

Intro. Res. No. 1235-08  
Introduced by Presiding Officer, on request of the County Executive

LOT 3/18/08

**RESOLUTION NO. -2008, REVIEW OF AUCTION RULES FOR  
THE DISPOSITION OF SURPLUS PROPERTY ACQUIRED UNDER  
THE SUFFOLK COUNTY TAX ACT**

**WHEREAS**, the disposition of property acquired through the Suffolk County Tax Act is regulated pursuant to Article A14 of the Administrative Code, Laws of Suffolk County, Part II (herein the "Code"); and

**WHEREAS**, §14-30(L) and §712-6 of Code pertain to the formulation and adoption of auction rules and procedures; and

**WHEREAS**, §712-6 requires the approval by the Suffolk County Legislature of auction rules and regulations formulated by the Department of Environment and Energy, Division of Real Property Acquisition and Management; and

**WHEREAS**, the Department of Environment and Energy, Division of Real Property Acquisition and Management, has previously filed a copy of the proposed rules for the auction of surplus County real estate with the County Executive and the Clerk of the Legislature and a copy of said proposed rules is annexed as Exhibit "A"; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the auction rules annexed as Exhibit "A" are approved for use immediately on filing of this approved resolution with the Clerk of the Legislature.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

**Exhibit "A"****Auction Terms and Conditions - Definitions**

**Affiliate:** A Business Entity in which the Purchaser has, directly or indirectly, a voting, control or ownership interest of twenty percent (20%) or more, or which has such an interest in Purchaser.

**Assignment:** The transfer or conveyance of a right or contract from one person or Business Entity to another.

**Business Entity:** A legal being, other than an individual, natural person, e.g., a corporation, limited liability company, partnership, joint venture or syndication. A Business Entity must be duly formed in accordance with all applicable provisions of law and have the legal capacity, among other things, to be sued and to own property in the State of New York.

**County:** The County of Suffolk.

**Deed:** An instrument in writing, duly executed and delivered, that conveys title to real property.

**Default:** A failure by the Purchaser to comply with any provision of the Terms and Conditions.

**Director:** The Director of the Division of Real Property Acquisition and Management.

**Immediate Family:** A spouse, issue, including adopted children, sibling or parent.

**Lien:** A claim or encumbrance on property, e.g., for the payment of a debt.

**Memorandum of Sale:** The contract between the County and the Purchaser for the purchase of the Property, which incorporates, by reference, the Terms and Conditions of Sale and any special terms and conditions.

**Principal:** Any individual or Business Entity who participates at the auction through a duly authorized agent.

**Property:** The particular parcel of County-owned real property and any improvements thereon, sold at public auction to the Purchaser.

**Purchase Price:** The highest bid made and accepted for the Property at the auction.

**Purchaser:** The successful bidder(s) at the auction sale and, where the Purchaser is a Business Entity, then each partner or any director(s), officer(s), or shareholder(s) having a total of twenty percent (20%) or more of the Purchaser's voting stock, ownership interest or control.

**Third party bidder:** An individual who bids solely as a duly authorized agent of another individual or Business Entity.

**Third party bidding:** Bidding on behalf of a Purchaser/Principal through a duly authorized agent.

**Title Closing:** The transfer of title to or ownership of the Property to the Purchaser; the date upon which such transfer is made.

**Upset Price:** The amount at which bidding starts on the Property.

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## **AUCTION TERMS AND CONDITIONS**

*The public auction of surplus land by the County of Suffolk will be conducted by the Division of Real Property Acquisition and Management pursuant to auction terms and conditions approved by the Suffolk County Legislature. This document contains the terms and conditions which might pertain to such auctions. It may be supplemented by the subsequent approval by the Suffolk County legislature of additional or different terms and conditions.*

*Each separate auction will be governed by those particular terms and conditions included herein that are determined by the Director of the Division of Real Property Acquisition and Management to be applicable to said auction. The terms and conditions that pertain to an auction will be published in the Auction Brochure published for that auction.*

1. **AUCTION INVENTORY** - Properties that will be auctioned by the County include parcels forfeited by the prior owners as a result of failure to pay taxes. The County's rights thereto are pursuant to Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law are believed to have been extinguished by the tax sale proceedings, and/or as a result of forfeiture. Auction parcels may also include parcels acquired by condemnation, but no longer needed as part of the public project. The County reserves the right, in its sole discretion, to withdraw from the auction at any time, any of the properties listed in the Auction Brochure or in any other listing of surplus real property available for auction.
  2. **OFFICIAL IDENTIFICATION** - For purposes of the auction, each parcel is identified by a section, block and lot number as shown on the Suffolk County Tax Map. No other identification is guaranteed. Descriptions in the auction materials pertaining to any auctioned property, such as the size, exact location, street requirements and information as to existing structures, are approximate only. Purchasers should verify all information relative to each property.
  3. **NOTIFICATION OF AUCTION** - The Notice of Auction will be published in the official newspapers as required by the Suffolk County Code. In addition to said publication, not less than one month prior to each auction, an Auction Brochure which includes both a list of the properties expected to be offered by auction and a document entitled "Terms and Conditions of Sale - (*Insert Date of Auction*) Auction" will be published on the internet at [www.co.suffolk.ny.us](http://www.co.suffolk.ny.us). Copies of the Auction Brochure will be available at the Division of Real Property Acquisition and Management Offices and at the Riverhead County Center, the Offices of the Suffolk County Legislature, each Town Hall and various County offices.
  4. **TERMS AND CONDITIONS OF SALE** - The "Terms and Conditions of Sale - (*Insert Date of Auction*) Auction" document will specify the rules applicable to the auction for which it is prepared and dated. Failure of the purchaser to comply with the published auction rules, terms and conditions shall constitute a default and may result in cancellation of a sale and forfeiture of both the down payment and the auction fee.
- \* Internet address will be relocated to Dept. of Environment and Energy, Div. of Real Property Acquisition and Management.
5. **AUCTION RULES** -- In addition to those rules and conditions that are set forth in the "Terms and Conditions of Sale - (*Insert Date of Auction*) Auction", all sales of surplus County property will be subject to the following:
    - a) Approval of the deed and proposed conveyance by the Suffolk County Legislature, which approval may precede the sale or follow it;
    - b) Any state of facts an accurate survey or personal inspection of the premises would disclose;
    - c) Applicable zoning/land use/building/health and environmental regulations;

- d) Easements, covenants, conditions and rights-of-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the tax sale;
- e) For the immediate tax year, pro rata real estate taxes; and
- f) For assessment purposes, the purchaser shall be deemed to be the owner prior to the next taxable status date following the closing;
- g) The rights, if any, of tenants and persons in possession, and;
- h) Outstanding water and sewer assessments and other unpaid liens or charges (including, but not limited to, demolition charges, interest and penalties, condominium fees) whether they have been billed or not as of the date of the auction, all as specified in the Auction Brochure;
- i) Any covenants, easements or conditions imposed by the County Planning or any other Department and listed in the Auction Brochure, or by the Legislature as part of its approval of the sale.
- j) Purchaser's signing a Certification as part of the bid finalization that he or she has read and understood the Terms and Conditions as set forth in the pertinent Auction Brochure;
- k) Such additional contract terms and conditions as may be set forth in the Auction Brochure or Memorandum of Sale.

6. **NO WARRANTIES** - All real property in the auction, including any building thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the physical condition or as to title.

7. **REFUNDS** - In the event that a sale is cancelled or the bid is rejected by the Suffolk County Legislature, the down payment and other monies paid when the Memorandum of Sale was executed will be refunded without interest.

8. **AUCTION PROCEDURES** -- As determined by the Director to be appropriate or necessary, the following rules or conditions shall be included in the "Terms and Conditions of Sale - *(Insert Date of Auction)* Auction":

- a) County **general auctions** are Public Auctions at which a person must be present to participate as a bidder. Third party bidding may be accepted provided the bidder identifies the purchaser/principal for whom he or she is acting as an agent and provided the purchaser/principal pre-registers pursuant to paragraph 11 herein. **No absentee bids** are accepted.
- b) The County may conduct **special auctions**, that is, auctions limited to certain properties, based on their type or condition, for example, brownfield sites; or their potential use, for example, affordable housing sites and commercial properties; or based on any other special circumstance relating to the properties to be auctioned. At special auctions, sealed bids from bidders who are not physically present and third party bidding may be accepted provided the bidder identifies the purchaser/ principal for whom he or she is acting as an agent and provided the purchaser/principal pre-registers pursuant to paragraph 11 herein.
- c) **Pre-registration** shall be required prior to any auction. Prior to the auction, each registered bidder will be assigned a bidding number that must be displayed in order to bid.
- d) **The auction may be divided into Sessions.** The auctioneer will accept bids in increments, as described below, until such time as no further bids are entered. Thereupon the parcel is declared, "Sold" to the highest bidder. All successful bids in one Session must be finalized (see the next subsection regarding finalization) before commencement of the next Session, or the underlying sales will be deemed cancelled.
- e) Directly after the sale of a parcel, the **purchaser or third party bidder, in purchaser's absence must finalize** the sale by signing the Terms and Conditions of Sale, or Memorandum of

Sale, as applicable, and depositing the down payment and the auction fee with the auction cashier. Delay in finalizing the sale may be cause for cancellation. *If a purchaser fails to finalize the purchase of any parcel, he, she or it shall not be permitted to bid on any further parcels and the Director may immediately cancel all other sales that took place at the same auction to the same purchaser.* In the event of cancellation due to failure to finalize a purchase, the subject parcel(s) may be returned to the auction block or withdrawn from the auction.

- 9. **PRE-AUCTION INFORMATION** -- Collecting and verifying any information in regard to auctioned parcels, including, for example, address, location, zoning and land use restrictions, building or health code requirements, taxes or assessed value is the responsibility of the buyer. Much of this information may be obtained from the Town or Village in which the property is located. The County is not responsible to provide real property information, other than the Suffolk County Tax Map number. Purchaser's misunderstanding or failure to verify property information is not grounds for rescinding or canceling an auction sale. **THE COUNTY MAKES NO WARRANTY EXPRESSED OR IMPLIED IN CONNECTION WITH ANY AUCTION SALE.**
- 10. **INSPECTION OF PROPERTY** -- The Auction Brochure will indicate whether the property may be inspected and how arrangements for inspection can be made. Inspection or entry onto the property may be prohibited by the County due to safety or any other reason. Where inspection is permitted, persons intending to participate at the auction should inspect and investigate the property in which they are interested prior to the auction sale. Inspection of commercial and industrial properties must not interfere with businesses operating thereon. Parcels that are improved by occupied homes may only be inspected on the dates and at the times set by the County in its publications, or on the dates and at the times confirmed in writing by the Division of Real Property Acquisition and Management. Entering onto any auction parcel at any other time will be grounds for disqualification from the auction and may amount to a trespass subject to prosecution.
- 11. **REGISTRATION OF BIDDERS**-- All bidders, except third party bidders, shall be required to register prior to all auctions. In the event of third party bidding, the purchaser/principal shall be required to register prior to the auction. Such registration will be a condition of participation in said auction and shall consist of the execution of a registration form designated for use by the Director and may further require providing an official photographic identification, address, social security number or tax identification number, disclosure statement or other personal or financial documentation that would verify the identity and financial ability of the person or business entity to participate in the auction. As designated by the Director, pre-registration may require filing a bond, deposit or other evidence (as may be required) of financial ability to complete the terms and conditions of the sale at the estimated fair market value.

When third party bidding is permitted, individuals acting on behalf of others, not in attendance at the auction, must produce a "Power of Attorney" or other appropriate authorizing documentation, duly executed and notarized. Incorporated entities (Inc., Corp., LLC.) are required to provide a corporate resolution prior to the auction authorizing the entity's participation in said auction and a corporate resolution authorizing the purchase of real property prior to the transfer of title.

- 12. **FORM OF BIDDING** - Each bidder is responsible to signal his or her bid to the auctioneer. Bids may be signaled either by raising the paddle bearing the unique number issued to him or her for purposes of bidding at the auction or, in auctions not requiring individual bidder paddles, by securing a floor usher to signal the desired bid.
- 13. **MEMORANDUM OF SALE** - The purchaser's offer and agreement to purchase will be formalized in a "Terms and Conditions of Sale" or "Memorandum of Sale", referred to hereafter jointly as the "Memorandum of Sale", as may be utilized at the particular auction. Purchaser or third party bidder in purchaser's absence, is obligated to execute the Memorandum of Sale and pay the

down payment and auction fee before the end of the auction session at which the property was sold. As a material condition of the Memorandum of Sale:

a. Purchaser waives any claim to special, consequential or punitive damages, attorney's fees, reimbursement for any expenses incurred in reliance on completion of the sale, improvements of property, or for license fees already paid should the sale subsequently not be approved or closing not occur; and

b. Purchaser acknowledges that no property interest, either real or personal, is acquired by purchaser and any and all claims for specific performance and/or any right to file a Notice of Pendency against any property offered for bidding and/or sale should the sale subsequently not be approved or closing not occur are hereby waived.

14. **DOWNPAYMENT** - Following acceptance of the winning bid, and prior to the start of the next auction Session, the purchaser or third party bidder in purchaser's absence shall deposit a down payment in the amount of twenty percent (20%) of the sale price, or as otherwise specified. **ONLY cash, certified checks, bank checks, money orders or traveler's checks are acceptable for the down payment.** If the purchaser fails to produce the acceptable payment, as described, the parcel may be resold at the same auction or withdrawn from the auction, in the sole discretion of the County. Additionally, closing costs which consist of the following will be paid with the down payment on the day of the auction for each parcel: (a) New York State Transfer Tax (\$2.00 for each \$500.00 of the purchase/bid price); (b) Filing Fee for the Real Property Transfer Report (\$25.00); (c) Filing Fee for combined Gains Transfer Tax Affidavit (\$5.00); (d) all fees required by the Suffolk County Clerk for recording of the deed (\$28.00 to record a, one page deed; \$3.00 for each additional page); and (e) a \$20.00 surcharge. Closing costs may be subjected to an increase if said fees increase prior to closing.

15. **RESTRICTIVE COVENANT ON RESIDENTIALLY-IMPROVED PARCELS** - A parcel offered at auction which is improved by a residential structure, may be offered subject to a restrictive covenant that will be noted in the Auction Brochure and included in the deed conveying the parcel. The covenant requires the purchaser, his or her natural children and/or natural parents to occupy said premises for a period of at least five (5) years subsequent to the date of conveyance. The obligations assumed under the covenant cannot be assigned. Violation of the covenant will result in automatic reversion of the parcel's title to the County by operation of law and without further process. It is the responsibility of the purchaser to note which parcels are sold subject to the said restrictive covenant.

16. **PURCHASER IDENTIFICATION** - Prior to closing, the purchaser shall provide information necessary to complete forms and documents required for recording the deed in the Suffolk County Clerk's Office, including, among others as may be requested, the NYS Department of Taxation and Finance TP-584 form.

17. **FORMER OWNER BIDDING RESTRICTED** - The former owner of the property, or his agent, shall not be permitted to bid on the property or purchase same at the public auction, unless his or her bid amount exceeds the total of tax arrears, penalties and interest or surcharges that would have been due as of the day of the auction, without regard to limits on the time to redeem. If the former owner, or his agent is the successful bidder at auction all liens existing prior to the foreclosure will be reinstated and added to the auction price.

18. **ASSIGNMENT RESTRICTED** - A Memorandum of Sale executed at the auction cannot be assigned unless the Director agrees thereto in writing. Assignments shall only be approved upon good cause shown. In the event that an assignment is approved, a fee of no less than \$300 can be charged.

19. **DISPUTE RESOLUTION FINAL** - The decision of the Director regarding any dispute related to the auction or the conveyance of auctioned property is final. The Director reserves the right to reject any bid for failure to comply with auction procedures, or for any other reason related to the conduct of the auction, or to cancel an approved sale if the County elects not to proceed or if the purchaser fails to complete his or her obligations in timely fashion.
20. **BROKERS** - The County of Suffolk will not pay any broker's commissions or fees. If a broker or attorney acting in the capacity of a broker is authorized to bid as the designee or agent of the actual purchaser, it is the sole responsibility of the purchaser to pay any brokerage fees or commissions earned thereby.
21. **PARTICIPATION BY SUFFOLK COUNTY EMPLOYEES PROHIBITED** - County employees and/or their immediate families, whether or not residing with the employees, are not permitted to participate as a purchaser or bidder at a County auction. Purchasers will be required to furnish an affidavit at the closing to the effect that the Purchasers are not employees or immediate family members of any Suffolk County Employee.
22. **SALE SUBJECT TO APPROVAL BY LEGISLATURE** - The Suffolk County Code requires that the disposition of surplus property must be approved by the County Legislature. A list of proposed auction sales will be presented to the Legislature for review and approval. All offers to sell are conditioned on approval from the County Legislature which in its sole discretion, can decline to approve.
23. **SALE SUBJECT TO CANCELLATION BY COUNTY** - At the County's discretion, sales remain subject to cancellation even after legislative approval, but prior to the title closing in the event that insurable title cannot be conveyed, or for other good cause as determined to exist by the Director. In the event that a sale is cancelled due to the purchaser's violation of any of the conditions set forth herein, any monies paid by or on behalf of the purchaser to the County shall be forfeited by purchaser and shall be retained by the County.
24. **RISK OF LOSS** - Damage by fire or other casualty loss that occurs between the sale and the title closing and that reduces the value of the auctioned premises more than 10%, may permit the purchaser to cancel the sale; if the damage is less than 10% of the value of the auctioned premises the Division of Real Property Acquisition and Management may cancel the sale, or may reduce the purchase price, after verifying the amount and value of damage by an appraisal.
25. **TITLE CLOSINGS** - Closings can be scheduled only after the legislative resolution approving the sale is filed with the County Clerk. The County will use its best efforts to close within six months of this approval. Closing dates for the sale of properties purchased at auction will be determined by the Director. Notice of a closing date will be sent to the purchaser, at least ten (10) calendar days in advance. The County reserves the right, in its sole discretion, to extend the time for closing or to compel the completion of the sale by an action for specific performance. If an adjournment is requested by the purchaser, then the Director may declare the adjourned date, or any subsequent adjourned date to be the final law date set for closing of title. On purchaser's failure to accept delivery of the deed on the final law date the sale may be cancelled and all monies paid to date may be retained by the County. In such event, purchaser will have no further rights or any claim regarding the sale or the parcel.
26. **METHOD OF PAYMENT** - Except for the auction fee (see below) **cash, certified checks, bank checks, money orders or traveler's checks are the only forms of payment acceptable** for amounts due at auction or closing. At the discretion of the Director, such certified or bank checks, money orders or traveler's checks, if payable to the order of the Purchaser, may be endorsed over to the Division of Real Property Acquisition and Management. The balance of the purchase price together with the pro rata share of taxes for a parcel sold at auction shall be due and payable at the time of the closing of title.

- 27. **AUCTION FEES** - In addition to the amount of the accepted winning bid, the purchaser of each parcel must pay an auction administrative fee (generally 1%, or up to 3% of the sales price), if auction fees are required for the subject auction. The auction fee is separate and apart from the purchase price and must be paid by separate check or cash. Payment of the auction fee may be made by any of the methods mentioned in the immediately prior section or by personal check. There will be a \$25 fee imposed as an additional closing cost for checks that are not collectible after one presentation to the bank. Auction fees offset the costs of advertising, printing and other expenses of this auction and may be increased or decreased as appropriate to the auction, but may not exceed 3% of the winning bid without approval of the legislature.
- 28. **DEFAULT BY THE PURCHASER** - If, due to failure on the part of the purchaser, title does not close on any auctioned parcel, the down payment and auction fee are subject to forfeiture as liquidated damages for the County's auction costs, overhead expenses and loss of the transaction. *In the event of a default on one parcel, the Defaulting Purchaser may not be permitted to close on any other parcels for which he or she is the successful bidder.* If the purchaser fails to pay the balance of the purchase price as herein required, the deposit and auction fee shall be forfeited.
- 29. **UPSET PRICE** - Bidding will begin at the upset price as specified in the Auction Brochure.
- 30. **BIDDING INCREMENTS** - During the auction, the auctioneer will announce the minimum increments required to advance bidding. A bid will not be accepted unless it meets or exceeds the increment then in effect. The Director may modify the Bidding Increments at any time without notice. Generally, increments will increase as a multiple of each \$20,000 that the sale price increases.

Typical increments are as follows:

<i>Bid Amount (Range)</i>	<i>Minimum Increment of Subsequent Bid</i>
\$ 5,000 to \$ 25,000	\$ 500
\$25,000 to \$ 50,000	\$1,000
\$50,000 to \$100,000	\$2,000

- 31. **OCCUPANCY PRIOR TO CLOSING** - After the close of the Auction, the purchaser of any parcel may contact the Division of Real Property Acquisition and Management to attempt to arrange for a license agreement that would permit inspection or use and occupancy of the auctioned parcel prior to closing. A license agreement may be approved at the discretion of the Director, on such terms as the Director may deem reasonable. No entry onto the auctioned property is permitted without a license agreement.
- 32. **PERSONAL PROPERTY** - No personal property is included in the sale of any of the parcels auctioned by Suffolk County, except as may remain on the premises after the closing. The disposition of any personal property, located on any parcel following the closing shall be the responsibility of the purchaser.
- 33. **DEED FORMAT** - The Auction Brochure will set forth the type of deed approved by the legislature for conveyance of each parcel to the winning bidder. One of three types of deeds may be employed:
  - a) Bargain and Sale Deed without Covenants, or with Covenants against Grantor's Acts;
  - b) Quitclaim Deed;

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c) Directed Deed (from the Treasurer to the Purchaser.)

34. **QUITCLAIM DEED** - A quitclaim deed issued to convey a parcel sold at auction may contain the following provisions:

"Nothing contained in any description herein is intended to convey more than the assessed owner owned at the time of the levy of the tax, the non-payment of which resulted in the tax sale. There is no representation as to the extent of the acreage conveyed herein";

"Excepting and reserving all the right, title and interest of the County of Suffolk in and to any portion or interest of the lands herein conveyed, which interest was heretofore acquired other than pursuant to the provisions of the Real Property Tax Law of the State of New York".

35. **OTHER DEED/CLOSING CONDITIONS** - If an auctioned parcel is contiguous with other real property owned by the Purchaser, the County may require as a condition of closing that Purchaser request the Town Assessor in writing to combine the two parcels; Purchaser shall not convey either parcel(s) without also conveying the adjoining parcel to the same grantee, unless approved by the local planning board. These restrictions shall run with the land.

36. **CLOSING COSTS** - The Purchaser is responsible to pay all closing costs, unless specific provision was otherwise made in advance and approved by the County legislature. All closings will take place at the Division of Real Property Acquisition and Management, or the Department of Law, unless otherwise agreed to in writing no less than one week in advance of the closing. If the Purchaser demands a closing in Suffolk County other than at County offices, an attendance fee will be charged at the rate of \$250 Base Fee for the first two hours, excluding travel time, plus \$150 for every hour, or fraction thereof, thereafter. For closings in Nassau County, the Base Fee will be \$350; in New York City or the boroughs thereof, the Base Fee is \$450.

37. **TITLE INSURANCE** - All objections to title (including survey objections) must be submitted to the Director [of the Division of Real Property Acquisition and Management] within 45 days after the date the sale is approved by the County Legislature or the objections are deemed to be waived. In the instance of a Bargain and Sale Deed without Covenants, against Grantor's Acts, or a Bargain and Sale Deed with Covenants against Grantor's Acts, the County may , but is not obligated to, deliver such title as a title company licensed in the State of New York and approved to do business with the County will insure. The County may pre-qualify certain parcels for title insurance. Where it is noted in the brochure that certain parcels have already been examined by a named title company; the Purchaser may chose to use that title company or a different qualifying company.

38. **TITLE OBJECTIONS** - If the Purchaser's title company refuses to insure without objections, the County may select a different, equally-qualified title company. Purchaser agrees to accept insurance from the alternative insurer, provided no additional cost results thereby, over and above the cost of insurance from the first company. If the purchaser's title company will not insure title without objections, if title is not uninsurable, or if the Director chooses not to pursue insurance from an alternative title insurer, the Director may cancel the transaction and return the down payment and auction fee. In such event, the parties will have no further rights one against the other.

39. **FORM OF COMMUNICATION** - In connection with a "limited auction", that is, an auction among persons owning property adjacent to the parcel to be sold pursuant to §A14-30(H), the County will send an "Initial Inquiry Response" to solicit the interest of each such owner in participating in an auction. The form is sent to the owner at the address listed with the County Treasurer by certified mail, return receipt requested. All subsequent communications or notices may be sent by regular

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mail. For publicly advertised auctions, all communications with prospective participants or with purchasers will be sent by regular mail to the address that they provide.

40. **NO WARRANTY OF VACANCY** - The County makes no warranty that the premises will be delivered vacant. If an auctioned property becomes occupied following the sale, then following closing and recording of the deed, an eviction, if necessary, will be the responsibility of the Purchaser. The County expects not to install a licensee, other than the prospective purchaser, in any auctioned premises after the auction. However, it will do so in order to safeguard the premises or for other property management reasons.
41. **PERMISSION TO REMOVE SIGN** - The purchaser on each auction parcel may remove the auction sign after signing the Memorandum of Sale and tendering the down payment.
42. **INELIGIBILITY TO PURCHASE** No bidder, or purchaser/principal in the event of third party bidding, including, without limitation, any business entity or subsidiary, parent or affiliate thereof, or any trustee(s), director(s), officer(s) or shareholder(s) with voting interests or owning a total of twenty percent (20%) or more of any of the foregoing, who or which is or has been in default in or on any contract, obligation or agreement of any kind or nature whatsoever entered into with the County, or any of its agencies, within a period of five (5) years prior to the date of the auction sale, will be accepted as an eligible bidder for any Property. Such obligations include, among other things, the obligation to pay in full all Suffolk County property taxes and charges when due. If the purchaser owns, alone or with others, any other property for which outstanding and delinquent taxes are owed to Suffolk County, those delinquent taxes must be paid in full prior to closing on any parcels purchased at auction.

The County reserves the right to deny access to the auction, cancel a sale or exercise its right of reversion herein, if an investigation reveals to the Director's satisfaction that the registration form is not adequately, properly and/or truthfully completed; if the identification supplied is not sufficient, if the purchaser or bidder is deemed to be financially unqualified; if the purchaser or bidder has been found guilty of any housing code or building code violation which violation resulted in death or personal injury or has been found guilty of any crime or violation under any Federal, State, County, including but not limited to Articles 7 and 12 of the Suffolk County Sanitary Code, Local Law or permit involving the treatment, handling, storage and/or disposal of any toxic and/or hazardous substance, material or waste; or has been found guilty of any predatory and/ or discriminatory lending practices involving, but not limited to, violations of the Racketeer Influenced and Corrupt Organization Act, the Equal Credit Opportunity Act, the Federal Fair Housing Act, the Real Estate Settlement Procedures Act, the Federal Truth in Lending Act, the N.Y. General Business Law or the Suffolk County Human Rights Law or if the taking of title and/or occupancy by purchaser will result in a violation of any Federal, State, County or Local Law.

43. **FINAL SALE** – Except as provided in paragraph 44 hereinafter, all sales shall be final, absolute and without recourse once title has closed and the deed has been recorded. In no event, shall Suffolk County be or become liable for any defects in title for any cause whatsoever; no claim, demand or suit of any nature shall exist against Suffolk County in favor of the purchaser, its heirs, success or assigns, arising from this sale.
44. **MATERIAL MISREPRESENTATION** – If any material misrepresentation, omission or false statement relating to any representation required herein is discovered after the title closing, the County may avail itself of all remedies available to it at law, it being acknowledged that these representations are being relied upon by the County and are material to this transaction. If such misrepresentation, omission or false statement occurs, the purchaser understands that he/she/it may be charged with fraud, and/or intent to defraud. In addition, in such event, the County reserves the right to pursue the purchaser and others for cancellation of the transaction. This

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clause shall survive the title closing. The verified registration statement is a sworn statement and the making of a false representation or intentional omission in it may be punishable as a crime.

45. **CERTIFICATION OF NON-AGENCY** – The purchaser shall be required to certify that he/she is not representing the former owner(s) of the property and has no intent to defraud Suffolk County of the unpaid taxes, assessment, penalties and charges, which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom Suffolk County foreclosed. If such conveyance occurs, the purchaser understands that he/she may be charged with fraud, and/or intent to defraud. In addition, in such event, the County reserves the right to pursue the purchaser, the former owner and others for cancellation of the transaction, and/or any deficiency between the purchase price at auction and such sums as may be owed to Suffolk County as related to the property.
  
46. **JURISDICTION** – Bidder and/or purchaser at this auction agrees that the sole forum for any dispute or cause of action arising out of this auction shall be the Supreme Court of the State of New York, County of Suffolk and related Appellate Courts.

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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

RESOLUTION NO. -2008, REVIEW OF AUCTION RULES FOR  
THE DISPOSITION OF SURPLUS PROPERTY ACQUIRED UNDER  
THE SUFFOLK COUNTY TAX ACT

3. Purpose of Proposed Legislation

Annual approval of Auction Rules

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

Auction revenues

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

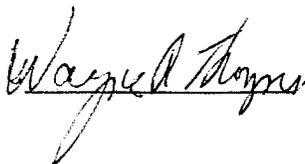
2008

10. Typed Name & Title of Preparer

Signature of Preparer

Date

Wayne R. Thompson,  
Property Manager



1/29/08

COUNTY OF SUFFOLK

Gen #1



FEB 19 2008

1235

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 13, 2008

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: RESOLUTION NO. -2008, REVIEW OF AUCTION RULES FOR  
THE DISPOSITION OF SURPLUS PROPERTY ACQUIRED UNDER  
THE SUFFOLK COUNTY TAX ACT

Dear Mr. Zwirn:

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

yearly approval of auction rules.

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

Enc: Resolution + 1 copy  
Summary Statement  
Sponsor's Memo

Copy w/Resolution to:  
Connie Corso, Budget Director  
CE Reso Review, via e-mail

Introductory Resolution No. 1236-08

Laid on Table 3/18/08

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  
MICHAEL J. O'DONNELL AND HOLLY R. O'DONNELL, HIS  
WIFE  
(SCTM NO. 0800-087.00-05.00-058.000)**

**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 Smithtown, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0800 Section 087.00 Block 05.00 Lot 058.000 and acquired by Tax Deed on June 30, 1995 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 6, 1995 in Liber 11731 at Page 976 and described as follows, Town of Smithtown, P/O Lot # 66 Map of 12<sup>th</sup> House & Home Co., filed in the County Clerk's Office of Suffolk County on May 17, 1900 as Map # 572 ; 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**, Michael J. O'Donnell and Holly R. O'Donnell, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$2,000.00. 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 \$1,000.00, 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 \$2,000.00, 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,

**1<sup>st</sup> 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,

**2<sup>nd</sup> 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.

**3<sup>rd</sup> 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 Michael J. O'Donnell and Holly R. O'Donnell, at 48 Hillside Avenue, St. James, New York 11780.

DATED:

APPROVED BY

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

Date of Approval:

1236

**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. 0800-087.00-05.00-058.000

<b>ADJOINING OWNER</b>	<b>BID</b>	<b>BID</b>	<b>BID</b>
Michael J. & Holly R. O'Donnell 48 Hillside Avenue St. James, N.Y. 11780 0800-087.00-05.00-006.004	\$2,000.00		
Thomas & Lea Anne Weil 50 Hillside Avenue St. James, N.Y. 11780 0800-087.00-05.00-034.003	\$0		
James & Mary Ellen Cronin 37 King Arthurs Court St. James, N.Y. 11780 0800-087.00-05.00-006.003	\$0		
Michael & Rose Ann Wian 35 King Arthurs Court St. James, N.Y. 11780 0800-087.00-05.00-033.000	\$0		

SIZE OF PARCEL: 15' x 184' Irregular

APPRAISED VALUE: \$1000.00

COMMENT: Direct Sale to Adjacent Owner

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



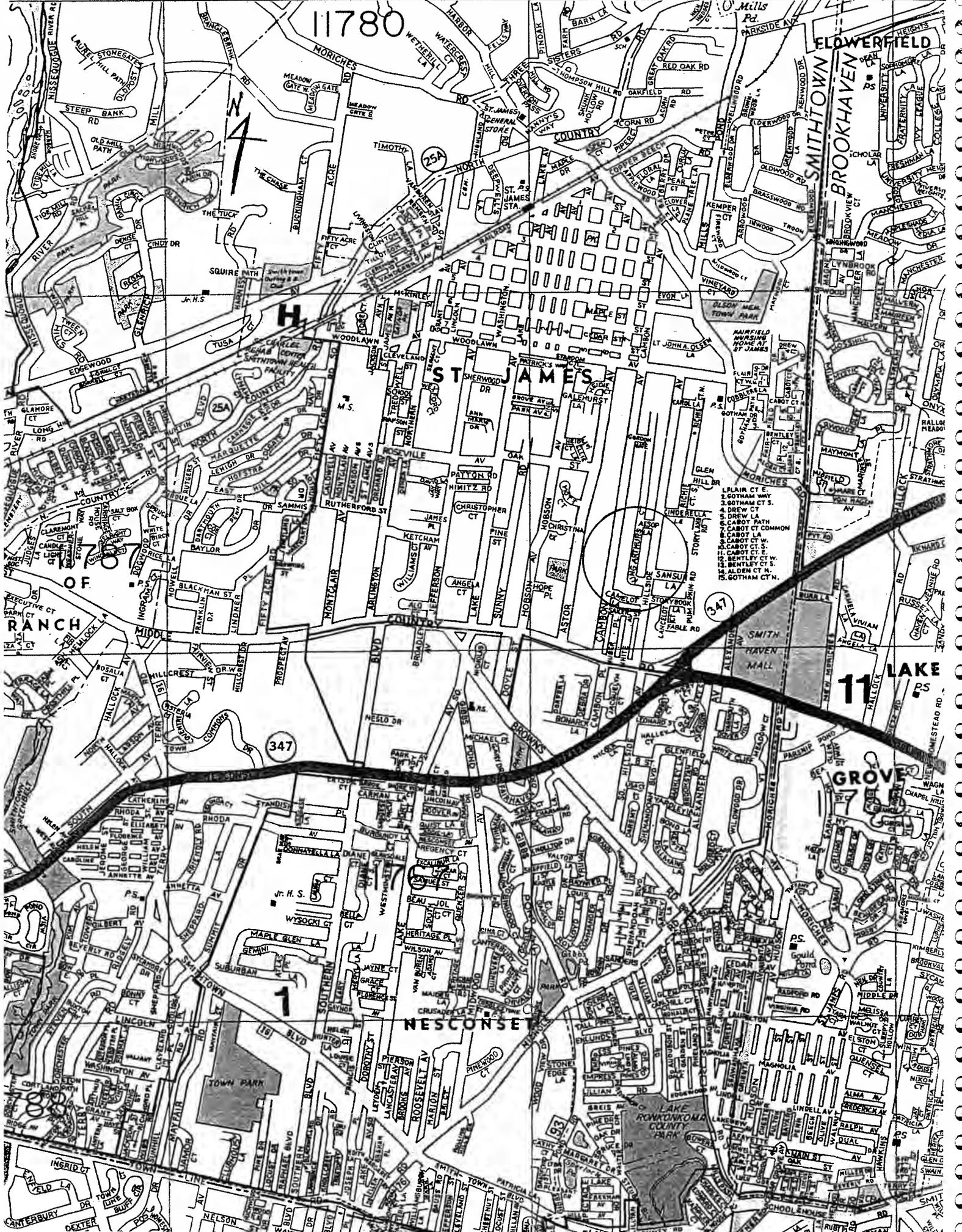


**TM# 0800-087.00-05.00-058.000**



Map created by Suffolk County Department of Information Technology © 2002-2007

1236



Gen A2

COUNTY OF SUFFOLK



MAR 05 2008

1236

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 29, 2008

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: 0800-087.00-05.00-058.000

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: Brendan Chamberlain, County Executive Assistant (2 hard copies)  
Thomas A. Isles, Director of Planning  
CE Reso Review, via e-mail

**DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT  
SPONSOR'S MEMO FOR COUNTY LEGISLATION**

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**Resolution Title:**

Sale of Suffolk County Real Property  
Pursuant to Local Law 13-1976

Tax Map #0800-087.00-05.00-058.000

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**Purpose/Justification of Request:**

Local Law 13-1976

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**Specify Where Applicable:**

- 1. Is request due to change in law? Yes\_\_ No X  
If yes, please explain:
- 2. Has this resolution been submitted previously? Yes\_\_ No X.

If yes, give I.R.#, attach copy and reason for resubmittal:

- 3. Is backup attached? Yes X No
- 4. Is this resolution subject to SEQRA review? Yes\_\_ No X

---

**Fiscal Information:**

Anticipated Revenue: \$2,000.00

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**Contact Person:**  
Wayne R. Thompson

**Telephone Number:**  
(631) 853-5971

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 EAST HAMPTON FOR AFFORDABLE HOUSING PURPOSES (SCTM NO. 0300-162.00-02.00-002.000)**

**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 East Hampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0300, Section 162.00, Block 02.00, Lot 002.000, and acquired by tax deed on October 3, 2000, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 6, 2000, in Liber 12076, CP 292 and otherwise known as and by Town of East Hampton, known and designated as District 0300, Section 162.00, Block 02.00, Lot 002.000.

**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 East Hampton, 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

**1<sup>st</sup> RESOLVED**, the subject parcel shall be conveyed to the Town of East Hampton, 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.

**2<sup>nd</sup> 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.

**3<sup>rd</sup> 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.

**4<sup>th</sup> 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.

**5<sup>th</sup> RESOLVED**, the conveyance of the parcel described to the Town of East Hampton 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.

