Intro. Res. No. 1311 - 08 Laid on the Table: 4/29/08
Introduced by the Presiding Officer Lindsay

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

**WHEREAS**, General Code Publishers Corp. has provided Supplement No. 80 to update the Suffolk County Administrative Code totaling $5913.37; 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

**RESOLVED**, that the payment of $5913.37 for the provisions of such pages is hereby approved.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

Intro. Res. No. 1312 -2008 Laid on Table 4/29/08
Introduced by Presiding Officer Lindsay

**RESOLUTION NO. -2008, AUTHORIZING USE OF LONG ISLAND MARITIME MUSEUM PROPERTY BY FRIENDS OF BRADSTOCK FOR A MUSIC AND ARTS FESTIVAL FUNDRAISER**

**WHEREAS**, the Friends of Bradstock is a not-for-profit organization; and

**WHEREAS**, the Friends of Bradstock would like to use the Long Island Maritime Museum in the County Park in West Sayville for the purpose of hosting their annual Music and Arts Festival Fundraiser, the proceeds of which go to local not-for-profits organizations throughout the County of Suffolk based on need and amount of funds raised; and

**WHEREAS**, the festival will be held on the grounds of the Long Island Maritime Museum on Sunday, August 31, 2008 between the hours of 10:00 a.m. to 10:00 p.m.; and

**WHEREAS**, the County of Suffolk shall receive consideration in the total amount of Five Hundred Dollars ($500.00), payment of which shall be guaranteed by Friends of Bradstock; and

**WHEREAS**, a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured will be provided by the Friends of Bradstock; and

**WHEREAS**, the use of County property for such a fundraiser to support local not-for-profit organizations promotes the general welfare of the residents of Suffolk County; now, therefore be it

**1st** **RESOLVED**, that the use of County-owned property, i.e. the Long Island Maritime Museum in the County Park in West Sayville, in consideration of the payment of Five Hundred Dollars ($500.00), for the purpose of hosting a Music and Arts Festival Fundraiser on August 31, 2008 between the hours of 10:00 a.m. and 10:00 p.m., is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured by the County of Suffolk from the entity Friends of Bradstock, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

**2nd** **RESOLVED**, that before this event shall be permitted to occur, the Friends of Bradstock must apply for and obtain a permit from the Commissioner of the Department of Parks, Recreation, and Conservation as required by Section 378-7(B) of the Suffolk County Code; and be it further

**3rd** **RESOLVED**, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, and the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive for the support of

local not-for-profit organizations throughout the County of Suffolk by the Friends of Bradstock at the Long Island Maritime Museum in the County Park in West Sayville; and be it further

**4th** **RESOLVED**, that the Friends of Bradstock shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

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

DATED:

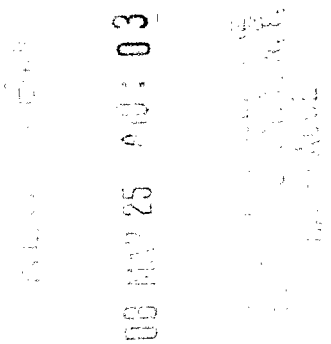
APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\2008\bradstock fundraiser



Intro. Res. No. 1313 -2008
Introduced by Legislator Mystal

Laid on Table 4/29/08

**RESOLUTION NO. -2008, AUTHORIZING TRANSFER OF TWO (2) SURPLUS COUNTY COMPUTERS, TWO (2) SURPLUS COUNTY MONITORS AND TWO (2) SURPLUS COUNTY KEYBOARDS TO GLORY TO GOD CHURCH**

**WHEREAS**, the Suffolk County Board of Elections has submitted to the Purchasing Department a list of surplus computer systems and hardware which have been declared surplus; and

**WHEREAS**, this equipment has been taken out of service because of obsolescent technology; and

**WHEREAS**, Glory to God Church has requested the donation of these computer systems and hardware from the County; and

**WHEREAS**, this organization is willing to assume responsibility for the removal and transportation of this equipment; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Board of Elections is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following organization, for use within its facilities for nominal consideration:

**TO:**
Glory to God Church
400 Wyandanch Avenue
West Babylon, NY 11704

Contact: Lucia Anglade
Telephone: 631-491-1692

**COMPUTER SERIAL NO:**
1008865
1009571

**MONITOR:**
2 – Monitor EV700

**KEYBOARD DESCRIPTION:**
2 – Gateway

and be it further

2nd **RESOLVED**, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed organization for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

3rd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

4th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration,

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-computer-glory-to-God-church

Intro. Res. No. 1314 -2008
Introduced by the Presiding Officer

Laid on Table 4/29/08

**RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE CRAB CREEK – JUDITH C. & HOWARD C. BRANDENSTEIN PROPERTY, TOWN OF SHELTER ISLAND**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Crab Creek – Judith C. & Howard C. Brandenstein Property, Town of Shelter Island", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 12.67 acres of land by Suffolk County for open space preservation purposes; and

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

**WHEREAS**, at its March 19, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated March 19, 2008 of said recommendations; and

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

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

**1st** **RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Crab Creek – Judith C. & Howard C. Brandenstein Property, Town of Shelter Island, constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;

2.) The proposed use of the subject parcel is passive recreation; and

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

and be it further

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\s-crab-creek

UPDATED VERSION AS OF 4/23/2008

Intro. Res. No. 1315-2008 Laid on Table 4/29/2008
Introduced by Legislator Beedenbender

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A CHARTER LAW TO MAKE THE COUNTY'S LEASING PROCESS OPEN, COMPETITIVE AND ACCOUNTABLE**

**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 MAKE THE COUNTY'S LEASING PROCESS OPEN, COMPETITIVE AND ACCOUNTABLE**;" 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 MAKE THE COUNTY'S LEASING PROCESS OPEN, COMPETITIVE AND ACCOUNTABLE**

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

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that the County of Suffolk spends millions of dollars each year leasing space to house various departments and agencies.

This Legislature also finds that the County's process for leasing space should be transparent and strive to encourage competition that produces cost savings for taxpayers.

This Legislature further finds and determines that several County departments have a hand in County leases but, ultimately, all leases must be approved by the County Legislature. Therefore, this Legislature must take the actions necessary to ensure that there is adequate accountability, openness and competition when the County searches for leased space.

This Legislature also determines that the leasing of space for the County's elected officials should receive the same level of scrutiny as other County leases receive.

Therefore, the purpose of this law is to establish minimum advertising, investigation and reporting requirements when the County of Suffolk undertakes a search for leased space.

**Section 2. Amendments.**

I. Section C42-2(C)(3)(b) of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

**§ C42-2. Department established; Commissioner; organization of Department.**

* * * *

b) Negotiate all leases, lease renewals, licenses, license renewals, and user agreements for any interest in real property, within appropriations provided therefor at the request of the County departments, offices, boards, commissions, Legislators and the Administrative Judge of the Supreme Court. Such leases, licenses and agreements shall be executed by the Director of the Division of Real Property Acquisition and Management or his or her designee, on behalf of the County. No lease, lease renewal, license, license renewal, or user agreement for any interest in real estate[, other than for executive, legislative, or judicial office space] may be executed, unless such lease, lease renewal, license, license renewal, or user agreement is authorized by the County Legislature. [For the purpose of this subsection, "executive office space" shall include only that office space which is necessary for the budgeted functions of the office of the County Executive.] The Director, or his or her designee, shall prepare a rent survey and fair market analysis for each proposed lease or lease renewal of space for county use.

II. Section A22-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

**§A22-2. Space Management Steering Committee.**

* * * *

D. The Committee shall ensure that all searches for leased space, due to the County's need for new space or the anticipated expiration of an existing lease, are posted on the County's website and advertised in the official County newspapers. The Committee shall further ensure that a search for space is made each time new space is needed or an existing lease is due to expire and that such search includes an attempt to identify space owned by the County or other government entity and, further, that at least two separate spaces are the subject of investigation and negotiation during the search.

E. [D] The Committee shall submit a formal written reports of its recommendations and decisions in a timely manner to the County Executive and the Presiding Officer for policy review. No action shall be taken by the County of Suffolk in any capacity to locate or relocate a department or agency for or on behalf of the County of Suffolk unless and until the Committee has submitted its written recommendations to the County Executive and Presiding Officer. If the Committee's report recommends leasing space or renewing a lease, the report will verify that the advertising and investigation requirements contained in subsection (D) herein were complied with or provide a written explanation for any non-compliance. The Committee's report will also include the rent survey and fair market analysis prepared by the Division of Real Property Acquisition and Management.

F. [E] Employees of the Department of Public Works shall serve as support staff to the Committee.

III. Section A42-8 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

**§ A42-8. Procedure for leasing real property for County use.**

* * * *

D. Exceptions.

[(1) The provisions of this section shall not apply to the leasing of office space for members of the judiciary or members of the County Legislature, nor for the County Executive; nor shall this section apply to the extension, modification, or renewal of an existing lease.]

(1) [(2)] This section shall not apply to leases at Suffolk County Airport, Westhampton Beach, New York, or to an extension, modification, or renewal of any of said leases; and to the extent that § 352, Subdivision 5, of the New York General Municipal Law may be deemed to be inconsistent herewith or to otherwise require a hearing with respect to any such leases, such section is hereby superseded in accordance with § 22 of the New York Municipal Home Rule Law.

(2) [(3)] The public-hearing and public-notice provisions of this section shall not apply in the case of a public emergency declared in writing by the County Executive and arising out of unforeseen occurrences.

(3) [(4)] This section shall not apply to leases entered into by the County's law enforcement departments and agencies necessary for use in connection with the conduct of undercover/covert operations, nor shall such leases be subject to review by the County's Space Management Steering Committee.

(a) Prior to executing a lease necessary for use in connection with the conduct of undercover/covert operations, the leasing department or agency shall provide the County Attorney with a copy of said lease.

(b) In no event shall the term of a lease entered into pursuant to this exception exceed one year.

**Section 3. Applicability.**

This law shall apply to leases, lease renewals, licenses and license renewals occurring on or after the effective date of this law.

**Section 4. Severability.**

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

partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 5. SEQRA Determination.**

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

**Section 6. Effective Date.**

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

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

# OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1315

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

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

**DATE:** April 25, 2008

**TO:** CLERK OF THE COUNTY LEGISLATURE

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

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**PROPOSED LOCAL LAW YEAR 2008**

**TITLE:** A CHARTER LAW TO MAKE THE COUNTY'S LEASING PROCESS OPEN, COMPETITIVE AND ACCOUNTABLE

**SPONSOR:** LEGISLATOR BEEDENBENDER

**DATE OF RECEIPT BY COUNSEL:** 4/24/08 **PUBLIC HEARING:** 5/13/08

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

This charter law will revise the County's process for leasing space as follows:

1.) require the Division of Real Property to prepare a rent survey and fair market analysis for each proposed lease or lease renewal of space for County use;

2.) require the Space Management Committee to post all searches for leased space on the County's website and advertise the searches in the official newspapers;

3.) require that the County undertake a search each time new space is needed or an existing lease is due to expire, the Space Management Committee must ensure that at least two separate spaces are the subject of investigation and negotiation; and that a search include an attempt to identify space owned by the County or other government entity.

Further, this proposed law would eliminate current provisions of law that exempt space for executive, legislative, and judicial offices from legislative approval and public hearing requirements.

This law will apply to leases, lease renewals, licenses and license renewals occurring on or after the effective date of this law.

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

**GN:mjk**

s:\rule28\28-leasing-process

1316

Intro. Res. No. -2008

Laid on Table 4/29/08

Introduced by Legislators Montano and Alden

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

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

**WHEREAS**, the parcel(s) listed in Exhibit "A" of this resolution meets the criteria for acquisition as open space under the Drinking Water Protection Program; and

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

**1st** **RESOLVED**, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 47 acres, are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

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

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

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

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

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

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

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-st-joseph's-drinking-water-plan-steps

| PARCEL | SUFFOLK COUNTY TAX MAP NUMBER | ACRES | REPUTED OWNER AND ADDRESS |
|---|---|---|---|
| 1 | District: 0500<br>Section 160.00<br>Block 02.00<br>Lot 072.002 p/o | ±47 | Sisters of St. Joseph<br>1725 Brentwood Road<br>Brentwood, NY 11717-5587 |

**EXHIBIT "A"**

1317

Intro. Res. No. -2008 Laid on Table 4/29/2008
Introduced by Legislator Lindsay

**RESOLUTION NO. –2008, A PROACTIVE PLAN TO ADDRESS THE 2009 BUDGET SHORTFALL AND TO RESPOND TO THE NATIONAL AND LOCAL ECONOMIC SLOWDOWN (PHASE I)**

**WHEREAS**, rising energy costs, volatile financial markets and the reversal of the real estate market are all factors that adversely impacted the national and local economies during the first quarter of 2008; and

**WHEREAS**, the economy is projected to continue slowing throughout the balance of 2008 and into 2009; and

**WHEREAS**, this economic slowdown has manifested in lower projected Suffolk County sales tax and real estate revenues, and increased property tax delinquencies; and

**WHEREAS**, it is in the best interest of the Suffolk County tax payers to implement a proactive budget mitigating plan now in 2008 to address the 2009 projected $140 million shortfall; and

**WHEREAS**, a carefully crafted, narrowly targeted retirement incentive plan to encourage specific County employees to retire in 2008 coupled with a restricted hiring policy commencing in July 2008 will generate employee cost savings in the County operating budget, the full benefit of which will accrue during 2009; and

**WHEREAS**, the Suffolk County Legislature recognizes the critical need to reduce costs by imposing a wage freeze effective June 30, 2008 through December 31, 2009 for all employees who are excluded from bargaining units; and

**WHEREAS**, elected public officials must share in the sacrifices to reduce costs by amending the Suffolk County Charter to freeze wages for all Suffolk County elected officials through 2009; and

**WHEREAS**, Suffolk County has not increased department fees for several years and it is prudent that fees in Consumer Affairs, Parks, Probation, and Public Works Transportation be increased to better reflect administrative and operational costs; and

**WHEREAS**, adopting and instituting a Consumer Affairs Item Pricing Waiver Fee can generate $500,000 annually without the need to increase resources provides a new reoccurring revenue; and

**WHEREAS**, waiving the pay-as-you-go funding policy for capital projects in 2008 and 2009 provides an additional $4 million in budget relief; and

**WHEREAS**, it is the intent of the Suffolk County Legislature to provide additional long-term budget relief by reducing the amount of serial bonds scheduled in the 2009 Capital Budget by 10% ($12.6 million) from the amount scheduled in the 2008 Adopted Capital Budget for land and open space preservation, equipment, and construction projects; and

**WHEREAS**, the Suffolk County Comptroller is submitting a resolution for legislative review and approval to refund General Obligation Debt which will result in an estimated savings of $678,036; and

**WHEREAS**, the Suffolk County Legislature recognizes the need to adopt a dual approach to explore and compare all budget mitigating options by pursuing Requests for Proposals (RFP) and/or Expressions of Interest (EI) to sell the future revenue from delinquent real property taxes and Requests for Proposals (RFP) for Tobacco Securitization; and

**WHEREAS**, it is the desire of the Suffolk County Legislature to create a joint labor/management oversight team to study the administration practices of the John J. Foley Skilled Nursing Facility to identify cost inefficiencies and to recommend options to improve its management; and

**WHEREAS**, it is the desire of the Suffolk County Legislature that the John J. Foley Skilled Nursing Facility joint labor/management oversight team issue Requests for Proposals (RFP) and/or Expressions of Interest (EI) to professionalize the management of the Skilled Nursing Facility

**WHEREAS**, the John J. Foley Skilled Nursing Facility joint labor/management oversight team shall report on a quarterly basis to the County Executive and the Legislature those changes implemented to promote cost efficient service delivery over a period not to exceed three (3) years;

**WHEREAS**, the Suffolk County Legislature plans to take a pro-active approach to the adoption of the 2009-2011 Capital Program and Budget and the adoption of the 2008-2009 College Operating Budget by controlling each budget's impact upon the County's operating budget; and

**WHEREAS**, it is the intent of the Suffolk County Legislature to implement the following fiscal plan

**SUFFOLK COUNTY TARGETED EARLY RETIREMENT INCENTIVE PROGRAM**

**1ST RESOLVED**, that the Suffolk County Legislature's Office of Budget Review and the County Executive's Budget Office are authorized and directed to identify titles and or filled budgeted positions paid from budgetary account, 1100-Permanent Salaries, for the following Bargaining Units (BU): Suffolk County Association of Municipal Employees (AME) BU 2 and BU 6, Exempt, BU 21 and Board of Elections BU 24 that meet the following criteria for a Suffolk County Targeted Early Retirement Incentive Program

1. less than 50% federal and/or state aided

2. do not generate significant specific County revenue

and be it further

**2ND RESOLVED**, that no more than 10% of any one County Department's fulltime employees may participate in this targeted early retirement incentive program; and be it further

**3RD RESOLVED** that in the event more than 10% of any one County Department's eligible employees wish to participate in this Suffolk County Targeted Early

Retirement Incentive Program, the County Personnel Officer is to rank the seniority of each interested eligible employee in order for the most senior employees to participate without exceeding the 10% department limitation; and be it further

**4TH RESOLVED**, in order to qualify for participation under this program an employee who is a member of either BU 2, 6, 21 and 24, and who meets the criteria in the first, second and third Resolved Clauses; must also meet the following criteria in order to qualify for participation under this program:

1. must have reached the age of at least fifty-five (55) years and have attained at least ten (10) years of service in County employment or have reached the age of at least forty-five (45) years, but not fifty-five (55) years of age, and attained enough years of service in County employment so that the eligible employee's age plus years of service equal at least seventy (70) years in total, in either instance by July 31, 2008.

2. (a) The formula for payment of an eligible employee under this program shall be as follows:

   $1,000 for each year for years 1 through 10;
   $1,250 for each year for years 11 through 15: and
   $1,500 for each year for years 16 or more years.

   (b) No incentive payment shall exceed fifty percent (50%) of the annual salary or a maximum of forty-five thousand dollars ($45,000) per eligible employee, whichever is less.

3. The period during which the eligible employee may elect to accept the early retirement incentive under this program will commence upon the effective date of this resolution and end on June 30, 2008. An employee who elects to participate in this program shall be taken off the County payroll no later than July 31, 2008;

and be it further

**5TH RESOLVED**, that the County Executive be and is hereby authorized to execute an agreement with the Suffolk County Association of Municipal Employees ("AME") Bargaining Units No. 2 and No. 6 to establish a Suffolk County Early Retirement Incentive Program upon the following substantially similar terms and conditions stated in Resolved Clauses 1, 2, 3, and 4:

**SUFFOLK COUNTY TOBACCO ASSET SECURITIZATION CORPORATION**

**6TH RESOLVED**, that the County Comptroller, upon County's creation of a not-for-profit corporation known as the "Suffolk Tobacco Asset Securitization Corporation" ("STASC") pursuant to the New York Not-For-Profit Corporation Law, is hereby authorized, empowered and directed to provide such information to STASC as STASC may request regarding outstanding General Obligation debt of the County which will mature over the next ten years for purposes of allowing the analysis of the periods of remaining useful life (PPU); and be it further

**SALE OF REAL PROPERTY TAX ASSET REVENUE**

**7TH RESOLVED**, that the County Executive is hereby directed to issue Requests for Proposals (RFP) and/or Expressions of Interest (EI) to sell the future revenue from delinquent real property taxes; and be it further

## EXEMPT WAGE FREEZE

**8th RESOLVED**, effective June 30, 2008, Section F of the First Resolved Clause of Resolution No. 1173-2005 is hereby suspended through December 31, 2009; and be it further

## DEPARTMENTAL FEES

**9TH RESOLVED**, that Commissioner of Parks is directed to conduct a comprehensive review of all departmental fees and to develop a plan to phase in modest departmental fee increases over the two-year period 2008-2009, and to provide the written fee plan to the Suffolk County Legislature no later than thirty (30) days after passage of this resolution; and be it further

**10TH RESOLVED**, that the Director of Weights and Measures is directed to conduct a comprehensive review of all departmental fees and to develop a plan to phase in a $25 annual increase in licensing fees; and to institute a Consumer Affairs Item Pricing Waiver Fee, and to provide a written plan to the Suffolk County Legislature no later than thirty (30) days after passage of this resolution; and be it further, and be it further

**11TH RESOLVED**, that the Commissioner of Public Works is directed to conduct a comprehensive review of all departmental transportation fees and to develop a plan to increase bus fares 25 cents, and to provide a written plan to the Suffolk County Legislature no later than thirty (30) days after passage of this resolution; and be it further

**12TH RESOLVED**, that the Director of Probation is directed to conduct a comprehensive review of all probationer administrative fees and to develop a plan to increase such fees as allowed under state law, and to provide a written plan to the Suffolk County Legislature no later than thirty (30) days after passage of this resolution; and be it further

## APPROPRIATION REDUCTIONS

**13TH RESOLVED**, within thirty (30) days from the adoption of this resolution the Director of Budget Review is hereby directed to provide the Suffolk County Legislature with a written list of 2008 expenditure reductions for vehicles, equipment, supplies and contracted services totaling $2,000,000 to be stricken from the 2008 operating budget; and be it further

**14TH RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action pursuant to Title 6 NYCRR Section 617.5(c) (20) and (27) since it constitutes a local legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, the Legislature has no further responsibilities under SEQRA

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

T:\BRO\2008 budget plan.doc

1318

Intro. Res. No. -2008 Laid on Table 4/29/08

Introduced by Legislator Browning

**RESOLUTION NO. –2008, DIRECTING THE SUFFOLK COUNTY SEWER AGENCY TO PREPARE REPORTS AND MAKE RECOMMENDATIONS NECESSARY TO FORM A SEWER DISTRICT AT MASTIC/MASTIC BEACH/SHIRLEY**

**WHEREAS**, the creation of a sewer district in Mastic, Mastic Beach and Shirley has the potential to increase business investment, increase workforce housing opportunities and provide greater environmental protection in these communities; and

**WHEREAS**, the Montauk Highway Business District in Mastic/Shirley, the Neighborhood Road Business District in Mastic Beach and the Mastic Road Business District in Mastic Beach and Mastic would benefit from the creation of a sewer district; and

**WHEREAS**, the presence of sewers would allow for greater building density and the creation of affordable, workforce housing in these communities; and

**WHEREAS**, the prevalence of cesspools and septic tanks in the Mastic, Mastic Beach and Shirley communities has contributed to the depletion of oxygen and the increased levels of nitrogen in the Forge River; and

**WHEREAS**, cesspools and septic tanks also threaten the extensive wetland areas in the Mastic, Mastic Beach and Shirley communities; and

**WHEREAS**, the Suffolk County Sewer Agency has entered heretofore and will hereafter enter into agreements with various subdividers, developers and sponsors to make provisions for sewage collection and disposal facilities in and about subdivisions, condominiums, commercial, industrial and other areas, as well as the formation of districts to implement such intentions; and

**WHEREAS**, it has previously been determined to be in the best interest of all residents of the County of Suffolk for small sewage treatment facilities to be incorporated into the oversight of the Suffolk County Department of Public Works to ensure the quality of ground water and the health and comfort of surrounding communities; and

**WHEREAS**, the Suffolk County Sewer Agency should study and make recommendations necessary for the formation of a County Sewer District in the Mastic, Mastic Beach and Shirley communities; now, therefore be it

**1st** **RESOLVED**, that the Suffolk County Sewer Agency, with the assistance of the Suffolk County Department of Public Works, be, and is hereby authorized, empowered and directed within the limitations of their budget, to undertake the preparation of appropriate reports and make recommendations necessary to initiate the process which may ultimately result in the formation of a County Sewer District in and about the Mastic, Mastic Beach and Shirley communities; and be it further

**2nd** **RESOLVED**, that the boundaries of the subject sewer district shall encompass the William Floyd Parkway from Montauk Highway south to the Neighborhood Road Business District, and as far east as the Forge River; and be it further

**3rd** **RESOLVED**, that the Suffolk County Sewer Agency shall, within thirty (30) days of the effective date of this resolution, provide members of the Suffolk County Legislature with its written schedule/timeline for the subject sewer district study; and be it further

**4th** **RESOLVED**, that the Suffolk County Sewer Agency shall give a written status report on the subject sewer district study to the members of the Suffolk County Legislature within one hundred twenty (120) days of the effective date of this resolution; and be it further

**5th** **RESOLVED**, that the Suffolk County Sewer Agency shall issue their final report and recommendations to the members of the Suffolk County Legislature and to the Suffolk County Executive within two hundred forty (240) days of the effective date of 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:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-create-sewer-district-mastic

1319

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

Laid on Table 4/29/08

**RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED CONSTRUCTION OF AN AIRCRAFT HANGAR AT FRANCIS S. GABRESKI AIRPORT TO IMPLEMENT 365/24/7 MEDEVAC SERVICES, CP #5723, TOWN OF SOUTHAMPTON**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Construction of An Aircraft Hangar at Francis S. Gabreski Airport to Implement 365/24/7 Medevac Services, CP #5723, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves construction of an aircraft hangar to implement 365/24/7 medevac services; and

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

**WHEREAS**, at its April 13, 2004 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works in connection with this project; and

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

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated April 14, 2004 of said recommendations; and

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

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

**1st** **RESOLVED**, that this Legislature hereby determines that the Proposed Construction of an Aircraft Hangar at Francis S. Gabreski Airport to Implement 365/24/7 Medevac Services, CP #5723, Town of Southampton, constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

1.) The proposed action will not exceed any of the criteria in Section 617.7(c) of Title 6 NYCRR, which sets forth thresholds for determining significant adverse impacts on the environment;

2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter or the Suffolk County Code;

3.) The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);

4.) The project is in conformance with the Central Pine Barrens Comprehensive Land Use Plan standards within the CGA;

5.) Any fuel storage tanks will be in conformance with Article 12 of the Suffolk County Sanitary Code; and

6.) The facility will be connected to the airport sewage treatment plant;

and be it further

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\s-medevac-services

1320

Intro. Res. No. -2008 Laid on Table 4/29/08

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 103-2008**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 103-2008; and

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

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

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

**Resolution No. 103-2008**

In the 2nd RESOLVED paragraph change the Project No.:

**FROM:**

525-CAP-3013.511

**TO:**

525-CAP-3013.510

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1321

Intro. Res. No. -2008 Laid on Table 4/29/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. –2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 105-2008**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 105-2008; and

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

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

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

**Resolution No. 105-2008**

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

**FROM:**

525-CAP-3014.512

**TO:**

525-CAP-3014.513

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1322

Intro. Res. No. -2008 Laid on Table 4/29/2008
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 606-2006**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 606-2006; and

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

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

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

**Resolution No. 606-2006**

In the 4th RESOLVED paragraph change the Project Number

**FROM:**

525-CAP-5168.111

**TO:**

525-CAP-5168.113

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1323

Intro. Res. No. -2008 Laid on Table 4/29/2008
Introduced by Presiding Officer

**RESOLUTION NO. –2008, AUTHORIZING AMENDED TAX WARRANT FOR RESOLUTION NO. 1190-2007 (FOR THE TOWN OF BROOKHAVEN) TO BE SIGNED BY THE PRESIDING OFFICER AND THE CLERK OF THE COUNTY LEGISLATURE**

**1st** **RESOLVED**, that the taxes and levies as extended on the 2007-2008 tax assessment rolls for the Town of Brookhaven are hereby amended to correct the amounts reported and the same are hereby ratified and confirmed in the revised amounts set forth in the Exhibit "A" attached hereto and made a part hereof; and be it further

**2nd** **RESOLVED**, that the amended tax warrant for the Town of Brookhaven for the collection of such taxes as are provided by law be annexed to the tax rolls of the Town of Brookhaven under the seal of the County and signed by the Presiding Officer and the Clerk of the County Legislature.

* * * *

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

| TOWN OF BROOKHAVEN | | |
|---|---|---|
| **TO THE SUPERVISOR OF SAID TOWN:** | | |
| School Districts | $ | 822,703,390.79 |
| | | |
| Library District | | 2,818,869.00 |
| Highway (Town Wide) | | 13,530,887.00 |
| Highway (Town Outside Village) | | 43,607,228.00 |
| Fire Districts | | 72,308,184.58 |
| Fire Protection Districts | | 451,233.00 |
| Water Districts | | 368,862.00 |
| Lighting Districts | | 7,579,866.00 |
| Sewer Districts (Town Only) | | 112,469.00 |
| Ambulance Districts | | 8,576,865.00 |
| Park Districts | | 44,350.00 |
| Dock Districts | | 256,864.00 |
| Unpaid Sewer and Water Rents | | 2,584.69 |
| Demolition Unsafe Structures | | 87,829.39 |
| Erosion Control Districts | | 1,043,324.00 |
| Clean-Up of Premises | | 286,726.87 |
| $100M Bond Act of 2004 | | 6,906,000.00 |
| Real Property Tax Law - Article 7 | | 4,801,199.00 |
| Refuse and Garbage District | | 44,705,436.48 |
| General (Town Wide) | | 21,256,246.00 |
| General (Town Outside Village) | | 5,658,714.00 |
| **TOTAL PAYABLE TO SUPERVISOR** | $ | 1,057,107,128.80 |
| | | |
| **TO THE TREASURER OF SAID COUNTY:** | | |
| | | |
| County Tax - General | $ | 38,652,039.00 |
| 2006 Actual Surplus – County Tax General | | (35,365,880.00) |
| 2007 Estimated Deficit – County Tax General | | 6,550,345.00 |
| County Tax – Suffolk Community College | | 1,149,338.00 |
| District Superintendent of Schools | | 3,909.00 |
| Sub Total | $ | 10,989,751.00 |
| Relevy of Prior Years Unpaid Taxes | | |
| Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 1 | | 11,691.93 |
| Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 7 | | 8,865.78 |
| Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 10 | | 5,544.00 |
| Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 11 | | 66,109.51 |
| Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 14 | | 10,484.96 |
| Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 19 | | 3,117.47 |
| Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 20 | | 38,813.04 |
| Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 23 | | 26,894.78 |
| Total | $ | 11,161,272.47 |
| Less Credits | | (27,686.06) |
| **Total Payable to County Treasurer for County General** | $ | 11,133,586.41 |

| (Continued) | | |
|---|---|---|
| | | |
| | | |
| **TOWN OF BROOKHAVEN (Continued)** | | |
| | | |
| County Police District | | 152,813,528.00 |
| 2006 Actual Deficit - Police District | | 12,289,141.00 |
| 2007 Estimated Surplus - Police District | | (14,536,081.00) |
| District Court District | | 2,595,810.00 |
| 2006 Actual Deficit - District Court District | | 150,098.00 |
| 2007 Estimated Surplus - District Court District | | (103,937) |
| County Sewer District No. 1 - Discretionary | | 698,850.00 |
| County Sewer District No. 7 - Discretionary | | 1,275,694.00 |
| County Sewer District No. 8 - Discretionary | | 100,649.00 |
| County Sewer District No. 9 - Discretionary | | 86,810.00 |
| County Sewer District No. 10 - Discretionary | | 974,752.00 |
| County Sewer District No. 10 - Construction Only | | 0.00 |
| County Sewer District No. 11, Zone A - Discretionary | | 543,925.00 |
| County Sewer District No. 11, Zone B - Discretionary | | 1,375,525.00 |
| County Sewer District No. 11, Zone B, Construction Only | | 1.00 |
| County Sewer District No. 12 - Discretionary | | 135,979.00 |
| | | |
| Adjustments Mandated by Law | | |
| Erroneous Assessments & Tax Refunds - County | | 184,417.57 |
| Erroneous Assessments & Tax Refunds - Community College | | 14,263.25 |
| Erroneous Assessments & Tax Refunds - Town Only | | 20,154,043.56 |
| Erroneous Assessments & Tax Refunds - Police District | | 2,638,691.23 |
| Erroneous Assessments & Tax Refunds - District Court District | | 45,955.78 |
| Erroneous Assessments & Tax Refunds - S.D. #1 (T12) | | 8.25 |
| Erroneous Assessments & Tax Refunds - S.D. #7 (T21) | | 113,356.03 |
| Erroneous Assessments & Tax Refunds - S.D. #9 (T20) | | 263.95 |
| Erroneous Assessments & Tax Refunds - S.D. #10 (T22) | | 1,450.55 |
| Erroneous Assessments & Tax Refunds - S.D. #11A (T31) | | 447.56 |
| Erroneous Assessments & Tax Refunds - S.D. #11B (T25) | | 1,191.09 |
| Erroneous Assessments & Tax Refunds - S.D. #11B (T30) | | 51.09 |
| Erroneous Assessments & Tax Refunds - S.D. #12 (T34) | | 76.11 |
| Total Adjustments Mandated by Law for | | |
| Town of Brookhaven - $ 23,154,216.02 | | |
| | | |
| Excess Due to Tax Extension | | 21,325.82 |
| | | |
| **TOTAL PAYABLE TO COUNTY TREASURER** | $ | 192,709,872.25 |
| | | |
| **TOTAL AMOUNT OF WARRANT** | $ | 1,249,817,001.05 |

* * * *

1324

Intro. Res. No. -2008 Laid on Table 4/29/2008

Introduced by Legislator Romaine

**RESOLUTION NO. –2008, CREATING THE ASSET EVALUATION REVIEW BOARD FOR THE SOLE PURPOSE OF SOLICITING AND REVIEWING PROPOSALS FOR THE SALE/LEASE BACK OF THE H. LEE DENNISON BUILDING**

**WHEREAS**, Suffolk County continues to be proactive in its management of budgetary difficulties arising from the current economic downturn which adversely impacts the growth in sales tax, collection of property taxes, fees, and other revenues that are linked to the economy; and

**WHEREAS**, extraordinary and creative measures are necessary to fully resolve the budgetary shortfall problems currently confronting the County of Suffolk; and

**WHEREAS**, the sale and lease back of the H. Lee Dennison Building could provide a significant source of revenue to the County; now, therefore be it

**1ST RESOLVED**, that the Asset Evaluation Review Board ("Board") is hereby created for the sole purpose of developing, soliciting, reviewing and evaluating Request for Proposals (RFP) for the sale and lease back of the H. Lee Dennison Building, said Board to consist of the following seven (7) members:

1. the Commissioner of the Department of Public Works, or his designee to be Chairman of the Board;
2. Chairman of the Budget and Finance Committee of the County Legislature or his designee;
3. the Presiding Officer or his designee;
4. the County Comptroller, or his designee;
5. the County Treasurer or her designee;
6. the County Executive or his designee;
7. the Minority Leader of the Suffolk County Legislature, or his designee;

and be it further

**2ND RESOLVED**, that this Board shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed, which meeting shall be convened by the Board; and be it further

**3RD RESOLVED**, that the members of the Board shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

**4TH RESOLVED**, that the Board shall hold regular meetings, keep a record of all its proceedings, and determine the rules of its own proceedings with special meetings to be

called by the Chairperson upon his or her own initiative or upon receipt of a written request signed by at least four (4) members of the Board. Written notice of the time and place of such special meetings shall be given to each member at least four (4) days before the date fixed by the notice for such special meeting; and be it further

**5TH RESOLVED**, that four (4) members of the Board shall constitute a quorum to transact the business of the Board at both regular and special meetings; and be it further

**6TH RESOLVED**, that all pertinent staff, reports, computer print outs and computer programs submitted to and made available to the Legislature shall be made available to the Board and that the staff of the Legislature's Budget Review Office, the County Executive's Budget Office, the County Comptroller's Office, and the County Treasurer's Office shall be available to provide data and information on an unrestricted basis to the Board; and be it further

**7TH RESOLVED**, that the Board is hereby authorized and empowered to solicit and review specific proposals regarding the sale and lease back of the H. Lee Dennison Building and to issue its written recommendations to the Suffolk County Legislature and County Executive no later than sixty (60) days after the effective date of this Resolution to make nonbinding written recommendations regarding the feasibility for the sale and lease back of the H. Lee Dennison Building based upon at least the long term budgetary benefit versus cost-reasonableness of revenue projections, and be it further

**8TH RESOLVED**, that the Department of Public Works shall develop and prepare an RFP based upon the nonbinding written recommendations of the Board for its review and approval no later than ninety (90) days subsequent to the effective date of this resolution; and be it further

**9TH RESOLVED**, that the Department of Public Works shall issue the RFP for the sale and lease back of the H. Lee Dennison Building within thirty (30) days after it has been approved by procedure motion of the Suffolk County Legislature; and be it further

**10TH RESOLVED**, that the Board shall expire, and the terms of office of its members terminate, as of December 31, 2008 at which time the Board shall deposit all the records of its proceedings with the Clerk of the Suffolk County Legislature; and be it further

**11TH RESOLVED**, this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR"), the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County
Date:

T:\BRO\HLD Resolution.doc

Introductory Resolution No. 1325-08 Laid on Table 4/29/08

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 (THOMAS J. DUNN AND LINDA S. DUNN, as TENANTS BY ENTIRETY) (SCTM NO. 0200-787.00-06.00-034.000)**

**WHEREAS,** the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

**ALL,** that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 787.00 Block 06.00 Lot 034.000 and acquired by Tax Deed on August 16, 2004 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004 in Liber 12341 at Page 445, and otherwise known as and by Town of Brookhaven as lots 17 and 18, inclusive, in Block No. 19, as shown on the "Map of Lakeview Park, Plate A", as Map No. 653.

