described parcel and JOSEPH MARCARIO a/k/a JOSEPH PHILIP MARCARIO has paid the application fee and $1,378.77, 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, 2008; 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

1197

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 JOSEPH PHILIP MARCARIO a/k/a JOSEPH MARCARIO and MARIEN RONEA MARCARIO, his wife, 132 Swezey Drive, P.O. Box 27, Middle Island, New York 11953, 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

1197

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

Re: Tax Map No. 0200-453.00-04.00-005.000
JOSEPH PHILIP MARCARIO a/k/a JOSEPH MARCARIO and MARIEN RONEA MARCARIO, 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, 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.

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1197

February 8, 2008

Tax Map No.: 0200-453.00-04.00-005.000
Name of Last Legal Fee Owner: JOSEPH PHILIP MARCARIO a/k/a JOSEPH MARCARIO and MARIEN RONEA MARCARIO, his wife

TREASURER'S COMPUTATION..... $1,090.58

Taxes.....2007/2008..... $ 288.19

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $1,378.77

Monies Received..... $1,378.77

RESOLUTION AMOUNT..... $1,378.77

APPROVED:

PREPARED BY:

Lori Bertone
Redemption Unit
(631) 853-5932

Accounting
LB:sc

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0200-453.00-04.00-005.000

1197

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

Lori Bertone

Introductory Resolution No. 1198-08 Laid on Table 3/4/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 JEFFREY A. CITERA AND ANGELA M. CITERA, His Wife (SCTM NO. 1000-070.00-10.00-005.001)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Southold, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 1000, Section 070.00, Block 10.00, Lot 005.001 and acquired by Tax Deed on September 24, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 26, 2003 in Liber 12274 at Page 351 and described as follows, Town of Southold, known as North x Now or Formerly Walter Berry, East and South x Now or Formerly Jeffrey A. and Angela M. Citera, West x South Street; and

WHEREAS, in accordance with Local Law 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Jeffrey A. Citera and Angela M. Citera, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $3,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at $3,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of $3,000.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land, now, be it therefore,

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 the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd **RESOLVED,** that Director Christopher E. Kent and/or his designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Jeffrey A. Citera and Angela M. Citera, 55 Gagens Landing Road, Southold, N.Y. 11971.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1198

SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building
100 Veterans Memorial Highway - 2nd Floor
Post Office Box 6100
Hauppauge, New York 11788

SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law 13-1976
Tax Map No. 1000-070.00-10.00-005.001

ADJOINING OWNER	BID	BID	BID
Jeffrey A. & Angela M. Citera 55 Gagens Landing Rd. Southold, N.Y. 11971 1000-070.00-10.00-037.002	$3,000.00		
Walter Berry 215 South Street Southold, N.Y. 11971 1000-070.00-10.00-005.002	$0		

SIZE OF PARCEL: 50' x 76' Irregular
APPRAISED VALUE: $3,000.00
COMMENT: Direct Sale to Adjacent Owner

Wayne R. Thompson
Property Manager
(631) 853-5971

1198

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

Local Law 13-1976 authorizing the Direct Sale of County owned Real Estate

3. Purpose of Proposed Legislation

Convey County owned parcel to adjacent 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?

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

Income from sale

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

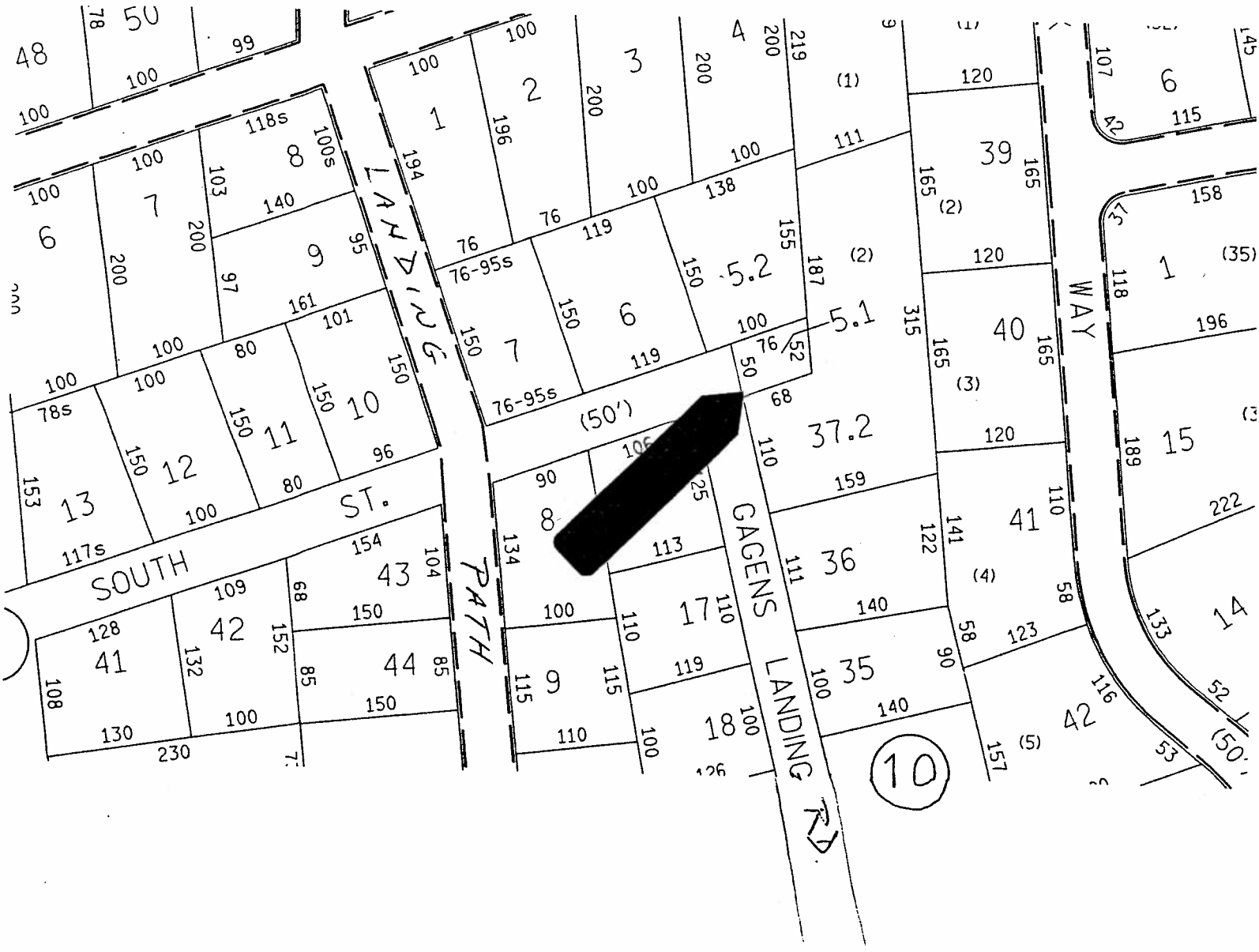
2008

10. Name & Title of Preparer Signature of Preparer Date

Jim Donovan
L.M.S.-1

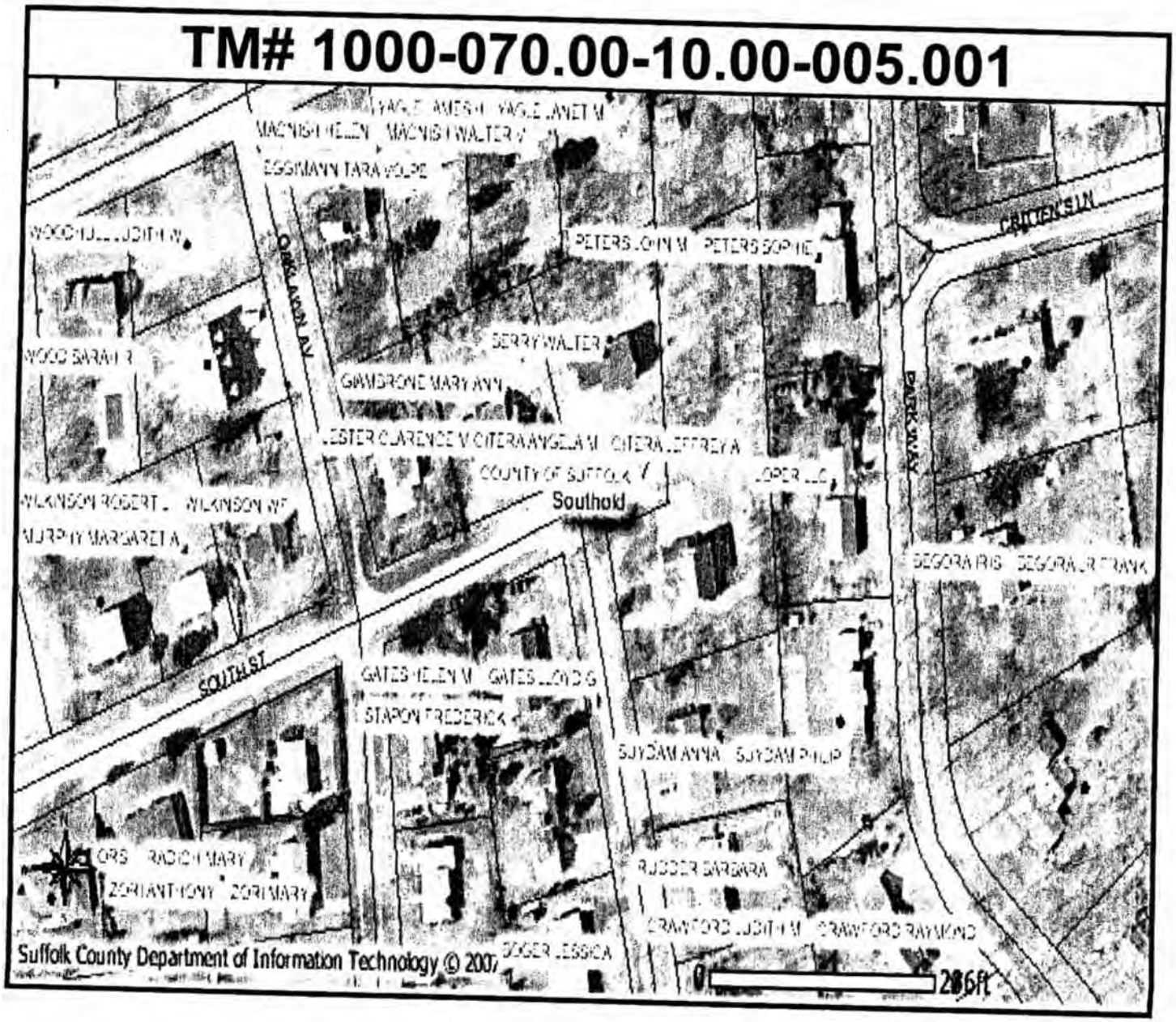
Jim Donovan 2-11-08

1198



1000 - 070 - 10 - 005.001

TM# 1000-070.00-10.00-005.001



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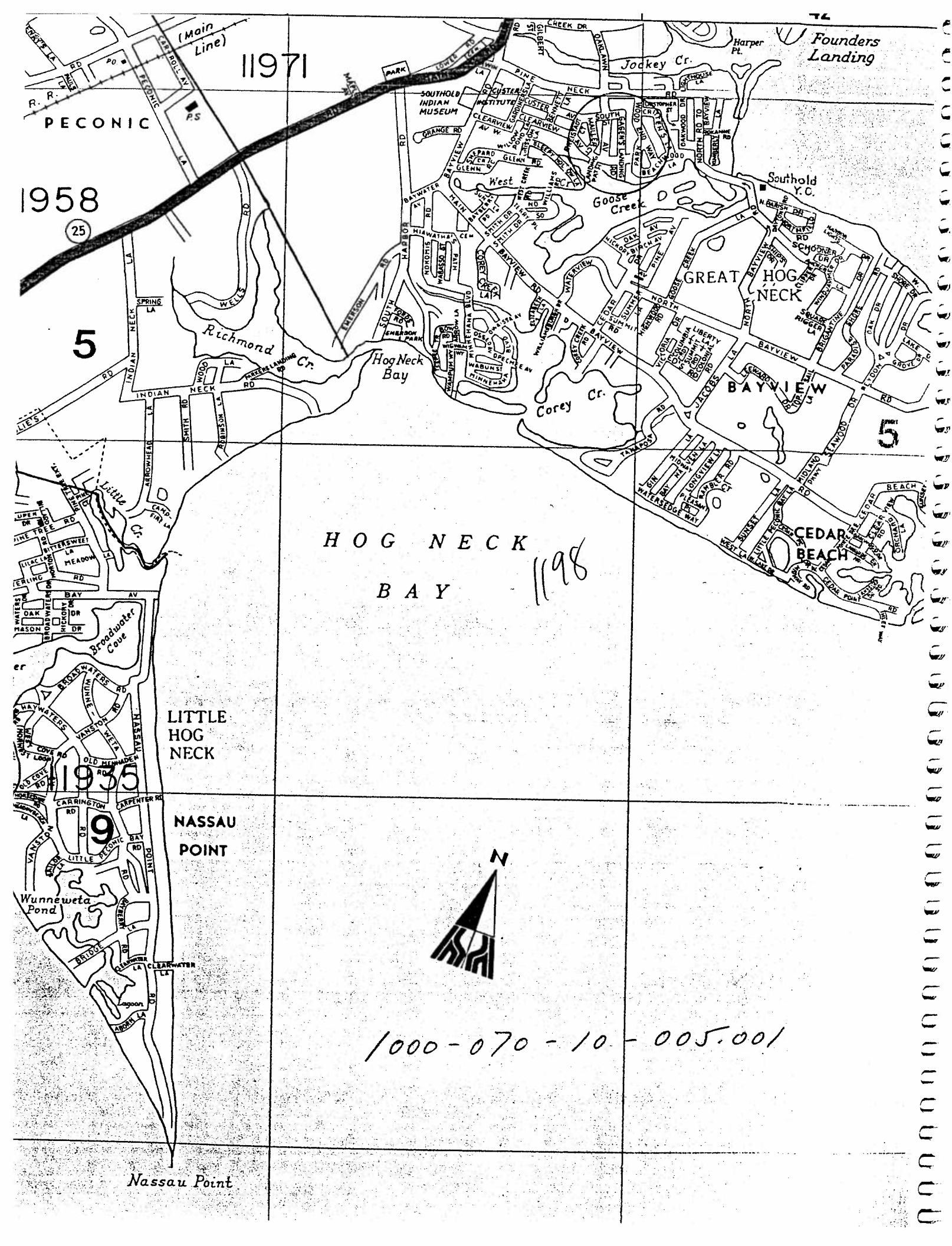

11971
PECONIC
1958
25
5
Richmond Cr.
Hog Neck Bay
Jockey Cr.
Harper Pt.
Founders Landing
Southold Y.C.
Goose Creek
GREAT HOG NECK
BAYVIEW
Corey Cr.
CEDAR BEACH
HOG NECK BAY
1198
Little Cr.
Broadwater Cove
LITTLE HOG NECK
11935
9
NASSAU POINT
Wunneweta Pond
Lagoon
Nassau Point
N
1000-070-10-005.001

Gen B12

FEB 25 2008

COUNTY OF SUFFOLK

CHRISTOPHER E. KENT
DIVISION DIRECTOR

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

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

February 15, 2008 1198

Ben Zwirn
Deputy County Executive
Intergovernmental Relations
H. Lee Dennison Bldg. 11th Flr.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 1000-070.00-10.00-005.001

Dear Mr. Zwirn:

Enclosed herewith are the original and one copy of the proposed resolution with documentation pursuant to:

Local Law 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

CEK:WRT:slb
Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

Copy to: Brendan Chamberlain, County Executive Assistant (2 hard copies)
Thomas A. Isles, Director of Planning
CE Reso Review, via e-mail

1199

Introductory Resolution No. -2008 Laid on the Table 9/4/08

Introduced by the Presiding Officer on request ofthe County Executive & Legislator Losquadro

RESOLUTION NO. - 2008, ACCEPTING AND APPROPRIATING A GRANT AWARD AMENDMENT FROM THE NEW YORK STATE URBAN DEVELOPMENT CORPORATION, D/B/A EMPIRE STATE DEVELOPMENT CORPORATION (ESDC) FOR AN ENTREPRENEURIAL ASSISTANCE PROGRAM CENTER 50% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, the 2006-2007 College operating budget provided $59,091in anticipation of a grant from the New York State Urban Development Corporation, d/b/a Empire State Development Corporation (ESDC), for an Entrepreneurial Assistance Program Center, for the period of June 1, 2007 through May 31, 2008; and

WHEREAS, the actual grant award includes an additional amount of $20,909, bringing the total amount of the grant award to $80,000; and

WHEREAS, it is necessary to amend the 2007-2008 College operating budget in the amount of $20,909 to provide for the increase in the grant award and

WHEREAS, matching funds, in the amount of $40,000, are provided for in the 2007-2008 College operating budget, and no additional funds are required for the amendment; and

WHEREAS, an in-kind contribution, which will be met through postage, telephone, space, utilities and administrative support and the associated benefits, is provided for in the College operating budget; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the grant amendment to the 2007-2008 College budget on February 14, 2008 by Resolution No. 2008. ; and

WHEREAS, the College anticipates spending the $20,909 in accordance with the terms of said grant award before May 31, 2008; now therefore be it

1st **RESOLVED**, that said 2007-2008 College operating budget be amended to reflect the increase in the grant award, from the New York State Urban Development Corporation, d/b/a Empire State Development Corporation (ESDC), for an Entrepreneurial Assistance Program Center, in the amount of $20,909, and said amount be accepted and appropriated for the operation of the program as follows:

REVENUES:	AMOUNT:
State Aid: Entrepreneurial Assistance Program Center: 818-GRT-3217-07	$ 20,909

APPROPRIATIONS:	AMOUNT:
Entrepreneurial Assistance Program Center: 818-GRT-GT03-07	$ 20,909

Suffolk County Community College
Entrepreneurial Assistance Program Center
818-GRT-GT03-07

1000-Personal Services	$ 12,913
1130-Temporary Salaries	2,647
1170-Part-time Instructors – Evening	10,266
3000-Supplies & Materials	$ 6,000
3010-Office Supplies	2,000
3040-Outside Printing	3,000
3100-Instructional Supplies	1,000
4300-Travel	$ 1,000
4340-Travel: Other	1,000
8000-Employee Benefits	$ 996
8330-Social Security	929
8350-Unemployment Insurance	67

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date

RESOLUTION NO. 2008. AMENDING THE COLLEGE BUDGET FOR AN ENTREPRENEURIAL ASSISTANCE PROGRAM CENTER

WHEREAS, the 2006-2007 College operating budget provided $59,091 in anticipation of an award from the New York State Urban Development Corporation, d/b/a Empire State Development Corporation (ESDC), for an Entrepreneurial Assistance Program Center, for the period of June 1, 2007 through May 31, 2008, and

WHEREAS, the actual award includes an additional amount of $20,909, bringing the total amount of the grant award to $80,000, and

WHEREAS, it is necessary to amend the 2007-2008 College operating budget for the said increase in the grant award, and

WHEREAS, matching funds, in the amount of $40,000, are provided for in the 2007-2008 College operating budget; and in-kind contribution, in the amount of $40,000, will be met through postage, telephone, space, utilities and administrative support and the associated benefits; and no additional funds are required for the amendment, be it therefore

RESOLVED, that the 2007-2008 College budget be amended to reflect an increase in the amount of $20,909, from the New York State Urban Development Corporation, d/b/a Empire State Development Corporation (ESDC), for an Entrepreneurial Assistance Program Center, and the College president or her designee is authorized to execute a contract with the administering agency.