**6<sup>th</sup> 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.

**7<sup>th</sup> 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"

1237

STATE OF NEW YORK)  
COUNTY OF SUFFOLK) ss.  
TOWN OF EAST HAMPTON)



I, Carole A. Brennan, Deputy Town Clerk of said Town, do hereby certify that  
I have compared the annexed copy of Resolution # 2007-1151

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

with the original Resolution #2007-1151

now remaining on file and record in my office, and that the same is a correct  
and true copy of said original, and of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto set my  
hand and affixed the Seal of the said Town of East Hampton, New York,  
this 6th day of August 2007

Seal

Carole A. Brennan  
Carole A. Brennan, Deputy Town Clerk



1237

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 East Hampton

Tax Map No.: 0300-162.00-02.00-002.000

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$565.35

PURPOSE:

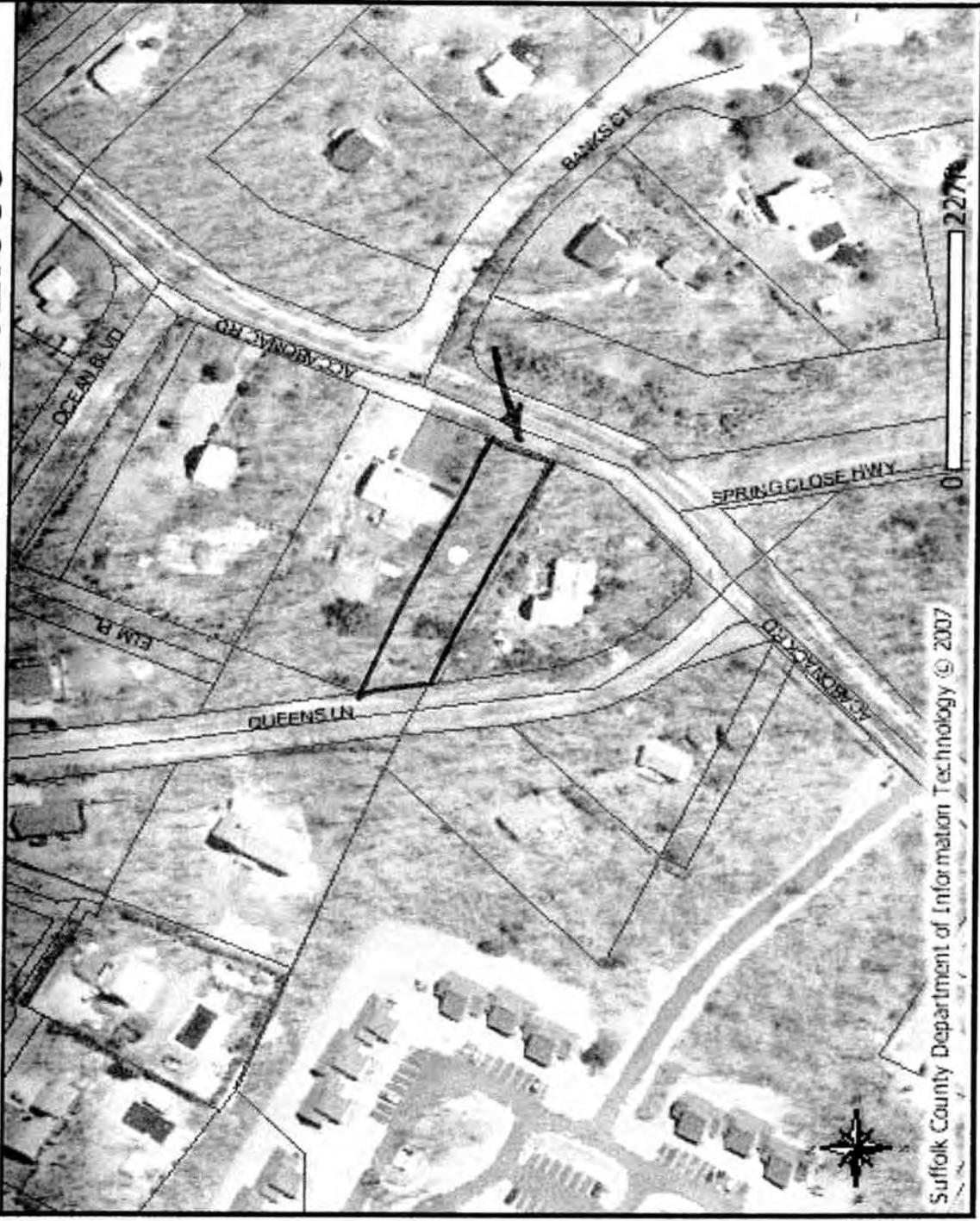
- |                            |                   |
|----------------------------|-------------------|
| A. Affordable Housing      | <u>  X  </u>      |
| B. Town Parks              | <u>          </u> |
| C. Road/Highway            | <u>          </u> |
| D. Drainage/Recharge Basin | <u>          </u> |
| E. Other                   | <u>          </u> |

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

WRT:slb



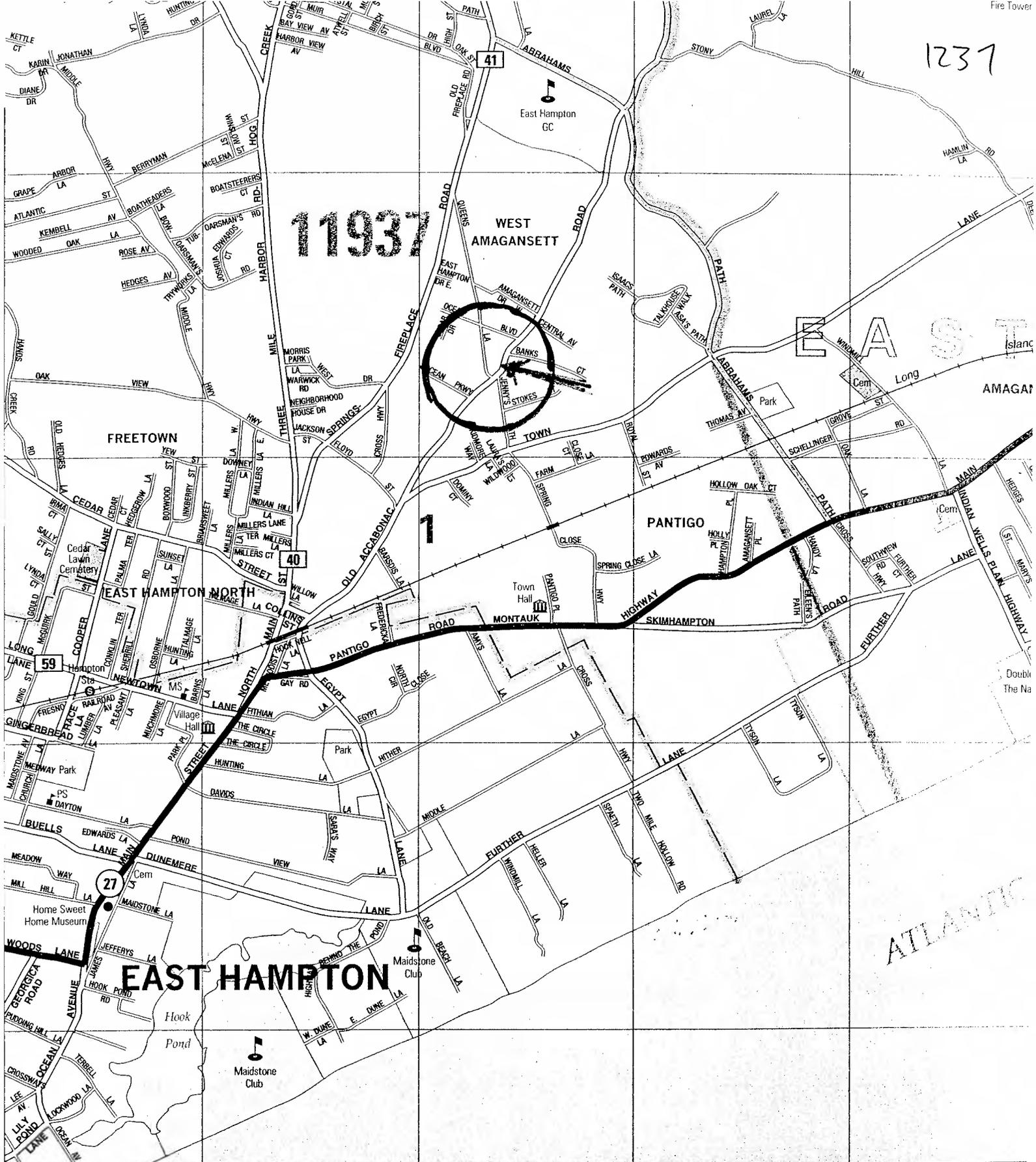
**TM# 0300-162.00-02.00-002.000**



1237

1237

11937



E4 72°11'15" F4 72°10'30" G4 72°09'45" H4 72°09'00" J4

TM # 0300-162.00-02.00-002.000



COUNTY OF SUFFOLK

Gen A3

MAR 06 2008

1237

164



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

March 3, 2008

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.: 0300-162.00-02.00-002.000  
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the  
Town of East Hampton 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 East  
Hampton 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:

Brendan Chamberlain, County Executive Assistant (2 hard copies)  
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. 1238-08

Laid on Table 3/18/08

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

**1<sup>st</sup> 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.

**2<sup>nd</sup> 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.

**3<sup>rd</sup> 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.

**4<sup>th</sup> 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.

**5<sup>th</sup> 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.

**6<sup>th</sup> 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.

**7<sup>th</sup> 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"**

<u>Tax Map No.</u>	<u>Location</u>	<u>Acres</u>
0200-616.00-02.00-026.002	E/S/O Rowlinson Dr., 325' N/O Waldorf Dr., Shirley	0.50
0200-641.00-03.00-002.000	S/S/O Colin Dr., 151' E/O Kingsland Ave., Shirley	0.25
0200-978.80-01.00-055.000	S/S/O Chanel Dr., 519' E/O Margin Drive East, Shirley	0.206
0200-979.00-05.00-064.000	W/S/O Beaver Dr., 300' N/O Birch Rd., (A/K/A Neighbourhood Rd.) Mastic Beach	0.18
0200-979.00-05.00-065.000	W/S/O Beaver Dr., 340' N/O Birch Rd. (A/K/A Neighbourhood Rd.) Mastic Beach	0.18
0200-982.00-04.00-059.000	W/S/O Elder Dr., 180' S/O Elm Rd., Mastic Beach	0.055
0200-982.00-04.00-060.000	W/S/O Elder Dr., 200' S/O Elm Rd., Mastic Beach	0.056
0200-982.00-04.00-061.000	W/S/O Elder Dr., 220' S/O Elm Rd., Mastic Beach	0.057

**ADOPTED**  
BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 576-07  
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 BEACH AND SHIRLEY

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.

1238

EXHIBIT A

<u>DSBL</u>	<u>LOCATION</u>	<u>TRANSFER TO</u>
200-982-4-059	Elder Dr., Mastic Beach	Habitat
200-982-4-060	Elder Dr., Mastic Beach	Habitat
200-982-4-061	Elder Dr., Mastic Beach	Habitat
200-979-5-064	Beaver Dr., Mastic Beach	Habitat
200-979-5-065	Beaver Dr., Mastic Beach	Habitat
200-641-3-002	Colin Dr., Shirley	LI Partnership Housing Dev. Fund Co.
200-616-2-026.2	Rowlinson Dr., Shirley	LI Partnership Housing Dev. Fund Co.
200-978.80-1-055	46 Chanel E. Dr., Shirley	LI Partnership Housing Dev. Fund Co.

**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*

**PAMELA J. BETHEIL, TOWN CLERK DATED: 7/25/07  
DO NOT ACCEPT UNLESS THE RAISED SEAL OF THE TOWN OF BROOKHAVEN IS AFFIXED HEREON**

1238

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: Long Island Housing Partnership and 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. Bethel*

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. Bethel*

PAMELA J. BETHEIL, TOWN CLERK  
TOWN OF BROOKHAVEN

1238

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

	<u>Amount</u>
County Investment	\$59,595.58
Clean Up Cost	<u>2,425.00</u>
Total County Investment	\$62,020.58

PURPOSE:

- |                            |                   |
|----------------------------|-------------------|
| A. Affordable Housing      | <u>  X  </u>      |
| B. Town Parks              | <u>          </u> |
| C. Road/Highway            | <u>          </u> |
| D. Drainage/Recharge Basin | <u>          </u> |
| E. Other                   | <u>          </u> |

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

WRT:slb



1238



**TM# 0200-616.00-02.00-026.002**

Suffolk County Department of Information Technology © 2007

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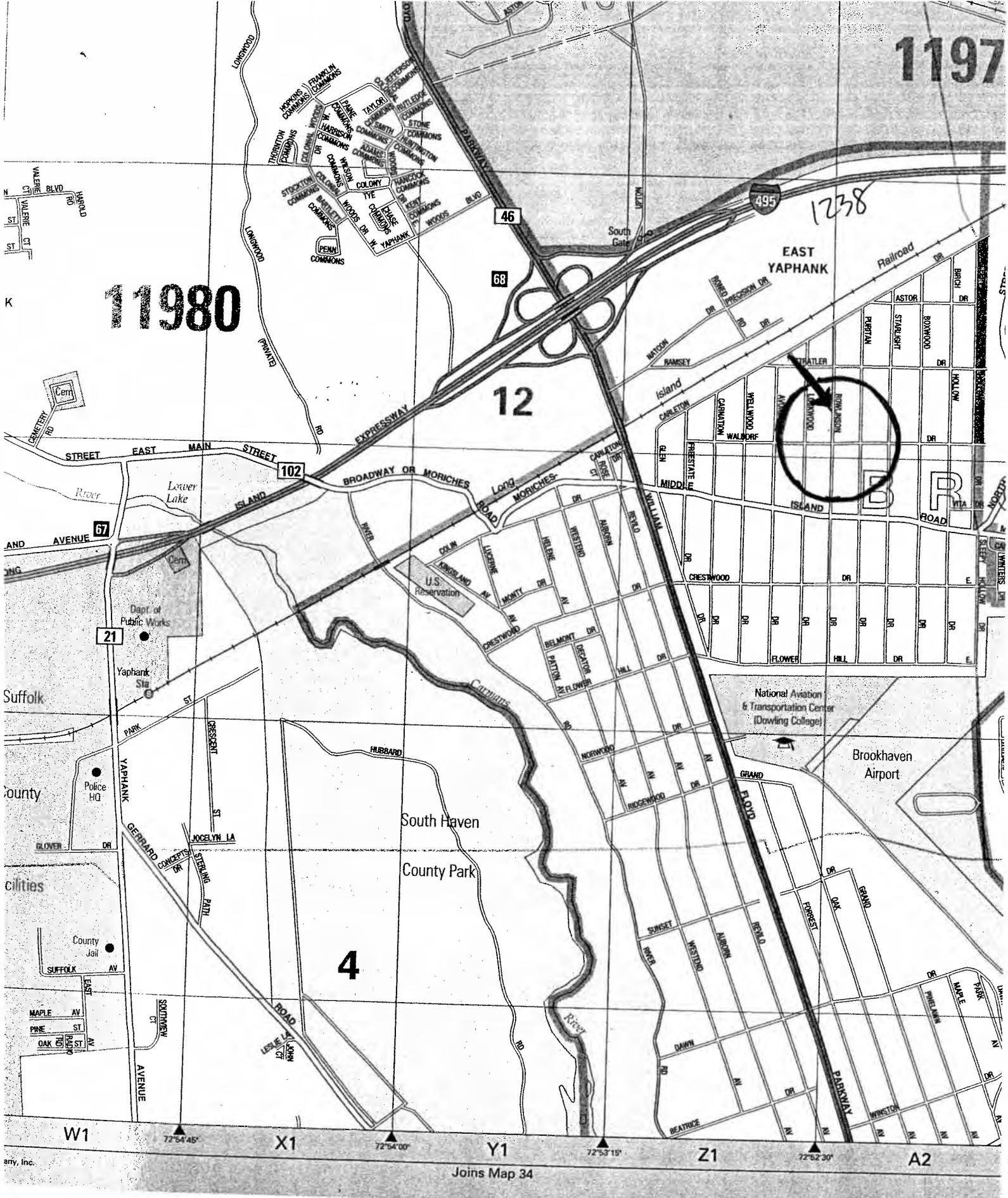
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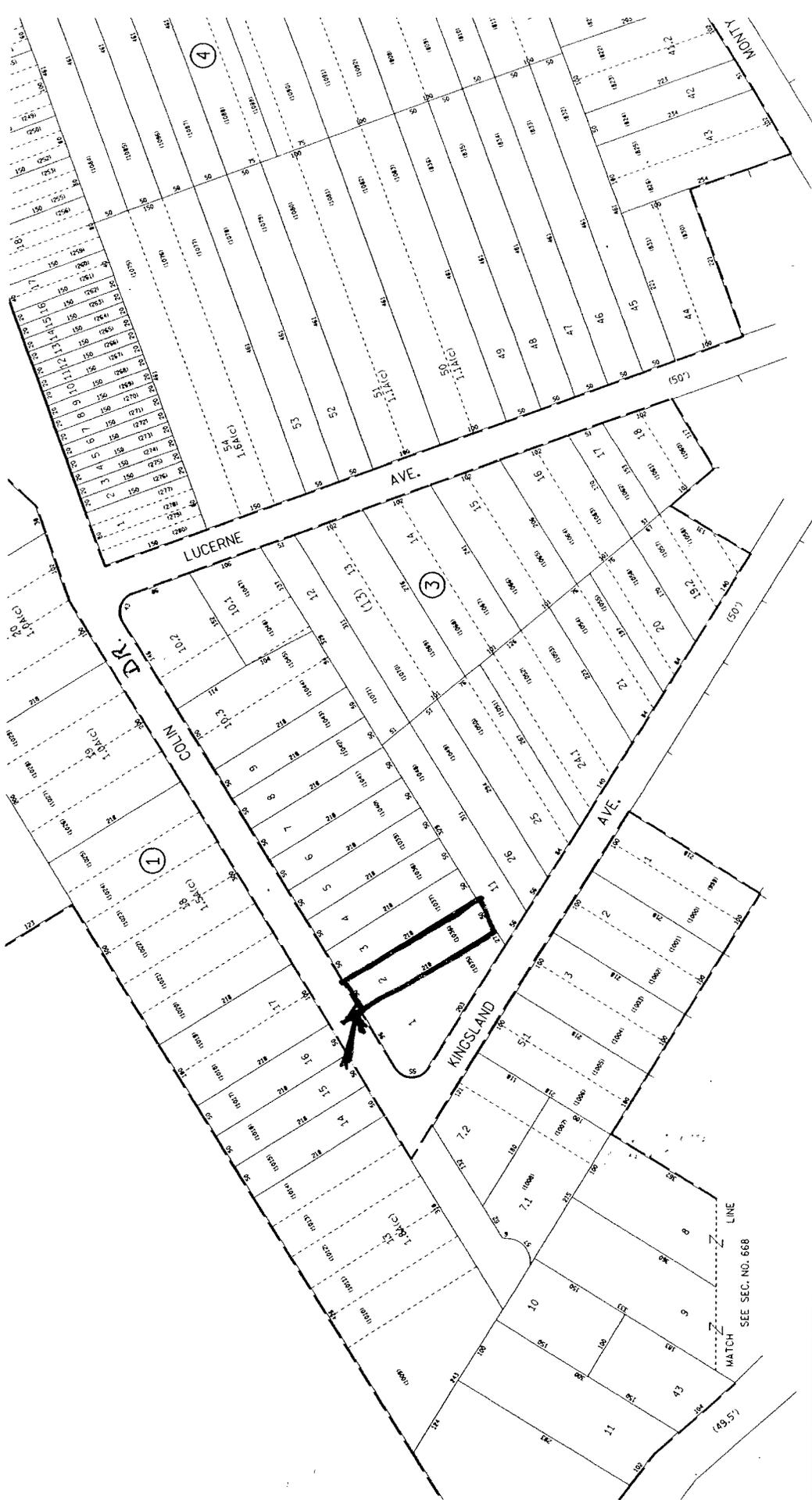
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Joins Map 34

TM# 0200-616.00-02.00-026.002

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Tm # 0200-641.00-03.00-002.000

**TM# 0200-641.00-03.00-002.000**



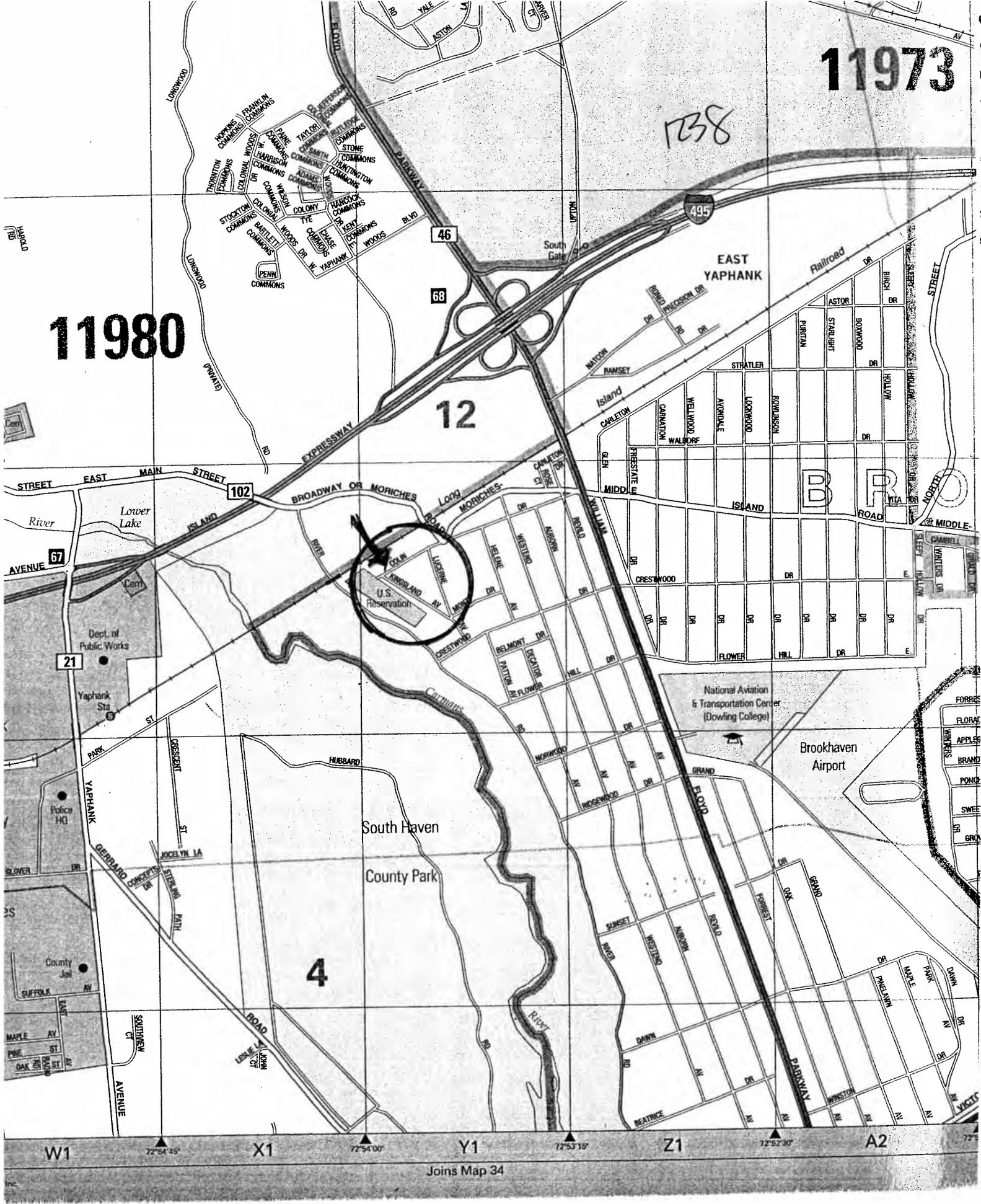
Suffolk County Department of Information Technology © 2007

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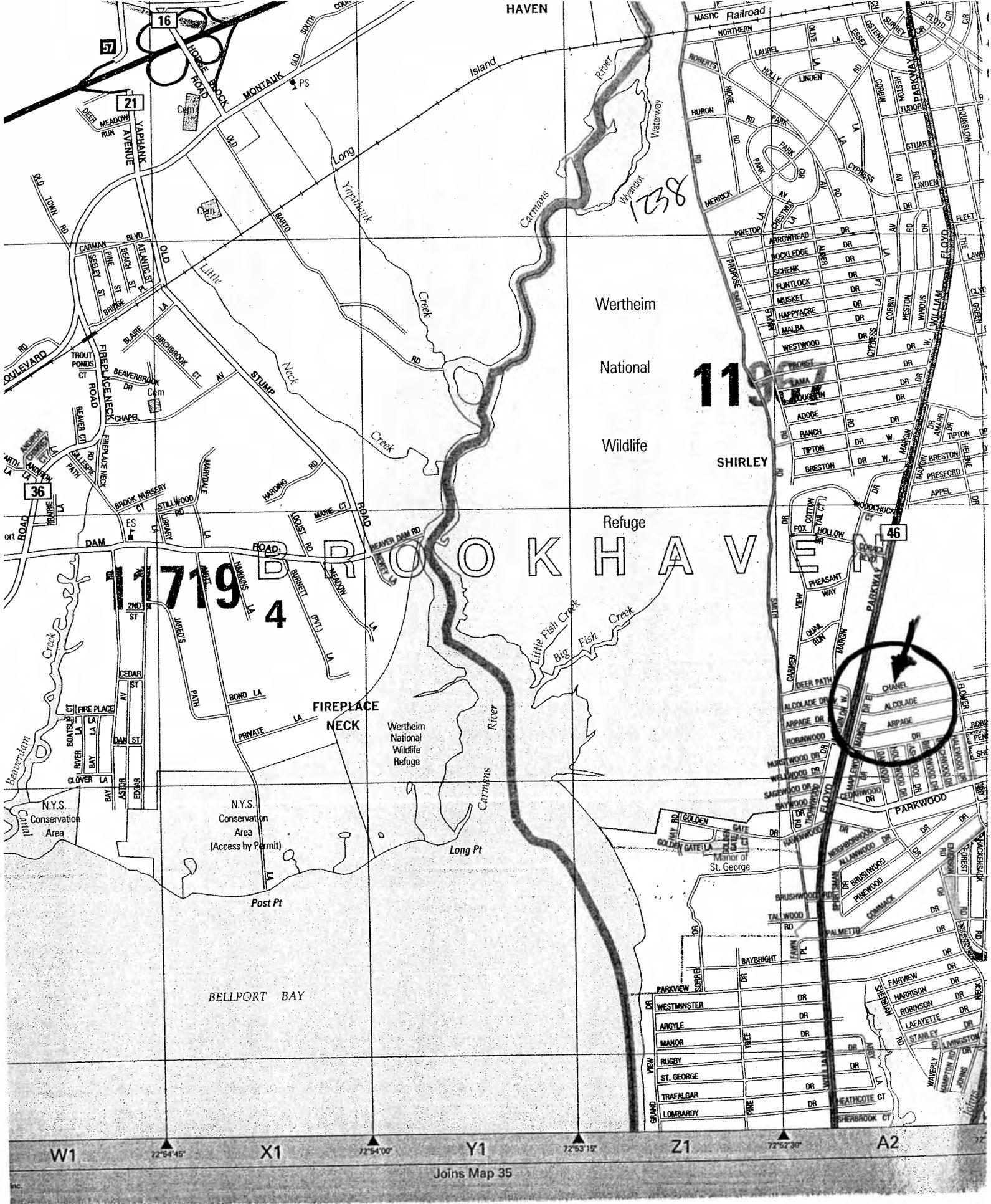
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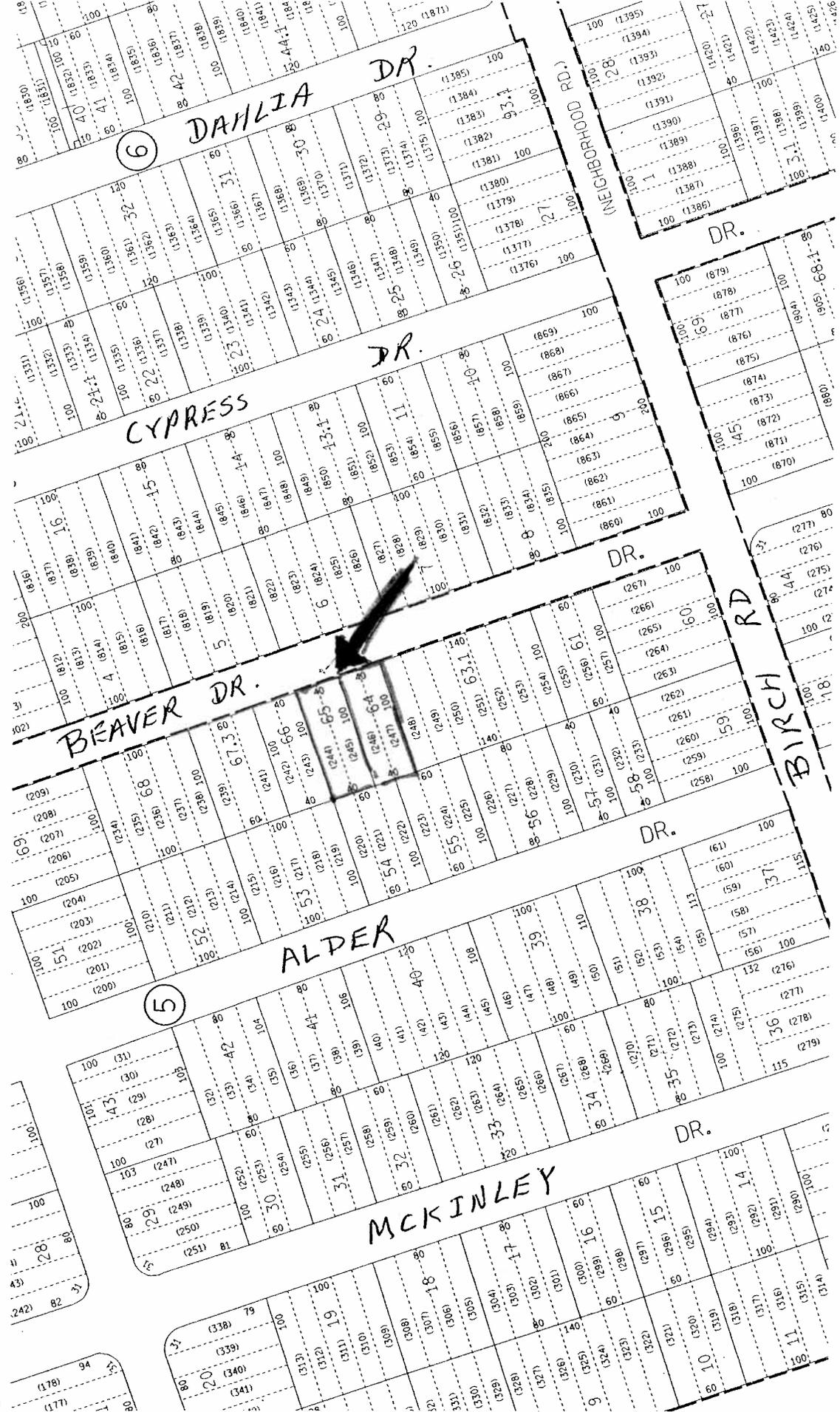


8321



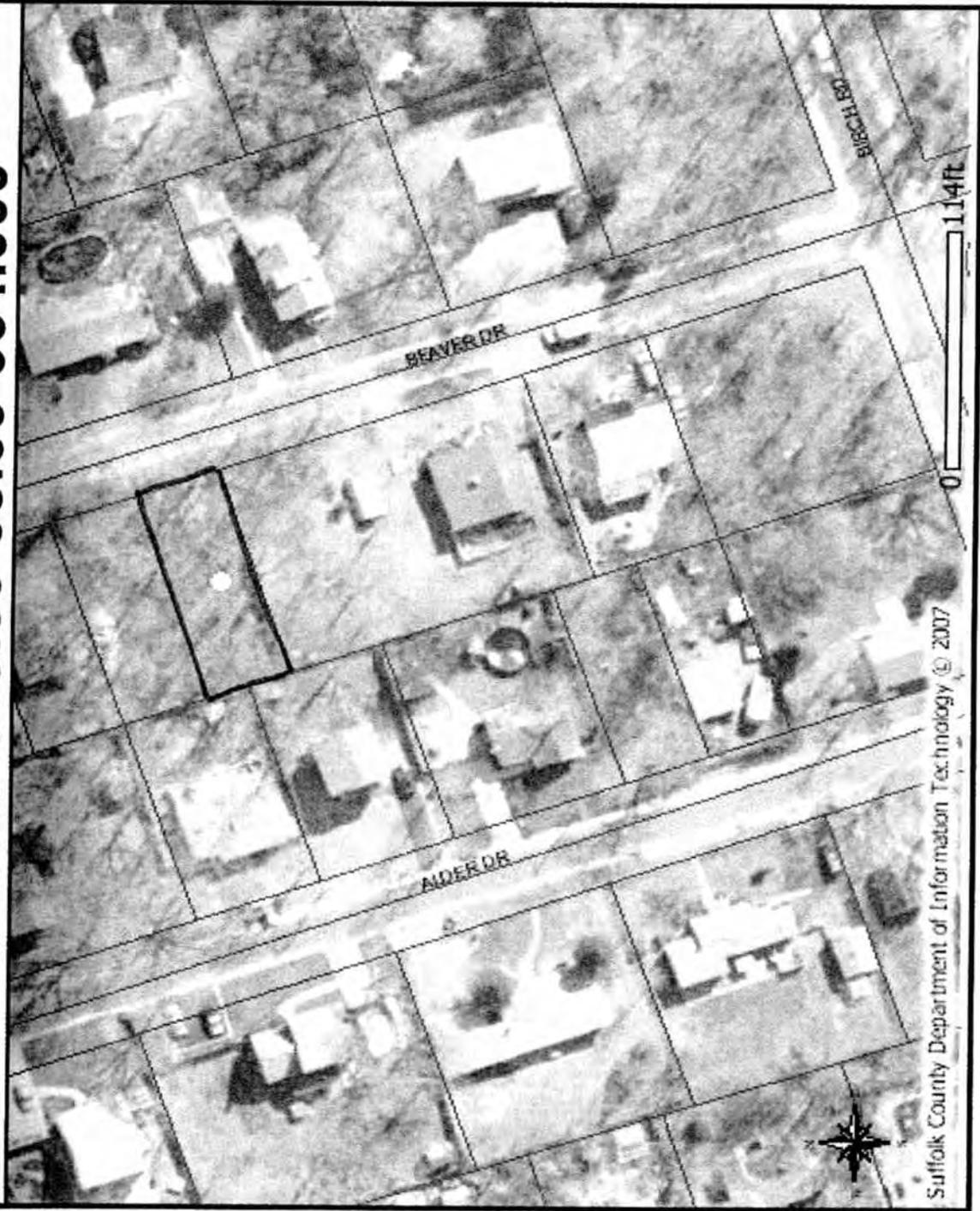
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TM # 0200 - 979.00 - 05.00 - 064.000 4 065.000

**TM# 0200-979.00-05.00-064.000**



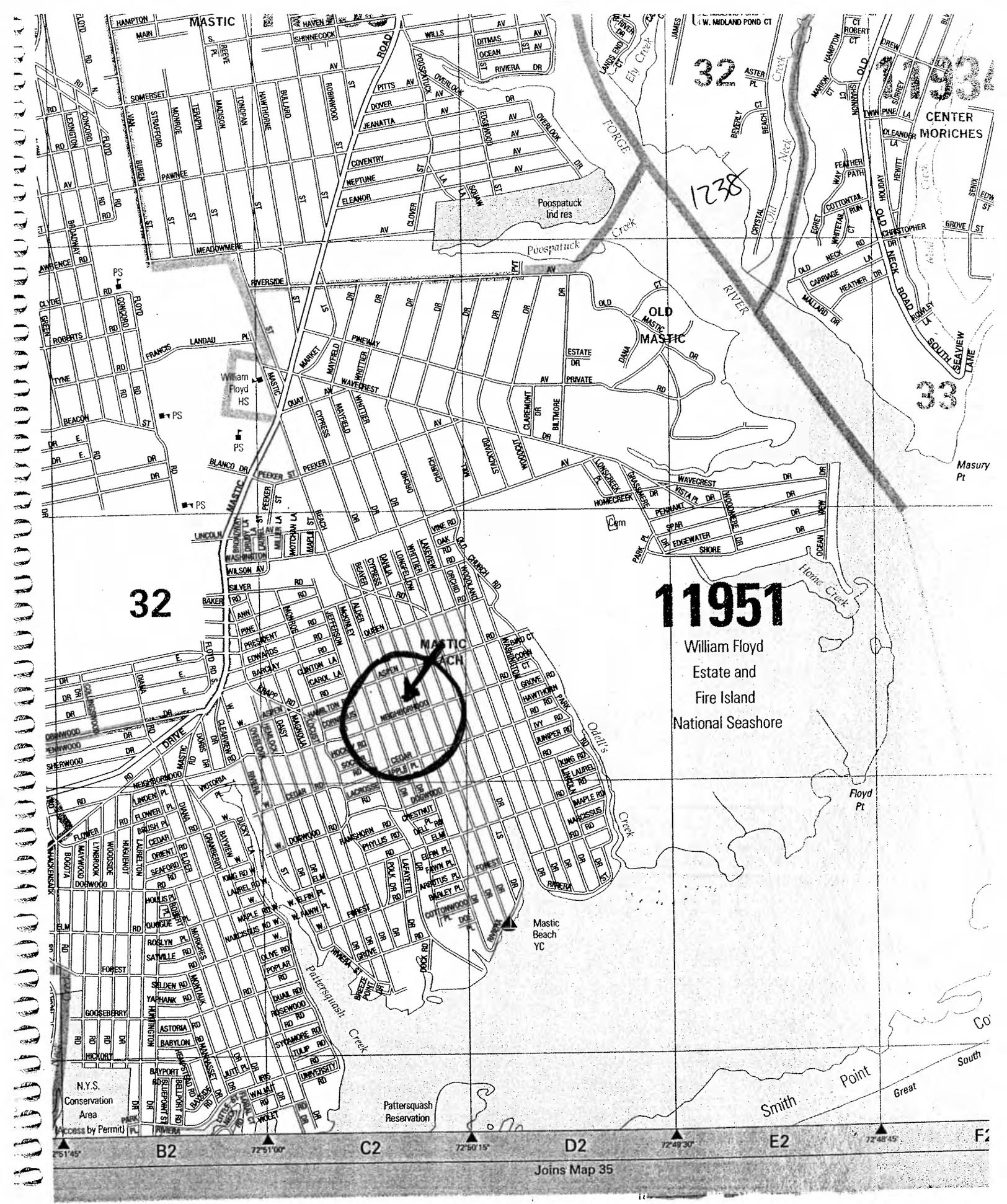
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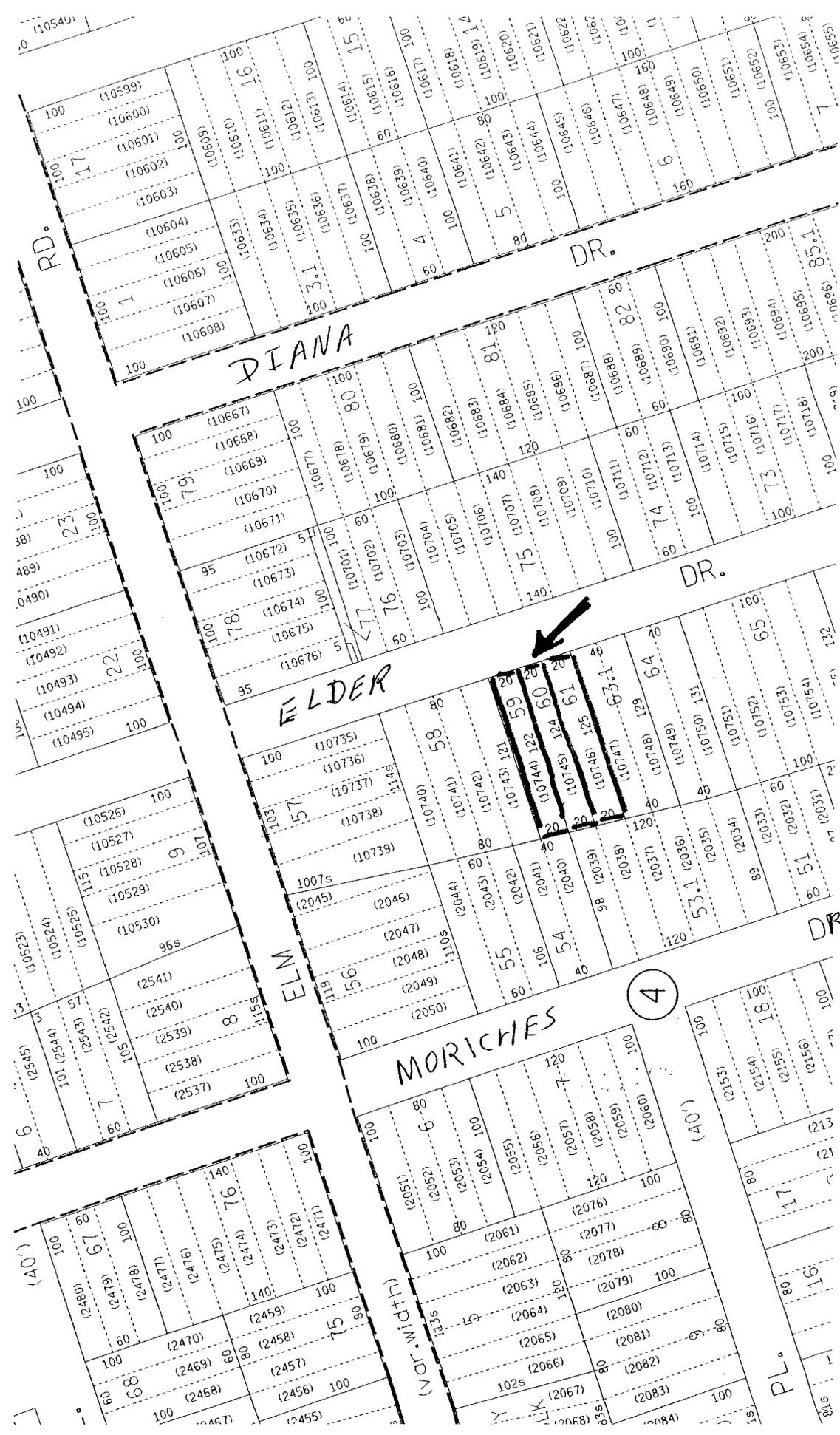
**TM# 0200-979.00-05.00-065.000**