**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,** Thomas J. Dunn and Linda S. Dunn, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $15,000.00. 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 $15,000.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS,** the Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of $15,000.00, pursuant to said purchase offer; and

**WHEREAS,** the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land, now, be it therefore,

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

2nd **RESOLVED,** that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd **RESOLVED,** that the Director, 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 THOMAS J. DUNN AND LINDA S. DUNN, 93 Franklin Ave., Mastic, NY 11950.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1325

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

## SUMMARY STATEMENT

**DIRECT SALE:**
Suffolk County Local Law 13-1976
Tax Map No. 0200-787.00-06.00-034.000

| ADJOINING OWNER | BID | BID | BID |
|---|---|---|---|
| Thomas J. Dunn and Linda S. Dunn<br>93 Franklin Avenue<br>Mastic, NY 11950<br>0200-787.00-06.00-033.000 | $15,000.00 | | |
| Teofilo & Carmen Gil<br>89 Franklin Avenue<br>Mastic, NY 11950<br>0200-787.00-06.00-035.000 | $0 | | |
| Unknown Owner<br>Unknown Address<br>0200-787.00-07.00-021.000 | $0 | | |
| | | | |

SIZE OF PARCEL: 40x100/4,000 sf
APPRAISED VALUE: $15,000.00
COMMENT: Direct Sale to Adjacent Owner

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

1325

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution _X_ Local Law _X_ Charter Law _____

2. Title of Proposed Legislation

   Local Law 13-1976 authorizing the Direct Sale of County owned Real Estate

3. Purpose of Proposed Legislation

   Convey County owned parcel to adjacent owner

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

5. If the answer to Item 4 is "yes", on what will it impact?

   _X_ County _____ Town _____ Economic Impact

   _____ Village _____ School District Other (Specify):

   _____ Library District _____ Fire District

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

   Income from sale

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

   Unknown

8. Proposed Source of Funding

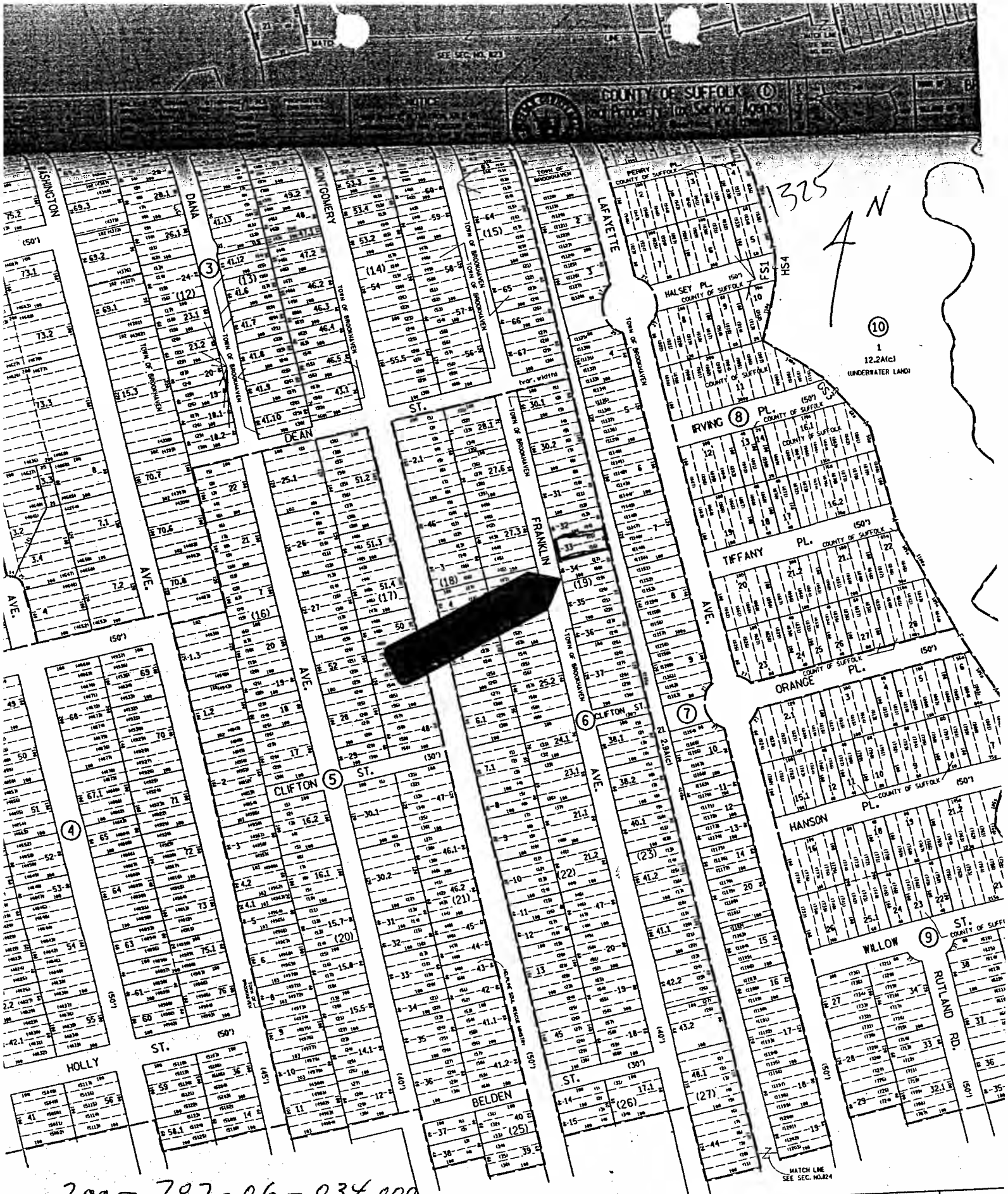
   None

9. Timing of Impact

   2008

10. Name & Title of Preparer Signature of Preparer Date

    Diane Bishop LMS III Diane Bishop 4/1/08




200-787-06-034.000

| | |
|---|---|
| nt District Line | H |
| e District Line | R |
| ricalDistrict Line | HST |
| ance District Line | A |
| water District Line | WW |

UNLESS DRAWN OTHERWISE, ALL PROPERTIES ARE WITHIN THE FOLLOWING DISTRICTS:

| | | | |
|---|---|---|---|
| SCHOOL | 32 | SEWER | |
| FIRE | FS1,HS4 | HYDRANT | |
| LIGHT | LX1 | WATER | |
| PARK | | REFUSE | GS3 |
| AMBULANCE | MAS.AM.D. | WASTEWATER | |

NOTICE

MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION OF THE REAL PROPERTY TAX SERVICE AGENCY.

COUNTY OF SUFFOLK ©
Real Property Tax Service Agency
County Center Riverhead, N Y 11901
SCALE IN FEET: 100 0 100 200

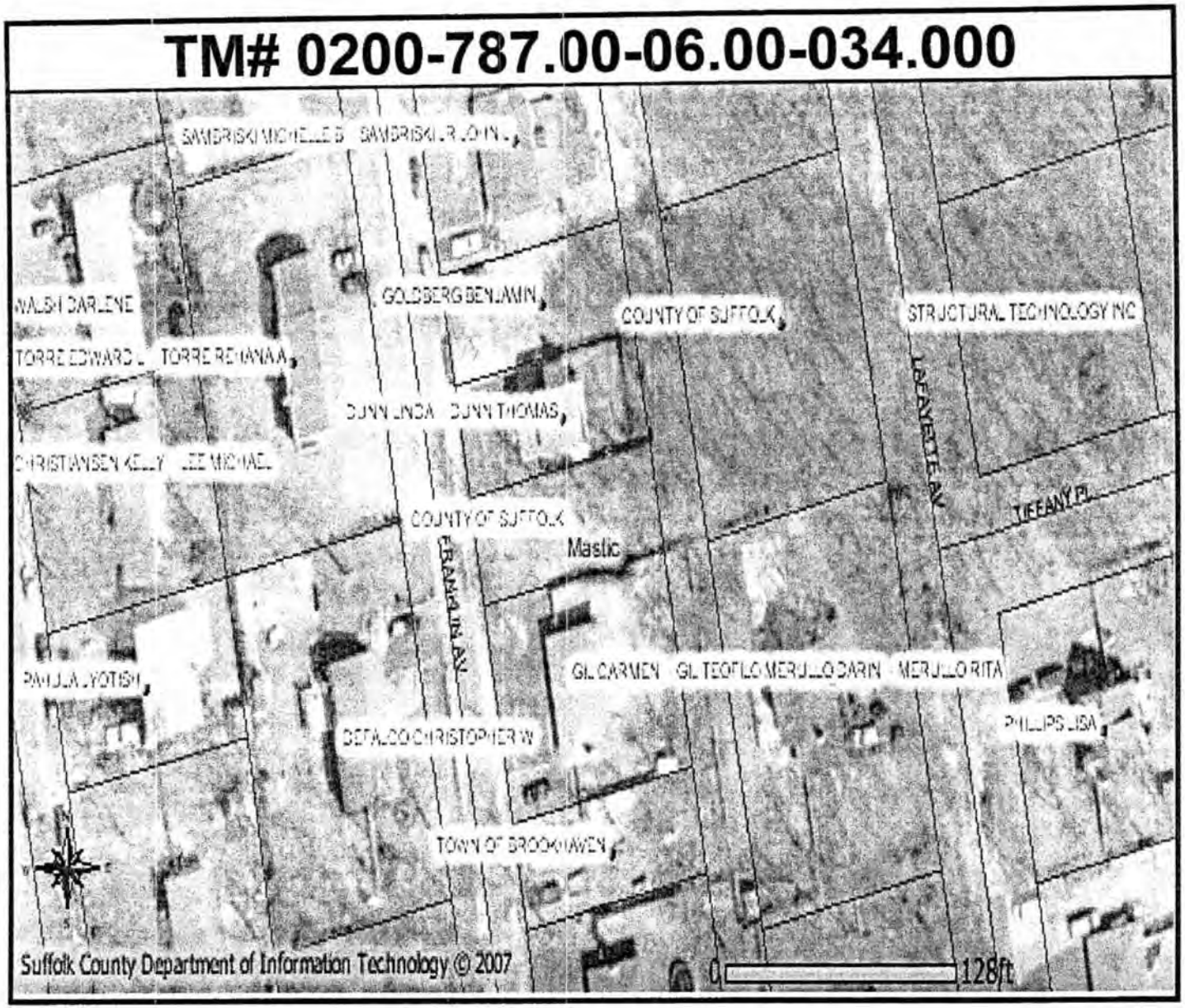
KEY MAP

749 750 751
786 787 788
823 824 825

TOWN OF BR
VILLAGE OF
DISTRICT NO (

CONVERSION DATE:

1325


TM# 0200-787.00-06.00-034.000
SAMBRISKI MICHELLE B
SAMBRISKI JOHN
WALSH DARLENE
GOLDBERG BENJAMIN
COUNTY OF SUFFOLK
STRUCTURAL TECHNOLOGY INC
TORRE EDWARD J
TORRE REMANA A
DUNN LINDA
DUNN THOMAS
CHRISTIANSEN KELLY
LEE MICHAEL
COUNTY OF SUFFOLK
LAFAYETTE AV
TIFFANY PL
Mastic
FRANKLIN AV
PANUA YOTISH
GIL CARMEN
GIL TEOFILO
MERULLO DARIN
MERULLO RITA
PHILLIPS LISA
DEFALCO CHRISTOPHER W
TOWN OF BROOKHAVEN
Suffolk County Department of Information Technology © 2007
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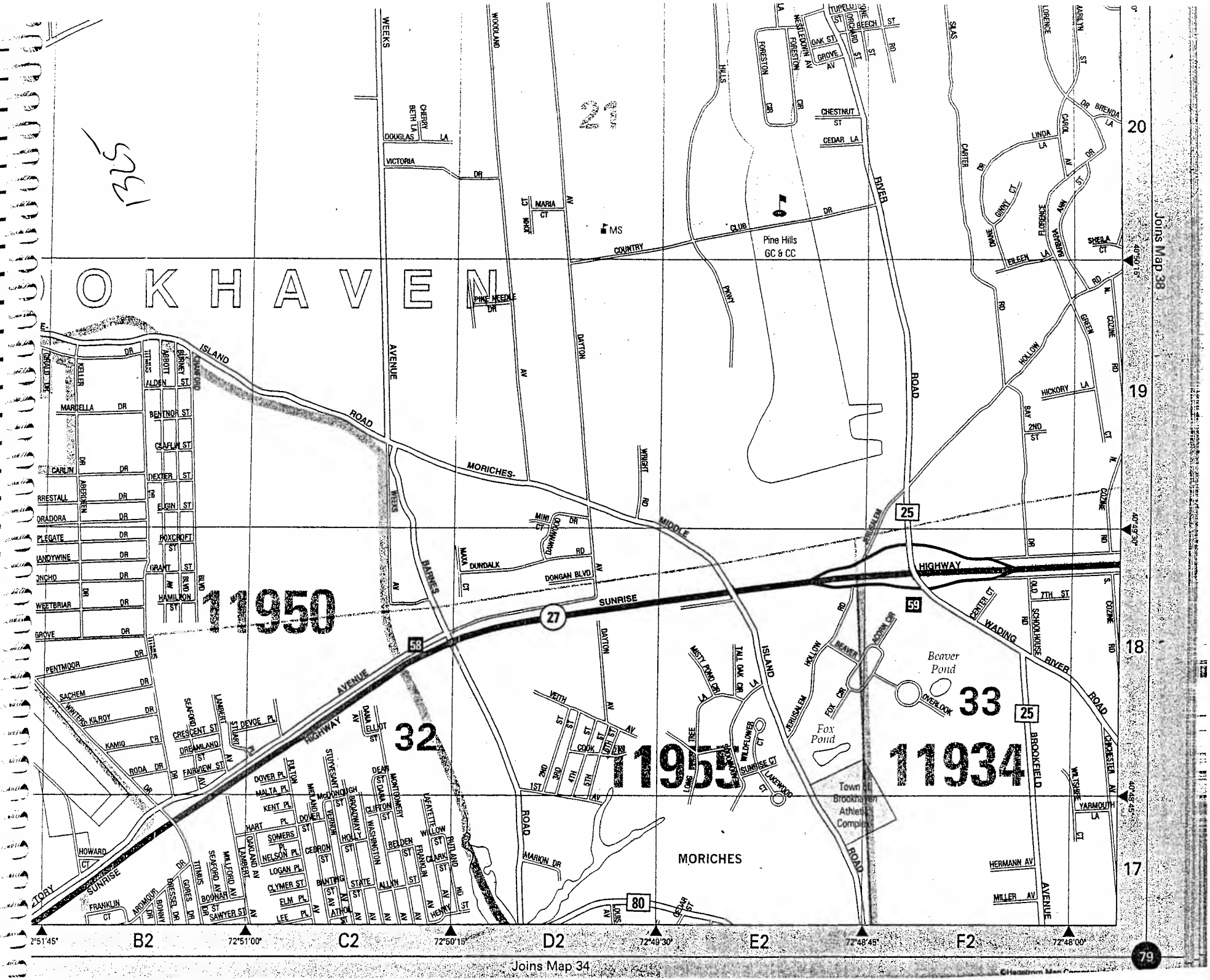
128ft


OKHAVEN
11950
11955
11934
32
33
MORICHES
Pine Hills GC & CC
Beaver Pond
Fox Pond
Town of Brookhaven Athletic Complex
ISLAND AVENUE
MORICHES-MIDDLE ROAD
SUNRISE HIGHWAY
WADING RIVER ROAD
BROOKFIELD AVENUE
COUNTRY CLUB DR
DAYTON AV
WEEKS AV
WOODLAND AV
PINE NEEDLE DR
MARIA CT
DOUGLAS LA
VICTORIA DR
CHESTNUT ST
CEDAR LA
OAK ST
GROVE AV
FORESTON CIR
NESTLEDOWN AV
TUPELO ST
PINE BEECH ST
ORCHARD ST
RD
SILAS CARTER DR
LORENCE LA
MARILYN ST
BRENDA LA
LINDA LA
CAROL AV
DR
GINNY CT
DANE ST
EILEEN LA
FLORENCE AV
WARREN ST
SHEILA CT
GREEN HOLLOW RD
COZINE RD
HICKORY LA
BAY 2ND ST
CT
N. COZINE RD
S. COZINE RD
OLD 7TH ST
SCHOOLHOUSE RD
CENTER CT
DR
ADDIN CIR
BEAVER HOLLOW RD
FOX CIR
OVERLOOK
TALL OAK CIR
MISTY POND DR
LA
WILDFLOWER CT
SUNRISE CT
LAKEWOOD
LONG TREE
SHADOW
YETH ST
1ST
2ND
3RD
4TH
5TH
6TH ST
COOK PL
MARION DR
LOUIS AV
HERMANN AV
MILLER AV
WILTSHIRE
YARMOUTH
CHICHESTER AV
CT
PKWY
MARIA CT
MS
BAYNES AV
WRIGHT RD
DUNDALK RD
DONGAN BLVD
MAXA
DAWNWOOD DR
MINI CT
JERUSALEM
ISLAND
ROAD
HIGHWAY
AVENUE
25
27
58
59
80
MARBELLA DR
ABERDEEN DR
CARLIN DR
ARRESTALL DR
ORADORA DR
PLEGATE DR
LANDYWINE DR
ONCHO DR
WEETBRIAR DR
GROVE DR
PENTMOOR DR
SACHEM DR
WINTERS DR
KILROY DR
KAMIO CIR
RODA DR
HOWARD CT
TORY DR
FRANKLIN CT
ARMOUR DR
BRESSEL DR
BONNY DR
GORES DR
TITMUS DR
SEAFORD AV
MILLFORD AV
OAKLAND AV
LAMBERT AV
BOWNAR ST
SAWYER ST
ABBOTT ST
BARNEY ST
ALDEN ST
BENTNOR ST
CRAFLIN ST
DEXTER ST
ELGIN ST
FOXCROFT ST
GRANT ST
HAMILTON BLVD
CRESCENT ST
DREAMLAND ST
FAIRVIEW ST
DEVOE PL
STUYVESANT ST
DANA ELLIOT ST
DEAN
MONTGOMERY ST
DOVER PL
MALTA PL
KENT PL
HART PL
SOMERS PL
NELSON PL
LOGAN PL
CLYMER ST
ELM PL
LEE PL
MEIANDER
VERNON
DOVER ST
CEBRON ST
HOLLY ST
BROADWAY
CLIFTON ST
WASHINGTON
BELDEN ST
BUNTING AV
STATE ST
ATHOL AV
ALLYN ST
LAFAYETTE
WILLOW ST
FRANKLIN
CLARK ST
RUTLAND RD
HENRY ST
2°51'45"
72°51'00"
72°50'15"
72°49'30"
72°48'45"
72°48'00"
B2
C2
D2
E2
F2
Joins Map 34
Joins Map 38
79

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# COUNTY OF SUFFOLK

1325


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 31, 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: 0200-787-00-06.00-034.000

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

Introductory Resolution No. 1326-08 Laid on Table 4/29/08

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 BABYLON )**
**(0100-056.00-03.00-059.000)**

**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 Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100 Section 056.00, Block 03.00 Lot 059.000 and acquired by Tax Deed on February 19, 1988 from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and which deed was memorialized on February 22, 1988 under the Land Title Registration Law on Certificate of Title Number 1374 as Document Number 350543 and otherwise known as and by Town of Babylon, known and designated as Lots 1 to 4 inclusive Block 5 as shown on a certain map entitled "Map of Wyandanch Springs Park" as Map No. 28/44; 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 Town of Babylon 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

1st **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 Babylon for the sum of $7,138.10 plus the pro rata share of the current tax adjustment due at closing; and be it further

2nd **RESOLVED,** that the Town of Babylon will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for Fire House, Parking, etc. purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Babylon, at any time, uses or attempts to use said subject parcel for other than Fire House, Parking, etc. 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 Fire House, Parking, etc. purposes; and be it further

3rd **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

4th **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"

1326

RESOLUTION NO. 493 JULY 17, 2007

ACCEPTING THE CONVEYANCE OF A PARCEL FROM SUFFOLK COUNTY TO THE TOWN OF BABYLON FOR CONVEYANCE TO THE WYANDANCH VOLUNTEER FIRE COMPANY, INC.

The following resolution was offered by

and seconded by :

WHEREAS, the County of Suffolk is the owner of a parcel of land identified as SCTM #0100-056.00-03.00-059.000; and

WHEREAS, the County of Suffolk is willing to declare this parcel to be surplus County property which could be transferred to the Town of Babylon for conveyance to the Wyandanch Volunteer Fire Company, Inc.;

NOW THEREFORE, be it

RESOLVED, that the Town of Babylon requests the County of Suffolk to execute and deliver a quitclaim deed to the Town of Babylon for said property identified as SCTM #0100-056.00-03.00-059.000 for the purpose of transferring the property to the Town of Babylon for conveyance to the Wyandanch Volunteer Fire Company, Inc.; and be it further

RESOLVED, that said quitclaim deed issued by the Director of the County Division of Real Estate, or his deputy, pursuant to this resolution, shall contain a reverter clause to the effect that title to the said above described parcel shall revert to the County of Suffolk in the event that the

1326

property is not used for the above described public governmental purpose.

VOTES: ____ YEAS: ____ NAYS: ____

The resolution was thereupon declared duly adopted.

DATED: TOWN OF BABYLON

JULY 17, 2007

1326

**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 Babylon

Tax Map No.: 0100-056.00-03.00-059.000

Section 72-h, Gen'l Municipal Law

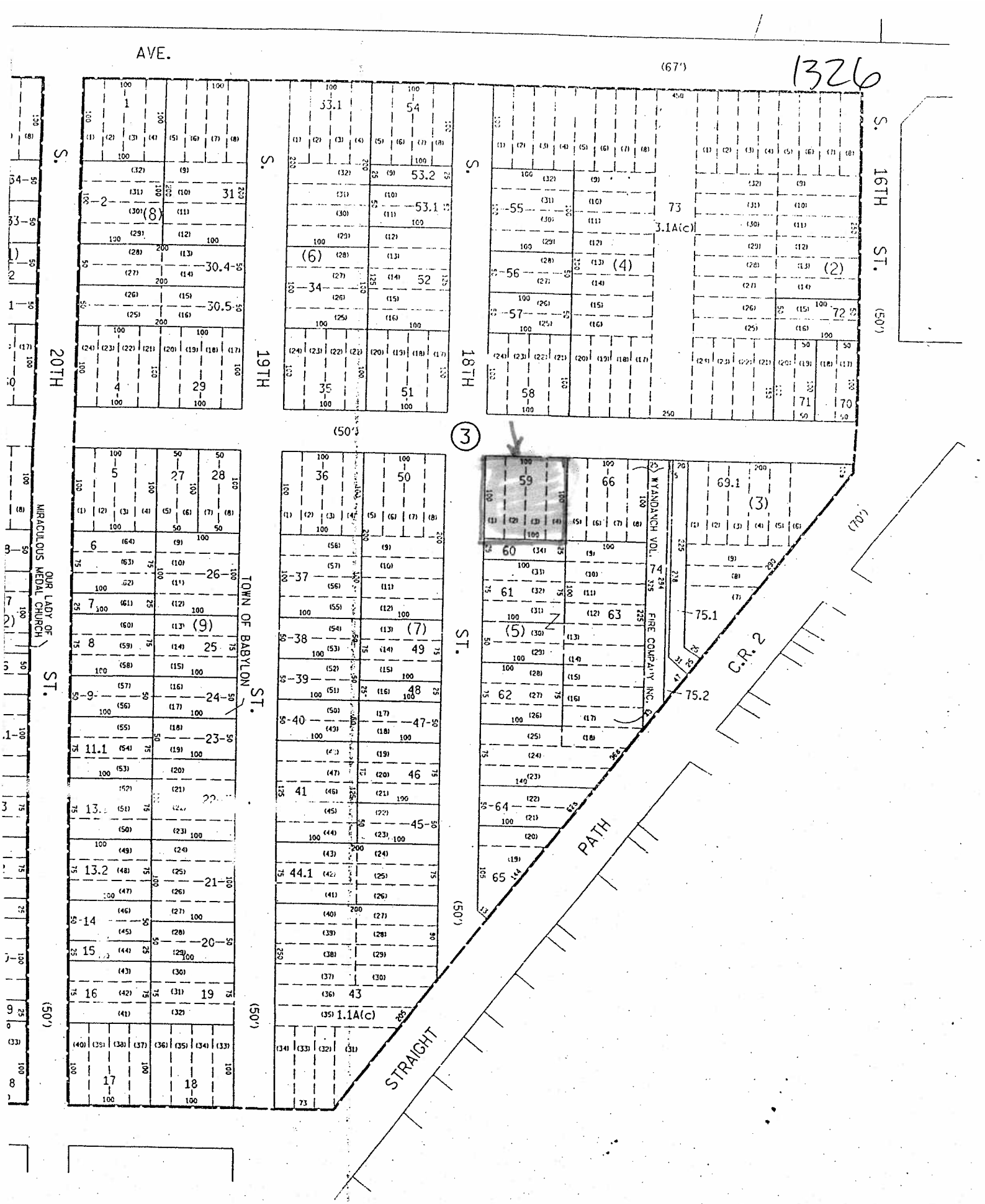
| | Amount |
|---|---|
| County Investment | $ 7,138.10 |

PURPOSE:

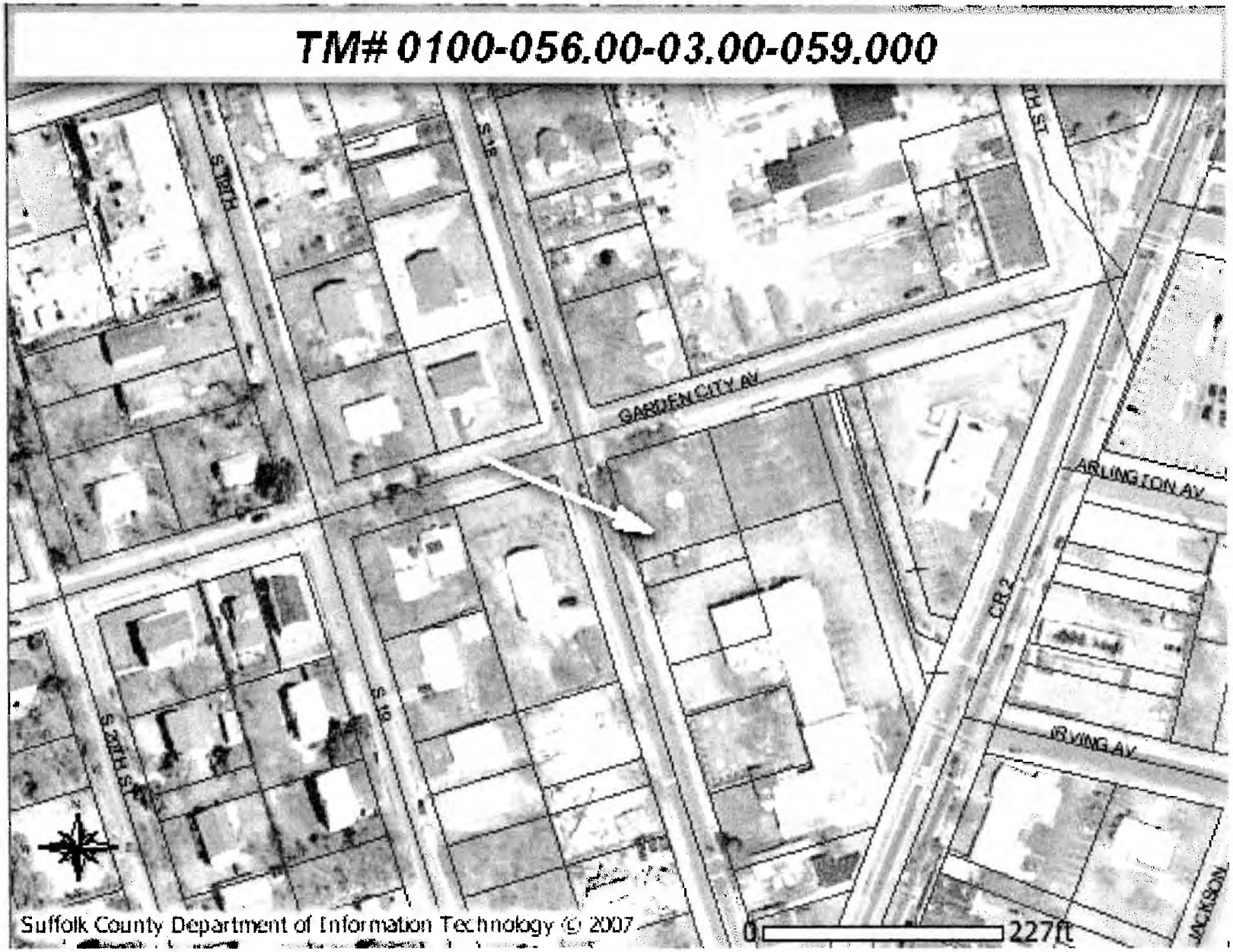
| | |
|---|---|
| A. Affordable Housing | _____ |
| B. Town Parks | _____ |
| C. Road/Highway | _____ |
| D. Drainage/Recharge Basin | _____ |
| E. Other | X |

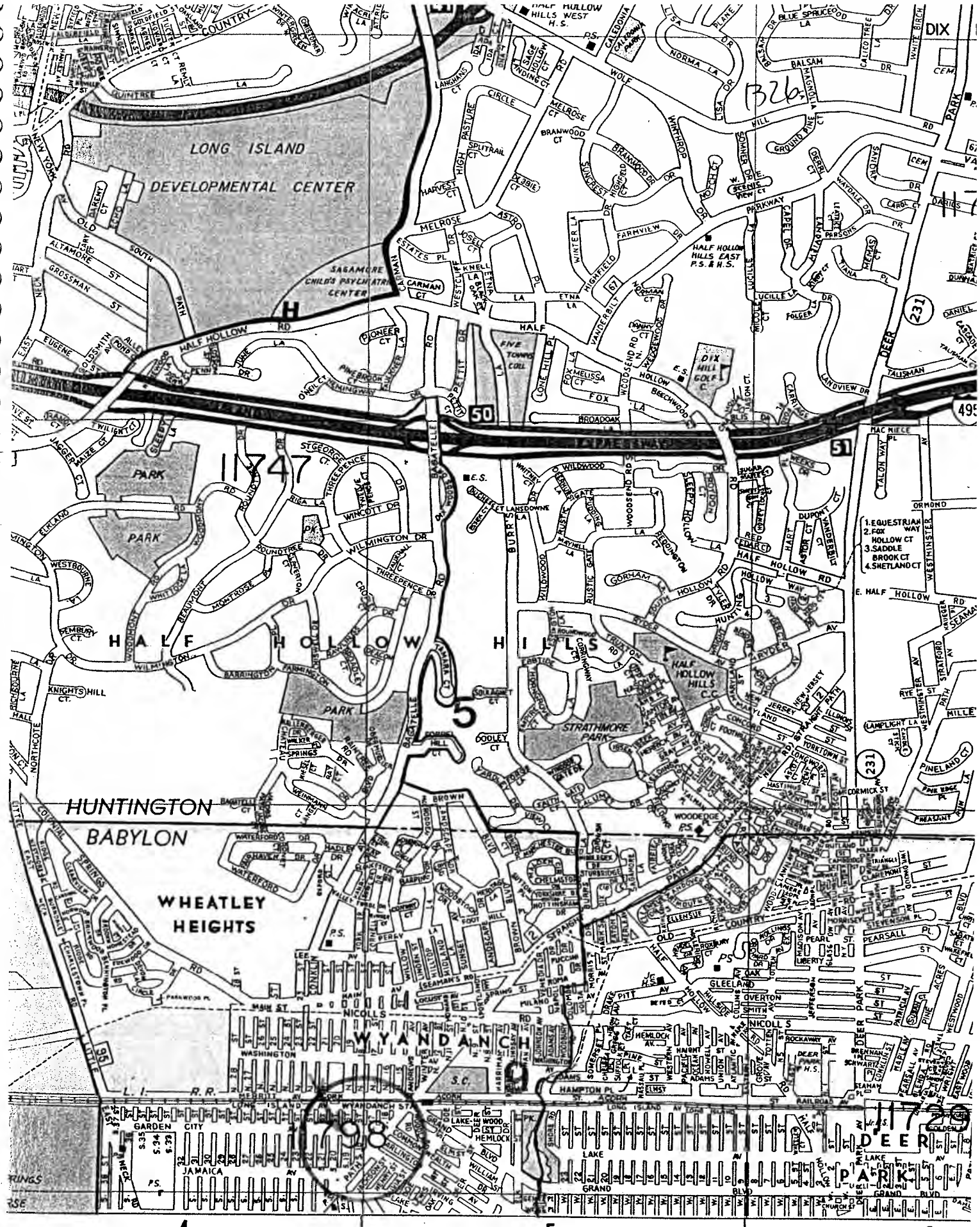
Wayne R. Thompson
Property Manager
(631) 853-5971

WRT: slb




Tm# 0100-056.00-03.00-059.000


TM# 0100-056.00-03.00-059.000
GARDEN CITY AV
ARLINGTON AV
IRVING AV
S 18
S 19
S 18TH ST
S 19TH ST
CR 2
JACKSON
Suffolk County Department of Information Technology © 2007
227ft




FOR ADJOINING AREA SEE MAP NO.4

TM# 0100-056.00-03.00-059.000

1326

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 Babylon for Fire House, Parking, etc. 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 Signature of Preparer Date

    R.J. Bhatt _____ _____ _____
    LMS-III

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APR 0 9 2008

# COUNTY OF SUFFOLK

1326


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


April 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.: 0100-056.00-03.00-059.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the Town of Babylon 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 Babylon 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. 1327-08 Laid on Table 4/29/08

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 BABYLON FOR AFFORDABLE HOUSING PURPOSES**
**(SCTM NO. 0100-058.00-02.00-014.000)**

**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 Babyon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 058.00, Block 02.00, Lot 014.000, and acquired by tax deed on July 10, 2003, from Diane M. Stuke, the Deputy County Treasurer of Suffolk County, New York, and recorded on July 11, 2003, in Liber 12260, CP 584 and otherwise known as and by Town of Babylon, known and designated as Lots Nos. 60 to 63 inclusive, Block 21, as shown on a certain map entitled "Map of Colonial Springs," and filed in the Suffolk County Clerk's office on March 16, 1926 as Map No. 223,

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

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

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

1st **RESOLVED,** the subject parcel shall be conveyed to the Town of Babylon, 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 PMSA based upon bedroom size;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Exhibit "A"

1327

**RESOLUTION NO. 123 MARCH 4, 2008**
**REQUESTING THE CONVEYANCE OF A PARCEL FROM SUFFOLK COUNTY TO THE TOWN OF BABYLON COMMUNITY DEVELOPMENT PROGRAM AFFORDABLE HOUSING PROGRAM**

The following resolution was offered by Councilman Henry and seconded by Councilwoman McVeety:

WHEREAS, the County of Suffolk is the owner of a parcel of land identified as 83 Arlington Avenue, Wyandanch, SCTM #0100-058.00-02.00-14.000; and

WHEREAS, the County of Suffolk is willing to declare this parcel to be surplus County property which could be transferred to the Town of Babylon for the purpose of including the property in the Community Development Affordable Housing Program,

NOW THEREFORE, be it

RESOLVED, that the Town of Babylon requests the County of Suffolk to execute and deliver a quitclaim deed to the Town of Babylon for said property, more particularly described and designated as 83 Arlington Avenue, Wyandanch, SCTM #0100-058.00-02.00-14.000, pursuant to Section 72-H of the New York General Municipal Law, for the purpose of transferring the interest of Suffolk County in the above described property to the Town of Babylon for conveyance to the Town of Babylon's Community Development Affordable Housing Program; and be it further

RESOLVED, that said quitclaim deed issued by the Director of the County Division of Real Estate, or his deputy, pursuant to this resolution, shall contain a reverter clause to the effect that title to the said above described parcel shall revert to the County of Suffolk in the event that the property is not used for the above described public governmental purpose.

VOTES: 5 YEAS: 5 NAYS: 0
The resolution was thereupon declared duly adopted.