Project Director: Daphne Gordon

* * * * * * * * * *

Board of Trustees Meeting
Date: February 14, 2008

ABSTRACT

1199

Subcontract ____ Grant _X_ Proposal ____

Funding Source:	New York State Urban Development Corporation D/b/a Empire State Development Corporation
Project Title:	Entrepreneurial Assistance Program Center
Project Director:	Daphne Gordon, Project Administrator
Project Period:	June 1, 2007 through May 31, 2008
Campus:	Corporate Training Center – Grant Campus
Amount of Award Amendment:	$20,909
Total Amount of Award:	$80,000

Match/In-kind Contribution/Fees:

50% in-kind: $40,000 for postage, telephone, space, utilities, percentage of administrative support and associated benefits at Corporate Training Center
50% match: $40,000 as cash match for Daphne Gordon salary
No additional amount required for amendment

Total Program Budget:	$160,000
Full-Time Positions/Reassigned Time:	1 Professional Assistant 2
No. of Students to be Served:	30-40
Type of Student to be Served:	People traditionally underrepresented in entrepreneurial activities, such as minorities, women, people with disabilities, and dislocated workers

Description of Project:
The Entrepreneurial Assistance Program Center encourages the start of new businesses and the continuous development of existing businesses. Sixty (60) hours of training, supplemented by more extensive technical assistance, is provided directly to students.

Empire Development

Douglas G. Wehrle
Senior Vice President
Loans and Grants

January 7, 2008

1199

Dr. Shirley Robinson-Pippins
Office of the President
Suffolk County Community College
533 College Road
Selden, NY 11784

Re: Entrepreneurial Assistance Program Center, Project #: V857

Dear Dr. Robinson-Pippins:

On behalf of the New York State Urban Development Corporation doing business as the Empire State Development Corporation (ESDC), I am pleased to inform you that at the recommendation of ESDC's Co-Chairmen Patrick Foye and Daniel Gundersen, the ESDC Directors have approved $80,000 in assistance for the Project referenced above.

This approval is contingent upon the approval of the State Division of the Budget and the receipt of funds by ESDC.

I am pleased to enclose duplicate signed Grant Disbursement Agreements ("GDA") for the above-referenced project. Please execute both and return one original to Joyce Smith, your project manager, within 30 days, with the following attachments:

- A completed IRS W-9 form necessary for taxpayer identification (use enclosed form).
- Wire transfer information in the form of either a voided check or copy of a cancelled check from the account to which funds will be wired, or a letter from a financial officer of the company certifying the bank name, account name, account number and ABA routing number.

Please be advised that disbursement of funds may occur after ESDC receives the grant funds and receives one fully executed GDA and all required documentation in a form acceptable to ESDC, and any fees or reimbursement for expenses specified, as consistent with all relevant exhibits of the Grant Disbursement Agreement.

Please contact Joyce Smith, your Project Manager, at 212-803-3234 should you have any questions. We look forward to working with you on this project.

Sincerely,

Douglas Wehrle

cc: Andrea Lohneiss
Joyce Smith
Daphne Gordon

Empire State Development Corporation
633 Third Avenue New York, New York 10017-9167 Tel 212 803 3628 Fax 212 803 3828
Internet Address: dwehrle@empire.state.ny.us

Gen Bus

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1199

1. Type of Legislation

Resolution XX Local Law ____ Charter Law

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING A GRANT AWARD AMENDMENT FROM THE NEW YORK STATE URBAN DEVELOPMENT CORPORATION, D/B/A EMPIRE STATE DEVELOPMENT CORPORATION (ESDC) FOR AN ENTREPRENEURIAL ASSISTANCE PROGRAM CENTER 50% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes ___ No XX**

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

There is a 50% match that is already included in the operating budget.

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

There is no fiscal impact.

8. Proposed Source of Funding

New York State Urban Development Corporation DBA Empire State Development Corporation (ESDC)

9. Timing of Impact

THE RESOLUTION IS EFFECTIVE UPON ADOPTION.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst	Saunders	2-26-08

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1199

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

Suffolk
COUNTY COMMUNITY COLLEGE

Red-flagged

1199

To: Ben Zwirn, Assistant Deputy County Executive

From: Charles K. Stein, V. P. for Business and Financial Affairs

Date: February 1, 2008

Subject: Request for a Resolution Accepting and Appropriating a Grant Award Amendment for a Suffolk County Community College Program

Enclosed are the application and requisite forms to request acceptance and appropriation of a grant award amendment for a program at Suffolk County Community College.

Proposal Grant Award X Subcontract _____

Project Name: Entrepreneurial Assistance Program Center

Funder: New York State Urban Development Corporation D/b/a Empire State Development Corporation (ESDC)

Amount of Grant Amendment: $20,909

Full Time Position: Professional Assistant 2

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-EAP Amend 07.doc

cc: D. Gordon, Program Administrator
J. Lombardo, Director, Corporate Training Center
J. Bullard, Jr., Associate Dean for Financial Affairs
J. Canniff, Vice President for Academic and Campus Affairs
G. Gatta, Executive Vice President

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

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

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

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

1199

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation
Accepting and Appropriating a Grant Award Amendment from the New York State Urban Development Corporation, d/b/a Empire State Development Corporation (ESDC),for an Entrepreneurial Assistance Program Center 50% Reimbursed by State Funds at Suffolk County Community College

3. Purpose of Proposed Legislation
To accept and appropriate a grant award amendment, in the amount of $20,909 from the New York State Urban Development Corporation, d/b/a Empire State Development Corporation (ESDC)for an Entrepreneurial Assistance Program Center during the 2007-2008 fiscal year.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes ___ No X

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

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

6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact
The grant amendment will provide $20,909, from the New York State Urban Development Corporation, d/b/a Empire State Development Corporation (ESDC) for an Entrepreneurial Assistance Center Program during the 2007-2008 fiscal year. Matching and in-kind funds are provided for in the College operating budget

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

8. Proposed Source of Funding: New York State Urban Development Corporation
D/b/a Empire State Development Corporation (ESDC)

9. Timing of Impact: June 1, 2007 through May 31, 2008

10. Typed Name & Title of Preparer
Deborah E. Lesser, M.S.
Senior Accountant

11. Signature of Preparer
Deborah E Lesser

12. Date
January 25, 2008

SCIN FORM 175A (10/95)

1209

Intro. Res. No. 2008 Laid on Table 3/4/08

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 BREMS ESTATE PROPERTY – MILLER PLACE/YAPHANK ROAD NP ADDITION (TOWN OF BROOKHAVEN – SCTM#0200-212.00-03.00-023.000)

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

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; and, therefore, be it

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 Ten Thousand Dollars ($10,000.00), 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	4,000± s.f.	The Estate of Jacob Brems
	Section	212.00		8285 Firshade Terrace
	Block	03.00		Cincinnati, OH 45239
	Lot	023.000		

; 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 Ten Thousand Dollars ($10,000.00), 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 $10,000.00, 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 been issued in Suffolk County Resolution 1083-2007.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Gen C1

COUNTY OF SUFFOLK

1200

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

February 22, 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 Brems Estate property (Miller Place/Yaphank Road NP Addition), in the Town of Brookhaven, under the Suffolk County Open Space Preservation Program. The purchase price is $10,000.00 for 4,000± s.f.

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)

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1200

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 Brems Estate property (Miller Place/Yaphank Road NP Addition), SCTM#0200-212.00-03.00-023.000, (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 (1986)

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	February 22, 2008

SCIN FORM 175b (10/95)

1201

Intro. Res. No. 2008 Laid on Table 3/4/08

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 BYRNE PROPERTY – MILLER PLACE/YAPHANK ROAD NP ADDITION (TOWN OF BROOKHAVEN – SCTM#0200-189.00-04.00-009.000)

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

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; and, therefore, be it

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 One Hundred Twenty Five Dollars ($20,125.00), 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:

SUFFOLK COUNTY **REPUTED OWNER**

PARCEL:	TAX MAP NUMBER:		ACRES:	AND ADDRESS:
No. 1	District	0200	0.134±	Mary Brenda Byme
	Section	189.00		317 Monroe Street – Apt. 5
	Block	04.00		Philadelphia, PA 19147
	Lot	009.000		

; 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 One Hundred Twenty Five Dollars ($20,125.00), 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 $20,125.00, 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 been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Gen C2

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

1201

February 22, 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 Byrne property (Miller Place/Yaphank Road NP Addition), in the Town of Brookhaven, under the Suffolk County Open Space Preservation Program. The purchase price is $20,125.00 for 0.134± 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)

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION 1201

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 Byrne property (Miller Place/Yaphank Road NP Addition), SCTM#0200-189.00-04.00-009.000, (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 (1986)
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	February 22, 2008

SCIN FORM 175b (10/95)

Intro. Res. No. 1202 - 2008 Laid on Table 3/4/08

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 NAPOLI CONSTRUCTION PROPERTY – CARLLS RIVER (TOWN OF BABYLON - SCTM#0100-017.00-02.00-009.000 & 010.000)

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. 153-2007, 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

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 One Hundred Forty Thousand Dollars ($140,000.00), 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	.33±	Napoli Construction
	Section	017.00		14 Coolidge Place
	Block	02.00		Smithtown, NY 11787
	Lot	009.000		

No. 2	District	0100
	Section	017.00
	Block	02.00
	Lot	010.000

; 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 One Hundred Forty Thousand Dollars ($140,000.00), 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 $140,000.00, subject to a final survey, from previously appropriated funds in MY-176-LAW-GDH1 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 the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

7th 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; 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

8th 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.

DATE:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Gen C3

COUNTY OF SUFFOLK

1202

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

February 22,2008

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 Napoli Construction property (Carlls River) in the Town of Babylon, under the Old Suffolk County Drinking Water Protection Program. The purchase price is $140,000.00 for .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
Peter Belyea, Acquisition Agent
CE Reso Review (e-mail copy only)

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1202

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 Napoli Construction property (Carlls River), SCTM#, (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	February 22, 2008

SCIN FORM 175b (10/95)

Intro. Reso. No. 1203-08 **Laid on Table** 3/4/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, APPROPRIATING FUNDS IN CONNECTION WITH THE RENOVATIONS, CONSTRUCTION, & ADDITIONS TO POLICE PRECINCTS (FOURTH PRECINCT) (C. P. 3184)

WHEREAS, the Police Commissioner has requested funds to hire a commissioning agent to enhance the L.E.E.D.S. qualities for the new Fourth Police Precinct Building; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program under Capital Project No. 3184 to cover the hiring of a commissioning agent; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2007 Adopted 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; now, therefore, be it

1st RESOLVED, that it is determined that this program 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 this Legislature hereby determined through Resolution No. 417-2007, that the Suffolk County Police Department 4th Precinct in the North County Complex, Town of Smithtown 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 Title 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
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;
3. The Parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);
4. The facility is to be hooked up to an existing sewage treatment plant which has the capacity to handle the increased load;
5. The project will be in conformance with Articles 6, 7, and 12 of the Suffolk County Sanitary Code;
6. According to the LEED VERSION 2.1 SUMMARY CHART in the EAF, the project will obtain at least 28 points or more which will rank it as "certified" and in compliance with Suffolk County Resolution No. 126-2006; and
7. All necessary N.Y.S. D.E.C. permits will be obtained;

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 such renovations, construction and additions to Police Precincts; and be it further

4th **RESOLVED**, that the proceeds of $200,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Proj. No.	JC	Project Title	Amount
525-CAP-3184.317 (Fund 115-Debt Service)	21	Construction & Additions to the New Fourth Police Precinct	$200,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1203

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. -2008, APPROPRIATING FUNDS IN CONNECTION WITH THE RENOVATIONS, CONSTRUCTION, & ADDITIONS TO POLICE PRECINCTS (FOURTH PRECINCT) (C. P. 3184)

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
Nicholas Paglia Executive Technician		February 21th, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1203

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	**$16,195**	**$0.03**		$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	**$16,195**	**$0.03**		$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

1203

Term of Bonds	20
Amount to Bonds:	$200,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2008					
5/1/2009			$4,097.50	$4,097.50	
11/1/2009	4.00%	$ 8,000	4,097.50	12,097.50	$16,195.00
5/1/2010			3,937.50	3,937.50	
11/1/2010	4.00%	8,000	3,937.50	11,937.50	15,875.00
5/1/2011			3,777.50	3,777.50	
11/1/2011	4.00%	9,000	3,777.50	12,777.50	16,555.00
5/1/2012			3,597.50	3,597.50	
11/1/2012	4.00%	9,000	3,597.50	12,597.50	16,195.00
5/1/2013			3,417.50	3,417.50	
11/1/2013	4.00%	9,000	3,417.50	12,417.50	15,835.00
5/1/2014			3,237.50	3,237.50	
11/1/2014	4.00%	9,000	3,237.50	12,237.50	15,475.00
5/1/2015			3,057.50	3,057.50	
11/1/2015	4.00%	9,000	3,057.50	12,057.50	15,115.00
5/1/2016			2,877.50	2,877.50	
11/1/2016	4.00%	10,000	2,877.50	12,877.50	15,755.00
5/1/2017			2,677.50	2,677.50	
11/1/2017	4.00%	10,000	2,677.50	12,677.50	15,355.00
5/1/2018			2,477.50	2,477.50	
11/1/2018	4.00%	10,000	2,477.50	12,477.50	14,955.00
5/1/2019			2,277.50	2,277.50	
11/1/2019	4.00%	10,000	2,277.50	12,277.50	14,555.00
5/1/2020			2,077.50	2,077.50	
11/1/2020	4.00%	10,000	2,077.50	12,077.50	14,155.00
5/1/2021			1,877.50	1,877.50	
11/1/2021	4.00%	11,000	1,877.50	12,877.50	14,755.00
5/1/2022			1,657.50	1,657.50	
11/1/2022	4.25%	11,000	1,657.50	12,657.50	14,315.00
5/1/2023			1,423.75	1,423.75	
11/1/2023	4.25%	11,000	1,423.75	12,423.75	13,847.50
5/1/2024			1,190.00	1,190.00	
11/1/2024	4.25%	11,000	1,190.00	12,190.00	13,380.00
5/1/2025			956.25	956.25	
11/1/2025	4.25%	11,000	956.25	11,956.25	12,912.50
5/1/2026			722.50	722.50	
11/1/2026	4.25%	12,000	722.50	12,722.50	13,445.00
5/1/2027			467.50	467.50	
11/1/2027	4.25%	12,000	467.50	12,467.50	12,935.00
5/1/2028			212.50	212.50	
11/1/2028	4.25%	10,000	212.50	10,212.50	10,425.00
		$ 200,000	$92,035.00	$292,035.00	$292,035.00

COUNTY OF SUFFOLK

1203

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

TO: **Ben Zwirn, Deputy County Executive**
Suffolk County Executive's Office

FROM: **Richard Dormer, Police Commissioner**

DATE: **January 29, 2008**

SUBJECT: **INTRODUCTORY RESOLUTION REQUEST**

Per the 2008 Adopted Capital Budget, the Police Department requests the introduction of a resolution to appropriate funds under Capital Project No. 3184 to hire a commissioning agent to enhance the L.E.E.D.S. qualities for the new Fourth Police Precinct Building.

Copies of a draft resolution, impact statement and introduction form are attached. An e-mail version was also sent to CE RESO REVIEW under the titles "Reso-POL-C.P. 3184-2008"; "Backup-POL-C.P. 3184-SCIN 175A"; "Backup-POL-C.P. 3184-SCIN 175B"; and "Backup-POL-C.P. 3184-cover letter-2008.

If you have any questions, please contact Edward Webber, Chief of Support Services Division, at 852-6230.

/sv
Att.

cc: Jim Morgo, Chief Deputy County Executive
Roger K. Shannon, Deputy Police Commissioner
Robert Anthony Moore, Chief of Department
Edward Webber, Chief, Support Services Division
Robert Ponzo, Chief, Patrol Division
Robert Scharf, Lieutenant, C.O., Staff Services Bureau
Patricia E. Sitler, Principal Program Examiner, Administrative Services Bureau

Intro. Res. No. 1204 - 2008

Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 3/4/08

RESOLUTION NO. 2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH INTERSECTION IMPROVEMENTS ON CR 16, SMITHTOWN BOULEVARD @ CR 93, LAKELAND AVENUE/ROSEVALE AVENUE, TOWN OF SMITHTOWN (CAPITAL PROGRAM NUMBER 5118)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Intersection Improvements on CR 16, Smithtown Boulevard @ CR 93, Lakeland Avenue/Rosevale Avenue, Town of 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 $300,000 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. 42 of 2003 classified the action contemplated by this as an Unlisted Action; 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 Intersection Improvements on CR 16, Smithtown Boulevard @ CR 93, Lakeland/Rosevale Avenue, 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.: 5168
Project Title: Reconstruction of CR 11, Pulaski Road, Town of Huntington

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$3,050,000	$850,000B	$550,000B
TOTAL	$4,100,000	$1,350,000	$1,050,000

Project No.: 5118
Project Title: Intersection Improvements on CR 16, Smithtown Boulevard at CR 93, Lakeland/Rosevale Avenue, Town of Smithtown

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$1,200,000	$ 0	$300,000B
TOTAL	$2,300,000	$ 0	$300,000

and be it further

5th **RESOLVED**, that the proceeds of $300,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5118.314 (Fund 001 Debt Service)	50	Intersection Improvements on CR 16, Smithtown Boulevard at CR 93, Lakeland/Rosevale Avenue	$300,000

Date:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1204

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. 2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH INTERSECTION IMPROVEMENTS ON CR 16, SMITHTOWN BOULEVARD @ CR 93, LAKELAND AVENUE/ROSEVALE AVENUE, TOWN OF SMITHTOWN (CAPITAL PROGRAM NUMBER 5118)

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
Nicholas Paglia Executive Technician		February 21th, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1204

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$28,110**	**$0.05**		$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	**$28,110**	**$0.05**		$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

1204

General Obligation Serial Bonds
50% Rule

Term of Bonds: 15
Amount to Bonds: $300,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2008					
5/1/2009			$6,055.00	$6,055.00	
11/1/2009	4.00%	$ 16,000	6,055.00	22,055.00	$28,110.00
5/1/2010			5,735.00	5,735.00	
11/1/2010	4.00%	17,000	5,735.00	22,735.00	28,470.00
5/1/2011			5,395.00	5,395.00	
11/1/2011	4.00%	18,000	5,395.00	23,395.00	28,790.00
5/1/2012			5,035.00	5,035.00	
11/1/2012	4.00%	18,000	5,035.00	23,035.00	28,070.00
5/1/2013			4,675.00	4,675.00	
11/1/2013	4.00%	19,000	4,675.00	23,675.00	28,350.00
5/1/2014			4,295.00	4,295.00	
11/1/2014	4.00%	19,000	4,295.00	23,295.00	27,590.00
5/1/2015			3,915.00	3,915.00	
11/1/2015	4.00%	20,000	3,915.00	23,915.00	27,830.00
5/1/2016			3,515.00	3,515.00	
11/1/2016	4.00%	20,000	3,515.00	23,515.00	27,030.00
5/1/2017			3,115.00	3,115.00	
11/1/2017	4.00%	21,000	3,115.00	24,115.00	27,230.00
5/1/2018			2,695.00	2,695.00	
11/1/2018	4.00%	21,000	2,695.00	23,695.00	26,390.00
5/1/2019			2,275.00	2,275.00	
11/1/2019	4.00%	22,000	2,275.00	24,275.00	26,550.00
5/1/2020			1,835.00	1,835.00	
11/1/2020	4.00%	22,000	1,835.00	23,835.00	25,670.00
5/1/2021			1,395.00	1,395.00	
11/1/2021	4.00%	23,000	1,395.00	24,395.00	25,790.00
5/1/2022			935.00	935.00	
11/1/2022	4.25%	23,000	935.00	23,935.00	24,870.00
5/1/2023			446.25	446.25	
11/1/2023	4.25%	21,000	446.25	21,446.25	21,892.50
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%	-	-	-	-
		$ 300,000	$102,632.50	$402,632.50	$402,632.50

COUNTY OF SUFFOLK

FEB 19 2008

1204

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, 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: February 8, 2008

RE: C.P. 5118 – Intersection Improvements on CR 16, Smithtown Boulevard @ CR 93, Lakeland/Rosevale Avenue, Town of Smithtown

Attached are a draft resolution and duplicate copy to appropriate the sum of $300,000 for construction in connection with the above referenced project. There are no funds included in the 2008 Capital Budget and Program for this project. It is, therefore, our intent to utilize $300,000 in construction funding from C.P. 5168 for this project.