Suffolk County Department of Information Technology © 2007



**11951**  
 William Floyd  
 Estate and  
 Fire Island  
 National Seashore

TM #0200-979.00-05.00-064.000 & 065.000



1238

M # 0200-982.00-04.00-059.000, 060.000 4061.000



**TM# 0200-982.00-04.00-060.000**



Suffolk County Department of Information Technology © 2007

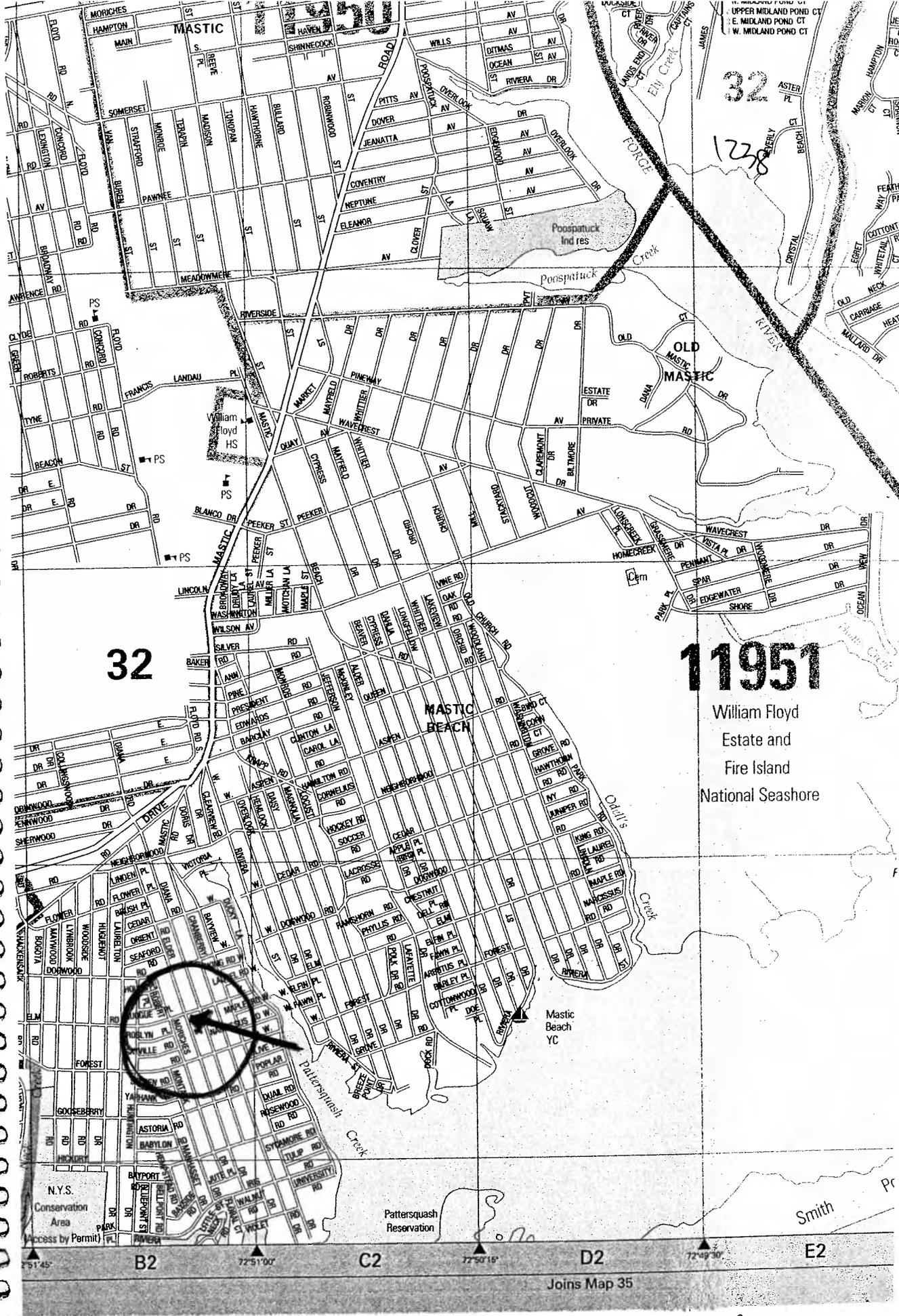
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**TM# 0200-982.00-04.00-061.000**



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William Floyd  
Estate and  
Fire Island  
National Seashore

TM# 0200 - 982.00 - 04.00 - 059.000, 060.000 & 061.000

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1238

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

*RJBhatt*

2/28/08

COUNTY OF SUFFOLK

MAR 06 2008

Gen 111



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1238

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

March 3, 2008

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:

Brendan Chamberlain, County Executive Assistant (2 hard copies)  
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. 1239-08

Laid on Table 3/18/08

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. 0200-787.00-03.00-046.004)**

**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 787.00, Block 03.00, Lot 046.004, and acquired by tax deed on April 21, 1982, from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and recorded on April 21, 1982, in Liber 9171, CP 219 and otherwise known as and by Town of Brookhaven, known and designated as Lots No. 52 & 53 Block No. 13, as shown on a certain map entitled "Map of Lakeview Park, Plate A", and filed in the Suffolk County Clerk's Office on March 29, 1911 as Map No. 653

**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

**1<sup>st</sup> 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.

**2<sup>nd</sup> 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.

**3<sup>rd</sup> 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.

**4<sup>th</sup> 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.

**5<sup>th</sup> 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.

**6<sup>th</sup> 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.

**7<sup>th</sup> 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"

1239

**RESOLUTION NO. 12  
MEETING OF: NOVEMBER 15, 2005**

**AUTHORIZING THE TRANSFER OF  
LAND FROM THE COUNTY OF  
SUFFOLK TO THE TOWN OF  
BROOKHAVEN AND FROM THE  
TOWN OF BROOKHAVEN TO  
HABITAT FOR HUMANITY OF  
SUFFOLK TO PROMOTE THE  
AVAILABILITY OF AFFORDABLE  
HOUSING**

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

WHEREAS, Habitat for Humanity of Suffolk has expressed a need for building parcels comprised of foreclosed properties, more particularly described in Exhibit "A" annexed hereto, for its ongoing affordable housing construction project as part of the Brookhaven Town affordable housing program and has agreed in principle to cooperate with and assist the Town in promoting affordable housing;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Brookhaven that the Supervisor/Deputy Supervisor 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 Habitat for Humanity of Suffolk, for the express purpose of developing affordable housing; and be it further

RESOLVED, by the Town Board of the Town of Brookhaven that the Town Clerk is hereby directed to post and publish the notice of adoption of this resolution, which is subject to a permissive referendum.

1239

EXHIBIT "A"

HABITAT FOR HUMANITY OF SUFFOLK

- 1. SCTM #200-452.00-02.00-039.000 49 Erna Drive, Gordon Heights
- 2. SCTM #200-787.00-03.00-046.003 Montgomery Ave., Mastic
- 3. SCTM #200-787.00-03.00-046.004 Montgomery Ave., Mastic
- 4. SCTM #200-354.00-02.00-006.000 Patchogue Ave., Mastic
- 5. SCTM #200-397.00-03.00-047.000 Knot Street, Mastic
- 6. SCTM #200-129.00-03.00-008.000 Doane Ave., North Bellport
- 7. SCTM #200-973.07-05.00-025.000 Donegan Ave., E. Patchogue
- 8. SCTM #200-973.08-03.00-032.000 Bourdois Ave., North Bellport
- 9. SCTM #200-973.07-05.00-026.000 550 Donegan Ave., E. Patchogue

STATE OF NEW YORK)

SS.:

COUNTY OF SUFFOLK)

I, Pamela J. Bethell, Town Clerk of the Town of Brookhaven, in said State and County, do hereby certify that I have

compared the annexed copy of RESOLUTION NO. 12 FROM THE 11/15/05 TOWN BOARD MEETING  
AUTHORIZING THE TRANSFER OF LAND FROM THE COUNTY OF SUFFOLK TO THE TOWN OF  
BROOKHAVEN TO HABITAT FOR HUMANITY OF SUFFOLK TO PROMOTE THE AVAILABILITY OF  
AFFORDABLE HOUSING

with the record of the original filed in my office, and that it is a true and correct copy of such record and of the whole thereof.

In testimony whereof, I have hereunto set my hand and affixed the seal of the said Town of Brookhaven

This 14TH day of MARCH 2006

*Pamela J. Bethell*

1239

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.: 0200-787.00-03.00-046.004

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$1,741.76

PURPOSE:

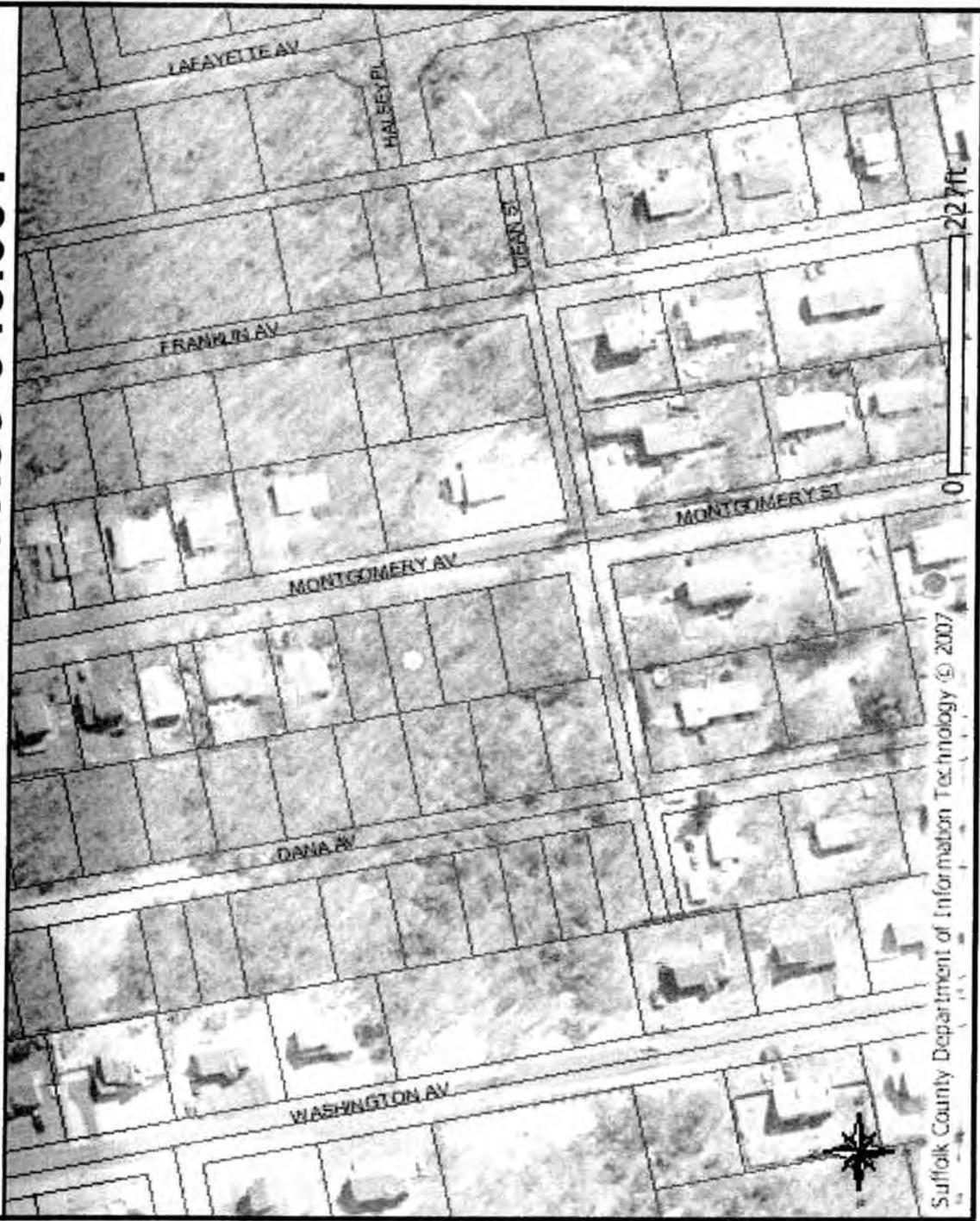
- |                            |                   |
|----------------------------|-------------------|
| A. Affordable Housing      | <u>  X  </u>      |
| B. Town Parks              | <u>          </u> |
| C. Road/Highway            | <u>          </u> |
| D. Drainage/Recharge Basin | <u>          </u> |
| E. Other                   | <u>          </u> |

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

WRT:slb



# TM# 0200-787.00-03.00-046.004



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Suffolk County Department of Information Technology © 2007

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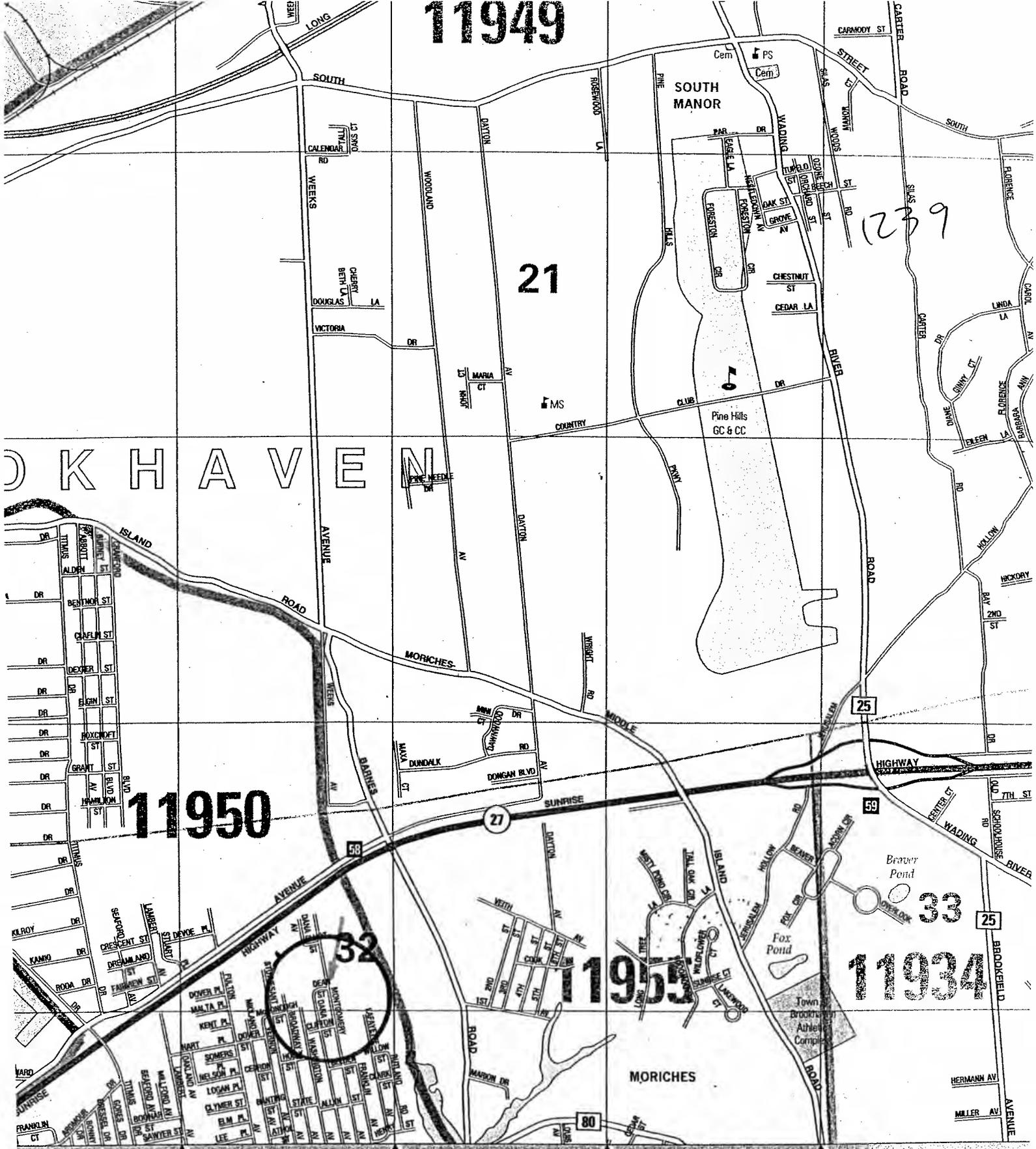
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B2 72°51'00" C2 72°50'15" D2 72°49'30" E2 72°48'45" F2 72°

Joins Map 34

©Hagstrom Map

TAM # 0200-787.00-03.00-046.004

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1239

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

  R. J. Bhatt    
LMS III

Signature of Preparer

  R. J. Bhatt  

Date

  2/27/08

COUNTY OF SUFFOLK

MAR 06 2008

Gen A5



1239 163

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

March 3, 2008

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.: 0200-787.00-03.00-046.004  
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:

Brendan Chamberlain, County Executive Assistant (2 hard copies)  
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. 1240-08 Laid on Table 3/18/08

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  
**DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee of Ameriquest  
Mortgage Securities Inc., Asset Backed Pass-Through Certificates,  
Series 2003-11 under the Pooling & Servicing Agreement dated as of  
November 1, 2003, Without Recourse  
0200-059.00-01.00-014.000**

**WHEREAS**, the COUNTY OF SUFFOLK acquired the following described parcel:

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 059.00, Block 01.00, Lot 014.000, 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 059.00, Block 01.00, Lot 014.000; 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 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

**WHEREAS**, C. LANCE MARGOLIN, ESQ., OF PITNICK & MARGOLIN, LLP, as Attorney for Deutsche Bank National Trust Company, has made application of said above described parcel and PITNICK & MARGOLIN, LLP has paid the application fee and \$2,151.63, 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

**1<sup>st</sup> - 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

2<sup>nd</sup> - **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee of Ameriquest Mortgage Securities Inc., Asset Backed Pass-Through Certificates, Series 2003-11 under the Pooling & Servicing Agreement dated as of November 1, 2003, Without Recourse, 505 City Parkway West, Suite 100, Orange, California 92868, c/o Pitnick & Margolin, LLP, 6800 Jericho Turnpike, New York 11791, 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: \_\_\_\_\_

1240

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

February 11, 2008

Tax Map No.: 0200-059.00-01.00-014.000

Name of Last Legal Fee Owner: DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee of  
Ameriquest Mortgage Securities Inc., Asset Backed Pass-Through  
Certificates, Series 2003-11 under the Pooling & Servicing Agreement  
dated as of November 1, 2003, Without Recourse

TREASURER'S COMPUTATION..... \$1,813.99

Taxes.....2007/2008..... \$ 337.64

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... \$2,151.63

Monies Received..... \$2,151.63

RESOLUTION AMOUNT..... \$2,151.63

APPROVED:

  
Accounting  
LB:sc

PREPARED BY:

  
Lori Bertone  
Redemption Unit  
(631) 853-5932

1240

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X  
Tax Map Number 0200-059.00-01.00-014.000

2. Title of Proposed Legislation

Authorizing the Director of the Division of Real Property Acquisition and Management, 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*                      2/13/08

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	059.00	01.00	014.000

1240

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2003/04	425.90
2004/05	441.22
2005/06	448.41
2006/07	328.82

2007/08 PROPERTY TAXES \$337.64 NOT INCLUDED IN COMPUTATION

TOTAL: 1644.35

B. INTEREST DUE	83.26
C. TOTAL	1727.61
D. 5% LINE C	86.38
E. FEE	
F. MISC	
G. MISC	

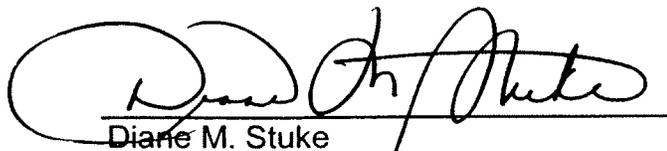
H. TOTAL DUE

-----  
\$1,813.99  
2007/2008 337.64  
2,151.63 119108 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. 07-Jan-08

  
Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 07/05/08

Revisions  
 03-11-05  
 01-06-05  
 11-21-06

N 259,200 E 2,396,300

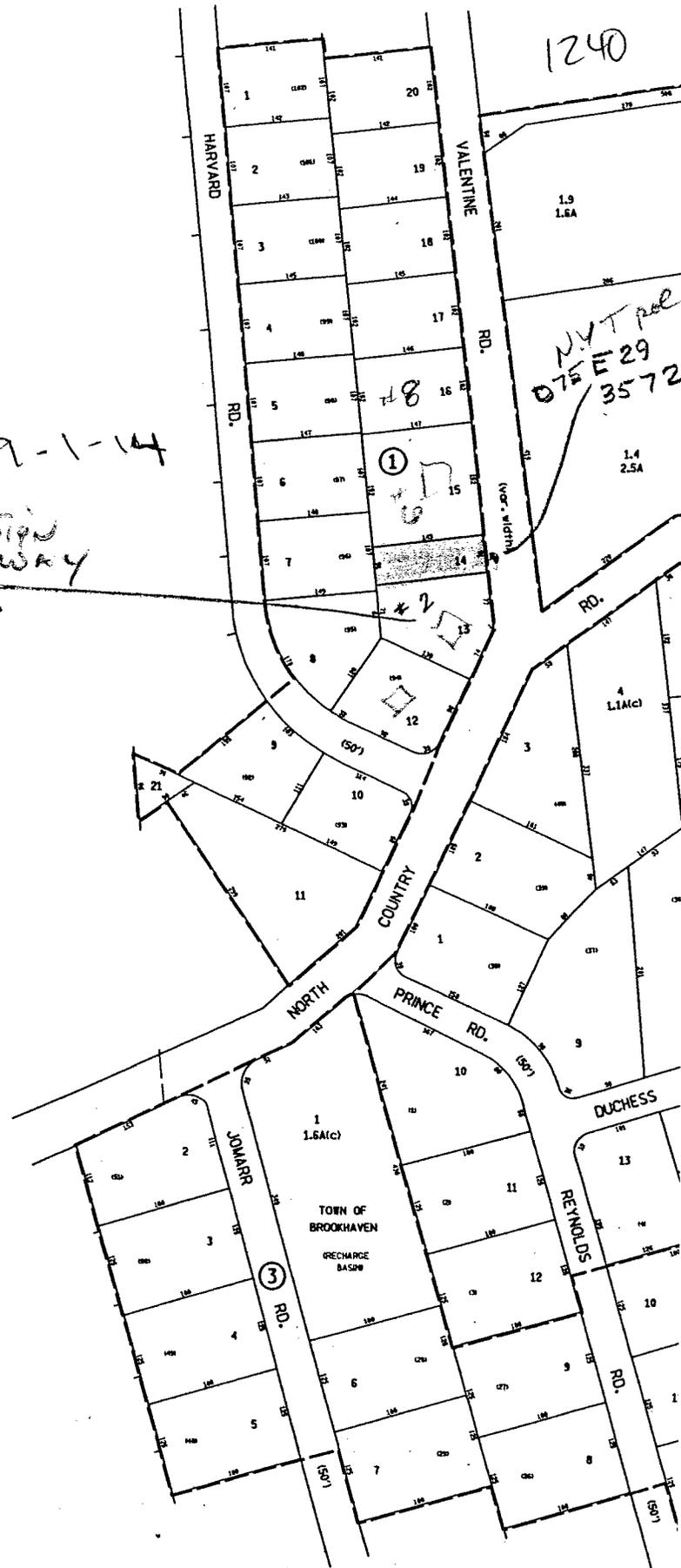
N 255,200 E 2,396,300

200-59-1-14

4 Sale Sign  
 American Way  
 Real Estate  
 331-3100

1240

NVT pol  
 07 E 29  
 3572



Property or RR Line	Subdivision Lot No.	Block List	Sched District Line	Hydrant District Line	UNLESS DRAWN ARE WITHIN TI SCHOOL 10 FIRE F.I.L. E.V.I. LIGHT L.I.A. PARK AMBULANCE
Donor's Common Owner	Subdivision Block/Map No. (21)	Block No. (2)	Fire District Line	Refuge District Line	
Subdivision Lot Line	Deed Description	County Line	Water District Line	Water District Line	
Stream / Shore	Scaled Description	Town Line	Light District Line	Indulgence District Line	
Public Use	Base Area 12.1 A(c) or 12.1A	State Line	Park District Line	Seafarer District Line	
Other	Considered Area 12.1 A(c)		Sever District Line		

# Suffolk Co.

X1

72°54'00"

Y1

72°53'15"

Z1

72°52'30"

A2

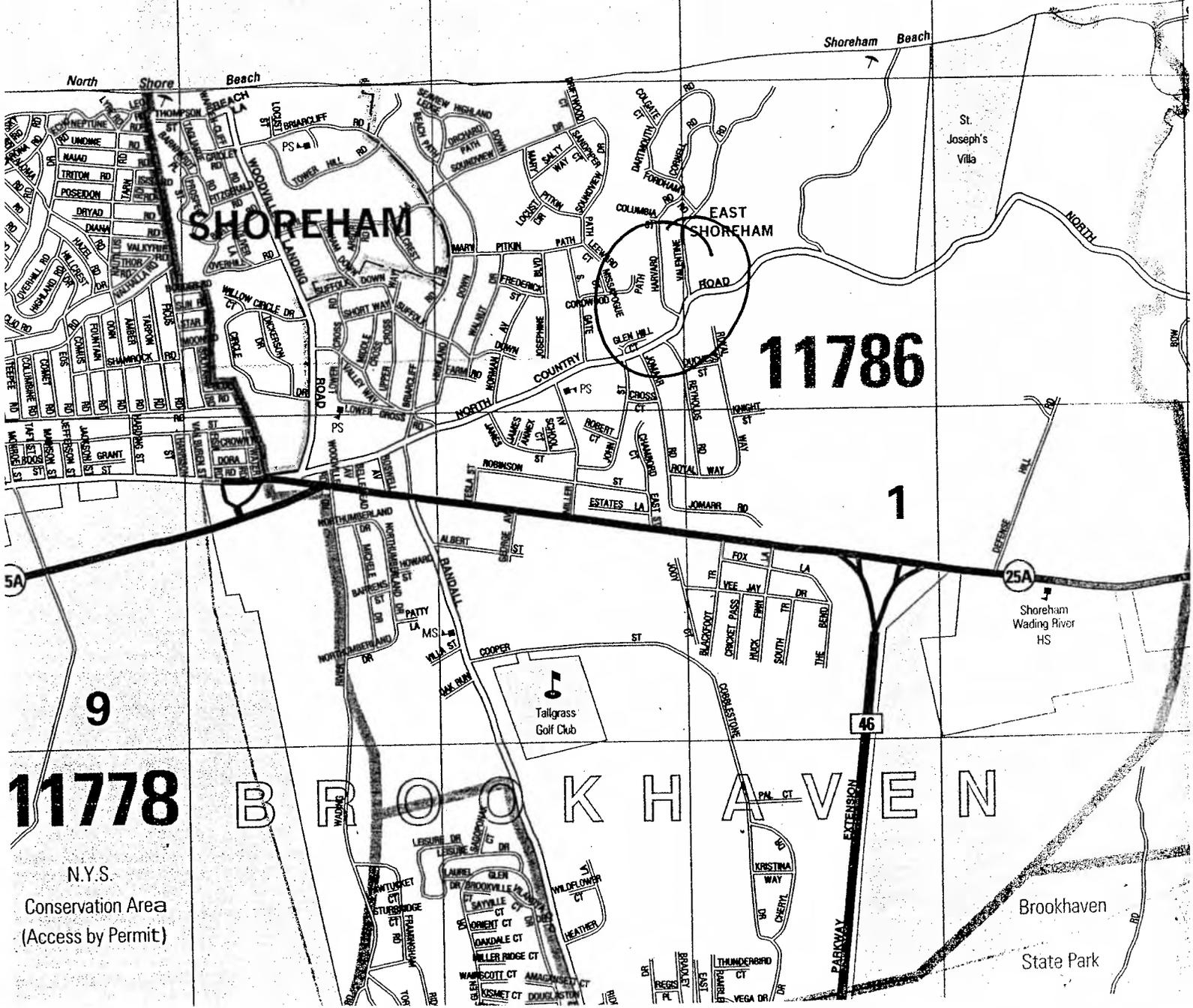
72°51'

1240

0200-059-01-014

ISLAND

LONG



11786

1

9

11778

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

BROOKHAVEN

Brookhaven  
State Park

46

25A

Shoreham  
Wading River  
HS

Tailgrass  
Golf Club

SHOREHAM

EAST SHOREHAM

North Shore Beach

Shoreham Beach

St. Joseph's  
Villa

NORTH

COUNTRY

NORTH

ERSTES

ALBERT

RANDALL

COOPER

W.A. ST.

MS.

PATY

HONARD

LESLIE DR

LAUREL DR

GLEN DR

WILDELOW

LEATHER

WARRSCOTT CT

GLEN KISMET CT

SHOREHAM ROAD

ROYAL WAY

COMAR RD

YEE JAY DR

CRICKET PASS

NICK FENN DR

SOUTH DR

THE BEND

KRISTINA WAY

BU CRETE

THUNDERBIRD CT

VEGA DR

BRADY ST

RECS PL

BARBARA

EAST

THUNDERBIRD

VEGA DR

BRADY ST

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Gen A6

COUNTY OF SUFFOLK

MAR 05 2008

1240



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

March 3, 2008

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

Re: Tax Map No. 0200-059.00-01.00-014.000  
DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee of Ameriquest Mortgage  
Securities Inc., Asset Backed Pass-Through Certificates, Series 2003-11 under the  
Pooling & Servicing Agreement dated as of November 1, 2003, Without Recourse

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.

Introductory Resolution No. 1241-08

Laid on Table 3/18/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO.  
SALE OF COUNTY-OWNED REAL ESTATE  
PURSUANT TO SECTION 72-h OF THE  
GENERAL MUNICIPAL LAW  
(CENTRAL ISLIP FIRE DISTRICT)  
(0500-120.00-05.00-021.000)**

**WHEREAS**, the COUNTY OF SUFFOLK is the fee owner of the following described parcel that is surplus to the needs of the County of Suffolk; and

**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 120.00, Block 05.00 Lot 021.000 and acquired by Tax Deed on April 12, 1991 from General L. Rains, the Deputy County Treasurer of Suffolk County, New York, and recorded on April 19, 1991 in Liber 11250 at Page 8 and otherwise known as and by Town of Islip, known and designated as Lots 19 & 20, Block 17, as shown on a certain map entitled "Amended Map of Auburndale, Brightsides", and filed in the Suffolk County Clerk's Office on August 22, 1916 as Map No. 8; and

**WHEREAS**, Section 72-h of the General Municipal Law permits a sale of real property between municipal corporations, or between a municipal corporation of the State of New York or the United States of America; and

**WHEREAS**, the CENTRAL ISLIP FIRE DISTRICT has requested that the County of Suffolk convey to the town the parcel described in Exhibit A annexed hereto ; and

**WHEREAS**, the Suffolk County Department of Planning has approved the proposed transfer and use of said parcel, now therefore be it; and

**1<sup>st</sup> RESOLVED**, that Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said CENTRAL ISLIP FIRE DISTRICT for the sum of \$7,432.39 plus the pro rata share of the current tax adjustment due at closing; and be it further

**2<sup>nd</sup> RESOLVED**, that the CENTRAL ISLIP FIRE DISTRICT will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for parking purposes; with all right title and interest reverting to the County of Suffolk in the event that the CENTRAL ISLIP FIRE DISTRICT, at any time, uses or attempts to use said subject parcel for other than parking purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for parking purposes; and be it further

**3<sup>rd</sup> RESOLVED**, that said quitclaim deed tendered by Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of

Suffolk if: 1) the property is not used for the above-described public governmental purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

4<sup>th</sup> **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)

DATED: \_\_\_\_\_

APPROVED BY:

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

Date of Approval:

BOARD OF FIRE COMMISSIONERS

CENTRAL ISLIP FIRE DISTRICT  
37 CARLETON AVENUE  
CENTRAL ISLIP, NEW YORK 11722  
(631) 234-0321  
FAX (631) 234 0324

1241

Thomas P. Walsh, II  
Chairman  
Secretary  
Neil Finer  
Robert P. Miller  
Joseph P. Corrao  
James S. Sodergren  
Kevin M. Miller  
Reasurer  
Charles A. Murphy,  
District Manager  
Daniel Greenberg  
Attorney

February 16, 2006

Suffolk County Division of Real Estate  
H. Lee Dennison Building  
2nd Floor  
P.O. Box 6100  
Hauppauge, New York 11788

Attention: Agnes Miele

Dear Agnes,

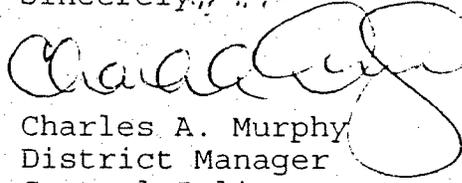
This is forwarded to your Office to advise that the Board of Fire Commissioners of the Central Islip Fire District voted to approve the purchase of property located on Clayton Street in Central Islip, New York at the regular monthly Meeting of the Board held on Monday, February 13, 2006. The agreed price as stated in your correspondence of 1-30-2006 is \$7,432.39 - a certified check in this amount is enclosed. (Parcel ID # - 0500-120-05-021).

Please advise of any additional information you might require or if there is anything else needed to be done by the Fire District to complete this purchase. Thank you for your assistance throughout this process.