State of New York
Town of Babylon } ss:
County of Suffolk

I, Ronnise J. Miller, Deputy Town Clerk, DO HEREBY CERTIFY that I have compare the preceding with the original thereof and that the same is a true and correct copy.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Town

this 5th day of March 20 08

Ronnise J. Miller, Deputy Town Clerk

**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**

1327

## SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES
TOWN OF BABYLON

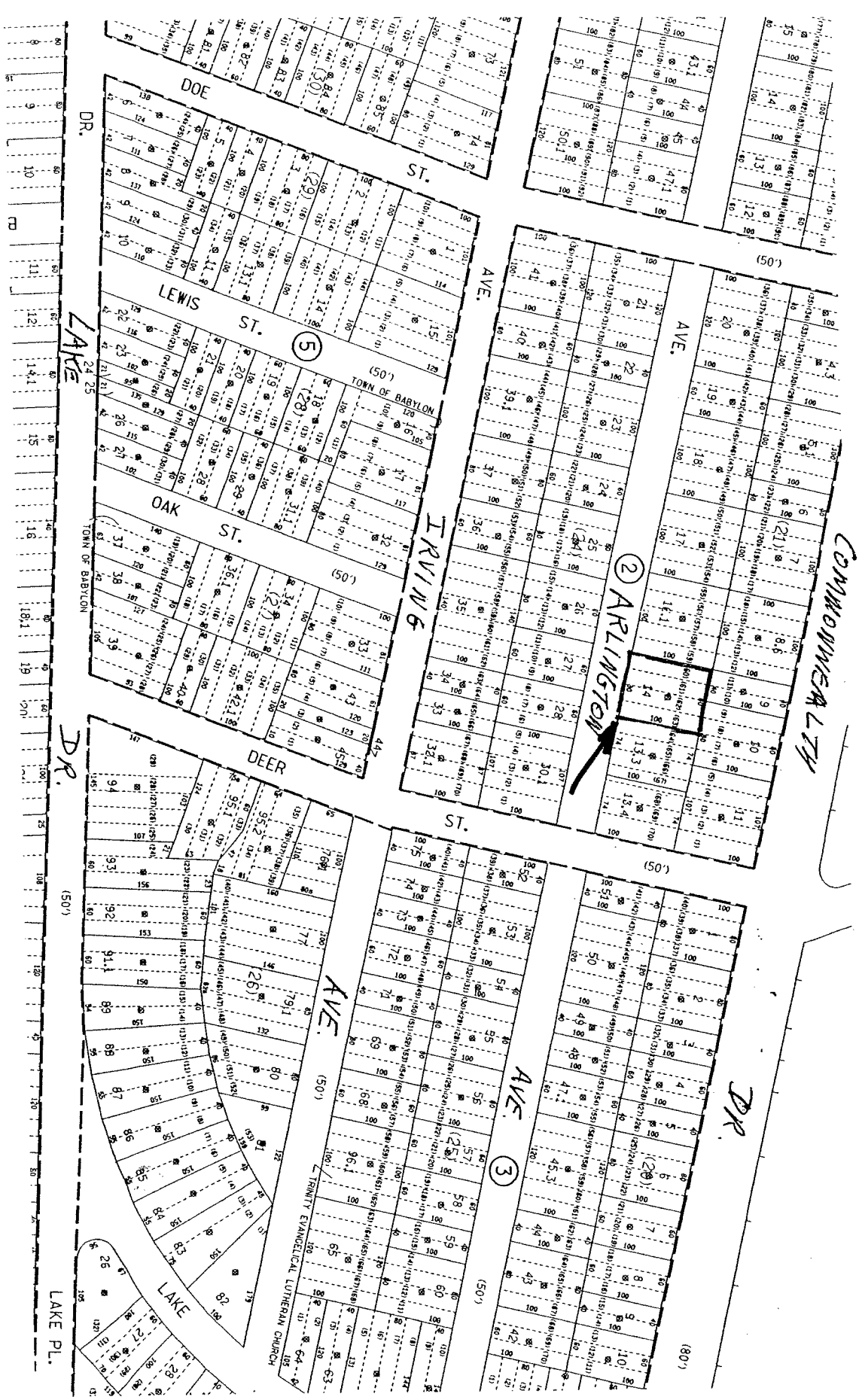
Tax Map No.: 0100-058.00-02.00-014.000

Section 72-h, Gen'l Municipal Law

| | | Amount |
|---|---|---|
| County Investment | | $1,865.42 |
| PURPOSE: | | |
| | A. Affordable Housing | X |
| | B. Town Parks | |
| | C. Road/Highway | |
| | D. Drainage/Recharge Basin | |
| | E. Other | |

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

WRT:slb

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TM # 0100-058.00-02.00-014.000

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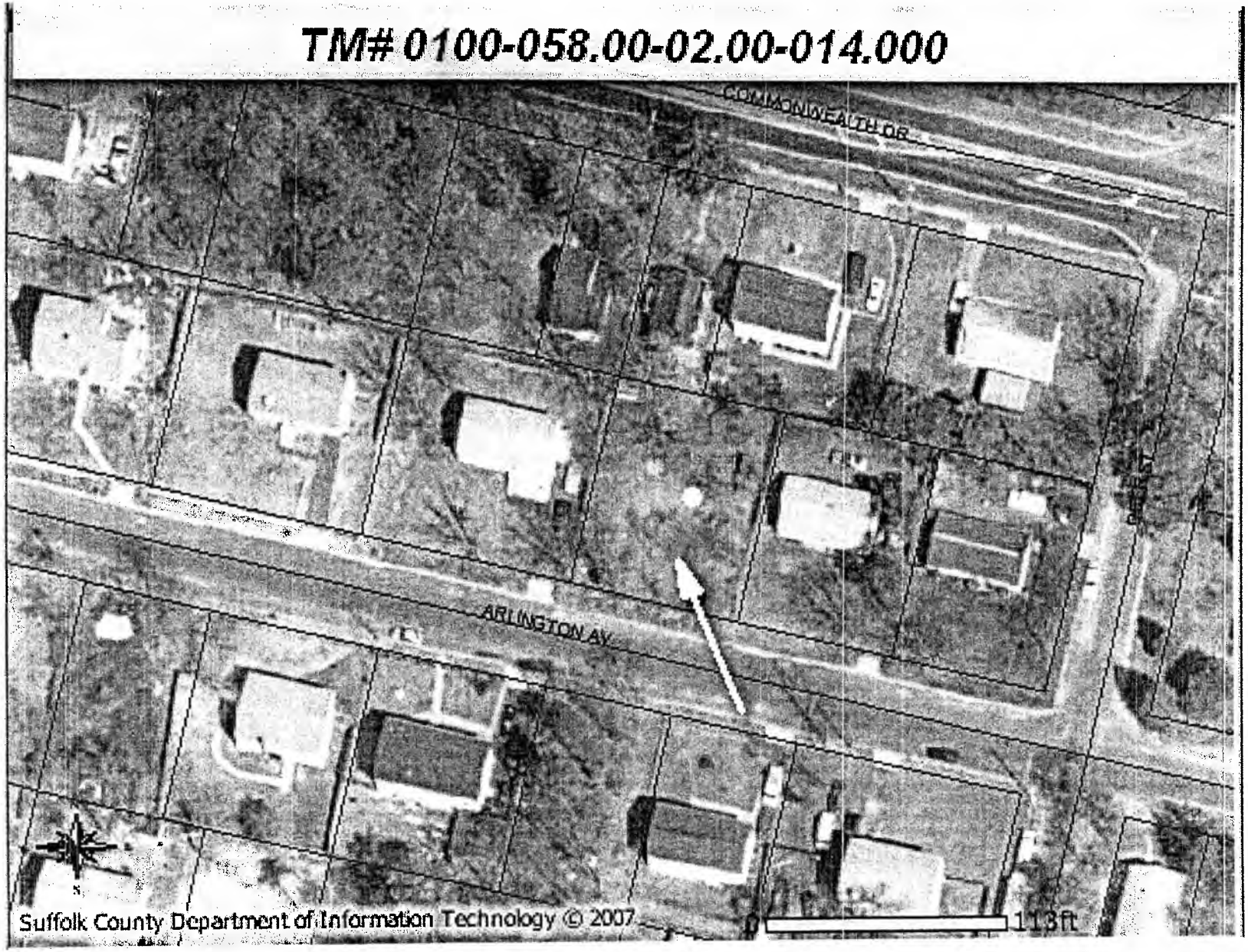


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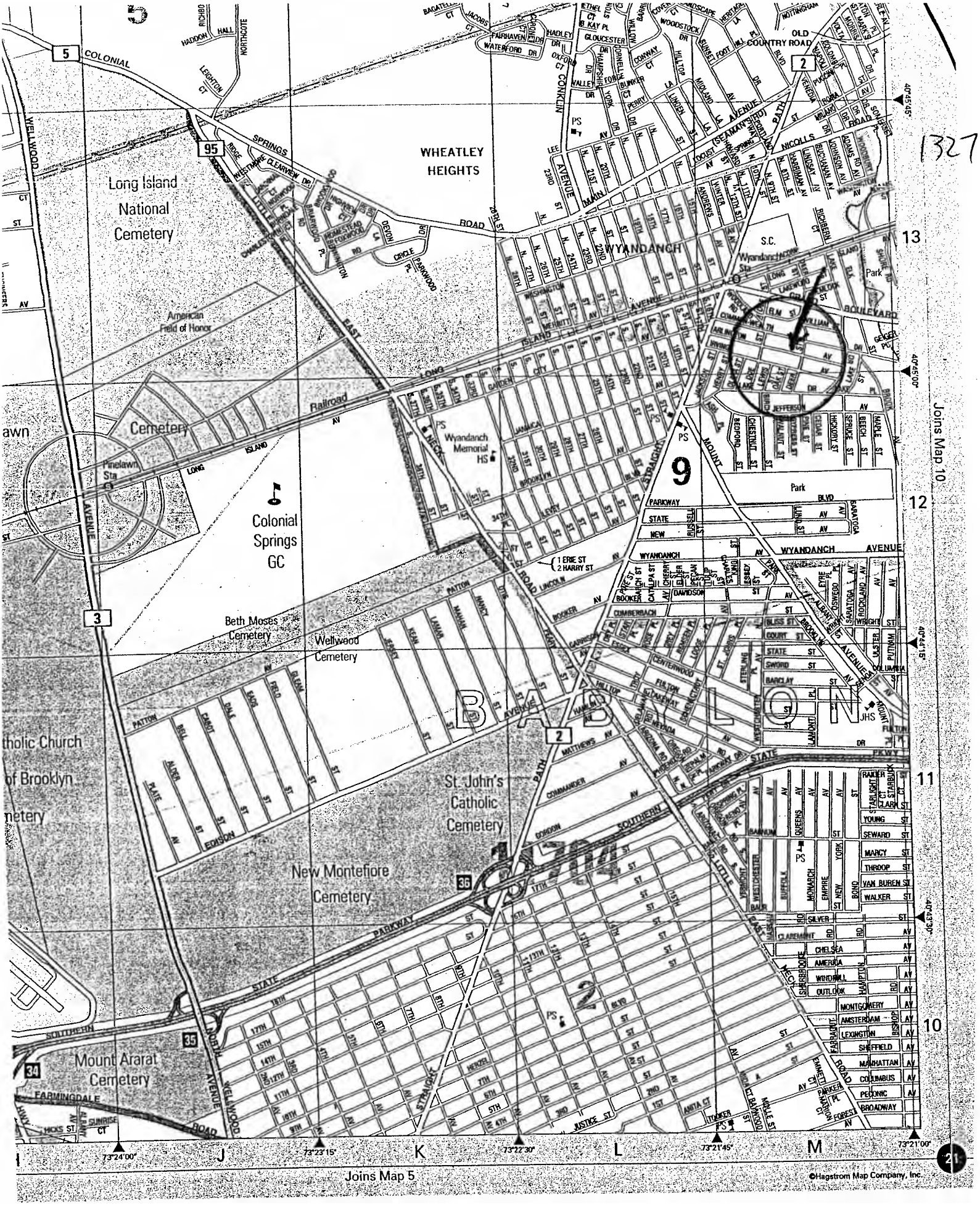


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TM # 0100-058.00-02.00-014.000

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1327

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 Babylon 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

R J Bhatt | 4/3/08

Gen H.

# COUNTY OF SUFFOLK

APR 15 2008

1327


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


April 8, 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.: 0100-058.00-02.00-014.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the Town of Babylon 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 Babylon 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. 1328-08 Laid on Table 4/29/08

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. 0200-545.00-03.00-006.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 545.00, Block 03.00, Lot 006.000, and acquired by tax deed on September 30, 1993, from General L. Rains, the Deputy County Treasurer of Suffolk County, New York, and recorded on October 25, 1993, in Liber 11649, CP 338 and otherwise known as and by Town of Brookhaven, known and designated as Lots No. 6 to 10 inclusive, Block F, Section 1, as shown on a certain map entitled "Map of Gordon Heights", and filed in the Suffolk County Clerk's Office on September 6, 1927 as Map No. 643,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Exhibit "A" BALDWIN CT, MEDFORD

1328

**ADOPTED**

BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 1037-07
MEETING OF: NOVEMBER 8, 2007

AUTHORIZING TRANSFER OF FORECLOSED PROPERTY FROM THE COUNTY OF SUFFOLK TO THE TOWN OF BROOKHAVEN AND FROM THE TOWN TO THE ECONOMIC OPPORTUNITY COUNCIL OF SUFFOLK, INC. OF LONG ISLAND (EOC) TO PROMOTE THE AVAILABILITY OF AFFORDABLE HOUSING
(SCTM#0200-545.00-03.00-006.000)

WHEREAS, the Town of Brookhaven, the County of Suffolk, and various not-for-profit groups have cooperated throughout the years to create affordable housing opportunities and to remove blighting conditions within the Town; and

WHEREAS, the County of Suffolk wishes to transfer a certain parcel of property from its foreclosure inventory to the Town of Brookhaven in order for the Town to transfer this parcel to a not-for-profit corporation for the sole purpose of developing affordable housing; and

WHEREAS, the Suffolk County Department of Economic Development and Workforce Housing has requested that the Town of Brookhaven transfer a certain parcel of property on Baldwin Court, Medford, New York 11763 (SCTM#0200-545.00-03.00-006.000) to the Economic Opportunity Council of Suffolk, Inc. of Long Island (EOC) for the express purpose of promoting affordable housing, as per the attached documentation; and

WHEREAS, once this parcel of property is transferred from the Town of Brookhaven to the EOC, the Town will enable a first-time homebuyer with a viable homeownership opportunity; and

WHEREAS, the Town of Brookhaven desires to continue to be an active partner with providing affordable housing opportunities;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Brookhaven that the Supervisor and/or Deputy Supervisor is hereby authorized to execute any agreement and/or instrument approved as to form by the Department of Law, providing for the conveyance of the parcel of property on Baldwin Court, Medford, New York 11763 (SCTM#0200-545.00-03.00-006.000) from the County of Suffolk to the Town of Brookhaven and subsequently from the Town to the Economic Opportunity Council of Suffolk, Inc. of Long Island (EOC) 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 subject to a permissive referendum.

1328

| EXHIBIT A | | |
|---|---|---|
| **SCTM#** | **ADDRESS** | **ORGANIZATION** |
| 0200-545.00-03.00-006.000 | Baldwin Court,<br>Medford, New York 11763 | Economic Opportunity Council of Suffolk, Inc. of Long Island (EOC) |

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

1328

**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.: 0200-545.00-03.00-006.000

Section 72-h, Gen'l Municipal Law

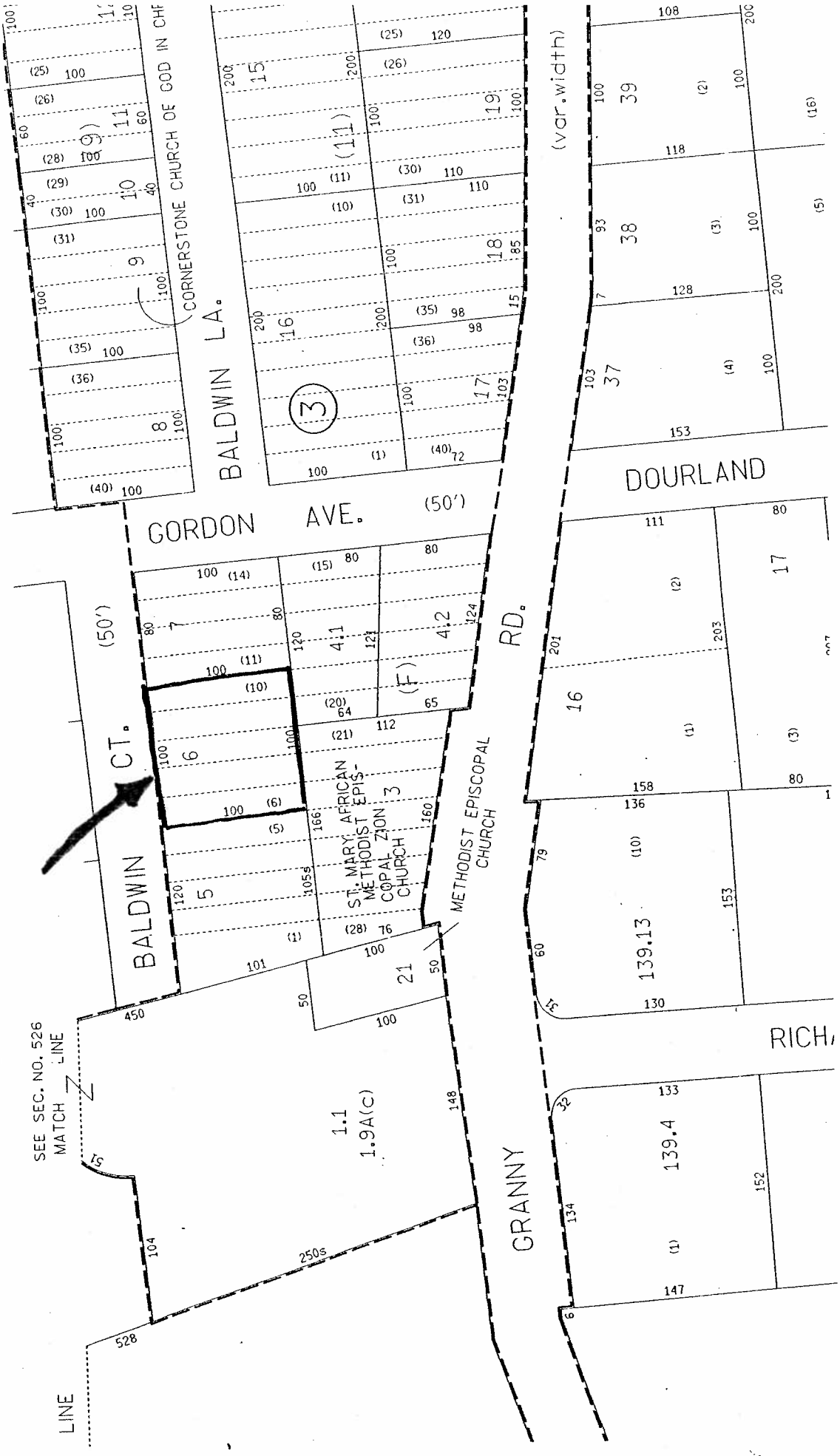
| | Amount |
|---|---|
| County Investment | $6,832.99 |
| Clean Up Cost | 3,500.00 |
| Total | 10,332.99 |

PURPOSE:

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

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

WRT:slb

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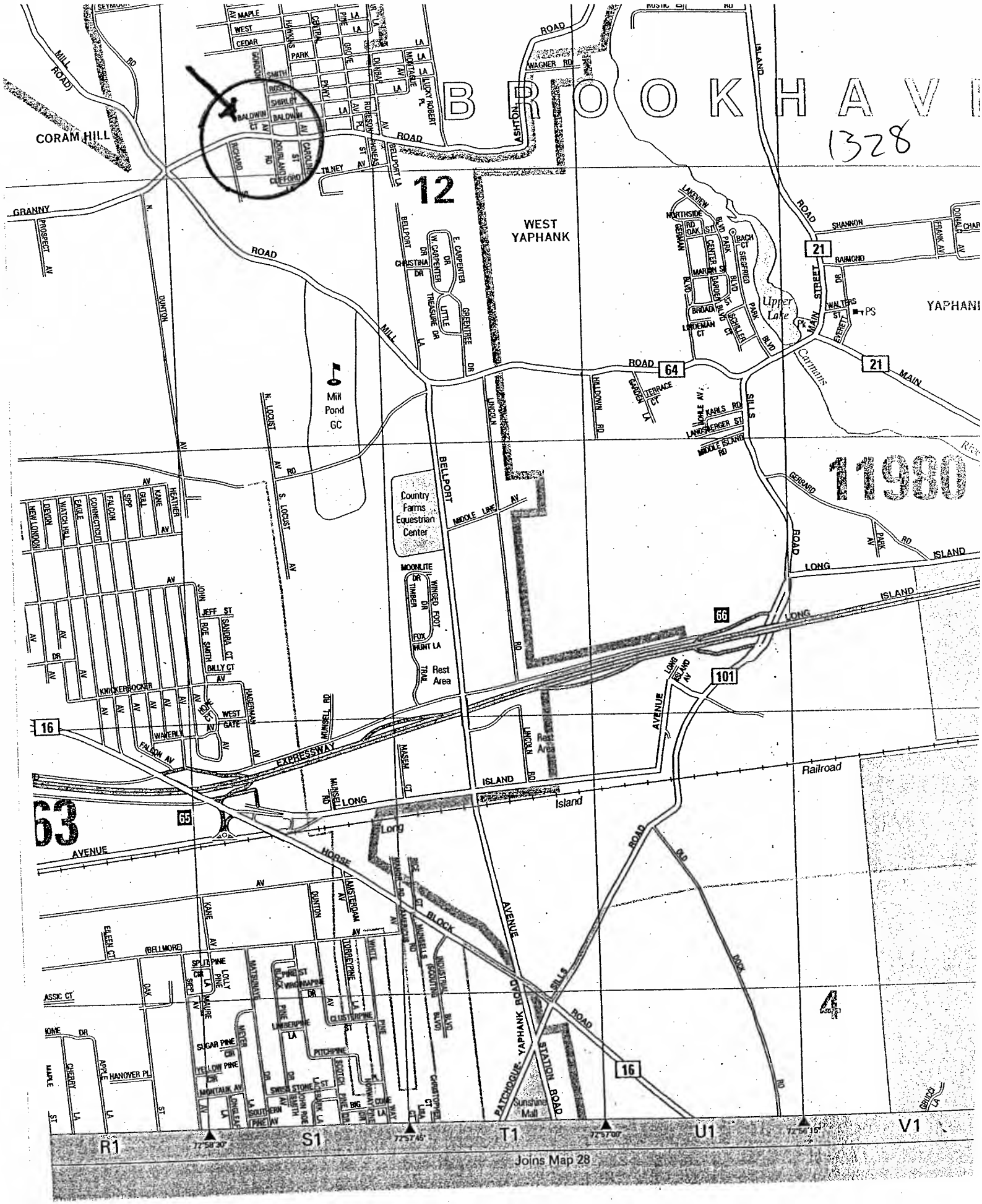



TM # 0200-545.00-03.00-006.000

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1328

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

R Bhatt 4/3/08

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

Resolution Title:

Tax Map No.: 0200-545.00-03.00-006.000

Purpose/Justification of Request:

Section 72-h Gen'l Municipal Law

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 re-submittal:

3. Is backup attached? Yes_X_ No

4. Is this resolution subject to SEQRA review? Yes___ No_X

Fiscal Information:

Anticipated Revenue: $1.00 (to be waived)
County Investment: $10,332.99

Contact Person:
Wayne R. Thompson

Telephone Number:
(631) 853-5971

Introductory Resolution No. 1329-08 Laid on Table 4/29/08

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
**MARY DEBORAH LO CURTO a/k/a MARY DEBORAH LOCURTO**
**0900-148.00-01.00-016.000**

**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 Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0900, Section 148.00, Block 01.00, Lot 016.000, and acquired by tax deed on May 1, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 3, 2007, in Liber 12503, at Page 808, and otherwise known as and by Town of Southampton, Suffolk County Tax Map Number: 0900-148.00-01.00-016.000; 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 May 1, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 3, 2007 in Liber 12503 at Page 808.

**WHEREAS**, in accordance with Suffolk County Local Law 16-l976, provision has been made for the sale of such real property acquired by the County through tax sale; and

**WHEREAS**, MARY DEBORAH LO CURTO a/k/a MARY DEBORAH LOCURTO has made application of said above described parcel and MARY DEBORAH LO CURTO a/k/a MARY DEBORAH LOCURTO has paid the application fee and $21,875.06, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2008; and

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

**2nd - RESOLVED**, that 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 MARY DEBORAH LO CURTO a/k/a MARY DEBORAH LOCURTO, 61 Maple Avenue, Apt. 2A, Hastings on Hudson, New York 10706, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

50.I

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1329

March 17, 2008

Tax Map No.: 0900-148.00-01.00-016.000
Name of Last Legal Fee Owner: MARY DEBORAH LO CURTO a/k/a MARY DEBORAH LOCURTO

TREASURER'S COMPUTATION..... $19,650.16

Taxes.....2007/2008..... $ 2,224.90

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $21,875.06

Monies Received..... $21,875.06

RESOLUTION AMOUNT..... $21,875.06

APPROVED:

Carmen L Pulido
Accounting
LB:sc

PREPARED BY:

Lori Bertone
Redemption Unit
(631) 853-5932

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1329

1. Type of Legislation

Resolution X
Tax Map Number 0900-148.00-01.00-016.000

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 | 3/18/08

# COMPUTATION BY SUFFOLK COUNTY TREASURER

| DISTRICT | SECTION | BLOCK | | LOT |
|---|---|---|---|---|
| 0900 | 148.00 | 01.00 | 1329 | 016.000 |

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

| | |
|---|---|
| 2002/03 | 3791.47 |
| 2003/04 | 3737.31 |
| 2004/05 | 3818.57 |
| 2005/06 | 3217.26 |
| 2006/07 | 2842.50 |

**2007/08 PROPERTY TAXES $2224.90 NOT INCLUDED IN COMPUTATION**

| | |
|---|---|
| TOTAL: | 17407.11 |
| B. INTEREST DUE | 1307.32 |
| C. TOTAL | 18714.43 |
| D. 5% LINE C | 935.72 |
| E. FEE | |
| F. MISC | |
| G. MISC | |
| H. TOTAL DUE | $19,650.16 |
| 07/08 | 2,224.90 |
| | 21,875.06 ok |

# CERTIFICATION BY COUNTY TREASURER

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

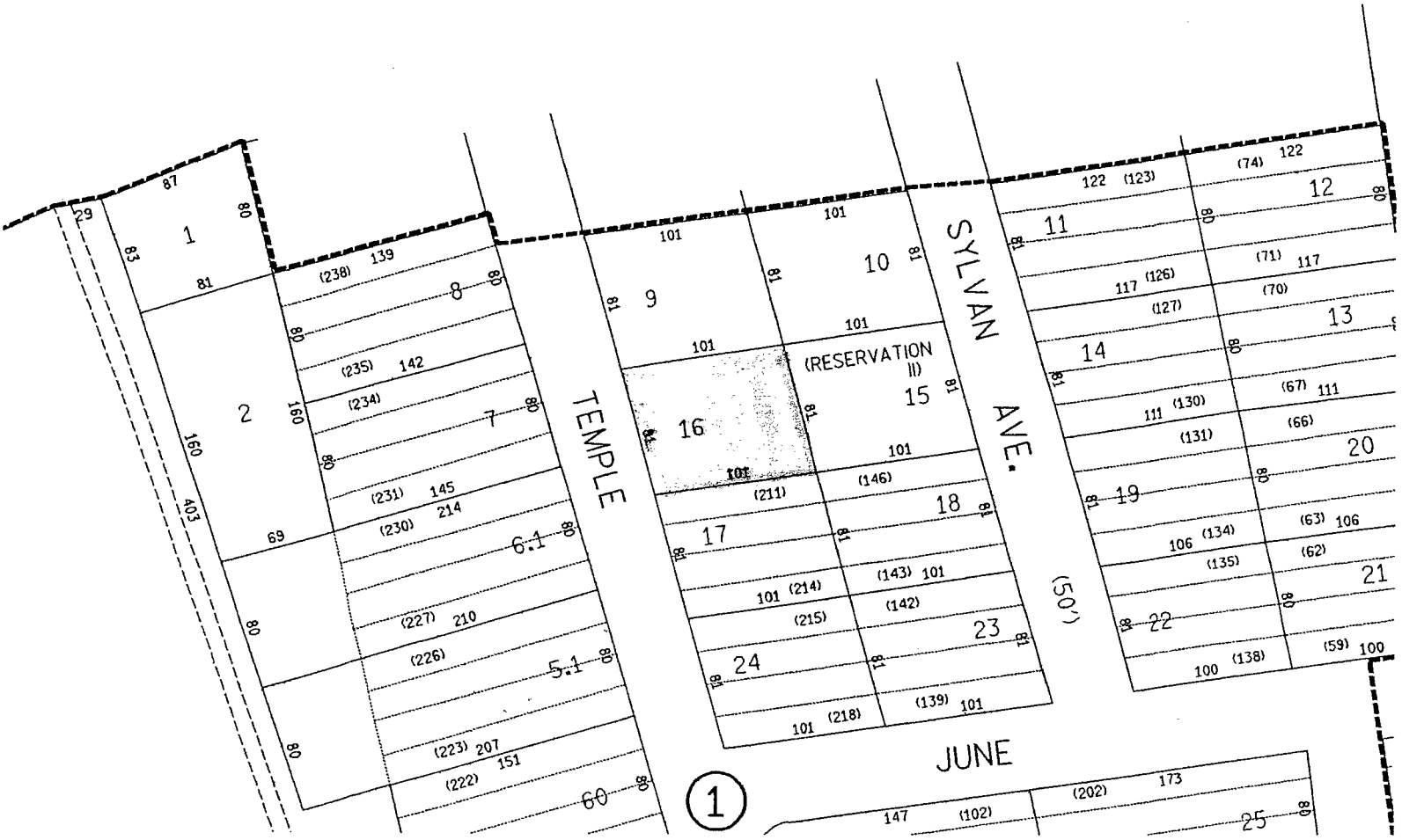
IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 20-Feb-08

Diane M. Stuke
Deputy County Treasurer

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

dz

1329

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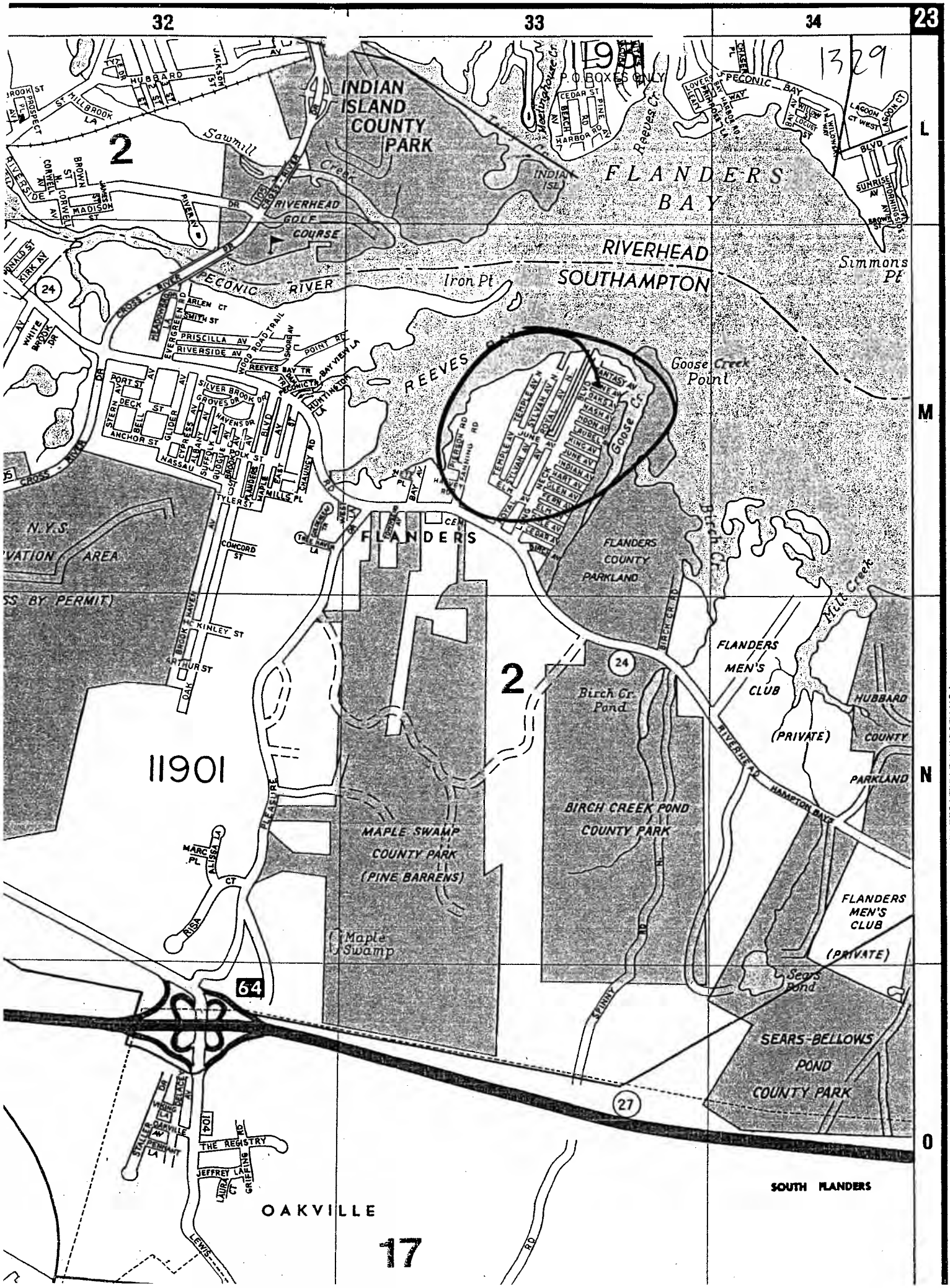
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INDIAN ISLAND COUNTY PARK
FLANDERS BAY
RIVERHEAD
SOUTHAMPTON
RIVERHEAD GOLF COURSE
PECONIC RIVER
Iron Pt
Simmons Pt
REEVES BAY
Goose Creek Point
Goose Cr.
FLANDERS
FLANDERS COUNTY PARKLAND
Birch Cr.
Mill Creek
N.Y.S. AREA
(PASS BY PERMIT)
1901
2
24
64
27
FLANDERS MEN'S CLUB (PRIVATE)
Birch Cr. Pond
BIRCH CREEK POND COUNTY PARK
MAPLE SWAMP COUNTY PARK (PINE BARRENS)
Maple Swamp
HUBBARD COUNTY PARKLAND
SEARS-BELLOWS POND COUNTY PARK
Sears Pond
SOUTH FLANDERS
OAKVILLE
17
1951
P.O. BOXES ONLY
1329
Sawmill Creek
Reeves Cr.
Meetinghouse Cr.
PECONIC BAY
RIVERHEAD
HAMPTON BAYS
FOR ADJOINING AREA SEE MAP NO. 26

Gen A5

# COUNTY OF SUFFOLK

APR 01 2008

1329


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 28, 2008

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

Re: Tax Map No. 0900-148.00-01.00-016.000
MARY DEBORAH LO CURTO a/k/a MARY DEBORAH LOCURTO

Dear Mr. Zwirn:

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

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

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

Very truly yours,

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

CEK:sc

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

Copy of Resolution to:
Ben Zwirn, Deputy County Executive for I. R. (original plus 1 hard copy)
Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain and Tom Vaughn, Intergovernmental Relations
Steve Forst, Budget Office (hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:
Carrie Meek Gallagher, Commissioner, Dept. of Environment and Energy
Connie Corso, Budget Director
Thomas A. Isles, Director, Planning Dept.
Lauretta Fischer, Principal Planner, Planning Dept.
53

Introductory Resolution No. 1330-08 Laid on Table 4/29/08

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
**JOSE L. AMAYA**
**0100-083.00-02.00-052.000**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 083.00, Block 02.00, Lot 052.000, and acquired by tax deed on July 3, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 12, 2007, in Liber 12513, at Page 391, and otherwise known as and by Town of Babylon, Lots 63 & 64, Block 41, Map of Colonial Springs Filed: March 16, 1926 Map No: 223; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 3, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 12, 2007 in Liber 12513 at Page 391.