This project will realign the intersection to eliminate the existing jog for northbound traffic on CR 93 proceeding north on Gibbs Pond Road and eliminate the inside left-turn stacking that presently exists.

Resolution No. 903 of 2007 appropriated $900,000 in construction funds for this project. This appropriation will allow us to engage the services of a consultant engineer for construction inspection services.

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. 42 of 2003.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP 5118.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

1205

Intro. Res. No. - 2008 Laid on the Table 3/4/06

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT AND REHABILITATION OF DREDGE SUPPORT EQUIPMENT (CAPITAL PROGRAM NUMBER 5201)

WHEREAS, the Commissioner of Public Works has requested funds for equipment in connection with Replacement and Rehabilitation of Dredge Support Equipment; 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 $100,000 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 (25) (C) (2), (11), (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; 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 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 Replacement of Dredge Support Equipment, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

4th **RESOLVED**, that the proceeds of $100,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5201.516 (Fund 001 Debt Service)	50	Replacement and Rehabilitation of Dredge Support Equipment	$100,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1205

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT OF DREDGE SUPPORT EQUIPMENT (CAPITAL PROGRAM NUMBER 5201)

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
Nicholas Paglia Executive Technician		February 20th, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1205

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$20,000**	**$0.04**		$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	**$20,000**	**$0.04**		$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

1205

Term of Bonds: 5
Amount to Bonds: $100,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2008					
5/1/2009			$2,000.00	$2,000.00	
11/1/2009	4.00%	$ 16,000	2,000.00	18,000.00	$20,000.00
5/1/2010			1,680.00	1,680.00	
11/1/2010	4.00%	19,000	1,680.00	20,680.00	22,360.00
5/1/2011			1,300.00	1,300.00	
11/1/2011	4.00%	21,000	1,300.00	22,300.00	23,600.00
5/1/2012			880.00	880.00	
11/1/2012	4.00%	22,000	880.00	22,880.00	23,760.00
5/1/2013			440.00	440.00	
11/1/2013	4.00%	22,000	440.00	22,440.00	22,880.00
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%	-	-	-	-
		$ 100,000	$12,600.00	$112,600.00	$112,600.00

COUNTY OF SUFFOLK

FEB 19 2008

1205

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

DATE: February 8, 2008

RE: C.P. 5201 – Replacement of Dredge Support Equipment

Attached are a draft resolution and duplicate copy to appropriate the sum of $100,000 for equipment in connection with the above referenced project. There are sufficient funds included in the 2008 Capital Budget and Program for this project.

This appropriation will allow for the rehabilitation of the tug boat "Mattituck." This tug boat was built and purchased by the County in 1961. There has not been any major work on this boat besides routine maintenance work since it was built. It is necessary to rehabilitate the tug boat to insure that it will remain in a condition that will allow it to function properly in supporting our dredging operation. The rehabilitation includes replacement of the diesel engine, steering system and electrical work.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP 5201.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
Linda Brandolf, CPA, Capital Accounting
James Bagg, Chief Environmental Analyst

Intro. Res. No. 1206 -2008 Laid on Table 3/4/08
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. - 2008, ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR A HOME INVESTMENT PARTNERSHIPS PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS

WHEREAS, the Suffolk County Department of Economic Development/Community Development Division has submitted an application for a HOME Investment Partnership Program Grant for Federal Fiscal Year 2008 under Title II of the National Affordable Housing Act of 1990 (P.L. 101-625); and

WHEREAS, the County has been awarded a HOME Investment Partnership Program FY 2008 grant in the amount of $2,153,832; and

WHEREAS, the County has also been awarded a FY 2008 American Dream Down Payment Initiative grant in the amount of $14,613 as part of the HOME Investment Partnership Program; and

WHEREAS, $261,802 of said funds are to be used for operational costs; and

WHEREAS, these funds have been included in the 2008 Adopted Operating Budget; now, therefore, be it

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

2nd RESOLVED, that $261,802 of these funds be used to reimburse budgeted county expenses and that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate the following funds:

REVENUES:	AMOUNT
353-4911 Federal Aid: Community Development	$2,168,445

ORGANIZATIONS:

ECONOMIC DEVELOPMENT
HOME INVESTMENT PARTNERSHIPS
353-CDV-8775

Contracted Services	$1,906,643
4980-Contracted Agencies	$1,906,643

INTERFUND TRANSFER
TRANSFER TO FUND 351
IFT-9600

353-IFT-E351 Transfer to Fund 351 Comm Dev Admin $261,802

and be it further

3RD RESOLVED, that the reporting category for the County Integrated Financial Management System (IFMS) is CD12; and be it further

4th RESOLVED, that this Legislature being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes Type II action, pursuant to 6 NYCRR and; be it further

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1706

1. Type of Legislation

Resolution __X__ Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. - 2008, ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR A HOME INVESTMENT PARTNERSHIPS PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS

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 the 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.

RESOLUTION WILL PROVIDE $2,168,445 IN FEDERAL HUD FUNDING FOR 2008 FISCAL YEAR HOME GRANT AND AUTHORIZES THE COUNTY EXECUTIVE TO ENTER INTO AGREEMENT WITH PARTICIPATING AGENCIES TO PROCEED WITH COUNTY AND TOWN AFFORDABLE HOUSING PROGRAMS.

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

8. Proposed Source of Funding

100% FEDERAL DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FUNDS

9. Timing of Impact

APRIL 2008

10. Typed Name and Title of Preparer	11. Signature of Preparer	12. Date
JAMES P. BURT ASSISTANT BUDGET DIRECTOR	James P Burt	February 25, 2008

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1206

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

0

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

FEB 19 2008

1206

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

JOSEPH T. SANSEVERINO
COMMUNITY DEVELOPMENT DIRECTOR

OFFICE OF COMMUNITY DEVELOPMENT

TO: Ben Zwirn
Deputy County Executive

FROM: Joseph T. Sanseverino
Community Development Director

DATE: February 14, 2008

RE: FY 2008 Community Development Resolutions

Attached please find the fiscal year 2008 Resolutions for the Community Development Block Grant, HOME Investment Partnership Program and the Emergency Shelter Grant. Please lay all three Resolutions on the table at the March 18, 2008 Legislative meeting. An electronic version of the Resolution and backup was sent to "CE RESO Review" under the following titles:

Reso-CD-Community Development Block Grant Acceptance
Backup-CD-Community Development Block Grant Acceptance SCIN 175a, 175b

Reso-CD-HOME Grant Acceptance
Backup-CD-HOME Grant Acceptance SCIN 175a, 175b

Reso-CD-ESG Grant Acceptance
Backup-CD-ESG Grant Acceptance SCIN 175a, 175b

The County also received an allocation of $14,613 through the American Dream Downpayment Initiative. This allocation is included as part of the HOME Resolution.

LOCATION
H. LEE DENNISON BLDG. 11TH FLOOR
100 VETERANS MEMORIAL HIGHWAY

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

(631) 853-5705
TELECOPIER (631) 853-5688

Intro. Reso. No. 1207 -2008 Laid on Table: 3/4/08

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

RESOLUTION NO. -2008, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE AND REPLACEMENT OF NUTRITION VEHICLES FOR THE OFFICE FOR THE AGING (CP 1749)

WHEREAS, the Director for the Office for the Aging has requested funds for the purchase and replacement of Nutrition Vehicles; 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 $335,042 in Suffolk County Serial Bonds; therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of forty seven (47) 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 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 (c) (25) and (27), in that the resolution concerns purchase of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, Resolution No. 321-2003 requires that no vehicle shall be purchased or leased unless "explicit approval for the acquisition of such vehicles via lease or purchase, has been granted via duly enacted Resolution of the Suffolk County Legislature", and

4th RESOLVED, as per resolution No. 321-2003, the Legislature hereby approves the purchase of seven (7) replacement transit vehicles and that the county fleet will not be increased: and be it further

5th RESOLVED, that the proceeds of $335,042 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	JC	Project Title	Amount
525-CAP-1749.519 (Fund 001-Debt Service)	03	Purchase and Replacement of Nutrition Vehicles for the Office For the Aging	$335,042

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1207

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 APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE AND REPLACEMENT OF NUTRITION VEHICLES FOR THE OFFICE FOR THE AGING (CP 1749)

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

THE ISSUANCE OF $335,042 IN SUFFOLK COUNTY SERIAL BONDS.

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

SEE ATTACHED DEBT SCHEDULE SERVICE

8. Proposed Source of Funding

SUFFOLK COUNTY SERIAL BONDS

9. Timing of Impact

UPON ADOPTION

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
HOLLY RHODES-TEAGUE DIRECTOR Dyanne Martin	Dyanne Martin	FEB. 19, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1207

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$67,402**	**$0.13**		$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	**$67,402**	**$0.13**		$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

1207

Term of Bonds	5
Amount to Bonds:	$335,042

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2008					
5/1/2009			$6,700.84	$6,700.84	
11/1/2009	4.00%	$ 54,000	6,700.84	60,700.84	$67,401.68
5/1/2010			5,620.84	5,620.84	
11/1/2010	4.00%	64,000	5,620.84	69,620.84	75,241.68
5/1/2011			4,340.84	4,340.84	
11/1/2011	4.00%	70,000	4,340.84	74,340.84	78,681.68
5/1/2012			2,940.84	2,940.84	
11/1/2012	4.00%	75,000	2,940.84	77,940.84	80,881.68
5/1/2013			1,440.84	1,440.84	
11/1/2013	4.00%	72,042	1,440.84	73,482.84	74,923.68
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%	-	-	-	-
		$ 335,042	$42,088.40	$377,130.40	$377,130.40

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

FEB 19 2008

1207

OFFICE FOR THE AGING
HOLLY S. RHODES-TEAGUE
Director

MEMORANDUM

TO: Ben Zwirn
Deputy County Executive

FROM: Holly Rhodes-Teague
Director

DATE: February 15, 2008

RE: 2008 Capital Project Funds – Purchase of Replacement Vehicles

---

The Office for Aging submitted a 2008 capital project in the amount of $335,042 to purchase replacement vehicles for the Nutrition Program for the Elderly. We anticipate purchasing seven small center aisle transit buses to transport seniors to congregate meal sites and to deliver meals to the homebound.

At this time, I am requesting that capital funds be released so that the Office for Aging can continue to provide vehicles for the Nutrition Program for the Elderly. I am attaching the resolution and supporting background information needed to release funds for this project.

Please let me know if you need additional information. I appreciate your consideration.

Holly Rhodes-Teague
Director

HRT:LH

cc: Jeff Szabo, Deputy County Executive/Chief of Staff
Leonor Hunter, Administrator II
Carmine Chiusano, Chief Financial Analyst
Suzanne Martin, Administrator I

L021

CAPITAL PURCHASE 2008

NUTRITION SITE VEHICLE REPLACEMENT

BY AGE OF VEHICLE TO BE REPLACED		PHASE - DATE	SITE	MAKE VEHICLE TO REPLACE	YEAR	CURRENT MILEAGE DEC 2007	MONTHLY MILEAGE	CONDITION	DESCR- NEW V
PRIORITY		YEAR							
		2008							
1	1		BABYLON	FORD SUBURBAN	1994	122,957	789	VERY POOR	14 PASS
			1FBHE31Y8RHB75142						
7	1		BROOKHAVEN/SOUTH	FORD VAN - 15 PASS.	1998	130,921	255	POOR	14 PASS
			1FBSS31L5WHA73487						
6	1		BROOKHAVEN/SOUTH	FORD VAN - 15 PASS.	1997	125,873	DECOMMISSIONED	POOR	14 PASS
			DECOMMISSIONED						
2	1		HUNTINGTON	FORD VAN - 15 PASS.	1995	130,260	DECOMMISSIONED	VERY POOR	14 PASS
			DECOMMISSIONED						
4	1		ISLIP	FORD VAN - 15 PASS.	1998	112,537	DECOMMISSIONED	POOR	14 PASS
			DECOMMISSIONED						
5	1		ARC/PATCHOGUE/BELLPORT	FORD WAGON	2002	104,895	1,083	POOR	14 PASS
			1FBSS31L52HA22257						
3	1		SOUTHOLD	FORD WAGON	1993	103,579	842	VERY POOR	14 PASS
			1FACP57U0PA306334						
	7	TOTAL							
									ADOPTE
									BALANCE

1208

Intro. Res. No. - 2008

Laid on the Table 3/4/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH SAFETY IMPROVEMENTS AT VARIOUS INTERSECTIONS (CAPITAL PROGRAM NUMBER 3301)

WHEREAS, the Commissioner of Public Works has requested funds for land acquisition in connection with Safety Improvements on CR 46, William Floyd Parkway @ Surrey 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 $400,000 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. 594 of 2001 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 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 to complete THE Safety Improvements on CR 46, William Floyd Parkway @ Surrey Circle, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

4th **RESOLVED**, that the proceeds of $400,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP- 3301.224 (Fund 001 Debt Service)	50	Safety Improvements on CR 46, William Floyd Parkway @ Surrey Circle	$400,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date OF Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1208

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH SAFETY IMPROVEMENTS AT VARIOUS INTERSECTIONS (CAPITAL PROGRAM NUMBER 3301)

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
Nicholas Paglia Executive Analyst		JANUARY 25, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1208

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$38,135**	**$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	**$38,135**	**$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

1208

General Obligation Serial Bonds
50% Rule

Term of Bonds: 15
Amount to Bonds: $400,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2008					
5/1/2009			$8,067.50	$8,067.50	
11/1/2009	4.00%	$ 22,000	8,067.50	30,067.50	$38,135.00
5/1/2010			7,627.50	7,627.50	
11/1/2010	4.00%	23,000	7,627.50	30,627.50	38,255.00
5/1/2011			7,167.50	7,167.50	
11/1/2011	4.00%	24,000	7,167.50	31,167.50	38,335.00
5/1/2012			6,687.50	6,687.50	
11/1/2012	4.00%	25,000	6,687.50	31,687.50	38,375.00
5/1/2013			6,187.50	6,187.50	
11/1/2013	4.00%	25,000	6,187.50	31,187.50	37,375.00
5/1/2014			5,687.50	5,687.50	
11/1/2014	4.00%	26,000	5,687.50	31,687.50	37,375.00
5/1/2015			5,167.50	5,167.50	
11/1/2015	4.00%	27,000	5,167.50	32,167.50	37,335.00
5/1/2016			4,627.50	4,627.50	
11/1/2016	4.00%	27,000	4,627.50	31,627.50	36,255.00
5/1/2017			4,087.50	4,087.50	
11/1/2017	4.00%	28,000	4,087.50	32,087.50	36,175.00
5/1/2018			3,527.50	3,527.50	
11/1/2018	4.00%	29,000	3,527.50	32,527.50	36,055.00
5/1/2019			2,947.50	2,947.50	
11/1/2019	4.00%	29,000	2,947.50	31,947.50	34,895.00
5/1/2020			2,367.50	2,367.50	
11/1/2020	4.00%	30,000	2,367.50	32,367.50	34,735.00
5/1/2021			1,767.50	1,767.50	
11/1/2021	4.00%	31,000	1,767.50	32,767.50	34,535.00
5/1/2022			1,147.50	1,147.50	
11/1/2022	4.25%	31,000	1,147.50	32,147.50	33,295.00
5/1/2023			488.75	488.75	
11/1/2023	4.25%	23,000	488.75	23,488.75	23,977.50
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%	-	-	-	-
		$ 400,000	$135,107.50	$535,107.50	$535,107.50

COUNTY OF SUFFOLK

1208

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 31, 2008

RE: C.P. 3301, Safety Improvements on CR 46, William Floyd Parkway @ Surrey Circle, Town of Brookhaven

Attached are a draft resolution and duplicate copy to appropriate the sum of $400,000 for land acquisition in connection with the above referenced project. There are sufficient funds in the 2008 Capital Budget and Program for this project.

The location to be improved under this appropriation is CR 46, William Floyd Parkway at Surrey Circle. The southbound area of CR 46 will be reconfigured to accommodate three thru lanes and two 10 ft. left-turn lanes for eastbound traffic on Surrey Circle. Surrey Circle will be widened to accommodate two eastbound thru lanes with an 11 ft. right-turn lane as well as a 10 ft. westbound left-turn lane. All four current turning radii will be enlarged to further mitigate congestion at the intersection. The northeast corner entrance for the strip mall shall be eliminated to mitigate traffic congestion. Traffic signals and pavement markings will be modified to accommodate the new alignment and to improve traffic flow and safety.

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. 594 of 2001.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP 3301 (CR 46 @ SURREY ENGR).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. 1209 - 2008 Laid on the Table 3/4/08
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, APPROPRIATING FUNDS IN CONNECTION WITH THE CIVIL COURT RENOVATION & ADDITION - COURTROOMS, RIVERHEAD (CAPITAL PROGRAM NUMBER 1130)

WHEREAS, Commissioner of DPW has requested funds due to additional exterior structural damage and unforeseen interior conditions have been encountered during Phase 1 construction; and

WHEREAS, the Annex Building is in need of renovation; and

WHEREAS, there are sufficient funds scheduled in the 2008 Capital Budget and Program for this project; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $ 7,220,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty (50) 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 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 this project; and be it further

3rd **RESOLVED**, that pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 332-2003 classified the action contemplated as a Type I action which will not have a significant effect on the environment.

4th **RESOLVED**, that the proceeds of $ 7,220,000 in Suffolk County Serial Bonds are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-1130.111 (Fund 001 Debt Service)	20	Civil Court Renovation and Addition - Courtrooms, Riverhead; Planning	$ 420,000
525-CAP-1130.310 (Fund 001 Debt Service)	20	Civil Court Renovation and Addition - Courtrooms, Riverhead	$ 6,800,000

Date:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1209

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$481,800**	**$0.90**		$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	**$481,800**	**$0.90**		$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

1209

Suffolk County
Project Name
General Obligation Serial Bonds
50% Rule

Term of Bonds [redacted]
Amount to Bonds: $7,220,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
[redacted]					
1/1/2009			$144,400.00	$144,400.00	
7/1/2009	[redacted]	$ 193,000	144,400.00	337,400.00	$481,800.00
1/1/2010			140,540.00	140,540.00	
7/1/2010	[redacted]	199,000	140,540.00	339,540.00	480,080.00
1/1/2011			136,560.00	136,560.00	
7/1/2011	[redacted]	203,000	136,560.00	339,560.00	476,120.00
1/1/2012			132,500.00	132,500.00	
7/1/2012	[redacted]	206,000	132,500.00	338,500.00	471,000.00
1/1/2013			128,380.00	128,380.00	
7/1/2013	[redacted]	209,000	128,380.00	337,380.00	465,760.00
1/1/2014			124,200.00	124,200.00	
7/1/2014	[redacted]	212,000	124,200.00	336,200.00	460,400.00
1/1/2015			119,960.00	119,960.00	
7/1/2015	[redacted]	215,000	119,960.00	334,960.00	454,920.00
1/1/2016			115,660.00	115,660.00	
7/1/2016	[redacted]	218,000	115,660.00	333,660.00	449,320.00
1/1/2017			111,300.00	111,300.00	
7/1/2017	[redacted]	222,000	111,300.00	333,300.00	444,600.00
1/1/2018			106,860.00	106,860.00	
7/1/2018	[redacted]	225,000	106,860.00	331,860.00	438,720.00
1/1/2019			102,360.00	102,360.00	
7/1/2019	[redacted]	228,000	102,360.00	330,360.00	432,720.00
1/1/2020			97,800.00	97,800.00	
7/1/2020	[redacted]	231,000	97,800.00	328,800.00	426,600.00
1/1/2021			93,180.00	93,180.00	
7/1/2021	[redacted]	234,000	93,180.00	327,180.00	420,360.00
1/1/2022			88,500.00	88,500.00	
7/1/2022	[redacted]	237,000	88,500.00	325,500.00	414,000.00
1/1/2023			83,760.00	83,760.00	
7/1/2023	[redacted]	241,000	83,760.00	324,760.00	408,520.00
1/1/2024			78,940.00	78,940.00	
7/1/2024	[redacted]	244,000	78,940.00	322,940.00	401,880.00
1/1/2025			74,060.00	74,060.00	
7/1/2025	[redacted]	247,000	74,060.00	321,060.00	395,120.00
1/1/2026			69,120.00	69,120.00	
7/1/2026	[redacted]	250,000	69,120.00	319,120.00	388,240.00
1/1/2027			64,120.00	64,120.00	
7/1/2027	[redacted]	253,000	64,120.00	317,120.00	381,240.00
1/1/2028			59,060.00	59,060.00	
7/1/2028	[redacted]	256,000	59,060.00	315,060.00	374,120.00
1/1/2029			53,940.00	53,940.00	
7/1/2029	[redacted]	260,000	53,940.00	313,940.00	367,880.00
1/1/2030			48,740.00	48,740.00	
7/1/2030	[redacted]	263,000	48,740.00	311,740.00	360,480.00
1/1/2031			43,480.00	43,480.00	
7/1/2031	[redacted]	266,000	43,480.00	309,480.00	352,960.00
1/1/2032			38,160.00	38,160.00	
7/1/2032	[redacted]	269,000	38,160.00	307,160.00	345,320.00
1/1/2033			32,780.00	32,780.00	
7/1/2033	[redacted]	272,000	32,780.00	304,780.00	337,560.00
1/1/2034			27,340.00	27,340.00	
7/1/2034	[redacted]	275,000	27,340.00	302,340.00	329,680.00
1/1/2035			21,840.00	21,840.00	
7/1/2035	[redacted]	279,000	21,840.00	300,840.00	322,680.00
1/1/2036			16,260.00	16,260.00	
7/1/2036	[redacted]	282,000	16,260.00	298,260.00	314,520.00
1/1/2037			10,620.00	10,620.00	
7/1/2037	[redacted]	285,000	10,620.00	295,620.00	306,240.00
1/1/2038			4,920.00	4,920.00	
7/1/2038	[redacted]	246,000	4,920.00	250,920.00	255,840.00
		$ 7,220,000	$4,738,680.00	$11,958,680.00	$11,958,680.00

COUNTY OF SUFFOLK

FEB 19 2008

1209

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 (2 copies)

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

DATE: February 11, 2008

RE: CP 1130 – Civil Court Renovation and Addition - Courtrooms

---

Attached for your review is a draft resolution appropriating planning and construction funds for renovations to the Civil Court complex in Riverhead. The funds will be used for planning and continued renovations to the buildings.