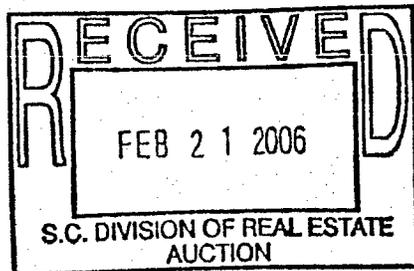
Past Commissioners:

John J. Swartz	1905-1908
John McHugh	1905-1918
John T. Fisher	1905-1918
Frank L. Kelly	1909-1917
William Miller	1915-1916
I.P. Lent	1915-1917
Robert A. McBreen	1917-1928
Julius Stresow	1917-1930
John T. Mulligan	1918-1936
Richard D. Clarke, Sr.	1930-1959
Henry F. Wolf, Sr.	1933-1944
Maurice Breen	1933-1947
Vern L. Furman	1933-1950
J. Arthur Mulligan	1936-1944
George Howarth	1944-1986
John Zaloudek	1947-1952
William Schork	1948-1968
Robert Groth	1950-1955
William Klink, Sr.	1952-1972
George Runz	1959-1966
Michael Watral	1955-1983
Augustine P. O'Keefe	1966-1985
Walter Seale	1968-1973
Roy DuJas	1972-1982
William I. Miller	1973-1983
James T. McDonough, Sr.	1985-1990
Ervin F. Phyllis, Jr.	1990-1996
Richard A. Johnson, Sr.	1984-1998
John F. McCarthy	1997-2001

Sincerely,



Charles A. Murphy  
District Manager  
Central Islip  
Fire District



1241

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  
CENTRAL ISLIP FIRE DISTRICT

Tax Map No.: 0500-120.00-05.00-021.000

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$ 7,432.39

PURPOSE:

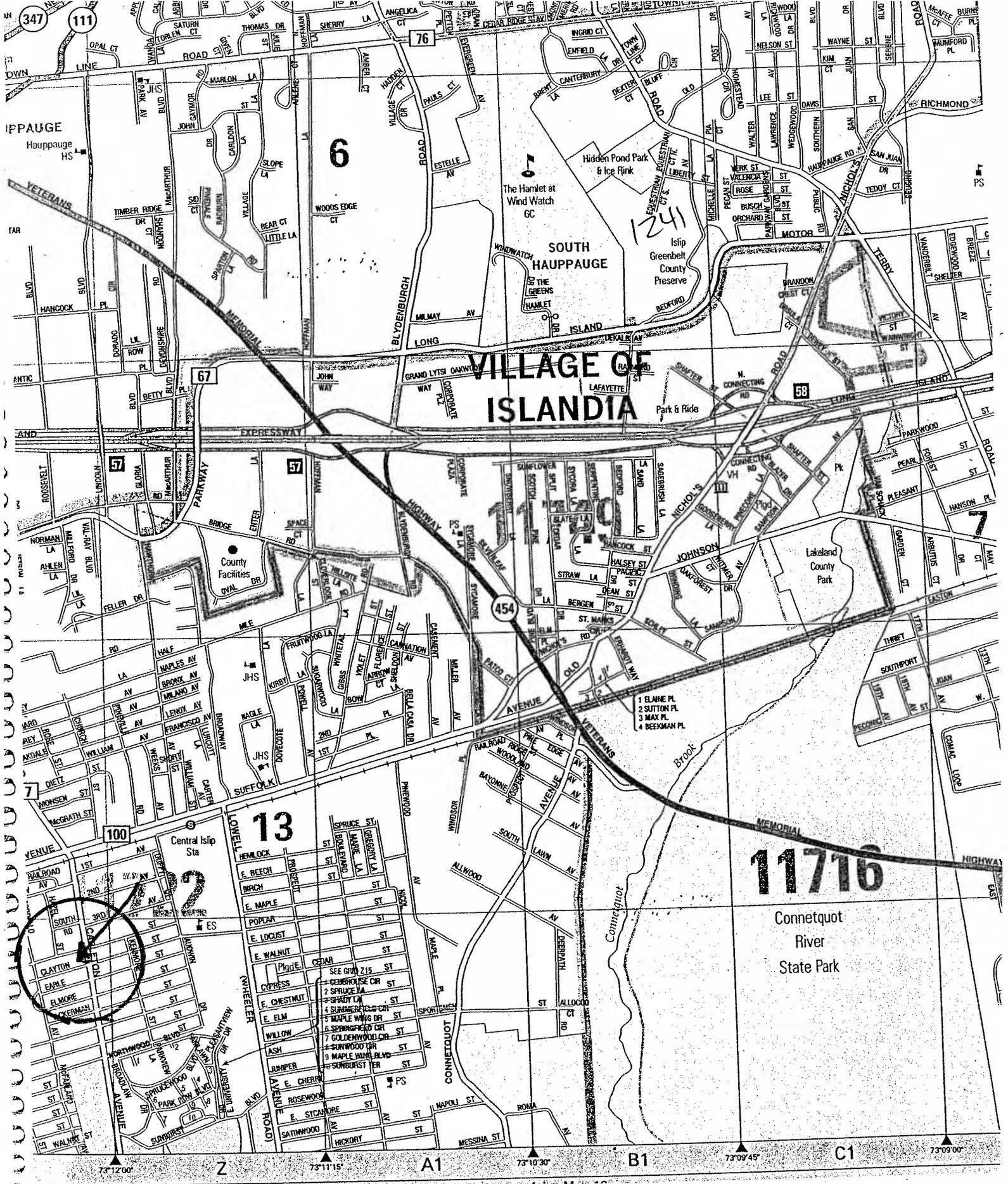
- A. Affordable Housing \_\_\_\_\_
- B. Town Parks \_\_\_\_\_
- C. Road/Highway \_\_\_\_\_
- D. Drainage/Recharge Basin \_\_\_\_\_
- E. Other   X

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

WRT: slb







Tm# 0500-120.00-05.00-021.000

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1241

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 CENTRAL ISLIP FIRE DISTRICT for parking 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?

  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 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

Current year 2008

10. Name & Title of Preparer

R.J. Bhatt  
LMS III

Signature of Preparer



Date

2/26/08

COUNTY OF SUFFOLK

Gen A7



MAR 06 2008

1241

165

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

March 3, 2008

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.: 0500-120.00-05.00-021.000  
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the CENTRAL ISLIP FIRE DISTRICT for General Municipal 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 Islip for municipal purposes.

I would appreciate your placing this on the legislative agenda.

Yours truly,

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:  
Brendan Chamberlain, County Executive Assistant (2 hard copies)  
Connie Corso, Budget Director  
Thomas A. Isles, Director of Planning  
CE Reso Review via e-mail

Introductory Resolution No. 1243-08

Laid on Table 3/18/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO.  
SALE OF COUNTY-OWNED REAL ESTATE  
PURSUANT TO SECTION 72-h OF THE  
GENERAL MUNICIPAL LAW  
(TOWN OF BROOKHAVEN )  
(0200-787.00-01.00-034.000 & 0200-787.00-01.00-035.00)**

**WHEREAS**, the COUNTY OF SUFFOLK is the fee owner of the following described parcel that is surplus to the needs of the County of Suffolk; and

**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 787.00, Block 01.00, Lot 034.000 and acquired by Tax Deed on February 21, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on March 7, 2003 in Liber 12239 at Page 108, Certificate No. 501614 and otherwise known as and by Town of Brookhaven, known and designated as Lots No. 1 to 14 inclusive and East Part of 15 to 17 excluding Sunrise Highway, Block No. 14 Plate B addition C as shown on a certain map entitled "Map of Lakeview Park at Moriches", and filed in the Suffolk County Clerk's Office on January 8, 1912 as Map No. 291

**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 787.00, Block 01.00, Lot 035.000 and acquired by Tax Deed on February 21, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on March 7, 2003 in Liber 12239 at Page 108, Certificate No. 501613 and otherwise known as and by Town of Brookhaven, known and designated as Lots No. 1 to 21 inclusive, Block No. 12 Plate B addition C as shown on a certain map entitled "Map of Lakeview Park at Moriches", and filed in the Suffolk County Clerk's Office on January 8, 1912 as Map No. 291

**WHEREAS**, Section 72-h of the General Municipal Law permits a sale of real property between municipal corporations, or between a municipal corporation of the State of New York or the United States of America; and

**WHEREAS**, the Town of Brookhaven has requested that the County of Suffolk convey to the town the parcel described in Exhibit A annexed hereto ; and

**WHEREAS**, the Suffolk County Department of Planning has approved the proposed transfer and use of said parcel, now therefore be it; and

**1<sup>st</sup> RESOLVED**, that Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said Town of Brookhaven for the sum of \$11,609.00 plus the pro rata share of the current tax adjustment due at closing; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the Town of Brookhaven will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for Open Space purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Brookhaven, at any time, uses or attempts to use said subject parcel for other than Open Space purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for Open Space purposes; and be it further

**3<sup>rd</sup>** **RESOLVED**, that said quitclaim deed tendered by Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the property is not used for the above-described public governmental purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

**4<sup>th</sup>** **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)

DATED: \_\_\_\_\_

APPROVED BY:

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

Date of Approval:

RESOLUTION NO. 710-07  
MEETING OF JULY 24, 2007

**ADOPTED**  
BY THE BROOKHAVEN TOWN BOARD

AUTHORIZATION TO ACQUIRE VACANT  
PARCEL OF SUFFOLK COUNTY OWNED LAND  
- MIDLAND AVENUE, MASTIC (SCTM NO.  
0200-787-01-34 & 35) FOR OPEN SPACE  
PURPOSES PURSUANT TO SECTION 72-H OF  
THE GENERAL MUNICIPAL LAW

WHEREAS, Section 72-h of the General Municipal Law of the State of New York permits the sale of real property between municipal governments in the State of New York; and

WHEREAS, there is a vacant parcel of Suffolk County owned land located on Midland Avenue, Mastic (SCTM Nos. 0200-787-01-34 & 35) that is situated within the geographical boundaries of the Town of Brookhaven, Suffolk County, New York and are more particularly shown on the attached aerial map; and

WHEREAS, the Town Board of the Town of Brookhaven, Suffolk County, New York is interested in acquiring said parcel of real property for open space purposes for a consideration not to exceed \$11,609.00; and

WHEREAS, the Town Board of the Town of Brookhaven Suffolk County, New York is aware that the subject premises shall be conveyed subject to the following restrictive covenants that will run with the land so conveyed: 1) That the Grantee or any subsequent Grantee shall not bill or charge back to the Grantor any cost incurred or projected to be incurred for the cleanup, removal, and disposal of all debris, waste, and/or contamination in or on the subject premises; 2) That the Grantee shall not sell, convey, transfer or otherwise dispose of the subject premises; and

1243

WHEREAS, the Town Board of the Town of Brookhaven, Suffolk County, New York, is aware that the restrictive covenants described above will run with the land and shall bind the heirs, successors, and assigns of the Town of Brookhaven and in the event of any violation of the restrictive covenants stated above, the Deed conveying said parcel shall be void *ab initio* and title to the realty shall revert to the County of Suffolk; and

WHEREAS, the acquisition of said parcels pursuant to General Municipal Law Section 72-H, as an intergovernmental transfer, is a Type II action pursuant to NYCRR 617.5(c)(19) and, therefore, no further SEQRA review is required;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel located on Midland Avenue, Mastic, further identified as SCTM No. 0200-787-01-34 & 35, and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed \$11,609.00 at the time of closing subject to the restrictive covenants and reverter provisions as stated above.

1243

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.: 0200-787.00-01.00-034.000 & 0200-787.00-01.00-035.000

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$ 11,609.00

PURPOSE:

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

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

WRT: slb

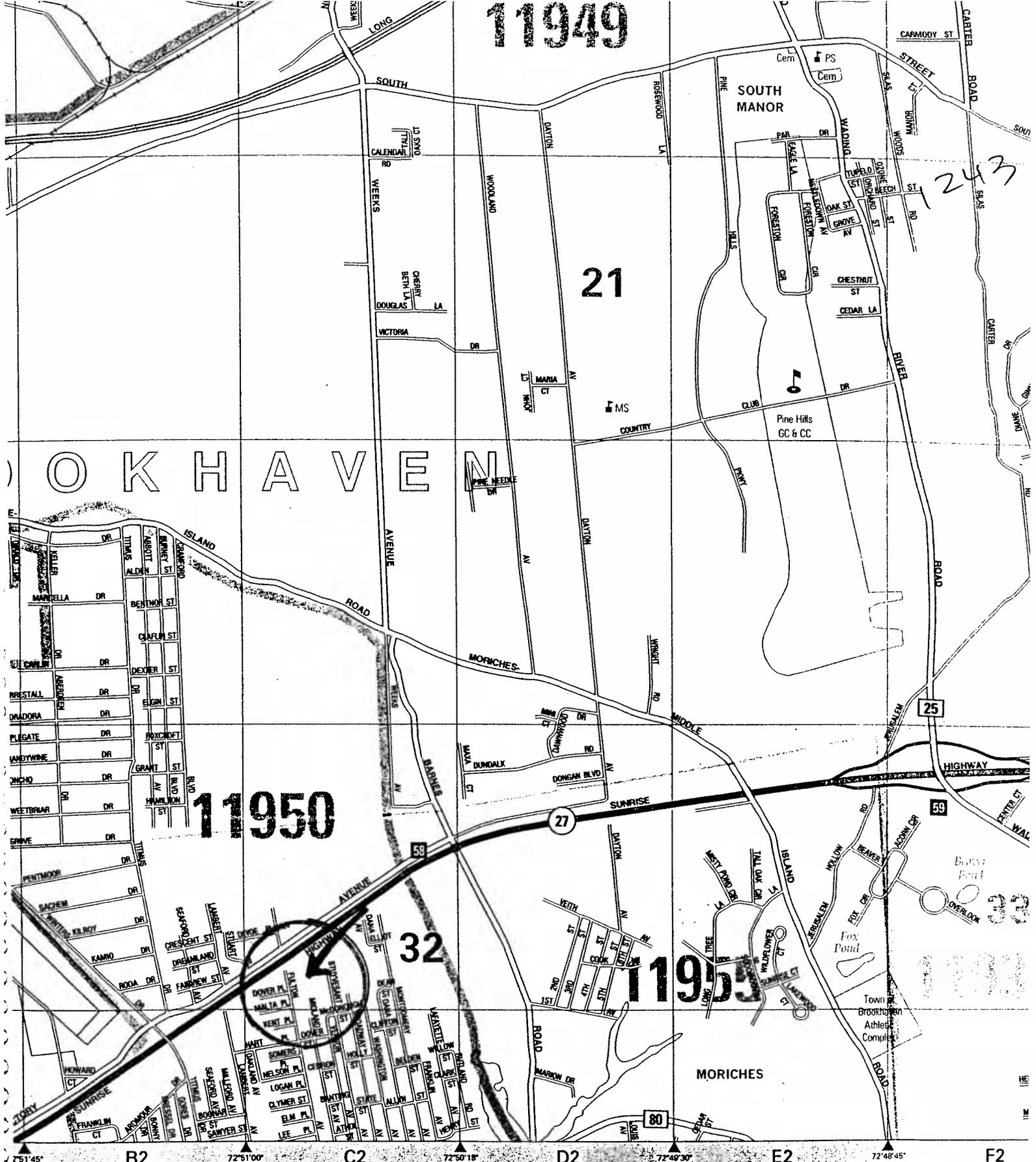


1243

TM# 0200 - 787.00 - 01.00 - 034.000 & 035.000



11949



11950

11953

243

243

75°14'5" B2 72°51'00" C2 72°50'18" D2 72°49'30" E2 72°48'45" F2

Joins Map 34

fm# 0200-787.00-01.00-034.000 & 035.000

1243

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 Open Space 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?

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 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

Current year 2008

10. Name & Title of Preparer

R. J. Bhatt   
LMS- III

Signature of Preparer

RJBhatt

Date

3/4/08

COUNTY OF SUFFOLK

Gen #9



~~MAR 20 2008~~

MAR 07 2008

161

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

1243

March 4, 2008

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.: 0200-787.00-01.00-034.000 & 0200-787.00-01.00-035.000  
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real  
Estate to the Town of Brookhaven for General Municipal 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 municipal purposes.

I would appreciate your placing this on the legislative agenda.

Yours truly,

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:

Brendan Chamberlain, County Executive Assistant (2 hard copies)  
Connie Corso, Budget Director  
Thomas A. Isles, Director of Planning  
CE Reso Review via e-mail

1244

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

Laid on Table 3/18/2008

**RESOLUTION NO. -2008, AUTHORIZING  
CERTAIN TECHNICAL CORRECTIONS TO THE  
2008 ADOPTED OPERATING BUDGET FOR THE  
CONTRACTED AGENCY ISLIP UNION FREE  
SCHOOL DISTRICT**

**WHEREAS**, the 2008 Adopted Operating Budget provides funding for the contracted agency Islip Union Free School District; and

**WHEREAS**, the 2008 Operating Budget when adopted contained technical errors; and

**WHEREAS**, the County Legislature desires technical corrections to the 2008 Operating Budget; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the 2008 Adopted Operating Budget be and it hereby is corrected as follows:

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY &amp; OBJECT NAME</u>	<u>AMOUNT</u>
001	HSV	4310	AJN2	4980	Islip Union Free School District	-\$15,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY &amp; OBJECT NAME</u>	<u>AMOUNT</u>
001	EXE	7320	JDH1	4980	Islip Union Free School District	+\$15,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used exclusively for public benefit and for the sole purpose of funding the Islip Union Free School District.

**DATED:**

**APPROVED BY:**

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

Date:

1245

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

Laid on Table 3/18/2008

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

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

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

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

**1<sup>st</sup> RESOLVED**, that the Clerk of the Legislature shall make the following technical corrections:

**Resolution No. 1414-2007**

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

**FROM:**

(Fund 001-Debt Service)

**TO:**

(Fund 016-Debt Service)

DATED:

APPROVED BY:

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

Date:

1246

Intro. Res. No. -2008

Laid on Table 3/18/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2008, AUTHORIZING CERTAIN  
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.  
1415-2007**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 1415-2007; and

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

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

**1<sup>ST</sup> RESOLVED**, that the Clerk of the Legislature shall make the following technical correction:

**Resolution No. 1415-2007**

In the Title paragraph change the Project No.:

**FROM:**

CP 5048.110

**TO:**

CP 5048.112

DATED:

APPROVED BY:

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

Date:

1247  
Intro. Res. No. -2008  
Introduced by Legislator Romaine

Laid on Table 3/18/08

**RESOLUTION NO. -2008, DIRECTING THE  
DEPARTMENT OF PLANNING TO FILE OPEN SPACE RATING  
SYSTEM FORMS WITH THE LEGISLATURE**

**WHEREAS**, the Department of Planning rates proposed open space acquisitions on a point system when a planning steps resolution is introduced in the County Legislature; and

**WHEREAS**, the rating forms prepared by the Department of Planning, which are advisory in nature, play a key role in determining which proposed acquisitions will be approved for planning steps; and

**WHEREAS**, the Planning Department's Open Space Rating Forms are usually distributed to the members of the Legislature's Environment, Planning and Agriculture Committee when the planning steps resolution is being considered initially; and

**WHEREAS**, the Planning Department does not generally distribute the Open Space Rating Forms to all members of the County Legislature; and

**WHEREAS**, all Legislators should have access to the Planning Department's rating forms before the resolution is considered in committee; and

**WHEREAS**, the Legislator sponsoring a planning steps resolution sometimes has access to information that is unavailable to the Planning Department which could effect the scoring of the proposed acquisition; now, therefore be it

**1st RESOLVED**, that the Suffolk County Planning Department is hereby authorized and directed to file with the Clerk of the Suffolk County Legislature the Suffolk County Open Space Rating System Form (for natural environments; for active recreation/hamlet parks, historic cultural park uses; for farmland development rights) prepared in connection with a planning steps resolution, at least two business days prior to the legislative committee meeting at which the planning steps resolution is first eligible for consideration; and be it further

**2nd RESOLVED**, that the Clerk of the County Legislature shall distribute copies of Suffolk County Open Space Rating Systems Forms to all County Legislators; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

S:\res\v-r-refile-open-space-rating

1248

REVISED 2/28/08

3/18/08

Intro. Res. No. -2008  
Introduced by the Presiding Officer Lindsay

Laid on Table

**RESOLUTION NO. -2008, APPROVING PAYMENT TO  
GENERAL CODE PUBLISHERS FOR ADMINISTRATIVE CODE  
PAGES**

**WHEREAS**, General Code Publishers Corp. has provided Supplement No. 79 to update the Suffolk County Administrative Code totaling \$3039.87; and

**WHEREAS**, Resolution No. 461-1986 established a schedule of fees for entities and/or individuals requesting such Administrative Code and pages from the County Legislature and Resolution No. 189-1991 amended said fee schedule; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the payment of \$3039.87 for the provisions of such pages is hereby approved.

DATED:

APPROVED BY:

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

Date:

1249  
Intro. Res. No. -2008  
Introduced by Legislator Browning

Laid on Table 3/18/08

**RESOLUTION NO. -2008, AUTHORIZING USE OF SMITH  
POINT COUNTY PARK PROPERTY BY MASTIC BEACH  
AMBULANCE COMPANY FOR "HELP US SAVE YOU  
PROGRAM"**

**WHEREAS**, the Mastic Beach Ambulance Company responds to 300 calls per year at the Smith Point County Park and over 2,000 calls throughout the community of Mastic Beach; and

**WHEREAS**, the Mastic Beach Ambulance Company would like to use the tollbooth entrances and exits at Smith Point County Park for the purpose of posting signs that ask the public "Help Us Save You"; and

**WHEREAS**, this Legislature authorized the Mastic Beach Ambulance Company to use the Smith Point County Park for this same purpose in 2007; and

**WHEREAS**, the sign would be posted during the 2008 Labor Day holiday, from August 30, 2008 through September 1, 2008, from 9:00 a.m. through 4:00 p.m. each day; and

**WHEREAS**, the County of Suffolk shall receive consideration in the total amount of Ten and 00/100 Dollars (\$10.00), per diem, payment of which shall be guaranteed by the Mastic Beach Ambulance Company; and

**WHEREAS**, a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured has been provided by the Mastic Beach Ambulance Company; and

**WHEREAS**, the use of County property to help raise money would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the use of County-owned property, i.e. the tollbooth at Smith Point County Park by the Mastic Beach Ambulance Company, in consideration of the payment of Ten and 00/100 Dollars (\$10.00), per diem, for the purpose of posting signs that ask the public "Help Us Save You" during the 2008 Labor Day Holiday from August 30, 2008 through September 1, 2008, from 9:00 a.m. through 4:00 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 in the County Department of Human Resources, Personnel, and Civil Service; and be it further

**2<sup>nd</sup>** **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 Mastic Beach Ambulance Company at the Smith Point County Park in Brookhaven; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the Mastic Beach Ambulance Company shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

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

DATED:

APPROVED BY:

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

Date:

s:\res\2008\r-mastic-beach-labor-day-2008

1250  
Intro. Res. No. -2008  
Introduced by Legislators Barraga, Vilorio-Fisher and Kennedy

Laid on Table 3/18/08

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO.  
-2008, A LOCAL LAW REQUIRING PLACEMENT OF  
CONSUMER DEPOSITS IN ESCROW**

**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 REQUIRING PLACEMENT OF CONSUMER DEPOSITS IN ESCROW**" 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 REQUIRING PLACEMENT OF CONSUMER  
DEPOSITS IN ESCROW**

**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 consumers purchasing home furnishings are often required to leave a substantial deposit with the seller pending delivery of the purchased items.

This Legislature further finds that consumers sometimes lose their deposit when the home furnishings business they have dealt with goes out of business, becomes insolvent or simply disappears.

This Legislature also determines it is necessary to enact stronger measures to protect consumers and prevent the loss of deposits to unscrupulous retailers.

This Legislature also finds and determines that requiring retailers of home furnishings to hold down payments/deposits in escrow pending delivery of the purchased items will serve to protect the interests of Suffolk County consumers.

Therefore, the purpose of this law is to require the sellers of home furnishings to hold deposits in escrow pending the delivery of the ordered items to the affected consumer.

**Section 2. Amendments.**

Chapter 345, Article IX of the SUFFOLK COUNTY CODE, is hereby amended as follows:

**Article IX, Home Furnishings.**

\* \* \* \*

**§ 345-101. Definitions.**

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

CARPETS -- All carpets (fiber, sheet vinyl and linoleum), wall-to-wall and the like, which require installation and area rugs/carpets which are custom-made to order. It shall not be intended to mean pre-made area rugs/carpets that are delivered from available stock.

CONSUMER - a natural person who is solicited to purchase or who purchases home furnishings.

DIRECTOR -- The Director of the Office of Consumer Affairs.

FURNITURE -- Chairs, tables, cabinets (excluding kitchen cabinets), desks, sofas, bedding, chests and other articles of personal property similarly used to furnish a home. The term does not include lamps and lighting fixtures.

HOME FURNISHINGS -- Furniture and carpets.

OFFICE -- The Suffolk County Executive's Office of Consumer Affairs.

SELLER -- Any person, partnership, corporation or association engaged in the selling of home furnishings.

\* \* \* \*

**§345-107. Escrow Requirement**

- A.) All monies paid by a consumer to a seller as a deposit for the purchase of home furnishings, shall continue to be the money of the person making such deposit, and shall be a trust fund in the possession of the seller and shall be deposited by the seller in a bank or trust company within five (5) days of receipt thereof. The seller shall notify the consumer, in writing, of the name and address of the bank or trust company and the amount deposited.
- B.) All monies so deposited shall not be mingled with other funds or become an asset of the seller, excepting, however, that such trust funds may be deposited with other funds that have been paid to the seller as a deposit for the purchase of home furnishings.
- C.) All monies shall be held in trust until they are repaid to the consumer or until they are fully applied to the purchase price at the time the subject home furnishings are delivered to the consumer.

**§ 345-10[7]8. Penalties for offenses; suspension or revocation of licenses.**

\* \* \* \*

**§ 345-10[8]9. Prohibited acts.**

The following acts shall be prohibited:

\* \* \* \*

G.) Failing to place a consumer's deposit in escrow as required by this Article.

**§ 345-1[09]10. Powers and duties of Director.**

\* \* \* \*

**§ 345-11[0]1. Advisory Board.**

\* \* \* \*

**§ 345-11[1]2. Penalties for unlicensed operation.**

\* \* \* \*

**§ 345-11[2]3. Injunctive relief.**

\* \* \* \*

**§ 345-11[3]4. Review of administrative determinations.**

\* \* \* \*

**Section 3. Recovery of Damages by Injured Party.**

Any individual injured in whole or in part as a result of a violation of any of the provisions of this law may bring an action for recovery of damages in an amount not to exceed three times the actual damages, or \$500, whichever is greater, plus reasonable attorney's fees, provided that the remedy shall be in addition to and shall not remove or diminish any action that an individual may have under common law or any local, state, or federal law or regulation.

**Section 4. Applicability.**

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

**Section 5. Severability.**

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

**Section 6. SEQRA Determination.**

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

**Section 7. Effective Date.**

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

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

DATED:

APPROVED BY:

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

Date:

s:\laws\l-escrow

# OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



1250

**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: MARCH 12, 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 REQUIRING PLACEMENT OF CONSUMER DEPOSITS IN ESCROW**  
**SPONSOR: LEGISLATORS BARAGA, VILORIA-FISHER AND KENNEDY**

**DATE OF RECEIPT BY COUNSEL:** 3/10/2008      **PUBLIC HEARING:** 4/29/2008  
**DATE ADOPTED/NOT ADOPTED:** \_\_\_\_\_      **CERTIFIED COPY RECEIVED:** \_\_\_\_\_

This proposed local law would establish a requirement that home furnishings dealers hold consumer down payments/deposits in escrow pending delivery of the purchased items.

Specifically, the law states that all monies paid by a consumer to a seller of home furnishings as a deposit for the purchase of home furnishings, shall continue to be money of the person making such deposit and shall be a trust fund in the possession of the seller.

The home furnishings seller would be required to deposit such funds in a bank or trust company within five (5) days of receipt of the monies. Further, the seller must notify the consumer, in writing, of the name and address of the bank or trust company where the money is deposited.

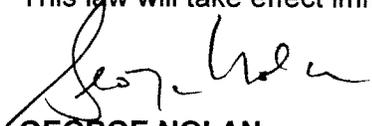
The law further states that all monies deposited in escrow shall not be mingled with other funds or become an asset of the seller. Such trust funds may be deposited with other funds that have been paid to the seller as a deposit for the purchase of home furnishings.

All monies so deposited by a consumer shall be held in trust until such time as the subject home furnishings are delivered to the consumer.

The Director of the Office of Consumer Affairs may punish violations of this law by a fine not to exceed \$500.00 or the suspension or revocation of a license or the denial of an application for the renewal of a license. Further, this law authorizes individual parties injured as a result of a violation of this law to bring an action for damages in an amount not to exceed three times the actual damages, or \$500.00, whichever amount is greater.

1250

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



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

**GN:js**

s:\rule28\28-escrow

1251  
Intro. Res. No. -2008  
Introduced by Legislator Romaine

Laid on Table 3/18/08

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO.  
-2008, FURTHER STRENGTHENING PROTECTIONS FOR  
RESIDENTS OF PLANNED RETIREMENT COMMUNITIES**

**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 FURTHER STRENGTHENING PROTECTIONS FOR RESIDENTS OF PLANNED RETIREMENT COMMUNITIES**" 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 FURTHER STRENGTHENING PROTECTIONS FOR  
RESIDENTS OF PLANNED RETIREMENT COMMUNITIES**

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

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that Local Law 1-2007 (codified at Chapter 383 of the SUFFOLK COUNTY CODE) was enacted by the County of Suffolk to extend to residents of planned retirement communities protections similar to those afforded mobile homeowners and multiple dwelling tenants under New York State law.

This Legislature further finds that the owner/operator of a planned retirement community, MHC Greenwood Village, LLP, has brought a legal challenge against this law. A New York State Supreme Court justice has upheld Local Law 1-2007 but enforcement of the law has been stayed pending an appeal to the Appellate Division, Second Department.

This Legislature also finds that while the enforcement of Local Law 1-2007 has been stayed, the owner/operator of Greenwood Village has distributed forms in the community by which homeowners would waive their rights under the local law.

This Legislature further finds and determines that Greenwood Village's attempt to obtain waivers from senior citizen homeowners is just another example of the unfair and unconscionable negotiating advantage presently enjoyed by planned retirement communities.

This Legislature also determines that allowing planned retirement communities to "request" such waivers from homeowners is contrary to sound public policy.

Therefore, the purpose of this law is to amend Local Law 1-2007 and establish that the rights provided under the law may not be waived.

**Section 2. Amendments.**

Chapter 383 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**Chapter 383, Planned Retirements Communities**

\* \* \* \*

**§383-9. Retaliation for lawful activities or waiver of rights prohibited.**

- A. No planned retirement community owner or operator may threaten reprisal, overtly or covertly, against any of the said homeowners or tenants as a result of their lawful pursuits and activities.
  
- B. No planned retirement community owner or operator may request or demand that a homeowner or tenant waive their rights under this chapter. Any waiver by a homeowner or tenant of their rights under this chapter shall be deemed null and void as contrary to public policy.

\* \* \* \*

**Section 3. Applicability.**

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

**Section 4. Severability.**

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

**Section 5. SEQRA Determination.**

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

**Section 6. Effective Date.**

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

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

DATED:

APPROVED BY:

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

Date:

s:\laws\l-planned retirement communities

OFFICE OF THE COUNTY LEGISLATURE  
COUNTY OF SUFFOLK

1251



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: MARCH 12, 2008  
TO: CLERK OF THE COUNTY LEGISLATURE  
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2008

TITLE: LOCAL LAW - FURTHER STRENGTHENING PROTECTIONS FOR RESIDENTS OF PLANNED RETIREMENT COMMUNITIES

SPONSOR: LEGISLATOR ROMAINE

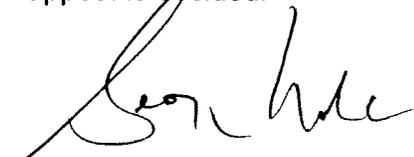
DATE OF RECEIPT BY COUNSEL: 3/3/08 PUBLIC HEARING: 4/29/08

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

The proposed local law seeks to strengthen Local Law 1-2007, which was enacted to extend to residents of planned retirement communities protections similar to those afforded mobile homeowners and multiple dwelling tenants under New York State law.

Specifically, this law would make it unlawful for an owner or operator of planned retirement community to request or demand that a homeowner or tenant waive their rights provided under Local Law 1-2007. Further, the law states that any waiver by a homeowner or tenant of their rights will be deemed null and void as contrary to public policy.

A New York Supreme Court Justice has upheld Local Law 1-2007 against a legal challenge but enforcement of the law has been stayed pending an appeal to the Appellate Division, Second Department. Accordingly, the proposed local law cannot be enforced until such time that appeal is decided.

  
GEORGE NOLAN  
Counsel to the Legislature

GN:tm

s:\rule28\28-retirement communities

CO. OF SUFFOLK COUNTY, N.Y.  
MARCH 14 2008

08 MAR 13 AM 11:58

REC'D

UPDATED VERSION AS OF 3/13/2008

Intro. Res. No. 1252-2008  
Introduced by Legislator Romaine

Laid on Table 3/18/2008

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

**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 development rights to the parcels listed herein below from the reputed owners for inclusion in the Suffolk County Multifaceted Land Acquisition Program for acquisitions to be consummated pursuant to Chapter 8 of the SUFFOLK COUNTY CODE; for farmland development rights;

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District     0600 Section     008.00 Block        03.00 Lot           007.001	24.75	Stanley Cichanowicz 5753 Sound Avenue Riverhead, NY 11901

and

Estate of Stanley Cichanowicz, Jr.  
c/o Teresa Mickaliger, Administratrix  
631 Manor Lane  
Riverhead, NY 11901

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:

1253

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

Laid on Table 3/18/08

**RESOLUTION NO. -2008, REAPPOINT GRETCHEN  
OLDRIN-MONES AS A MEMBER OF THE SUFFOLK  
COUNTY VANDERBILT MUSEUM COMMISSION (TRUSTEE  
NO. 2)**

**WHEREAS**, the term of office of Gretchen Oldrin-Mones as a member of the Suffolk County Vanderbilt Museum Commission expired on December 28, 2007; now, therefore be it

**1st RESOLVED**, that **Gretchen Oldrin-Mones** residing in Stony Brook, NY, be and she hereby is reappointed to the Suffolk County Vanderbilt Museum Commission, as Trustee No. 2, for a term of office to expire December 28, 2011, said appointment having been made pursuant to the provisions of Section 184-7(A) of the SUFFOLK COUNTY CODE.

**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 AND  
RESOLUTION NO. 226-1987 (SECTION 793-5 OF THE SUFFOLK COUNTY CODE)

s:\res\r-appt-vm-oldrin-mones

**Gretchen Oldrin-Mones**

37 Quaker Path

Stony Brook NY 11790

**PROFILE**

- Excellent communication skills
- Highly organized
- A strong supporter and innovator of educational programs.
- Clear understanding of the importance of long term goals and the need to design short term paths to achieve these goals.

**PROFESSIONAL EXPERIENCE**

- ELA Consultant for *Bridges Data and Professional Development* 2007 –
- BOCES ELA regents scorer and table facilitator 2006-2007
- Mentor for ELA teachers in the MCCSD Mentoring Program 2004; 2007
- AIS English Teacher at Newfield High School in the Middle Country Central School District. Developed and implemented the new AIS – Academic Intervention Services in 1999. Designed strategies and materials to integrate AIS into classroom programs through cooperative teaching and coordination of departmental and inter-departmental efforts. 1999-2004
- Title IX Coordinator for District 1994-2004
- English Teacher at Centereach High School 1970-1999
- Advisor to Literary Magazine 1971-1976

**COMMUNITY AND CIVIC EXPERIENCE**

- Suffolk County Vanderbilt Museum*
- Secretary of the Board of Trustees 2008
  - Second Vice-President of the Board of Trustees 2007
  - Co- Chair of the Education and Exhibits Committee 2004-2008
- West Meadow Conservancy, a non-profit organization.*
- Helped form the corporation and formulate the by-laws.
  - Trustee 1991-2008
- The Greening of 25A*
- Volunteer worker and committee member. 1998-2008
- Setauket Civic Association*
- Member 1994-2008
- Setauket to Port Jefferson Station Greenway Task Force*
- Member 2001-2008
- Observer and recorder for the *Cornell* Horseshoe Crab Survey 2006-2008

**EDUCATION**

- CW Post College, LI University, Brookville, NY BA 1970
- SUNY at Stony Brook MA/LS 1973
- 100+ additional credits at various accredited schools 1974 - 1997
- Suffolk Community College Paralegal Certificate 2002

1254  
Intro. Res. No. -2008

Laid on Table

3/15/08

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 MULTIFACETED LAND PRESERVATION PROGRAM - OPEN SPACE PRESERVATION PROGRAM - FOR THE KARRAS PROPERTY - MILLER PLACE/YAPHANK ROAD NP ADDITION (TOWN OF BROOKHAVEN - SCTM#0200-188.00-05.00-006.000)**

**WHEREAS**, the 5<sup>th</sup> RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution 751-1997; pursuant to the traditional Suffolk County Open Space Program; pursuant to Chapter 8 of the SUFFOLK COUNTY CODE; for parkland purposes; for environmentally sensitive land acquisition; for watershed and/or estuary protection; for drinking water protection purposes; or in accordance with the programmatic criteria set forth in Resolution No. 602-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

**WHEREAS**, Resolution No. 83-2008 appropriated \$8,833,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; 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/or 877-2005 - Master Lists I and/or II Reports, respectively; and

**WHEREAS**, the following property(s), as described in the 1<sup>st</sup> 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; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to the traditional Suffolk County Open Space Preservation Program (1986 et seq), for a total purchase price of 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 reports and insurance, and tax adjustments:

	<b>SUFFOLK COUNTY</b>		<b>REPUTED OWNER</b>
<b><u>PARCEL:</u></b>	<b><u>TAX MAP NUMBER:</u></b>	<b><u>ACRES:</u></b>	<b><u>AND ADDRESS:</u></b>
No. 1	District 0200	4,000+ s.f.	Theodore Karras
	Section 188.00		141 Cruise Road
	Block 005.000		Manahawkin, NJ 08050
	Lot 006.000		

;and, be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of Ten Thousand Dollars (\$10,000.00), subject to a final survey; and, be it further

**3<sup>rd</sup> 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- 7177, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and, be it further

**4<sup>th</sup> 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

**5<sup>th</sup> 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

**6<sup>th</sup> 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:

COUNTY OF SUFFOLK

Gen C1

1254



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

March 10, 2008

Mr. Ben Zwirn, Asst. Deputy County Executive  
H. Lee Dennison Building -11<sup>th</sup> 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 Karras property (Miller Place/Yaphank Road NP Addition), in the Town of Brookhaven, under the Suffolk County Multifaceted Land 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: Jim Morgo, Chief Deputy County Executive
- Jeff Szabo, Deputy County Executive
- Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
- Thomas A. Isles, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condernnation
- Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
- Tom Vaughn, County Executive Assistant
- √Brendan Chamberlain, County Executive Assistant
- Phyllis Benincasa, Acquisition Agent
- CE Reso Review (e-mail copy only)

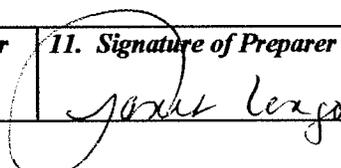
LOCATION  
H. LEE DENNISON BLDG. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

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

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

1254

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/>	Local Law
		Charter Law
2. Title of Proposed Legislation		
Authorizing the acquisition under the Suffolk County Multifaceted Land Preservation Program, of the Karras property (Miller Place/Yaphank Road NP Addition), SCTM#0200-188.00-05.00-006.000, (Town of Brookhaven).		
3. Purpose of Proposed Legislation		
See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Suffolk County Multifaceted Land Preservation Program		
9. Timing of Impact		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Janet M. Longo Acquisition Supervisor		March 10, 2008

1255  
Intro. Res. No. -2008

Laid on Table

3/18/08

Introduced by the Presiding Officer on request of the County Executive and Legislator Eddington

**RESOLUTION NO. -2008 AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM - OPEN SPACE PRESERVATION PROGRAM - FOR THE RODICK REALTY CORP. PROPERTY - MASTIC/SHIRLEY CONSERVATION AREA II (TOWN OF BROOKHAVEN - SCTM#0200-983.40-06.00-034.000 & 0200-983.40-06.00-035.000)**

**WHEREAS**, the 5<sup>th</sup> RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution 751-1997; pursuant to the traditional Suffolk County Open Space Program; pursuant to Chapter 8 of the SUFFOLK COUNTY CODE; for parkland purposes; for environmentally sensitive land acquisition; for watershed and/or estuary protection; for drinking water protection purposes; or in accordance with the programmatic criteria set forth in Resolution No. 602-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

**WHEREAS**, Resolution No. 83-2008 appropriated \$8,833,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; 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/or 877-2005 - Master Lists I and/or II Reports, respectively; and

**WHEREAS**, the following property(s), as described in the 1<sup>st</sup> 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; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to the traditional Suffolk County Open Space Preservation Program (1986 et seq), for a total purchase price of Forty Thousand Dollars (\$40,000.00), 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:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 983.40 Block 06.00 Lot 034.000	.23±	Rodick Realty Corp. 409 Sunrise Highway Sayville, NY 11782
No. 2	District 0200 Section 983.40 Block 06.00 Lot 035.000	.32±	Same as above

;and, be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of Forty Thousand Dollars (\$40,000.00), subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$40,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and, be it further

**4<sup>th</sup> 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

**5<sup>th</sup> 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

**6<sup>th</sup> 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:

COUNTY OF SUFFOLK

Gen C 2

1255



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

March 10, 2008

Mr. Ben Zwirn, Asst. Deputy County Executive  
H. Lee Dennison Building -11<sup>th</sup> 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 Rodick Realty Corp. property (Mastic/Shirley Conservation Area II), in the Town of Brookhaven, under the Suffolk County Multifaceted Land Preservation Program. The purchase price is \$40,000.00 for .55± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent  
Director

CEK:pd

Att.