**WHEREAS**, in accordance with Suffolk County Local Law 16-l976, provision has been made for the sale of such real property acquired by the County through tax sale; and

**WHEREAS**, JOSE L. AMAYA has made application of said above described parcel and JOSE L. AMAYA, Fifth Avenue Abstract Inc. for Jose L. Amaya, has paid the application fee and $1,355.90, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; and

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

**2nd - RESOLVED**, that 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 JOSE L. AMAYA, 34 Spruce Street, Wyandanch, New York 11798, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

50.I

1330

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

February 29, 2008

Tax Map No.: 0100-083.00-02.00-052.000
Name of Last Legal Fee Owner: JOSE L. AMAYA

TREASURER'S COMPUTATION..... $1,355.90

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

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $1,355.90

Monies Received..... $1,355.90

RESOLUTION AMOUNT..... $1,355.90

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

APPROVED:

Carmen L Pulido
Accounting
CO:sc

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1330

1. Type of Legislation

Resolution X
Tax Map Number 0100-083.00-02.00-052.000

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

Cathy O'Neal Cathy O'Neal 3/4/08

# COMPUTATION BY SUFFOLK COUNTY TREASURER

| DISTRICT | SECTION | BLOCK | LOT |
|---|---|---|---|
| 0100 | 083.00 | 02.00 | 052.000 |

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES: 1330

2004/05 1238.89

**2005/06 AND 2006/07 PROPERTY TAXES PAID BY MORTGAGE CO.**

TOTAL: 1238.89

| | |
|---|---|
| B. INTEREST DUE | 52.44 |
| C. TOTAL | 1291.33 |
| D. 5% LINE C | 64.57 |
| E. FEE | |
| F. MISC | |
| G. MISC | |

H. TOTAL DUE $1,355.90 10/26/07 CP

## CERTIFICATION BY COUNTY TREASURER

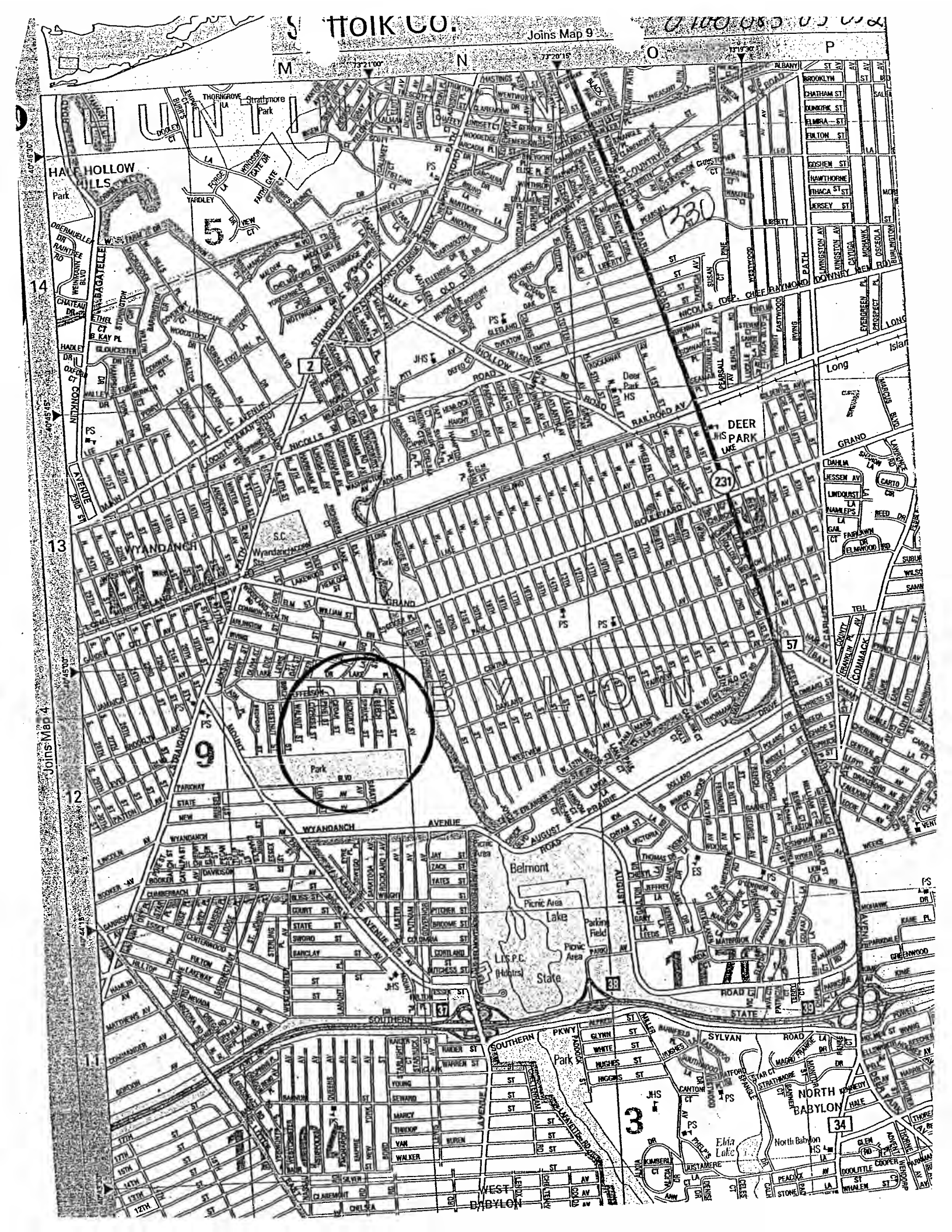
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

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

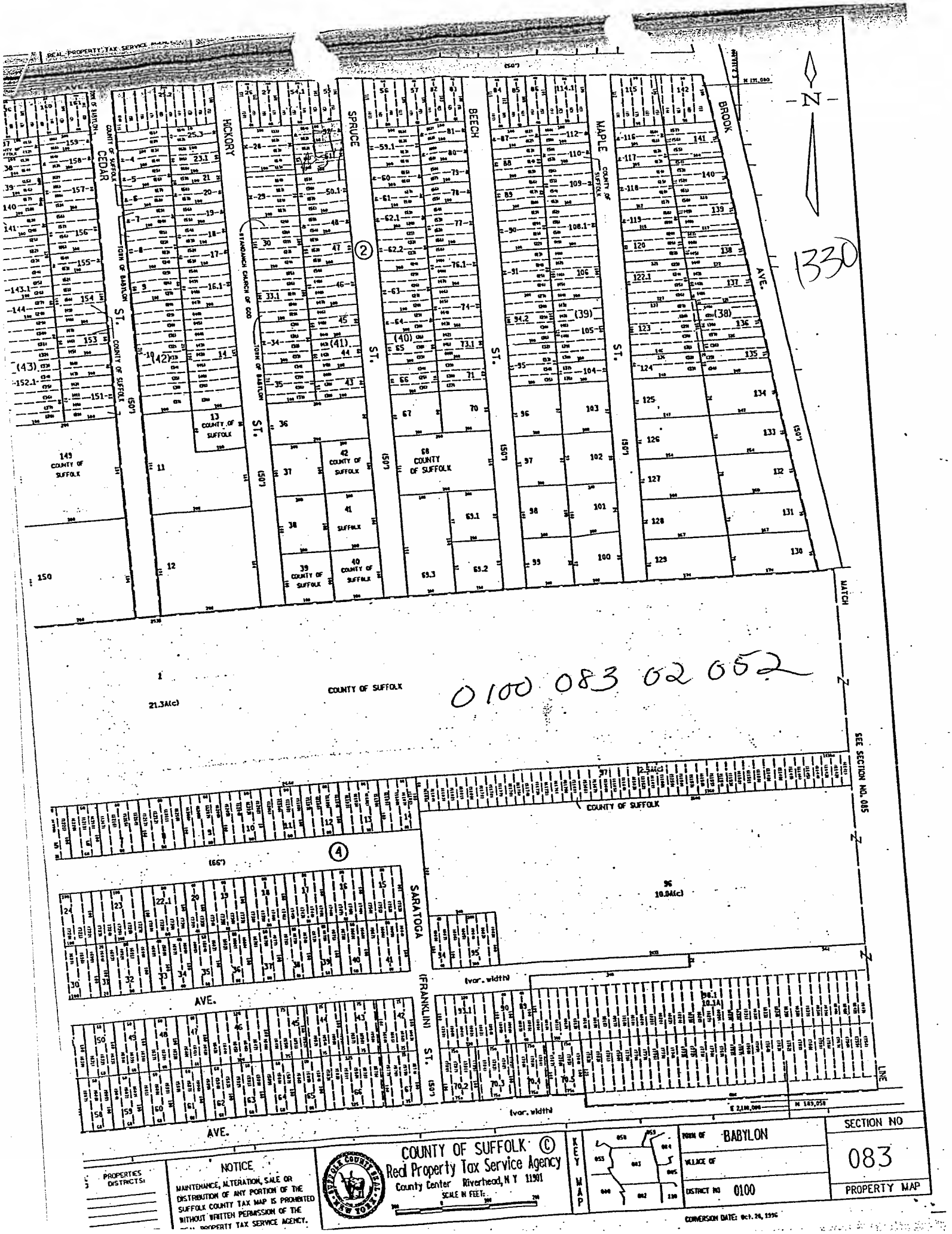
Diane M. Stuke
Deputy County Treasurer

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

dz



Joins Map 9
Joins Map 4
HALF HOLLOW HILLS
Strathmore Park
DEER PARK
WYANDANCH
Wyandanch Sta
Belmont
Lake
State
Picnic Area
Parking Field
L.I.S.P.C. (Hdqtrs)
NORTH BABYLON
North Babylon HS
Elda Lake
WEST BABYLON
Long Island
Deer Park HS




PROPERTIES DISTRICTS:

NOTICE

MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION OF THE REAL PROPERTY TAX SERVICE AGENCY.

COUNTY OF SUFFOLK ©
Real Property Tax Service Agency
County Center Riverhead, N Y 11901
SCALE IN FEET:

KEY MAP

TOWN OF BABYLON
VILLAGE OF
DISTRICT NO 0100

SECTION NO 083
PROPERTY MAP

CONVERSION DATE: Oct. 26, 1996

Gen Ag

# COUNTY OF SUFFOLK

1330

MAR 31 2008


CHRISTOPHER E. KENT
DIVISION DIRECTOR

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

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


March 27, 2008

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

Re: Tax Map No. 0100-083.00-02.00-052.000
JOSE L. AMAYA

Dear Mr. Zwirn:

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

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

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

Very truly yours,

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

CEK:sc

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

Copy of Resolution to:
Ben Zwirn, Deputy County Executive for I. R. (original plus 1 hard copy)
Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain and Tom Vaughn, Intergovernmental Relations
Steve Forst, Budget Office (hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:
Carrie Meek Gallagher, Commissioner, Dept. of Environment and Energy
Connie Corso, Budget Director
Thomas A. Isles, Director, Planning Dept.
Lauretta Fischer, Principal Planner, Planning Dept.
53

Introductory Resolution No. 1331-08 Laid on Table 4/29/08

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 BABYLON FOR AFFORDABLE HOUSING PURPOSES**
**(SCTM NO. 0100-018.00-01.00-069.000)**

**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 Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 018.00, Block 01.00, Lot 069.000, and acquired by tax deed on September 30, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 8, 2004, in Liber 12348, CP 242 and otherwise known as and by Town of Babylon, known and designated as Lot No. 39, as shown on a certain map entitled "Map of Milleridge Homes" and filed in the Suffolk County Clerk's Office on May 3, 1968 as Map No. 5085

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

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

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

1st **RESOLVED,** the subject parcel shall be conveyed to the Town of Babylon, 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 PMSA based upon bedroom size;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Exhibit "A" 1331

**RESOLUTION NO. 596 SEPTEMBER 4, 2007**
**REQUESTING THE CONVEYANCE OF A PARCEL FROM SUFFOLK COUNTY TO THE TOWN OF BABYLON COMMUNITY DEVELOPMENT PROGRAM AFFORDABLE HOUSING PROGRAM**

The following resolution was offered by Councilwoman McVeety and seconded by Councilman Henry:

WHEREAS, the County of Suffolk is the owner of a parcel of land identified as 1 Milleridge Dr., Deer Park, SCTM #0100-018.00-01.00-069.000; and

WHEREAS, the County of Suffolk is willing to declare this parcel to be surplus County property which could be transferred to the Town of Babylon for the purpose of including the property in the Community Development Affordable Housing Program;

NOW THEREFORE, be it

RESOLVED, that the Town of Babylon requests the County of Suffolk to execute and deliver a quitclaim deed to the Town of Babylon for said property, more particularly described and designated as 1 Milleridge Dr., Deer Park, SCTM #0100-018.00-01.00-069.000, pursuant to Section 72-H of the New York General Municipal Law, for the purpose of transferring the interest of Suffolk County in the above described property to the Town of Babylon for conveyance to the Town of Babylon=s Community Development Affordable Housing Program; and be it further

RESOLVED, that said quitclaim deed issued by the Director of the County Division of Real Estate, or his deputy, pursuant to this resolution, shall contain a reverter clause to the effect that title to the said above described parcel shall revert to the County of

Suffolk in the event that the property is not used for the above described public governmental purpose.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

State of New York
Town of Babylon } ss:
County of Suffolk

I, Ronnise J. Miller, Deputy Town Clerk, DO HEREBY CERTIFY that I have compare the preceding with the original thereof and that the same is a true and correct copy.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Town

this 26th day of September 20 07

Ronnise J. Miller

Ronnise J. Miller, Deputy Town Clerk

1331

**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 BABYLON

Tax Map No.: 0100-018.00-01.00-069.000

Section 72-h, Gen'l Municipal Law

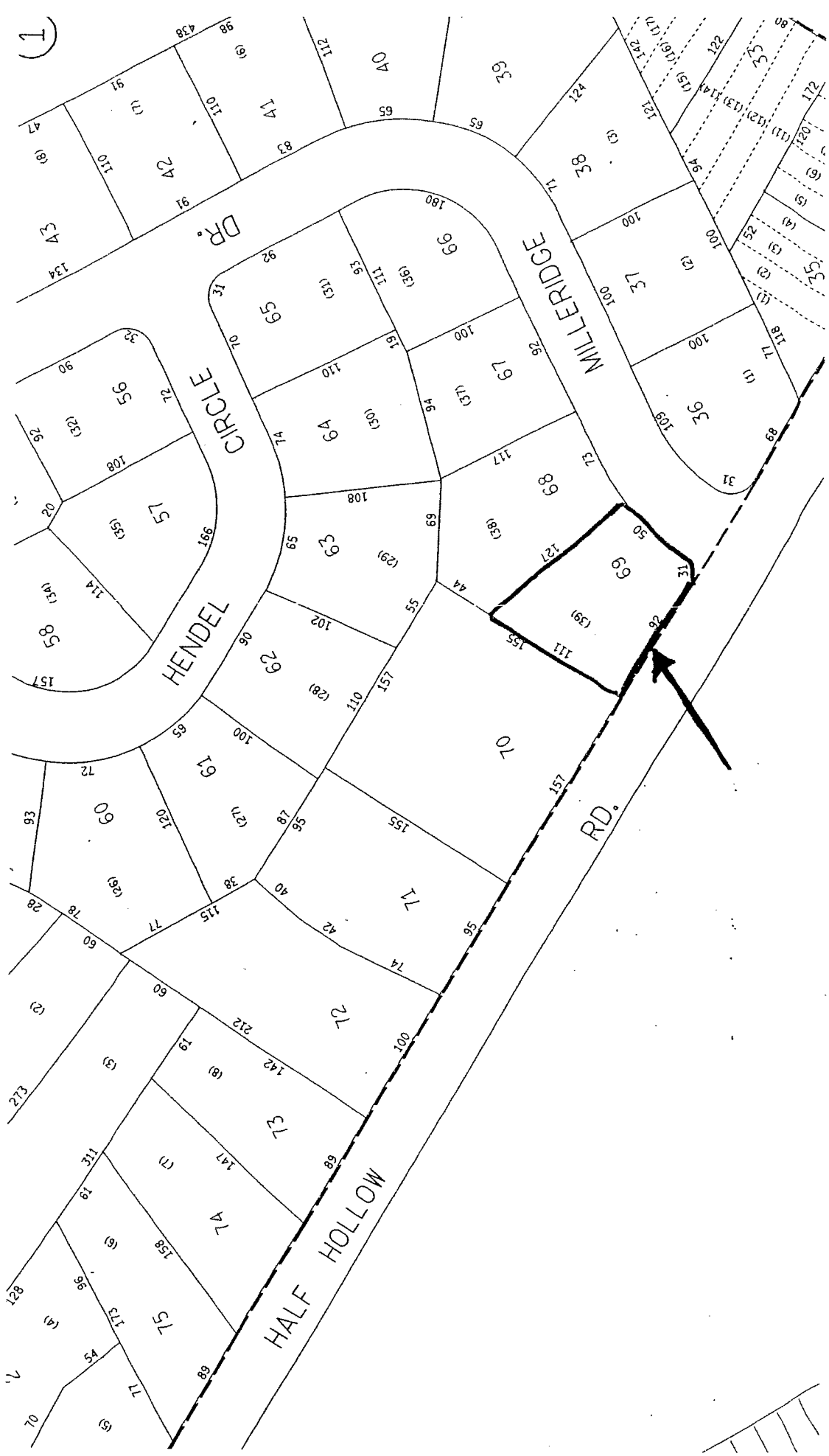
| | Amount |
|---|---|
| County Investment | $63,445.23 |
| Clean Up Cost | 3,496.00 |
| Total | 66,941.23 |

PURPOSE:

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

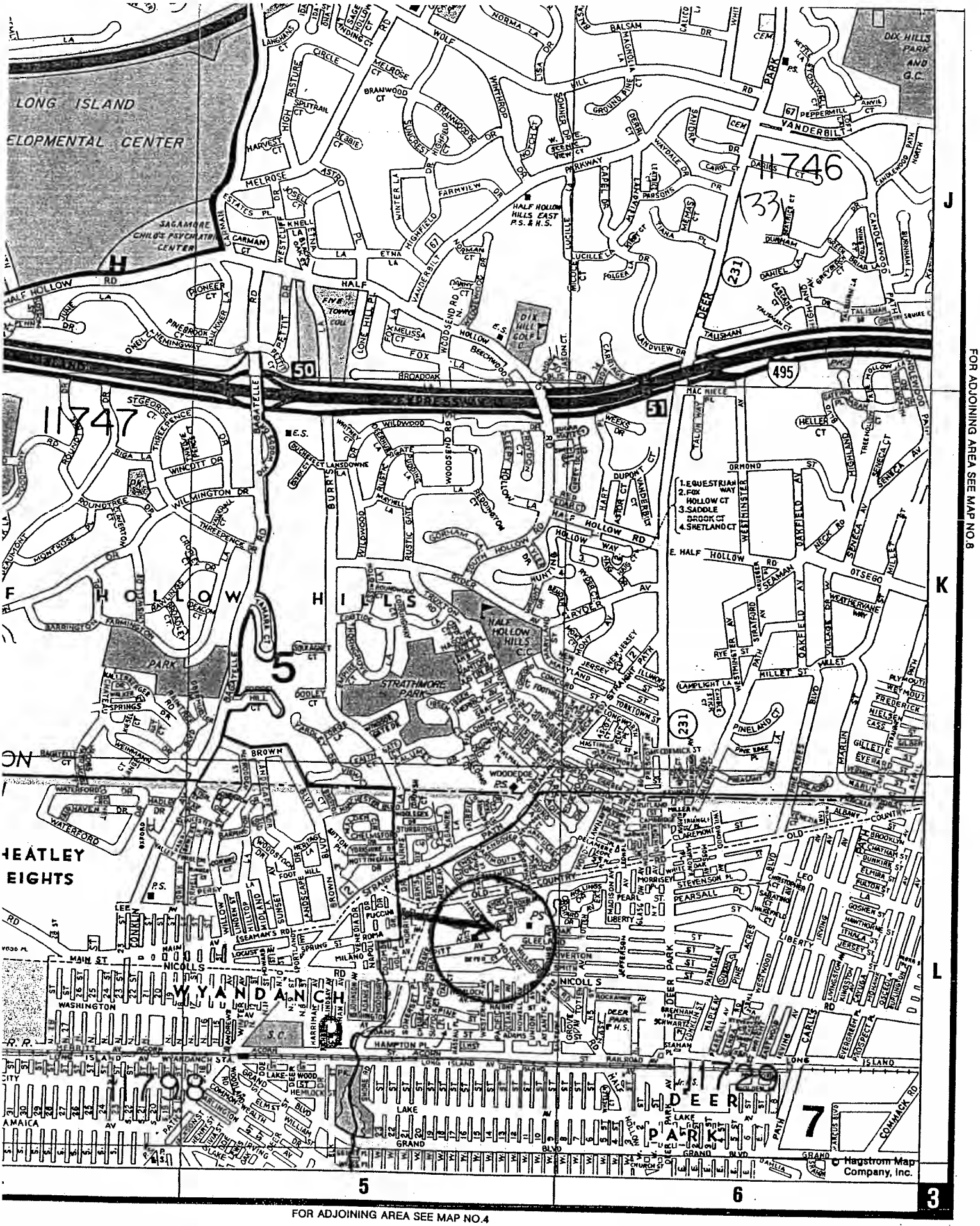
Wayne R. Thompson
Property Manager
(631) 853-5971

WRT:slb




Tm# 0100-180.00-01.00-069.000

# TM# 0100-018.00-01.00-069.000






Tm# 0100 - 018.00 - 01.00 - 069.000

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1331

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 Babylon 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

    Date 3/20/08

Gen A7

# COUNTY OF SUFFOLK

APR 0 2 2008

1331

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 31, 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.: 0100-018.00-01.00-069.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the Town of Babylon 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 Babylon 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. 1332-08 Laid on Table 4/29/08

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
**KARALYN KARCHER**
**0200-441.00-03.00-015.000**

**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 441.00, Block 03.00, Lot 015.000, and acquired by tax deed on August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007, in Liber 12520, at Page 725, and otherwise known as and by Town of Brookhaven, County of Suffolk and State of New York, known and designated as lots nos. 43, 45, 47 in Block 9 on a certain map entitled, "Map of Ronkonkoma Park", and filed in the Suffolk County Clerk's Office on May 14, 1908, as Map No. 357; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007 in Liber 12520 at Page 725.

**WHEREAS**, in accordance with Suffolk County Local Law 16-l976, provision has been made for the sale of such real property acquired by the County through tax sale; and

**WHEREAS**, KARALYN KARCHER has made application of said above described parcel and KARALYN KARCHER has paid the application fee and $725.61, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2008; and

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

2nd - **RESOLVED**, that 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 KARALYN KARCHER, 71 Coates Avenue North, Holbrook, New York 11741, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

50.I

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1337

March 3, 2008

Tax Map No.: 0200-441.00-03.00-015.000
Name of Last Legal Fee Owner: KARALYN KARCHER

TREASURER'S COMPUTATION..... $641.40

Taxes.....2007/2008..... $ 84.21 - 2nd half (1st half already paid to the Town)

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $725.61

Monies Received..... $725.61

RESOLUTION AMOUNT..... $725.61

APPROVED:

Karen A Blake 3/18/08
Accounting
LB:sc

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

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0200-441.00-03.00-015.000

1337

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 | 3/6/08

# COMPUTATION BY SUFFOLK COUNTY TREASURER

| DISTRICT | SECTION | BLOCK | LOT |
|---|---|---|---|
| 0200 | 441.00 | 03.00 | 015.000 |

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES: 1332

| | |
|---|---|
| 2004/05 | 206.20 |
| 2005/06 | 218.75 |
| 2006/07 | 158.79 |

TOTAL: 583.74

| | |
|---|---|
| B. INTEREST DUE | 27.11 |
| C. TOTAL | 610.85 |
| D. 5% LINE C | 30.54 |
| E. FEE | |
| F. MISC | |
| G. MISC | |

H. TOTAL DUE $641.40

ok

## CERTIFICATION BY COUNTY TREASURER

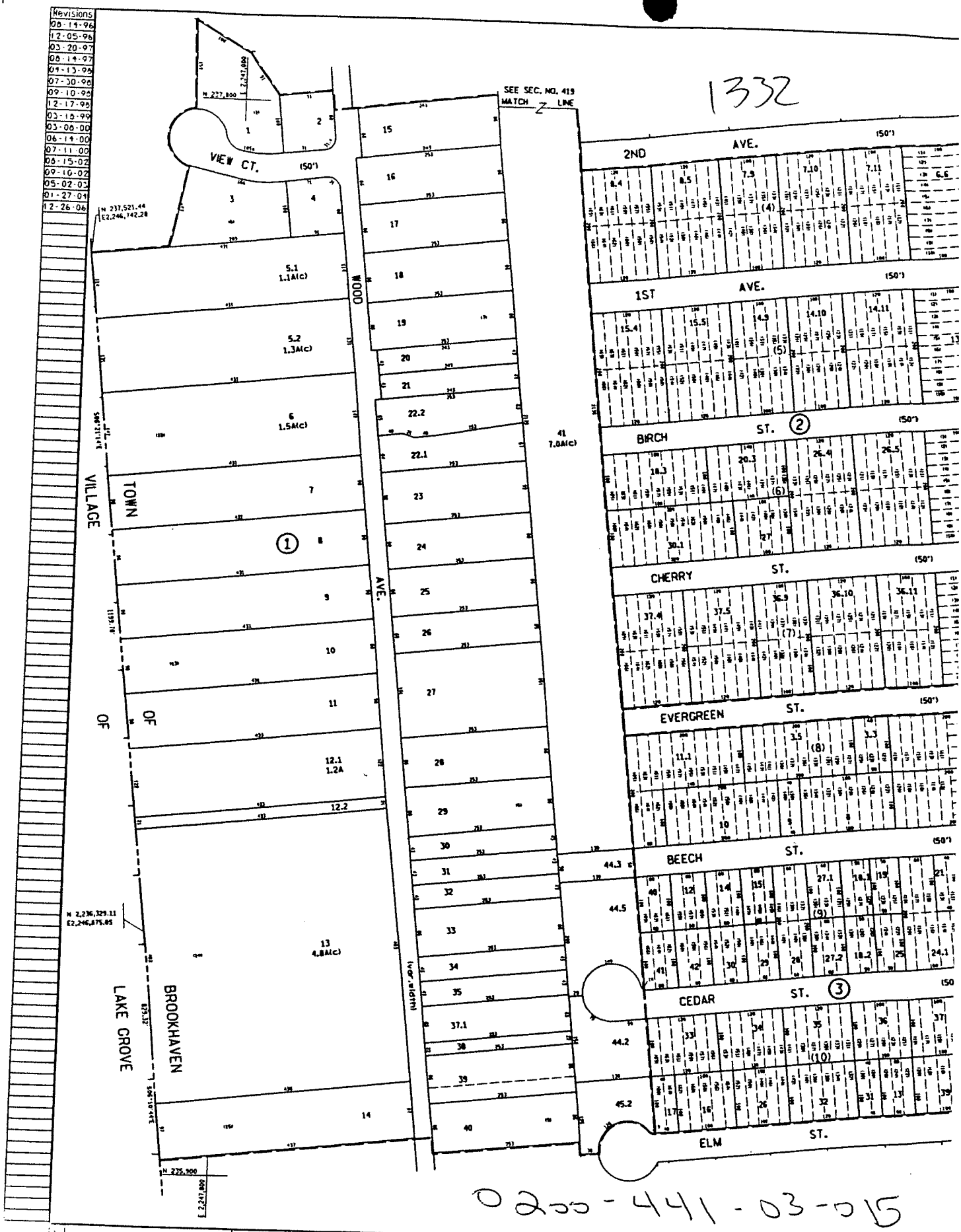
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

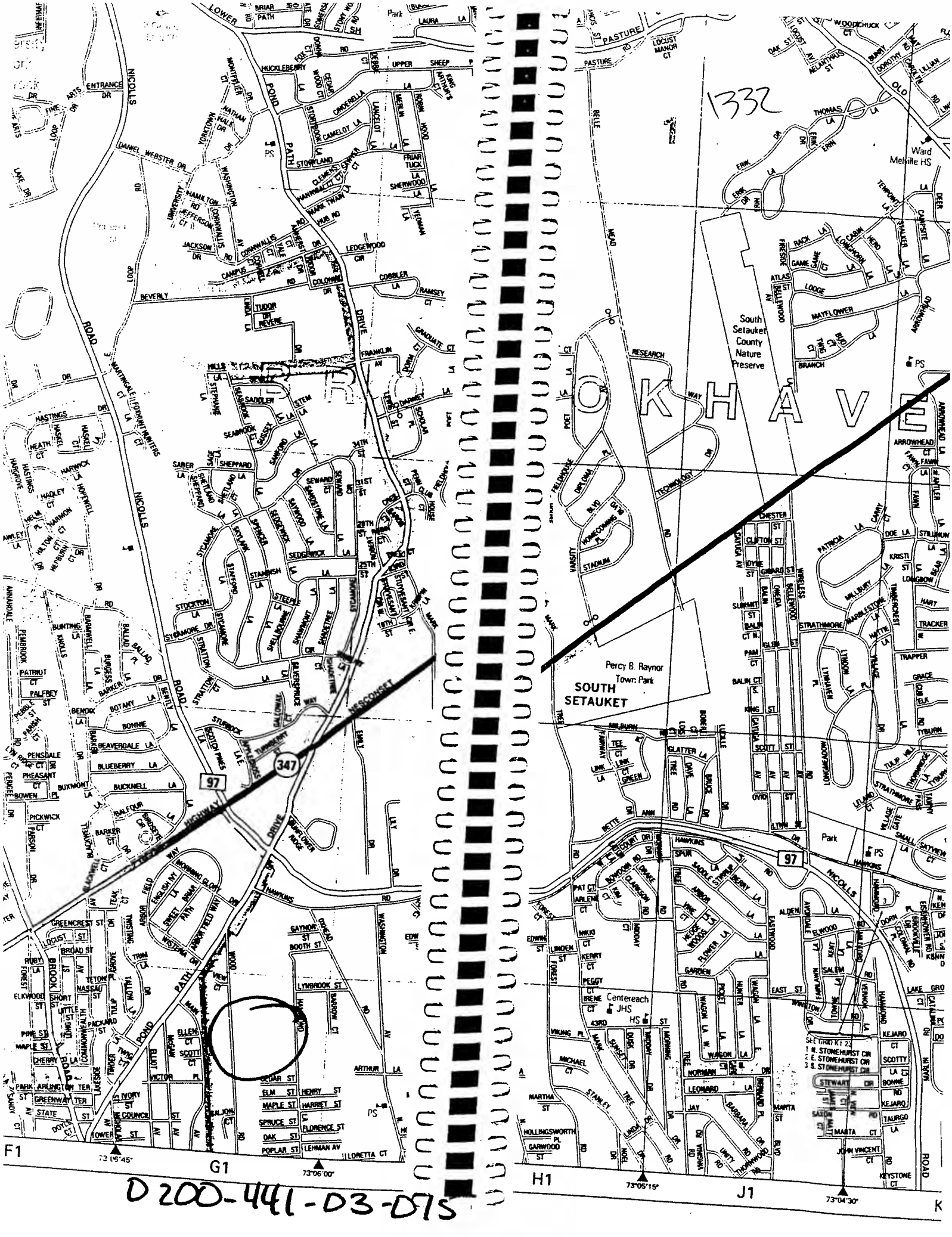
IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 11-Dec-07

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 06/08/08

dz


Revisions
08-14-96
12-05-96
03-20-97
08-14-97
04-13-98
07-30-98
09-10-98
12-17-98
03-16-99
03-06-00
06-14-00
07-11-00
08-15-02
09-16-02
05-02-03
01-27-04
12-26-06
1332
SEE SEC. NO. 419 MATCH LINE
2ND AVE.
1ST AVE.
BIRCH ST.
CHERRY ST.
EVERGREEN ST.
BEECH ST.
CEDAR ST.
ELM ST.
VIEW CT.
WOOD AVE.
MAIN AVE.
VILLAGE OF LAKE GROVE
TOWN OF BROOKHAVEN
N 237,521.44
E2,246,142.28
N 2,236,329.11
E2,246,875.85
N 235,900
E 2,247,000
0200-441-03-015




D200-441-03-015

Introductory Resolution No. 1333-08 Laid on Table 4/29/08

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 VALERIE A. TROCCHIO (SCTM NO. 0500-083.00-03.00-058.002)**

**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 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 083.00, Block 03.00, Lot 058.002 and acquired by Tax Deed CTF 1207 on June 4, 2001 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 7, 2001 in Liber 12122 at Page 810 and described as follows, Town of Islip, and the Easterly 30 feet of Lot 152, as shown on the Map of Lake Hills Acreage, Unit K, filed in the office of the Suffolk County Clerk on April 3, 1944, as Map Number 1403.

**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,** Valerie A. Trocchio, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $3,600.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS,** the real property above described has been appraised at $3,000.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS,** Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of $3,600.00, pursuant to said purchase offer; and

**WHEREAS,** the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land, now, be it therefore,

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

2nd **RESOLVED,** that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd **RESOLVED,** that Director Christopher E. Kent and/or his designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Valerie A. Trocchio, 344 Thrift Street, Lake Ronkonkoma, N.Y. 11779.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1333

**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. 0500-083.00-03.00-058.002

| ADJOINING OWNER | BID | BID | BID |
|---|---|---|---|
| Valerie A. Trocchio<br>344 Thrift Street<br>Lake Ronkonkoma, N.Y. 11779<br>0500-083.00-03.00-058.001 | $3600.00 | | |
| Frank Jaronczyk Irrevocable Trust<br>348 Thrift Street<br>Lake Ronkonkoma, N.Y. 11779<br>0500-083.00-03.00-059.000 | $3100.00 | | |
| Michael Moran<br>351 South Port St.<br>Ronkonkoma, N.Y. 11779<br>0500-083.00-03.00-062.000 | $0 | | |
| | | | |

SIZE OF PARCEL: 30' x 200'
APPRAISED VALUE: $3,000.00
COMMENT: Direct Sale to Adjacent Owner

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

1333

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution _X_ Local Law _X_ Charter Law _____