Resolution 332-2003 classified the project as a Type I action having no significant effect on the environment.

An e-mail copy of this letter has been sent to CE RESO Review and saved under the title Reso-DPW-CP1130 Resolution_Civil Court.doc.

TL/TG/dk
Attachment
cc: Jim Morgo, Chief Deputy County Executive
Gilbert Anderson, P.E., Commissioner
Anita S. Katz, Commissioner, Board of Elections
Cathy L. Richter Geier, Commissioner, Board of Elections
Lou Calderone, Deputy Commissioner
Tedd Godek, R.A., County Architect
Keith Larsen, R.A., Assistant County Architect
Read Vail, Chief Budget Examiner
Laura Conway, CPA, Chief Accountant
Linda Brandolf, CPA, Capital Accounting
CE RESO Review (e-mail)

Intro Res. No. 1210-08

Laid on Table 3/4/08

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

RESOLUTION NO. 2008, ACCEPTING AND APPROPRIATING GRANT FUNDS RECEIVED FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES, UNDER STOP DWI PROGRAM

WHEREAS, New York State Division of Criminal Justice Services has awarded three grants in the amount of $55,000.00 each to ensure the well being of the citizens of Suffolk County on the roadways, by prosecuting those who drive while intoxicated to the full extent of the law. The objective of these grants is to prosecute drunk drivers by requesting increased penalties for those who break the law and by requesting stricter sentencing for repeat offenders and for those who cause serious injury or death to their victims

WHEREAS, said grant is to run for the period 4/1/07 through 3/31/09; and

WHEREAS, sufficient positions exist in the District Attorney's 2008 Suffolk County Adopted Operating Budget, three positions will be transferred from the general administration portion of the District Attorney's Budget to that part of the budget dedicated to the STOP DWI Program; and

WHEREAS, no funding has been included in the District Attorney's 2008 Suffolk County Adopted Operating Budget for additional positions in the STOP DWI Program; 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
001-3212-State Aid – DCJS DWI Program	$ 165,000

ORGANIZATIONS:

District Attorney (DIS)
STOP DWI Program
001-1160

PERSONNEL SERVICES	$ 165,000
1100—Permanent Salaries	165,000

and be it further

2nd RESOLVED, that the following positions are transferred within the District Attorney's Office from appropriation 001-1165:

Position Number	Spec No	Position Title	J/C	Grade	Created
001-1165-1600-0097	6128	Assistant District Attorney I	E	24	-1
001-1165-1600-0175	6128	Assistant District Attorney I	E	24	-1
001-1165-1600-0580	6128	Assistant District Attorney I	E	24	-1

and be it further

3rd RESOLVED, that the following positions are transferred within the District Attorney's Office to appropriation 001-1160:

Position Number	Spec No	Position Title	J/C	Grade	Created
001-1160-2900-0097	6128	Assistant District Attorney I	E	24	+1
001-1160-2900-0175	6128	Assistant District Attorney I	E	24	+1
001-1160-2900-0580	6128	Assistant District Attorney I	E	24	+1

and be it further

4th RESOLVED, that the non-reimbursable fringe benefits associated with the salaries for this grant are included in the 2008 Suffolk County Budget; 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 Type II action; and be it further

6th RESOLVED, that the County Executive be authorized to execute the grant related agreement between Suffolk County and the New York State Division of Criminal Justice Services.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County
Date of Approval

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1210

1. Type of Legislation

Resolution __X__ Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. 2008 ACCEPTING AND APPROPRIATING GRANT FUNDS RECEIVED FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES, UNDER STOP DWI PROGRAM

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 the 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 – GRANT FUNDING UTILIZING EXISTING POSITIONS IN THE DISTRICT ATTORNEY'S OFFICE (POSITIONS TO BE TRANSFERRED TO THE GRANT APPROPRIATION/UNIT).

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

8. Proposed Source of Funding

FUNDS FROM NYS DIVISION OF CRIMINAL JUSTICE SERVICES – LEGISLATIVE ADDS PROGRAM, GRANT TO RUN FROM 04/01/07 – 03/31/09

9. Timing of Impact

UPON ADOPTION

10. Typed Name and Title of Preparer	11. Signature of Preparer	12. Date
JAMES P. BURT ASSISTANT BUDGET DIRECTOR	James P Burt	February 25, 2008

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1210

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

0

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
OFFICE OF DISTRICT ATTORNEY

JAN 11 2008

THOMAS J. SPOTA
DISTRICT ATTORNEY

120

January 11, 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 New York State Division of Criminal Justice Services. This grant will provide funds to prosecute individuals who drive while intoxicated.

An e-mail version of this resolution has been sent to CE RESO REVIEW and saved under the file name "STOP DWI".

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

COUNTY OF SUFFOLK
OFFICE OF DISTRICT ATTORNEY

1210

BACKUP FOR MASTER LIST #40 RES0.

THOMAS J. SPOTA
DISTRICT ATTORNEY

Address Reply To:
Asset Forfeiture Unit

TO: VICKY CANESTRO, BUDGET OFFICE
COUNTY EXECUTIVE'S OFFICE

FROM: KATEY MORAN, GRANTS ANALYST
ASSETS FORFEITURE UNIT

RE: AWARD CONTRACTS
DCJS#LG07078516 LEGISLATIVE ADDS – DWI PROSECUTION
DCJS#LG07078517 LEGISLATIVE ADDS – DWI PROSECUTION
DCJS#LG07078449 LEGISLATIVE ADDS – DWI PROSECUTION

$55,000 EACH.

DATE: JANUARY 30, 2008

Enclosed please find THREE (3) copies of each of the above captioned grant award contracts from the NYS Division of Criminal Justice Services and processed through GMS with signature/acknowledgment pages. Kindly review, and if all is in order, sign where indicated and e-sign each award pursuant to the e-signing instructions enclosed.

Upon completion of the above, please contact our office so that we can arrange for pick-up of the signed contracts.

If you have any questions, please do not hesitate to contact me at 853-3879.

Thank you.

NORTH COUNTY COMPLEX • VETERANS MEMORIAL HIGHWAY • HAUPPAUGE, NY 11787-4311 • (631) 853-4153 • FAX#(631) 853-6211

STATE AGENCY New York State Division of Criminal Justice Services 4 Tower Place Albany, NY 12203	NYS COMPTROLLER'S NUMBER: M078449 (Contract Number) 1210 ORGINATING AGENCY CODE: 01490
GRANTEE/CONTRACTOR: (Name & Address) Suffolk County H Lee Dennison Building 100 Veterans Memorial Highway Hauppauge, NY 11788	TYPE OF PROGRAMS: Legislative Adds DCJS NUMBERS: LG07078449
FEDERAL TAX IDENTIFICATION NO: 11-6000464 MUNICIPALITY NO: (if applicable) 470100000 000	INITIAL CONTRACT PERIOD: FROM 04/01/2007 TO 03/31/2009 FUNDING AMOUNT FROM INITIAL PERIOD: $55,000.00
STATUS: Contractor is not a sectarian entry. Contractor is not a not-for-profit organization.	MULTI-YEAR TERM: (if applicable): 0 1-year renewal options.
CHARITIES REGISTRATION NUMBER: N/A (Enter number of Exempt) if "Exempt" is entered above, reason for exemption. Contractor has ____ has not ____ timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports.	APPENDIX ATTACHED AND PART OF THIS AGREEMENT _X_ APPENDIX A Standard Clauses required by the Attorney General for all State contacts _X_ APPENDIX A1 Agency-specific Clauses _X_ APPENDIX B Budget _X_ APPENDIX C Payment and Reporting Schedule _X_ APPENDIX D Program Workplan __ APPENDIX F Guidlines for the Control and Use of Confidential Funds __ APPENDIX G Procedural Guidelines for the Control of Surveillance Equipment __ APPENDIX X Modification Agreement Form (to accompany modified appendices for changes in terms or considerations on an existing period or for renewal periods) __ DCJS-55 Budget Amendment/Grant Extension Request _X_ Other (Identify) _____

IN WITNESS THEREOF, the parties hereto have electronically executed or approved this AGREEMENT on the dates their signatures.

NYS DIVISION OF CRIMINAL JUSTICE SERVICES

BY: , Date:
Bureau of Justice Funding

State Agency Certification: "In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract".

GRANTEE:

BY: Mr. Jeffrey W. Szabo , Deputy County Executive & Chief of Staff Date:

ATTORNEY GENERAL'S SIGNATURE _____ Title: _____ Date: _____	APPROVED, Thomas P. DiNapoli, State Comptroller _____ Title: _____ Date: _____

1210

STATE AGENCY New York State Division of Criminal Justice Services 4 Tower Place Albany, NY 12203	NYS COMPTROLLER'S NUMBER: M078517 (Contract Number) ORGINATING AGENCY CODE: 01490
GRANTEE/CONTRACTOR: (Name & Address) Suffolk County H Lee Dennison Building 100 Veterans Memorial Highway Hauppauge, NY 11788	TYPE OF PROGRAMS: Legislative Adds DCJS NUMBERS: LG07078517
FEDERAL TAX IDENTIFICATION NO: 11-6000464 MUNICIPALITY NO: (if applicable) 470100000 000	INITIAL CONTRACT PERIOD: FROM 04/01/2007 TO 03/31/2009 FUNDING AMOUNT FROM INITIAL PERIOD: $55,000.00
STATUS: Contractor is not a sectarian entry. Contractor is not a not-for-profit organization.	MULTI-YEAR TERM: (if applicable): 0 1-year renewal options.
CHARITIES REGISTRATION NUMBER: N/A (Enter number of Exempt) if "Exempt" is entered above, reason for exemption. _____ Contractor has ____ has not ____ timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports.	APPENDIX ATTACHED AND PART OF THIS AGREEMENT _X_ APPENDIX A Standard Clauses required by the Attorney General for all State contacts _X_ APPENDIX A1 Agency-specific Clauses _X_ APPENDIX B Budget _X_ APPENDIX C Payment and Reporting Schedule _X_ APPENDIX D Program Workplan __ APPENDIX F Guidlines for the Control and Use of Confidential Funds __ APPENDIX G Procedural Guidelines for the Control of Surveillance Equipment __ APPENDIX X Modification Agreement Form (to accompany modified appendices for changes in terms or considerations on an existing period or for renewal periods) __ DCJS-55 Budget Amendment/Grant Extension Request _X_ Other (Identify) _____

IN WITNESS THEREOF, the parties hereto have electronically executed or approved this AGREEMENT on the dates their signatures.

NYS DIVISION OF CRIMINAL JUSTICE SERVICES

BY: , Date:
Bureau of Justice Funding

State Agency Certification: "In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract".

GRANTEE:

BY: Mr. Jeffrey W. Szabo , Deputy County Executive & Chief of Staff Date:

ATTORNEY GENERAL'S SIGNATURE _____ Title: _____ Date: _____	APPROVED, Thomas P. DiNapoli, State Comptroller _____ Title: _____ Date: _____

STATE PASSTHRU -

STATE AGENCY New York State Division of Criminal Justice Services 4 Tower Place Albany, NY 12203	NYS COMPTROLLER'S NUMBER: M078516 (Contract Number) ORGINATING AGENCY CODE: 01490 1210
GRANTEE/CONTRACTOR: (Name & Address) Suffolk County H Lee Dennison Building 100 Veterans Memorial Highway Hauppauge, NY 11788	TYPE OF PROGRAMS: Legislative Adds DCJS NUMBERS: LG07078516
FEDERAL TAX IDENTIFICATION NO: 11-6000464 MUNICIPALITY NO: (if applicable) 470100000 000	INITIAL CONTRACT PERIOD: FROM 04/01/2007 TO 03/31/2009 FUNDING AMOUNT FROM INITIAL PERIOD: $55,000.00
STATUS: Contractor is not a sectarian entry. Contractor is not a not-for-profit organization.	MULTI-YEAR TERM: (if applicable): 0 1-year renewal options.
CHARITIES REGISTRATION NUMBER: N/A (Enter number of Exempt) if "Exempt" is entered above, reason for exemption. _____ Contractor has ____ has not ____ timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports.	APPENDIX ATTACHED AND PART OF THIS AGREEMENT _X_ APPENDIX A Standard Clauses required by the Attorney General for all State contacts _X_ APPENDIX A1 Agency-specific Clauses _X_ APPENDIX B Budget _X_ APPENDIX C Payment and Reporting Schedule _X_ APPENDIX D Program Workplan ___ APPENDIX F Guidlines for the Control and Use of Confidential Funds ___ APPENDIX G Procedural Guidelines for the Control of Surveillance Equipment ___ APPENDIX X Modification Agreement Form (to accompany modified appendices for changes in terms or considerations on an existing period or for renewal periods) ___ DCJS-55 Budget Amendment/Grant Extension Request _X_ Other (Identify) _____

IN WITNESS THEREOF, the parties hereto have electronically executed or approved this AGREEMENT on the dates their signatures.

NYS DIVISION OF CRIMINAL JUSTICE SERVICES

BY: , Date:
Bureau of Justice Funding

State Agency Certification: "In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract".

GRANTEE:

BY: Mr. Jeffrey W. Szabo , Deputy County Executive & Chief of Staff Date:

ATTORNEY GENERAL'S SIGNATURE _____ Title: _____ Date: _____	APPROVED, Thomas P. DiNapoli, State Comptroller _____ Title: _____ Date: _____

Additional back-up material regarding I.R. 1210-08 is on file in the Legislative Clerk's Office, Hauppauge.

Intro. Reso. No. 1211-08 Laid on Table 3/4/08
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, APPROVING AN INCREASE IN FLEET FOR THE SUFFOLK COUNTY POLICE DEPARTMENT

WHEREAS, in June 2004, the Police Commissioner established a Field Auditing Section whose purpose is to do hands-on field monitoring of chronic sick and injured employees in order to expedite their return to duty as soon as they are medically cleared; and

WHEREAS, this section has proven to be extremely beneficial; and

WHEREAS, the Police Commissioner finds that an additional vehicle is now needed to continue said monitoring of chronic sick and injured employees; now, therefore, be it

Ist RESOLVED, that the Police Department is given authorization to increase the Police fleet by one vehicle, Field Auditing Vehicle No. 6 (undercover vehicle to be determined), which lease will be funded through the use of Asset Forfeiture funds.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1211

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

APPROVING AN INCREASE IN FLEET FOR THE SUFFOLK COUNTY POLICE DEPARTMENT

3. Purpose of Proposed Legislation

This resolution requests approval for an increase in fleet for a vehicle for the Field Auditing Section in the Suffolk County Police Department.

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

Fuel Cost (minimal)

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

$75/month

8. Proposed Source of Funding

Operating Funds (Asset Forfeiture)

9. Timing of Impact

2008

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Robert Scharf, Lieutenant, C. O. Police Department---Staff Services Bureau Kim G. Brandau	Lt Robt P. Scharf K H Brandau	01/25/08 2/26/08

SCIN FORM 175b (10/95)

Chief Budget Examiner

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1211

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

0

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

1211

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

TO: **Ben Zwirn, Deputy County Executive**
Suffolk County Executive's Office

FROM: **Richard Dormer, Police Commissioner**

DATE: **January 25, 2008**

SUBJECT: **INTRODUCTORY RESOLUTION REQUEST**

In June 2004, a Field Auditing Section was established to do hands-on field monitoring of chronic sick and injured employees in order to expedite their return to duty as soon as they are medically cleared. This section has proven to be extremely beneficial. However, it has been found that an additional vehicle is now needed to continue said monitoring of chronic sick and injured employees. The Department is, therefore, requesting approval for an increase in fleet for this purpose.

Copies of a draft resolution, impact statement and introduction form are attached. An e-mail version was also sent to CE RESO REVIEW under the titles "Reso-POL-FLEET INCREASE-2008"; "Backup-POL-FLEET INCREASE-SCIN 175A"; and "Backup-POL-FLEET INCREASE-SCIN 175B".

If you have any questions, please contact Edward Webber, Chief of Support Services Division, at 852-6230.

/sv
Att.

cc: Jim Morgo, Chief Deputy County Executive
Roger K. Shannon, Deputy Police Commissioner
Robert Anthony Moore, Chief of Department
Edward Webber, Chief, Support Services Division
Robert Scharf, Lieutenant, C.O., Staff Services Bureau
Thomas Reichert, P. O. 3500, Transportation Section
Patricia E. Sitler, Principal Program Examiner, Administrative Services Bureau

1212

Intro Res. No. -2008

Laid on Table 3/4/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FEDERAL AID FOR SUFFOLK COUNTY TRANSIT BUS ROUTE S92 SERVICE ENHANCEMENTS

WHEREAS, federal aid has been made available to the County for the purpose of providing financial support for service enhancements that have been instituted on Suffolk County Transit Bus Route S92; and

WHEREAS, said federal aid which is being administered by the New York State Department of Transportation and will provide $264,000 towards the cost of the service enhancements for the period of October 1, 2007 through September 30, 2008; and

WHEREAS, sufficient funds as well as the revenue estimates have been included in the 2008 operating budget; 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 the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) (25) and (27), in that the resolution concerns purchasing 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 the Designee of the County Executive of Suffolk County is hereby authorized to execute a grant agreement with the New York State Department of Transportation to receive federal aid for this project.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1212

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FEDERAL AID FOR SUFFOLK COUNTY TRANSIT BUS ROUTE S92 SERVICE ENHANCEMENTS

3. Purpose of Proposed Legislation

Federal Aid has been made available to the County to provide $264,000 towards the cost of the service enhancements that have been instituted on the S92 bus route for the period of October 1, 2007 through September 30, 2008. The New York State Department of Transportation (NYSDOT) administers this federal aid. This resolution will authorize the County to enter into an agreement with NYSDOT in order to receive these funds.