- cc: Jim Morgo, Chief Deputy County Executive
- Jeff Szabo, Deputy County Executive
- Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
- Thomas A. Isles, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
- Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
- Tom Vaughn, County Executive Assistant
- Brendan Chamberlain, County Executive Assistant
- Michael Brown, Acquisition Agent
- CE Reso Review (e-mail copy only)

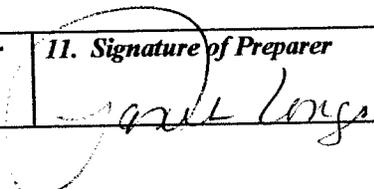
LOCATION  
H. LEE DENNISON BLDG. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

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

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

1255

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation Authorizing the acquisition under the Suffolk County Multifaceted Land Preservation Program, of the Rodick Realty Corp. property (Mastic/Shirley Conservation Area II), SCTM#0200-983.40-06.00-034.000 & 0200-983.40-06.00-035.000, (Town of Brookhaven).		
3. Purpose of Proposed Legislation  See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES ___    NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:  N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  N/A		
8. Proposed Source of Funding  Suffolk County Multifaceted Land Preservation Program		
9. Timing of Impact  N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer 	12. Date March 10, 2008

1256  
Intro. Res. No. -2008

Laid on Table

3/18/08

Introduced by the Presiding Officer on request of the County Executive and Legislator Browning

**RESOLUTION NO. -2008 AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM - OPEN SPACE PRESERVATION PROGRAM - FOR THE OSTLER PROPERTY - FORGE RIVER ADDITION (TOWN OF BROOKHAVEN - SCTM#0200-713.00-03.00-001.000)**

**WHEREAS**, the 5<sup>th</sup> RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution 751-1997; pursuant to the traditional Suffolk County Open Space Program; pursuant to Chapter 8 of the SUFFOLK COUNTY CODE; for parkland purposes; for environmentally sensitive land acquisition; for watershed and/or estuary protection; for drinking water protection purposes; or in accordance with the programmatic criteria set forth in Resolution No. 602-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

**WHEREAS**, Resolution No. 83-2008 appropriated \$8,833,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; 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/or 877-2005 - Master Lists I and/or II Reports, respectively; and

**WHEREAS**, the following property(s), as described in the 1<sup>st</sup> 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; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to the traditional Suffolk County Open Space Preservation Program (1986 et seq), for a total purchase price of Six Hundred Thirty Five Thousand Dollars (\$635,000.00±), at \$127,000.00 per acre for 5.00± acres, 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:

	<b>SUFFOLK COUNTY</b>		<b>REPUTED OWNER</b>
<b><u>PARCEL:</u></b>	<b><u>TAX MAP NUMBER:</u></b>	<b><u>ACRES:</u></b>	<b><u>AND ADDRESS:</u></b>
No. 1	District 0200	5.00 <sub>±</sub>	R. Mark Ostler
	Section 713.00		546 Weeks Avenue
	Block 03.00		Manorville, NY 11949
	Lot 001.000		

;and, be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of Six Hundred Thirty Five Thousand Dollars (\$635,000.00<sub>±</sub>), subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$635,000.00<sub>±</sub>, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and, be it further

**4<sup>th</sup> 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

**5<sup>th</sup> 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

**6<sup>th</sup> 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:

GenC3

# COUNTY OF SUFFOLK



1256

**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

March 10, 2008

Mr. Ben Zwirn, Asst. Deputy County Executive  
H. Lee Dennison Building - 11<sup>th</sup> 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 Ostler property (Forge River Addition) in the Town of Brookhaven, under the Suffolk County Multifaceted Land Preservation Program. The purchase price is \$635,000.00±, at \$127,000.00 per acre for 5.0± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent  
Director

CEK:pd

Att.

- cc: Jim Morgo, Chief Deputy County Executive
- Jeff Szabo, Deputy County Executive
- Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
- Thomas A. Isles, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condernnation
- Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
- Tom Vaughn, County Executive Assistant
- Brendan Chamberlain, County Executive Assistant
- Phyllis Benincasa, Acquisition Agent
- CE Reso Review (e-mail copy only)

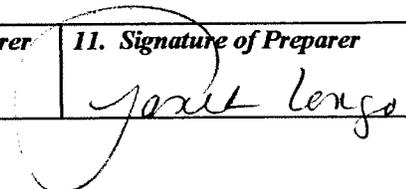
LOCATION  
H. LEE DENNISON BLDG. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

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

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

1256

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation Authorizing the acquisition under the Suffolk County Multifaceted Land Preservation Program, of the Ostler property (Forge River Addition), SCTM#0200-713.00-03.00-001.000, (Town of Brookhaven).		
3. Purpose of Proposed Legislation  See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:  N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  N/A		
8. Proposed Source of Funding  Suffolk County Multifaceted Land Preservation Program		
9. Timing of Impact  N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer 	12. Date March 10, 2008

1257

3/18/08

Intro. Res. No. -2008 Laid on Table  
Introduced by the Presiding Officer on request of the County Executive and Legislator Eddington

**RESOLUTION NO. -2008 AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM - OPEN SPACE PRESERVATION PROGRAM - FOR THE VERRICO PROPERTY - PATCHOGUE RIVER WETLANDS ADDITION (TOWN OF BROOKHAVEN - SCTM#0200-865.00-03.00-053.000)**

WHEREAS, the 5<sup>th</sup> RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution 751-1997; pursuant to the traditional Suffolk County Open Space Program; pursuant to Chapter 8 of the SUFFOLK COUNTY CODE; for parkland purposes; for environmentally sensitive land acquisition; for watershed and/or estuary protection; for drinking water protection purposes; or in accordance with the programmatic criteria set forth in Resolution No. 602-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

WHEREAS, Resolution No. 83-2008 appropriated \$8,833,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; 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/or 877-2005 - Master Lists I and/or II Reports, respectively; and

WHEREAS, the following property(s), as described in the 1<sup>st</sup> 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; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to the traditional Suffolk County Open Space Preservation Program (1986 et seq), for a total purchase price of Ninety Two Thousand Dollars (\$92,000.00), 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:

<u>PARCEL:</u> No. 1	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u> District      0200 Section       865.00 Block         03.00 Lot             053.000	<u>ACRES:</u> 0.23+	<u>REPUTED OWNER AND ADDRESS:</u> Salvatore Verrico 341 70 <sup>th</sup> Street – Apt. 14D New York, NY 10021
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;and, be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of Ninety Two Thousand Dollars (\$92,000.00), subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$92,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and, be it further

**4<sup>th</sup> 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

**5<sup>th</sup> 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

**6<sup>th</sup> 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:

COUNTY OF SUFFOLK

Gen C 4



1257

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

March 10, 2008

Mr. Ben Zwirn, Asst. Deputy County Executive  
H. Lee Dennison Building -11<sup>th</sup> 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 Verrico property (Patchogue River Wetlands), in the Town of Brookhaven, under the Suffolk County Multifaceted Land Preservation Program. The purchase price is \$92,000.00 for 0.23± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent  
Director

CEK:pd

Att.

- cc: Jim Morgo, Chief Deputy County Executive
- Jeff Szabo, Deputy County Executive
- Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
- Thomas A. Isles, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condernnation
- Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
- Tom Vaughn, County Executive Assistant
- Brendan Chamberlain, County Executive Assistant
- Michael Brown, Acquisition Agent
- CE Reso Review (e-mail copy only)

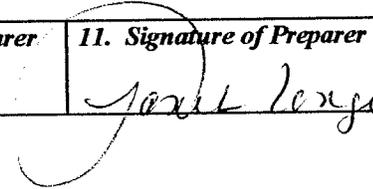
LOCATION  
H. LEE DENNISON BLDG. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

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

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

1257

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation Authorizing the acquisition under the Suffolk County Multifaceted Land Preservation Program, of the Verrico property (Patchogue River Wetlands), SCTM#0200-865.00-03.00-053.000).		
3. Purpose of Proposed Legislation  See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:  N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  N/A		
8. Proposed Source of Funding  Suffolk County Multifaceted Land Preservation Program		
9. Timing of Impact  N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer 	12. Date March 10, 2008

Intro. Res. No. 1258-08  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 3/18/08

**RESOLUTION NO. 2008, APPROVING  
PLANNING STEPS FOR THE ACQUISITION  
OF FARMLAND DEVELOPMENT RIGHTS –  
MARCH 2008**

**WHEREAS**, the Environmental Legacy Program was approved under the adopted 2007-2009 Capital Program allocating fifty million dollars for the acquisition of environmentally sensitive lands, active recreation sites, historic properties, and farmland development rights where there is a partner who will provide a 50% matching contribution; and

**WHEREAS**, the 5th RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution 751-1997; pursuant to the traditional Suffolk County Open Space Program; pursuant to Chapter 8 of the SUFFOLK COUNTY CODE; for parkland purposes; for environmentally sensitive land acquisition; for watershed and/or estuary protection; for drinking water protection purposes; or in accordance with the programmatic criteria set forth in Resolution No. 603-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

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

**WHEREAS**, the County's nationally acclaimed land preservation programs have received a jump start with the approval in 2004, 2005, and 2006 master lists of important and significant environmentally sensitive lands, farmland, and recreationally important lands identified in Resolution No. 621-2004, Resolution No. 877-2005, and Resolution No. 47-2006, respectively, that it is now necessary to add additional parcels to the master list for acquisition of farmland development rights; now, therefore, be it

**1<sup>st</sup>** **RESOLVED**, that this list of farmlands identified by Exhibit "A " for the acquisition of farmland development rights in Suffolk County, is hereby approved and/or confirmed, as a supplement to parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk; and, be it further

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

**I.) ENVIRONMENTAL LEGACY PROGRAM**

**3<sup>rd</sup>** **RESOLVED**, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly

enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning steps (i.e., survey, appraisal, title search, and environmental audit) and ultimate inclusion in the Suffolk County Environmental Legacy Program, approved under the ADOPTED 2007-2009 CAPITAL PROGRAM:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section Block Lot		SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

;and, be it further

4<sup>th</sup> **RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and, be it further

5<sup>th</sup> **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) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and, be it further

6<sup>th</sup> **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C), of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcel(s), the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and, be it further

7<sup>th</sup> **RESOLVED**, that the cost of such surveys, title searches, audits, maps, and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to the Suffolk County Environmental Legacy Program, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

8<sup>th</sup> **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and, be it further

## II.) MULTIFACETED LAND PRESERVATION PROGRAM – FARMLAND DEVELOPMENT RIGHTS

9<sup>th</sup> **RESOLVED**, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly

enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning steps (i.e., survey, appraisal, title search, and environmental audit) and ultimate inclusion in the Suffolk County Multifaceted Land Preservation Program, according to the provisions of the 5<sup>th</sup> RESOLVED clause of Resolution No. 459-2001, and pursuant to Chapter 8 of the SUFFOLK COUNTY CODE:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section Block Lot		SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

;and, be it further

**10<sup>th</sup>** **RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and, be it further

**11<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and, be it further

**12<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcel(s), the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and, be it further

**13<sup>th</sup>** **RESOLVED**, that the cost of such surveys, title searches, audits, maps, and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to the provisions of the 5th RESOLVED clause of Resolution No. 459-2001, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

**14<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and, be it further

**III.) NEW DRINKING WATER PROTECTION PROGRAM (AS AMENDED BY LOCAL LAW NO. 24-2007, EFFECTIVE DECEMBER 1, 2007) – FARMLAND DEVELOPMENT RIGHTS**

**15<sup>th</sup>** **RESOLVED**, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning steps (i.e., survey, appraisal, title search, and environmental audit) and ultimate inclusion in the Suffolk County New Drinking Water Protection Program, Farmland component, Section C12-(A) (1)(f) of the SUFFOLK COUNTY CHARTER:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section Block Lot		SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

;and, be it further

**16<sup>th</sup>** **RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and, be it further

**17<sup>th</sup>** **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) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and, be it further

**18<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcel(s), the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and, be it further

**19<sup>th</sup>** **RESOLVED**, that the cost of such surveys, title searches, audits, maps, and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Section C12-(A) (1)(f) of the SUFFOLK COUNTY CHARTER, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

**20<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and, be it further

**21<sup>st</sup>** **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II

action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) AND WITHIN THE MEANING OF Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1258

APPENDIX A

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 01	District 0200 Section 751.00 Block 01.00 Lot 003.000	5.4	Eric Lundstrom 19 Golf Course Road Bellport, NY 11713
No. 02	District 0200 Section 593.00 Block 01.00 Lot 009.000	57.1	Eastport Properties LP Sunrise Highway Manorville, NY 11949
No. 03	District 0200 Section 593.00 Block 01.00 Lot 010.000	0.8	Eastport Properties LP Sunrise Highway Manorville, NY 11949
No. 04	District 0500 Section 078.00 Block 02.00 Lot 037.000	3.0	Central Islip Civic Council Inc. 68 Wheeler Road Central Islip, NY 11772
No. 05	District 0500 Section 078.00 Block 02.00 Lot 038.000	1.5	Central Islip Civic Council Inc. 68 Wheeler Road Central Islip, NY 11772
No. 06	District 0600 Section 008.00 Block 03.00 Lot 007.001	24.7	Stanley Cichanowicz & Stanley Cichanowicz Jr. 5753 Sound Avenue Riverhead, NY 11901
No. 07	District 0600 Section 022.00 Block 01.00 Lot 005.001	21.6	Stanley A. Cichanowicz 5753 Sound Avenue Riverhead, NY 11901
No. 08	District 0600 Section 044.00 Block 02.00 Lot 008.003	97.4	DeLalio Sod Farms Inc. 652 Deer Park Avenue Huntington, NY 11746
No. 09	District 0600 Section 044.00 Block 02.00	55.5	DeLalio Sod Farms Inc. 652 Deer Park Avenue Huntington, NY 11746

1258

	Lot	010.005		
No. 10	District	0600	13.0	Thomas J. Hilty, Jr.
	Section	045.00		11 Cherry Lane
	Block	01.00		E. Setauket, NY 11733
	Lot	013.002		
No. 11	District	0600	19.7	Jason Cellers LLC
	Section	069.00		591 Bicycle Path
	Block	02.00		Pt. Jefferson, NY 11776
	Lot	023.000		
No. 12	District	0600	36.5	Alttop Ugur Ano &
	Section	079.00		George Kalamaras
	Block	01.00		3311 34 <sup>th</sup> Avenue
	Lot	005.001		Astoria, NY 11106
No. 13	District	0600	21.4	Castle Court LLC
	Section	134.00		P.O. Box 534
	Block	01.00		Wading River, NY 11792
	Lot	008.003		
No. 14	District	1000	6.6	Andrew Cassidy &
	Section	052.00		Carole Cassidy
	Block	05.00		6 Hill Drive
	Lot	055.000		Pt. Jefferson, NY 11777
No. 15	District	1000	36.5	Maureen H M Wolfe
	Section	055.00		Living Trust
	Block	03.00		3810 Denfield Avenue
	Lot	006.001		Kensington, MD 20895

**TOTAL ACRES**

**400.7**

COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES, AICP  
DIRECTOR OF PLANNING

Gen C5

MAR 05 2008

1258

March 4, 2008

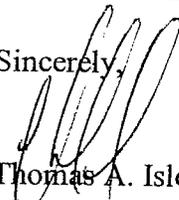
Mr. Ben Zwirn, Deputy County Executive  
H. Lee Dennison Building  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is a proposed Introductory Resolution that would authorize planning steps for the purchase of farmland development rights within the towns of Brookhaven, Islip, Riverhead, and Southold totaling 400.7 acres. These have all been approved by the Farmland Committee.

Please contact me if you require any additional information.

Sincerely,

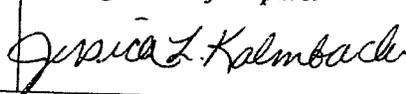


Thomas A. Isles  
Director of Planning

- cc: Jim Morgo, Chief Deputy County Executive
- Carrie Meek Gallagher, Commissioner, Department of Environment & Energy
- Lauretta R. Fischer, Principal Environmental Analyst, Department of Planning
- Jessica L. Kalmbacher, Research Technician, Department of Planning
- Michael Amoroso, Bureau Chief, Department of Law
- Christopher E. Kent, Director, Division of Real Property Acquisition & Management
- Janet Longo, Assistant to the Director, Div. of Real Property Acquisition & Management
- Brendan Chamberlain, County Executive Assistant
- CE Reso Review (e-mail copy only)

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

1256

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation APPROVING PLANNING STEPS FOR THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS – MARCH 2008		
3. Purpose of Proposed Legislation See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding N/A		
9. Timing of Impact N/A		
10. <i>Typed Name &amp; Title of Preparer</i> Jessica L. Kalmbacher Research Technician	11. <i>Signature of Preparer</i> 	12. <i>Date</i> March 4, 2008

Intro. Res. No. 1259-08  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 3/18/08

**RESOLUTION NO. 2008, APPROVING  
PLANNING STEPS FOR THE ACQUISITION  
OF FARMLAND DEVELOPMENT RIGHTS -  
DELEA FARM OUTPARCELS AND OTHERS**

**WHEREAS**, the Environmental Legacy Program was approved under the adopted 2007-2009 Capital Program allocating fifty million dollars for the acquisition of environmentally sensitive lands, active recreation sites, historic properties and farmland development rights where there is a partner who will provide a 50% matching contribution; and

**WHEREAS**, the 5th RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution 751-1997; pursuant to the traditional Suffolk County Open Space Program; pursuant to Chapter 8 of the SUFFOLK COUNTY CODE; for parkland purposes; for environmentally sensitive land acquisition; for watershed and/or estuary protection; for drinking water protection purposes; or in accordance with the programmatic criteria set forth in Resolution No. 603-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

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

**WHEREAS**, the County's nationally acclaimed land preservation programs have received a jump start with the approval in 2004, 2005, and 2006 master lists of important and significant environmentally sensitive lands, farmland and recreationally important lands identified in Resolution No. 621-2004, Resolution No. 877-2005, and Resolution No. 47-2006, respectively, that it is now necessary to add additional parcels to the master list for acquisition of farmland development rights; now, therefore, be it

**1<sup>st</sup>** **RESOLVED**, that this list of farmlands identified by Exhibit "A " for the acquisition of farmland development rights in Suffolk County, is hereby approved and/or confirmed, as a supplement to parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk; and, be it further

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

**I.) ENVIRONMENTAL LEGACY PROGRAM**

**3<sup>rd</sup>** **RESOLVED**, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly

enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning steps (i.e., survey, appraisal, title search, and environmental audit) and ultimate inclusion in the Suffolk County Environmental Legacy Program, approved under the ADOPTED 2007-2009 CAPITAL PROGRAM:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section Block Lot		SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

;and, be it further

**4<sup>th</sup> RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and, be it further

**5<sup>th</sup> 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) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and, be it further

**6<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C), of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and, be it further

**7<sup>th</sup> RESOLVED**, that the cost of such surveys, title searches, audits, maps, and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to the Suffolk County Environmental Legacy Program, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

**8<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and, be it further

**II.) MULTIFACETED LAND PRESERVATION PROGRAM – FARMLAND DEVELOPMENT RIGHTS**

**9<sup>th</sup> RESOLVED**, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly

enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning steps (i.e., survey, appraisal, title search, and environmental audit) and ultimate inclusion in the Suffolk County Multifaceted Land Preservation Program, according to the provisions of the 5<sup>th</sup> RESOLVED clause of Resolution No. 459-2001, and pursuant to Chapter 8 of the SUFFOLK COUNTY CODE:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section Block Lot		SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

;and, be it further

**10<sup>th</sup> RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and, be it further

**11<sup>th</sup> 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) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and, be it further

**12<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and, be it further

**13<sup>th</sup> RESOLVED**, that the cost of such surveys, title searches, audits, maps, and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to the provisions of the 5<sup>th</sup> RESOLVED clause of Resolution No. 459-2001, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

**14<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and, be it further

**III.) NEW DRINKING WATER PROTECTION PROGRAM (AS AMENDED BY LOCAL LAW NO. 24-2007, EFFECTIVE DECEMBER 1, 2007) – FARMLAND DEVELOPMENT RIGHTS**

15<sup>th</sup> **RESOLVED**, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning steps (i.e., survey, appraisal, title search, and environmental audit) and ultimate inclusion in the Suffolk County New Drinking Water Protection Program, Farmland component, Section C12-(A) (1)(f) of the SUFFOLK COUNTY CHARTER:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section Block Lot	SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF	

;and, be it further

16<sup>th</sup> **RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and, be it further

17<sup>th</sup> **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) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and, be it further

18<sup>th</sup> **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and, be it further

19<sup>th</sup> **RESOLVED**, that the cost of such surveys, title searches, audits, maps, and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Section C12-(A) (1)(f) of the SUFFOLK COUNTY CHARTER, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

20<sup>th</sup> **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and, be it further

21<sup>st</sup> **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

**APPENDIX A**

**PARCEL:**      **SUFFOLK COUNTY**  
**TAX MAP NUMBER:**      **ACRES:**      **REPUTED OWNER:**

1.	0200 16700 0100 001000	.34	Myron A. Hauptman – Ralph DeLea
2.	0200 16700 0100 002000	.50	Myron A. Hauptman - Ano
3.	0200 16700 0100 003000	.10	Joseph & Madeline Carlin
4.	0200 16700 0100 004000	.14	Myron A. Hauptman – Ralph DeLea
5.	0200 16700 0100 005000	.28	Myron A. Hauptman – Ralph DeLea
6.	0200 16700 0100 006000	.14	William Wade Wolfe – James Wolfe
7.	0200 16700 0100 007000	.19	Myron A. Hauptman – Ralph DeLea
8.	0200 16700 0100 008000	.09	Mary Ann Mathis
9.	0200 16700 0100 009000	.23	Myron A. Hauptman – Ralph DeLea
10.	0200 16700 0100 010000	.23	Caroline Hodgson
11.	0200 16700 0100 011000	.56	Myron A. Hauptman – Ralph DeLea
12.	0200 16700 0100 012000	.14	Patricia Carol Johnson
13.	0200 16700 0100 013000	.23	Elizabeth Steele Brown
14.	0200 16700 0100 014000	.23	Elaine M. & King A. Miles
15.	0200 16700 0100 015000	.50	Myron A. Hauptman – Ralph DeLea
16.	0200 16700 0100 016000	.37	Louis DeLea & Sons, Inc.
17.	0200 16700 0100 017000	.14	Steven Papell
18.	0200 16700 0100 018000	.37	Myron A. Hauptman – Ralph DeLea
19.	0200 16700 0100 019000	.10	Erza W. Lewis
20.	0200 16700 0100 020000	.13	Myron A. Hauptman – Ralph DeLea
21.	0200 16700 0100 021000	.23	Comati Revocable Trust
22.	0200 16700 0100 022000	.23	Myron A. Hauptman – Ralph DeLea
23.	0200 16700 0100 023000	.09	Louis DeLea & Sons, Inc.
24.	0200 16700 0100 024000	.14	Myron A. Hauptman – Ralph DeLea

25.	0200 16700 0100 025000	.23	Myron A. Hauptman – Ralph DeLea
26.	0200 16700 0100 026000	.23	Myron A. Hauptman – Ralph DeLea
27.	0200 16700 0100 027000	.09	George Hefner
28.	0200 16700 0100 028000	.37	Myron A. Hauptman – Ralph DeLea
29.	0200 16700 0100 029000	.23	Louis DeLea & Sons, Inc.
30.	0200 16700 0100 031000	.60	Myron A. Hauptman – Ralph DeLea
31.	0200 16700 0100 032000	.09	Oswald Bowser
32.	0200 16700 0100 033000	.37	Myron A. Hauptman – Ralph DeLea
33.	0200 16700 0100 034000	.05	Frederick Jones
34.	0200 16700 0100 035000	.18	Myron A. Hauptman – Ralph DeLea
35.	0200 16700 0200 001000	.31	Myron A. Hauptman – Ralph DeLea
36.	0200 16700 0200 002000	.46	Myron A. Hauptman – Ralph DeLea
37.	0200 16700 0200 004000	.32	Myron A. Hauptman – Ralph DeLea
38.	0200 16700 0200 005000	.23	Robert Toussie
39.	0200 16700 0200 006000	.37	Myron A. Hauptman – Ralph DeLea
40.	0200 16700 0200 007000	.29	Myron A. Hauptman – Ralph DeLea
41.	0200 16700 0200 008000	.02	Paul P. Watson
42.	0200 16700 0200 009000	.65	Myron A. Hauptman – Ralph DeLea
43.	0200 16700 0200 010000	.12	Myron A. Hauptman – Ralph DeLea
44.	0200 16700 0200 011000	.05	George McMackin
45.	0200 16700 0200 012000	.03	Myron A. Hauptman – Ralph DeLea
46.	0200 16700 0200 013000	.09	Martin L. Haseldon
47.	0200 16700 0200 014000	.05	Andone LLC
48.	0200 16700 0200 015000	.23	George McMackin
49.	0200 16700 0200 016000	.15	Myron A. Hauptman – Ralph DeLea
50.	0200 16700 0200 017000	.34	Myron A. Hauptman – Ralph DeLea
51.	0200 16700 0200 018000	.09	Norman D. Sutton
52.	0200 16700 0200 019000	.10	Myron A. Hauptman – Ralph DeLea

53.	0200 16700 0200 020000	.02	Myron A. Hauptman – Ralph DeLea
54.	0200 16700 0200 021000	.14	Mildred Drayton Jefferson
55.	0200 16700 0200 022000	1.16	Howard & Sheila Bell – Louis DeLea – M. Louis DeLea, Sr. Irrevocable Trust
56.	0200 16700 0200 023000	.23	Savvasi Vasiliades
57.	0200 16700 0200 024000	.14	Myron A. Hauptman – Ralph DeLea
58.	0200 16700 0200 025000	.18	Andone LLC
59.	0200 16700 0200 026000	.14	Myron A. Hauptman – Ralph DeLea
60.	0200 16700 0200 027000	.32	George P. & Elizabeth G. Montis
61.	0200 16700 0200 028000	2.00	Myron A. Hauptman – Ralph DeLea
62.	0200 16700 0200 029000	.09	Alexis Hefner
63.	0200 16700 0200 030000	.28	Myron A. Hauptman – Ralph DeLea
64.	0200 16700 0200 031000	.24	D.A. Abrams
65.	0200 16700 0200 032000	.14	Myron A. Hauptman – Ralph DeLea
66.	0200 16700 0200 033000	.14	Robert I. Toussie
67.	0200 16700 0200 034000	.05	Myron A. Hauptman – Ralph DeLea
68.	0200 16700 0200 035000	.14	Robert I. Toussie
69.	0200 16700 0300 001000	.24	Myron A. Hauptman – Ralph DeLea
70.	0200 16700 0300 003000	.48	Myron A. Hauptman – Ralph DeLea
71.	0200 16700 0300 004000	.33	Myron A. Hauptman – Ralph DeLea
72.	0200 16700 0300 005000	.09	Myron A. Hauptman – Ralph DeLea
73.	0200 16700 0300 007000	.09	Myron A. Hauptman – Ralph DeLea
74.	0200 16700 0300 008000	.09	Newport Construction, Inc.
75.	0200 16700 0300 009000	.55	Myron A. Hauptman – Ralph DeLea
76.	0200 16700 0300 010000	.10	Arthur Halbritter
77.	0200 16700 0300 011000	.23	Myron A. Hauptman – Ralph DeLea
78.	0200 16700 0300 012000	.10	Rod Staten Corp.

79.	0200 16700 0300 013000	.14	Myron A. Hauptman – Ralph DeLea
80.	0200 16700 0300 014000	.09	Louis DeLea & Sons, Inc.
81.	0200 16700 0300 015000	.09	Thomas M. Patton
82.	0200 16700 0300 016000	.65	Myron A. Hauptman – Ralph DeLea
83.	0200 16700 0300 017000	.09	Willard A. Silcox – ORS
84.	0200 16700 0300 018000	.23	Myron A. Hauptman – Ralph DeLea
85.	0200 16700 0300 019000	.10	Robert I. Toussie
86.	0200 16700 0300 021000	.09	Ilena M. Sturgeon
87.	0200 16700 0300 023000	.04	Frank Langman
88.	0200 16700 0300 024000	.09	Myron A. Hauptman – Ralph DeLea
89.	0200 16700 0300 025000	.04	Vincent R. Sasso
90.	0200 16700 0300 026000	.33	Myron A. Hauptman – Ralph DeLea
91.	0200 16700 0300 027000	.46	Myron A. Hauptman – Ralph DeLea
92.	0200 16700 0300 028000	.55	Myron A. Hauptman – Ralph DeLea
93.	0200 16700 0300 029000	.45	Myron A. Hauptman – Ralph DeLea
94.	0200 16700 0300 030000	.46	Myron A. Hauptman – Ralph DeLea
95.	0200 16700 0300 031000	.46	Myron A. Hauptman – Ralph DeLea
96.	0200 16700 0300 032000	.23	Myron A. Hauptman – Ralph DeLea
97.	0200 16700 0300 033000	.55	Myron A. Hauptman – Ralph DeLea
98.	0200 16700 0300 034000	.37	Myron A. Hauptman – Ralph DeLea
99.	0200 16700 0300 035000	.09	Rod Staten Corp.
100.	0200 16700 0300 036000	.14	Myron A. Hauptman – Ralph DeLea
101.	0200 16700 0400 001000	.60	Myron A. Hauptman – Ralph DeLea
102.	0200 16700 0400 002000	.09	Rod Staten Corp.
103.	0200 16700 0400 003000	.33	Myron A. Hauptman – Ralph DeLea
104.	0200 16700 0400 004000	.04	Terry K. Meredith
105.	0200 16700 0400 005000	.14	Myron A. Hauptman – Ralph DeLea

106.	0200 16700 0400 006000	.23	Myron A. Hauptman – Ralph DeLea
107.	0200 16700 0400 007000	.23	Joann Ashley
108.	0200 16700 0400 008000	.09	Rod Staten Corp.
109.	0200 16700 0400 009000	.37	Myron A. Hauptman – Ralph DeLea
110.	0200 16700 0400 010000	.14	Arthur A. Arnstein Corp.
111.	0200 16700 0400 011000	.42	Myron A. Hauptman – Ralph DeLea
112.	0200 16700 0400 012000	.14	Olczyk Family Trust
113.	0200 16700 0400 013000	.23	Patricia Rae Fo Ford – Robert Martin Schill – Jacqueline Jean Zankle
114.	0200 16700 0400 015000	.78	Myron A. Hauptman – Ralph DeLea
115.	0200 16700 0400 016000	.09	Robert Ehlers
116.	0200 16700 0400 017000	.51	Myron A. Hauptman – Ralph DeLea
117.	0200 16700 0400 018000	.18	Newport Construction, Inc.
118.	0200 16700 0400 019000	.41	Myron A. Hauptman – Ralph DeLea
119.	0200 16700 0400 020000	.05	Edith Donoghue
120.	0200 16700 0400 021000	.14	William H. Johnson
121.	0200 16700 0400 022000	.28	Myron A. Hauptman – Ralph DeLea
122.	0200 16700 0400 023000	.09	Mildred W. Rinehart
123.	0200 16700 0400 024000	.55	Myron A. Hauptman – Ralph DeLea
124.	0200 16700 0400 026000	.14	Myron A. Hauptman – Ralph DeLea
125.	0200 16700 0400 027000	.14	Gerald Lawson
126.	0200 16700 0400 028000	.09	Myron A. Hauptman – Ralph DeLea
127.	0200 16700 0400 029000	.05	Miller Cam LLC
128.	0200 16700 0400 030000	.74	Myron A. Hauptman – Ralph DeLea
129.	0200 16700 0400 031000	.23	Myron A. Hauptman – Ralph DeLea
130.	0200 16700 0400 032000	.05	Myron A. Hauptman – Ralph DeLea
131.	0200 16700 0400 033000	.09	Andone LLC
132.	0200 16700 0400 035000	.05	Myron A. Hauptman – Ralph DeLea

133.	0200 16700 0400 038000	.32	Myron A. Hauptman – Ralph DeLea
134.	0200 16700 0400 039000	.23	Andone LLC
135.	0200 16700 0500 001000	.28	Myron A. Hauptman – Ralph DeLea
136.	0200 16700 0500 002000	.05	Harriet E. Martin
137.	0200 16700 0500 003000	.05	Gladys Horan
138.	0200 16700 0500 004000	.56	Myron A. Hauptman – Ralph DeLea
139.	0200 16700 0500 005000	.46	Myron A. Hauptman – Ralph DeLea
140.	0200 16700 0500 006000	.23	Myron A. Hauptman – Ralph DeLea
141.	0200 16700 0500 007000	.19	Anthony Nicoletti
142.	0200 16700 0500 008000	.28	Myron A. Hauptman – Ralph DeLea
143.	0200 16700 0500 009000	.23	Newport Construction, Inc.
144.	0200 16700 0500 010000	.08	Realty Redemption Co., Inc.
145.	0200 16700 0500 011000	.05	Myron A. Hauptman – Ralph DeLea
146.	0200 16700 0500 012000	.06	Louis DeLea & Sons, Inc.
147.	0200 16700 0500 013000	.17	Myron A. Hauptman – Ralph DeLea
148.	0200 16700 0500 014000	.16	Myron A. Hauptman – Ralph DeLea
149.	0200 16700 0500 015000	.04	Louis DeLea (o)
150.	0200 16700 0500 016000	.13	Myron A. Hauptman – Ralph DeLea
151.	0200 16700 0500 017000	.03	Realty Redemption Co., Inc.
152.	0200 16700 0500 018000	.03	Myron A. Hauptman - Ralph DeLea
153.	0200 16700 0500 019000	.04	William H. Jervey
154.	0200 16700 0500 020000	.05	Myron A. Hauptman – Ralph DeLea
155.	0200 16700 0500 021000	.02	DeLea Sod Farms
156.	0200 16700 0500 022000	.87	Myron A. Hauptman – Ralph DeLea
157.	0200 16700 0500 023000	1.02	Myron A. Hauptman – Ralph DeLea
158.	0200 16700 0500 024000	.10	William J. McMackin Revocable Trust
159.	0200 16700 0500 025000	.14	John J. Masserwick

160.	0200 16700 0500 026000	.69	Myron A. Hauptman – Ralph DeLea
161.	0200 16700 0500 027000	.14	Ruth Little John
162.	0200 16700 0500 028000	.23	Myron A. Hauptman – Ralph DeLea
163.	0200 16700 0600 001000	.13	Myron A. Hauptman – Ralph DeLea DeLea
164.	0200 16700 0600 002000	.23	Arthur A. Arnstein Corp.
165.	0200 16700 0600 003000	.46	Myron A. Hauptman – Ralph DeLea
166.	0200 16700 0600 004000	.72	Myron A. Hauptman – Ralph DeLea
167.	0200 16700 0600 005000	.11	Myron A. Hauptman – Ralph DeLea
168.	0200 16700 0600 007000	.21	Myron A. Hauptman – Ralph DeLea
169.	0200 16700 0600 008000	.64	Myron A. Hauptman – Ralph DeLea
170.	0200 16700 0600 010000	.05	Edith Donoghue
171.	0200 16700 0600 011000	.18	Myron A. Hauptman – Ralph DeLea
172.	0200 16700 0600 012000	.17	M. Louis DeLea, Sr. Irrevocable Trust
173.	0200 16700 0600 013000	.27	Myron A. Hauptman – Ralph DeLea
174.	0200 16700 0600 014000	.27	Myron A. Hauptman – Ralph DeLea
175.	0200 16700 0600 015000	.10	Alexander Beck
176.	0200 16700 0600 016000	.23	Louis DeLea & Sons, Inc.
177.	0200 16700 0600 017000	.03	Bruno Beck – Ano
178.	0200 16700 0600 018000	.08	Myron A. Hauptman – Ralph DeLea
179.	0200 16700 0600 019000	1.16	Myron A. Hauptman – Ralph DeLea
180.	0200 16700 0600 021000	.35	Myron A. Hauptman – Ralph DeLea
181.	0200 16700 0600 022000	.04	Andone LLC
182.	0200 16700 0600 023000	.09	Myron A. Hauptman – Ralph DeLea
183.	0200 16700 0600 024000	.05	Andone LLC
184.	0200 16700 0600 025000	.05	Myron A. Hauptman – Ralph DeLea
185.	0200 16700 0600 026000	.31	Myron A. Hauptman – Ralph DeLea

186.	0200 16800 0100 001000	.32	Myron A. Hauptman – Ralph DeLea
187.	0200 16800 0100 002000	.09	Pinckney B. Ezekiel
188.	0200 16800 0100 003000	.04	Myron A. Hauptman – Ralph DeLea
189.	0200 16800 0100 004000	.14	Rhoda M. Whitman
190.	0200 16800 0100 005000	.33	Myron A. Hauptman – Ralph DeLea
191.	0200 16800 0100 006000	.69	Myron A. Hauptman – Ralph DeLea
192.	0200 16800 0100 007000	.23	Louis DeLea & Sons, Inc.
193.	0200 16800 0100 008000	.96	Myron A. Hauptman – Ralph DeLea
194.	0200 16800 0100 009000	.18	Donald A. Hayes
195.	0200 16800 0100 010000	.42	Myron A. Hauptman – Ralph DeLea
196.	0200 16800 0100 011000	.14	Robert I. Toussie
197.	0200 16800 0100 012000	.14	Myron A. Hauptman – Ralph DeLea
198.	0200 16800 0100 013000	.23	Myron A. Hauptman – Ralph DeLea
199.	0200 16800 0100 014000	.46	Campos Bros.
200.	0200 16800 0100 015000	.69	Myron A. Hauptman – Ralph DeLea
201.	0200 16800 0100 017000	.93	Myron A. Hauptman – Ralph DeLea
202.	0200 16800 0100 018000	.14	Louis DeLea & Sons, Inc.
203.	0200 16800 0100 019000	.70	Myron A. Hauptman – Ralph DeLea
204.	0200 16800 0100 020000	.78	Myron A. Hauptman – Ralph DeLea
205.	0200 16800 0100 021000	.14	Jewell McNair Johnson Family Trust
206.	0200 16800 0100 022000	.23	Myron A. Hauptman – Ralph DeLea
207.	0200 16800 0200 001000	.05	Vincent R. Sasso
208.	0200 16800 0200 002000	.18	Myron A. Hauptman – Ralph DeLea
209.	0200 16800 0200 003000	.56	Myron A. Hauptman – Ralph DeLea
210.	0200 16800 0200 005000	.46	Myron A. Hauptman – Ralph DeLea
211.	0200 16800 0200 006000	.18	AB of Sayville Ltd.
212.	0200 16800 0200 007000	.09	Louis DeLea & Sons, Inc.