2. Title of Proposed Legislation

   Local Law 13-1976 authorizing the Direct Sale of County owned Real Estate

3. Purpose of Proposed Legislation

   Convey County owned parcel to adjacent owner

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

5. If the answer to Item 4 is "yes", on what will it impact?

   _X_ County _____ Town _____ Economic Impact

   _____ Village _____ School District Other (Specify):

   _____ Library District _____ Fire District

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

   Income from sale

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

   Unknown

8. Proposed Source of Funding

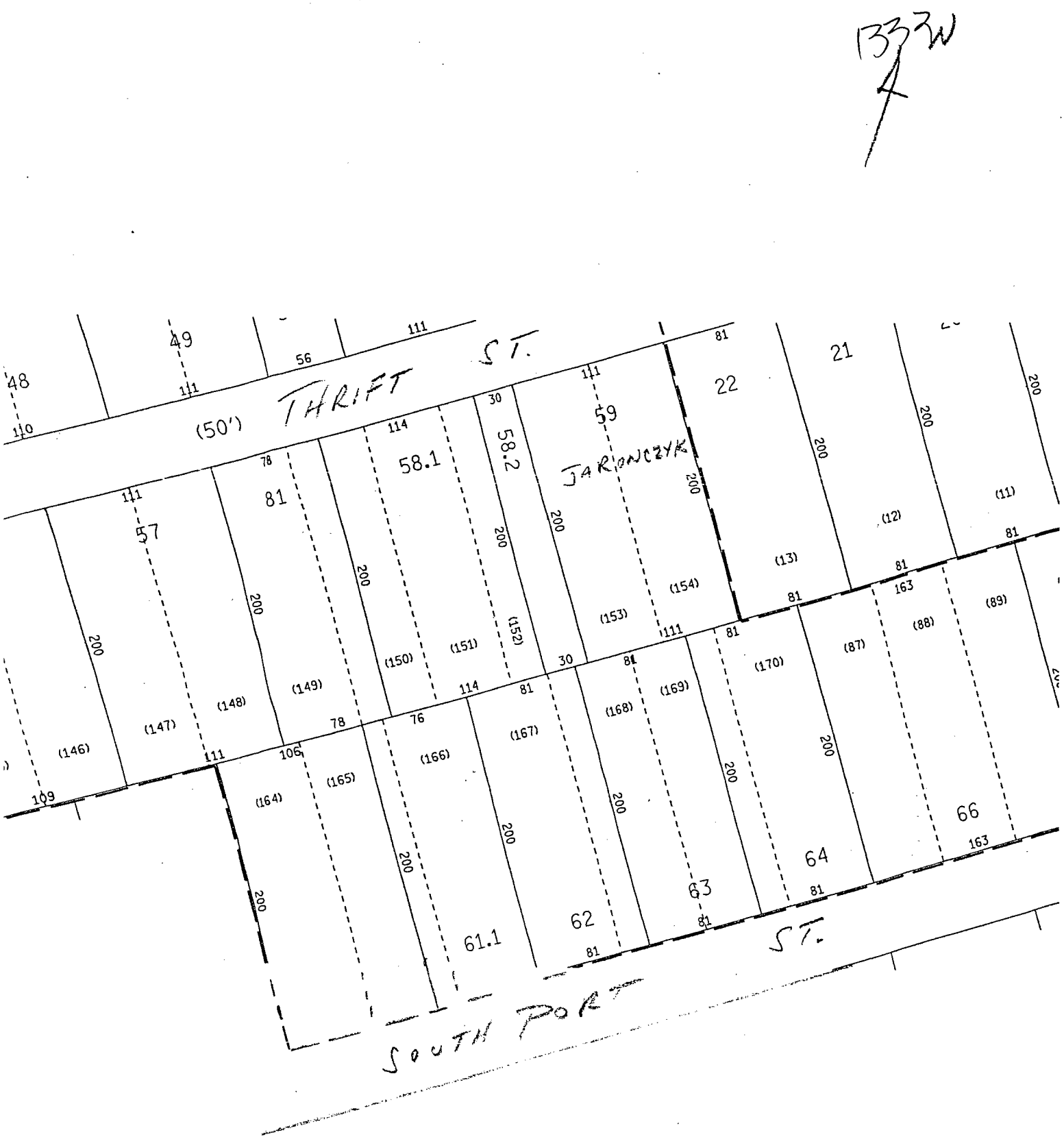
   None

9. Timing of Impact

   2008

10. Name & Title of Preparer Signature of Preparer Date

    Jim Donovan- LMS I Jim Donovan 03-07-08


1333W
THRIFT ST.
(50')
JARONCZYK
SOUTH PORT ST.
48
49
56
111
110
57
81
58.1
58.2
59
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(146)
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106
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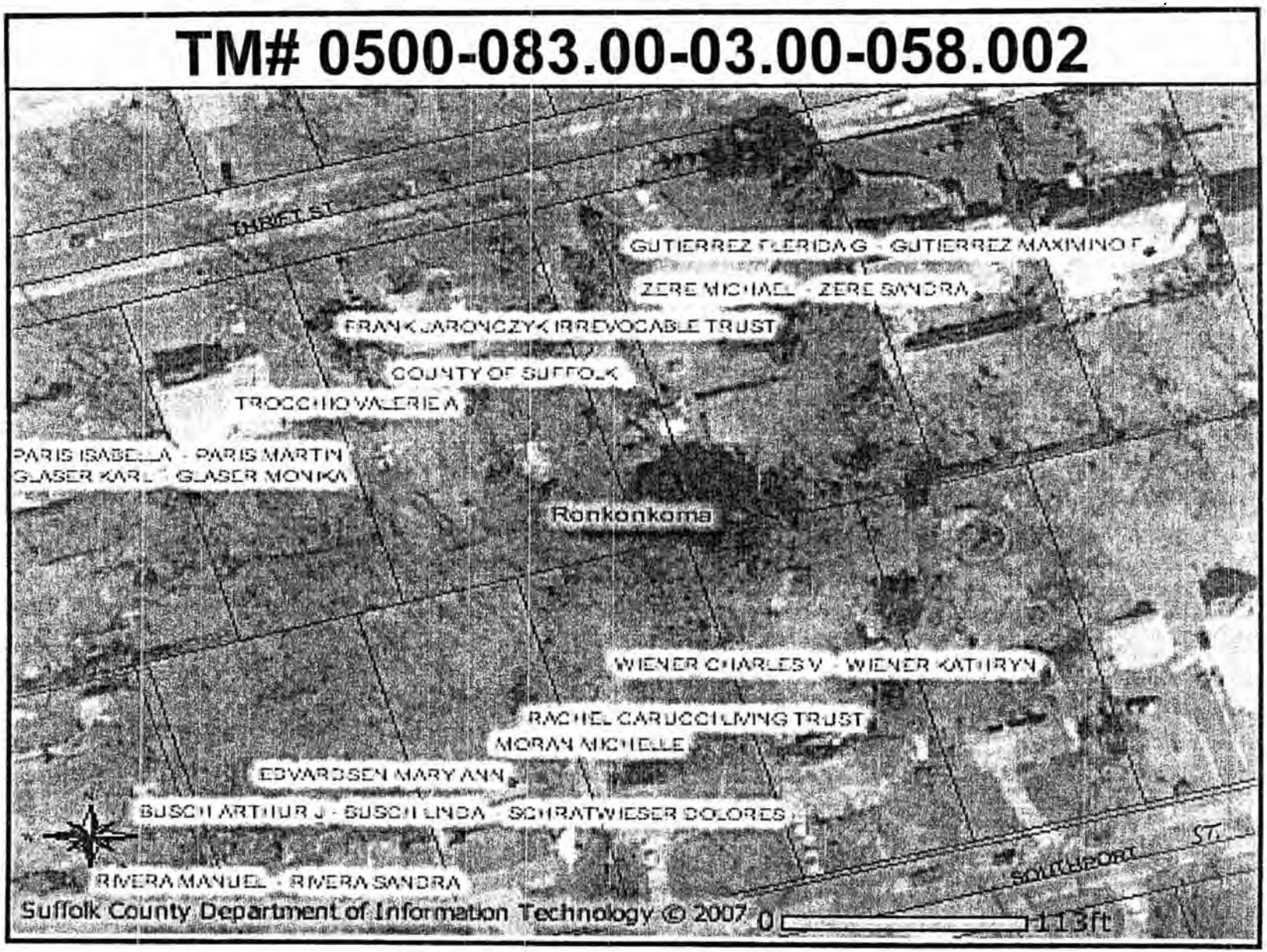
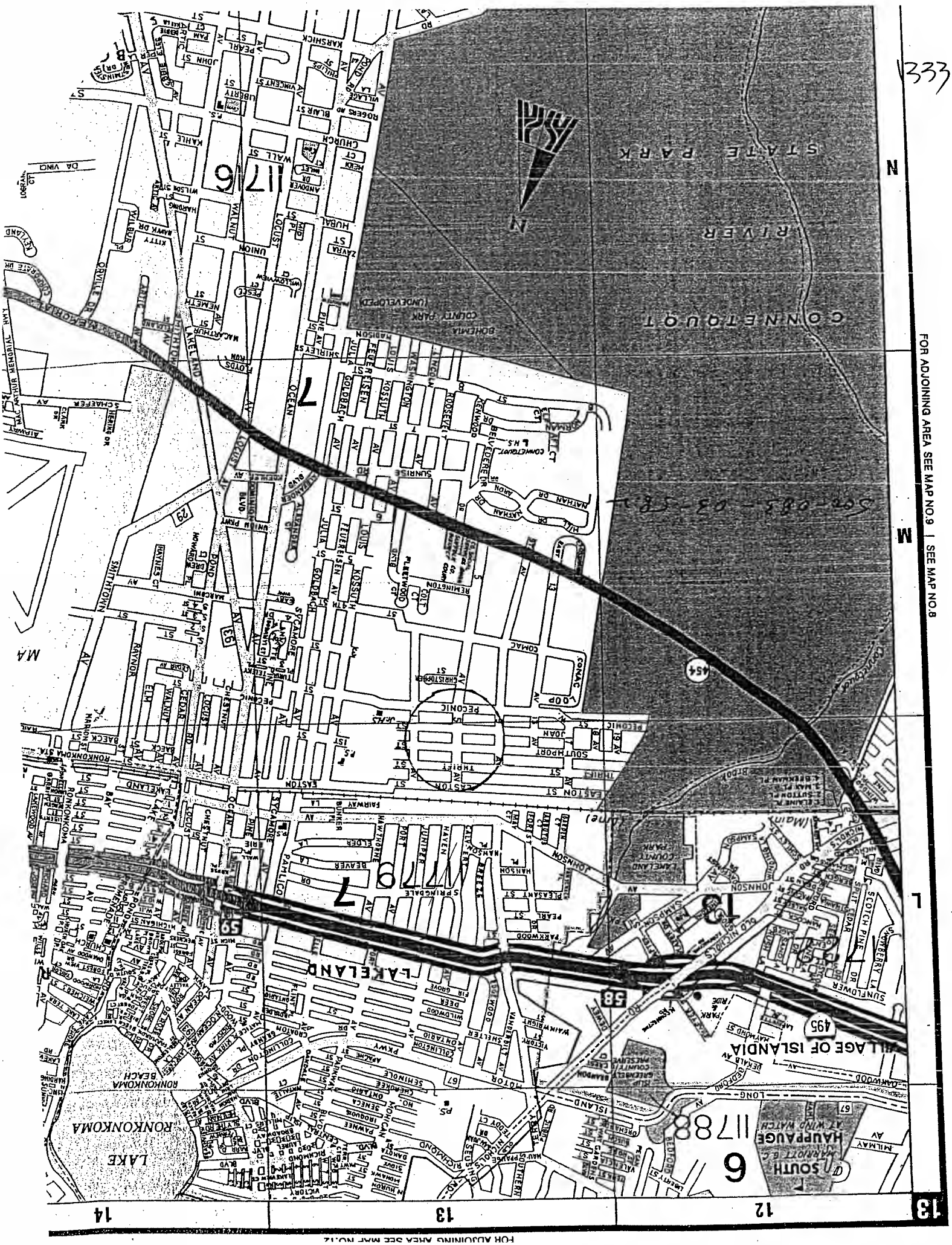
76
114
30
200
81
163

1333

# TM# 0500-083.00-03.00-058.002




1333
FOR ADJOINING AREA SEE MAP NO.9 | SEE MAP NO.8
FOR ADJOINING AREA SEE MAP NO.12
N
M
L
13
12
13
14
STATE PARK
RIVER
CONNETQUOT
LAKELAND
RONKONKOMA
LAKE
VILLAGE OF ISLANDIA
HAUPPAUGE
SOUTH
1716
1778
1788
1779
7
454
495
58
59
93
97
MACARTHUR MEMORIAL HWY
OCEAN AVE
SMITHTOWN BLVD
JOHNSON AVE
LONG ISLAND EXPY

Gen A9

# COUNTY OF SUFFOLK

1333

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 18, 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: 0500-083.00-03.00-058.002

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

Introductory Resolution No. 1334-08 Laid on Table 4/29/08

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 DOWLING COLLEGE (SCTM NO. 0500-325.00-03.00-006.000)**

**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 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 325.00 Block 03.00 Lot 006.000 and acquired by Tax Deed on December 28, 1999 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on January 4, 2000 in Liber 12011 at Page 409 and described as follows, Town of Islip, described as Town of Islip on Lots # 84 & # 85 on Map of Idle Hour and filed in the County Clerk's Office of Suffolk County on April 6, 1926 as Map # 654 ; 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,** DOWLING COLLEGE, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $19,500.00. 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 $19,500.00, 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 $19,500.00, pursuant to said purchase offer; and

**WHEREAS,** the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land, now, be it therefore,

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

2nd **RESOLVED,** that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd **RESOLVED,** that Director Christopher E. Kent and/or his designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said DOWLING COLLEGE, 150 Idle Hour Blvd., Oakdale, N.Y. 11769.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1334

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. 0500-325.00-03.00-006.000

| ADJOINING OWNER | BID | BID | BID |
|---|---|---|---|
| Dowling College<br>150 Idle Hour Blvd.<br>Oakdale, N.Y. 11769<br>0500-325.00-03.00-045.000 | $19,500.00 | | |
| Maplecrest Associates Inc.<br>2828 Haskell Ave (P.O. Box 711)<br>Dallas, Texas<br>0500-325.00-03.00-009.001 | $0 | | |
| George & Eleanor Johnson<br>131 Biltmore Avenue<br>Oakdale, NY 11769<br>0500-325.00-03.00-013.002 | $0 | | |
| | | | |

SIZE OF PARCEL: 40' x 100'
APPRAISED VALUE: $19,500.00
COMMENT: Direct Sale to Adjacent Owner

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

1334

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution _X_ Local Law _X_ Charter Law _____

2. Title of Proposed Legislation

   Local Law 13-1976 authorizing the Direct Sale of County owned Real Estate

3. Purpose of Proposed Legislation

   Convey County owned parcel to adjacent owner

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

5. If the answer to Item 4 is "yes", on what will it impact?

   _X_ County _____ Town _____ Economic Impact

   _____ Village _____ School District Other (Specify):

   _____ Library District _____ Fire District

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

   Income from sale

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

   Unknown

8. Proposed Source of Funding

   None

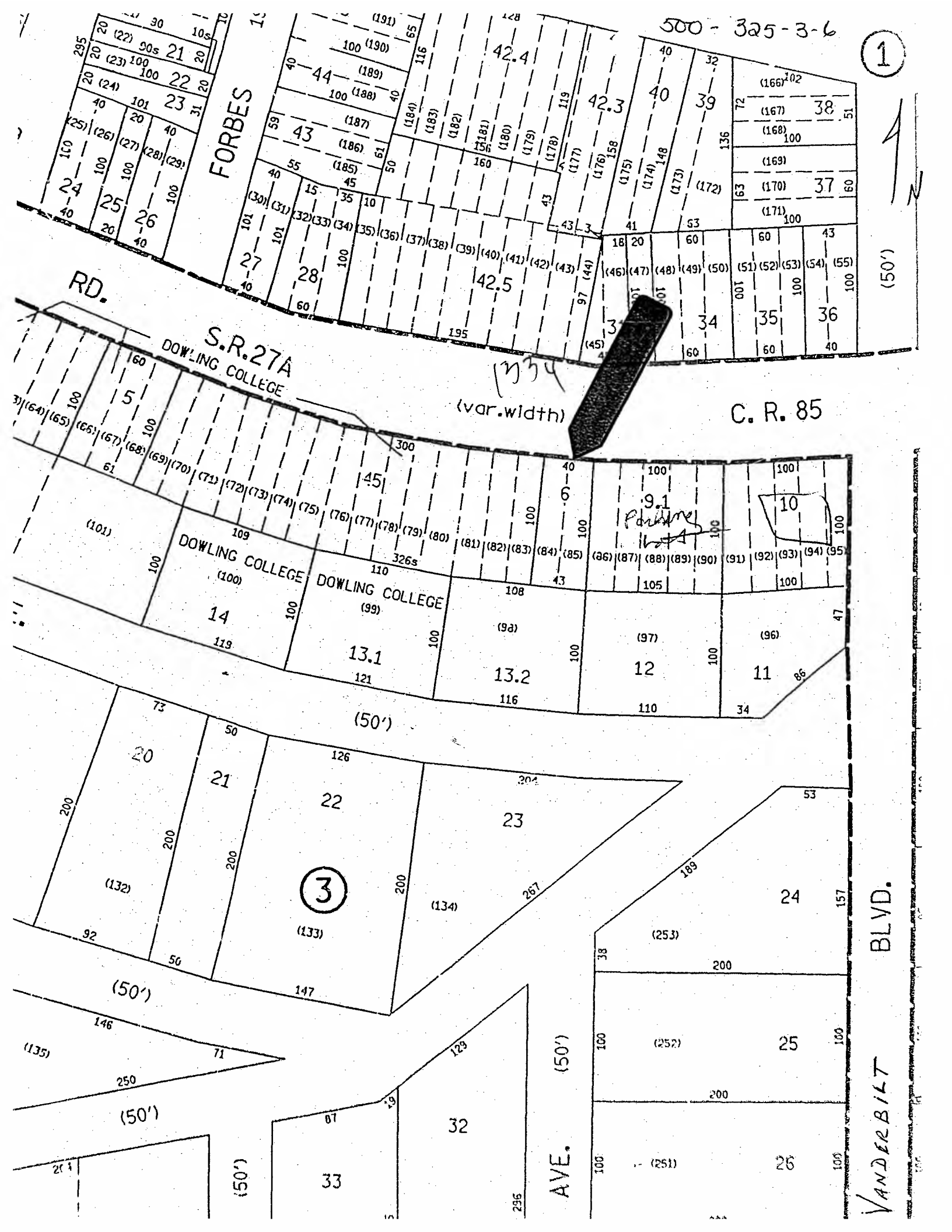
9. Timing of Impact

   2007

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

    Jim Donovan
    LMS-1

    Jim Donovan 03-07-08


500 - 325 - 3 - 6
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S.R.27A
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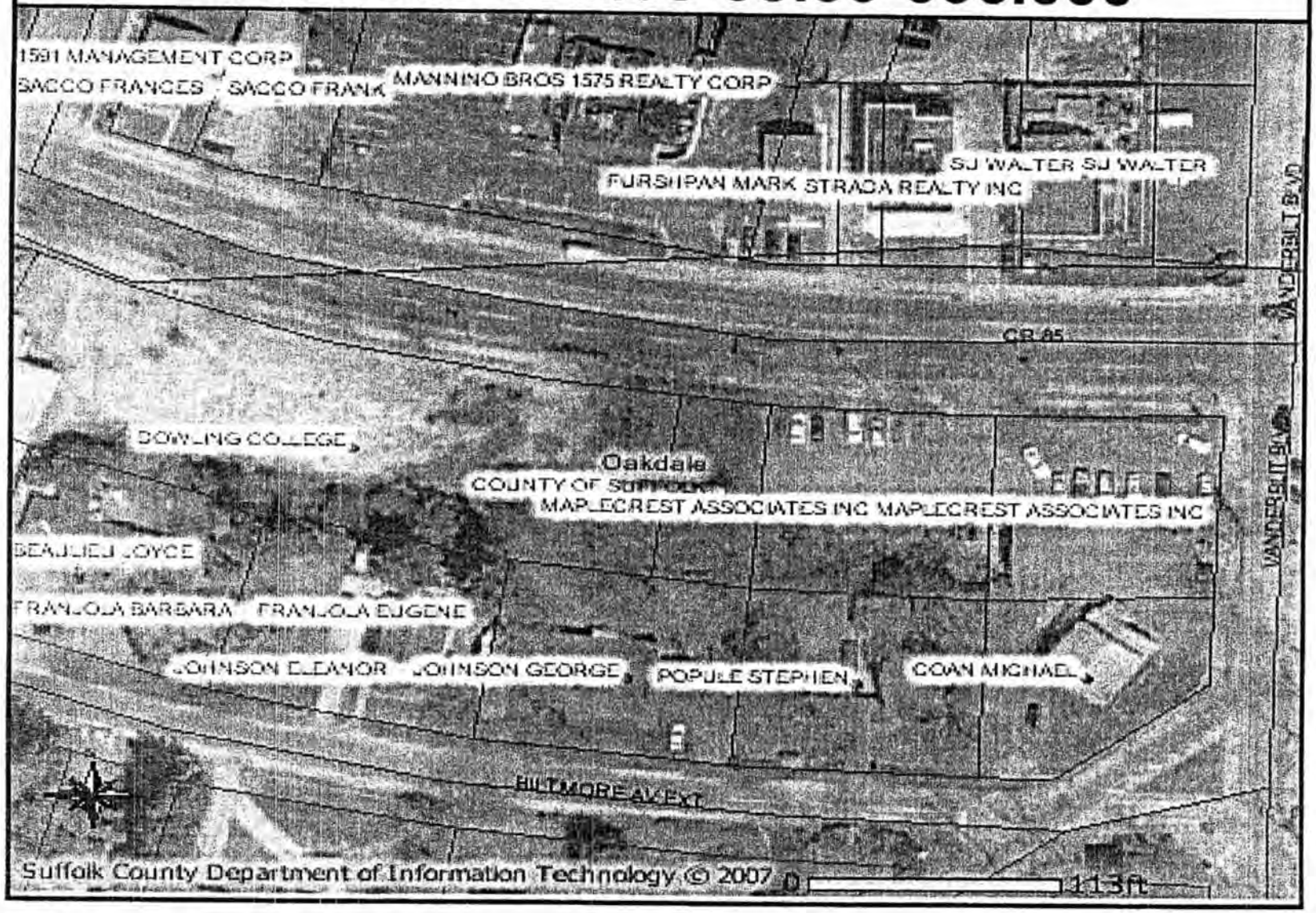
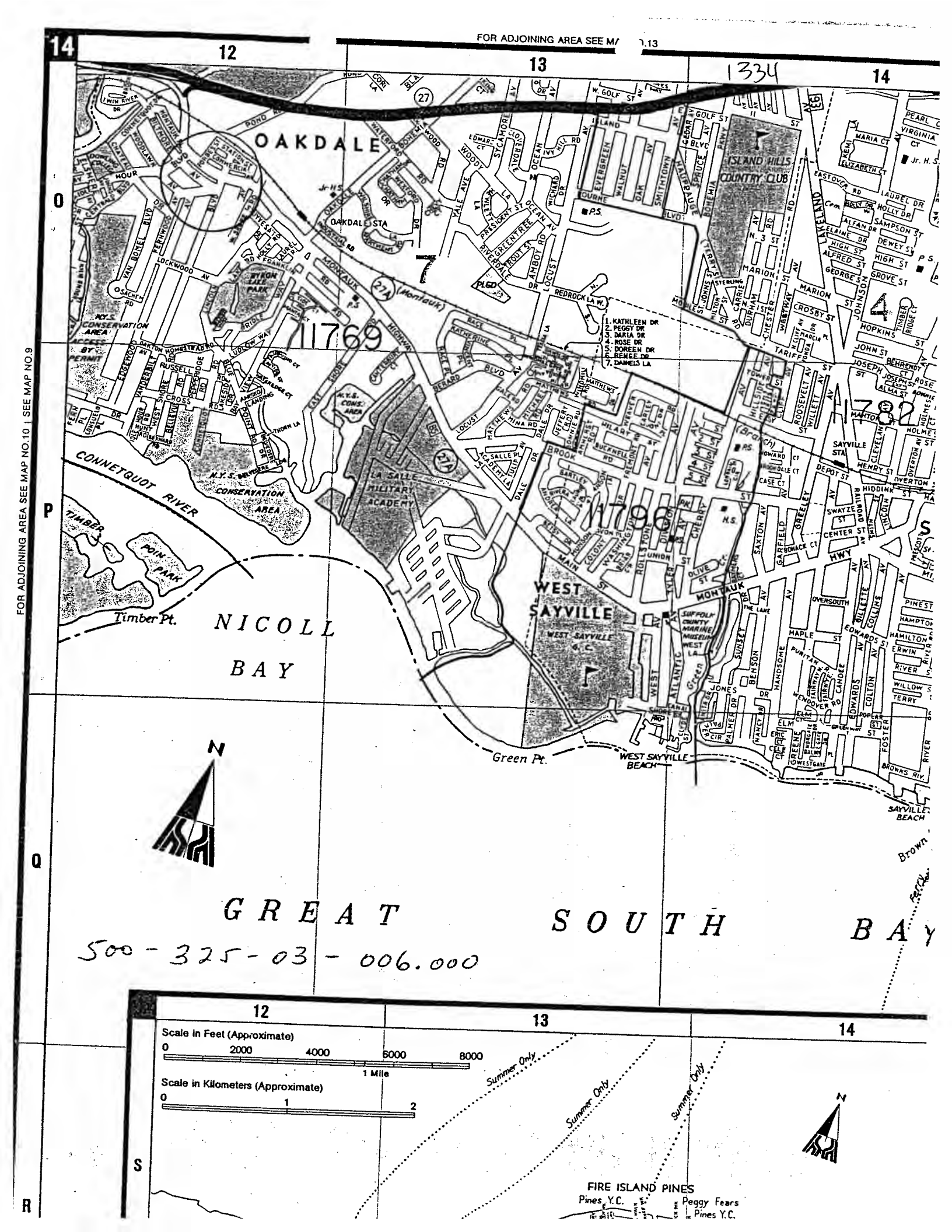
DOWLING COLLEGE
DOWLING COLLEGE
(50')
(50')
(50')
(50')
AVE.
VANDERBILT
BLVD.
3

# TM# 0500-325.00-03.00-006.000




1334


14
12
13
14
FOR ADJOINING AREA SEE M/
1334
OAKDALE
ISLAND HILLS COUNTRY CLUB
OAKDALE STA
SAYVILLE STA
1. KATHLEEN DR
2. PEGGY DR
3. DARIA DR
4. ROSE DR
5. DOREEN DR
6. RENEE DR
7. DANIELS LA
11769
11782
11796
BYRON LAKE PARK
N.Y.S. CONSERVATION AREA
BY PERMIT ACCESS
N.Y.S. CONS. AREA
LA SALLE MILITARY ACADEMY
CONNETQUOT RIVER
N.Y.S. CONSERVATION AREA
TIMBER POINT PARK
Timber Pt.
NICOLL BAY
WEST SAYVILLE
WEST SAYVILLE A.C.
SUFFOLK COUNTY MARINE MUSEUM
Green Pt.
WEST SAYVILLE BEACH
SAYVILLE BEACH
Brown
GREAT SOUTH BAY
500-325-03-006.000
FOR ADJOINING AREA SEE MAP NO.10 | SEE MAP NO.9
O
P
Q
R
S
N
Scale in Feet (Approximate)
0 2000 4000 6000 8000
1 Mile
Scale in Kilometers (Approximate)
0 1 2
Summer Only
Summer Only
Summer Only
FIRE ISLAND PINES
Pines Y.C.
Peggy Fears
Pines Y.C.

Gen A10

# COUNTY OF SUFFOLK

MAR 18 2008

CHRISTOPHER E. KENT
DIVISION DIRECTOR

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

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

1334

March 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: Tax Map Number: 0500-325.00-03.00-006.000

Dear Mr. Zwirn:

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

Local Law 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

CEK:WRT:slb
Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

Copy to: Thomas A. Isles, Director of Planning
CE Reso Review, via e-mail

1335

Intro. Res. No. -2008 Laid on Table 4/29/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2008, AUTHORIZING USE OF CEDAR POINT COUNTY PARK BY THE NATIONAL MULTIPLE SCLEROSIS SOCIETY-LONG ISLAND CHAPTER FOR ITS MS150 TWIN FORKS BIKE TOUR FUNDRAISER**

**WHEREAS,** the National Multiple Sclerosis Society-Long Island Chapter is a 501(c)(3) nonprofit organization having its principal place of business at 40 Marcus Drive, Suite 100, Melville, New York; and

**WHEREAS,** National Multiple Sclerosis Society-Long Island Chapter would like to use Cedar Point County Park as a rest point for the first day of its MS150 Twin Forks Bike Tour Fundraiser; and

**WHEREAS**, the first day of the MS150 Twin Forks Bike Tour Fundraiser is scheduled for September 13, 2008; and

**WHEREAS**, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured has been provided by National Multiple Sclerosis Society-Long Island Chapter; now therefore, be it

**1st 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

**2nd RESOLVED**, that the use of Cedar Point County Park by National Multiple Sclerosis Society-Long Island Chapter for the purpose its fundraiser on Saturday, September 13, 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 with accompanying declaration page by the County of Suffolk from National Multiple Sclerosis Society-Long Island Chapter and the payment of Two Hundred Fifty Dollars ($250.00) event fee, and the issuance of a permit by the Commissioner of Parks, Recreation and Conservation pursuant to section 378-7B(c) of the Suffolk County Code, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

**3rd 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 Cedar Point County Park by National Multiple Sclerosis Society-Long Island Chapter.

DATED:

APPROVED BY:

_____

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1335

1. Type of Legislation

Resolution X  Local Law _____  Charter Law ____

2. Title of Proposed Legislation

**INTRODUCTORY RESOLUTION AUTHORIZING USE OF CEDAR POINT COUNTY PARK BY THE NATIONAL MULTIPLE SCLEROSIS SOCIETY-LONG ISLAND CHAPTER FOR ITS MS150 TWIN FORKS BIKE TOUR FUNDRAISER**

3. Purpose of Proposed Legislation

Authorize use of County Parkland for fundraising event.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes X No _____

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

County  Town  Economic Impact

Village  School District  Other (Specify):

Library District  Fire District

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

There is a fee of $250.00 collected by the County for use of the Park.

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 | 11. Signature of Preparer | 12. Date |
|---|---|---|
| **Tom Hroncich**<br>**Parks Foundation Director**<br>**Dept. of Parks, Recreation &Conservation** | | |

1335

**National**
**Multiple Sclerosis**
**Society**
Long Island
Chapter

November 26th, 2007

Ms. Lori Hala
Permit Department, Administration Building
West Sayville, Golf Course
P.O. Box 144, Montauk Highway
West Sayville, NY 11796-0144

Dear Ms. Hala

Thank you so much for all of your help with the MS150 Twin Forks Bike Tour, held on September 15th and 16th, 2007. With your support, the National Multiple Sclerosis Society, Long Island Chapter was able to raise nearly $300,000!

The 2008 MS150 Twin Forks Bike Tour will take place on September 13th & 14th, 2008. This year, our goal is to have 400 Long Island cyclists and raise $400,000 to support the nearly 60 programs and services provided by the Long Island Chapter benefiting the 42,000 people on Long Island affected with MS.

We hope to use Cedar Point Park on September 13th again as rest stops along our bike tour. . I am requesting that we may station portable bathroom facilities on the premises and also have volunteers at this location.

On behalf of the Board of Trustees, staff and the 42,000 Long Islanders affected by Multiple Sclerosis, we look forward to another fabulous event. Thank you in advance for your support of the 2008 MS150 Twin Forks Bike Tour!

Enclosed, is a completed permit application, certificate of liability insurance, proof of not-for-profit status, and check for $250 as requested. If you have any questions or concerns, please call Valerie Delaportas at (631) 864-8337 ext 223 or e-mail at vdelaportas@nmssli.org.

Sincerely,

Nancy Rao
Director, Mass Marketing Campaigns

Valerie Delaportas
Development Coordinator

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

1335

# APPLICATION FOR PARKLAND GROUP PERMIT

**Permit Requested (Check One)**

**YOUTH GROUP CAMPING** _____ **GROUP PICNIC**_____ **ADULT (FAMILY) CAMPING CLUB** _____

**SPECIAL GROUP EVENT** X **(Specify Below)** **GENERAL GROUP**_____ **(HIKE/FIELD TRIP)**

Bike Tour (fundraiser)

**(Horse/Dog Event, Fundraiser, Other)**

**PARK(S) Requested**

1st Choice Cedar Point Park

2nd Choice _____

**DATE(S) Requested**

1st Choice 9/13/08

2nd Choice _____

Name of Group/Organization National MS Society, Long Island Chapter

Address 40 Marcus Drive, Suite 100, Melville, NY 11747 Zip Code 11747

Applicant Name Valerie Delapartas Phone (631) 864-8337 Cell # 7 x 223

Address 40 Marcus Drive, Suite 100 Applicant Signature Valerie Delapartas

Town Melville State NY Zip 11747 Today's Date 11/14/07

Arrival Time 11 a.m./p.m. Departure Time 4 pm (Parks Close at Dusk)

Estimated # Attending 200-250 # Cars/Vans _____ # Buses _____

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

**SPECIAL EVENTS & PICNICS** - powerbars, water.

Will Food/Beverages be provided? **YES** X **NO** _____

Is event open to the general public? **YES** _____ **NO** X

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** X Name of Caterer _____

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

Will alcoholic beverages be **sold? YES** _____**NO** X (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** X **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** X 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:*** _____

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***Office Use Only***

DATE(S) APPROVED 9/13/08 AREA ASSIGNED 1-4 Picnic X Youth ___ Adult ___

PARK APPROVED Cedar Point County Park _____

Received of National MS Society Amount $250.00 Cash ___ MO ___ Credit ___ Check 2962

Alcohol Permit Approved _____ (Staff Initials) Transaction # 13786

SPECIAL INSTRUCTIONS _____

**PERMIT #** 28339 PARKS DEPT. APPROVAL _____

43-0201.. 03/07

1335

# ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY) 11/21/2007

PRODUCER
Aon Risk Services, Inc. of New York
199 Water Street
New York NY 10038-3551 USA

PHONE - (866) 283-7122 FAX - (847) 953-5390

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
National Multiple Sclerosis Society
Long Island Chapter
40 Marcus Drive
Melville NY 11747 USA

| INSURERS AFFORDING COVERAGE | | NAIC # |
|---|---|---|
| INSURER A: | Federal Insurance Company | 20281 |
| INSURER B: | Commerce & Industry Ins Co | 19410 |
| INSURER C: | Illinois National Insurance Co | 23817 |
| INSURER D: | | |
| INSURER E: | | |

## COVERAGES

SIR May Apply

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 LTR | ADD'L INSRD | TYPE OF INSURANCE | POLICY NUMBER | POLICY EFFECTIVE DATE(MM\DD\YY) | POLICY EXPIRATION DATE(MM\DD\YY) | LIMITS | |
|---|---|---|---|---|---|---|---|
| A | | GENERAL LIABILITY<br>[X] COMMERCIAL GENERAL LIABILITY<br>CLAIMS MADE [X] OCCUR<br>GEN'L AGGREGATE LIMIT APPLIES PER:<br>POLICY [ ] PRO-JECT [X] LOC | 35833349DTO | 10/01/07 | 10/01/08 | EACH OCCURRENCE | $1,000,000 |
| | | | | | | DAMAGE TO RENTED PREMISES (Ea occurence) | $1,000,000 |
| | | | | | | MED EXP (Any one person) | $10,000 |
| | | | | | | PERSONAL & ADV INJURY | $1,000,000 |
| | | | | | | GENERAL AGGREGATE | $2,000,000 |
| | | | | | | PRODUCTS - COMP/OP AGG | $1,000,000 |
| | | | | | | | |
| A | | AUTOMOBILE LIABILITY<br>[X] ANY AUTO<br>ALL OWNED AUTOS<br>SCHEDULED AUTOS<br>[X] HIRED AUTOS<br>[X] NON OWNED AUTOS | 73530237 | 10/01/07 | 10/01/08 | COMBINED SINGLE LIMIT (Ea accident) | $1,000,000 |
| | | | | | | BODILY INJURY ( Per person) | |
| | | | | | | BODILY INJURY (Per accident) | |
| | | | | | | PROPERTY DAMAGE (Per accident) | |
| | | GARAGE LIABILITY<br>ANY AUTO | | | | AUTO ONLY - EA ACCIDENT | |
| | | | | | | OTHER THAN AUTO ONLY: EA ACC | |
| | | | | | | AGG | |
| C | | EXCESS /UMBRELLA LIABILITY<br>[X] OCCUR [ ] CLAIMS MADE<br>[ ] DEDUCTIBLE<br>[X] RETENTION $10,000 | BE4890271 | 10/01/07 | 10/01/08 | EACH OCCURRENCE | $5,000,000 |
| | | | | | | AGGREGATE | $5,000,000 |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| B | | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER/MEMBER EXCLUDED?<br>If yes, describe under SPECIAL PROVISIONS below | WC1241984 | 10/01/07 | 10/01/08 | [X] WC STATU-TORY LIMITS [ ] OTH-ER | |
| | | | | | | E.L. EACH ACCIDENT | $1,000,000 |
| | | | | | | E.L. DISEASE-EA EMPLOYEE | $1,000,000 |
| | | | | | | E.L. DISEASE-POLICY LIMIT | $1,000,000 |
| | | OTHER | | | | | |

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

RE: Cedar Point Park, Event Type: MS 150 Twin Forks Bike Tour, Event Date: 09/13/08-09/14/08. Suffolk County Department of Parks, Recreation & Conservation is included as an Additional Insured with respect to the General Liability policy excluding Workers' Compensation and Employers' Liability policy.

## CERTIFICATE HOLDER

Suffolk County Department of Parks
Recreation & Conservation
Attn: Lori Hala - Permit Dept.
West Sayville NY 11796 USA

## 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 DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE *Aon Risk Services Inc. of New York*

Holder Identifier :

Certificate No : 570026058725

1335

## Attachment to ACORD Certificate for National Multiple Sclerosis Society

The terms, conditions and provisions noted below are hereby attached to the captioned certificate as additional description of the coverage afforded by the insurer(s). This attachment does not contain all terms, conditions, coverages or exclusions contained in the policy.

**INSURED**

National Multiple Sclerosis Society
Long Island Chapter
40 Marcus Drive
Melville NY 11747 USA

| INSURER |
|---|
| INSURER |
| INSURER |
| INSURER |
| INSURER |

**ADDITIONAL POLICIES** If a policy below does not include limit information, refer to the corresponding policy on the ACORD certificate form for policy limits.

| INSR LTR | ADD'L INSRD | TYPE OF INSURANCE | POLICY NUMBER POLICY DESCRIPTION | POLICY EFFECTIVE DATE | POLICY EXPIRATION DATE | LIMITS | |
|---|---|---|---|---|---|---|---|
| | | AUTOMOBILE LIABILITY | | | | | |
| A | | | 73530237 | 10/01/07 | 10/01/08 | Comprehensive Deduct | $1,000 |
| | | | | | | Collision Deductible | $1,000 |
| | | | | | | | |
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DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

**Certificate No :** 570026058725

Internal Revenue Service

District

Department of the Treasury
P. O. BOX 1680 GPO
B'KLYN., NY 11202

Date: OCT 05 1987 1335

National Multiple Sclerosis
Society, Long Island Chapter
33 Walt Whitman Road, Suite 110
Huntington Station, NY 11746

Attn: Walter Hurney

Person to Contact:
M. Vera
Contact Telephone Number:
(718) 780-6508

Re: 11-1948311

Dear Sir or Madam:

Reference is made to your request for verification of the tax exempt status of National Multiple Sclerosis Society

A determination or ruling letter issued to an organization granting exemption under the Internal Revenue Code of 1954 or under a prior or subsequent Revenue Act remains in effect until exempt status has been terminated, revoked or modified.

Our records indicate that exemption was granted as shown below.

Sincerely yours,

Anita M. Ireland

Anita Ireland
District Disclosure Officer

Name of Organization: National Multiple Sclerosis Society, Suffolk County

Date of Exemption Letter: June, 1949

Exemption granted pursuant to 1954 Code section 501(c)(3) or its predecessor Code Section.

Foundation Classification (If Applicable): Not a private foundation as you are an organization described in section 509(a)(1) of the Internal Revenue Code.
This organization is Tax Exempt under the group ruling of National Multiple Sclerosis Society.
Gen. 1048

NAR Form BKN 9-187 (Rev. 9-80)

Gen All

# COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

1375

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:** **April 2, 2008**

**RE:** **INTRODUCTORY RESOLUTION AUTHORIZING USE OF CEDAR POINT COUNTY PARK BY THE NATIONAL MULTIPLE SCLEROSIS SOCIETY-LONG ISLAND CHAPTER FOR ITS MS150 TWIN FORKS BIKE TOUR FUNDRAISER**

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

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

Enclosures

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977

SUFFOLK COUNTY PARKS

1336

Intro. Res. No. -2008 Laid on Table 4/29/08

Introduced by the Presiding Officer on request of County Executive

**RESOLUTION NO. -2008, AUTHORIZING USE OF MESCHUTT COUNTY PARK BY THE SUFFOLK BICYCLE RIDERS ASSOCIATION FOR ITS BICYCLE RALLY FUNDRAISER**

**WHEREAS,** the Suffolk County Bicycle Riders Association would like to hold its Bicycle Rally Fundraiser at Meschutt County Park in the Town of Southampton; and

**WHEREAS**, the Bicycle Rally Fundraiser is scheduled to be held on June 1, 2008; and

**WHEREAS**, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by Suffolk County Bicycle Riders Association; now therefore, be it

**1st 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

**2nd RESOLVED**, that the use of Meschutt County Park by the Suffolk County Bicycle Riders Association for the purpose of hosting a fundraiser on Sunday, June 1, 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 Suffolk County Bicycle Riders Association 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

**3rd 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 Meschutt County Park by Suffolk County Bicycle Riders Association.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1336

1. Type of Legislation

Resolution X  Local Law _____  Charter Law ____

2. Title of Proposed Legislation

AUTHORIZING USE OF MESCHUTT COUNTY PARK BY SUFFOLK BICYCLE RIDERS ASSOCIATION FOR ITS BICYCLE RALLY FUNDRAISER

3. Purpose of Proposed Legislation

Authorize use of County Parkland for fundraising event.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes X No _____

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

County  Town  Economic Impact

Village  School District  Other (Specify):

Library District  Fire District

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

There is a fee ($125.00) collected by the County for use of the Park.