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): Sewer District**

Library District **Fire District**

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

Provision of service enhancements to S92 bus route.

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

$864,000 (3 years, federal) 10/2005 to 9/2006: $336,000
10/2006 to 9/2007: $264,000
10/2007 to 9/2008: $264,000

8. Proposed Source of Funding

Federal: $264,000

9. Timing of Impact

October 1, 2007 through September 30, 2008.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst	Deb Kolyer	February 22, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1212

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

FEB 13 2008

1212

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
Department of Public Works

for TL

DATE: February 8, 2008

RE: **PROPOSED RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FEDERAL AID FOR SUFFOLK COUNTY TRANSIT BUS ROUTE S92 SERVICE ENHANCEMENTS**

Federal aid has been made available to the County to provide $264,000 towards the cost of the service enhancements that have been instituted on the S92 bus route for the period of October 1, 2007 through September 30, 2008. The New York State Department of Transportation (NYSDOT) administers this federal aid. This resolution will authorize the County to enter into an agreement with NYSDOT in order to receive these funds

Sufficient funds as well as the revenue estimates have been included in the 2008 operating budget for this service.

The SCIN Forms 175a and Statement of Financial Impact Form are attached.

This proposed resolution, with backup, will be forwarded electronically titled: "Reso-DPW-S92 Enhancements-10-07 thru 09-08

Please initiate the process to have this resolution introduced at the next Suffolk County Legislature meeting. If you have any questions, please do not hesitate to contact Robert W. Shinnick, Director of Transportation Operations, at 24880.

TL:RWS:cfn
Enclosures

cc: Jim Morgo, Chief Deputy County Executive, w/enc.
Brendan Chamberlain, County Executive Assistant
Laura Conway, DPW Finance, w/enc.
Jim Burt, Budget Office, w/enc.
Don Fahey, Federal & State Aid Office, w/enc
CE Reso Review List, e-mail

NYSDOT/Local Agreement - Schedule A for PIN 0826.01

OSC Municipal Contract #: C024690 | **Contract End Date:** 9/30/2008 (mm/dd/yyyy) ☐ *Check, if date changed from the last Schedule A*

Purpose: ☐ Original Standard Agreement ☒ Supplemental Schedule A No. 1

Agreement Type: ☒ Locally Administered — Municipality/Sponsor (Contract Payee): Suffolk County; Other Municipality/Sponsor (if applicable):

☐ State Administered — *List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.*

☐ Municipality: 1212 % of Cost share
☐ Municipality: % of Cost share
☐ Municipality: % of Cost share

Authorized Project Phase(s) to which this Schedule applies: ☐ PE/Design ☐ ROW Incidentals ☐ ROW Acquisition ☐ Construction/CI/CS

Work Type: | **County** (If different from Municipality):

Project Description ☐ *(Check, if changed from last Schedule A):* S92-Orient Point/Greenport to East Hampton

Additional Project Description (if required): via Riverhead. Upgrade Monday to Saturday bus service to hourly service.

Approved Marchiselli Allocations in Legislature's Comprehensive List FOR All PHASES *To compute Total Costs in the last row and column, right click in each field and select "Update Field."*

Check box to indicate change from last Schedule A	State Fiscal Year(s)	Project Phase			TOTAL
		PE/Design	ROW (RI & RA)	Construction/CI/CS	
☐	Cumulative total for all prior SFYs	$	$	$	$ 0.00
☐	Current SFY	$	$	$	$ 0.00
	Authorized Allocations to Date	$ 0.00	$ 0.00	$ 0.00	$ 0.00

A. Summary of allocated MARCHISELLI Program Costs FOR ALL PHASES *For each PIN Fiscal Share below, show current costs on the rows indicated as "Current.". If revising costs for an existing PIN Fiscal Share, show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in the last row, right click in each field and select "Update Field."*

PIN Fiscal Share	"Current" or "Old" entry indicator	Federal Funding Program	Total Costs	FEDERAL Participating Share and Percentage	STATE MARCHISELLI Match	LOCAL Matching Share	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
. .	Current		$	$	$	$	$
	Old		$	$	$	$	$
. .	Current		$	$	$	$	$
	Old		$	$	$	$	$
. .	Current		$	$	$	$	$
	Old		$	$	$	$	$
. .	Current		$	$	$	$	$
	Old		$	$	$	$	$
. .	Current		$	$	$	$	$
	Old		$	$	$	$	$
. .	Current		$	$	$	$	$
	Old		$	$	$	$	$
TOTAL CURRENT COSTS:			$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00

NYSDOT/Local Agreement – Schedule A

B. Summary of Other (including Non-allocated MARCHISELLI) Participating Costs FOR ALL PHASES *For each PIN Fiscal Share, show current costs on the rows indicated as "Current.". If revising costs for an existing PIN Fiscal Share, show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in last row, right click in each field and select "Update Field."*

Other PIN Fiscal Shares	'Current' or 'Old' entry indicator	Funding Source	TOTAL	Other FEDERAL	Other STATE	Other LOCAL
0826.01.321	Current	CMAQ	$420,000.00	$336,000.00	$0.00	$84,000.00
	Old	CMAQ	$420,000.00	$336,000.00	$0.00	$84,000.00
0826.01.321	Current	Other (see footnote)	$58,340.00	$0.00	$0.00	$58,340.00
	Old	Other (see footnote)	$58,340.00	$0.00	$0.00	$58,340.00
0826.01.322	Current	CMAQ	$330,000.00	$264,000.00	$0.00	$66,000.00
	Old	CMAQ	$330,000.00	$264,000.00	$0.00	$66,000.00
0826.01.323	Current	CMAQ	$330,000.00	$264,000.00	$0.00	$66,000.00
	Old		$	$	$	$
. .	Current		$	$	$	$
	Old		$	$	$	$
. .	Current		$	$	$	$
	Old		$	$	$	$
. .	Current		$	$	$	$
	Old		$	$	$	$
. .	Current		$	$	$	$
	Old		$	$	$	$
TOTAL CURRENT COSTS:			$1,138,340.00	$864,000.00	$ 0.00	$274,340.00

C. Total Local Deposit(s) Required for State Administered Projects: $

D. Total Project Costs *To compute Total Costs in the last column, right click in the field and select "Update Field."*

Total FEDERAL Cost	Total STATE MARCHISELLI Cost	Total Other STATE Cost	Total LOCAL Cost	Total Costs (all sources)
$864,000.00	$0.00	$0.00	$274,340.00	$1,138,340.00

E. Point of Contact for Questions Regarding this Schedule A (Must be completed)

Name: **Lanny Wexler**
Phone No: 631-952-6122

ɐe Agreement (or Supplemental Agreement Cover) for required contract signatures.

NYSDOT/Local Agreement – Schedule A

Footnotes: (See CADB Website for link to sample footnotes)

1212

- This is Supplemental No. 2, the third part of a three year agreement that expires on 9/30/08. Supplemental No. 2 will cover funding of S 92 Bus Service from 10/1/07 - 9/30/08. Supplemental No. 2 is requesting $264,000 federal funds and a local contribution of $66,000 for a total project cost of $330,000.
- $58,340 that was shown in the original agreement under PIN extension 321 is an overmatch beyond the required 20% local match.
-
-
-
-
-
-
-
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-

1213

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

Laid on Table 3/4/08

RESOLUTION NO. -2008, AUTHORIZING USE OF SMITH POINT COUNTY PARK PROPERTY BY MASTIC BEACH FIRE DEPARTMENT, INC., FOR PUBLIC-SAFETY SERVICES FUND DRIVE

WHEREAS, the Mastic Beach Fire Department responds to over one hundred calls at the Smith Point County Park each year; and

WHEREAS, the Mastic Beach Fire Department, Inc. (Department), would like to host a fund drive at Smith Point County Park in Shirley; and

WHEREAS, the fund drive for support of the public-safety services provided by the Department would be held from July 4, 2008 through July 6, 2008, and July 19, 2008 and July 20, 2008; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of One Hundred and Twenty-Five and 00/100 Dollars ($125.00), plus public-safety services rendered by the Department to the Smith Point County Park, payment of which shall be guaranteed by the Department; and

WHEREAS, a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured will be provided by the Department; and

WHEREAS, the use of County property for such fund drive for support of the public-safety services provided by the Department 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 Mastic Beach Fire Department, Inc. (Department), in consideration of the payment of One Hundred and Twenty-Five Dollars ($125.00), and in consideration of public-safety services rendered by the Department to the Smith Point County Park, for the purpose of hosting a fund drive by standing at the tollbooths with a sign asking the public to "help us save you", for support of the public-safety services provided by the Department from July 4, 2008 through July 6, 2008, and July 19, 2008 and July 20, 2008 between the hours of 7:00 a.m. and 4:30 p.m. each day is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from the Department, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

2nd **RESOLVED**, that before this event shall be permitted to occur, the Department 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 support of the public-safety services provided by the Department at Smith Point County Park in Shirley by the Department; and be it further

4th **RESOLVED**, that the Department 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 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\r-mastic-beach-public-service-fund-drive

1214

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

Laid on Table 3/4/08

RESOLUTION NO. –2008, REQUIRING THAT THE SUFFOLK HEALTH CENTERS REMAIN PART OF THE SUFFOLK HEALTH PLAN NETWORK

WHEREAS, in the process of adopting the 2008 Operating Budget, the Legislature contemplated that the Suffolk Health Plan would be sold to a private health care provider; and

WHEREAS, it is incumbent upon the Legislature, as the duly elected representatives of the citizens of Suffolk County, to ensure that any sale of the Suffolk Health Plan will not jeopardize the health and safety of those citizens who are dependent upon the Plan; and

WHEREAS, the County of Suffolk deems it in the best interests of the citizens of Suffolk County to fund Suffolk County Health Centers in order to provide quality medical care to those citizens who do not have the means to afford a private physician; and

WHEREAS, current enrollees in the Suffolk Health Plan always have the choice to see a physician of their own choosing, but access to the Suffolk Health Centers remains an option; and

WHEREAS, if the sale of the Suffolk Health Plan is consummated, it must be conditioned on keeping the Suffolk Health Centers as a viable alternative for enrollees; now, therefore be it

1st **RESOLVED**, that any sale of the Suffolk Health Plan shall be conditioned upon the winning bidder maintaining the Suffolk Health Centers within the health plan network for a period of no less than ten (10) years from the date of final sale of the Suffolk Health Plan; and be it further

2nd **RESOLVED**, that the Suffolk County Department of Health Services, the Suffolk County Attorney, and all other County departments and/or agencies involved in the process of seeking a buyer for the Suffolk County Health Plan are hereby authorized, empowered and directed to take all steps necessary and appropriate to implement the policy contained in this Resolution no later than ten (10) business days following the effective date of this Resolution; and be it further

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

DATED:

APPROVED BY:

Intro. Res. No. 1215 - 2008 Laid on the Table 3/4/08
Introduced by the Presiding Officer Lindsay

RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO THE BOARD OF ELECTIONS (CP 1459)

WHEREAS, the front of the building at the Board of Elections facility in Yaphank is in need of renovation; and

WHEREAS, the front mechanical systems, in their entirety, are near the end of their useful lives; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of said request; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,500,000 in Suffolk County Serial Bonds; 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; now, therefore be it

RESOLVED, that it is hereby determined that this project, with a priority ranking of 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

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, determined via Resolution No.1377-2005 and Resolution No. 65-2006 that the proposed improvements constitute a Type II action, pursuant to the provisions of Title 6 NYCRR Part 617.5(c)(1)(2) and (25) and Chapter 279 of the Suffolk County Code, as it involves repair, reconstruction and the purchase of equipment within the existing facility; and be it further

RESOLVED, that the proceeds of $1,500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-1459.110 (Fund 001 Debt Service)	20	Planning and Engineering for Improvements to Board of Elections	$150,000

Project No.	J.C.	Project Title	Amount
525-CAP-1459.310 (Fund 001 Debt Service)	20	Improvements to Board of Elections	$1,350,000

Date:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1216

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

Laid on Table 3/4/08

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO REDUCE THE USE OF FERTILIZER NEAR WETLANDS IN SUFFOLK COUNTY

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 REDUCE THE USE OF FERTILIZER NEAR WETLANDS IN SUFFOLK COUNTY**" 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 REDUCE THE USE OF FERTILIZER NEAR WETLANDS IN SUFFOLK COUNTY

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that it is the policy of the State of New York to preserve and protect tidal wetlands and freshwater wetlands in order to prevent their despoliation and destruction.

This Legislature also finds and determines that the County of Suffolk has made great strides in protecting wetlands throughout the county not only by acquiring such wetlands to prevent further development, but also by funding infrastructure improvements including nonpoint source pollution abatement and aquatic habitat restoration.

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

This Legislature finds that this excess nitrogen has led to depressed dissolved oxygen levels in the wetland areas, resulting in harm to aquatic life, an increase in algal blooms and a diminishing of water clarity.

This Legislature determines that the County of Suffolk has already taken action to help reduce the excessive use of nitrogen based fertilizers by enacting Local Law 41-2007, "A Local Law to Reduce Nitrogen Pollution by Reducing Use of Fertilizer in Suffolk County," which will prevent the application of fertilizers on County owned real property, and prohibit the application of fertilizer on all other property between November 1 and April 1 every year.

This Legislature also finds that more can be done to protect the County's freshwater wetlands and tidal wetlands from the damaging effects of excessive nitrogen leaching into these wetlands due to the overuse of fertilizers.

Therefore, the purpose of this law is to prevent the application of fertilizer within 100 feet of a freshwater wetland or tidal wetland.

Section 2. Amendments.

Local Law 41-2007 is hereby amended to read as follows:

Section 2. Definitions.

* * * *

E.) "**FRESHWATER WETLAND**" shall have the meaning attributed to that term pursuant to NY ENVIRONMENTAL CONSERVATION LAW § 25-0103.

[E**]** F.) **"PERSON"** shall mean any individual, firm, partnership, corporation, company, society, association, or any organized group of persons whether incorporated or not.

G.) "**TIDAL WETLAND**" shall have the meaning attributed to that term pursuant to NY ENVIRONMENTAL CONSERVATION LAW § 24-0107.

[F**]** H.) **"TURF"** shall mean any area of earth principally vegetated by grass.

Section 3. Prohibitions.

A.) Fertilizer shall not be applied to County owned real property, except as authorized under Section 8 of this law.

B.) Fertilizer shall not be applied to any turf on any non-County owned real property **[**any non-County owned real property**]** by any person between November 1 and April 1 of every year, except as authorized by Section 8 of this law.

C. Fertilizer shall not be applied to any County owned property, nor to any turf on any non-County owned real property, within one hundred (100) feet of any freshwater wetland or tidal wetland.

Section 3. Applicability.

The amendments contained within this law shall take effect immediately upon filing in the Office of the Secretary of State, and shall be deemed integrated into and made part of Local Law 41-2007, of which Sections 3, 4 and 13 are not effective until January 1, 2009.

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-fertilizer-wetlands

OFFICE OF THE COUNTY LEGISLATURE

1216

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: FEBRUARY 28, 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 REDUCE THE USE OF FERTILIZER NEAR WETLANDS IN SUFFOLK COUNTY

SPONSOR: LEGISLATOR SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 2/27/2008 **PUBLIC HEARING:** 3/18/2008

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

This local law would amend Local Law 41-2007, "A Local Law to Reduce Nitrogen Pollution by Reducing Use of Fertilizer in Suffolk County", by prohibiting the application of fertilizer within one hundred feet of any freshwater wetland or tidal wetland. [1]

The amendments contained in this local law would take effect immediately upon filing in the Office of the Secretary of State, and would be deemed integrated into Local Law 41-2007, sections 3, 4 and 13 of which do not take effect until January 1, 2009.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-fertilizer-wetlands

[1] The definitions of "freshwater wetland" and "tidal wetland" are those contained in NY ENVIRONMENTAL CONSERVATION LAW § 24-0107, respectively.

1217

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

Laid on Table 3/4/08

RESOLUTION NO. -2008, AUTHORIZING THE USE OF SOUTHAVEN COUNTY PARK PROPERTY TO HOLD A FREE CONCERT FOR CHILD ABUSE AWARENESS

WHEREAS, Evelynn Marie Biondo ("Baby Evelynn") was a victim of child abuse at the tender age of 10 weeks; and

WHEREAS, her battle for life started when Evelynn was brutally and viciously attacked by her own father because she interrupted his nap; and

WHEREAS, a concert ("Evelynntopia") is being held to raise money for Baby Evelynn; other not-for-profit child abuse organizations; to promote awareness for Child Abuse, Shaken Baby Syndrome, and the importance of being a blood donor; and

WHEREAS, the Concert will be held at Southaven County Park in Brookhaven on Sunday, June 22, 2008 during the hours 9:00 a.m. through 8:00 p.m. with a rain date of Sunday, June 29, 2008; and

WHEREAS, other legislation is being sponsored in the Suffolk County Legislature entitled "Designating the Month of April as Child Abuse/Shaken Baby Syndrome Month" to help this worthwhile effort; and

WHEREAS, a certificate of insurance naming Suffolk County as an additional insured will be provided by the Strong Island Sound; now, therefore, be it

1st **RESOLVED,** that the use of County-owned property, i.e. the Southaven County Park in Brookhaven for the above described concert in consideration of the payment of $500.00 on Sunday, June 22, 2008 from 9:00 a.m. to 8:00 p.m., with a rain date of Sunday June 29, 2008, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from the Strong Island Sound, 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 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 concert to raise awareness of Shaken Baby Syndrome\Child Abuse at Southaven County Park in Brookhaven; and be it further

3rd **RESOLVED,** that Anthony Biondo shall also provide an entertainment promoter certificate to Suffolk County if it intends to allow vendors at the event to sell tangible personal property other than food or drink 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\Evelynntopia concert

Introduced by Presiding Officer Lindsay

Laid on Table 3/4/08

MOTION NO. 3–2008, PROCEDURAL RESOLUTION AMENDING RESOLUTION NO. 8-2008, DESIGNATING DEPOSITORIES PURSUANT TO SECTION 212 OF THE COUNTY LAW

WHEREAS, Resolution No. 8-2008 designated the official depositories to be used by the County of Suffolk; and

WHEREAS, that, as of March 1, 2008, North Fork Bank will become Capital One; now, therefore, be it

RESOLVED, that the 1st RESOLVED clause of Resolution No. 8-2008 is hereby amended as follows:

RESOLVED, that each of the following banks having and maintaining a principal or branch office or offices in the County of Suffolk, namely, Bank of New York, 1401 Franklin Avenue, Garden City, New York; JP Morgan Chase Bank, 395 North Service Road, Melville, New York; Citibank, 730 Veterans Memorial Highway, Hauppauge, New York; Commerce Bank, 45 Melville Park Road, Melville, New York; Bank of America, 300 Broad Hollow Road, Melville, New York; **[**North Fork Bank**]** Capital One, 275 Broad Hollow Road, Melville, New York; State Bank of Long Island, 740 Veterans Memorial Highway, Hauppauge, New York; Suffolk County National Bank, 6 West Second Street, Riverhead, New York; New York Commercial Bank, 1601 Veterans Memorial Highway, Suite 120, Islandia, New York; HSBC Bank, 534 Broad Hollow Road, Melville, New York, Hamptons State Bank, North Sea Road and Windmill Lane, Box 5037, Southampton, New York, Wachovia Bank, 58 South Service Road, Melville, New York, Bridgehampton National Bank, 2200 Montauk Highway, Bridgehampton, New York, Bank of Smithtown, 1 East Main Street, Smithtown, NY 11787, and the Madison National Bank, 888 Veterans Memorial Highway, Suite 400, Hauppauge, NY, 11787, or any successor entity thereto, be and the same are hereby designated and appointed a depository for the deposit of moneys received or under the control of the County Treasurer, pursuant to Section 212 of the NEW YORK COUNTY LAW, provided, however, that the maximum amount to be kept on deposit in any such bank or branches shall not exceed $750,000,000.00 including interest bearing deposits in any one of said bank or branches, except that such limitation shall not apply to those depositories in which regular county working accounts (checking accounts) are maintained in whatever amounts are required for the regular and necessary conduct of the County's business; and be it further

RESOLVED, that this change shall be effective immediately.