213.	0200 16800 0200 008000	.82	Myron A. Hauptman – Ralph DeLea
214.	0200 16800 0200 009000	2.05	Myron A. Hauptman – Ralph DeLea
215.	0200 16800 0200 010000	.05	Frederick B. Jones
216.	0200 16800 0200 011000	.19	Myron A. Hauptman – Ralph DeLea
217.	0200 16800 0200 012000	2.07	Myron A. Hauptman – Ralph DeLea
218.	0200 16800 0200 013000	.05	Andone LLC
219.	0200 16800 0200 014000	.19	Robert I. Toussie
220.	0200 16800 0200 015001	.83	Myron A. Hauptman – Ralph DeLea
221.	0200 16800 0200 015002	.05	Louis DeLea and M. Louis DeLea, Sr. Irrevocable Trust
222.	0200 16800 0200 016000	.09	Myron A. Hauptman – Ralph DeLea
223.	0200 16800 0300 001000	.05	Andone LLC
224.	0200 16800 0300 002000	.61	Myron A. Hauptman – Ralph DeLea
225.	0200 16800 0300 003000	.09	Robert I. Toussie
226.	0200 16800 0300 004000	.55	Myron A. Hauptman – Ralph DeLea
227.	0200 16800 0300 005000	.23	Myron A. Hauptman – Ralph DeLea
228.	0200 16800 0300 007000	.69	Myron A. Hauptman – Ralph DeLea
229.	0200 16800 0300 008000	1.34	Myron A. Hauptman – Ralph DeLea
230.	0200 16800 0300 009000	.14	Andone LLC
231.	0200 16800 0300 010000	.32	Myron A. Hauptman – Ralph DeLea
232.	0200 16800 0300 011000	.04	Miller Cam LLC
233.	0200 16800 0300 012000	.46	Myron A. Hauptman – Ralph DeLea
234.	0200 16800 0300 013000	.14	Marika R. Schwartz Living Trust
235.	0200 16800 0300 014000	.09	Gilmer S. Morris
236.	0200 16800 0300 015000	.89	Myron A. Hauptman – Ralph DeLea
237.	0200 16800 0300 016000	.05	AB of Sayville Ltd.
238.	0200 16800 0300 017000	1.20	Myron A. Hauptman – Ralph DeLea
239.	0200 16800 0300 018000	.05	Vincent R. Sasso

240.	0200 16800 0300 019000	.46	Myron A. Hauptman – Ralph DeLea
241.	0200 16800 0300 020000	.09	Myron A. Hauptman – Ralph DeLea
242.	0200 16800 0300 021000	.05	Edith Donoghue
243.	0200 16800 0300 022000	.10	Myron A. Hauptman – Ralph DeLea
244.	0200 16800 0300 023000	.92	Myron A. Hauptman – Ralph DeLea
245.	0200 16800 0300 024000	.23	Steven Papell
246.	0200 16800 0400 002000	.14	Myron A. Hauptman – Ralph DeLea
247.	0200 16800 0400 003000	.36	Myron A. Hauptman – Ralph DeLea
248.	0200 16800 0400 005000	.05	Rudolph Roof, Jr.
249.	0200 16800 0400 006000	.09	Myron A. Hauptman – Ralph DeLea
250.	0200 16800 0400 009000	.14	Catherine E. Beck
251.	0200 16800 0400 010000	.18	Myron A. Hauptman – Ralph DeLea
252.	0200 16800 0400 011000	.14	Louis DeLea
253.	0200 16800 0400 012000	.28	Myron A. Hauptman – Ralph DeLea
254.	0200 16800 0400 013000	.23	Myron A. Hauptman – Ralph DeLea
255.	0200 16800 0400 014000	.14	Shamvell Pasha – Roheel Pasha Subhani
256.	0200 16800 0400 015001	.32	Myron A. Hauptman – Ralph DeLea
257.	0200 18800 0200 001000	.47	Myron A. Hauptman – Ralph DeLea
258.	0200 18800 0200 002000	.14	Myron A. Hauptman – Ralph DeLea
259.	0200 18800 0200 003000	.23	Louis DeLea & Sons, Inc.
260.	0200 18800 0200 004000	.42	Myron A. Hauptman – Ralph DeLea
261.	0200 18800 0200 005000	.46	Myron A. Hauptman – Ralph DeLea
262.	0200 18800 0200 006000	.23	Myron A. Hauptman – Ralph DeLea
263.	0200 18800 0200 008000	.47	Myron A. Hauptman – Ralph DeLea
264.	0200 18800 0200 009000	.55	Myron A. Hauptman – Ralph DeLea

265.	0200 18800 0200 010000	.05	Vincent Sasso – Luther Ross
266.	0200 18800 0200 011000	.46	Myron A. Hauptman – Ralph DeLea
267.	0200 18800 0200 012000	.19	Myron A. Hauptman – Ralph DeLea
268.	0200 18800 0200 013000	.09	Lewis P. Jordan
269.	0200 18800 0200 014000	.14	Miller Cam LLC
270.	0200 18800 0200 015000	.09	Myron A. Hauptman – Ralph DeLea
271.	0200 18800 0200 016000	.09	Andone LLC
272.	0200 18800 0200 017000	.05	Myron A. Hauptman – Ralph DeLea
273.	0200 18800 0200 018000	.10	Stuart Podolsky
274.	0200 18800 0200 019000	.33	Myron A. Hauptman – Ralph DeLea
275.	0200 18800 0200 020000	.23	Christopher & Francine Moore
276.	0200 18800 0200 021000	.14	Stuart Podlosky
277.	0200 18800 0200 022000	.46	Myron A. Hauptman – Ralph DeLea
278.	0200 18800 0200 023000	.24	Blanche G. Davis
279.	0200 18800 0200 024000	.09	Andone LLC
280.	0200 18800 0200 025000	.19	Myron A. Hauptman – Ralph DeLea
281.	0200 18800 0200 026000	.09	Duncan & Garnett Gillies
282.	0200 18800 0200 027000	.09	Myron A. Hauptman – Ralph DeLea
283.	0200 18800 0200 029000	.45	Myron A. Hauptman – Ralph DeLea
284.	0200 18800 0200 030000	.23	Myron A. Hauptman – Ralph DeLea
285.	0200 18800 0200 031000	.78	Myron A. Hauptman – Ralph DeLea
286.	0200 18800 0200 032000	.23	Savvasi Vasiliades
287.	0200 18800 0200 033000	.05	Myron A. Hauptman – Ralph DeLea
288.	0200 18800 0200 034000	.46	Myron A. Hauptman – Ralph DeLea
289.	0200 18800 0200 035000	.47	Myron A. Hauptman – Ralph DeLea
290.	0200 18800 0200 037000	.37	Myron A. Hauptman – Ralph DeLea
291.	0200 18800 0200 038000	.47	Myron A. Hauptman – Ralph DeLea

292.	0200 18800 0200 040000	.32	Myron A. Hauptman – Ralph DeLea
293.	0200 18800 0200 041000	.23	Savvasi Vasiliades
294.	0200 18800 0300 001000	.43	Myron A. Hauptman – Ralph DeLea
295.	0200 18800 0300 002000	.46	Myron A. Hauptman – Ralph DeLea
296.	0200 18800 0300 003000	.56	Myron A. Hauptman – Ralph DeLea
297.	0200 18800 0300 004000	.37	Myron A. Hauptman – Ralph DeLea
298.	0200 18800 0300 005000	.09	Andone LLC
299.	0200 18800 0300 006000	.23	Myron A. Hauptman – Ralph DeLea
300.	0200 18800 0300 007000	.19	Joseph Myers
301.	0200 18800 0300 008000	.47	Myron A. Hauptman – Ralph DeLea
302.	0200 18800 0300 010000	.38	Myron A. Hauptman – Ralph DeLea
303.	0200 18800 0300 011000	.46	Myron A. Hauptman – Ralph DeLea
304.	0200 18800 0300 014000	.70	Myron A. Hauptman – Ralph DeLea
305.	0200 18800 0300 015000	.10	Myron A. Hauptman – Ralph DeLea
306.	0200 18800 0300 016000	.15	Steven Papell
307.	0200 18800 0300 017000	.32	Myron A. Hauptman – Ralph DeLea
308.	0200 18800 0300 018000	.43	Myron A. Hauptman – Ralph DeLea
309.	0200 18800 0300 019000	.05	Myron A. Hauptman – Ralph DeLea
310.	0200 18800 0300 020000	.05	Bruno Beck – Others
311.	0200 18800 0300 021000	.05	Bruno Beck – Ano
312.	0200 18800 0300 022000	.04	Myron A. Hauptman – Ralph DeLea
313.	0200 18800 0300 023000	.10	George J. Theriot
314.	0200 18800 0300 024000	.65	Myron A. Hauptman – Ralph DeLea
315.	0200 18800 0300 025000	.15	Myron A. Hauptman – Ralph DeLea
316.	0200 18800 0300 026000	.13	Myron A. Hauptman – Ralph DeLea
317.	0200 18800 0300 027000	.09	Kennad L. & Carolyn L. Skeen

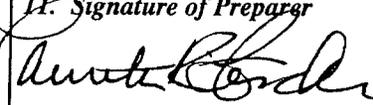
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319.	0200 18800 0300 030000	.32	Myron A. Hauptman – Ralph DeLea
320.	0200 18900 0100 001000	.01	Walter W. Point
321.	0200 18900 0100 002000	.29	Myron A. Hauptman – Ano
322.	0200 18900 0100 003000	.10	Myron A. Hauptman – Ano
323.	0200 18900 0100 005000	.12	Myron A. Hauptman – Ano
324.	0200 18900 0100 006000	.46	Myron A. Hauptman – Ano
325.	0200 18900 0100 007000	.10	Louis DeLea & Sons, Inc.
326.	0200 18900 0100 008000	.46	Myron A. Hauptman – Ano
327.	0200 18900 0100 009000	.09	Louis Mazo – Simon Mazo
328.	0200 18900 0100 011000	.05	Myron A. Hauptman – Ano
329.	0200 18900 0100 013000	.04	Theodore Karras
330.	0200 18900 0100 014000	.32	Myron A. Hauptman – Ano
331.	0200 18900 0100 015000	.32	Myron A. Hauptman – Ano
332.	0200 18900 0100 016000	.46	Myron A. Hauptman – Ano
333.	0200 18900 0100 018000	.05	John Sullivan
334.	0200 18900 0100 020000	.32	Myron A. Hauptman – Ano
335.	0200 18900 0100 021000	.09	Theodore Karras
336.	0200 18900 0100 022000	.37	Myron A. Hauptman – Ano
337.	0200 18900 0100 024000	.79	Myron A. Hauptman – Ano
338.	0200 18900 0100 025000	.05	Vincent R. Sasso
339.	0200 18900 0100 026000	.18	Myron A. Hauptman – Ano
340.	0200 18900 0100 027000	.09	DeLea Sons – DeLea
341.	0200 18900 0100 028000	.47	Myron A. Hauptman – Ano
342.	0200 18900 0100 029000	.54	Myron A. Hauptman – Ano

343.	0200 18900 0100 031000	.13	Myron A. Hauptman – Ano
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**TOTAL ACRES**

**95.88**

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

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/> <span style="float: right; font-size: 2em; margin-left: 20px;">1259</span>		
2. Title of Proposed Legislation APPROVING PLANNING STEPS FOR THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS – DELEA FARM OUTPARCELS AND OTHERS		
3. Purpose of Proposed Legislation  See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:  N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  N/A		
8. Proposed Source of Funding  N/A		
9. Timing of Impact  N/A		
10. Typed Name & Title of Preparer Laretta R. Fischer Principal Environmental Analyst	11. Signature of Preparer 	12. Date March 5, 2008

Gen C 6

# COUNTY OF SUFFOLK



1259

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES, AICP  
DIRECTOR OF PLANNING

March 5, 2008

Mr. Ben Zwirn, Deputy County Executive  
H. Lee Dennison Building  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is a proposed Introductory Resolution that would authorize planning steps for the purchase of farmland development rights within the hamlet of Miller Place, Town of Brookhaven, of 343 parcels totaling 95.88 acres. These have all been approved by the Farmland Committee.

Please contact me if you require any additional information.

Sincerely,

Thomas A. Isles  
Director of Planning

- cc: Jim Morgo, Chief Deputy County Executive
- Carrie Meek Gallagher, Commissioner, Department of Environment & Energy
- Lauretta R. Fischer, Principal Environmental Analyst, Department of Planning
- Jessica L. Kalmbacher, Research Technician, Department of Planning
- Michael Amoroso, Bureau Chief, Department of Law
- Christopher E. Kent, Director, Division of Real Property Acquisition & Management
- Janet Longo, Assistant to the Director, Div. of Real Property Acquisition & Management
- ✓Brendan Chamberlain, County Executive Assistant
- CE Reso Review (e-mail copy only)

1260  
Intro. Res. No. -2008

Laid on Table

3/18/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2008, AUTHORIZING USE OF  
BLYDENBURGH COUNTY PARK BY THE CARE CENTER  
FOR ITS ANNUAL WALKATHON FUNDRAISER**

**WHEREAS**, The Care Center is a 501(c)(3) private, nonprofit organization having its principal place of business at 1930 Veterans Memorial Highway, Suite 15, Islandia, New York; and

**WHEREAS**, The Care Center would like to hold its Annual Walkathon Fundraiser at Blydenburgh County Park in the Town of Smithtown; and

**WHEREAS**, the Annual Walkathon Fundraiser is scheduled to be held on Saturday, May 17, 2008; and

**WHEREAS**, Blydenburgh County Park will be used as the beginning and ending point of the walk route; and

**WHEREAS**, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by The Care Center; now, therefore, be it

**1<sup>st</sup> 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; and be it further

**2<sup>nd</sup> RESOLVED**, that the use of Blydenburgh County Park by The Care Center for the purpose of hosting a fundraiser on Saturday, May 17, 2008, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from The Care Center and the payment of One Hundred Twenty Five Dollars (\$125.00) event fee, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

**3<sup>rd</sup> RESOLVED**, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4 (A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at Blydenburgh County Park by The Care Center.

DATED:

APPROVED BY:

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

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

<p>1. Type of Legislation</p> <p style="text-align: right; font-size: 1.2em;">1260</p> <p>Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____</p>		
<p>2. Title of Proposed Legislation</p> <p>AUTHORIZING USE OF BLYDENBURGH COUNTY PARK BY THE CARE CENTER FOR ITS ANNUAL WALKATHON FUNDRAISER</p>		
<p>3. Purpose of Proposed Legislation</p> <p>Authorize use of County Parkland for fundraising event.</p>		
<p>4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <input checked="" type="checkbox"/> No _____</p>		
<p>5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)</p> <p> <input type="checkbox"/> County      <input type="checkbox"/> Town      <input type="checkbox"/> Economic Impact  <input type="checkbox"/> Village      <input type="checkbox"/> School District      <input type="checkbox"/> Other (Specify):  <input type="checkbox"/> Library District      <input type="checkbox"/> Fire District         </p>		
<p>6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact</p> <p>There is a nominal fee (\$125.00) collected by the County for use of the Park.</p>		
<p>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</p> <p>N/A</p>		
<p>8. Proposed Source of Funding</p> <p>N/A</p>		
<p>9. Timing Impact</p> <p>N/A</p>		
<p>10. Typed Name &amp; Title of Preparer</p> <p><b>Tom Hroncich</b> <b>Parks Foundation Director</b> <b>Dept. of Parks, Recreation &amp; Conservation</b></p>	<p>11. Signature of Preparer</p>	<p>12. Date</p>



Suffolk County Department of Parks, Recreation & Conservation  
 Mail Application to: P.O. Box 144, West Sayville, NY 11796  
 Phone: 631-854-4951  
 www.suffolkcountyny.gov/parks

1260

**APPLICATION FOR PARKLAND GROUP PERMIT**

Permit Requested (Check One)

YOUTH GROUP CAMPING \_\_\_\_\_ GROUP PICNIC \_\_\_\_\_ ADULT (FAMILY) CAMPING CLUB \_\_\_\_\_  
 SPECIAL GROUP EVENT  (Specify Below) GENERAL GROUP \_\_\_\_\_ (HIKE/FIELD TRIP)  
WALK FUNDRAISER  
 (Horse/Dog Event, Fundraiser, Other)

**PARK(S) Requested**

**DATE(S) Requested**

1<sup>st</sup> Choice Blydenburgh 1<sup>st</sup> Choice MAY 17, 2008  
 2<sup>nd</sup> Choice \_\_\_\_\_ 2<sup>nd</sup> Choice \_\_\_\_\_

Name of Group/Organization The Care Center, Inc.  
 Address 1930 Veterans Memorial Hwy, Suite 15 ISLANDIA, NY Zip Code 11749  
 Applicant Name NINA APREA Phone 631-630-9779 Cell # 631-418-4929  
 Address 58 OLD BROOK RD. Applicant Signature Nina Aprea  
 Town Dix Hills State NY Zip 11746 Today's Date \_\_\_\_\_  
 Arrival Time 8:00AM a.m./p.m. Departure Time 11:30 AM (Parks Close at Dusk)  
 Estimated # Attending 100 # Cars/Vans 50 # Buses \_\_\_\_\_

**ADULT (FAMILY) CAMPING CLUBS:** Total # of Units \_\_\_\_\_ (7 unit minimum non-holiday weekends, 10 unit minimum holiday weekends)

**SPECIAL EVENTS & PICNICS**

Will Food/Beverages be provided? YES \_\_\_\_\_ NO   
 Is event open to the general public? YES \_\_\_\_\_ NO   
 If event is open to public **AND** food/beverages are being provided a **SUFFOLK COUNTY HEALTH SERVICES ORGANIZER'S APPLICATION FOR TEMPORARY PERMIT** must be filed. Non-compliance with Health Services regulations may result in event being shut down.  
 Is event being catered? YES \_\_\_\_\_ NO  Name of Caterer \_\_\_\_\_  
 Will alcoholic beverages be provided? YES \_\_\_\_\_ NO  (If YES the Hold Harmless Agreement attached must be Signed & notarized).  
 Will alcoholic beverages be sold? YES \_\_\_\_\_ NO  (If YES a Special Event Permit must be filed with the NYS Liquor Authority to obtain a temporary liquor license).  
 Is this a **Fundraiser**? YES  NO \_\_\_\_\_ Groups wishing to hold fundraisers on Suffolk County Park property must contact the Parks Permit Department at 854-4951 a **minimum of three months prior** to event for permission as Suffolk County Legislative approval is required.

**TENTS** - Suffolk County Fire Marshall inspection may be required contact Permit Dept. at 854-4951 for information.

**VENDORS?** YES \_\_\_\_\_ NO  List all \_\_\_\_\_  
 Names of vendors (amusement/entertainment, etc.) at event must be listed above. Attach separate sheet if necessary. Vendor(s) chosen must provide a certificate of insurance naming SUFFOLK COUNTY as an additional insured in the amount of **\$2,000,000** per occurrence Comprehensive General Liability.

**SPECIAL REQUESTS/COMMENTS:** \_\_\_\_\_

**Office Use Only**

DATE(S) APPROVED May 17, 2008 AREA ASSIGNED 5+6 Picnic   
 Youth \_\_\_\_\_ Adult \_\_\_\_\_  
 PARK APPROVED Blydenburgh County Park \_\_\_\_\_  
 Received of The Care Center Amount \$ 125.00 Cash \_\_\_\_\_ MO \_\_\_\_\_ Credit VISA  
 Alcohol Permit Approved \_\_\_\_\_ (Staff Initials) Transaction # 15215 Check \_\_\_\_\_  
 SPECIAL INSTRUCTIONS \_\_\_\_\_  
 PERMIT # \_\_\_\_\_ PARKS DEPT. APPROVAL [Signature]

**Sales Receipt**

1260

Transaction #: 15215  
Date: 1/2/2008 Time: 9:31:46 AM  
Cashier: Lori Register #: 3

Reference: BLYDENBURGH  
THE CARE CENTER INC., 5/17

Item	Description	Amount
SE_Fund	Fund Raisers	\$125.00

-----  
 Sub Total \$125.00  
 Total \$125.00

-----  
 Visa Tendered \$125.00  
 Card: XXXXXXXXXXXX5828  
 Auth: 042830  
 Change Due \$0.00



\* 1 5 2 1 5 \*

Thank you.  
We hope you'll come back soon!  
West Sayville Administration  
<http://www.suffolkcountyny.gov/parks>

**DUPLICATE RECEIPT**

# The Care Center

---

1260

January 1, 2008

County of Suffolk  
Department of Parks,  
Recreation and Conservation  
PO Box 144  
West Sayville, NY 11796-0144

To Whom It May Concern:

The Care Center will be having its annual fundraising Walkathon at Blydenburg County Park on Saturday, May 17<sup>th</sup>, 2008 from 8:00am – 11:30am. All proceeds to benefit The Care Center.

The Care Center is a not for profit organization that offers compassionate, confidential, caring assistance to women in unplanned pregnancies. Our services include pregnancy testing, counseling, material aid and referrals to resources. All our services are free to single or married women in need. We have served the Suffolk County area for over 18 years.

Thank you for your consideration.

Yours truly,



Nina Aprea  
Executive Director

NA/ls

# ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
12/20/2007

PRODUCER (520)455-9252 FAX (520)455-9358  
Patriot Insurance Agency, Inc.  
PO Box 1298  
Sonoita, AZ 85637-1298

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED The Care Center, Inc.  
1930 Vets Memorial Highway  
Suite 15  
Islandia, NY 11749

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Spirit Mountain Ins Co RRG Inc	10754
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

## COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSRPT	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A		<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input checked="" type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO. JECT <input type="checkbox"/> LOC	SMIC-LPP2007-NIN002	06/30/2007	06/30/2008	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Per occurrence) \$ 100,000 MED EXP (Any one person) \$ 0 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000
		<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Per accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		<b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN CA ACC \$ AUTO ONLY: AGG \$
		<b>EXCESS/UMBRELLA LIABILITY</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE \$ RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
		<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATUTORY LIMITS \$ OTL - EA \$ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A		<b>OTHER PROFESSIONAL LIABILITY</b>	SMIC-LPP2007-NIN002	06/30/2007	06/30/2008	PER OCCUR: \$1,000,000 GEN AGGR: \$3,000,000 DED: \$2500

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS  
 EVENT: WALK FOR LIFE FUNDRAISER HELD ON MAY 17, 2008

### CERTIFICATE HOLDER

SUFFOLK COUNTY DEPT. OF PARKS, RECREATION AND CONSERVATION  
 PO BOX 144  
 WEST SAYVILLE, NY 11796-0144

### CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT. BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE  
 Dwayne Lequire/EEH

Additional Coverages and Factors

1260

06/26/2007

Line of Business Coverages for General Liability

Coverage	Limits	Ded/Ded Type	Rate	Premium	Factor
General Aggregate	3,000,000	2,500			
Products/Completed Ops Aggregate	1,000,000	2,500			
Personal & Advertising Injury	1,000,000	2,500			
Each Occurrence	1,000,000	2,500			
Fire Damage	100,000	2,500			
Medical Expense	0				

INTERNAL REVENUE SERVICE  
DISTRICT DIRECTOR  
G.P.O. BOX 1680  
BROOKLYN, NY 11202

DEPARTMENT OF THE TREASURY

1260

Date: AUG 01 1991

THE NORTHPORT CARE CENTER INC  
351 LARKFIELD ROAD  
EAST NORTHPORT, NY 11731

Employer Identification Number:  
11-3001793  
Contact Person:  
CESAR A SABANDO  
Contact Telephone Number:  
(718) 780-4533  
Accounting Period Ending:  
December 31  
Form 990 Required:  
Yes  
Addendum Applies:  
No

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

We have further determined that you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. In the case of an amendment to your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, you should inform us of all changes in your name or address.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes. If you have any questions about excise, employment, or other Federal taxes, please let us know.

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

Letter 947(DO/CG)

1260

THE NORTHPORT CARE CENTER INC

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of Code sections 2055, 2106, and 2522.

Contribution deductions are allowable to donors only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. See Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, which sets forth guidelines regarding the deductibility, as charitable contributions, of payments made by taxpayers for admission to or other participation in fundraising activities for charity.

In the heading of this letter we have indicated whether you must file Form 990, Return of Organization Exempt From Income Tax. If Yes is indicated, you are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. However, if you receive a Form 990 package in the mail, please file the return even if you do not exceed the gross receipts test. If you are not required to file, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$10 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$5,000 or 5 percent of your gross receipts for the year, whichever is less. This penalty may also be charged if a return is not complete, so please be sure your return is complete before you file it.

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

In accordance with section 508(a) of the Code, the effective date of this determination letter is January 11, 1990.

This determination is based on evidence that your funds are dedicated to the purposes listed in section 501(c)(3) of the Code. To assure your

1260

THE NORTHPORT CARE CENTER INC

continued exemption, you should maintain records to show that funds are expended only for those purposes. If you distribute funds to other organizations, your records should show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), there should be evidence that the funds will remain dedicated to the required purposes and that they will be used for those purposes by the recipient.

If we have indicated in the heading of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



Eugene D. Alexander  
District Director

1260

CERTIFICATE OF AMENDMENT  
OF  
CERTIFICATE OF INCORPORATION  
OF  
THE NORTHPORT CARE CENTER, INC.

Under Section 803 of the Not-For-Profit Corporation Law.

IT IS HEREBY CERTIFIED THAT:

1. The name of the corporation is THE NORTHPORT CARE CENTER, INC.
2. The certificate of incorporation was filed by the Department of State on the 11th day of January, 1990 under the Not-For-Profit Corporation Law under the name of THE NORTHPORT CARE CENTER, INC.
3. The corporation is a corporation as defined in subparagraph (a) (5) of Section 102 (Definitions) of the Not-For-Profit Corporation Law, as a Type B Not-for-Profit Corporation pursuant to Section 201 of the Not-For-Profit Corporation Law.
4. The certificate of incorporation of this corporation is hereby amended to change the name of the corporation and to change the entity's address for service of process. The paragraph of the certificate of incorporation which sets forth the name of the corporation is hereby amended to read:

The name of the corporation is THE CARE CENTER, INC.

1260

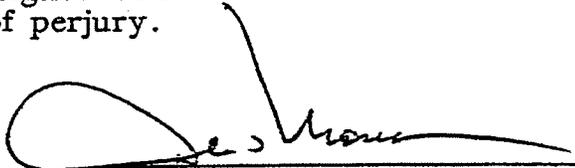
The paragraph of the certificate of incorporation which sets forth the entity's address service of process is hereby amended to read as follows:

The Secretary of State is designated as agent of the corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the corporation served upon him is:

91 Maple Avenue  
Smithtown, New York 11787

5. The amendment to the Certificate of Incorporation was authorized by a majority of members entitled to vote thereon as provided in paragraph (c) of Section 613 of the Not-for-Profit Corporation Law.

IN WITNESS WHEREOF, this certificate has been subscribed to this 2nd day of May, 2002 by the undersigned who affirm that the statements made herein are true under penalties of perjury.



Dale B. Moses  
President

COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

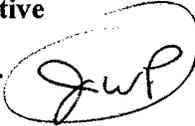
Gen C 7  
MAR 10 2008

1260

DEPARTMENT OF  
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC  
COMMISSIONER

TRACEY BELLONE  
DEPUTY COMMISSIONER

**TO:** BEN ZWIRN, Deputy County Executive  
**FROM:** JOHN W. PAVACIC, Commissioner   
**CC:** JIM MORGO, Chief Deputy County Executive  
**DATE:** March 5, 2008  
**RE:** INTRODUCTORY RESOLUTION AUTHORIZING USE OF BLYDENBURGH  
COUNTY PARK BY THE CARE CENTER FOR ITS ANNUAL WALKATHON  
FUNDRAISER

---

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "Reso-PKS-Care Center Fundraising Event.doc."

Should you require anything further, please contact my office at 4-4984.

Enclosures



1261

Intro. Res. No. -2008

Laid on Table

3/18/08

Introduced by the Presiding Officer on request of County Executive

**RESOLUTION NO. -2008, AUTHORIZING USE OF GARDINER COUNTY PARK BY ALMOST HOME ANIMAL RESCUE & ADOPTION FOR ITS DOG WALKATHON FUNDRAISER**

**WHEREAS**, the Almost Home Animal Rescue & Adoption would like to hold its Dog Walkathon Fundraiser at Gardiner County Park in the Town of Islip; and

**WHEREAS**, the Dog Walkathon Fundraiser, is scheduled to be held on May 10, 2008; and

**WHEREAS**, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by Almost Home Animal Rescue & Adoption; now therefore, be it

**1<sup>st</sup> 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, and be it further

**2<sup>nd</sup> RESOLVED**, that the use of Gardiner County Park by the Almost Home Animal Rescue & Adoption for the purpose of hosting a fundraiser on Saturday, May 10, 2008, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from Almost Home Animal Rescue & Adoption and the payment of the One Hundred and Twenty-Five Dollars (\$125.00) event, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

**3<sup>rd</sup> RESOLVED**, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at Gardiner County Park by Almost Home Animal Rescue & Adoption.

DATED:

APPROVED BY:

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

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation <span style="float: right; font-size: 2em;">1261</span> Resolution <u> X </u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation AUTHORIZING USE OF GARDINER COUNTY PARK BY ALMOST HOME ANIMAL RESCUE & ADOPTION FOR ITS DOG WALKATHON FUNDRAISER		
3. Purpose of Proposed Legislation Authorize use of County Parkland for fundraising event.		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
<input type="checkbox"/> County	<input type="checkbox"/> Town	<input type="checkbox"/> Economic Impact
<input type="checkbox"/> Village	<input type="checkbox"/> School District	<input type="checkbox"/> Other (Specify):
<input type="checkbox"/> Library District	<input type="checkbox"/> Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact There is a fee (\$125.00) collected by the County for use of the Park and Showmobile.		
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 Impact N/A		
10. Typed Name & Title of Preparer  <b>Tom Hroncich</b> <b>Parks Foundation Director</b> <b>Dept. of Parks, Recreation &amp; Conservation</b>	11. Signature of Preparer	12. Date



Suffolk County Department of Parks, Recreation & Conservation  
 Mail Application to: P.O. Box 144, West Sayville, NY 11796  
 Phone: 631-854-4951  
 www.suffolkcountyny.gov/parks

1261

**APPLICATION FOR PARKLAND GROUP PERMIT**

Permit Requested (Check One)

YOUTH GROUP CAMPING \_\_\_\_\_ GROUP PICNIC \_\_\_\_\_ ADULT (FAMILY) CAMPING CLUB \_\_\_\_\_  
 SPECIAL GROUP EVENT  (Specify Below) GENERAL GROUP \_\_\_\_\_ (HIKE/FIELD TRIP)

Dog Walk-a-Thon (Fundraiser)  
 (Horse/Dog Event, Fundraiser, Other)

**PARK(S) Requested**

**DATE(S) Requested**

1<sup>st</sup> Choice Gardiner Pk  
 2<sup>nd</sup> Choice \_\_\_\_\_

1<sup>st</sup> Choice May 10<sup>th</sup> 2008  
 2<sup>nd</sup> Choice Reschedule 17<sup>th</sup>

Name of Group/Organization Almost Home Animal Rescue & Adoption  
 Address \_\_\_\_\_ Zip Code INC

Applicant Name Carolyn ProLucci Phone ~~788~~ Cell # 748 4710  
 Address 40 Raymond St Applicant Signature Carolyn ProLucci

Town Tulip State NY Zip 11757 Today's Date 2/13/08

Arrival Time 9am a.m./p.m. Departure Time 4pm (Parks Close at Dusk)

Estimated # Attending 100 # Cars/Vans \_\_\_\_\_ # Buses \_\_\_\_\_

**ADULT (FAMILY) CAMPING CLUBS:** Total # of Units \_\_\_\_\_ (7 unit minimum non-holiday weekends, 10 unit minimum holiday weekends)

**SPECIAL EVENTS & PICNICS**

Will Food/Beverages be provided? YES  NO   
 Is event open to the general public? YES  NO

If event is open to public **AND** food/beverages are being provided a *SUFFOLK COUNTY HEALTH SERVICES ORGANIZER'S APPLICATION FOR TEMPORARY PERMIT* must be filed. Non-compliance with Health Services regulations may result in event being shut down.

Is event being catered? YES \_\_\_\_\_ NO  Name of Caterer \_\_\_\_\_

Will alcoholic beverages be provided? YES \_\_\_\_\_ NO  (If YES the Hold Harmless Agreement attached must be Signed & notarized).

Will alcoholic beverages be sold? YES \_\_\_\_\_ NO  (If YES a *Special Event Permit* must be filed with the *NYS Liquor Authority* to obtain a temporary liquor license).

Is this a **Fundraiser**? YES  NO \_\_\_\_\_ Groups wishing to hold fundraisers on Suffolk County Park property must contact the Parks Permit Department at 854-4951 a **minimum of three months prior** to event for permission as Suffolk County Legislative approval is required.

**TENTS** - Suffolk County Fire Marshall inspection may be required contact Permit Dept. at 854-4951 for information.

**VENDORS?** YES \_\_\_\_\_ NO  List all \_\_\_\_\_

Names of vendors (amusement/entertainment, etc.) at event must be listed above. Attach separate sheet if necessary. Vendor(s) chosen must provide a certificate of insurance naming SUFFOLK COUNTY as an additional insured in the amount of **\$2,000,000** per occurrence Comprehensive General Liability.

**SPECIAL REQUESTS/COMMENTS:** \_\_\_\_\_

**Office Use Only**

DATE(S) APPROVED May 10, 2008 AREA ASSIGNED As Directed Picnic \_\_\_\_\_ Youth \_\_\_\_\_ Adult \_\_\_\_\_

PARK APPROVED Gardiner County Park \_\_\_\_\_

Received of Almost Home Animal Rescue amount \$ 125.00 Cash \_\_\_\_\_ MO \_\_\_\_\_ Credit \_\_\_\_\_  
 Alcohol Permit Approved \_\_\_\_\_ (Staff Initials) Transaction # 15965 Check 164

SPECIAL INSTRUCTIONS \_\_\_\_\_

PERMIT # 29038

PARKS DEPT. APPROVAL [Signature]

43-0201..03/07

1261

**DUPLICATE RECEIPT**

West Sayville Administration  
Montauk Highway  
West Sayville, NY  
(631) 854-4949

**Sales Receipt**

Transaction #: 15965  
Date: 2/22/2008 Time: 9:57:32 AM  
Cashier: Lori Register #: 3

Reference: ALMOST HOME ANIMAL RESCUE & ADOPTION IN  
CK 164, 5/10

Item	Description	Amount
SE_Fund	Fund Raisers	\$125.00
Sub Total		\$125.00
Total		\$125.00
Check Tendered		\$125.00
Change Due		\$0.00



\* 1 5 9 6 5 \*

Thank you.

We hope you'll come back soon!  
West Sayville Administration  
<http://www.suffolkcountyny.gov/parks>

**DUPLICATE RECEIPT**

1261

00060118 CERTIFICATE OF INSURANCE Issue date: 2-27-08

**Producer**  
 BRADFORD INDEPENDENT  
 INSURANCE AGENCIES, INC.  
 600 WAVERLY AVE.  
 PATCHOGUE NY 11772

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policies below.

**Insured**  
 ALMOST HOME ANIMAL RESCUE  
 & ADOPTION LLC.  
 PO BOX 350  
 MEDFORD NY 11763

**COMPANIES AFFORDING COVERAGE**  
 Company letter A ATLANTIC CASUALTY INS CO  
 Company letter B  
 Company letter C  
 Company letter D  
 Company letter E

**COVERAGES** This is to certify that policies of insurance listed below have been issued to the insured named above for the policy period indicated, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies. Limits shown may have been reduced by paid claims.