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 | 11. Signature of Preparer | 12. Date |
|---|---|---|
| **Tom Hroncich**<br>**Parks Foundation Director**<br>**Dept. of Parks, Recreation &Conservation** | | |

1336

**Suffolk Bicycle Riders' Association**
**P.O. Box 404**
**St. James, N.Y. 11780**

March 3, 2008

Suffolk County Department of Parks, Recreation & Conservation
PO Box 144
West Sayville, NY 11796

To Whom It May Concern:

Our organization, the Suffolk Bicycle Riders' Association would like to request the usage of Meschutt County Park for a water stop during our annual rally: Bike Boat Bike. The event is scheduled for June 1, 2008. This is our annual fundraiser during which we promote bicycle education, safety and awareness. We plan to provide portable stations as we have in years previous. I am enclosing an insurance certificate, naming Suffolk County as an additional insured for an aggregate amount of 3 million dollars. In addition I am enclosing a money order for $125 as requested.

If you have any questions or additional concerns, please do not hesitate to call me at 516-480-5389.

Very Truly Yours,

Jeff Cohen

Jeff Cohen
Corresponding Secretary

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

1336

# 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)**

Bicycle Rally - Water Stop
**(Horse/Dog Event, Fundraiser, Other)**

## PARK(S) Requested

1st Choice Meschutt

2nd Choice _____

## DATE(S) Requested

1st Choice June 1, 2008

2nd Choice _____

Name of Group/Organization Suffolk Bicycle Riders' Association

Address PO Box 404 St. James, NY Zip Code 11780

Applicant Name Jeff Cohen Phone 631-591-1078 Cell # 516-480-5380

Address 2 Chelsea Dr. Applicant Signature Jeff Cohen

Town Smithtown State NY Zip 11787 Today's Date 5/31/08

Arrival Time 7AM a.m./p.m. Departure Time 5PM (Parks Close at Dusk)

Estimated # Attending 100 # Cars/Vans 0 # Buses 0

**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** ____ Bottled water & bananas

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:*** We will provide portable Station

---

***Office Use Only***

DATE(S) APPROVED 6/1/08 AREA ASSIGNED As Picnic ___ Youth ___ Adult ___

PARK APPROVED Meschutt County Park Parked

Received of Jeff Cohen Amount $ 125.00 Cash ___ MO ✓ Credit ___

Alcohol Permit Approved _____ (Staff Initials) Transaction # _____ Check _____

SPECIAL INSTRUCTIONS Will provide portable Toilets

**PERMIT #** PARKS DEPT. APPROVAL

# CERTIFICATE OF INSURANCE

02/01/2008

**PRODUCER**

American Specialty Insurance & Risk Services, Inc.
142 North Main Street
Roanoke, Indiana 46783

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 POLICY BELOW.

**INSURED**

League of American Wheelmen dba League of American Bicyclists
1612 K Street NW, Suite 800
Washington, DC 20006

SUFFOLK BICYCLE RIDERS ASSOCIATION
37 FRANKLIN STREET
BRENTWOOD, NY 11717

**INSURERS AFFORDING COVERAGE**

INS. A: Philadelphia Indemnity Insurance Company
INS. B:
INS. C:

1336

CERT NUMBER: 1000603751

## COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOT WITHSTANDING 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 CONDITION OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INS LTR | POLICY TYPE | POLICY NUMBER | POLICY EFFECTIVE | POLICY EXPIRATION | LIMITS | |
|---|---|---|---|---|---|---|
| A | GL | PHPK286915 | 02/01/2008 12:01 a.m. | 02/01/2009 12:01 a.m. | General Aggregate - Per Club/Special Event | 3,000,000 |
| | | | | | Products-Completed Operations Aggregate | 3,000,000 |
| | | | | | Personal and Advertising Injury | 1,000,000 |
| | | | | | Each Occurrence | 1,000,000 |
| | | | | | Damage to Premises Rented to You (Any One Premises) | 100,000 |
| | | | | | Medical Expense Limit (Any One Person) | Excluded |

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS**

- The Certificateholder is an Additional Insured in accordance with the provisions and limitations of Form PI-AM-002 - Additional Insured - Certificateholders with respect to the BIKE BOAT BIKE 2008 on June 01, 2008.

## CERTIFICATE HOLDER

SUFFOLK COUNTY
PO BOX 144
WEST SAYVILLE, NY 11796

## CANCELLATION

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

**AUTHORIZED REPRESENTATIVE**

David A Harris

American Specialty Insurance & Risk Services, Inc. also conducts business as A S Insurance & Risk Services Agency in the state of New York.

# COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

13336

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:** **April 3, 2008**

**RE:** **INTRODUCTORY RESOLUTION AUTHORIZING USE OF MESCHUTT COUNTY PARK BY SUFFOLK BICYCLE RIDERS ASSOCIATION FOR ITS BICYCLE RALLY FUNDRAISER**

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

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

Enclosures

1337 4/29/08

Intro. Res. No. -2008 Laid on Table

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2008, AUTHORIZING USE OF INDIAN ISLAND COUNTY PARK BY BIRTHRIGHT OF PECONIC, INC. FOR ITS WALKATHON FUNDRAISER**

**WHEREAS,** Birthright of Peconic, Inc. is a 501(c)(3) nonprofit organization having its principal place of business at 99 West Montauk Highway, Hampton Bays, New York; and

**WHEREAS,** Birthright of Peconic would like to hold its Walkathon Fundraiser at Indian Island County Park in the Town of Riverhead; and

**WHEREAS**, the Birthright of Peconic Walkathon is scheduled to be held on October 11, 2008; and

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

**WHEREAS**, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured has been provided by Birthright of Peconic; now therefore, be it

**1st 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

**2nd RESOLVED**, that the use of Indian Island Park by Birthright of Peconic for the purpose of hosting a fundraiser on Saturday, October 11, 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 with accompanying declaration page by the County of Suffolk from Birthright of Peconic and the payment of One Hundred Twenty-five Dollars ($125.00) event fee, and the issuance of a permit by the Commissioner of Parks, Recreation and Conservation pursuant to section 378-7B(c) of the Suffolk County Code, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

**3rd 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 Indian Island County Park by Birthright of Peconic.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X  Local Law _____  Charter Law ____  1357

2. Title of Proposed Legislation

**AUTHORIZING USE OF INDIAN ISLAND COUNTY PARK BY BIRTHRIGHT OF PECONIC, INC. FOR ITS 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 X No _____

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

County  Town  Economic Impact

Village  School District  Other (Specify):

Library District  Fire District

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

There is a fee of $125.00 collected by the County for use of the Park.

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 | 11. Signature of Preparer | 12. Date |
|---|---|---|
| **Tom Hroncich**<br>**Parks Foundation Director**<br>**Dept. of Parks, Recreation &Conservation** | | |

epartment of Parks, Recreation & Conservation
n to: P.O. Box 144, West Sayville, NY 11796
Phone: 631-854-4951
www.suffolkcountyny.gov/parks

SUFFOLK COUNTY PARKS

1337

# 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)**

WALKATHON
**(Horse/Dog Event, Fundraiser, Other)**

## PARK(S) Requested

1st Choice INDIAN Island PARK

2nd Choice _____

## DATE(S) Requested

1st Choice Sat. October 11, 2008

2nd Choice _____

Name of Group/Organization Birthright of Peconic, Inc.

Address 99 W. MONTAUK Hwy. Hampton Bays Zip Code 11946

Applicant Name MARY TERRY Phone 631-728-8900 Cell # _____

Address 57 Foster Ave. Applicant Signature Mary Terry

Town Hampton Bays State NY. Zip 11946 Today's Date 1/11/08

Arrival Time 9:00 A.M. (a.m.) p.m. Departure Time 1:00 P.M. (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** ____ bottled water

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:*** we want a Pavilion

---

***Office Use Only***

DATE(S) APPROVED Oct. 11, 2008 AREA ASSIGNED Pavilion

Picnic X
Youth ___
Adult ___

PARK APPROVED Indian Island County Park

Received of Birthright of Peconic Inc. Amount $ 125.00 Cash ___ MO ___ Credit ___

Alcohol Permit Approved X (Staff Initials) Transaction # 15704 Check 4659

SPECIAL INSTRUCTIONS _____

**PERMIT #** 29366
43-0201.. 03/07

PARKS DEPT. APPROVAL _____

BIRTHRIGHT of Peconic, Inc.
99 West Montauk Hwy
Hampton Bays, NY 11946
(631) 728-8900

1337

Red Barn Thrift Shop
675B North Sea Rd.
Southampton, NY 11968
(631) 287-6456

January 11, 2008

Department of Parks, Recreation and Conservation
Montauk Highway, P.O. Box 144
West Sayville, NY 11796-0144

Dear Sir or Madam,

We are submitting our application for a Parkland Group Permit for the use of the Pavilion at Indian Island Park in Riverhead on Saturday, October 11, 2008. The purpose of the event is to conduct our annual fundraising Walkathon for Birthright of Peconic, Inc., 99 West Montauk Highway, Hampton Bays, NY 11946.

This event will consist of a two-mile walk through Indian Island Park. No funds are collected at this event. We are enclosing proof of our not-for-profit status and a valid certificate of insurance naming Suffolk County as an additional insured. We are also enclosing our check for $125.00.

Sincerely,

Mary Terry

Mary Terry
Director

Enclosures
Not-for-profit status certificate
Certificate of insurance
Check

"It is the right of every pregnant woman to give birth, and the right of every child to be born."

# ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 01/11/2008

PRODUCER (631)283-8000 FAX (631)287-2207
Maran Corporate Risk Associates
300 Hampton Road
Southampton, NY 11968

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.

INSURERS AFFORDING COVERAGE 1337 NAIC #

INSURED Birthright Of Peconic, Inc.
99 W. Montauk Highway
Hampton Bays, NY 11946

INSURER A: Hartford Fire Insurance Co 19682
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 LTR | ADD'L INSRD | TYPE OF INSURANCE | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MM/DD/YY) | LIMITS | |
|---|---|---|---|---|---|---|---|
| A | X | GENERAL LIABILITY<br>[X] COMMERCIAL GENERAL LIABILITY<br>[ ] CLAIMS MADE [X] OCCUR<br>GEN'L AGGREGATE LIMIT APPLIES PER:<br>[ ] POLICY [ ] PRO-JECT [ ] LOC | 12SBAGC2800 | 11/22/2007 | 11/22/2008 | EACH OCCURRENCE<br>DAMAGE TO RENTED PREMISES (Ea occurence)<br>MED EXP (Any one person)<br>PERSONAL & ADV INJURY<br>GENERAL AGGREGATE<br>PRODUCTS - COMP/OP AGG | $ 2,000,000<br>$ 300,000<br>$ 10,000<br>$ 2,000,000<br>$ 4,000,000<br>$ 4,000,000 |
| | | AUTOMOBILE LIABILITY<br>[ ] ANY AUTO<br>[ ] ALL OWNED AUTOS<br>[ ] SCHEDULED AUTOS<br>[ ] HIRED AUTOS<br>[ ] NON-OWNED AUTOS | | | | COMBINED SINGLE LIMIT (Ea accident)<br>BODILY INJURY (Per person)<br>BODILY INJURY (Per accident)<br>PROPERTY DAMAGE (Per accident) | $<br>$<br>$<br>$ |
| | | GARAGE LIABILITY<br>[ ] ANY AUTO | | | | AUTO ONLY - EA ACCIDENT<br>OTHER THAN AUTO ONLY: EA ACC<br>AGG | $<br>$<br>$ |
| | | EXCESS/UMBRELLA LIABILITY<br>[ ] OCCUR [ ] CLAIMS MADE<br>[ ] DEDUCTIBLE<br>[ ] RETENTION $ | | | | EACH OCCURRENCE<br>AGGREGATE | $<br>$ |
| | | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?<br>If yes, describe under SPECIAL PROVISIONS below | | | | [ ] WC STATU-TORY LIMITS [ ] OTH-ER<br>E.L. EACH ACCIDENT<br>E.L. DISEASE - EA EMPLOYEE<br>E.L. DISEASE - POLICY LIMIT | <br>$<br>$<br>$ |
| | | OTHER | | | | | |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
RE: Walk-A-Thon to be held 10/11/08 at Indian Island Park, RT. 105, Riverhead, NY.
Certificate holder is listed as additional insured under the general liability policy.

## CERTIFICATE HOLDER

County of Suffolk
PO Box 144
West Sayville, NY 11796

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER 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 INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE Beth McGardner


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

DEPARTMENT OF THE TREASURY

Date: MAY 23 1996

Employer Identification Number:
11-3263728
DLN:
17053099925040
Contact Person:
GWENDOLYN S GILBOY ID# 31302
Contact Telephone Number:
(877) 829-5500
Our Letter Dated:
January 1996
Addendum Applies:
No

1337

BIRTHRIGHT OF THE PECONIC INC
99 W MONTAUK HIGHWAY
HAMPTON BAYS, NY 11946

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

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.

You are required to make your annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You are also required to make available for public inspection your exemption application, any supporting documents, and your exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

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

Letter 1050 (DO/CG)

BIRTHRIGHT OF THE PECONIC INC

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

1337

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,

Steven T. Miller

Steven T. Miller
Director, Exempt Organizations

Letter 1050 (DO/CG)

# COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

1337

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:** **April 2, 2008**

**RE:** **INTRODUCTORY RESOLUTION AUTHORIZING USE OF INDIAN ISLAND COUNTY PARK BY THE BIRTHRIGHT OF PECONIC, INC. FOR ITS 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-Birthright of Peconic Fundraising Event.doc."

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

Enclosures

1338

Intro. Res. No. -2008 Laid on Table 4/29/08

Introduced by the Presiding Officer on request of County Executive

**RESOLUTION NO. -2008, AUTHORIZING USE OF INDIAN ISLAND COUNTY PARK BY AMERICAN DIABETES ASSOCIATION FOR ITS TOUR DE CURE FUNDRAISER**

**WHEREAS,** American Diabetes Association, Inc. is a national 501(c)(3) nonprofit organization having its principal place of business at 1701 N. Beauregard Street, Alexandria, VA; and

**WHEREAS,** the American Diabetes Association would like to hold its "Tour De Cure" Cycling Event Fundraiser on Long Island for the 17th time; and

**WHEREAS,** the American Diabetes Association has requested to begin and end this year's Tour De Cure Fundraiser at Indian Island County Park; and

**WHEREAS**, the Tour De Cure Fundraiser, is scheduled to be held on June 14, 2008; and

**WHEREAS**, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by American Diabetes Association; now therefore, be it

**1st 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

**2nd RESOLVED**, that the use of Indian Island County Park by American Diabetes Association for the purpose of hosting a fundraiser on Saturday, June 14, 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 American Diabetes Association and the payment of the Five Hundred Dollars ($500.00) event, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

**3rd 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 Indian Island County Park by American Diabetes Association.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1358

1. Type of Legislation

Resolution X  Local Law _____  Charter Law ____

2. Title of Proposed Legislation

AUTHORIZING USE OF INDIAN ISLAND COUNTY PARK BY AMERICAN DIABETES ASSOCIATION FOR ITS TOUR DE CURE FUNDRAISER

3. Purpose of Proposed Legislation

Authorize use of County Parkland for fundraising event.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes X No _____

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

County  Town  Economic Impact

Village  School District  Other (Specify):

Library District  Fire District

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

There is a fee ($500.00) collected by the County for use of the park.

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 | 11. Signature of Preparer | 12. Date |
|---|---|---|
| **Tom Hroncich**<br>**Parks Foundation Director**<br>**Dept. of Parks, Recreation &Conservation** | | |

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

1338

# APPLICATION FOR PARKLAND GROUP PERMIT

**Permit Requested (Check One)**

YOUTH GROUP CAMPING _____ GROUP PICNIC _____ ADULT (FAMILY) CAMPING CLUB _____

SPECIAL GROUP EVENT X (Specify Below) GENERAL GROUP _____ (HIKE/FIELD TRIP)

Tour de Cure - American Diabetes Association
(Horse/Dog Event, Fundraiser, Other)

**PARK(S) Requested** **DATE(S) Requested**

1st Choice Indian Island Park 1st Choice Saturday, June 4th, 2008

2nd Choice _____ 2nd Choice _____

Name of Group/Organization American Diabetes Association

Address 333 Seventh Ave, 17th Fl Zip Code 10001

Applicant Name Kristine Ryan Phone 212-725-4925 x3410 Cell # 516-428-9286

Address 624 Midvale Ave. Applicant Signature Kristine Ryan

Town E. Meadow State NY Zip 11554 Today's Date 11/27/07

Arrival Time 3 Am (a.m.)/p.m. Departure Time 4 pm (Parks Close at Dusk)

Estimated # Attending 700 # Cars/Vans 300 # Buses 3

**ADULT (FAMILY) CAMPING CLUBS:** Total # of Units _____ (7 unit minimum non-holiday weekends, 1 unit minimum holiday weekends)

**SPECIAL EVENTS & PICNICS**

1st check in 1st 6am for bikers

Will Food/Beverages be provided? **YES** X **NO** _____

Is event open to the general public? **YES** X **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** X **NO** _____ Name of Caterer various donations

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

Will alcoholic beverages be **sold? YES** _____ **NO** X (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** X **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** X **NO** _____ List all Sponsors of our event

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:*** Pluma

---

***Office Use Only***

DATE(S) APPROVED 6/14/08 AREA ASSIGNED 1-6 + Picnic ___ Youth ___ Adult ___

PARK APPROVED Indian Island County Park Pavilion

Received of American Diabetes Assn. Amount $ 500.00 Cash ___ MO ___ Credit ___

Alcohol Permit Approved _____ (Staff Initials) Transaction # 15824 Check 45612

SPECIAL INSTRUCTIONS _____

**PERMIT #** 28340 PARKS DEPT. APPROVAL _____

43-0201 - 03/07

1338

# American Diabetes Association®
# Tour de Cure 2008

January 15, 2008

Suffolk County Department of Parks
P.O. Box 144
West Sayville, NY, 11796

To Whom It May Concern:

On behalf of the American Diabetes Association I am contacting you in the hope that you may grant our organization permission to host our annual fundraising bike event called the Tour de Cure at Indian Island Park in Riverhead. We have hosted the Tour de Cure on Long Island for the past 17 years.

The Tour de Cure is the American Diabetes Association's premier cycling event that raises money for diabetes research, education and advocacy programs. This is a ride not a race as bikers from all different age and activity levels participate together. Last year was a tremendous success and I hope to improve upon it again this year.

This year the Tour de Cure is scheduled for Saturday, June 14 2008 and I hope you will be able to help us. I have enclosed a certificate of insurance naming Suffolk County as additionally insured for $2,000,000.

I hope you can help us with this, and if there are any questions, comments or concerns, please don't hesitate to contact me. I look forward to hearing from you.

Sincerely,

Kristine Ryan

Kristine Ryan
Associate Manager

American Diabetes Association
333 Seventh Ave
17 th Floor
New York, NY, 10001

1338

Internal Revenue Service

Date: November 2. 2004

American Diabetes Association, Inc.
National Office
1701 N. Beauregard St.
Alexandria, VA 22311

Department of the Treasury
P. O. Box 2508
Cincinnati, OH 45201

Person to Contact:
Viola Wahoff 31-07420
Customer Service Representative
Toll Free Telephone Number:
8:00 a.m. to 6:30 p.m. EST
877-829-5500
Fax Number:
513-263-3756
Federal Identification Number:
13-1623888
Group Exemption Number:
3326

Dear Sir or Madam:

This is in response to your request of November 2, 2004, regarding your organization's tax-exempt status.

In August 1992 we issued a determination letter that recognized your organization as exempt from federal income tax. Our records indicate that your organization is currently exempt under section 501(c)(3) of the Internal Revenue Code.

Our records indicate that your organization is also classified as a public charity under sections 509(a)(1) and 170(b)(1)(A)(vi) of the Internal Revenue Code.

Based on the information supplied, we recognized the subordinates named on the list your organization submitted as exempt from federal income tax under section 501(c)(3) of the Code.

Our records indicate that contributions to your organization are deductible under section 170 of the Code, and that you are qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Internal Revenue Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,

Janna K. Skufca

Janna K. Skufca, Director, TE/GE
Customer Account Services

1338

# ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 3/1 /2008

PRODUCER (301)795-6600 FAX: (301)795-6610
The Novick Group
One Church Street
Suite 400
Rockville MD 20850

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
American Diabetes Association
National Center
1701 N. Beauregard Street
Alexandria VA 22311

| INSURERS AFFORDING COVERAGE | NAIC # |
|---|---|
| INSURER A: St. Paul Fire & Marine | 24767 |
| INSURER B: Travelers | 25674 |
| 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 LTR | ADD'L INSRD | TYPE OF INSURANCE | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MM/DD/YY) | LIMITS | |
|---|---|---|---|---|---|---|---|
| A | | GENERAL LIABILITY<br>X COMMERCIAL GENERAL LIABILITY<br>CLAIMS MADE X OCCUR<br>GEN'L AGGREGATE LIMIT APPLIES PER:<br>X POLICY PROJECT LOC | CK09006085 | 1/1/2008 | 1/1/2009 | EACH OCCURRENCE | $ ,000,000 |
| | | | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) | $ 300,000 |
| | | | | | | MED EXP (Any one person) | $ 0 |
| | | | | | | PERSONAL & ADV INJURY | $ ,000,000 |
| | | | | | | GENERAL AGGREGATE | $ 1( ,000,000 |
| | | | | | | PRODUCTS - COMP/OP AGG | $ ,000,000 |
| | | AUTOMOBILE LIABILITY<br>ANY AUTO<br>ALL OWNED AUTOS<br>SCHEDULED AUTOS<br>HIRED AUTOS<br>NON-OWNED AUTOS | | | | COMBINED SINGLE LIMIT (Ea accident) | $ |
| | | | | | | BODILY INJURY (Per person) | $ |
| | | | | | | BODILY INJURY (Per accident) | $ |
| | | | | | | PROPERTY DAMAGE (Per accident) | $ |
| | | GARAGE LIABILITY<br>ANY AUTO | | | | AUTO ONLY - EA ACCIDENT | $ |
| | | | | | | OTHER THAN AUTO ONLY: EA ACC | $ |
| | | | | | | AGG | $ |
| B | | EXCESS/UMBRELLA LIABILITY<br>X OCCUR CLAIMS MADE<br>DEDUCTIBLE<br>X RETENTION $ 10,000 | GL09002233 | 1/1/2008 | 1/1/2009 | EACH OCCURRENCE | $ 4,000,000 |
| | | | | | | AGGREGATE | $ 4,000,000 |
| | | | | | | | $ |
| | | | | | | | $ |
| | | | | | | | $ |
| | | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?<br>If yes, describe under SPECIAL PROVISIONS below | | | | WC STATUTORY LIMITS OTHER | |
| | | | | | | E.L. EACH ACCIDENT | $ |
| | | | | | | E.L. DISEASE - EA EMPLOYEE | $ |
| | | | | | | E.L. DISEASE - POLICY LIMIT | $ |
| | | OTHER | | | | | |

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS
RE: ADA Northern Division; Suffolk County is an Additional Insured but only with respect to claims arising out of the negligence of the Named Insured at the Tour de Cure on 06/14/08.

## CERTIFICATE HOLDER

Suffolk County
Post Office Box 144
West Sayville, NY 11796

## 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 DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Louis Novick/PALYA

ACORD 25 (2001/08)
INS025 (0108) 08a

© ACORD CORPORATION 1988

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

# Sales Receipt

Transaction #: 15824
Date: 2/8/2008 Time: 10:38:04 AM
Cashier: Lori Register #: 3

Reference: AMERICAN DIABETES ASSN
CK 415612, JUNE 14

| Item | Description | Amount |
|---|---|---|
| SE_Fund | Fund Raisers | $500.00 |

| | |
|---|---|
| Sub Total | $500.00 |
| Total | $500.00 |
| Check Tendered | $500.00 |
| Change Due | $0.00 |

*15824*
Thank You.
We hope you'll come back soon!
West Sayville Administration
http://www.suffolkcountyny.gov/parks

1338

# COUNTY OF SUFFOLK

1338

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:** **April 4, 2008**

**RE:** **INTRODUCTORY RESOLUTION AUTHORIZING USE OF INDIAN ISLAND COUNTY PARK BY AMERICAN DIABETES ASSOCIATION FOR ITS TOUR DE CURE FUNDRAISER**

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

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

Enclosures

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977

SUFFOLK COUNTY PARKS

Intro Res. No. 1339-08 Laid on Table 4/29/08
Introduced by Presiding Officer on the Request of the County Executive

RESOLUTION NO. TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #296

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

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

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

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

| Description | Year | Original Tax | Corrected Tax | Chargeback or Refund, if paid |
|---|---|---|---|---|
| **BROOKHAVEN:** | | | | |
| **0200-740.00-01.00-005.025 (Item #2511609)** | **2007/08** | **$27,948.42** | **$0.00** | **$27,948.42** |

Dated:

Approved By:

_____

Suffolk County Executive

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1339

1. Type of Legislation
   **ResolutionXXX** Local Law Charter Law

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

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

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

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

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

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

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

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

9. Timing of Impact
   Variable

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

Angie M. Carpenter
County Treasurer

Angie M. Carpenter 4/3/08

**Additional back-up material regarding I.R. 1339 is on file in the Legislative Clerks' Office, Hauppauge.**

Intro Res. No. 1340-08 Laid on Table 4/29/08
Introduced by Presiding Officer on the Request of the County Executive

RESOLUTION NO. TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #295

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

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

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

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

| Description | Year | Original Tax | Corrected Tax | Chargeback or Refund, if paid |
|---|---|---|---|---|
| **BABYLON:** | | | | |
| **0100-165.00-01.00-036.000** | **2007/08** | **$ 7,161.71** | **$499.08** | **$ 6,662.63** |
| **0100-057.00-01.00-019.001** | **2007/08** | **$ 2,554.25** | **$ 0.00** | **$ 2,554.25** |
| **0100-172.00-02.00-033.000** | **2007/08** | **$24,743.05** | **$ 0.00** | **$24,743.05** |
| **EAST HAMPTON:** | | | | |
| **0300-042.00-01.00-008.000** | **2007/08** | **$ 3,106.12** | **$ 0.00** | **$ 3,106.12** |

Dated:

Approved By:

_____

Suffolk County Executive

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1340

1. Type of Legislation
   **ResolutionXXX** Local Law Charter Law

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

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

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

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

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

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

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

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

9. Timing of Impact
   Variable

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

Angie M. Carpenter
County Treasurer

Angie M. Carpenter 3/26/08

**Additional back-up material regarding I.R. 1340 is on file in the Legislative Clerks' Office, Hauppauge.**

Intro. Res. No 1341-08 Laid on Table 4/29/08
Introduced by the Presiding Officer at the request of County Executive Steve Levy

**RESOLUTION NO. , APPROVING THE APPOINTMENT OF CHRISTINE CASTIGLIA-RUBINSTEIN AS A MEMBER OF THE SENIOR CITIZENS ADVISORY BOARD**

**Whereas**, the term of office of Helen C. Brion expired on July 26, 2006, and has since resigned, now therefore be it

**Resolved,** that the appointment of Christine Castiglia-Rubinstein, residing at 31 Brooksite Drive, Smithtown, NY 11787, as a member of the Senior Citizens Advisory Board to replace Helen C. Brion, for a term of office expiring July 27, 2009, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of 158-2(B) of the SUFFOLK COUNTY CODE.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

1341

# Christine T. Castiglia-Rubinstein

**Castiglia-Rubinstein & Associates**
445 Broadhollow Road, Suite CL-10
Melville, NY 11747
631.845.7222

---

## Summary:

Experienced Senior Advocate in private practice since 2005. Areas of practice include Estate Planning, Elder Law, and Personal Injury. Established broad-based initiative for identifying seniors in need and connecting them with care and nursing services. Presently Special Legal Counsel to HPC US FUND, an International Commercial Real Estate Fund.

## Objective:

To further my service to the geriatric populations of Long Island through appointment to the Suffolk County Senior Citizen's Advisory Board.

---

## Professional Experience:

| | | |
|---|---|---|
| *2005 – present* | Castiglia-Rubinstein & Associates – Private Practice | *Melville, NY* |
| *2002 – 2005* | Rahmanan, Ascher, & Castiglia-Rubinstein – Partner | *New York, NY* |

## Professional Accreditations:

| | |
|---|---|
| *2002 – present* | Member, American Trial Lawyers Association (ATLA) |
| *2002 – present* | Member, American Bar Association |
| *2002 – present* | Member, Suffolk County Bar Association |
| *2005 – present* | Member, National Network of Estate Planning Attorneys (NNEPA) |
| *2006 – present* | President, Kids for a Better Community |
| *2006 – present* | Member, Suffolk County Elder Law Committee |

## Education:

| | | |
|---|---|---|
| *1999 – 2002* | Graduate, Touro Law School | *Huntington, NY* |
| *1992 – 1996* | Graduate, Stony Brook University | *Stony Brook, NY* |
| *1987 – 1992* | Undergraduate, Stony Brook University | *Stony Brook, NY* |
| *1986 – 1987* | Undergraduate, Dowling College | *Oakdale, NY* |

Town of Brookhaven
Long Island

1341

**Steve Fiore-Rosenfeld**
Councilman, 1st District

October 4, 2007

Hon. Steve Levy
Suffolk County Executive
H. Lee Dennison Building
P. O. Box 6100
Hauppauge, NY 11788-0099

Dear Mr. Levy:

It is with great pleasure that I nominate Christine Rubinstein for an appointment to the Suffolk County Senior Citizens Advisory Board.

I first met Christine when we were both undergraduate students at Stony Brook University in the late-1980s when we were both involved in various advocacy programs. As an attorney, Christine has continued to work on behalf of our senior population by concentration her law practice in the field of estate planning and elder law issues. In addition, she has established a broad-based initiative to help identify seniors in need in order to connect them with available care and nursing services.

I strongly recommend that you appoint Christine to this board so that she can continue to advocate on behalf of our seniors.

Sincerely,

Steve Fiore-Rosenfeld
Councilman, 1st District

SFR:blh

**Office of the Town Council**
One Independence Hill • Farmingville • NY 11738 • Phone (631) 451-6963 • Fax (631) 451-6447
fiore-rosenfeld@brookhaven.org
www.brookhaven.org

Printed on recycled paper

1341

# STATEMENT OF FINANCIAL IMPACT
# OF PROPOSED SUFFOLK COUNTY LEGISLATION

| |
|---|
| 1. Type of Legislation<br><br>Resolution __X__ Local Law _____ Charter Law _____ |
| 2. Title of Proposed Legislation<br><br>APPROVING THE APPOINTMENT OF CHRISTINE CASTIGLIA-RUBINSTEIN AS A MEMBER OF THE SENIOR CITIZENS ADVISORY BOARD |
| 3. Purpose of Resolution: Same as above |
| 4. Will the Proposed Legislation Have a Fiscal Impact? **Yes __ No __X__** |
| 5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)<br><br>**County** **Town** **Economic Impact**<br><br>**Village** **School District** **Other (Specify): Community College**<br><br>**Library District** **Fire District** |
| 6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact<br><br>NO IMPACT<br>. |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.<br><br>N/A. |
| 8. Proposed Source of Funding<br>N/A |
| 9. Timing of Impact<br><br>UPON APPROVAL |

| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| APRIL ORTIZ<br>COUNTY EXECUTIVE ASSISTANT | April Ortiz 4-7-08 | APRIL 7, 2008 |

SIN FORM 175b (10/95)

Intro. Res. No 1342-08 Laid on Table 4/29/08

Introduced by the Presiding Officer at the request of County Executive Steve Levy

**RESOLUTION NO. , APPROVING THE APPOINTMENT OF GARY JOYCE AS A MEMBER OF THE SENIOR CITIZENS ADVISORY BOARD**

**Whereas**, the term of office of Edward Siegmann expired on July 26, 2007, and has since passed away, now therefore be it

**Resolved,** that the appointment of Gary Joyce, residing at 47 Bay Harbor Road, Aquebogue, NY as a member of the Senior Citizens Advisory Board to replace Edward Siegmann, for a term of office expiring July 27, 2010, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of 158-2(B) of the SUFFOLK COUNTY CODE.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HOLLY – PAGE 2 of 2

Gary P. Joyce
P.O. Box 618
Aquebogue, NY 11931

Ph./Fax: 631-722-9480
Cell: 516-380-8394
e-mail: gjoyce@optonline.net

1342

# RESUME

**Currently:**

•freelance author, writer, editor, photographer

**Credentials:**

•editor; 50+ LifeStyles; (present)
•electronics editor, Sport Fishing Magazine; (present)
•engine columnist; Dockside; (present)
•also: editor, contrib. editor; Boaters Digest (Dec. 00 – Oct. 06); editor, The Traveler Watchman (weekly newspaper; Aug. 03 - May 04); editor, mg. ed.; Sport Diver (Oct. 95 - Apr. 99); managing editor, Boating Life, (Jan. 96 - Sept. 96; start-up); start-up editor, editor and contrib. editor; New York Outdoors (Jan. 92 - Aug. 98); editor, Fishing World (Jan. 93 - Dec. 93); crime/general reporter, Times-Beacon Newspapers (Sept. 89 - June 90)

**Author:**

Climbing With Children (Menasha Ridge Press; May 96).
Takedown (Putnam/NAL; 9/00).

**Computer Skills:**

Both Mac and Windows platforms: Quark, Word, some Excel and Photoshop, basic audio programs; basic HTML, learning video.

**Awards:**

New York Press Association. Recipient: Editorial (first place), On Spot coverage (second place). Co-recipient (first through third): Health and Science, In-Depth Reporting, Agricultural Coverage, Local Politics; others.

**Background:**

Decorated multi-tour combat veteran (RVN 8/68 to 1/71); U.S. Coast Guard-licensed captain; member of American Alpine Club and Boating Writers International; married (Linda) w/adult children and one grandchild. Reside on North Fork of Long Island.

1342

# STATEMENT OF FINANCIAL IMPACT
# OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

APPROVING THE APPOINTMENT OF GARY JOYCE AS A MEMBER OF THE SENIOR CITIZENS ADVISORY BOARD

3. Purpose of Resolution: Same as above

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes** __ **No** X

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

**County** **Town** **Economic Impact**

**Village** **School District** **Other (Specify): Community College**

**Library District** **Fire District**

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

NO IMPACT

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

N/A.

8. Proposed Source of Funding

N/A

9. Timing of Impact

UPON APPROVAL

| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| APRIL ORTIZ<br>COUNTY EXECUTIVE ASSISTANT | April Ortiz | APRIL 7, 2008 |

SIN FORM 175b (10/95)

1342

GENE PRITZ
*SENIOR AFFAIRS CONSULTANT*

304 Elton Court North
St. James, NY 11780

631/ 862-7209
Fax: 631/ 862-1201

EmaiI: ejpritz@aol.com

FAX FAX FAX FAX FAX FAX FAX FAX

September 18, 2007 PAGE 1 of 2

TO: HOLY S. RHODES-TEAGUE
853-8225
DIRECTOR
Suffolk County
Office for the Aging

HOLLY,

Here is the resume of Gary Joyce, Editor of 50+ Lifestyles

I have known Gary for many years and find him very knowledgeable on matters of interest to Seniors. Although Gary has not replaced Tim Edwards, he has taken over many of Tim's responsibilities.

I highly recommend Gary as a member of the Advisory Board of the Office for the Aging. He would be an asset to the Committee and has a lot to offer. His P.R. credentials would certainly be of great value.

I have checked my files and can not find any info on the driving program for seniors. As a follow-up I will contact some safety organizations to see if they can supply the info. Will keep you informed.

Regards, Gene

*Free Lance Reporter,*
AARP-*Project Specialist- Speakers Bureau*
50plus Senior News - *Director of Consumer Affairs*
Suffolk County Office for the Aging- *Advisory Board*
Suffolk County Citizen's Police Academy -*Alumni Association*
WLIW 21 –WNET 13 Public Television - *Community Advisory Board*
Fairfield at St. James –*V.P. Board of Directors*

1343

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

Laid on Table 4/29/08

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

**WHEREAS**, there was duly presented and introduced to this County Legislature at a regular meeting held on , a proposed local law entitled, "**A CHARTER LAW TO CHANGE THE LEGISLATIVE TERM OF OFFICE**" and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

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

**A CHARTER LAW TO CHANGE THE LEGISLATIVE TERM OF OFFICE**

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

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that Suffolk County's elected officials, with the exception of County Legislators, serve a four (4) year term of office. County Legislators are elected to a two (2) year term of office.

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

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

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

This Legislature also determines that the voter-approved twelve (12) year term limit for County Legislator should remain intact notwithstanding any change in the legislative term of office.

Therefore, the purpose of this law is to increase the term of a County Legislator from two (2) to four (4) years, still subject to the current term limit of twelve (12) consecutive years.