DATED:

Home Rule Message No. 9 - 2008 LOT 3/4/2008
Introduced by Presiding Officer Lindsay and Legislator Losquadro

HOME RULE MESSAGE REQUESTING STATE OF NEW YORK TO AMEND THE CIVIL SERVICE LAW, IN RELATION TO RESOLUTION OF DISPUTES BETWEEN A PUBLIC EMPLOYER AND SUFFOLK COUNTY PARK POLICE OFFICERS (SENATE BILL S.4690 AND ASSEMBLY BILL A.8342)

WHEREAS, Section 209(4)(c) of the New York Civil Service Law provides for mandatory arbitration in the event that an impasse is reached in collective bargaining negotiations between a municipality, such as the County of Suffolk, and employee organizations representing members of any organized fire department, police force, or police department; and

WHEREAS, binding arbitration for firefighters and police was initially adopted in 1974 to provide a fair and timely method for resolving contractual disputes involving police and firefighters and in turn to avoid strikes by employees who provide critical public safety services; and

WHEREAS, binding arbitration for compensatory issues was thereafter extended to State Police and State Correction Officers and deputy sheriffs; and

WHEREAS, binding arbitration was extended to Suffolk County Correction Officers in 2005; and

WHEREAS, similar to State Police, local police officers, deputy sheriffs, and correction officers, Park Police Officers face inherent dangers on a daily basis while performing analogous public safety services; and

WHEREAS, it is logical to extend the binding arbitration law to include Suffolk County Park Police Officers in order to ensure orderly continuous protection of the public during protracted county contract negotiations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby requests the State of New York to enact Senate Bill S.4690 and Assembly Bill A.8342 to amend the Civil Service Law by extending the Binding Arbitration Law provisions to Suffolk County Park Police Officers; 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\2008\hr-arbitration-park-po,ice

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New York State ASSEMBLY
Sheldon Silver - Speaker

Thursday, January 31, 2008

Bill Text - S04690

Back | New York State Bill Search | Assembly Home

See Bill Summary

STATE OF NEW YORK

4690

2007-2008 Regular Sessions

IN SENATE

April 20, 2007

Introduced by Sen. TRUNZO -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the civil service law, in relation to resolution of disputes between a public employer and Suffolk county park police officers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 2 of section 209 of the civil service law, as amended by chapter 694 of the laws of 2006, is amended to read as follows:

2. Public employers are hereby empowered to enter into written agreements with recognized or certified employee organizations setting forth procedures to be invoked in the event of disputes which reach an impasse in the course of collective negotiations. Such agreements may include the undertaking by each party to submit unresolved issues to impartial arbitration. In the absence or upon the failure of such procedures, public employers and employee organizations may request the board to render assistance as provided in this section, or the board may render such assistance on its own motion, as provided in subdivision three of this section, or, in regard to officers or members of any organized fire department, or any unit of the public employer which previously was a part of an organized fire department whose primary mission includes the prevention and control of aircraft fires, police force or police department of any county, city, town, village or fire or police district, or detective-investigators employed in the office of a district attorney of a county not contained within a city with a population of one million or more, or in regard to any organized unit of troopers, commissioned or noncommissioned officers of the division of state police, or in regard to investigators, senior investigators and investigator specialists of the division of state police, or in regard to members of collective negotiating units designated as security services and security supervi-

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EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets { } is old law to be omitted.

LBD10252-01-7

sors who are police officers, who are forest ranger captains or who are employed by the state department of correctional services and are designated as peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law, or in regard to members of the collective negotiating unit designated as the agency law enforcement services unit who are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law or who are forest rangers, or in regard to organized units of deputy sheriffs who are engaged directly in criminal law enforcement activities that aggregate more than fifty per centum of their service as certified by the county sheriff and are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police training council or Suffolk county correction officers OR SUFFOLK COUNTY PARK POLICE, as provided in subdivision four of this section.

S 2. Subdivision 2 of section 209 of the civil service law, as amended by chapter 737 of the laws of 2005, is amended to read as follows:

2. Public employers are hereby empowered to enter into written agreements with recognized or certified employee organizations setting forth procedures to be invoked in the event of disputes which reach an impasse in the course of collective negotiations. Such agreements may include the undertaking by each party to submit unresolved issues to impartial arbitration. In the absence or upon the failure of such procedures, public employers and employee organizations may request the board to render assistance as provided in this section, or the board may render such assistance on its own motion, as provided in subdivision three of this section, or, in regard to officers or members of any organized fire department, or any unit of the public employer which previously was a part of an organized fire department whose primary mission includes the prevention and control of aircraft fires, police force or police department of any county, city, except the city of New York, town, village or fire or police district, or in regard to organized units of deputy sheriffs who are engaged directly in criminal law enforcement activities that aggregate more than fifty per centum of their service as certified by the county sheriff and are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police training council or Suffolk county correction officers OR SUFFOLK COUNTY PARK POLICE, as provided in subdivision four of this section.

S 3. The opening paragraph of subdivision 4 of section 209 of the civil service law, as amended by chapter 694 of the laws of 2006, is amended to read as follows:

On request of either party or upon its own motion, as provided in subdivision two of this section, and in the event the board determines that an impasse exists in collective negotiations between such employee organization and a public employer as to the conditions of employment of officers or members of any organized fire department, or any other unit of the public employer which previously was a part of an organized fire department whose primary mission includes the prevention and control of aircraft fires, police force or police department of any county, city, town, village or fire or police district, and detective-investigators or criminal investigators employed in the office of a district attorney of a county not contained within a city with a population of one million or

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more, or as to the conditions of employment of members of any organized unit of troopers, commissioned or noncommissioned officers of the division of state police or as to the conditions of employment of members of any organized unit of investigators, senior investigators and investi-

gator specialists of the division of state police, or as to the terms and conditions of employment of members of collective negotiating units designated as security services and security supervisors, who are police officers, who are forest ranger captains or who are employed by the state department of correctional services and are designated as peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law, or in regard to members of the collective negotiating unit designated as the agency law enforcement services unit who are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law or who are forest rangers, or as to the conditions of employment of any organized unit of deputy sheriffs who are engaged directly in criminal law enforcement activities that aggregate more than fifty per centum of their service as certified by the county sheriff and are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police training council or Suffolk county correction officers OR SUFFOLK COUNTY PARK POLICE, the board shall render assistance as follows:

S 4. Subdivision 4 of section 209 of the civil service law is amended by adding a new paragraph (i) to read as follows:

(I) WITH REGARD TO SUFFOLK COUNTY PARK POLICE OFFICERS THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO ISSUES RELATING TO DISCIPLINARY PROCEDURES AND INVESTIGATIONS OR ELIGIBILITY AND ASSIGNMENT TO DETAILS AND POSITIONS, WHICH SHALL BE GOVERNED BY OTHER PROVISIONS PRESCRIBED BY LAW.

S 5. This act shall take effect immediately, provided, however, that the amendments to subdivision 2 of section 209 of the civil service law made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 3 of chapter 485 of the laws of 1990, as amended, when upon such date the provisions of section two of this act shall take effect; and provided further that the amendments to subdivision 4 of section 209 of the civil service law, made by sections three and four of this act, shall not affect the expiration of such subdivision and shall be deemed to expire therewith.

Contact Webmaster

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New York State ASSEMBLY

Sheldon Silver - Speaker

Thursday, January 31, 2008

Bill Text - A08342

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See Bill Summary

STATE OF NEW YORK

8342

2007-2008 Regular Sessions

IN ASSEMBLY

May 11, 2007

Introduced by M. of A. SWEENEY, FIELDS -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the civil service law, in relation to resolution of disputes between a public employer and Suffolk county park police officers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 2 of section 209 of the civil service law, as amended by chapter 694 of the laws of 2006, is amended to read as follows:

2. Public employers are hereby empowered to enter into written agreements with recognized or certified employee organizations setting forth procedures to be invoked in the event of disputes which reach an impasse in the course of collective negotiations. Such agreements may include the undertaking by each party to submit unresolved issues to impartial arbitration. In the absence or upon the failure of such procedures, public employers and employee organizations may request the board to render assistance as provided in this section, or the board may render such assistance on its own motion, as provided in subdivision three of this section, or, in regard to officers or members of any organized fire department, or any unit of the public employer which previously was a part of an organized fire department whose primary mission includes the prevention and control of aircraft fires, police force or police department of any county, city, town, village or fire or police district, or detective-investigators employed in the office of a district attorney of a county not contained within a city with a population of one million or more, or in regard to any organized unit of troopers, commissioned or noncommissioned officers of the division of state police, or in regard to investigators, senior investigators and investigator specialists of the division of state police, or in regard to members of collective negotiating units designated as security services and security supervi-

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EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets { } is old law to be omitted.

LBD10252-01-7

sors who are police officers, who are forest ranger captains or who are employed by the state department of correctional services and are designated as peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law, or in regard to members of the collective negotiating unit designated as the agency law enforcement services unit who are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law or who are forest rangers, or in regard to organized units of deputy sheriffs who are engaged directly in criminal law enforcement activities that aggregate more than fifty per centum of their service as certified by the county sheriff and are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police training council or Suffolk county correction officers OR SUFFOLK COUNTY PARK POLICE, as provided in subdivision four of this section.

S 2. Subdivision 2 of section 209 of the civil service law, as amended by chapter 737 of the laws of 2005, is amended to read as follows:

2. Public employers are hereby empowered to enter into written agreements with recognized or certified employee organizations setting forth procedures to be invoked in the event of disputes which reach an impasse in the course of collective negotiations. Such agreements may include the undertaking by each party to submit unresolved issues to impartial arbitration. In the absence or upon the failure of such procedures, public employers and employee organizations may request the board to render assistance as provided in this section, or the board may render such assistance on its own motion, as provided in subdivision three of this section, or, in regard to officers or members of any organized fire department, or any unit of the public employer which previously was a part of an organized fire department whose primary mission includes the prevention and control of aircraft fires, police force or police department of any county, city, except the city of New York, town, village or fire or police district, or in regard to organized units of deputy sheriffs who are engaged directly in criminal law enforcement activities that aggregate more than fifty per centum of their service as certified by the county sheriff and are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police training council or Suffolk county correction officers OR SUFFOLK COUNTY PARK POLICE, as provided in subdivision four of this section.

S 3. The opening paragraph of subdivision 4 of section 209 of the civil service law, as amended by chapter 694 of the laws of 2006, is amended to read as follows:

On request of either party or upon its own motion, as provided in subdivision two of this section, and in the event the board determines that an impasse exists in collective negotiations between such employee organization and a public employer as to the conditions of employment of officers or members of any organized fire department, or any other unit of the public employer which previously was a part of an organized fire department whose primary mission includes the prevention and control of aircraft fires, police force or police department of any county, city, town, village or fire or police district, and detective-investigators or criminal investigators employed in the office of a district attorney of a county not contained within a city with a population of one million or

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more, or as to the conditions of employment of members of any organized unit of troopers, commissioned or noncommissioned officers of the division of state police or as to the conditions of employment of members of any organized unit of investigators, senior investigators and investi-

gator specialists of the division of state police, or as to the terms and conditions of employment of members of collective negotiating units designated as security services and security supervisors, who are police officers, who are forest ranger captains or who are employed by the state department of correctional services and are designated as peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law, or in regard to members of the collective negotiating unit designated as the agency law enforcement services unit who are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law or who are forest rangers, or as to the conditions of employment of any organized unit of deputy sheriffs who are engaged directly in criminal law enforcement activities that aggregate more than fifty per centum of their service as certified by the county sheriff and are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police training council or Suffolk county correction officers OR SUFFOLK COUNTY PARK POLICE, the board shall render assistance as follows:

S 4. Subdivision 4 of section 209 of the civil service law is amended by adding a new paragraph (i) to read as follows:

(I) WITH REGARD TO SUFFOLK COUNTY PARK POLICE OFFICERS THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO ISSUES RELATING TO DISCIPLINARY PROCEDURES AND INVESTIGATIONS OR ELIGIBILITY AND ASSIGNMENT TO DETAILS AND POSITIONS, WHICH SHALL BE GOVERNED BY OTHER PROVISIONS PRESCRIBED BY LAW.

S 5. This act shall take effect immediately, provided, however, that the amendments to subdivision 2 of section 209 of the civil service law made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 3 of chapter 485 of the laws of 1990, as amended, when upon such date the provisions of section two of this act shall take effect; and provided further that the amendments to subdivision 4 of section 209 of the civil service law, made by sections three and four of this act, shall not affect the expiration of such subdivision and shall be deemed to expire therewith.

Contact Webmaster

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Home Rule Message No. 10 - 2008
Introduced by Presiding Officer Lindsay, and Legislator Losquadro

Laid on Table 3/4/2008

HOME RULE MESSAGE REQUESTING NEW YORK STATE LEGISLATURE TO AMEND NEW YORK STATE RETIREMENT AND SOCIAL SECURITY LAW TO PROVIDE SUFFOLK COUNTY PARK POLICE OFFICERS WITH OPTIONAL 20-YEAR RETIREMENT PLAN (SENATE BILL S.4689-A AND ASSEMBLY BILL A.08341)

WHEREAS, in 1991, legislation was enacted which classified Suffolk County Park Rangers as Police Officers; and

WHEREAS, Suffolk County Park Police Officers take competitive examinations, receive psychological testing, attend the Suffolk County Police Academy, and are certified by the Municipal Police Training Council ("MPTL") as having completed police officer basic training; and

WHEREAS, Suffolk County Park Police Officers patrol the County's sprawling parks system which is visited by tens of thousands of people each year; and

WHEREAS, like other State and local police officers, park police officers enforce all the laws of the State of New York, apprehending criminals, enforcing vehicle and traffic laws, providing crowd and traffic control, and ensuring the general safety of the public; and

WHEREAS, almost all MPTL certified police officers in the County and the State receive an optional 20-year retirement program, but Suffolk's Park Police do not; and

WHEREAS, a 20-year retirement plan would help Suffolk County attract and retain the best and brightest candidates to the ranks of Park Police, and also bring Suffolk County Park Police Officers into conformity with other law enforcement agencies; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby requests the New York State Legislature to enact Senate Bill S.4689-A and Assembly Bill A.08341 for the purpose of amending the NEW YORK STATE RETIREMENT AND SOCIAL SECURITY LAW by adding a new Article 14-C to allow Suffolk County Park Police Officers to retire upon completion of 20 years of service or upon attaining the age of sixty-two (62) years, with an allowance of one-fortieth of final average salary for each of the first twenty (20) years of service and an additional allowance of one-sixtieth of final average salary for each year in excess of 20 but not more than 15 years, if Suffolk County elects to provide this benefit; 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-home rule park police retirement

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New York State ASSEMBLY
Sheldon Silver - Speaker

Thursday, January 31, 2008

Bill Text - S04689-A

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STATE OF NEW YORK

4689

2007-2008 Regular Sessions

IN SENATE

April 20, 2007

Introduced by Sen. TRUNZO -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the retirement and social security law, in relation to providing Suffolk county park police officers with a special optional twenty year retirement plan

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The retirement and social security law is amended by adding a new article 14-C to read as follows:

ARTICLE 14-C
OPTIONAL RETIREMENT PLAN FOR SUFFOLK
COUNTY PARK POLICE OFFICERS

SECTION 561. DEFINITIONS.
562. OPTIONAL TWENTY YEAR RETIREMENT PLAN FOR CERTAIN MEMBERS WHOSE EMPLOYER ELECTS TO PROVIDE SAME.
563. ADDITIONAL PENSION BENEFIT FOR MEMBERS OF OPTIONAL TWENTY YEAR RETIREMENT PLAN.
564. CONSISTENT PROVISIONS.

S 561. DEFINITIONS. FOR PURPOSES OF THIS ARTICLE:
(A) "MEMBER" SHALL MEAN A PERSON WHO IS EMPLOYED BY SUFFOLK COUNTY AS A PARK POLICE OFFICER AS DEFINED IN SECTION EIGHTY-NINE-R (RETIREMENT OF COUNTY PARK POLICE OFFICERS IN SUFFOLK COUNTY) OF THIS CHAPTER.
(B) "RETIREMENT SYSTEM" SHALL MEAN THE NEW YORK STATE AND LOCAL EMPLOYEES RETIREMENT SYSTEM.

S 562. OPTIONAL TWENTY YEAR RETIREMENT PLAN FOR CERTAIN MEMBERS WHOSE EMPLOYER ELECTS TO PROVIDE SAME. (A) ANY MEMBER OF THE RETIREMENT SYSTEM MAY ELECT TO BECOME A MEMBER PURSUANT TO THE PROVISIONS OF THIS SECTION WITHIN ONE YEAR AFTER HE OR SHE BECOMES A MEMBER, IF HIS OR HER EMPLOYER HAS ELECTED TO MAKE THE BENEFITS PROVIDED HEREIN AVAILABLE TO MEMBERS, OR WITHIN ONE YEAR AFTER HIS OR HER EMPLOYER ELECTS TO MAKE THE BENEFITS PROVIDED HEREIN AVAILABLE TO ITS MEMBERS.

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EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets { } is old law to be omitted.

LBD10243-02-7

(B) ELECTIONS MADE PURSUANT TO THIS SECTION SHALL BE IN WRITING AND SHALL BE DULY ACKNOWLEDGED AND FILED WITH THE COMPTROLLER. ANY MEMBER WHO FILES SUCH AN ELECTION PURSUANT TO THIS SECTION MAY WITHDRAW IT AFTER IT HAS BEEN FILED FOR AT LEAST A YEAR. SUCH WITHDRAWAL SHALL BE BY WRITTEN NOTICE DULY ACKNOWLEDGED AND FILED WITH THE COMPTROLLER.

(C) A MEMBER PARTICIPATING ON THE BASIS OF THIS SECTION AT THE TIME OF RETIREMENT, SHALL BE ENTITLED TO RETIRE AFTER THE COMPLETION OF TWENTY YEARS OF TOTAL CREDITABLE SERVICE OR UPON THE ATTAINMENT OF AGE SIXTY-TWO, BY FILING AN APPLICATION THEREFOR IN A MANNER SIMILAR TO THAT PROVIDED IN THIS CHAPTER.

(I) UPON COMPLETION OF TWENTY YEARS OF SUCH SERVICE AND UPON RETIREMENT, EACH SUCH MEMBER SHALL RECEIVE A PENSION SUFFICIENT TO PROVIDE HIM OR HER WITH A RETIREMENT ALLOWANCE EQUAL TO ONE-FORTIETH OF HIS OR HER FINAL AVERAGE SALARY FOR EACH YEAR OF TOTAL CREDITABLE SERVICE FOR WHICH HE OR SHE IS OTHERWISE ENTITLED BUT NOT EXCEEDING IN THE AGGREGATE ONE-HALF OF HIS OR HER FINAL AVERAGE SALARY.

(II) UPON ATTAINMENT OF AGE SIXTY-TWO AND UPON RETIREMENT WITHOUT COMPLETION OF TWENTY YEARS OF SUCH SERVICE, EACH SUCH MEMBER SHALL RECEIVE A PENSION SUFFICIENT TO PROVIDE HIM OR HER WITH A RETIREMENT ALLOWANCE EQUAL TO ONE-FORTIETH OF HIS OR HER FINAL AVERAGE SALARY FOR EACH YEAR OF CREDITABLE SERVICE. EVERY SUCH MEMBER SHALL ALSO BE ENTITLED TO AN ADDITIONAL PENSION EQUAL TO THE PENSION FOR ANY OTHER CREDITABLE SERVICE RENDERED AS OTHERWISE PROVIDED FOR IN THIS CHAPTER. THIS LATTER PENSION SHALL NOT INCREASE THE TOTAL ALLOWANCE TO MORE THAN ONE-HALF OF HIS OR HER FINAL AVERAGE SALARY.