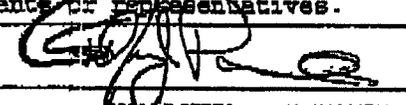
Co Lc	Type of Insurance	Policy number	Policy Effective	Policy Expire	ALL LIMITS IN THOUSANDS	
A	GENERAL LIABILITY X Commercial General Liab. Claims made X Occurrence - Owner's & contractors protective - -	L036003133	5-10-08	5-11-08	General aggregate.....\$ 2,000 Products-completed operations aggregate..\$ EXCLU Personal & advertising injury...\$ 1,000 Each occurrence.....\$ 1,000 Fire damage (any one fire).....\$ 100 Medical expense (any one person).....\$ 5	
	AUTOMOBILE LIABILITY - Any auto - All owned autos - Scheduled autos - Hired autos - Non-owned autos - Garage liability -				CSL	\$
					Bodily Injury (per person)	\$
					Bodily Injury (per accident)	\$
					Property damage	\$
	EXCESS LIABILITY - Umbrella form - Other than umbrella form				Each occurrence	Aggregate \$ \$
	WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY				Statutory \$ (each accident) \$ (disease-policy limit) \$ (disease-each empl.)	
	OTHER -					

Description of operations/locations/vehicles/special items

ADDITIONAL INSURED: COUNTY OF SUFFOLK

**Certificate holder**  
 SUFFOLK COUNTY DEPT. OF  
 PARKS & RECREATION  
 PO BOX 144  
 WEST SAYVILLE NY 11796

**CANCELLATION** Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 10\* days written notice to the certificate holder named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

Authorized representative 

1761<sup>p.1</sup>

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **SEP 14 2008**

ALMOST HOME ANIMAL RESCUE &  
ADOPTION INC  
146 NORWALK AVE  
MEDFORD, NY 11763

Employer Identification Number:  
26-0597616  
DLN:  
17053243014037  
Contact Person:  
THOMAS E O'BRIEN ID# 31187  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
December 31  
Public Charity Status:  
170(b)(1)(A)(vi)  
Form 990 Required:  
Yes  
Effective Date of Exemption:  
July 24, 2007  
Contribution Deductibility:  
Yes  
Advance Ruling Ending Date:  
December 31, 2011  
Addendum Applies:  
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

If you distribute funds to individuals, you should keep case histories showing the recipient's name and address; the purpose of the award; the manner of

1261 p2

ALMOST HOME ANIMAL RESCUE &

selection; and the relationship of the recipient to any of your officers, directors, trustees, members, or major contributors.

Sincerely,



Robert Choi  
Director, Exempt Organizations  
Rulings and Agreements

Enclosures: Publication 4321-PC  
Statute Extension



1761  
**Almost Home Animal Rescue & Adoption,  
Inc.**

P.O. Box 555 Medford, NY 11763 (631) 627 3665  
[almosthomeLI.org](http://almosthomeLI.org)

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To Whom It May Concern:

The East Islip Middle School's Junior Honor Society is hoping to raise donations for Almost Home Animal Rescue and Adoption, Inc. by hosting a walkathon on May 10, 2008 at Gardner Park. People will collect sponsorships to be a part of the walk and the money collected will be donated to Almost Home. There will be some small activities before the walk kicks off. These will include contests with prizes awarded for the smallest dog, biggest dog, cutest dog, etc. Almost Home will have a table set up with literature and animals for adoption for the people to view. All animals will be leashed and people will be expected to follow the rules and regulations of the park. The people will then walk down to the beach and back. This event will provide a great opportunity for our organization.

Thank you,

Ellen Pistritto  
Vice President  
Almost Home Animal Rescue and Adoption, Inc.

MAR 10 2008 en C8

COUNTY OF SUFFOLK



1261

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF  
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC  
COMMISSIONER

TRACEY BELLONE  
DEPUTY COMMISSIONER

**TO:** BEN ZWIRN, Deputy County Executive

**FROM:** JOHN W. PAVACIC, Commissioner 

**CC:** JIM MORGO, Chief Deputy County Executive

**DATE:** March 5, 2008

**RE:** INTRODUCTORY RESOLUTION AUTHORIZING USE OF GARDINER  
COUNTY PARK BY ALMOST HOME ANIMAL RESCUE & ADOPTION FOR  
ITS DOG WALKATHON FUNDRAISER

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS-Almost Home Animal Rescue Fundraiser.doc".

Should you require anything further, please contact my office at 4-4984.

Enclosures



Introductory Resolution No.

1262-08

Laid on Table

3/18/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO.  
SALE OF COUNTY-OWNED REAL ESTATE  
PURSUANT TO SECTION 72-h OF THE  
GENERAL MUNICIPAL LAW  
(TOWN OF BROOKHAVEN )  
(0200-787.00-01.00-034.000 & 0200-787.00-01.00-035.00)**

**WHEREAS**, the COUNTY OF SUFFOLK is the fee owner of the following described parcel that is surplus to the needs of the County of Suffolk; and

**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 787.00, Block 01.00, Lot 034.000 and acquired by Tax Deed on February 21, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on March 7, 2003 in Liber 12239 at Page 108, Certificate No. 501614 and otherwise known as and by Town of Brookhaven, known and designated as Lots No. 1 to 14 inclusive and East Part of 15 to 17 excluding Sunrise Highway, Block No. 14 Plate B addition C as shown on a certain map entitled "Map of Lakeview Park at Moriches", and filed in the Suffolk County Clerk's Office on January 8, 1912 as Map No. 291

**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 787.00, Block 01.00, Lot 035.000 and acquired by Tax Deed on February 21, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on March 7, 2003 in Liber 12239 at Page 108, Certificate No. 501613 and otherwise known as and by Town of Brookhaven, known and designated as Lots No. 1 to 21 inclusive, Block No. 12 Plate B addition C as shown on a certain map entitled "Map of Lakeview Park at Moriches", and filed in the Suffolk County Clerk's Office on January 8, 1912 as Map No. 291

**WHEREAS**, Section 72-h of the General Municipal Law permits a sale of real property between municipal corporations, or between a municipal corporation of the State of New York or the United States of America; and

**WHEREAS**, the Town of Brookhaven has requested that the County of Suffolk convey to the town the parcel described in Exhibit A annexed hereto ; and

**WHEREAS**, the Suffolk County Department of Planning has approved the proposed transfer and use of said parcel, now therefore be it; and

**1<sup>st</sup> RESOLVED**, that Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said Town of Brookhaven for the sum of \$11,609.00 plus the pro rata share of the current tax adjustment due at closing; and be it further

**2<sup>nd</sup> RESOLVED**, that the Town of Brookhaven will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for Open Space purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Brookhaven, at any time, uses or attempts to use said subject parcel for other than Open Space purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for Open Space purposes; and be it further

**3<sup>rd</sup> RESOLVED**, that said quitclaim deed tendered by Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the property is not used for the above-described public governmental purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

**4<sup>th</sup> 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)

DATED: \_\_\_\_\_

APPROVED BY:

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

Date of Approval:

Exhibit "A"

1262

RESOLUTION NO. 710-07  
MEETING OF JULY 24, 2007

**ADOPTED**  
BY THE BROOKHAVEN TOWN BOARD

AUTHORIZATION TO ACQUIRE VACANT  
PARCEL OF SUFFOLK COUNTY OWNED LAND  
- MIDLAND AVENUE, MASTIC (SCTM NO.  
0200-787-01-34 & 35) FOR OPEN SPACE  
PURPOSES PURSUANT TO SECTION 72-H OF  
THE GENERAL MUNICIPAL LAW

WHEREAS, Section 72-h of the General Municipal Law of the State of New York permits the sale of real property between municipal governments in the State of New York; and

WHEREAS, there is a vacant parcel of Suffolk County owned land located on Midland Avenue, Mastic (SCTM Nos. 0200-787-01-34 & 35) that is situated within the geographical boundaries of the Town of Brookhaven, Suffolk County, New York and are more particularly shown on the attached aerial map; and

WHEREAS, the Town Board of the Town of Brookhaven, Suffolk County, New York is interested in acquiring said parcel of real property for open space purposes for a consideration not to exceed \$11,609.00; and

WHEREAS, the Town Board of the Town of Brookhaven Suffolk County, New York is aware that the subject premises shall be conveyed subject to the following restrictive covenants that will run with the land so conveyed: 1) That the Grantee or any subsequent Grantee shall not bill or charge back to the Grantor any cost incurred or projected to be incurred for the cleanup, removal, and disposal of all debris, waste, and/or contamination in or on the subject premises; 2) That the Grantee shall not sell, convey, transfer or otherwise dispose of the subject premises; and

1262

WHEREAS, the Town Board of the Town of Brookhaven, Suffolk County, New York, is aware that the restrictive covenants described above will run with the land and shall bind the heirs, successors, and assigns of the Town of Brookhaven and in the event of any violation of the restrictive covenants stated above, the Deed conveying said parcel shall be void *ab initio* and title to the realty shall revert to the County of Suffolk; and

WHEREAS, the acquisition of said parcels pursuant to General Municipal Law Section 72-H, as an intergovernmental transfer, is a Type II action pursuant to NYCRR 617.5(c)(19) and, therefore, no further SEQRA review is required;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel located on Midland Avenue, Mastic, further identified as SCTM No. 0200-787-01-34 & 35, and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed \$11,609.00 at the time of closing subject to the restrictive covenants and reverter provisions as stated above.

1262

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.: 0200-787.00-01.00-034.000 & 0200-787.00-01.00-035.000

Section 72-h, Gen'l Municipal Law

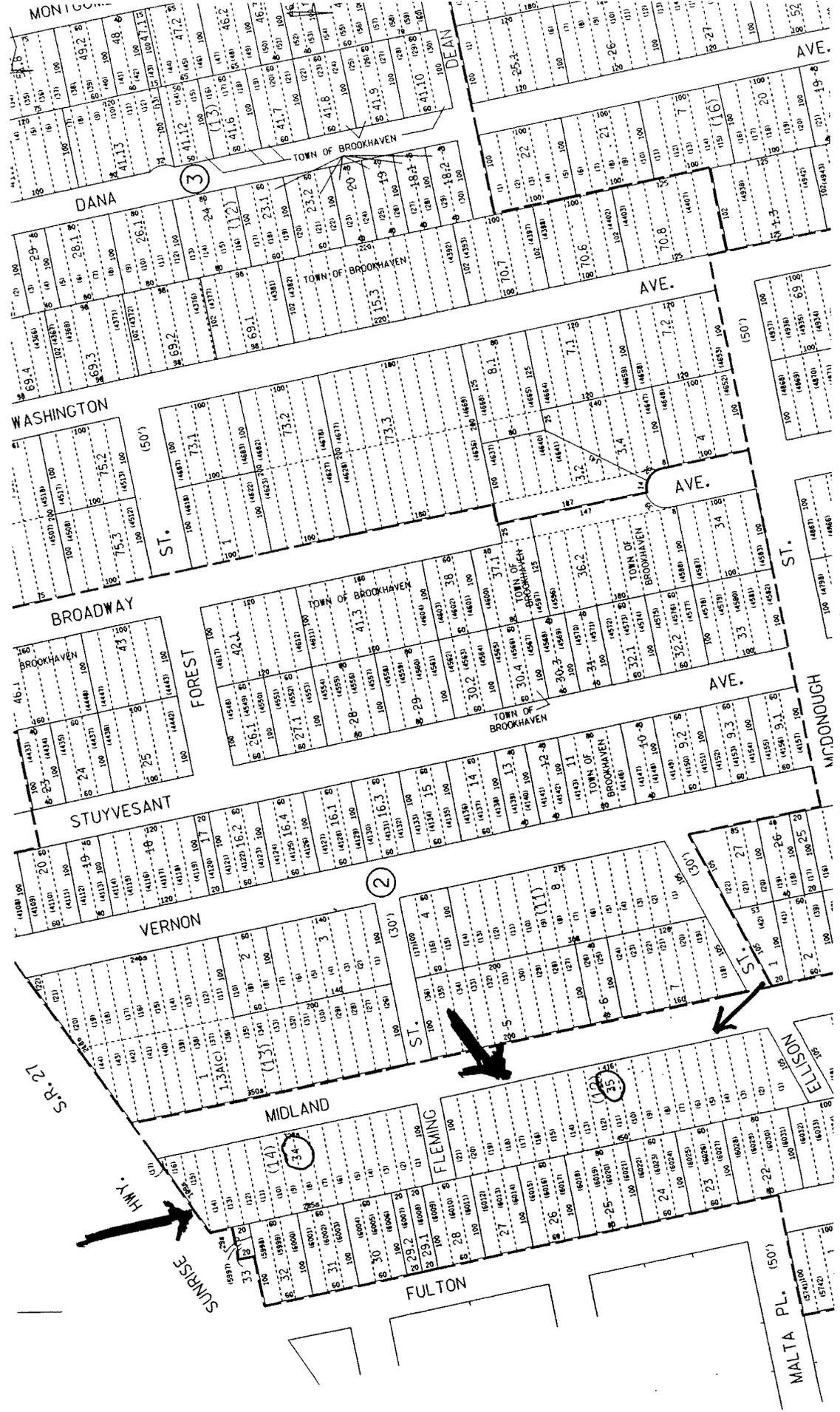
	<u>Amount</u>
County Investment	\$ 11,609.00

PURPOSE:

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

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

WRT: slb

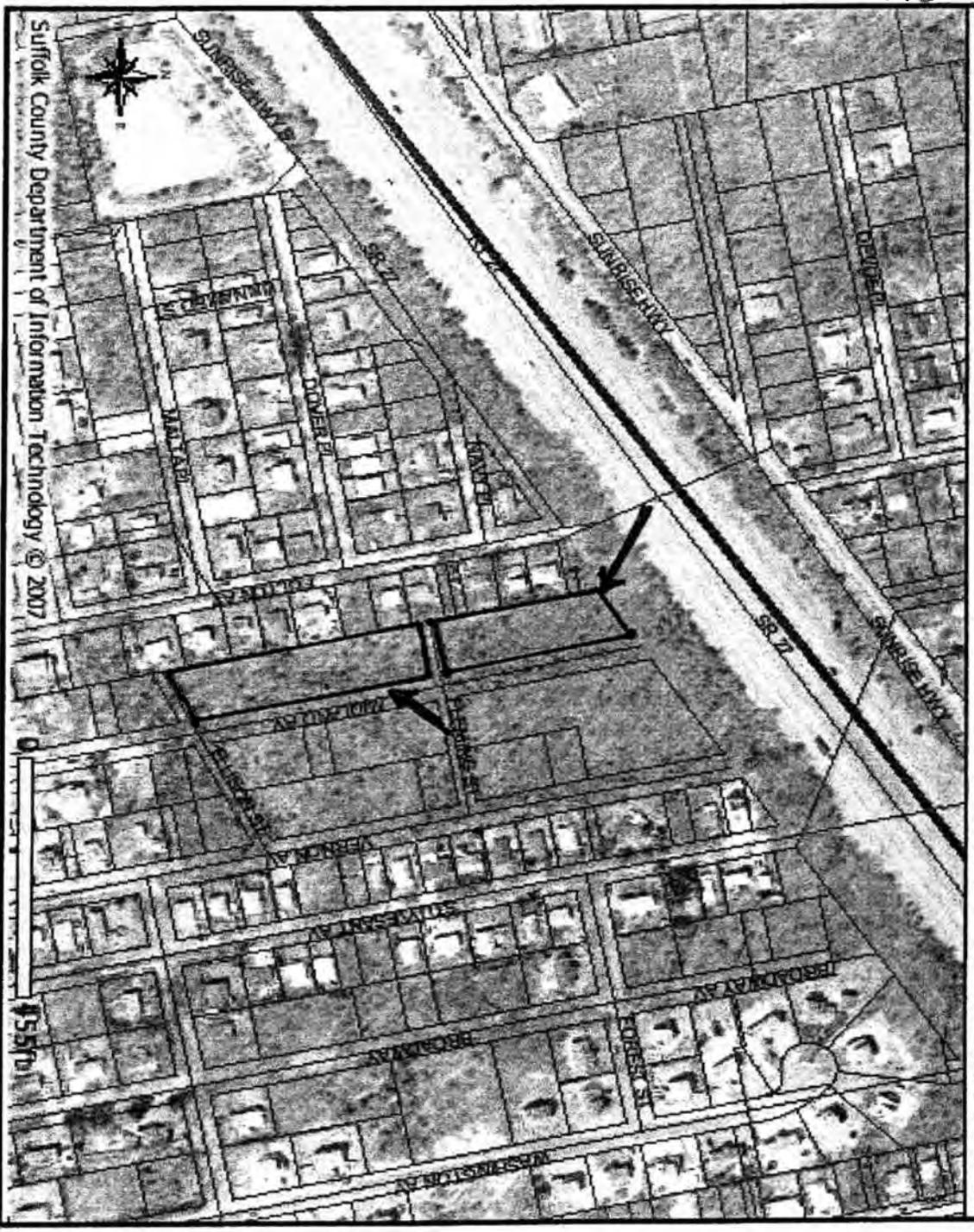


1262

TM# 0200-787.00-01.00-034.000 & 035.000

1762

**TM# 0200-787.00-01.00-034.000 & 035.000**



11949

1262

21

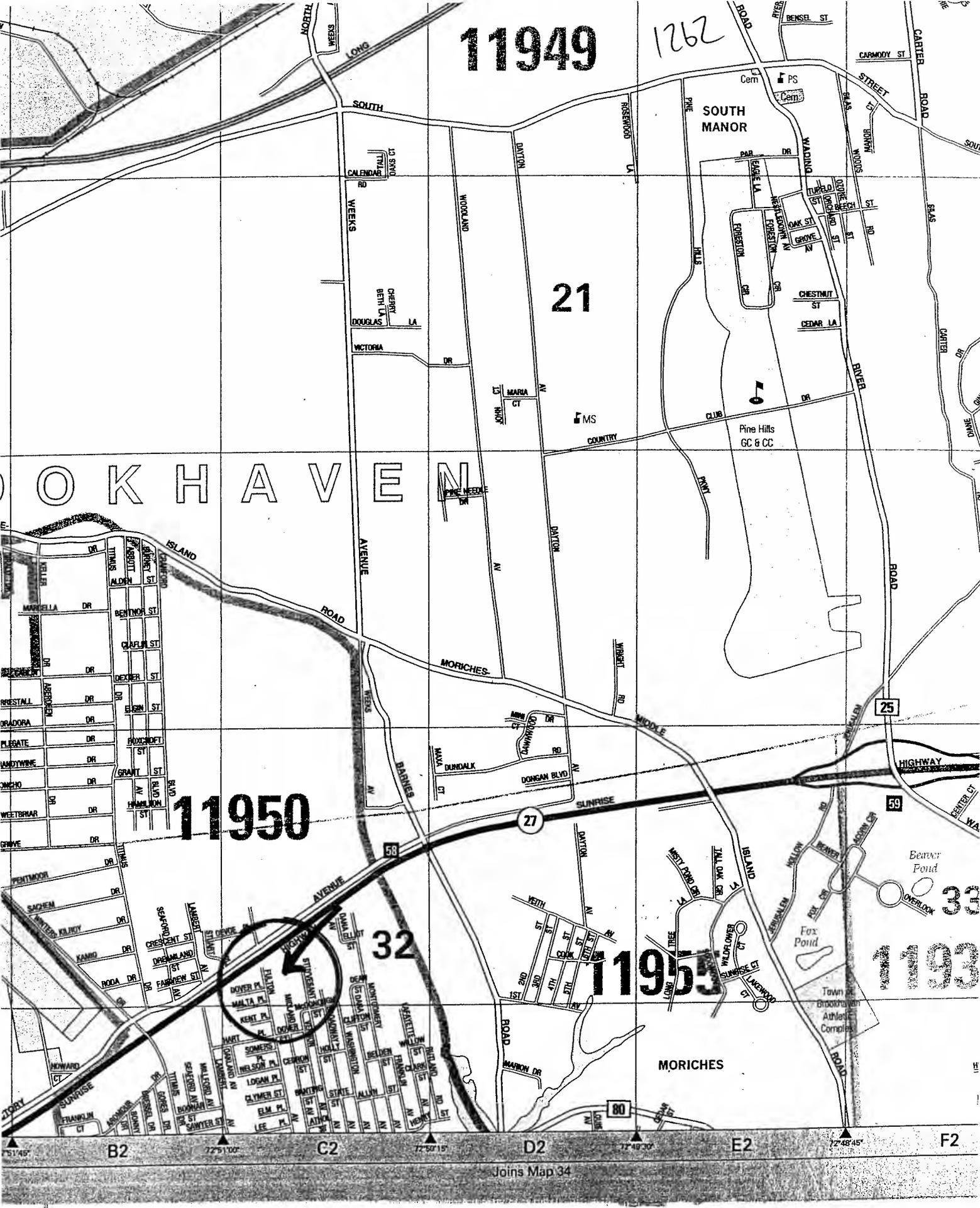
OKHAVEN

11950

32

11955

1193



Joins Map 34

pm# 0200-787.00-01.00-034.000 & 035.000

1262

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation  
Resolution  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 Open Space purposes
4. Will the Proposed Legislation have a fiscal impact? Yes  No \_\_\_\_\_
5. If the answer to Item 4 is "yes", on what will it impact?  
 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 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  
Current year 2008
10. Name & Title of Preparer      Signature of Preparer      Date  
R. J. Bhatt            3/4/08  
LMS- III

COUNTY OF SUFFOLK

Gen C9  
MAR 07 2008



1262

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

March 4, 2008

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.: 0200-787.00-01.00-034.000 & 0200-787.00-01.00-035.000  
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the Town of Brookhaven for General Municipal 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 municipal purposes.

I would appreciate your placing this on the legislative agenda.

Yours truly,

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:  
Brendan Chamberlain, County Executive Assistant (2 hard copies)  
Connie Corso, Budget Director  
Thomas A. Isles, Director of Planning  
CE Reso Review via e-mail

1263

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

Laid on Table 3/18/08

**RESOLUTION NO. -2008, DIRECTING THE  
DEPARTMENT OF PLANNING TO FILE RATING SYSTEM  
FORMS WITH LAND ACQUISITION RESOLUTIONS**

**WHEREAS**, the Department of Planning rates proposed open space acquisitions on a point system when a planning steps resolution is introduced in the County Legislature; and

**WHEREAS**, the rating forms prepared by the Department of Planning, which are advisory in nature, are typically distributed to the members of the Legislature's Environment, Planning and Agriculture Committee when the planning steps resolution is being considered; and

**WHEREAS**, these rating forms provide important information and analysis regarding proposed acquisitions; and

**WHEREAS**, these rating forms are generally not made available to legislators when an acquisition resolution is submitted to the Legislature after the planning steps process is completed; and

**WHEREAS**, there is usually a substantial time lapse between the planning and acquisition resolutions; and

**WHEREAS**, legislators should have the Planning Department's rating sheet available at the point where they are considering the expenditure of public monies for open space acquisitions; now, therefore, be it

**1st RESOLVED**, that the Suffolk County Planning Department is hereby authorized and directed to file the Suffolk County Open Space Rating System Form (for natural environment; for active recreation/hamlet parks; for historic cultural park uses; for farmland development rights) with the Clerk of the Suffolk County Legislature as backup for all land acquisition resolutions that are filed with the County Legislature; and be it further

**2nd RESOLVED**, that the Clerk of the County Legislature shall distribute copies of the Suffolk County Open Space Rating System Forms to all County Legislators as backup to land acquisition resolutions; and be it further

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

DATED:

APPROVED BY:

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

Date:

s:\res\open space rating forms

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

**RESOLUTION NO. -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH AIRPORT IMPROVEMENTS (CP-5740)**

**WHEREAS**, through Resolution 1229-2007 the County accepted a grant from the New York State Department of Transportation, Aviation Bureau to assist with the construction of a noise berm along the eastern border of the airport; and

**WHEREAS**, the 2008 Capital Program and Budget need to be amended to create a new capital project and to appropriate the funds as approved; and

**WHEREAS**, the 2008 Adopted Capital Budget and Program does not include funds to cover the full cost of said request and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; 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**, that this Legislature as SEQRA lead agency, through Resolution 1333-2007 determine that the project constitutes an unlisted action, issued a negative declaration and SEQRA is complete; and;

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$20,000 in Suffolk County Serial Bonds; now, therefore, be it

**1<sup>st</sup> 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 No. 461-2006; and be it further

**3<sup>rd</sup> RESOLVED**, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5740  
Project Title: Airport Improvements at Francis S. Gabreski Airport

	<u>Total Est'd Cost</u>	<u>Current 2008 Capital Budget &amp; Program</u>	<u>Revised 2008 Capital Budget &amp; Program</u>
3. Construction	\$ 20,000	\$0	\$ 20,000 B
	<u>180,000</u>	<u>\$0</u>	<u>\$180,000 S</u>
<b>TOTAL</b>	<b>\$200,000</b>	<b>\$0</b>	<b>\$200,000</b>

**4<sup>th</sup> RESOLVED**, that State Aid be and it hereby is appropriated as follows:

<u>Project No.:</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5740.310	Airport Improvements	\$180,000

and be it further

**5<sup>th</sup> RESOLVED**, that the proceeds of \$20,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.:</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5740.310 (Fund 001 Debt Service)	Airport Improvements	\$20,000

and be it further

**6<sup>th</sup> RESOLVED** the Department of Public Works pursuant to Section C8-2 (X) of the Suffolk County Charter are hereby authorized, empowered and directed to take such action as may be necessary to complete this project.

DATED:

APPROVED BY:

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

Date of Approval:



Suffolk County

1264

General Obligation Serial Bonds  
50% Rule

Term of Bonds: 10  
Amount to Bonds: \$20,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2008					
5/1/2009			\$400.00	\$400.00	
11/1/2009	4.00%	\$ 2,000	400.00	2,400.00	\$2,800.00
5/1/2010			360.00	360.00	
11/1/2010	4.00%	2,000	360.00	2,360.00	2,720.00
5/1/2011			320.00	320.00	
11/1/2011	4.00%	2,000	320.00	2,320.00	2,640.00
5/1/2012			280.00	280.00	
11/1/2012	4.00%	2,000	280.00	2,280.00	2,560.00
5/1/2013			240.00	240.00	
11/1/2013	4.00%	2,000	240.00	2,240.00	2,480.00
5/1/2014			200.00	200.00	
11/1/2014	4.00%	2,000	200.00	2,200.00	2,400.00
5/1/2015			160.00	160.00	
11/1/2015	4.00%	2,000	160.00	2,160.00	2,320.00
5/1/2016			120.00	120.00	
11/1/2016	4.00%	2,000	120.00	2,120.00	2,240.00
5/1/2017			80.00	80.00	
11/1/2017	4.00%	2,000	80.00	2,080.00	2,160.00
5/1/2018			40.00	40.00	
11/1/2018	4.00%	2,000	40.00	2,040.00	2,080.00
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%	-	-	-	-
		\$ 20,000	\$4,400.00	\$24,400.00	\$24,400.00

FINANCIAL IMPACT  
2009 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1264

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$2,800	\$0.01		\$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	\$2,800	\$0.01		\$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.



1264 FEB 29 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:** February 25, 2008

**SUBJECT:** **Resolution to Appropriate Grant Funds for Noise Berm**

\*\*\*\*\*

In December through Resolution 1229-2007, the Legislature accepted a grant from New York State Department of Transportation to fund the construction of a noise berm on a portion of the east side of Gabreski Airport. The attached resolution amends the 2008 Capital Program and Budget to create a new Capital Program and to appropriate the funds. SEQRA was completed through resolution 1333-2007.

Attached please find the draft resolution and the required SCIN 175a and 175b. Electronic copies have been filed.

Thank you.

CEF/kmb  
Attachment

- cc: Jim Morgo, Chief Deputy County Executive
- Tony Ceglio, Francis S. Gabreski Airport Manager
- ✓ Brendan Chamberlain, Assistant County Executive



Steve Levy  
Suffolk County Executive

Jim M. Morgo  
Commissioner

**BETTER FOR BUSINESS...BETTER FOR LIFE**

**CAPITAL PROJECT RANKING FORM**

Noise Berm New CP

1264

CAPITAL PROJECT RANKING FORM	Response	Score	Category
<b>Cumulative Ranking (maximum score=100 points)</b>		<b>56.8</b>	
1. Does this project meet the minimum 5-25-5 criteria for inclusion in the capital program pursuant to Local Law 23 of 1994? Enter "Y" or "N".	Y	5.6	Planning
2. ENTER "Y" if this is either a non-recurring project or a recurring project that is financed with "G" money or ENTER "N" if this is a recurring project financed through the capital program with a source of funds other than "G" money.	Y	5.6	Planning
3. Is implementation of the project mandated by federal, state or local law? ENTER "0" if not mandated, ENTER "1" (yes-long term) if mandated, but more than 3-years (beyond the current capital program) are needed to meet the mandate, or ENTER "2" if mandate must be met within the current 3-year capital program.	0	0.0	Planning
4. What percent of the project is funded by state or federal aid, or other nonproperty tax revenue (department income, tuition at the college, interfund transfers from Fund 404 for sewers, etc.)? ENTER the percent from 0 to 100.	90	10.0	Fiscal
5. What is the non-debt service net operating budget impact? ENTER "1" for an increase in net operating expenses (net of debt service on borrowing for this capital project and net of state & federal aid and other nonproperty tax revenue); ENTER "2" for no impact; ENTER "3" for a decrease in net operating expenses within 10 years; ENTER "4" for a decrease in net operating expenses within 5 years.	2	5.6	Fiscal
6. What affect will this project have on the local economy with respect to expansion of the tax base and/or job creation? ENTER "1" = negative economic impact; ENTER "2" = no effect; ENTER "3" = positive economic impact.	2	5.6	Economic
7. Which level of service best describes this project? ENTER "1" = will expand the level of services, provide new services, or provide service level quality enhancements; ENTER "2" = needed to maintain existing levels; or ENTER "3" = replaces, rehabilitates or repairs a deteriorating or obsolete facility (i.e., Yaphank Jail)	2	2.8	Service
8. Does this project (1) correct a critical health or safety hazard, (2) prevents a critical breakdown in county facilities (i.e. asbestos removal or road improvements at high accident locations) or (3) promotes public safety or public health, providing critical services to county residents? Enter "Y" or "N".	Y	11.1	Service
9. What impact does the project have on the environment? ENTER "1" a for negative impact, ENTER "2" for no impact or ENTER "3" for a positive impact.	2	5.6	Service
10. What percent of the County's population will potentially be served? ENTER "1" if potential use is less than or equal to 25% of the county's population, ENTER "2" if potential use is less than or equal to 50%, ENTER "3" if potential use is less than or equal to 75%, ENTER "4" if potential use exceeds 75%.	1	1.4	Service
11. How would you (the analyst) rate the need for this project? ENTER "1" = Not necessary; ENTER "2" = Moderate priority; ENTER "3" = High priority; ENTER "4" = Critical.	3	3.7	All Categories

Intro Res. No. 1265-08

Laid on Table 3/18/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO - 2008, AUTHORIZING THE PURCHASE AND INSTALLATION OF DIESEL ENGINE EMISSIONS COMPONENT UPGRADES ON SUFFOLK TRANSIT BUSES AND AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND ACCEPTING AND APPROPRIATING FEDERAL AID AND STATE AID (CP 5648)

WHEREAS, the Federal Transit Administration (FTA) and the New York State Department of Transportation (NYSDOT) provide funds for mass transportation projects which include the purchase and installation of diesel engine emission component upgrades on Suffolk Transit buses; and

WHEREAS, the County has applied for and has received and/or anticipates receiving grants for federal funds already allocated to Suffolk County for mass transportation projects; and

WHEREAS, said grant applications have been authorized by Suffolk County Legislative Resolution Nos. 480-2007, 674-2007 and 880-2007; and

WHEREAS, the grant agreements for Federal and associated State financial assistance impose certain obligations upon the County, and require the County to commit resources necessary to initially cover the total project costs of the grant; and

WHEREAS, Federal reimbursement to the County will be 80% and State reimbursement to the County will be up to 50% of the non-federal share of federally funded projects, but not to exceed 10% of federally funded total project costs and the County will provide the remaining 10% local share of project costs; 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, it is estimated that the total cost of the purchase and installation of diesel engine emissions component upgrades on Suffolk Transit buses \$1,195,000 with the Federal and State shares amounting to 90% of the total cost; and

WHEREAS, sufficient funds have not been included within the 2008 Capital Budget and Program and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by federal and/or state aid; and

WHEREAS, that the County Legislature, by resolution of even date herewith, has authorized the issuance of \$119,500 in Suffolk County Serial Bonds to cover the County share of this purchase; now, therefore, be it

1<sup>st</sup> RESOLVED, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No. 5648  
 Project Title: Equipment for Public Transit Vehicles

	Total Est'd. Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
5. Furniture and Equipment	\$6,685,000	-0- -0- -0-	119,500B 119,500S 956,000F
6. TOTAL	\$6,685,000	-0-	\$1,195,000

and be it further

2<sup>nd</sup> RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this 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

3<sup>rd</sup> RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty five (55) 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

4<sup>th</sup> RESOLVED, that the Purchasing Division is authorized to receive bids for the purchase and installation of diesel engine emission component upgrades on Suffolk Transit buses pursuant to applicable Federal and State regulations; and be it further

5<sup>th</sup> RESOLVED, that the proceeds of \$119,500 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5648.518 (Fund 001-Debt Service)	Purchase and installation of diesel engine emission component upgrades on Suffolk Transit buses	\$119,500

and be it further

6<sup>th</sup> RESOLVED, that the State Aid be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5648.518	Purchase and installation of diesel engine emission component upgrades on Suffolk Transit buses	\$119,500

and be it further

7<sup>th</sup> RESOLVED, that the Federal Aid be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5648.518	Purchase and installation of diesel engine emission component upgrades on Suffolk Transit buses	\$956,000

and be it further

8<sup>th</sup> RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal aid in connection with this project.

DATED:

APPROVED BY

---

County Executive of Suffolk County  
Date of Approval

1265

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>		
2. Title of Proposed Legislation		
RESOLUTION NO                      -                      2008, AUTHORIZING THE PURCHASE AND INSTALLATION OF DIESEL ENGINE EMISSIONS COMPONENT UPGRADES ON SUFFOLK TRANSIT BUSES AND AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND ACCEPTING AND APPROPRIATING FEDERAL AID AND STATE AID (CP 5648)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No <u>      </u>		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
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	<b>NICHOLAS E. PAGLIA JR</b> <b>EXECUTIVE TECHNICIAN</b> 	March 7, 2008

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT  
2009 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1765

**GENERAL FUND**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$24,800</b>	<b>\$0.05</b>		<b>\$0.000</b>

**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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$24,800</b>	<b>\$0.05</b>		<b>\$0.000</b>

**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.

1265

Suffolk County

General Obligation Serial Bonds  
50% Rule

Term of Bonds: 5  
Amount to Bonds: \$119,500

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2009					
5/1/2009			\$2,400.00	\$2,400.00	
11/1/2009	4.00%	\$ 20,000	2,400.00	22,400.00	\$24,800.00
5/1/2010			2,000.00	2,000.00	
11/1/2010	4.00%	23,000	2,000.00	25,000.00	27,000.00
5/1/2011			1,540.00	1,540.00	
11/1/2011	4.00%	25,000	1,540.00	26,540.00	28,080.00
5/1/2012			1,040.00	1,040.00	
11/1/2012	4.00%	26,000	1,040.00	27,040.00	28,080.00
5/1/2013			520.00	520.00	
11/1/2013	4.00%	26,000	520.00	26,520.00	27,040.00
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%	-	-	-	-
		\$ 120,000	\$15,000.00	\$135,000.00	\$135,000.00

COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

1265

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 25, 2008

RE: Resolution authorizing the purchase and installation of diesel engine emissions component upgrades on Suffolk Transit buses and amending the 2008 capital budget and program and accepting and appropriating federal aid and state aid.

As the County replaces the Suffolk Transit buses in its fleet on a regular basis, the new buses incorporate the latest in diesel engine emissions technology. However, the transit buses that are too new for replacement under the federal guidelines do not incorporate this technology. This project proposes to utilize both FTA Formula and Earmarked funds (along with State matching funds) to offset the cost of upgrading the diesel engine emissions components on these buses. The total amount of money for this project will be \$1,195,000 (\$956,000 Federal, \$119,500 State and \$119,500 County) which is expected to be sufficient to complete the project.

This resolution amends the 2008 Capital Budget and authorizes the purchase and installation of these components. No offset is required.

The SCIN Forms 175a and Statement of Financial Impact Form are attached.

This proposed resolution, with backup, will be forwarded electronically titled: "Reso-DPW-Purchase and Installation of Diesel Engine Emissions Component Upgrades on SCT Buses"

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.  
Carmine Chiusano, Budget Office, Budget Office, w/enc.  
Don Fahey, Federal & State Aid Office, w/enc  
CE Reso Review List, e-mail

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1265

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 authorizing the purchase and installation of diesel engine emissions component upgrades on Suffolk Transit buses and amending the 2008 capital budget and program and accepting and appropriating federal aid and state aid.

3. Purpose of Proposed Legislation  
Enables the County to receive the federal and state aid to cover 90% of the cost involved with the purchase and installation of upgraded diesel engine emissions components on Suffolk Transit buses.

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  
\$1,195,000

8. Proposed Source of Funding  
Federal Funds - \$956,000; State Funds; \$119,500; County \$119,500

9. Timing of Impact  
2008

10. Typed Name and Title of Preparer  
Robert W. Shinnick, Director  
Transportation Operations

11. Signature of Preparer  


12. Date  
2/25/08

1266  
Intro. Res. No. - 2008

Laid on the Table 3/18/08

Introduced by the Presiding Officer Lindsay on request of County Executive Steve Levy

**RESOLUTION NO. - 2008 APPROPRIATING FUNDS  
IN CONNECTION WITH THE PURCHASE OF HIGHWAY  
MAINTENANCE EQUIPMENT (CAPITAL PROGRAM  
5047)**

**WHEREAS**, the Commissioner of Public Works has requested funds for purchase in connection with Purchase of Highway Maintenance 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**, Resolution 321-2003 requires that no vehicle shall be purchased or leased unless “explicit approval for the acquisition of such vehicles, via lease or purchase, has been granted via duly enacted Resolution of the Suffolk County Legislature”; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$1,650,000 in Suffolk County Serial Bonds; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the purchase of this equipment is hereby approved, pursuant to Section 186-2(B)(6) of the SUFFOLK COUNTY CODE, and in accordance with the County vehicle standard, for use by the Department of Public Works; and be it further

**2<sup>nd</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (25) (C) (2), (11), (20), (21,) (25) 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

**3<sup>rd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of thirty five (35) 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

**4<sup>th</sup> 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; and be it further

**5<sup>th</sup> RESOLVED**, that the proceeds of \$1,650,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP 5047.526 (Fund 016 Debt Service)	50	Purchase of Highway Maintenance Equipment	\$1,650,000

DATED:

APPROVED BY:

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

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1266

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>RESOLUTION NO.            - 2008 APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF HIGHWAY MAINTENANCE EQUIPMENT (CAPITAL PROGRAM 5047)</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?            Yes <u>  X  </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact?    (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
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	<b>NICHOLAS E. PAGLIA JR</b> <b>EXECUTIVE TECHNICIAN</b> 	March 4, 2008

SCIN FORM 175b (10/95)

Suffolk County

1266

General Obligation Serial Bonds  
50% Rule

Term of Bonds: 5  
Amount to Bonds: \$1,650,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2008					
5/1/2009			\$33,000.00	\$33,000.00	
11/1/2009	4.00%	\$ 264,000	33,000.00	297,000.00	\$330,000.00
5/1/2010			27,720.00	27,720.00	
11/1/2010	4.00%	317,000	27,720.00	344,720.00	372,440.00
5/1/2011			21,380.00	21,380.00	
11/1/2011	4.00%	343,000	21,380.00	364,380.00	385,760.00
5/1/2012			14,520.00	14,520.00	
11/1/2012	4.00%	370,000	14,520.00	384,520.00	399,040.00
5/1/2013			7,120.00	7,120.00	
11/1/2013	4.00%	356,000	7,120.00	363,120.00	370,240.00
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%	-	-	-	-
		\$ 1,650,000	\$207,480.00	\$1,857,480.00	\$1,857,480.00

**FINANCIAL IMPACT  
2009 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1266

**GENERAL FUND**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$330,000</b>	<b>\$0.62</b>		<b>\$0.001</b>

**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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$330,000</b>	<b>\$0.62</b>		<b>\$0.001</b>

**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.

COUNTY OF SUFFOLK



1266

FEB 29 2008

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, Assistant Deputy County Executive

FROM: *Thomas L. Laguardia*  
*fax* Gilbert Anderson, P.E., Chief Deputy Commissioner

DATE: February 26, 2008

RE: C.P. 5047 – Purchase of Highway Maintenance Equipment

We are forwarding herewith a draft resolution(DPW Purchase of Highway Equipment) appropriating the sum of \$1,650,000 in connection with the above referenced project. There are presently funds included for 2008 in the Capital Budget and Program for this project.