**Section 2. Amendment.**

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

**ARTICLE II**
**The County Legislature**

* * * *

**Section 2-5. Term of office for Legislators.**

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

* * * *

**Section 3. Applicability.**

This law shall initially apply to the term of office for County Legislators commencing on January 1, 2010, the general election for which will be held in 2009, and then to all subsequent terms of office for County Legislator. This law shall not be construed to extend the time a County Legislator may serve beyond the twelve consecutive years that is presently authorized in Section C2-5 (B) of the SUFFOLK COUNTY CHARTER. Consistent with the provisions of Local Law 27-1993, if a County Legislator reaches the limit of twelve consecutive years of service in office during a term of office, as measured from on or after January 1, 1994, the office will be deemed vacant as of the conclusion of the last day of December of the twelfth consecutive year in which such individual has served.

**Section 4. Severability.**

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

**Section 5. SEQRA Determination.**

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

**Section 6. Form of Proposition.**

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

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

**Section 7. Effective Date.**

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

S:\laws\2008-cl-term-limits-legislators

# OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1343

GEORGE NOLAN
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**DATE:** April 24, 2008

**TO:** CLERK OF THE COUNTY LEGISLATURE

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

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**PROPOSED LOCAL LAW YEAR 2008**

**TITLE:** A CHARTER LAW TO CHANGE THE LEGISLATIVE TERM OF OFFICE

**SPONSOR:** LEGISLATOR COOPER

**DATE OF RECEIPT BY COUNSEL:** 4/21/2008 **PUBLIC HEARING:** 5/13/2008

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

This proposed charter law would increase the term of County Legislators from two (2) to four (4) years, still subject to the current term limit of twelve (12) consecutive years.

This law is subject to a mandatory referendum, and if approved by the voters, shall initially apply to the term of office for County Legislators commencing on January 1, 2010.

George Nolan

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

**GN:js**

s:\rule28\28-term-limit-legislators

1344

Intro. Res. No. -2008

Introduced by Presiding Officer Lindsay

Laid on Table 4/29/08

**RESOLUTION NO. –2008, ESTABLISHING HEALTH CARE BENEFITS POLICY FOR SUFFOLK COUNTY OFF-TRACK BETTING CORPORATION**

**WHEREAS**, the Suffolk County Off-Track Betting Corporation (OTB) was established to support the state and local governments; and

**WHEREAS**, it was the past policy of the Suffolk County OTB to pay for health insurance benefits for current and retired members of the Corporation's Board of Directors; and

**WHEREAS**, the Board of Directors of OTB adopted a policy resolution on May 24, 2007 whereby, effective midnight of December 31, 2007, OTB will no longer provide health benefits to the Board of Directors; and

**WHEREAS**, to this date, this policy has not been enforced; and

**WHEREAS**, at a time when revenues derived from off-track pari-mutuel wagering are declining, notwithstanding their significant fiduciary responsibilities, the provision of health insurance benefits to OTB Directors has become inconsistent with sound fiscal and public policy; and

**WHEREAS**, the Suffolk County Legislature does not exercise direct control over OTB operations, but does appoint the OTB directors who serve at the pleasure of the Legislature; and

**WHEREAS**, this Legislature wishes to maximize the revenue stream to the County from off-track pari-mutuel wagering; now, therefore be it

**1st** **RESOLVED**, that it shall be the policy of this Legislature to appoint Directors to the Suffolk County Off-Track Betting Corporation who agree to oppose and immediately terminate the practice of providing health insurance benefits to OTB Directors; and be it further

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

DATED:

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

Intro. Res. No. 1345 -2008 Laid on Table 4/29/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 203-2008**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 203-2008; and

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

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

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

**Resolution No. 203-2008**

In the 5th RESOLVED paragraph change the Fund Number

| **FROM:** | **TO:** |
|---|---|
| Fund/Agency/Source | Fund/Agency/Source |
| 527-IFT-R261 | 525-IFT-R261 |

In the 6th RESOLVED paragraph change the Fund Number

| **FROM:** | **TO:** |
|---|---|
| Project No. | Project No. |
| 527-CAP-8164.527 | 525-CAP-8164.527 |

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1346

Intro. Res. No. -2008 Laid on Table 4/29/2008
Introduced by Legislator Losquadro

**RESOLUTION NO. –2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO HISTORIC CHANDLER ESTATE (CP 7511)**

**WHEREAS**, the 39 acre Chandler Estate located in Mount Sinai in the Town of Brookhaven, was purchased in September 2000 by Suffolk County with funds from the Community Greenways Fund and the Town of Brookhaven; and

**WHEREAS**, the main feature of this property is its topography with its coastal and island forest, tidal and freshwater wetlands, cliffs and bluffs and intertidal flats; and

**WHEREAS**, the Chandler Estate provides habitat for herons, egrets, Canadian geese, swans and Mallard ducks; and

**WHEREAS**, the funding will provide for improved public access through signage, a pedestrian foot bridge and a small parking lot area for 10 to 15 cars constructed of crushed stone which is permeable and will not produce stormwater runoff; and

**WHEREAS**, that this Legislature, by resolution of even date herewith, has authorized the issuance of $500,000 in Suffolk County Serial Bonds; and

**WHEREAS**, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

**1st RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter called "SEQRA"), Resolution No. 1197-2007 classified the Proposed Chandler Estate Revised Adaptive Re-use Plan and Proposed Construction of a New Parking Lot, Town of Brookhaven, as an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, as the project will not have a significant adverse impact on the environment; and be it further

**2nd RESOLVED**, that it is hereby determined that this project, with a priority ranking of 38 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

**3rd RESOLVED**, that the 2008 Capital Budget and Program be and is hereby amended as follows:

Project Number: 7187
Project Title: Land Acquisition for Community Center

| Cost Elements | Total Estimated Cost | Current 2008 Capital Budget & Program | Revised 2008 Capital Budget & Program |
|---|---|---|---|
| 2. Land Acquisition | $0 | $500,000 B | $0 |
| TOTAL | $0 | $500,000 | $0 |

Project Number: 7511
Project Title: Improvements to Historic Chandler Estate

| Cost Elements | Total Estimated Cost | Current 2008 Capital Budget & Program | Revised 2008 Capital Budget & Program |
|---|---|---|---|
| 1. Planning | $50,000 | $0 | $50,000 B |
| 3. Construction | $450,000 | $0 | $450,000 B |
| TOTAL | $500,000 | $0 | $500,000 |

and be it further

**4th RESOLVED,** that the proceeds of $500,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

| Project Number | JC | Project Title | Amount |
|---|---|---|---|
| 525-CAP-7511.110 | 26 | Planning for Improvements to Historic Chandler Estate | $50,000 |
| 525-CAP-7511.310 | 26 | Improvements to Historic Chandler Estate | $450,000 |

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

T:\BRO\Chandler Estate Improvements_Moss.doc

Intro. Res. No. 1347-2008 Laid on Table 4/29/2008
Introduced by Presiding Officer, pursuant to Rule 3F-13 of the S.C. Legislature

**RESOLUTION NO. -2003, AUTHORIZING PUBLIC HEARING FOR AUTHORIZATION OF EXTENSION OF LICENSE FOR NORTH FERRY CO. INC. FOR GREENPORT HARBOR SERVICE BETWEEN SHELTER ISLAND HEIGHTS, NEW YORK AND GREENPORT, NEW YORK**

**WHEREAS**, North Ferry Co., Inc. has applied to the Suffolk County Legislature, by a Petition dated April 11, 2008 and verified April 11, 2008, pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law of the State of New York and Local Law No. 7 of 1982 of Suffolk County for the extension of its existing passenger ferry license for service between Shelter Island Heights, New York and Greenport, New York, all within the County of Suffolk at the existing rates heretofore approved by the Suffolk County Legislature, to , and without prejudice to a petition for modification of such rates as may be made in future it is; now, therefore be it

1st **RESOLVED**, that:

Consideration of the application of North Ferry Co., Inc. for the purposes of publication of the notice required by the Suffolk County Legislature the Public Hearing on this application shall be held at the Regular Meeting of the Suffolk County Legislature at that time set aside for Public Hearings on the first Regular Meeting date established for the Suffolk County Legislature on June 10, 2008 at 2:30 p.m., Hauppauge, New York; and be it further

2nd **RESOLVED**, that pending the consideration of this application and the Public Hearing, the application be and it hereby is referred to the Public Works and Transportation Committee for their consideration and recommendation to the Suffolk County Legislature.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

Intro. Res. No. 1348-2008 Laid on Table 4/29/2008
Introduced by Presiding Officer, pursuant to Rule 3F-13 of the S.C. Legislature

**RESOLUTION NO. -2008, APPROVING EXTENSION OF LICENSE FOR NORTH FERRY CO., INC. FOR GREENPORT HARBOR SERVICE BETWEEN SHELTER ISLAND HEIGHTS, NEW YORK AND GREENPORT, NEW YORK**

**WHEREAS**, North Ferry Co., Inc. has applied to the Suffolk County Legislature, by a Petition dated April 11, 2008 and verified April 11, 2008 pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law of the State of New York and Local Law No. 7 of 1982 of Suffolk County; and

**WHEREAS**, North Ferry Co., Inc. has heretofore filed with the Clerk of the Suffolk County Legislature its undertaking with a surety all pursuant to Article 8 of the Navigation Law of the State of New York; now, therefore be it

**1st RESOLVED**, that:

(1) The Petition of North Ferry Co., Inc. dated April 11, 2008 is approved;

(2) The undertaking heretofore filed with the Clerk of the Suffolk County Legislature in the sum of $10,000.00 is hereby approved;

(3) The Ferry License heretofore granted to North Ferry Co., Inc. to operate a public ferry service over and upon the waters of the Greenport Harbor for service between Shelter Island Heights, New York and Greenport, New York, all within the County of Suffolk be and the same hereby is extended up to and including ;

(4) This Ferry License is granted subject to all existing laws, rules and regulations of all federal, state, county and municipal governments and agencies having jurisdiction thereover;

(5) The rates and fares to be charged for transportation pursuant to this License shall not exceed the rates and fares authorized to the said North Ferry Co., Inc. from time to time by the Suffolk County Legislature pursuant to Article 8 of the Navigation Law, Section 71 of the Transportation Corporations Law, Section 131-g of the Highway Law and Local Law No. 7 of 1982 of Suffolk County.

(6) The said rates and fares and schedules, if any, shall be posted at each entrance of the ferry pursuant to Section 113 of the Navigation Law and Section 72 of the Transportation Corporations Law.

DATED:

APPROVED BY:

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County Executive of Suffolk County

Date:

1349

Intro. Res. No. -2008 Laid on Table 4/29/08
Introduced by the Presiding Officer

**RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED CEQ REVIEW OF I.R. NO. 1186-2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE OF THE RECONSTRUCTION OF CR 80, MONTAUK HIGHWAY SHIRLEY/MASTIC (CP 5516) FOR CONSTRUCTION OF SEWER INFRASTRUCTURE**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed CEQ Review of I.R. No. 1186-2008, Amending the 2008 Capital Budget and Program and Appropriating Funds in Connection with the County Share of the Reconstruction of CR 80, Montauk Highway Shirley/Mastic (CP 5516) for Construction of Sewer Infrastructure", pursuant to Section 6 of Local Law No. 22-1985 which project involves construction of sewer infrastructure within the road right of way as part of the reconstruction of CR 80, Montauk Highway Shirley/Mastic project for which a SEQRA Negative Declaration was previously issued in Resolution No. 876-2004; and

**WHEREAS**, at its April 16, 2008 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Planning in connection with this project; and

**WHEREAS**, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(11)(20) and (27) and Chapter 279 of the Suffolk County Code, since it involves legislation of an administrative nature concerning installation of utility sewer distribution facilities; and

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated April 16, 2008 of said recommendations; and

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

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

**1st** **RESOLVED**, that this Legislature hereby determines that the Proposed CEQ Review of I.R. No. 1186-2008, Amending the 2008 Capital Budget and Program and Appropriating Funds in Connection with the County Share of the Reconstruction of CR 80, Montauk Highway Shirley/Mastic (CP 5516) for Construction of Sewer Infrastructure constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(11)(20) and (27) and Chapter 279 of the Suffolk County Code, which project involves legislation of an administrative nature concerning installation of utility sewer distribution facilities; and be it further

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

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

DATED:

APPROVED BY:

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County Executive of Suffolk County

Date:

s:\res\s-sewer-infrastructure-mastic-shirley

1350

Intro. Res. No. -2008 Laid on Table
Introduced by the Presiding Officer

**RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED TEMPORARY EAST END LITTLE LEAGUE FIELDS AT GABRESKI AIRPORT, TOWN OF SOUTHAMPTON**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Temporary East End Little League Fields at Gabreski Airport, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project is in a grass area at the airport and involves installation of three (3) ball fields including temporary chain link fence back stops to be installed and removed at the end of the season; and

**WHEREAS**, at its April 16, 2008 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Planning in connection with this project; and

**WHEREAS**, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(15) and Chapter 279 of the Suffolk County Code, since it involves a temporary use of land having negligible or no permanent impact on the environment; and

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated April 17, 2008 of said recommendations; and

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

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

**1st** **RESOLVED**, that this Legislature hereby determines that the Proposed Temporary East End Little League Fields at Gabreski Airport, Town of Southampton constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(15) and Chapter 279 of the Suffolk County Code, which project involves a temporary use of land having negligible or no permanent impact on the environment; and be it further

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

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

DATED:

APPROVED BY:

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County Executive of Suffolk County

Date:

s:\res\s-little-league-fields-gabreski

1351

Intro. Res. No. -2008 Laid on Table
Introduced by the Presiding Officer

**RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED RECONSTRUCTION OF AND STORMWATER REMEDIATION TO CR 36, SOUTH COUNTRY ROAD, AT PATCHOGUE AND BELLPORT BAYS, TOWN OF BROOKHAVEN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Reconstruction of and Stormwater Remediation to CR 36, South Country Road, at Patchogue and Bellport Bays, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves reconstruction of the roadway as well as installing structural stormwater treatment units and infiltration (leaching) basins at several locations that discharge highway stormwater runoff from County Road 36, South Country Road into Patchogue and Bellport Bays; and

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

**WHEREAS**, at its April 16, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

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

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated April 16, 2008 of said recommendations; and

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

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

**1st** **RESOLVED**, that this Legislature hereby determines that the Proposed Reconstruction of and Stormwater Remediation to CR 36, South Country Road, at Patchogue and Bellport Bays, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;

2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or

regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code;

3.) The project is necessary to comply with the Suffolk County policy limiting direct discharge of stormwater runoff to surface water; and

4.) The action is in conformance with the Long Island South Shore Estuary Reserve Comprehensive Master Plan and the NYSDEC Stormwater Remediation Manual;

and be it further

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\s-stormwater-patchogue-bellport

1352

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

Laid on Table 4/29/08

**RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE LAKE RONKONKOMA COUNTY PARK ADDITION – CASAGA BUILDERS, AS CONTRACT VENDEE OF THE STRUM STREET, CORP. PROPERTY, TOWN OF SMITHTOWN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Lake Ronkonkoma County Park Addition – Casaga Builders, as Contract Vendee of the Strum Street, Corp. Property, Town of Smithtown", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.36 acres of land by Suffolk County for open space preservation purposes; and

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

**WHEREAS**, at its April 16, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated April 16, 2008 of said recommendations; and

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

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

**1st** **RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Lake Ronkonkoma County Park Addition – Casaga Builders, as Contract Vendee of the Strum Street, Corp. Property, Town of Smithtown constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;

2.) The proposed use of the subject parcel is passive recreation; and

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

and be it further

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\s-casaga-builders

1353

Intro. Res. No. -2008 Laid on Table 4/29/08
Introduced by the Presiding Officer

**RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE NISSEQUOGUE RIVER ADDITION – DECARMINE PROPERTY, TOWN OF SMITHTOWN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Nissequogue River Addition – Decarmine Property, Town of Smithtown", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 4.92 acres of land by Suffolk County for open space preservation purposes; and

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

**WHEREAS**, at its April 16, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated April 16, 2008 of said recommendations; and

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

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

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

1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;

2.) The proposed use of the subject parcel is passive recreation; and

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

and be it further

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\s-decarmine-property

1354

Intro. Res. No. -2008 Laid on Table 4/29/08
Introduced by the Presiding Officer

**RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE LECKY & RANDALL PROPERTY IN THE VILLAGE OF HEAD OF THE HARBOR, TOWN OF SMITHTOWN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Lecky & Randall Property in the Village of Head of the Harbor, Town of Smithtown", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 2.2 acres of land by Suffolk County for open space preservation purposes; and

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

**WHEREAS**, at its April 16, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated April 16, 2008 of said recommendations; and

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

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

**1st** **RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Lecky & Randall Property in the Village of Head of the Harbor, Town of Smithtown constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;

2.) The proposed use of the subject parcel is passive recreation; and

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

and be it further

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\s-lecky-property

1355

Intro. Res. No. -2008 Laid on Table 4/29/08
Introduced by the Presiding Officer

**RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE LECKY, RANDALL & LEIGHTON PROPERTY IN THE VILLAGE OF HEAD OF THE HARBOR, TOWN OF SMITHTOWN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Lecky, Randall & Leighton Property in the Village of Head of the Harbor, Town of Smithtown", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 12.25 acres of land by Suffolk County for open space preservation purposes; and

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

**WHEREAS**, at its April 16, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated April 16, 2008 of said recommendations; and

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

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

**1st** **RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Lecky, Randall & Leighton Property in the Village of Head of the Harbor, Town of Smithtown constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;

2.) The proposed use of the subject parcel is passive recreation; and

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

and be it further

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\s-leighton-property

1356

Intro. Res. No. -2008 Laid on Table 4/29/08
Introduced by the Presiding Officer

**RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACCEPTANCE OF A DONATION OF PROPERTY TO SUFFOLK COUNTY PARKS TO SATISFY A SCDHS TRANSFER OF DEVELOPMENT RIGHTS REQUIREMENTS (FILE # C02-05-0059), TOWN OF BROOKHAVEN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acceptance of a Donation of Property to Suffolk County Parks to Satisfy a SCDHS Transfer of Development Rights Requirements (File # C02-05-0059), Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acceptance of a donation of 0.14 acres of land to Suffolk County Parks to satisfy a SCDHS transfer of development rights requirements (File # C02-05-0059); and

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

**WHEREAS**, at its April 16, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated April 16, 2008 of said recommendations; and

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

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

**1st** **RESOLVED**, that this Legislature hereby determines that the Proposed Acceptance of a Donation of Property to Suffolk County Parks to Satisfy a SCDHS Transfer of Development Rights Requirements (File # C02-05-0059), Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;

2.) The property will be open space under the jurisdiction of the Suffolk County Department of Parks, Recreation and Conservation; and

3.) The site will only be used for passive recreational purposes;

and be it further

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\s-file-c02-05-0059

1357

Intro. Res. No. -2008 Laid on Table 4/29/08
Introduced by Legislator Viloria Fisher

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO PROTECT THE COUNTY'S HISTORIC AND CULTURALLY SIGNIFICANT PROPERTIES**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on , 2008, a proposed local law entitled, "**A LOCAL LAW TO PROTECT THE COUNTY'S HISTORIC AND CULTURALLY SIGNIFICANT PROPERTIES**" now, therefore, be it

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

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

**A LOCAL LAW TO PROTECT THE COUNTY'S HISTORIC AND CULTURALLY SIGNIFICANT PROPERTIES**

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

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that the County of Suffolk has traditionally permitted county employees and other persons to reside in buildings under the jurisdiction of the Department of Parks, Recreation and Conservation ("Department").

This Legislature further finds that in some instances, persons were permitted to live in county facilities and pay rent far below fair market value. As a result, the County enacted Resolution 1250-2002 which required all tenants and licensees residing in county park facilities to pay rent based on the fair market value of the residence as determined by the Division of Real Estate.

This Legislature also finds that many of the buildings under the jurisdiction of the Department are old, historic and, often, isolated from population centers. When these buildings are vacant, they are a magnet for vandals. Unfortunately, several vacant county-owned buildings, including the historic Scully Estate in Islip, have been seriously vandalized and damaged.

This Legislature also finds that as a result of the fair market value policy imposed by Resolution 1250-2002, the rental prices charged for county-owned facilities spiked and the number of vacant Parks buildings increased. As a result, the County's substantial investment in historic and culturally significant buildings is threatened.

This Legislature further determines that Resolution 1250-2002, while well intentioned, has produced unintended negative consequences that must be addressed.

This Legislature finds that the process established by Resolution 1250-2002 is too rigid and that a new, more flexible and common sense approach must be adopted to insure that the County's historic and cultural heritage is preserved.

Therefore, the purpose of this law is to establish a new process to govern the rental of properties under the jurisdiction of the Department of Parks, Recreation and Conservation.

**Section 2. Repeals.**

Chapter 723 of the SUFFOLK COUNTY CODE, Resolution 1250-2002 and Resolution 1368-2004 are hereby repealed in their entirety.

**Section 3. Definitions.**

The following terms shall have the meanings indicated:

COMMISSIONER – the Commissioner of the Department of Parks, Recreation and Conservation.

DEPARTMENT – the Department of Parks, Recreation and Conservation.

PARKS FACILITIES – buildings or structures under the jurisdiction of the Department of Parks, Recreation and Conservation that are suitable for residential use.

**Section 4. Residence authorized.**

A. The Department is hereby authorized to lease or license parks facilities under its jurisdiction, subject to the requirements of this local law and the approval of the Suffolk County Legislature, to the following persons, and in the order of priority as follows:

    1. a current full time employee as a Suffolk County Park Police Officer of Suffolk County Deputy Sheriff;

    2. a current full time employee of the Suffolk County Department of Parks, Recreation and Conservation;

    3. a current fulltime employee as a Suffolk County Police Officer;

    4. a former fulltime employee as a Suffolk County Park Police Officer, Deputy Sheriff, or Police Officer;

    5. a full time employee of the County of Suffolk.

    6. a resident of the County of Suffolk.

B. The number and location of parks facilities suitable to be leased or licensed shall be determined jointly by the Commissioner and the Suffolk County Parks Trustees.

**Section 5. Parks Housing Rental Board Established; Board Responsibilities.**

A. There is hereby established a Parks Housing Rental Board, which shall be comprised of the following members:

1. The Commissioner of the Department of Parks, Recreation and Conservation, or his or her designee, who shall serve as the Chairperson.

2. The Commissioner of the Department of Public Works, or his or her designee.

3. The manager of the Historic Trust properties.

4. The Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, his or her designee.

5. The Director of Affordable Housing, Department of Economic Development

6. The Chairman of the Suffolk County Legislature's Parks and Recreation Committee or his or her designee.

7. The Presiding Officer of the Suffolk County Legislature, or his or her designee.

8. The Minority Leader of the Suffolk County Legislature, or his or her designee.

9. A representative of the Suffolk County Parks Trustees.

**Section 6. Rental Procedure Established.**

A. A listing of all parks facilities available for lease or license shall be distributed by the Department on a periodic basis to all County employees via "All Employees Memorandum" (included with County paychecks) and the Suffolk County Intranet. The Department shall provide applications for occupancy upon request.

B. The Division of Real Property Acquisition and Management shall prepare an appraisal of the rental fair market value for all parks facilities that are available for lease or license by the Department. The Division may rely on an existing appraisal prepared within the preceding two (2) years.

C. The Parks Housing Rental Board shall review and consider all applications for the lease or license of park facilities and make recommendations for the approval or disapproval of an application. The Board shall further make recommendations as to the appropriate monthly rent or license fee to be paid by an applicant. The Board may recommend a rental charge below the appraised fair market value based on one or more of the following factors:

1) the historic significance and vulnerability of the subject facility.
2) the prospective tenant's familiarity with historic properties.
3) the level of security the prospective tenant will provide.

4) The routine maintenance the prospective tenant will provide.
5) a lack of privacy afforded to the prospective tenant as a result of the subject facility's location.
6) High energy costs associated with living in the subject facility.

D. The Commissioner shall review the recommendations of the Parks Housing Rental Board and submit recommendations of applications and rental charges/license fees for approval to the Suffolk County Legislature. The Commissioner may recommend, and the Legislature may adopt, rental charges/license fees below the appraised fair market value, based on the recommendation of the Parks Housing Rental Board.

**Section 6. Applicability.**

This law shall apply to all leases, lease renewals, lease modifications, licenses, license renewals, and license modifications, affecting parks facilities, entered into by the County of Suffolk on or after the effective date of this law.

**Section 7. Severability.**

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

**Section 8. SEQRA Determination.**

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

**Section 9. Effective Date.**

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\laws\l-parks rental

# OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1357

**GEORGE NOLAN**
COUNSEL TO THE LEGISLATURE
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**DATE:** **APRIL 25, 2008**

**TO:** **CLERK OF THE COUNTY LEGISLATURE**

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

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**PROPOSED LOCAL LAW YEAR 2008**

**TITLE:** **A LOCAL LAW TO PROTECT THE COUNTY'S HISTORIC AND CULTURALLY SIGNIFICANT PROPERTIES**

**SPONSOR:** **LEGISLATOR VILORIA-FISHER**

**DATE OF RECEIPT BY COUNSEL:** 4/11/08 **PUBLIC HEARING:** 5/13/08

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

This proposed local law would establish a new process to govern the leasing of facilities under the jurisdiction of the Department of Parks, Recreation and Conservation ("Department"), which are suitable for residential use (referred to in the law as "parks facilities").

Chapter 723 of the SUFFOLK COUNTY CODE, which currently governs the process by which these facilities are leased, is repealed in its entirety.

The proposed law would reauthorize the Department to lease or license parks facilities to the following persons in the order of priority as follows:

- a current full time employee who is a Suffolk County Park Police Officer or a Suffolk County Deputy Sheriff.
- a full time employee of the Suffolk County Department Parks, Recreation and Conservation.
- a current full time Suffolk County Police Officer.
- a former full time employee as a Suffolk County Parks Police Officer, Deputy Sheriff or Police Officer.
- A full time employee of the County of Suffolk.
- a resident of the County of Suffolk.

The number and location of parks facilities suitable to be licensed or leased shall be determined jointly by the Commissioner of the Department of Parks, Recreation and Conservation ("Commissioner") and the Suffolk County Parks Trustees.

The proposed law would establish a new Parks Housing Rental Board ("Board") made up of nine members, all of whom serve in some capacity in Suffolk County government.

The Department will be required to distribute a listing of all parks facilities available for lease or license via the Suffolk County Intranet and All Employees Memorandums.

The Division of Real Property Acquisition and Management will be required to prepare an appraisal of the rental fair market value of all parks facilities that are available for lease or license. The Board shall review and consider all applications for leases and licenses and make recommendations for approval or disapproval. The Board is further authorized to make recommendations as to the appropriate monthly rent to be paid by an applicant. The Board may recommend a monthly rental charge below the appraised fair market value based on the following factors:

- the historic significance and vulnerability of the subject facility,
- familiarity with historic properties,
- the level of security the tenant will provide,
- the routine maintenance the tenant will provide,
- a lack of privacy afforded to the prospective tenant as a result of the facilities location,
- the high energy costs associated with living the subject facility.

The Commissioner shall review the Board's recommendations and submit recommendations of applications and rental charges for approval to the Suffolk County Legislature. The Commissioner may recommend and the Legislature may adopt, rental charges/license fees below the appraised fair market value based on the recommendations.

This law shall apply to all leases, lease renewals, lease modifications, licenses, license renewals, and license modifications affecting parks facilities.

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

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

**GN:tm**

s:\rule28\28-historic properties

1358

Intro. Res. No. -2008 Laid on Table 4/29/08
Introduced by Legislator Cooper

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO REDUCE THE EMISSION OF POLLUTANTS FROM THE COUNTY'S DIESEL-FUELED MOTOR VEHICLES**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on a proposed local law entitled, "**A LOCAL LAW TO REDUCE THE EMISSION OF POLLUTANTS FROM THE COUNTY'S DIESEL-FUELED MOTOR VEHICLES**"; now, therefore be it

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

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

**A LOCAL LAW TO REDUCE THE EMISSION OF POLLUTANTS FROM DIESEL-FUELEDTHE COUNTY'S MOTOR VEHICLES**

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

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that the emission of pollutants from diesel-fueled motor vehicles is associated with severe and multiple health risks to the citizens of Suffolk County, including an increased risk of cancer, decreased lung function, aggravated asthma, respiratory symptoms and premature death.

This Legislature also finds and determines that the utilization of emission-control technologies and ultra low sulfur diesel fuel in diesel-powered on-road and non-road vehicles can significantly reduce these harmful emissions.

This Legislature further finds and determines that non-road equipment powered by diesel fuel is the single largest mobile source of diesel particulate matter.

This Legislature finds that requiring the use of cleaner fuels and emission control technologies for on-road and non-road equipment can aid in reducing the incidence of these diseases, assist the County in achieving compliance with federal standards and attract the best emission reducing technologies into the area.

Therefore, the purpose of this law is to require all diesel-powered on-road and non-road vehicles owned and/or operated by Suffolk County be powered by ultra low sulfur diesel fuel and utilize the best available technology to reduce the emission of pollutants.

**Section 2. Definitions.**

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

BEST AVAILABLE RETROFIT TECHNOLOGY—Means technology, verified by the United States Environmental Protection Agency or the California Air Resources Board, for reducing the emission of pollutants that primarily achieves reductions in particulate matter emissions at the

highest classification level for diesel emission control strategies that is applicable to the particular engine and application. Such technology shall also, at a reasonable cost, achieve the greatest reduction in emissions of nitrogen oxides at such particulate matter reduction level and shall in no event result in a net increase in the emissions of either particulate matter or nitrogen oxides.

COMMISSIONER—means the Commissioner of the Suffolk County Department of Public Works.

GROSS VEHICLE WEIGHT RATING—means the value specified by the manufacturer of a motor vehicle model as the maximum design loaded weight of a single vehicle of that model.

MOTOR VEHICLE—means a vehicle operated or driven upon a public highway which is propelled by any power other than muscular power, except electrically-driven mobility assistance devices operated or driven by a person with a disability, provided, however, that this term shall not include vehicles that are specially equipped for emergency response.

NON-ROAD ENGINE—means an internal combustion engine (including the fuel system) that is not used in a motor vehicle or a vehicle used solely for competition, or that is not subject to standards promulgated under Section 7411 or Section 7521 of Title 42 of the United States Code, except that this term shall apply to internal combustion engines used to power compressors or similar equipment used in any construction program or project.

NON-ROAD VEHICLE—means a vehicle that is powered by a non-road engine, fifty horsepower and greater, and that is not a motor vehicle or a vehicle used solely for competition, which shall include, but not be limited to, excavators, backhoes, cranes, compressors, bulldozers and similar equipment, except that this term shall not apply to horticultural maintenance vehicles used for landscaping purposes that are powered by a non-road engine of sixty-five horsepower or less and that are not used in any construction program or project.

REASONABLE COST—means that such technology does not cost greater than thirty percent more than other technology applicable to the particular engine and application that falls within the same classification level for diesel emission control strategies when considering the cost of the strategies, themselves, and the cost of installation.

ULTRA LOW SULFUR DIESEL FUEL—means diesel fuel that has a sulfur content of no more than fifteen parts per million.

**Section 3. County Owned and Operated Vehicles**

A. Each diesel fuel-powered motor vehicle and non-road vehicle owned or operated by the County of Suffolk shall be powered by ultra low sulfur diesel fuel.

B. Diesel fuel-powered motor vehicles and non-road vehicles having a gross vehicle weight rating of more than 14,500 pounds that are owned or operated by the County of Suffolk shall utilize the best available retrofit technology or be equipped with an engine certified to the applicable 2007 United States Environmental Protection Agency standard for particulate matter as set forth in Section 86.007-11 of Title 40 of the Code of Federal Regulations or to any subsequent United States Environmental Protection Agency standard for such pollutant that is at least as stringent, pursuant to the following schedule:

1. 10% of all such motor vehicles by January 1, 2010;

2. 30% of all such motor vehicles by January 1, 2011;

3. 60% of all such motor vehicles by January 1, 2012;

4. 80% of all such motor vehicles by January 1, 2013;

5. 100% of all such motor vehicles by January 1, 2014.

C. The Commissioner shall make determinations, and shall publish a list containing such determinations, as to the best available retrofit technology to be used for each type of diesel fuel-powered motor vehicle and non-road vehicle to which this section applies. Each such determination shall be reviewed and revised, as needed, on a regular basis, but in no event less often than once every six months.

D. The Commissioner may determine that a technology, whether or not it has been verified by the United States Environmental Protection Agency or the California Air Resources Board, may be appropriate to test, on an experimental basis, on a particular type of diesel fuel-powered motor vehicle and non-road vehicle owned or operated by the County of Suffolk. The Commissioner may authorize such technology to be installed on up to five percent of such type of motor vehicle and non-road vehicle. Any motor vehicle and non-road vehicle on which such technology is installed may be counted for the purpose of meeting the requirements of subsection B of this section. Such technology shall not be required to be installed on other motor vehicles and non-road vehicles of the same type and shall be subject to the provisions of subsection F of this section.

E. Best available retrofit technology or experimental technology utilized for a diesel fuel-powered motor vehicle and non-road vehicle in accordance with the provisions of this section shall not be required to be replaced within five years of having first been utilized for such vehicle, except that technology that falls within Level 4, as set forth in subdivision F of this section, shall not be required to be replaced until it has reached the end of its useful life.

F. The classification levels for diesel emission control strategies are as follows, with Level 4 being the highest classification level:

1. Level 4 – strategy reduces diesel particulate matter emissions by 85 percent or greater or reduces engine emissions to less than or equal to 0.01 grams diesel particulate matter per brake horsepower-hour;

2. Level 3 – strategy reduces diesel particulate matter emissions by between 50 and 84 percent;

3. Level 2 – strategy reduces diesel particulate matter emissions by between 25 and 49 percent;

4. Level 1 – strategy reduces diesel particulate matter emissions by between 20 and 24 percent.

G. The Commissioner shall issue a written determination that permits the use of diesel fuel that has a sulfur content of no more than thirty parts per million to fulfill the requirements of this section if ultra low sulfur diesel fuel is not available to meet the requirements of this section. Such determination shall expire after six months and shall be renewed in writing every six months if such lack of availability persists.

H. The Commissioner may issue a waiver for the use of ultra low sulfur diesel fuel where any department or agency of the County of Suffolk makes a written finding, which is approved, in writing, by the Commissioner, that a sufficient quantity of ultra low sulfur diesel fuel, or diesel fuel that has a sulfur content of no more than thirty parts per million where a determination is in effect pursuant to subdivision G of this section, is not available to meet the requirements of this section, provided that such department or agency, to the extent practicable, shall use whatever quantity of ultra low sulfur diesel fuel or diesel fuel that has a sulfur content of no more than thirty parts per million is available for its diesel fuel-powered motor vehicles. Any waiver issued pursuant to this subdivision shall expire after two months, unless the department or agency renews the finding, in writing, and the Commissioner approves such renewal, in writing.

I. A waiver from the requirements of this law to utilize best available retrofit technology on a specific motor vehicle or non-road vehicle may be granted by duly enacted Resolution of the County of Suffolk, if a request is made, in writing, by the Commissioner indicating that the use of any best available retrofit technology on a specific motor vehicle or non-road vehicle would void the manufacturer's warranty. Any such request shall be accompanied by appropriate documentation showing the specific motor vehicle or non-road vehicle for which the waiver is requested; the best available retrofit technology that, if utilized, would void the manufacturer's warranty; and the specific warranty that would be voided if such best available retrofit technology were to be utilized.

**Section 4. Exceptions.**

A. The requirements of this law shall not apply where federal or state funding precludes the County from adhering to the requirements of this law.

B. The requirements of this law shall not apply in the event of a sudden unforeseen occurrence or disaster such as a hurricane, fire, tornado, flood, explosion, airplane crash, earthquake, nuclear war, radiological emergency, hazardous materials incident, war, civil unrest or disobedience, act of God, accident, act of terrorism or a comparable event that would make strict compliance with this law unreasonable and detrimental to the public health and safety; provided, however, that no exception shall be granted unless the County Executive first certifies to the existence of such an event or occurrence making strict compliance with the law unreasonable and detrimental to the public health and safety.

C. Fleet of County contracted snow removal equipment.

D. County-owned boats, such as the County dredge(s), police boats, County-owned helicopters and other such non-road vehicles as determined by the Commissioner.

**Section 6. Reporting Requirements**

The Commissioner shall, no later than January 1 and July 1 each year, issue a report to the Suffolk County Legislature detailing a proposed schedule of retrofitting, explaining

any changes in the schedule as it was presented in the previous report and providing any cost estimates involved in upgrading or retrofitting motor vehicles and non-road vehicles that are the subject 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), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

**Section 10. Effective Date.**

This law shall take effect on the ninetieth ($90^{th}$) day immediately subsequent to filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

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# OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1358

**GEORGE NOLAN**
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**DATE:** April 24, 2008

**TO:** CLERK OF THE COUNTY LEGISLATURE

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

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**PROPOSED LOCAL LAW YEAR 2008**

**TITLE:** A LOCAL LAW TO REDUCE THE EMISSION OF POLLUTANTS FROM THE COUNTY'S DIESEL-FUELED MOTOR VEHICLES

**SPONSOR:** LEGISLATOR COOPER

**DATE OF RECEIPT BY COUNSEL:** 4/23/2008 **PUBLIC HEARING:** 5/13/2008

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

Enactment of this proposed local law would require that all diesel-powered on-road and non-road vehicles (excavators, backhoes, cranes, etc.) owned or operated by Suffolk County be powered by ultra low sulfur diesel fuel (diesel fuel having a sulfur content of no more than 15 parts/million).