(D) THE INCREASED PENSIONS TO SUCH MEMBERS, AS PROVIDED BY THIS SECTION, SHALL BE PAID FROM ADDITIONAL CONTRIBUTIONS MADE BY THE PARTICIPATING EMPLOYER ON ACCOUNT OF SUCH MEMBERS. THE ACTUARY OF THE RETIREMENT SYSTEM SHALL COMPUTE THE ADDITIONAL CONTRIBUTION REQUIRED FOR EACH MEMBER WHO ELECTS TO RECEIVE THE SPECIAL BENEFITS PROVIDED UNDER THIS SECTION. SUCH ADDITIONAL CONTRIBUTIONS SHALL BE COMPUTED ON THE BASIS OF CONTRIBUTIONS DURING THE PROSPECTIVE SERVICE OF SUCH MEMBER WHICH WILL COVER THE LIABILITY OF THE RETIREMENT SYSTEM FOR SUCH EXTRA PENSIONS. UPON APPROVAL OF THE COMPTROLLER, SUCH ADDITIONAL CONTRIBUTIONS SHALL BE CERTIFIED BY HIM OR HER TO THE CHIEF FISCAL OFFICER OR THE PARTICIPATING EMPLOYER. THE AMOUNT THEREOF SHALL BE INCLUDED IN THE ANNUAL APPROPRIATION OF THE PARTICIPATING EMPLOYER. SUCH AMOUNT SHALL BE PAID ON THE WARRANT OF THE CHIEF FISCAL OFFICER OF THE PARTICIPATING EMPLOYER TO THE PENSION ACCUMULATION FUND OF THE RETIREMENT SYSTEM.

(E) IN COMPUTING THE TWENTY YEARS OF COMPLETED SERVICE OF A MEMBER, FULL CREDIT SHALL BE GIVEN FOR MILITARY SERVICE AS DEFINED IN SUBDIVISIONS TWENTY-NINE-A AND THIRTY OF SECTION THREE HUNDRED TWO OF THIS CHAPTER.

(F) EVERY MEMBER PARTICIPATING ON THE BASIS OF THIS SECTION SHALL BE SEPARATED FROM THE SERVICE ON THE LAST DAY OF THE CALENDAR MONTH NEXT SUCCEEDING THE CALENDAR MONTH IN WHICH HE OR SHE ATTAINS AGE SIXTY-TWO, PROVIDED, HOWEVER, THAT SUCH A MEMBER WHO ATTAINED THE AGE OF SIXTY-TWO BEFORE HIS OR HER EMPLOYER ELECTED TO MAKE THE BENEFITS PROVIDED HEREIN AVAILABLE TO HIM OR HER, OR WHO ATTAINS THE AGE OF SIXTY-TWO WITHIN ONE MONTH AFTER HIS OR HER EMPLOYER MAKES SUCH BENEFITS AVAILABLE, TO BE ELIGIBLE FOR A PENSION COMPUTED IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION, SHALL BE SEPARATED FROM THE SERVICE WITHIN THREE MONTHS

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New York State ASSEMBLY
Sheldon Silver - Speaker

Thursday, January 31, 2008

Bill Text - A08341

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STATE OF NEW YORK

8341

2007-2008 Regular Sessions

IN ASSEMBLY

May 11, 2007

Introduced by M. of A. SWEENEY, FIELDS -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the retirement and social security law, in relation to providing Suffolk county park police officers with a special optional twenty year retirement plan

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The retirement and social security law is amended by adding a new article 14-C to read as follows:

ARTICLE 14-C
OPTIONAL RETIREMENT PLAN FOR SUFFOLK COUNTY PARK POLICE OFFICERS

SECTION 561. DEFINITIONS.
562. OPTIONAL TWENTY YEAR RETIREMENT PLAN FOR CERTAIN MEMBERS WHOSE EMPLOYER ELECTS TO PROVIDE SAME.
563. ADDITIONAL PENSION BENEFIT FOR MEMBERS OF OPTIONAL TWENTY YEAR RETIREMENT PLAN.
564. CONSISTENT PROVISIONS.

S 561. DEFINITIONS. FOR PURPOSES OF THIS ARTICLE:
(A) "MEMBER" SHALL MEAN A PERSON WHO IS EMPLOYED BY SUFFOLK COUNTY AS A PARK POLICE OFFICER AS DEFINED IN SECTION EIGHTY-NINE-R (RETIREMENT OF COUNTY PARK POLICE OFFICERS IN SUFFOLK COUNTY) OF THIS CHAPTER.
(B) "RETIREMENT SYSTEM" SHALL MEAN THE NEW YORK STATE AND LOCAL EMPLOYEES RETIREMENT SYSTEM.

S 562. OPTIONAL TWENTY YEAR RETIREMENT PLAN FOR CERTAIN MEMBERS WHOSE EMPLOYER ELECTS TO PROVIDE SAME. (A) ANY MEMBER OF THE RETIREMENT SYSTEM MAY ELECT TO BECOME A MEMBER PURSUANT TO THE PROVISIONS OF THIS SECTION WITHIN ONE YEAR AFTER HE OR SHE BECOMES A MEMBER, IF HIS OR HER EMPLOYER HAS ELECTED TO MAKE THE BENEFITS PROVIDED HEREIN AVAILABLE TO MEMBERS, OR WITHIN ONE YEAR AFTER HIS OR HER EMPLOYER ELECTS TO MAKE THE BENEFITS PROVIDED HEREIN AVAILABLE TO ITS MEMBERS.

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EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets { } is old law to be omitted.

LBD10243-02-7

(B) ELECTIONS MADE PURSUANT TO THIS SECTION SHALL BE IN WRITING AND SHALL BE DULY ACKNOWLEDGED AND FILED WITH THE COMPTROLLER. ANY MEMBER WHO FILES SUCH AN ELECTION PURSUANT TO THIS SECTION MAY WITHDRAW IT AFTER IT HAS BEEN FILED FOR AT LEAST A YEAR. SUCH WITHDRAWAL SHALL BE BY WRITTEN NOTICE DULY ACKNOWLEDGED AND FILED WITH THE COMPTROLLER.

(C) A MEMBER PARTICIPATING ON THE BASIS OF THIS SECTION AT THE TIME OF RETIREMENT, SHALL BE ENTITLED TO RETIRE AFTER THE COMPLETION OF TWENTY YEARS OF TOTAL CREDITABLE SERVICE OR UPON THE ATTAINMENT OF AGE SIXTY-TWO, BY FILING AN APPLICATION THEREFOR IN A MANNER SIMILAR TO THAT PROVIDED IN THIS CHAPTER.

(I) UPON COMPLETION OF TWENTY YEARS OF SUCH SERVICE AND UPON RETIREMENT, EACH SUCH MEMBER SHALL RECEIVE A PENSION SUFFICIENT TO PROVIDE HIM OR HER WITH A RETIREMENT ALLOWANCE EQUAL TO ONE-FORTIETH OF HIS OR HER FINAL AVERAGE SALARY FOR EACH YEAR OF TOTAL CREDITABLE SERVICE FOR WHICH HE OR SHE IS OTHERWISE ENTITLED BUT NOT EXCEEDING IN THE AGGREGATE ONE-HALF OF HIS OR HER FINAL AVERAGE SALARY.

(II) UPON ATTAINMENT OF AGE SIXTY-TWO AND UPON RETIREMENT WITHOUT COMPLETION OF TWENTY YEARS OF SUCH SERVICE, EACH SUCH MEMBER SHALL RECEIVE A PENSION SUFFICIENT TO PROVIDE HIM OR HER WITH A RETIREMENT ALLOWANCE EQUAL TO ONE-FORTIETH OF HIS OR HER FINAL AVERAGE SALARY FOR EACH YEAR OF CREDITABLE SERVICE. EVERY SUCH MEMBER SHALL ALSO BE ENTITLED TO AN ADDITIONAL PENSION EQUAL TO THE PENSION FOR ANY OTHER CREDITABLE SERVICE RENDERED AS OTHERWISE PROVIDED FOR IN THIS CHAPTER. THIS LATTER PENSION SHALL NOT INCREASE THE TOTAL ALLOWANCE TO MORE THAN ONE-HALF OF HIS OR HER FINAL AVERAGE SALARY.

(D) THE INCREASED PENSIONS TO SUCH MEMBERS, AS PROVIDED BY THIS SECTION, SHALL BE PAID FROM ADDITIONAL CONTRIBUTIONS MADE BY THE PARTICIPATING EMPLOYER ON ACCOUNT OF SUCH MEMBERS. THE ACTUARY OF THE RETIREMENT SYSTEM SHALL COMPUTE THE ADDITIONAL CONTRIBUTION REQUIRED FOR EACH MEMBER WHO ELECTS TO RECEIVE THE SPECIAL BENEFITS PROVIDED UNDER THIS SECTION. SUCH ADDITIONAL CONTRIBUTIONS SHALL BE COMPUTED ON THE BASIS OF CONTRIBUTIONS DURING THE PROSPECTIVE SERVICE OF SUCH MEMBER WHICH WILL COVER THE LIABILITY OF THE RETIREMENT SYSTEM FOR SUCH EXTRA PENSIONS. UPON APPROVAL OF THE COMPTROLLER, SUCH ADDITIONAL CONTRIBUTIONS SHALL BE CERTIFIED BY HIM OR HER TO THE CHIEF FISCAL OFFICER OR THE PARTICIPATING EMPLOYER. THE AMOUNT THEREOF SHALL BE INCLUDED IN THE ANNUAL APPROPRIATION OF THE PARTICIPATING EMPLOYER. SUCH AMOUNT SHALL BE PAID ON THE WARRANT OF THE CHIEF FISCAL OFFICER OF THE PARTICIPATING EMPLOYER TO THE PENSION ACCUMULATION FUND OF THE RETIREMENT SYSTEM.

(E) IN COMPUTING THE TWENTY YEARS OF COMPLETED SERVICE OF A MEMBER, FULL CREDIT SHALL BE GIVEN FOR MILITARY SERVICE AS DEFINED IN SUBDIVISIONS TWENTY-NINE-A AND THIRTY OF SECTION THREE HUNDRED TWO OF THIS CHAPTER.

(F) EVERY MEMBER PARTICIPATING ON THE BASIS OF THIS SECTION SHALL BE SEPARATED FROM THE SERVICE ON THE LAST DAY OF THE CALENDAR MONTH NEXT SUCCEEDING THE CALENDAR MONTH IN WHICH HE OR SHE ATTAINS AGE SIXTY-TWO, PROVIDED, HOWEVER, THAT SUCH A MEMBER WHO ATTAINED THE AGE OF SIXTY-TWO BEFORE HIS OR HER EMPLOYER ELECTED TO MAKE THE BENEFITS PROVIDED HEREIN AVAILABLE TO HIM OR HER, OR WHO ATTAINS THE AGE OF SIXTY-TWO WITHIN ONE MONTH AFTER HIS OR HER EMPLOYER MAKES SUCH BENEFITS AVAILABLE, TO BE ELIGIBLE FOR A PENSION COMPUTED IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION, SHALL BE SEPARATED FROM THE SERVICE WITHIN THREE MONTHS

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AFTER HIS OR HER EMPLOYER MAKES SUCH BENEFITS AVAILABLE.

(G) THE PROVISIONS OF THIS SECTION SHALL BE CONTROLLING NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE CONTRARY.

(H) THE BENEFITS OF THIS SECTION SHALL BE AVAILABLE ONLY TO THOSE MEMBERS WHOSE EMPLOYER ELECTS TO PROVIDE SUCH BENEFITS BY ADOPTING A RESOLUTION TO SUCH EFFECT AND FILING A CERTIFIED COPY THEREOF WITH THE COMPTROLLER.

(I) THE BENEFITS HEREINABOVE PROVIDED SHALL BE PAYABLE TO A MEMBER, UNLESS AT THE DATE OF RETIREMENT, SUCH MEMBER WOULD OTHERWISE BE ENTITLED TO A GREATER BENEFIT UNDER OTHER PROVISIONS OF THIS CHAPTER HAD HE OR SHE WITHDRAWN FROM THIS SECTION, IN WHICH EVENT SUCH GREATER BENEFITS SHALL BE PAYABLE.

S 563. ADDITIONAL PENSION BENEFIT FOR MEMBERS OF OPTIONAL TWENTY YEAR RETIREMENT PLAN. (A) A PARTICIPATING EMPLOYER WHICH HAS ELECTED, OR WHICH ELECTS TO PROVIDE THE BENEFITS OF THE OPTIONAL TWENTY YEAR RETIREMENT PLAN FOR ITS EMPLOYEES AS SPECIFIED IN THIS ARTICLE MAY ELECT TO MAKE CONTRIBUTIONS FOR THE PURPOSE OF PROVIDING AN ADDITIONAL PENSION PURSUANT TO THIS SECTION FOR MEMBERS IN ITS EMPLOY WHO ARE ENTITLED TO A PENSION PURSUANT TO SECTION FIVE HUNDRED SIXTY-TWO OF THIS ARTICLE. EVERY MEMBER EMPLOYED BY AN EMPLOYER WHICH HAS ELECTED THE PROVISIONS OF SECTION FIVE HUNDRED SIXTY-TWO OF THIS ARTICLE AND THIS SECTION MAY ELECT TO BE COVERED BY THE PROVISIONS OF THIS SECTION BY FILING WITH THE COMPTROLLER, A DULY EXECUTED AND ACKNOWLEDGED FORM PREPARED BY THE COMPTROLLER FOR THAT PURPOSE.

(B) UPON RETIREMENT, EACH SUCH MEMBER SHALL RECEIVE, FOR EACH YEAR OF SERVICE IN EXCESS OF TWENTY, AN ADDITIONAL PENSION WHICH SHALL BE EQUAL TO ONE-SIXTIETH OF HIS OR HER FINAL AVERAGE SALARY; PROVIDED, HOWEVER, THAT THE TOTAL ALLOWANCE PAYABLE PURSUANT TO THIS SECTION SHALL NOT EXCEED THREE-QUARTERS OF SUCH MEMBER`S FINAL AVERAGE SALARY.

S 564. CONSISTENT PROVISIONS. ANY OTHER PROVISIONS OF THIS CHAPTER RELATING TO MANDATORY CONTRIBUTION TO THE RETIREMENT SYSTEM BASED UPON A MEMBER`S DATE OF MEMBERSHIP IN SUCH SYSTEM SHALL NOT BE DEEMED TO BE AFFECTED BY THE PROVISIONS OF THIS ARTICLE, AND ANY MEMBER WHO ON THE DATE THIS ARTICLE TAKES EFFECT IS NOT REQUIRED TO CONTRIBUTE SHALL NOT BE REQUIRED TO MAKE ANY CONTRIBUTIONS AS A RESULT OF THIS SECTION. FOR THOSE MEMBERS REQUIRED TO CONTRIBUTE TO THE RETIREMENT SYSTEM, SUCH CONTRIBUTION SHALL BE TREATED IN THE SAME MANNER AS SPECIFIED FOR SUCH MEMBERS IN ARTICLE FOURTEEN OR FIFTEEN OF THIS CHAPTER.

S 2. The cost attributable for the operation of this act shall be borne by the county of Suffolk. Any past service payments required of Suffolk county as a result of the adoption of the benefits permitted by this act may be paid over a period of up to ten years at the option of the employer.

S 3. This act shall take effect immediately.

FISCAL NOTE.--This bill would create a new Article 14-C, to allow Suffolk County to elect to provide a new twenty (20) year retirement plan for their Suffolk County Park Police Officers. This coverage would allow such members to retire upon completion of twenty (20) years of creditable service, or upon attainment of age sixty-two (62). The benefit upon retirement would be an allowance of one-fortieth of final average salary for each of the first twenty (20) years of such service. In addition, there would be an allowance of one-sixtieth of final average salary for each year in excess of twenty (20), but not more than fifteen (15) such years. There would be no reduction due to early service retirement for affected members.

If this bill is enacted and Suffolk County elects to provide this

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twenty (20) year plan coverage, we anticipate that there will be an increase of approximately $61,000 in the annual contributions of Suffolk County.

A. 8341

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In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $1.16 million, which would be borne by Suffolk County. If this cost is amortized over ten years, the cost for the first year, including Interest, would be approximately $160,000.

These estimated costs are based on forty (40) known affected members having a total estimated salary for the fiscal year ending March 31, 2007 of approximately $2.7 million.

This estimate, dated March 29, 2007, and intended for use only during the 2007 Legislative Session, is Fiscal Note No. 2007-222, prepared by the Actuary for the New York State and Local Employees' Retirement System.

Contact Webmaster

Page display time = 0.1328 sec

Home Rule Message No. 11 - 2008
Introduced by Legislator Eddington

LOT 3/4/08

HOME RULE MESSAGE REQUESTING NEW YORK STATE LEGISLATURE TO AUTHORIZE THE SUFFOLK COUNTY SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS TO MAKE INSPECTIONS AND IMPOSE FINES (ASSEMBLY BILL A.6991 AND SENATE BILL S.689)

WHEREAS, a State law mandating inspections of all New York pet stores was set to go into effect on April 1, 2002, but the State did not have nearly enough manpower to enforce the law, with only six inspectors to enforce the law statewide; and

WHEREAS, in order to assist New York State, Suffolk County is requesting the authority to have their Suffolk County Society for the Prevention of Cruelty to Animals (SCSPCA) enforce the State law; and

WHEREAS, the SCSPCA currently has the manpower necessary to provide Countywide enforcement; and

WHEREAS, the State law stipulated that "The Commissioner of Agriculture and Markets may, pursuant to an agreement entered into with a county or city, delegate the authority to conduct inspections of pet dealers and to respond to complaints concerning pet dealers"; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby requests the New York State Legislature to enact Assembly Bill A.6991 and Senate Bill S.689 for the purpose of granting Suffolk County the ability to authorize the Suffolk County Society for the Prevention of Cruelty to Animals to unilaterally elect to enforce a State law that took effect in April of 2002 to inspect and fine pet dealers/shops that are engaging in animal abuse and neglect; 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-aspca-2008

HR11

New York State ASSEMBLY

Sheldon Silver - Speaker

Friday, February 8, 2008

Bill Text - A06991

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See Bill Summary

STATE OF NEW YORK

6991

2007-2008 Regular Sessions

IN ASSEMBLY

March 23, 2007

Introduced by M. of A. EDDINGTON, SWEENEY, FIELDS -- read once and referred to the Committee on Agriculture

AN ACT authorizing the Suffolk county society for the prevention of cruelty to animals to make inspections and impose fines

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Notwithstanding any provision of law to the contrary, the county of Suffolk is hereby authorized to enter into such agreements as may be determined necessary and appropriate by the county executive to conduct inspections of pet dealers and to respond to complaints concerning pet dealers in the county of Suffolk in an effort to protect the welfare of all animals and alleviate the pain and suffering of any abused, neglected or abandoned animal. The county of Suffolk is further authorized to enforce the provisions of article 26-A of the agriculture and markets law and provide penalties for violations in accordance with section 406 of the agriculture and markets law.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets { } is old law to be omitted.

LBD03451-01-7

HR 11

New York State ASSEMBLY

Sheldon Silver - Speaker

Friday, February 8, 2008

Bill Summary - A06991

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See Bill Text

A06991 Summary:

BILL NO A06991

SAME AS Same as S 689

SPONSOR Eddington

COSPNSR Sweeney, Fields

MLTSPNSR

Provides for the county of Suffolk to conduct inspections of pet dealers and respond to complaints concerning pet dealers; further authorizes such county to impose fines in accordance with the agriculture and markets law.

A06991 Actions:

BILL NO A06991

03/23/2007 referred to agriculture
01/09/2008 referred to agriculture

A06991 Votes:

A06991 Memo:

BILL NUMBER:A6991

TITLE OF BILL:
An act authorizing the Suffolk county society for the prevention of cruelty to animals to make inspections and impose fines

PURPOSE OR GENERAL IDEA OF BILL: To grant Suffolk

HR 11

County the ability to unilaterally elect to enforce a State law that took effect in April of 2002 to inspect and fine pet dealers/shops that are engaging in animal abuse and neglect.