Attached is a list of equipment recommended for the coming year for the above referenced project. This project provides for equipment used for maintenance of County roads, parking fields and facilities. In order to provide the public with the level of service it expects, safe, efficient and reliable equipment must be available.

An e-mail version was sent to CE RESO REVIEW saved under the title "RESO DPW REQUEST 5047- Purchase of Highway Maintenance Equipment".

GA:PB:mm  
attach.

cc: Jim Morgo, Chief Deputy County Executive  
Brendan Chamberlain, County Executive Assistant  
Carmine Chiusano, Principal Financial Analyst  
Peter Burke, Asst. Director, Highway/Fleet Maintenance  
Laura Conway, CPA, Director of DPW Administrative Services  
Linda Brandolf, CPA, Capital Accounting

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

1266

CAPITAL PROJECT 5047

<b>Quantity</b>	<b>Item</b>	<b>Estimated Unit Price</b>	<b>Total</b>
3	Mower Tractors/Highway Type	60,000	180,000
2	Skid Steer Loader	60,500	121,000
3	Mowers/Grounds Type	28,000	84,000
1	Trailer, asphalt	30,000	30,000
1	Trailer dump	75,000	75,000
1	Trailer, Tag-along	20,000	20,000
1	Truck, guiderail post pounding	90,000	90,000
2	Trucks, Super-Duty	75,000	150,000
2	Trucks, 6 wheel with plow and spreader	150,000	300,000
3	Trucks, 10 wheel with plow and spreader	200,000	600,000
			<b>1,650,000</b>

1267

Intro. Res. No. - 2008

Laid on the Table

3/18/08

Introduced by the Presiding Officer on request of County Executive

**RESOLUTION NO. - 2008, APPROPRIATING FUNDS  
IN CONNECTION WITH THE REPLACEMENT OF  
PUBLIC WORKS FLEET MAINTENANCE EQUIPMENT  
(CAPITAL PROGRAM NUMBER 1769)**

**WHEREAS**, the Commissioner of Public Works has requested funds for the Replacement of Public Works Fleet Maintenance 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

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (25) (C) (2), (11), (20), (21), (25) 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

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of 23 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

**3<sup>rd</sup> 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; and be it further

**4<sup>th</sup> RESOLVED**, that the proceeds of \$100,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1769.513 (Fund 016 Debt Service)	50	Replacement of Public Works Fleet Maintenance Equipment	\$100,000

DATED:

APPROVED BY:

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

Date of Approval:

1267

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>  X  </u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation  <b>RESOLUTION NO.            - 2008, APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT OF PUBLIC WORKS FLEET MAINTENANCE EQUIPMENT (CAPITAL PROGRAM NUMBER 1769)</b>		
3. Purpose of Proposed Legislation  SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?            Yes <u>  X  </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact?    (circle appropriate category)		
<b>County</b>	<b>Town</b>	<b>Economic Impact</b>
<b>Village</b>	<b>School District</b>	<b>Other (Specify):</b>
<b>Library District</b>	<b>Fire District</b>	
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  Nicholas Paglia Executive Technician	11. Signature of Preparer <b>NICHOLAS E. PAGLIA JR</b> <b>EXECUTIVE TECHNICIAN</b> 	12. Date  March 4, 2008

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT  
2009 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1267

**GENERAL FUND**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$20,000</b>	<b>\$0.04</b>		\$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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**COMBINED**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$20,000</b>	<b>\$0.04</b>		\$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.

Suffolk County

General Obligation Serial Bonds  
50% Rule

1267

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



1767

FEB 29 2008

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, Assistant Deputy County Executive  
FROM: ~~for~~ Gilbert Anderson, P.E., Commissioner *Thomas La Guardia*  
DATE: February 26, 2008  
RE: C.P. 1769 – Replacement of Public Works Fleet Maintenance Equipment

Attached is a draft resolution appropriating the sum of \$100,000 for the replacement of fleet maintenance equipment. There are presently funds included for 2008 in the Capital Budget and Program for this project.

In order to operate effective fleet maintenance facilities, equipment that meets safety and environmental standards must be purchased on a regular basis. Attached is a list of equipment recommended for this appropriation.

An e-mail version was sent to CE RESO REVIEW saved under the title "RESO DPW REQUEST 1769 – Replacement of Public Works Fleet Maintenance Equipment".

GA:PB:mm  
attach.

cc: Jim Morgo, Deputy County Executive  
Brendan Chamberlain, County Executive Assistant  
Carmine Chiusano, Principal Financial Analyst  
Peter Burke, Assistant Director, Highway/Fleet Maintenance  
Laura Conway, CPA, Director of DPW Administrative Services  
Linda Brandolf, CPA, Capital Accounting

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

1267

**CAPITAL PROJECT 1769**  
**PURCHASE OF HIGHWAY MAINTENANCE EQUIPMENT**

Lift Replacement	100,000
------------------	---------

1268  
Intro. Res. No. - 2008

Laid on the Table

3/18/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2008, AMENDING THE 2008  
ADOPTED OPERATING BUDGET TO ACCEPT AND  
APPROPRIATE 100% ADDITIONAL STATE AID FROM THE  
NEW YORK STATE OFFICE OF ALCOHOLISM AND  
SUBSTANCE ABUSE SERVICES AND TO TRANSFER  
FUNDING FROM CURRENT APPROPRIATIONS FOR  
OUTREACH DEVELOPMENT CORPORATION (PROJECT  
OUTREACH - ICM)**

**WHEREAS**, the approved New York State budget for Fiscal Year 2007-2008 includes funding in Aid to Localities to support the provision of chemical dependence services; and

**WHEREAS**, Managed Addiction Treatment Services (MATS) is a program that provides case management services to Medicaid eligible recipients of chemical dependence services; and

**WHEREAS**, the goal of MATS is to assure effective and appropriate access to needed treatment services and positive treatment outcomes for Medicaid recipients; and

**WHEREAS**, Outreach Development Corporation (Project Outreach - ICM) is the designated provider of MATS services in Suffolk County; and

**WHEREAS**, additional 100% State aid has become available for the provision of MATS services in Suffolk County; and

**WHEREAS**, acceptance of this additional 100% State aid requires a local match that is already included in the 2008 Adopted Operating Budget and needs to be transferred to Outreach Development Corporation (Project Outreach - ICM); now therefore, be it

**WHEREAS**, the addition of the new and transferred funds will provide the Outreach Development Corporation (Project Outreach - ICM) with a 2008 Budget of \$405,135; now therefore, be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$28,922 in additional State aid as follows:

REVENUES:

001-3486 State Aid: Narcotics Addiction Control \$28,922

ORGANIZATIONS

Department of Health Services (HSV)  
Division of Community Mental Hygiene Services  
001-HSV-4310-4980

<u>XORG</u>	<u>OBJECT NAME</u>	2008 Adopted Budget	Increase/ Decrease	2008 Modified Budget
GNC1	Project Outreach – ICM	\$372,338	+\$28,922	\$401,260

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to transfer funds as follows:

ORGANIZATIONS

Department of Health Services (HSV)  
Division of Community Mental Hygiene Services  
001-HSV-4310-4980

From:

001-HSV-4310-4980 Contracted Services -\$3,875

To:

<u>XORG</u>	<u>OBJECT NAME</u>	2008 Adopted Budget	Increase/ Decrease	2008 Modified Budget
GNC1	Project Outreach – ICM	\$372,338	+\$3,875	\$376,213

and be it further

**3<sup>rd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with Outreach Development Corporation (Project Outreach – ICM); and be it further

**4<sup>th</sup> RESOLVED**, that the funding and expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

**5<sup>th</sup> RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

---

County Executive of Suffolk County

Date of Approval:

COUNTY OF SUFFOLK

1268



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.  
Commissioner

February 25, 2008

Ben Zwirn, Deputy County Executive  
Office of the County Executive, 12<sup>th</sup> Floor  
H. Lee Dennison Building  
Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution amending the 2008 Adopted Operating Budget to accept and appropriate 100% additional State aid from the New York State Office of Alcoholism and Substance Abuse Services and to transfer funding from current appropriations for Outreach Development Corporation (Project Outreach – ICM). These funds are to continue the Managed Addiction Treatment Services (MATS) program that provides case management services to Medicaid eligible recipients of chemical dependence services.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Mary Howe at 3-8517. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is Reso-HSV-MH MATS Proj Outreach.doc.

Sincerely yours,

Humayun J. Chaudhry, D.O., M.S.  
Commissioner of Health Services

Enclosures

HJC/lw

- C: Jim Morgo, Chief Deputy County Executive
- Margaret B. Bermel, M.B.A, Director of Health Administrative Services
- Matthew Miner, Deputy Commissioner
- Thomas O. MacGilvray, Director of Community Mental Hygiene Services
- Mary K. Howe, Chief Management Analyst
- Sheila Reagan, Senior Program Examiner
- Glenn Terry, Auditor
- Diane E. Weyer, Principal Financial Analyst



Public Health  
Prevent. Promote. Protect.

OFFICE OF THE COMMISSIONER  
225 Rabro Drive East, Hauppauge, NY 11788 (631) 853-3000 Fax (631) 853-2927

**FINANCIAL IMPACT  
2008 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

*1288*

**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.

# COUNTY OF SUFFOLK



1268

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.  
Commissioner

## MEMORANDUM

**To:** Humayun J. Chaudry, D.O., M.S.  
Commissioner, Department of Health Services

**From:** Thomas O. MacGilvray, LCSW, CASAC  
Director, Division of Community Mental Hygiene Services

**Date:** February 5, 2008

**Subject:** Request for Legislative Resolution to Accept and Appropriate Additional State Aid from NYS OASAS and to Transfer Funding from Current Appropriations for Outreach Development Corporation (Project Outreach – ICM)

The approved New York State Budget for Fiscal Year 2007-2008 includes funding in Aid to Localities to support the provision of chemical dependence services. Additional 100% state aid has become available for the provision of Managed Addiction Treatment Services (MATs). Acceptance of this 100% state aid requires a local match that is already included in the 2008 Adopted Operating Budget and must be transferred to our MATs provider, Outreach Development Corporation (Project Outreach – ICM).

The New York State Office of Alcoholism and Substance Abuse Services Long Island Field Office has approved additional funding of \$32,797 in state aid (\$28,922) and local share (\$3,875) for the provision of these services. We have attached a copy of the New York State Office of Alcoholism and Substance Abuse Services State Aid Funding Authorization dated January 16, 2008 that shows the current level of funding for Outreach Development Corporation.

We have also attached a draft copy of the fiscal impact statement, as well as the resolution to amend the 2008 Adopted Operating Budget to accept and appropriate the additional state aid and to transfer funding from existing appropriations to Outreach Development Corporation.

Thank you.

TOM: pm  
Attachments

cc: M. Howe, L. Wright, S. Reagan, G. Terry, T. Rotundo, P. Manos, D. Weyer



1268



NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES  
STATE AID FUNDING AUTHORIZATION

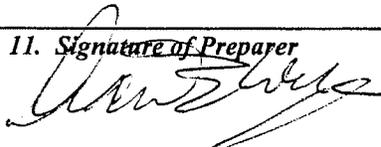
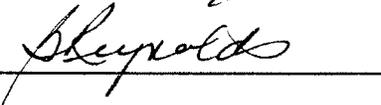
As of: January 16, 2008  
County: SUFFOLK (52)  
Region: Long Island

Fiscal Year: 2008

Agency Number/Name	Initiative Code	Program Code/ Index	PRU	Units of Service	Funding Code/ Source	One-Direct time	Approved Budgeted Amounts				Funded Net	Approved State Aid	Local Share	Restr. Code
							Gross	Revenue	Net	Non-Funded				
26060		3520 00	51221	13,000	013 S		1,322,601	889,306	433,295	0	433,295	307,520	125,775	
Town of Islip		3520 01	7110	9,800	013 S		977,495	577,804	399,691	0	399,691	270,575	129,118	
		5550 00	90196		013 S		373,280	188,119	185,161	0	185,161	140,159	45,002	
Agency 26060 Total:							2,673,376	1,655,229	1,018,147	0	1,018,147	718,254	299,893	
29770		5550 00	90198		013 S		47,866	0	47,866	0	47,866	46,918	948	
Three Village Central School District		Agency 29770 Total:					47,866	0	47,866	0	47,866	46,918	948	
31360		3810 00			013 S		404,070	0	404,070	0	404,070	373,560	30,510	
Outreach Development Corporation		Agency 31360 Total:					404,070	0	404,070	0	404,070	373,560	30,510	
33200		5550 00	90201		013 S		62,498	0	62,498	0	62,498	15,622	46,876	
Human Understanding & Growth Seminars		Agency 33200 Total:					62,498	0	62,498	0	62,498	15,622	46,876	
50430		2780 00	52037	1,440	013 S		136,760	24,000	112,760	0	112,760	108,000	4,760	
The Pederson-Krag Center, Inc.		3520 00	51802	9,953	013 S		868,957	574,933	294,024	0	294,024	69,413	224,611	
		3520 01	51803	9,706	013 S		781,810	508,838	272,972	0	272,972	48,389	224,583	
		3520 02	50376	12,879	013 S		1,025,801	781,280	244,521	0	244,521	167,010	77,511	
		4072 00			013 F		34,706	0	34,706	0	34,706	34,706	0	
		5550 00			013 S		90,000	0	90,000	0	90,000	90,000	0	X
Agency 50430 Total:							2,938,034	1,889,051	1,048,983	0	1,048,983	517,518	531,465	

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

1768

1. Type of Legislation		
Resolution <u>  X  </u>	Local Law	Charter Law
Title of Proposed Legislation AMENDING THE 2008 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES AND TO TRANSFER FUNDING FROM CURRENT APPROPRIATIONS FOR OUTREACH DEVELOPMENT CORPORATION (PROJECT OUTREACH – ICM)		
3. Purpose of Proposed Legislation To accept and appropriate \$28,922 in additional 100% State aid from NYS OASAS and to transfer \$3,875 in funding from current appropriations to Outreach Development Corp. (Project Outreach – ICM)		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES <u>  </u> NO <u>  X  </u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: Not applicable		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. None		
8. Proposed Source of Funding 100% additional State aid from the New York State Office of Alcoholism and Substance Abuse Services and transfer of funds included in the 2008 Adopted Operating Budget.		
9. Timing of Impact  Immediate upon approval of the resolution and execution of contract with Outreach Development Corp. (Project Outreach – ICM)		
10. Typed Name & Title of Preparer Diane E. Weyer Principal Financial Analyst	11. Signature of Preparer 	Date <u>8/25/08</u>
Beth A. Reynolds Principal Executive Analyst		<u>3/10/08</u>

1769  
Intro. Res. No. -2008

Laid on Table

3/18/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2008, AMENDING THE 2008 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STORMWATER REMEDIATION TO GREEN CREEK AT COUNTY ROAD 85, MONTAUK HIGHWAY (CP 8240.319)**

**WHEREAS**, Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plans for Sewers, Environmental Protection and County Taxpayers," as amended by Local Law No. 24-2007, authorized the use of 11.25 percent of sales, and compensating use tax proceeds generated each year through November of 2007 for the purpose of Water Quality Protection, as determined by duly enacted Resolutions of the County of Suffolk; and

**WHEREAS**, there are funds remaining within the reserved fund balance of Fund 477, which have accrued through November of 2007 and are required to be appropriated for the purpose of Water Quality Protection; and

**WHEREAS**, the Commissioner of Public Works has requested funds for the improvements at multiple county roads; 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**, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2008 Capital Budget and Program; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, has found and determined that the project proposed pursuant to this resolution constitutes a Type II action, pursuant to Section 617.5 (c) (20), (21) and (27) of Title 6 of the NYCRR and within the meaning of Section 8-019 (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; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-nine (59) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

**3<sup>rd</sup> RESOLVED**, that sufficient funds exist within Fund 477 Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

**4<sup>th</sup> RESOLVED**, that the Adopted 2008 Operating Budget be and hereby is amended and that the following appropriations be and hereby are appropriated as follows:

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Fund	\$700,000

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Org</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Water Quality Protection	\$700,000

(Ref. 525-CAP-IFTR-R477)

and be it further

**6<sup>th</sup> RESOLVED**, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8240  
 Project Title: Storm Water Remediation at various County Roads

	<u>Total</u> <u>Est'd</u> <u>Cost</u>	<u>Current</u> 2008 <u>Capital</u> <u>Budget &amp;</u> <u>Program</u>	<u>Revised</u> 2008 <u>Capital</u> <u>Budget &amp;</u> <u>Program</u>
3. Construction	\$700,000	\$0	\$700,000W
TOTAL	\$700,000	\$0	\$700,000

and be it further

**7<sup>th</sup> RESOLVED**, that these interfund proceeds in the amount of \$700,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8240.319	50	Storm Water Remediation to Brown Creek @ CR 85, Montauk Hwy	\$700,000

and be it further

**8<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized, empowered and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATED:

APPROVED BY:

\_\_\_\_\_  
 County Executive of Suffolk County  
 Date of Approval:

1269

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation AMENDING THE 2008 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STORMWATER REMEDIATION TO GREEN CREEK AT COUNTY ROAD 85, MONTAUK HIGHWAY (CP 8240.319)		
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u> County </u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact THIS RESOLUTION TRANSFERS FUNDS FROM FUND 477, WATER QUALITY PROTECTION, TO FUND 525- THE CAPITAL FUND AND APPROPRIATES THESE FUNDS IN CAPITAL PROJECT 8240 - STORM WATER REMEDIATION AT VARIOUS COUNTY ROADS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding FUND 477 RESERVE FUND BALANCE		
9. Timing of Impact UPON ADOPTION		
10. Typed Name & Title of Preparer STEVEN FORST AUDITOR	11. Signature of Preparer 	12. Date MARCH 10, 2008

**FINANCIAL IMPACT  
2008 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1269

**GENERAL FUND**

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY 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.

1270

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

Laid on Table 3/18/08

**RESOLUTION NO. -2008, REQUIRING THE  
DEPARTMENT OF SOCIAL SERVICES TO NOTIFY  
LANDLORDS WHEN A TENANT IS DENIED FURTHER  
BENEFITS**

**WHEREAS**, many residents of this County who may be eligible to receive housing benefits from the Department of Social Services will find temporary housing in anticipation of receiving such benefits; and

**WHEREAS**, just as many good willed citizens of this County will bear the cost of housing those in need with the expectation that the cost to them will be offset when the Department of Social Services begins making housing payments; and

**WHEREAS**, if the potential recipient is denied benefits, a landlord may no longer be able to afford the cost of housing such an individual; and

**WHEREAS**, a landlord should be notified by the Department of Social Services if a recipient is denied housing benefits, or is denied further benefits, so that the landlord can avoid incurring any more costs and the recipient can be put on notice and find alternative housing; now, therefore be it

**1st RESOLVED**, that the Commissioner of the Department of Social Services shall notify the landlord of a housing accommodation, in writing, within five (5) business days when an individual or individuals housed with the assistance of the Suffolk County Department of Social Services in said housing accommodation is denied such housing benefits, or is no longer eligible to receive such housing benefits, for any reason, and without respect to whether the landlord is receiving housing payments directly from the Suffolk County Department of Social Services or whether payments are made to the individual or individuals receiving such housing assistance; and be it further

**2nd RESOLVED**, that the Commissioner of the Department of Social Services shall notify the landlord of a housing accommodation, in writing, within five (5) business days when an individual who has secured such a temporary housing accommodation in anticipation of receiving housing benefits from the Suffolk County Department of Social Services is denied such housing benefits; 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:

1271

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

Laid on Table

3/18/08

**RESOLUTION NO. -2008, ESTABLISHING AN  
APPLICATION FEE WAIVER POLICY FOR CIVIL SERVICE  
EXAMINATIONS FOR VOLUNTEER FIREFIGHTERS AND  
EMT PERSONNEL**

**WHEREAS**, the County of Suffolk has historically made a special effort to recognize the contributions volunteer firefighters and Emergency Medical Technician's (EMT's) have made to our community and nation; and

**WHEREAS**, Section 50(5)(b) of New York State Civil Service Law allows counties to waive civil service application fees for specific classes of positions, types of examinations and/or candidates; and

**WHEREAS**, it is in the best interest of the County to waive civil service examination fees for volunteer firefighters and EMT's; now, therefore be it

**1st RESOLVED**, that the County of Suffolk hereby establishes an application fee waiver policy for eligible candidates who are volunteer firefighters and EMT's and residents of Suffolk County; and be it further

**2nd RESOLVED**, that such fees shall be waived for candidates who submit a valid volunteer firefighter or EMT identification card or a letter from the chief of the fire department or ambulance company which the candidate is affiliated with, affirming that said candidate is a volunteer in his or her organization; and be it further

**3rd RESOLVED**, that the candidates must also submit proof of his or her residence in Suffolk County to obtain the fee waiver; and be it further

**4th RESOLVED**, that every Suffolk County civil service examination announcement with an application fee shall have information printed on the announcement informing potential applicants of the fee waiver policy; and be it further

**5th RESOLVED**, that, pursuant to Section C6-2 of the Suffolk County Charter, the Personnel Officer, as Director of the Department of Human Resources, Personnel and Civil Service, is hereby authorized, empowered and directed to issue such regulations as he deems necessary to implement this Resolution; 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:

1272  
Intro. Res. No. -2008  
Introduced by Legislator Schneiderman

Laid on Table 3/18/08

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW  
NO. -2008, A LOCAL LAW TO PROTECT CHILDREN  
FROM ACCIDENTAL POISONING BY REQUIRING THE  
PROPER STORAGE OF TOXIC CHEMICALS IN RETAIL  
STORES**

**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 PROTECT CHILDREN FROM ACCIDENTAL POISONING BY REQUIRING THE PROPER STORAGE OF TOXIC CHEMICALS IN RETAIL STORES**" 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 PROTECT CHILDREN FROM ACCIDENTAL  
POISONING BY REQUIRING THE PROPER STORAGE OF TOXIC  
CHEMICALS IN RETAIL STORES**

**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 public health and environmental protection are fundamental concerns of this Legislature and that the health of every Suffolk County resident can be improved when exposure to toxins is minimized.

This Legislature also finds and determines that the use of certain chemical products may expose Suffolk residents to health risks.

This Legislature also finds that federal labeling guidelines require that pesticides and other chemical products contain one of three designations based on the toxicity of the product—"Danger," "Warning" or "Caution".

This Legislature further finds and determines that products marked "Danger" signal that the chemical is highly toxic and it is very likely to cause acute illness from oral, dermal or inhalation exposure, or severe eye or skin irritation.

This Legislature further finds that the manner in which many retailers store chemicals may allow children to come into contact with them, thereby violating federal and State safe storage requirements.

This Legislature also finds that Article 9, Section 2 of the New York State Constitution empowers the County to take such actions as are necessary to protect public health.

This Legislature also finds that it is in the best interests of the residents of Suffolk County that retailers keep toxic substances in areas that are inaccessible to the public in order to curtail their misuse and to prevent accidental exposure.

This Legislature also finds that the County of Suffolk enacted similar legislation, Local Law No. 9-1998, requiring retailers to limit public access to box-cutters.

Therefore, the purpose of this law is to protect the health of Suffolk County residents by restricting access to certain chemicals.

## **Section 2. Definitions.**

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

- A.) "OUT OF THE REACH OF CHILDREN" shall mean stored in a locked cabinet or at least five (5) feet above ground.
- B.) "PERSON" shall mean any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, or other entity of business of any kind.
- C.) "RETAIL SALE" shall mean a sale to any person who does not hold a license issued by the New York State Department of Environmental Conservation as a Commercial Pesticide Applicator/Technician.

## **Section 3. Requirements.**

Any person who sells or offers for retail sale any chemicals that are labeled, or that are required to be labeled "POISON," "DANGER-POISON" and/or "DANGER" according to applicable guidelines of the Environmental Protection Agency or other Federal labeling guidelines, shall place such chemicals on display only if such items are:

- a. contained within a sealed and locked case with access limited to the seller or his or her agents or employees; or
- b. stored out of the reach of children.

## **Section 4. Penalties.**

1. Any person who knowingly violates any provision of this law:
  - a. for the first offense, shall be issued a warning by the Director of the Office of Consumer Affairs and given 30 days to correct the deficiency, and
  - b. for a second and all subsequent offenses, shall be subject to a fine of not more than five hundred dollars (\$500).
2. No fine shall be imposed until after a hearing has been held before the Director of the Suffolk County Office of Consumer Affairs upon at least seven business days' notice to the person upon whom such fine is to be levied. Such notice shall be served either personally or by certified mail, return receipt requested, to the last known address of said

person and shall state the date and place of the hearing as well as enumerate the grounds constituting the allegations against such person. Said person may be represented by counsel and may produce witnesses in his or her own behalf. A record of the hearing shall be taken and preserved. For purposes of such hearing, the Director of the Suffolk County Office of Consumer Affairs may administer oaths, take testimony, subpoena witnesses and compel the production of books, papers, records or other documents deemed pertinent to the subject of the hearing.

**Section 5. Enforcement.**

This law shall be enforced by the Suffolk County Office of Consumer Affairs.

**Section 6. Rules and Regulations.**

The Suffolk County Director of Consumer Affairs is hereby authorized and empowered to issue and promulgate such rules and regulations, as he or she deems necessary to implement and carry out the provisions of this law.

**Section 7. Applicability.**

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

**Section 8. Severability.**

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

**Section 9. SEQRA Determination.**

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

**Section 10. Effective Date.**

This law shall take effect one (1) year immediately subsequent to filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

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

Date:

s:\laws\l-poisonous-chemicals

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



1272

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

WILLIAM H. ROGERS BUILDING  
725 VETERANS MEMORIAL HIGHWAY  
SMITHTOWN, NY 11787  
(631) 853-5494 (PHONE)  
(631) 853-4415 (FAX)

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

DATE: MARCH 13, 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 PROTECT CHILDREN FROM ACCIDENTAL POISONING BY REQUIRING THE PROPER STORAGE OF TOXIC CHEMICALS IN RETAIL STORES

SPONSOR: LEGISLATOR SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 3/12/2008 PUBLIC HEARING: 4/29/2008

DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED:

Enactment of this proposed local law will restrict access to certain chemicals offered for sale in Suffolk County.

This local law would require retailers selling chemicals labeled "POISON", "DANGER-POISON" and/or "DANGER" to place such chemicals on display only if such items are:

- a. contained within a sealed and locked case with access limited to the seller or his or her agents or employees; or
- b. stored out of the reach of children.

The first violation of this law would subject the violator to a warning to correct the deficiency; there would be a \$500 fine for each subsequent offense. The Director of Consumer Affairs would be authorized and empowered to issue and promulgate rules and regulations to carry out the provisions of this law.

This local law would be effective one year after filing in the Office of the Secretary of State.

GEORGE NOLAN  
Counsel to the Legislature

GN:js

1273

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

Laid on Table 3/18/08

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW  
NO. -2008, A CHARTER LAW TO LIMIT THE USE OF  
WATER QUALITY PROTECTION FUNDS FOR EMPLOYEE  
SALARIES**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on , 2008 a proposed local law entitled, "**A CHARTER LAW TO LIMIT THE USE OF WATER QUALITY PROTECTION FUNDS FOR EMPLOYEE SALARIES**"; 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 LIMIT THE USE OF WATER QUALITY  
PROTECTION FUNDS FOR EMPLOYEE SALARIES**

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

**Section 1. Legislative Intent.**

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

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

This Legislature further determines that Water Quality Protection and Restoration monies, which are also known as Fund 477 monies, have increasingly been used to pay employee salaries with less funds being directed to programmatic expenses and, in certain instances, employees paid from the Water Quality program do no work on water quality projects.

This Legislature also determines that in order to ensure that employee salaries funded through this program are contained and that adequate Fund 477 monies are available for important water quality projects, the County Executive's proposed operating budget should include more detailed information about the use of Fund 477 monies for employee salaries.

Therefore, the purpose of this law is to require the County Executive to include in the proposed operating budget, detailed information about the positions in the budget that are funded with Water Quality Protection/Land Stewardship monies.

**Section 2. Amendment.**

§C4-6 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

**§C4-6. Submission of proposed county budget by County Executive.**

\* \* \*

- K. The proposed expense budget for any fiscal year shall include, as an appendix, a listing of all positions of employment that are funded with revenues generated by the Water Quality Protection and Restoration Program and Land Stewardship Initiatives, pursuant to § C12-2(B) of the SUFFOLK COUNTY CHARTER. Such listing shall describe the duties of each position of employment so funded and the percentage of each such employee's work schedule that will be dedicated to duly approved water quality protection and restoration projects and land stewardship initiatives.

**Section 3. Applicability.**

This law shall apply to all operating budgets prepared on or after the effective date of this law.

**Section 4. Severability.**

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

**Section 5. SEQRA Determination.**

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

**Section 6. Effective Date.**

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

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

DATED:

APPROVED BY:

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

Date:

s:\laws\cl-water-quality-employees-salaries

OFFICE OF THE COUNTY LEGISLATURE  
COUNTY OF SUFFOLK

1273



GEORGE NOLAN  
COUNSEL TO THE LEGISLATURE  
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(631) 853-5494 (PHONE)  
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IAN P. BARRY  
ASSISTANT COUNSEL TO THE LEGISLATURE  
email: ian.barry@suffolkcountyny.gov

DATE: MARCH 12, 2008  
TO: CLERK OF THE COUNTY LEGISLATURE  
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2008

TITLE: CHARTER LAW TO LIMIT THE USE OF WATER QUALITY PROTECTION FUNDS FOR  
EMPLOYEE SALARIES

SPONSOR: LEGISLATOR SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 3/3/08 PUBLIC HEARING: 4/29/08

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

This proposed charter law would require the County Executive to submit with his proposed expense budget, a listing of all positions of employment that are funded in the budget with revenues generated by the Water Quality Protection and Restoration Program and Land Stewardship Initiatives, under Section C12-2(B) of the SUFFOLK COUNTY CHARTER.

This law further requires that such listing describe the duties of each position of appointment funded with Water Quality monies and the percentage of each employee's work schedule that will be dedicated to duly approved water quality projects and land stewardships initiatives.

This law will apply to all operating budgets proposed on or after the effective date of this law.

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

GEORGE NOLAN  
Counsel to the Legislature

GN:tm

s:\rule28\28-Water Quality

OFFICE OF THE CLERK OF THE COUNTY LEGISLATURE  
SUFFOLK COUNTY, NY

08 MAR 13 AM 11:58

RECEIVED

1274

3/18/08

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

Laid on Table

**RESOLUTION NO. -2008, TO PROMOTE LAND ACQUISITIONS FOR OPEN SPACE, FARMLAND PRESERVATION AND HAMLET PARKS IN UNDERSERVED COMMUNITIES**

**WHEREAS**, the County of Suffolk has been a nationwide leader in the acquisition of land for open space and farmland preservation; and

**WHEREAS**, despite these extensive efforts, certain communities in the County have not benefited as much as other communities from the land acquisition programs; and

**WHEREAS**, it is important to the health and quality of life of Suffolk residents that land acquisitions in the more densely populated areas of the County be maximized; and

**WHEREAS**, increased efforts should be made now to acquire lands in these communities before their open space disappears entirely; now, therefore be it

**1st RESOLVED**, that the Suffolk County Department of Planning is hereby authorized, empowered and directed to amend department rating forms to provide additional points for land acquisitions in towns that have a density level of over 2000 persons per square mile, as follows:

- Natural Environments – Open Space – 7 Points.
- Farmland – 3 Points.
- Active Recreation/General Parks/Hamlet Parks – 7 Points.

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) 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:

1275  
Intro. Res. No. -2008  
Introduced by Legislator Montano

UPDATED VERSION AS OF 3/12/08

Laid on Table 3/18/08

**RESOLUTION NO. -2008, AMENDING RULES OF THE  
LEGISLATURE**

**WHEREAS**, under the Rule 6(A) of the Rules of the Legislature of the County of Suffolk, the Presiding Officer assigns legislation to committees for review and report; and

**WHEREAS**, Rule 6(A) of said rules is silent with respect to the authority and/or power of the Presiding Officer to reassign legislation once legislation has been assigned to a committee for review and report ; and

**WHEREAS**, a recent media report in Newsday clearly established that the County Executive of the County of Suffolk, the administrative arm of the government, attempted to influence through the Office of the Presiding Officer of the County Legislature to reroute certain legislation from one committee to another committee; and

**WHEREAS**, to preserve the separation of powers between the executive and the legislative branches, such practice should be prohibited; and

**WHEREAS**, legislation should be assigned to committee without regard to politics and/or outside interference and influence; and

**WHEREAS**, the Rules of the Suffolk County Legislature should be amended to provide a more transparent and systematic process for the assignment of legislation to committee, and provide a mechanism for the reassignment of legislation to a committee once it has been assigned; now, therefore be it

**1st RESOLVED**, that Rule 6(A) of the 2008 Rules of the Suffolk County Legislature is hereby repealed and replaced with a new Rule 6(A) to read as follows:

Rule 6. Discharge of Legislation

- A. Upon submission of the legislation to be laid on the table, the Presiding Officer shall forward such legislation to Counsel to the Legislature. Counsel to the Legislature shall review said legislation and make an initial assignment of legislation so laid on the table to a committee of the Legislature in accordance with his or her best judgment that the legislation appropriately falls under the definition of the Committee Jurisdiction document filed with the Clerk of the Legislature. Once such assignment is made, if the Presiding Officer thereafter desires to reassign such legislation to a different committee, he or she must notify the Chairperson of the Committee where the legislation was initially assigned and seek the consent of said Chairperson. If the Chairperson of said committee does not consent to the reassignment of the legislation, the Presiding Officer may reassign the subject legislation to another committee only upon the provision that a written explanation of the reason(s) for the reassignment be filed with the Clerk of the Legislature. Any attempt to influence the assignment or reassignment of legislation for political

purposes or to secure a more favorable disposition of any legislation shall be subject to the provisions of Rule 13, Standards of Official Conduct.

and be it further

**2nd** **RESOLVED**, that Rule 14(B) of the 2008 Rules of the Suffolk County Legislature is hereby amended to read as follows:

Rule 14. Committees.

\* \* \* \*

B. Legislation shall be assigned [by the Presiding Officer] to a standing or special committee, pursuant to Rule 6(A).

**3<sup>rd</sup>** **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 2-2 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE AND SECTIONS 2-15(A) AND 2-7 OF THE SUFFOLK COUNTY CHARTER.

s:\res\r-rule-change-assignments

Introduced by Legislator Horsley as Chairman of the Economic Development, Higher Education and Energy Committee  
LOT 3/18/08

**PROCEDURAL RESOLUTION NO. 5 -2008,  
AUTHORIZING CONTINUED FUNDING IN  
CONNECTION WITH ENFORCEMENT OF LIPA  
SETTLEMENT AGREEMENT AGAINST LIPA  
OVERCHARGE OF SUFFOLK RATEPAYERS**

**WHEREAS**, Procedural Motions No. 8-2002 and 7-2005 authorized the retention of Reilly, Like, and Tenety, 179 Little East Neck Road, North Babylon, NY 11702, to represent the County of Suffolk to seek full recovery of any and all overpayments by Suffolk County consumers of the LIPA Bill Credit Rate Differential for the period from on or about July 1, 1998 to the date on which such overpayments terminate; and

**WHEREAS**, in order to prosecute the lawsuit seeking recovery, Reilly, Like, and Tenety recommended the retention of Hudson River Energy Group, 120 Washington Avenue, Albany, NY 12210, as forensic accountants; and

**WHEREAS**, the County Legislature contracted directly with Hudson River Energy Group in the amount of \$50,000.00, which contract expired on December 31, 2005; and

**WHEREAS**, Resolution 6-2006 authorized continued funding for Hudson River Energy Group in the amount of \$62,500.00 to extend their services; and

**WHEREAS**, Special Counsel advises that additional funding is required for Hudson River Energy Group to act as a consultant as the County's case against LIPA enters a final phase; now, therefore, be it

**1st RESOLVED**, that this Legislature hereby authorizes the Presiding Officer to execute such agreements with Hudson River Energy Group to carry out their work in an amount not to exceed Forty-Five Thousand Dollars and 00/100 (\$45,000.00) of County Legislative funds, said amount to be paid from the Budget Review Office Fees for Services: Non-Employees (001-LEG-1025-4560) appropriation; and be it further

**2nd RESOLVED**, that all other terms and conditions of Procedural Motions No. 8-2002 and 7-2005 shall remain in full force and effect.

**DATED:**

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

s:\procedural motions\extend-hudson-river 2008

Introduced by Legislator Schneiderman

Laid on Table 3/18/08

**MOTION NO. 6-2008, PROCEDURAL  
RESOLUTION ACCEPTING THE SUFFOLK  
COUNTY WORKFORCE HOUSING NEEDS  
ASSESSMENT AND RESPONSES FINAL  
REPORT**

**WHEREAS**, Procedural Motion No. 2-2005 authorized the retention of the Center for Urban Policy Research (CUPR) at Rutgers University for the purpose of conducting a Housing Needs Assessment Study for Suffolk County; and

**WHEREAS**, the CUPR issued its final report dated March 1, 2008 entitled "Suffolk County Workforce Housing Needs Assessment and Responses"; now, therefore, be it

**RESOLVED**, that this Legislature hereby accepts the final report prepared by the Center for Urban Policy Research entitled "Suffolk County Workforce Housing Needs Assessment and Responses".

DATED:

S:\procedural resolutions\pm-accept-housing-report