SUMMARY OF SPECIFIC PROVISIONS: The Commissioner of Agriculture and Markets is authorized, in accordance with subdivision 2 of section 405 of the agriculture and markets law, and shall designate the Suffolk County Society for the Prevention of Cruelty to Animals with the authority to conduct inspections of pet dealers and respond to complaints concerning pet dealers in the County of Suffolk.

JUSTIFICATION: A state law mandating inspections of all New York pet stores was set to go into effect on April 1, 2002, but the state did not have nearly enough manpower to enforce the law. At that time, they had designated roughly only six inspectors to enforce the law statewide.

A sense of the Legislature requesting such authority was passed by the Suffolk County Legislature on March 19, 2002.

In order to assist New York State, Suffolk County would like the authority to have their SCSPCA enforce the 2002 State law. The local SPCA currently has the manpower to provide County wide enforcement.

The State Law, set to take effect back in April of 2002, stipulated that "The commissioner of Agriculture and Markets may, pursuant to an agreement entered into with a county or city, delegate the authority to conduct inspections of pet dealers and to respond to complaints concerning pet dealers."

PRIOR LEGISLATIVE HISTORY:
2006: A8194/S7658 - Remained in Committee
2005: A8194 - Remained in Committee

FISCAL IMPLICATIONS: None

EFFECTIVE DATE: This act shall take effect immediately.

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New York State ASSEMBLY

Sheldon Silver - Speaker

Friday, February 8, 2008

Bill Text - S00689

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See Bill Summary

STATE OF NEW YORK

689

2007-2008 Regular Sessions

IN SENATE

January 8, 2007

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

AN ACT authorizing the Suffolk county society for the prevention of cruelty to animals to make inspections and impose fines

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Notwithstanding any provision of law to the contrary, the county of Suffolk is hereby authorized to enter into such agreements as may be determined necessary and appropriate by the county executive to conduct inspections of pet dealers and to respond to complaints concerning pet dealers in the county of Suffolk in an effort to protect the welfare of all animals and alleviate the pain and suffering of any abused, neglected or abandoned animal. The county of Suffolk is further authorized to enforce the provisions of article 26-A of the agriculture and markets law and provide penalties for violations in accordance with section 406 of the agriculture and markets law.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets { } is old law to be omitted.

LBD03451-01-7

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New York State ASSEMBLY

Sheldon Silver - Speaker

Friday, February 8, 2008

Bill Summary - S00689

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See Bill Text

S00689 Summary:

BILL NO S00689

SAME AS Same as A 6991

SPONSOR

COSPNSR

MLTSPNSR

Provides for the county of Suffolk to conduct inspections of pet dealers and respond to complaints concerning pet dealers; further authorizes such county to impose fines in accordance with the agriculture and markets law.

S00689 Actions:

BILL NO S00689

01/08/2007 REFERRED TO LOCAL GOVERNMENT
01/09/2008 REFERRED TO LOCAL GOVERNMENT

S00689 Votes:

S00689 Memo:

Home Rule Message No. 12-2008 LOT 3/4/2008
Introduced by Presiding Officer Lindsay and Legislator Losquadro

HOME RULE MESSAGE REQUESTING STATE OF NEW YORK TO AMEND THE CIVIL SERVICE LAW, IN RELATION TO RESOLUTION OF DISPUTES BETWEEN A PUBLIC EMPLOYER AND SUFFOLK COUNTY PROBATION OFFICERS (SENATE BILL S.6044 AND ASSEMBLY BILL A.9394)

WHEREAS, Section 209(4)(c) of the New York Civil Service Law provides for mandatory arbitration in the event that an impasse is reached in collective bargaining negotiations between a municipality, such as the County of Suffolk, and employee organizations representing members of any organized fire department, police force, or police department; and

WHEREAS, binding arbitration for firefighters and police was initially adopted in 1974 to provide a fair and timely method for resolving contractual disputes involving police and firefighters and in turn to avoid strikes by employees who provide critical public safety services; and

WHEREAS, binding arbitration for compensatory issues was thereafter extended to State Police and State Correction Officers and deputy sheriffs; and

WHEREAS, binding arbitration was extended to Suffolk County Correction Officers in 2005; and

WHEREAS, Suffolk County Probation Officers, like Correction Officers, are classified as "Peace Officers"; and

WHEREAS, Probation Officers undergo intensive public safety/ rehabilitation training, including the use of firearms; and

WHEREAS, Suffolk County Probation Officers supervise approximately 14,000 felony/misdemeanor offenders in the community; and

WHEREAS, Probation Officers execute felony and misdemeanor arrest warrants, conduct warrantless searches for weapons and narcotics, confiscate contraband and make summary arrests; and

WHEREAS, similar to State Police, local police officers, deputy sheriffs, and correction officers, Probation Officers face inherent dangers on a daily basis while performing analogous public safety services; and

WHEREAS, it is logical to extend the binding arbitration law to include Suffolk County Probation Officers in order to ensure orderly continuous protection of the public during protracted county contract negotiations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby requests the State of New York to enact Senate Bill S.6044 and Assembly Bill A.9394 to amend the Civil

Service Law by extending the Binding Arbitration Law provisions to Suffolk County Probation Officers; 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\2008\hr-arbitration-probation-officers

New York State
ASSEMBLY

Tuesday, June 12, 2007

Bill Summary - S06044

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See Bill Text

S06044 Summary:

BILL NO S06044

SAME AS No same as

SPONSOR

COSPNSR

MLTSPNSR

Amd S209, Civ Serv L

Provides procedures for resolution of disputes between a public employer and Suffolk county probation officers.

S06044 Actions:

BILL NO S06044

06/05/2007 REFERRED TO RULES

S06044 Votes:

S06044 Memo:

RETRIEVE BILL HR12

SPONSORS MEMO:

NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1

BILL NUMBER: S6044

SPONSOR: FLANAGAN

TITLE OF BILL: An act to amend the civil service law, in relation to resolution of disputes between a public employer and Suffolk county probation officers

PURPOSE:

To provide procedures for resolution of disputes between a public employer and Suffolk County Probation Officers.

SUMMARY OF PROVISIONS:

This legislation amends Section 209 of the Civil Service Law to provide binding arbitration to Suffolk County Probation Officers in the event of disputes reaching an impasse in the course of collective negotiations not relating to disciplinary procedures and investigations or eligibility and assignment to details and positions.

JUSTIFICATION:

Binding arbitration provides a fair and timely method for resolving protracted contractual disputes between public employers and critical public safety employees. Over the years, the State Legislature has seen the importance of expanding binding arbitration to numerous public safety groups.

In 2005, the Legislature approved binding arbitration for the Suffolk County Corrections Officers. Suffolk County Probation Officer, like Corrections Officers are classified as "Peace Officers." Probation Officers undergo intensive public safety / rehabilitation training, including the use of firearms. The 290 Suffolk County Probation Officers supervise approximately 14,000 felony/misdemeanor offenders in the community. They conduct over 8000 investigations annually to assist the court in determining sentence. In addition, they execute felony and misdemeanor arrest warrants, conduct warrant-less searches for weapons and narcotics, confiscate contraband and make summary arrests. Suffolk County Probation Officers are assigned to work on task forces with the United States Marshals Service, the Suffolk County Police Department's Criminal Intelligence Division and the East End Drug Task Force.

Similar to Suffolk County Police Officers, Deputy Sheriffs and Corrections Officers, Probation Officers face many of the same inherent dangers while performing public their safety duties. Expanding binding arbitration to Suffolk County Probation Officers will add yet another deserving public safety organization in need of a fair way to resolve contract disputes. It will also provide parity and consistency with

HR 12

other Suffolk County public safety flaw enforcement organizations.

LEGISLATIVE HISTORY:

New Bill.

FISCAL IMPLICATIONS:

None.

EFFECTIVE DATE:
This act shall take effect immediately, provided, however, that the amendments to subdivision 2 of section 209 of the civil service law made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 3 of chapter 485 of the laws of 1990, as amended, when upon such date the provisions of section two of this act shall take effect; and provided further that the amendments to subdivision 4 of section 209 of the civil service law, made by sections three and four of this act, shall not affect the expiration of such subdivision and shall be deemed to expire therewith.

BILL TEXT: HR 12

STATE OF NEW YORK

6044

2007-2008 Regular Sessions

IN SENATE

June 5, 2007

Introduced by Sen. FLANAGAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the civil service law, in relation to resolution of disputes between a public employer and Suffolk county probation officers

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

Section 1. Subdivision 2 of section 209 of the civil service law, as amended by chapter 694 of the laws of 2006, is amended to read as follows:

2. Public employers are hereby empowered to enter into written agreements with recognized or certified employee organizations setting forth procedures to be invoked in the event of disputes which reach an impasse in the course of collective negotiations. Such agreements may include the undertaking by each party to submit unresolved issues to impartial arbitration. In the absence or upon the failure of such procedures, public employers and employee organizations may request the board to render assistance as provided in this section, or the board may render such assistance on its own motion, as provided in subdivision three of this section, or, in regard to officers or members of any organized fire department, or any unit of the public employer which previously was a part of an organized fire department whose primary mission includes the prevention and control of aircraft fires, police force or police department of any county, city, town, village or fire or police district, or detective-investigators employed in the office of a district attorney of a county not contained within a city with a population of one million or more, or in regard to any organized unit of troopers, commissioned or noncommissioned officers of the division of state police, or in regard to investigators, senior investigators and investigator specialists of the division of state police, or in regard to members of collective negotiating units designated as security services and security supervi-

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

LBD13406-01-7

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sors who are police officers, who are forest ranger captains or who are employed by the state department of correctional services and are designated as peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law, or in regard to members of the collective negotiating unit designated as the agency law enforcement services unit who are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law or who are forest rangers, or in regard to organized units of deputy sheriffs who are engaged directly in criminal law enforcement activities that aggregate more than fifty per centum of their service as certified by the county sheriff and are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police training council or Suffolk county correction officers **or Suffolk county probation officers**, as provided in subdivision four of this section.

§ 2. Subdivision 2 of section 209 of the civil service law, as amended by section 2 of chapter 737 of the laws of 2005, is amended to read as follows:

2. Public employers are hereby empowered to enter into written agreements with recognized or certified employee organizations setting forth procedures to be invoked in the event of disputes which reach an impasse in the course of collective negotiations. Such agreements may include the undertaking by each party to submit unresolved issues to impartial arbitration. In the absence or upon the failure of such procedures, public employers and employee organizations may request the board to render assistance as provided in this section, or the board may render such assistance on its own motion, as provided in subdivision three of this section, or, in regard to officers or members of any organized fire department, or any unit of the public employer which previously was a part of an organized fire department whose primary mission includes the prevention and control of aircraft fires, police force or police department of any county, city, except the city of New York, town, village or fire or police district, or in regard to organized units of deputy sheriffs who are engaged directly in criminal law enforcement activities that aggregate more than fifty per centum of their service as certified by the county sheriff and are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police training council or Suffolk county correction officers **or Suffolk county probation officers**, as provided in subdivision four of this section.

§ 3. The opening paragraph of subdivision 4 of section 209 of the civil service law, as amended by chapter 694 of the laws of 2006, is amended to read as follows:

On request of either party or upon its own motion, as provided in subdivision two of this section, and in the event the board determines that an impasse exists in collective negotiations between such employee organization and a public employer as to the conditions of employment of officers or members of any organized fire department, or any other unit of the public employer which previously was a part of an organized fire department whose primary mission includes the prevention and control of aircraft fires, police force or police department of any county, city, town, village or fire or police district, and detective-investigators or criminal investigators employed in the office of a district attorney of a county not contained within a city with a population of one million or more, or as to the conditions of employment of members of any organized unit of troopers, commissioned or noncommissioned officers of the divi-

HR12

sion of state police or as to the conditions of employment of members of any organized unit of investigators, senior investigators and investigator specialists of the division of state police, or as to the terms and conditions of employment of members of collective negotiating units designated as security services and security supervisors, who are police officers, who are forest ranger captains or who are employed by the state department of correctional services and are designated as peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law, or in regard to members of the collective negotiating unit designated as the agency law enforcement services unit who are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law or who are forest rangers, or as to the conditions of employment of any organized unit of deputy sheriffs who are engaged directly in criminal law enforcement activities that aggregate more than fifty per centum of their service as certified by the county sheriff and are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police training council or Suffolk county correction officers **or Suffolk county probation officers**, the board shall render assistance as follows:

§ 4. Subdivision 4 of section 209 of the civil service law is amended by adding a new paragraph (i) to read as follows:

(i) With regard to Suffolk county probation officers the provisions of this section shall not apply to issues relating to disciplinary procedures and investigations or eligibility and assignment to details and positions, which shall be governed by other provisions prescribed by law.

§ 5. This act shall take effect immediately, provided, however, that the amendments to subdivision 2 of section 209 of the civil service law made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 3 of chapter 485 of the laws of 1990, as amended, when upon such date the provisions of section two of this act shall take effect; and provided further that the amendments to subdivision 4 of section 209 of the civil service law, made by sections three and four of this act, shall not affect the expiration of such subdivision and shall be deemed to expire therewith.

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New York State
ASSEMBLY

Tuesday, February 19, 2008

Bill Summary - A09394

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See Bill Text

A09394 Summary:

BILL NO A09394

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SPONSOR Alessi

COSPNSR

MLTSPNSR

Amd S209, Civ Serv L

Provides procedures for resolution of disputes between a public employer and Suffolk county probation officers.

A09394 Actions:

BILL NO A09394

09/12/2007 referred to governmental employees
01/09/2008 referred to governmental employees

A09394 Votes:

A09394 Memo:

BILL NUMBER:A9394

TITLE OF BILL: An act to amend the civil service law, in relation to resolution of disputes between a public employer and Suffolk county probation officers

PURPOSE OR GENERAL IDEA OF BILL: Provides procedures for resolution of disputes between a public employer and Suffolk County probation

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officers

SUMMARY OF SPECIFIC PROVISIONS:

Section 1- Amends subdivision 2 of section 209 of civil service law, as amended by chapter 190 of laws of 2007

Section 2- Amends subdivision 2 of section 209 of civil service law, as amended by section 2 of chapter 737 of the laws of 2005

Section 3- Amends the opening paragraph of subdivision 4 of section 209 of the civil service law, as amended by chapter 190 of the laws of 2007

Section 4- Amends subdivision 4 of section 209 of the civil service law by adding a new paragraph

Section 5- Contains effective date

JUSTIFICATION: To establish procedures so that Suffolk County probation officers will have some kind of recourse when they have a problem with their public employer.

PRIOR LEGISLATIVE HISTORY:

FISCAL IMPLICATIONS: None.

EFFECTIVE DATE: This act shall take effect immediately, provided, however, that amendments to subdivision 2 of section 209 of the civil service law made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 3 of chapter 485 of the laws of 1990, as amended, when upon such date the provisions of section two of this act shall take effect; and provided further that the amendments to subdivision 4 of section 209 of the civil service law, made by sections three and four of this act, shall not affect the expiration of such subdivision and shall be deemed to expire therewith.

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New York State
ASSEMBLY

Tuesday, February 19, 2008

Bill Text - A09394

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STATE OF NEW YORK

9394

2007-2008 Regular Sessions

IN ASSEMBLY

September 12, 2007

Introduced by M. of A. ALESSI -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the civil service law, in relation to resolution of disputes between a public employer and Suffolk county probation officers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 2 of section 209 of the civil service law, as amended by chapter 190 of the laws of 2007, is amended to read as follows:

2. Public employers are hereby empowered to enter into written agreements with recognized or certified employee organizations setting forth procedures to be invoked in the event of disputes which reach an impasse in the course of collective negotiations. Such agreements may include the undertaking by each party to submit unresolved issues to impartial arbitration. In the absence or upon the failure of such procedures, public employers and employee organizations may request the board to render assistance as provided in this section, or the board may render such assistance on its own motion, as provided in subdivision three of this section, or, in regard to officers or members of any organized fire department, or any unit of the public employer which previously was a part of an organized fire department whose primary mission includes the prevention and control of aircraft fires, police force or police department of any county, city, town, village or fire or police district, or detective-investigators, or rackets investigators employed in the office of a district attorney of a county, or in regard to any organized unit of troopers, commissioned or noncommissioned officers of the division of state police, or in regard to investigators, senior investigators and investigator specialists of the division of state police, or in regard to members of collective negotiating units designated as security services and security supervisors who are police officers, who are

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

LBD13406-03-7

forest ranger captains or who are employed by the state department of correctional services and are designated as peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law, or in regard to members of the collective negotiating unit designated as the agency law enforcement services unit who are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law or who are forest rangers, or in regard to organized units of deputy sheriffs who are engaged directly in criminal law enforcement activities that aggregate more than fifty per centum of their service as certified by the county sheriff and are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police training council or Suffolk county correction officers OR SUFFOLK COUNTY PROBATION OFFICERS, as provided in subdivision four of this section.

S 2. Subdivision 2 of section 209 of the civil service law, as amended by section 2 of chapter 737 of the laws of 2005, is amended to read as follows:

2. Public employers are hereby empowered to enter into written agreements with recognized or certified employee organizations setting forth procedures to be invoked in the event of disputes which reach an impasse in the course of collective negotiations. Such agreements may include the undertaking by each party to submit unresolved issues to impartial arbitration. In the absence or upon the failure of such procedures, public employers and employee organizations may request the board to render assistance as provided in this section, or the board may render such assistance on its own motion, as provided in subdivision three of this section, or, in regard to officers or members of any organized fire department, or any unit of the public employer which previously was a part of an organized fire department whose primary mission includes the prevention and control of aircraft fires, police force or police department of any county, city, except the city of New York, town, village or fire or police district, or in regard to organized units of deputy sheriffs who are engaged directly in criminal law enforcement activities that aggregate more than fifty per centum of their service as certified by the county sheriff and are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police training council or Suffolk county correction officers OR SUFFOLK COUNTY PROBATION OFFICERS, as provided in subdivision four of this section.

S 3. The opening paragraph of subdivision 4 of section 209 of the civil service law, as amended by chapter 190 of the laws of 2007, is amended to read as follows:

On request of either party or upon its own motion, as provided in subdivision two of this section, and in the event the board determines that an impasse exists in collective negotiations between such employee organization and a public employer as to the conditions of employment of officers or members of any organized fire department, or any other unit of the public employer which previously was a part of an organized fire department whose primary mission includes the prevention and control of aircraft fires, police force or police department of any county, city, town, village or fire or police district, and detective-investigators, criminal investigators or rackets investigators employed in the office

HR12

of a district attorney, or as to the conditions of employment of members of any organized unit of troopers, commissioned or noncommissioned officers of the division of state police or as to the conditions of employment of members of any organized unit of investigators, senior investi-

gators and investigator specialists of the division of state police, or as to the terms and conditions of employment of members of collective negotiating units designated as security services and security supervisors, who are police officers, who are forest ranger captains or who are employed by the state department of correctional services and are designated as peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law, or in regard to members of the collective negotiating unit designated as the agency law enforcement services unit who are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law or who are forest rangers, or as to the conditions of employment of any organized unit of deputy sheriffs who are engaged directly in criminal law enforcement activities that aggregate more than fifty per centum of their service as certified by the county sheriff and are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police training council or Suffolk county correction officers OR SUFFOLK COUNTY PROBATION OFFICERS, the board shall render assistance as follows:

S 4. Subdivision 4 of section 209 of the civil service law is amended by adding a new paragraph (i) to read as follows:

(I) WITH REGARD TO SUFFOLK COUNTY PROBATION OFFICERS THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO ISSUES RELATING IO DISCIPLINARY PROCEDURES AND INVESTIGATIONS OR ELIGIBILITY AND ASSIGNMENT TO DETAILS AND POSITIONS, WHICH SHALL BE GOVERNED BY OTHER PROVISIONS PRESCRIBED BY LAW.

S 5. This act shall take effect immediately, provided, however, that the amendments to subdivision 2 of section 209 of the civil service law made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 3 of chapter 485 of the laws of 1990, as amended, when upon such date the provisions of section two of this act shall take effect; and provided further that the amendments to subdivision 4 of section 209 of the civil service law, made by sections three and four of this act, shall not affect the expiration of such subdivision and shall be deemed to expire therewith.

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