Further, this local law would require that all diesel powered on-road and non-road vehicles having a gross vehicle rating of more than 14,500 pounds, owned or operated by Suffolk County, utilize the best available retrofit technology or be equipped with an engine certified to the applicable United States Environmental Protection Standard for particulate matter, according to the following schedule:

1. 10% of all such motor vehicles by January 1, 2010;
2. 30% of all such motor vehicles by January 1, 2011;
3. 60% of all such motor vehicles by January 1, 2012;
4. 80% of all such motor vehicles by January 1, 2013;
5. 100% of all such motor vehicles by January 1, 2014;

The Commissioner of the Department of Public Works would be empowered to issue a list of available retrofit technology to be used for this purpose, and may also include experimental technology to be used on no more than 5% of diesel powered vehicles. This list shall be reviewed and revised no less often than once every 6 months. No technology installed would

be required to be replaced for five years after first installed, or in the case of the highest classification level for diesel emission control, until it has reached the end of its useful life.

This local law would establish classification levels for diesel emission control strategies, as follows:

1. Level 4 – strategy reduces diesel particulate matter emissions by 85 percent or greater or reduces engine emissions to less than or equal to 0.01 grams diesel particulate matter per brake horsepower-hour;

2. Level 3 – strategy reduces diesel particulate matter emissions by between 50 and 84 percent;

3. Level 2 – strategy reduces diesel particulate matter emissions by between 25 and 49 percent;

4. Level 1 – strategy reduces diesel particulate matter emissions by between 20 and 24 percent.

The Commissioner would be empowered to issue a written determination permitting the use of diesel fuel with a sulfur content of no more the 30 parts per million, if there is not enough ultra low sulfur diesel fuel available to meet the requirements of this local law. The Commissioner would also be empowered to issue a written waiver if there are insufficient quantities of diesel fuel with a sulfur content of no more than 30 parts per million, to meet the requirements of this law. These waivers would be in effect for 6 months, but could be renewed.

This local law would also not apply where federal or state funding precludes the County from imposing the requirements of this law, or in the event of unforeseen occurrences or disasters.

This local law would become effective on the 90th day immediately subsequent to filing in the Office of the Secretary of State, except that the requirements as they pertain to public works contracts shall not take effect until one year after the law's effective date.

**George Nolan**
**Counsel to the Legislature**

**GN:js**

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1359

Intro. Res. No. -2008 Laid on Table 4/28/08
Introduced by Legislator Losquadro

**RESOLUTION NO. –2008, TO MAINTAIN SAFE SUMMER PROGRAMS IN 2008**

**WHEREAS**, Safe Summer Programs have been in place since 1991, and provide a positive and structured environment for young people at locations throughout Suffolk County; and

**WHEREAS**, the participation of the Suffolk County Police Department in Safe Summer Programs has been an important and indispensable element in the Programs' success; and

**WHEREAS**, the Commissioner of the Suffolk County Police Department notified the organizations responsible for running Safe Summer Programs that the Department will not provide security this Summer, but he did not provide this notification until March, 2008; and

**WHEREAS**, the directors of these programs from public, private and not-for-profit organizations have stated unequivocally that the removal of Police Officers will cause the programs to shut down entirely as they cannot operate without police presence; and

**WHEREAS**, it is important for children to be offered an opportunity to participate in Safe Summer Programs, which provide a secure environment for the youth of Suffolk County; and

**WHEREAS**, Safe Summer Programs enhance public safety for all citizens; now, therefore be it

**1st** **RESOLVED**, that the Commissioner of the Suffolk County Police Department is hereby authorized, empowered and directed, pursuant to Article 13 of the Suffolk County Charter, to provide the minimum level of Police Officer staffing necessary to allow Safe Summer Programs to operate during this summer, 2008; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

1360

Intro. Res. No. -2008

Introduced by Legislator Horsley

Laid on Table 4/29/08

**RESOLUTION NO. –2008, AMENDING RESOLUTION NO. 654-2007, EXEMPTING DEPLOYED OR MOBILIZED MILITARY PERSONNEL FROM PAYING COUNTY PARKS DAILY FEES**

**WHEREAS**, Resolution No. 654-2007, authorized the Suffolk County Department of Parks, Recreation, and Conservation to extend to deployed or mobilized (for other than required two week duty) active duty military personnel an exemption from paying County parks daily fees; and

**WHEREAS**, active duty military personnel stationed in Suffolk County are issued Orders of Assignment; and

**WHEREAS**, the County Department of Parks, Recreation, and Conservation requests that Orders of Assignment be required as proof of eligibility under this program; now, therefore be it

**1st** **RESOLVED**, that the 2nd RESOLVED clause of Resolution No. 654-2007 is hereby amended to read as follows:

> **2nd** **RESOLVED**, that the eligibility under this program for exemption from such fees shall be conditioned upon submission of **[**mobilization and/or deployment orders**]** <u>orders of assignment</u> and a military identification card and submission of proof that the deployed or mobilized active duty military personnel are stationed in, or are, Suffolk County residents; and be it further

and be it further

**2nd** **RESOLVED**, that all other terms and conditions of Resolution No. 654-2007, as amended, shall remain in full force and effect; 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

1361

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

Laid on Table 4/29/08

**RESOLUTION NO. –2008, ADOPTING AN "IN CASE OF EMERGENCY" (ICE) PUBLIC EDUCATION PROGRAM TO ASSIST FIRST RESPONDERS IN EMERGENCY RESPONSE SITUATIONS**

**WHEREAS**, In Case of Emergency (ICE), is a program that enables first responders, such as paramedics, firefighters and police officers, to identify victims and contact next of kin to obtain important medical information; and

**WHEREAS**, an ICE number is a listing an individual makes in his or her cell phone address book, wherein the letters I-C-E are placed next to the name or names of people the cell phone user would like contacted if an emergency occurs; and

**WHEREAS**, emergency workers often waste valuable time searching for contact person information when a person becomes incapacitated in an emergency situation; and

**WHEREAS**, with an ICE listing, they will know where to look for emergency contact information; and

**WHEREAS**, a study provided by a major European wireless provider found that more than 75% of people who carry cell phones do not have any information on who should be contacted in emergencies; and

**WHEREAS**, U.S. law enforcement and public health officials in Utah, Texas, Florida, and California are already promoting the "In Case of Emergency (ICE)" concept; and

**WHEREAS**, the County of Suffolk wishes to encourage people to enter emergency contacts in their cell phone address book under the "ICE" in order to facilitate the efficiency of first responder response time; now, therefore be it

**1st** **RESOLVED**, that the Department of Fire, Rescue and Emergency Services (FRES) is hereby authorized, empowered, and directed to develop, within existing appropriations, a program to promote the use of "In Case of Emergency (ICE)" telephone numbers on mobile telephones; and be it further

**2nd** **RESOLVED**, that the program developed by FRES shall include educating local law enforcement agencies, emergency responders, medical personnel and the public of the existence of the ICE program; 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:

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1362

Intro. Res. No. -2008 Laid on Table 4/29/2008
Introduced by Legislator Eddington

**RESOLUTION NO. –2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENT TO CR 80, MONTAUK HIGHWAY, BETWEEN NYS RT 112 AND CR 101, PATCHOGUE, YAPHANK ROAD/SILLS ROAD (CP 5534) AND EXPANSION OF THE SEWER DISTRIBUTION SYSTEM**

**WHEREAS**, this portion of CR 80, Montauk Highway, is a densely developed commercial area that is important to the local economy; and

**WHEREAS**, funds have been previously appropriated for the purpose of extending the design of the sewer distribution system from NYS Rt. 112 to the Plaza Theatre along CR 80, Montauk Highway; and

**WHEREAS**, Patchogue Village has agreed to allow for connection to their existing sewage treatment plant; and

**WHEREAS**, sufficient funds have not been included in the 2008 Capital Budget and Program to expand the sewer distribution system along C.R. 80, Montauk Highway between NYS Rt. 112 and C.R. 101 and pursuant to Suffolk County Charter, Section C-4-13, an offsetting authorization must be provided from another capital project; and

**WHEREAS**, a capital project identified as having excess funds scheduled in the 2008 Adopted Capital Budget and Program is used as an offset to expand the scope of this project; and

**WHEREAS**, that this Legislature, by resolution of even date herewith, has authorized the issuance of $500,000 in Suffolk County Serial Bonds; and

**WHEREAS**, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

**1st RESOLVED**, that it is hereby determined that this project, with a priority ranking of 53 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

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

Project Number: 1755
Project Title: Infrastructure Improvements for Traffic and Public Safety and Public Health

| Cost Elements | Total Estimated Cost | Current 2008 Capital Budget & Program | Revised 2008 Capital Budget & Program |
|---|---|---|---|
| 3. Construction | $1,725,000 | $2,225,000B | $1,725,000B |

| | | | |
|---|---|---|---|
| TOTAL | $1,725,000 | $2,225,000 | $1,725,000 |

Project Number: 5534
Project Title: Improvement to C.R. 80, Montauk Highway, Between NYS Rt. 112 and C.R. 101, Patchogue, Yaphank Rd/Sills Rd

| Cost Elements | Total Estimated Cost | Current 2008 Capital Budget & Program | Revised 2008 Capital Budget & Program |
|---|---|---|---|
| 3. Construction | $6,450,000 | $0 | $500,000B |
| TOTAL | $9,405,000 | $0 | $500,000 |

and be it further

**3rd RESOLVED,** that the proceeds of $500,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

| Project Number | JC | Project Title | Amount |
|---|---|---|---|
| 525-CAP-5534.311 | 50 | Improvement to CR 80, Montauk Highway, between NYS Rt. 112 and C.R. 101, Patchogue, Yaphank Road/Sills Road and expansion of the sewer distribution system | $500,000 |

and be it further

**4th RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (11) (20) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution allows for the extension of sewer distribution facilities in a project for which SEQRA review was previously completed and, therefore, the resolution constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; since this resolution is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

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Intro. Res. No. 1363 -2008 Laid on the Table 4/29/2008

Introduced by Legislators Romaine, Barraga, and Kennedy

**RESOLUTION NO. -2008, AUTHORIZING A COMPETITIVE LONG TERM BUSINESS PLAN TO STABILIZE COUNTY FINANCES AND PREVENT DISRUPTION OF ESSENTIAL COUNTY SERVICES AND PROGRAMS**

**WHEREAS,** the collapse of the local economy, the crisis in the mortgage industry, the weight of a slumping real estate market, a slowdown in construction activity, high energy costs, skyrocketing health care costs, deteriorating balance sheets at banks and other major financial institutions, a lack of due diligence by Wall Street rating agencies, declining real estate revenues, rising home foreclosures, sluggish sales tax revenues, and increased social services and human services expenses arising out of the economic downtown have all contributed to a burgeoning County budgetary shortfall that is currently projected to be over $150 million, assuming no more than a cost-to-continue County budget in 2008 and 2009; and

**WHEREAS,** the Suffolk County Legislature's Legislative Office of Budget Review (BRO) and the County Executive's Budget Office (BO) concur that the magnitude of such a shortfall is in the range of $130 million to $156 million; and

**WHEREAS,** the County wishes to avoid disrupting critical County functions and programs that provide essential health, public safety, and human services to the people of Suffolk County; and

**WHEREAS,** the County also wishes to stabilize long term County finances while avoiding any significant County tax increase; and

**WHEREAS,** a consensus has emerged in the County Legislature that the County should undertake a competitive process to solicit innovative ideas and proposals from the private sector for a long term business plan that utilizes delinquent real property taxes as a starting point to stabilize County finances, avoid significant County tax increases, and avoid disruption of essential County services, to ultimately be incorporated into an overall plan to deal with the above-described shortfall; and

**WHEREAS,** the County Legislature hereby determines that the County should first ascertain the viability and potential impact of any private sector business plans which utilize delinquent real property taxes so that an informed judgment can be made as to the precise magnitude of appropriation reductions, revenue enhancements, programmatic cuts, service reductions, wage freezes, budget cuts, retirement incentives, and/or refinancings, if any, that may be necessary and appropriate to close the anticipated shortfall and still achieve the shared goals of affordable taxes,

financial stability, and continuity of essential services, which judgment can than be reflected in an omnibus budget plan encompassing those actions necessary and appropriate to address the remaining balance, if any, of the anticipated shortfall; now, therefore be it

## RFP

**1st** **RESOLVED,** that the BRO and BO shall jointly issue a Request for Proposals (RFP) to sell the revenue from delinquent real property taxes a/k/a tax liens, said RFP to be issued and publicized no later than thirty (30) days subsequent to the effective date of this Resolution, incorporating a deadline for the submission of responses to said RFP of no later than sixty (60) days subsequent to the effective date of this Resolution; and be it further

## RFP COMMITTEE

**2nd** **RESOLVED,** that the following individuals are hereby appointed to serve as the RFP Committee to evaluate any and all proposals submitted in response to the RFP described in the 1st Resolved Clause of this Resolution, anything in Article III of Chapter 708 of the SUFFOLK COUNTY CODE to the contrary notwithstanding:

(a) the County Comptroller, or his designee;
(b) the County Budget Director, or her designee; and
(c) the Director of BRO, or her designee; and be further

**3rd** **RESOLVED,** that the RFP Committee shall issue an evaluation, ranking, and advisory recommendation, for any and all proposals submitted in response to the RFP described in the 1st Resolved Clause of this Resolution, to each member of the County Legislature and to the County Executive, no later than thirty (30) days subsequent to the above described deadline for the submission of said responses; and be it further

## COOPERATION

**4th** **RESOLVED,** that the County Department of Finance and Taxation is hereby authorized, empowered, and directed, pursuant to Section 15-2(G) of the SUFFOLK COUNTY CHARTER, to provide in a timely fashion (no more than two (2) business days) such factual information regarding the payment and collection of delinquent real property taxes in Suffolk County, including the history of such tax collections, as may be requested in writing by any person or entity proposing to respond to the RFP described in the 1st Resolved Clause of this Resolution and the County Division of Real Property Acquisition and Management is hereby authorized, empowered, and directed, pursuant to Section 42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to provide in a timely fashion (no more than two (2) business days) such factual information regarding the payment and collection of delinquent real property taxes in Suffolk County, including the history of such tax collections, as may be requested in writing by any person or

entity proposing to respond to the RFP described in the 1st Resolved Clause of this Resolution; and be it further

## IMPLEMENTATION

**5th** **RESOLVED,** no proposal, reviewed, evaluated, ranked, and recommended by the RFP Committee, created by the 2nd Resolved Clause of this Resolution, may be implemented by anyone in Suffolk County Government unless and until such proposal is approved and authorized via a duly enacted Resolution of the County of Suffolk; and be it further

## TOBACCO SECURITIZATION OVERSIGHT

**6th** **RESOLVED,** that the securitization of Suffolk County Tobacco Revenues arising out of the November 23, 1998 Master Settlement Agreement, and now known as the Tobacco Asset, shall not be implemented by the County of Suffolk unless and until:

(a) an RFP has been issued and evaluated by an RFP Committee that includes equal representation between and amongst the County Legislature, County Comptroller, and County Executive; and

(b) the actual securitization plan, including annual revenues generated, annual revenues lost, costs, and duration of the Plan, is adopted and approved via duly enacted Resolution of the County of Suffolk, notwithstanding the creation of the Local Development Corporation for Tobacco Asset Securitization (STASC) pursuant to Res. No. 213-2008, which was only designed and intended to be a vehicle (financing structure) to implement tobacco securitization in the event that an affirmative approval to move forward is granted by the County of Suffolk; and be it further

## SEQRA

**7th** **RESOLVED,** that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this Resolution is a Type II action pursuant to Title 6 NYCRR Section 617.5(c)(20) and (27) since it constitutes a local legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, this Legislature has no further responsibilities under SEQRA; and be it further

## APPLICABILITY

**8th** **RESOLVED,** that this Resolution shall take effect immediately and shall apply to all activities occurring on or after said Effective Date.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

UPDATED VERSION AS OF 4/24/2008

Intro. Res. No. 1364-2008
Introduced by Legislator Cooper

Laid on Table 4/29/2008

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO PROMOTE FAIR BUSINESS PRACTICES**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on , 2008, a proposed local law entitled, "**A LOCAL LAW TO PROMOTE FAIR BUSINESS PRACTICES**"; now, therefore be it

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

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

**A LOCAL LAW TO PROMOTE FAIR BUSINESS PRACTICES**

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

**Section 1. Legislative Intent.**

This Legislature finds that many employers fail to pay the legally required minimum wage and taxes (Social Security, Medicare, unemployment taxes) or maintain workers' compensation insurance that are designed to provide a financial safety net for their employees.

This Legislature also finds and determines that employers who fail to comply with applicable federal, state and local laws gain an unfair financial advantage over employers who play by the rules and who necessarily incur additional costs when they properly pay wages and taxes.

This Legislature also finds that the County of Suffolk adopted Local Law No. 52-2006 to require companies doing business with the County to certify their compliance with federal law with respect to the lawful hiring of employees.

This Legislature also determines that the County's licensees should comply with all applicable laws and regulations regarding the payment of wages, payroll taxes and workers' compensation insurance.

Therefore, the purpose of this law is to require applicants for occupational licenses to attest they have paid and will continue to pay the minimum wage, overtime and all necessary payroll taxes, and maintain workers' compensation insurance as required by law.

**Section 2. Amendments.**

I. Chapter 275 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**Chapter 275, Electricians and Plumbers**

* * * *

**§ 275-3. Application procedure; qualifications; examinations.**

* * * *

B. Qualifications of applicant.

* * * *

(4) All applications shall include a representation by the applicant that they are making all required payroll tax payments for their employees including Social Security taxes, Medicare taxes, and state and federal unemployment taxes. If such representation is not made, a license will not be issued. The applicant's failure to make required payroll tax payments during the term of their license, as determined by the Director after an investigation by the Suffolk County Department of Labor or based upon a finding of a federal or state court, administrative law judge, hearing officer or agency of competent jurisdiction, shall constitute grounds for the imposition of a fine or the suspension or revocation of a license or the denial of an application for the renewal of a license, in accordance with the applicable provisions of this Chapter.

(5) All applications shall include a representation by the applicant that they are in compliance with the New York Minimum Wage Act (New York Labor Law, Article 19) or the Fair Labor Standards Act (Title 29 U.S.C. Chapter 8), whichever is applicable, with respect to the payment of the minimum wage to employees. If such representation is not made, a license will not be issued. An applicant shall be obligated to continue to comply with the applicable minimum wage and labor laws during the term of their license and their failure to do so, as determined by the Director after an investigation by the Suffolk County Department of Labor or based upon a finding of a federal or state court, administrative law judge, hearing officer or agency of competent jurisdiction, shall constitute grounds for the imposition of a fine or the suspension or revocation of a license or the denial of an application for the renewal of a license, in accordance with the applicable provisions of this Chapter.

(6) All applications shall include a representation by the applicant that they are in compliance with New York Workers' Compensation Laws as it relates to maintaining workers' compensation insurance coverage. If such representation is not made, a license will not be issued. An applicant shall be obligated to continue to comply with New York Workers' Compensation Law during the term of their license and their failure to do so, as determined by the Director after an investigation by the Suffolk County Department of Labor or based upon a finding of a state court, administrative law judge, hearing officer or agency of competent jurisdiction, shall constitute grounds for the imposition of a fine or the suspension or revocation of a license or the denial of an application for the renewal of a license, in accordance with the applicable provisions of this Chapter.

* * * *

II. Chapter 345 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**Chapter 345 LICENSED OCCUPATIONS**
**ARTICLE I, Provisions Applicable to All Licenses**

* * * *

**§ 345-5. Application Procedure; information required; qualifications; issuance of license.**

* * * *

K. All applications shall include a representation by the applicant that they are making all required payroll tax payments for their employees including Social Security taxes, Medicare taxes, and state and federal unemployment taxes. If such representation is not made, a license will not be issued. The applicant's failure to make required payroll tax payments during the term of their license, as determined by the Director after an investigation by the Suffolk County Department of Labor or based upon a finding of a federal or state court, administrative law judge, hearing officer, or agency of competent jurisdiction shall constitute grounds for the imposition of a fine or the suspension or revocation of a license or the denial of an application for the renewal of a license, in accordance with the applicable provisions of this Chapter.

L. All applications shall include a representation by the applicant that they are in compliance with the New York Minimum Wage Act (New York Labor Law, Article 19) or the Fair Labor Standards Act (Title 29 U.S.C. Chapter 8), whichever is applicable, with respect to the payment of the minimum wage to employees. If such representation is not made, a license will not be issued. An applicant shall be obligated to continue to comply with the applicable minimum wage and labor laws during the term of their license and their failure to do so, as determined by the Director after an investigation by the Suffolk County Department of Labor or based upon a finding of a federal or state court, administrative law judge, hearing officer or agency of competent jurisdiction, shall constitute grounds for the imposition of a fine or the suspension or revocation of a license or the denial of an application for the renewal of a license, in accordance with the applicable provisions of this Chapter.

M. All applications shall include a representation by the applicant that they are in compliance with New York Workers' Compensation Laws as it relates to maintaining workers' compensation insurance coverage. If such representation is not made, a license will not be issued. An applicant shall be obligated to continue to comply with New York Workers' Compensation Law during the term of their license and their failure to do so, as determined by the Director after an investigation by the Suffolk County Department of Labor or based upon a finding of a

state court, administrative law judge, hearing officer or agency of competent jurisdiction, shall constitute grounds for the imposition of a fine or the suspension or revocation of a license or the denial of an application for the renewal of a license, in accordance with the applicable provisions of this Chapter.

* * * *

**Section 3. Investigations.**

The Department of Labor is hereby authorized and empowered to investigate alleged violations of this law upon the request of the Director of the Office of Consumer Affairs. Authorized employees of the Department of Labor shall be entitled to request and review records maintained by licensees which demonstrate their compliance with this law. Upon the completion of an investigation, the Department of Labor shall forward its findings to the Director of Consumer Affairs.

**Section 4. Promulgation of Rules and Regulations.**

A. The Suffolk County Office of Consumer Affairs is hereby authorized, empowered and directed to promulgate such rules and regulations as it deems necessary for the implementation and enforcement of the provisions of this law.

B. The Suffolk County Department of Labor is hereby authorized, empowered and directed to promulgate such rules and regulations as it deems necessary to carry out the investigations described in Section 3 of this law.

**Section 5. Applicability.**

This law shall apply to all applications for licenses and license renewals submitted to the Office of Consumer Affairs on and after the effective date of this law.

**Section 6. Severability.**

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

**Section 7. SEQRA Determination.**

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

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

**Section 8. Effective Date.**

This law shall take effect 120 days after its filing in the Office of the Secretary of State.

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

# OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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

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

**DATE:** April 24, 2008

**TO:** CLERK OF THE COUNTY LEGISLATURE

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

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**PROPOSED LOCAL LAW YEAR 2008**

**TITLE:** A LOCAL LAW TO PROMOTE FAIR BUSINESS PRACTICES

**SPONSOR:** LEGISLATOR COOPER

**DATE OF RECEIPT BY COUNSEL:** 4/24/08 **PUBLIC HEARING:** 5/13/08

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

This proposed local law would require all applicants for occupational licenses issued by the Office of Consumer Affairs under Chapters 275 and 345 of the SUFFOLK COUNTY CODE, to represent in their applications that they are:

1.) making all required payroll tax payments for their employees, including Social Security, Medicare, and unemployment taxes.
2.) in compliance with applicable minimum wage laws.
3.) in compliance with New York Workers' Compensation Law.

A license will not be issued by the Office of Consumer Affairs if an applicant fails to make these representations. An applicant's subsequent failure to pay legally required payroll taxes or comply with minimum wage and workers compensation insurance laws shall constitute grounds for the imposition of a civil fine or the suspension or revocation of a license, or the denial of an application for the renewal of a license.

This law authorizes the Department of Labor to investigate alleged violations of this law upon the request of the Director of Consumer Affairs, and to promulgate rules and regulations necessary to carry out these investigations.

This law further authorizes the Suffolk County Office of Consumer Affairs to promulgate such rules and regulations as it deems necessary for the implementation and enforcement of the provisions of this law.

This law shall take effect 120 days after its filing in the Office of the Secretary of State and apply to all applications for licenses and license renewals submitted to the Office of Consumer Affairs on and after the effective date of the law.

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

**GN:mjk**

s:\rule28\28-fair-business-practices

1365

Intro. Res. No. -2008 Laid on Table 4/29/08
Introduced by Legislator Eddington

**RESOLUTION NO. –2008, TO ESTABLISH TRAINING REQUIREMENT POLICY FOR PROBATION OFFICERS IN SUFFOLK COUNTY**

**WHEREAS**, Suffolk County Probation Officers are tasked with duties and responsibilities similar to sworn police officers, deputy sheriffs, and correction officers; and

**WHEREAS**, probation officers are required to complete Peace Officer training in order to carry a weapon; and

**WHEREAS**, due to the volume of caseloads, new probation officers are working in the field without proper training, resulting in a dangerous situation not only for the new probation officer and the officer they are shadowing, but also to the probationer, and the public at-large; and

**WHEREAS**, probation officers are dealing every day with convicted criminals, many of whom pose a danger to society; and

**WHEREAS**, it is imperative that a policy be established whereby probation officers are properly trained within a reasonable timeframe; and

**WHEREAS**, training programs are available in-house and a schedule should be in place to complete this training of probation officers within 120 days of their hiring; now, therefore be it

**1st** **RESOLVED**, that it shall be the policy of Suffolk County to conduct a probation officer's Basic Peace Officer training within 30 days of his or her hiring; and be it further

**2nd** **RESOLVED**, that it shall be the policy of Suffolk County that, within 120 days of the hiring of a probation officer, said officer shall be trained in the following areas:

1.) deadly physical force;
2.) firearms long course;
3.) ASP baton;
4.) Oleoresin Capsicum (O.C.) spray;
5.) defensive tactics;
6.) Handcuffing and arrest/custody procedures; and
7.) Fundamentals of probation

and be it further

**3rd** **RESOLVED**, that the Director of Probation shall promulgate any rules and regulations necessary to implement the provisions of this resolution; and be it further

**4th** **RESOLVED**, that the Director of Probation shall issue a quarterly written report to the Chairman of the Public Safety Committee of the Suffolk County Legislature, the County Executive, and all members of the Suffolk County Legislature as to the status of the training for newly hired probation officers; and be it further

**5th** **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\res\r-probation-officer-training

1366 4/29/08

Intro. Res. No.___-2008 Laid on Table

Introduced by the Presiding Officer on request of County Executive

**RESOLUTION NO. 2008**

**ACCEPTING AND APPROPRIATING 97% FEDERAL FUNDS AWARDED TO THE NEW YORK STATE UNIFIED COURT SYSTEM FOR A CONTRACT WITH THE SUFFOLK COUNTY DEPARTMENT OF PROBATION TO PROVIDE SERVICES TO THE SUFFOLK COUNTY SEX OFFENSE COURT AND SEX OFFENDER MANAGEMENT SYSTEM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE GRANT RELATED AGREEMENTS.**

**WHEREAS,** the New York State Unified Court System-10th Judicial District in Suffolk County has received a Sex Offense Court and Sex Offender Management grant in the amount of $249,862 from the U.S. Department of Justice; and

**WHEREAS,** the Sex Offense Court and Sex Offender Management program is a collaborative initiative between the New York State Unified Court System, The Center for Court Innovation, the Suffolk County District Attorney, Suffolk County Probation Department, and Parent's for Megan's Law; and

**WHEREAS,** the Sex Offense Court and Sex Offender Management program includes greater inter-agency collaboration, victim advocacy and treatment, specialized sex offender assessment, intensive surveillance supervision, sex offender-specific treatment and compliance monitoring; and

**WHEREAS,** due to project start up delays, the U.S. Department of Justice has approved an extension of the initial grant period from June 1, 2006 to May 31, 2008 through May 31, 2009; and

**WHEREAS,** the NYS Unified Court System-10th Judicial District in Suffolk County will provide $77,531.00 of the federal grant funds to the Suffolk County Probation Department for the salary and fringe benefit expenses of a Court Liaison/Probation Officer and for contractual expenses to retain the services of Applied Science Polygraph, Inc., a clinical polygraph expert to provide services under this Sex Offense Court and Sex Offender Management Program; and

**WHEREAS,** the Suffolk County Probation Department Court Liaison/Probation Officer will conduct pre-sentence investigations of the sexual offender population and prepare recommendations to the court, provide victims with appropriate referrals and participate in Sex Offense Court team meetings;

**WHEREAS,** Probation Sex Offender Unit staff will also participate in collaborative efforts to serve as the intermediary between the Probation Department and Sex Offense Court and Sex Offender Management System Steering Committee, develop theoretical and applied models for sex offender management, identify gaps in service or supervision of the sex offender and develop strategies to address these gaps and assist in the research and evaluation of sex offense cases; and

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

**1st RESOLVED,** that the County Executive is authorized to execute any Agreement with the NYS Unified Court System-10th Judicial District in Suffolk County;

and be it further

**2nd RESOLVED,** that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted funds in the amount of $77,531.00 as follows:

| REVENUES | AMOUNT |
|---|---|
| 001- 4089 -Federal Aid: Other | $77,531.00 |

| APPROPRIATIONS | AMOUNT |
|---|---|
| Suffolk County Probation Department<br>Sexual Offender Unit<br>001-PRO-3169 | |
| 1000 Personal Service | $45,571 |
| 1100-Permanent Salaries | $45,571 |
| 4000-Contractual Expenses | $19,200 |
| 4980-XXXX-Contracted Agencies | $19,200 |
| Employee Benefits (EMP)<br>Retirement<br>001-9010 | |
| Employee Benefits | $4,129 |
| 8280-State Retirement | $4,129 |
| Employee Benefits (EMP)<br>Social Security<br>001-9030 | |
| Employee Benefits | $3,486 |
| 8330-Social Security | $3,486 |
| Employee Benefits (EMP)<br>Benefit Fund Contribution<br>001-9080 | |
| Employee Benefits | $1,381 |
| 8380-Benefit Fund Contribution | $1,381 |
| Interfund Transfer (IFT)<br>Transfer to Self Health Insurance<br>001-E039 | |

| | |
|---|---|
| Interfund Transfer | $3,764 |
| 9600-Transfer to Funds | $3,764 |

and be it further

**3rd RESOLVED,** that the following inter-fund revenues for Self Health Insurance be accepted and appropriated as follows:

| REVENUE | Amount |
|---|---|
| 039-IFT-R0001 Transfer from General Fund | $ 3,764 |

ORGANIZATION

Employee Benefits
Self Health Insurance
039-EMP-9060

| | |
|---|---|
| 8000-Employee Benefits | $3,764 |
| 8360-Health Insurance | $3,764 |

and be it further

**4th RESOLVED,** that the following position be and it hereby is created as follows:

| FUND CREATED | JC | SPEC. NO. | POSITION TITLE | GRADE | NO. |
|---|---|---|---|---|---|
| 001-3169-0100 | c-16 | 6511 | Probation Officer | 21 | 1 |

and be it further

**5th RESOLVED,** that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of the individuals filling the positions created by this Resolution at the conclusion of the grant funding provided for such position created by said grant;

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 the Title 6 of the New York Code of Rules and Regulations (6 NYCRR) and within the meaning of Section 8-0109(2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council of Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

**FINANCIAL IMPACT**
**2008 PROPERTY TAX LEVY**
**COST TO THE AVERAGE TAXPAYER**

**GENERAL FUND**

| TOWN | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

**POLICE DISTRICT AND DISTRICT COURT**

| TOWN | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

**COMBINED**

| TOWN | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

NOTES:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.



To be completed by the Executive Budget Office

# STATEMENT OF FINANCIAL IMPACT
# OF PROPOSED SUFFOLK COUNTY LEGISLATION

**1. Type of Legislation**

Resolution__X__ Local Law____ Charter Law____

**2. Title of Proposed Legislation**

Accepting and appropriating 97% Federal funds from the New York State Unified Court System for a contract with the Suffolk County Department of Probation to provide services to the Sex Offense Court and Sex Offender Management program and authorizing the County Executive to execute grant related agreements.

**3. Purpose of Legislation**

To accept and appropriate $77,531.00 of a federal grant funds awarded to the NYS Unified Court System-10th Judicial District-Suffolk County, for salary and fringe benefit expenses of a Court Liaison/Probation Officer and for contractual expenses to retain the services of Applied Science Polygraph, Inc., a clinical polygraph expert to provide services under this Sex Offense Court and Sex Offender Management Program for a period from June 1, 2006 through May 31, 2009 in accordance with the U.S. Department of Justice Grant Contract Award No. 2006-WP-BX-0006.

**4. Will the Proposed Legislation Have a Fiscal Impact?** **Yes___** **No_X___**

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

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

97% grant funds for program expenses; possibly 3% of Health Benefit expenses totaling ($2,715) will be County funded.

**8. Proposed Source of Funding**

Federal Aid Revenue (001-4089) Federal Aid: Other

**9. Timing of Impact** Immediate

| **10. Typed Name & Title of Preparer** | **11. Signature of Preparer** | **12. Date** |
|---|---|---|
| Karlene Maimoni<br>Director of Program Evaluation | Karlene Maimoni | March 27, 2008 |



Theresa Lollo
Principal Financial Analyst 4/16/08

State of New York
UNIFIED COURT SYSTEM
SUFFOLK COUNTY
DISTRICT ADMINISTRATIVE JUDGE'S OFFICE
400 Carleton Avenue
P.O. Box 9080
Central Islip, NY 11722-9080
(631) 853-7518 Fax (631) 853-7521

NOT A COMPLETE COPY OF CONTRACT

ANN PFAU
Chief Administrative Judge

H. PATRICK LEIS III
District Administrative Judge
Suffolk County

HON. JAN H. PLUMADORE
Deputy Chief Administrative Judge
Courts Outside New York City

THOMAS F. LORITO
District Executive

December 21, 2007

Suffolk County Probation Department
Mr. John Desmond
PO Box 188
Yaphank Avenue
Yaphank, NY 11980

Dear Mr. Desmond:

Enclosed is the proposed agreement between the 10th Judicial District/Suffolk County of New York State Unified Court System (UCS) and the Suffolk County Department of Probation for the provision of court liaison and clinical polygraphy services to the Suffolk County Sex Offense Court (SCSOC).

Grant # 2006-WP-BX-0006 was awarded to SCSOC by the United States Department of Justice-Bureau of Justice Assistance (USDOJ-BJA). The grant provides funding that will allow the SCSOC to implement a sex offender management program that includes greater inter-agency collaboration, victim advocacy and treatment, specialized sex offender assessment, intensive surveillance supervision, sex offender-specific treatment and compliance monitoring. The court liaison and polygraphy services to be supplied by the Suffolk County Department of Probation (Probation) through the proposed contract will be an integral part of the sex offender management program.

Probation plays such a critical role in the handling of sex offense cases, particularly after a defendant is convicted of a sex offense, the decision was made to chose a Court Liaison who is also a Probation Officer. The Suffolk County Department of Probation was selected to provide a Court Liaison since it is the sole provider of probationary services in Suffolk County and, in fact, has a Special Offender Unit that has developed expertise in dealing with sex offenders during over 20 years in existence. The Court Liaison/Probation Officer will serve as the primary intermediary between Probation-Special Offender Unit and the SCSOC and report on offender compliance with special conditions. In addition to supplying the Court Liaison, Probation will provide clinical polygraphy examinations of indigent offenders though a subcontract with an expert consultant, Applied Science Polygraph, Inc.

The term of this contract shall be effective from January 1, 2007 to May 31, 2008, with an option to renew for three 12 month periods, subject to the re-appropriation of the USDOJ-BJA grant that supports the program enhancement. The compensation during the term of this agreement shall not exceed $77,531. Of this amount, $58,331 will cover the Court Liaison/Probation Officer's annual salary of $45,571 and fringe benefits of $12,760 (computed at 28% of salary) during the second year of the program. In addition, the contract includes $19,200 to pay the expert consultant hired by Probation to perform clinical polygraphy examinations in indigent offenders in 24 cases (2 cases/month x 12 months x $800/case), also during the second year of the program. The $800 per case fee will cover the cost of an initial sexual history examination and follow-up/monitoring examinations.

Included in the agreement are four (4) signature pages and Attachment I/Notary Public. The same individual must sign in original ink on all signature pages and Attachment I/Notary. Facsimile, typed or stamped signatures are unacceptable. If you could please review the contract, sign and return as soon as possible.

Should you have any questions regarding the contract, please call John McGinn at (631) 853-6242 or via E-mail at jmcginn@courts.state.ny.us.

John McGinn
District Administrative Judge's Office
10th Judicial District/Suffolk County
400 Carleton Avenue
Central Islip, NY 11722

Thank you for your consideration in this matter.

RECEIVED DEC 27 2007

**AGREEMENT**

**BETWEEN THE**

**10th JUDICIAL DISTRICT - SUFFOLK COUNTY**

**OF THE NEW YORK STATE UNIFIED COURT SYSTEM**

**AND**

**THE SUFFOLK COUNTY DEPARTMENT OF PROBATION**

---

**This Agreement,** between the **10TH Judicial District - Suffolk County, 400 Carleton Avenue, Central Islip, NY 11722 ("JD") of the New York State Unified Court System ("UCS") and the Suffolk County Department of Probation, P.O. Box 188, Yaphank Avenue, Yaphank, NY 11980 ("CONTRACTOR"),** is for the provision court liaison and compliance monitoring services to the Suffolk County Sex Offense Court, pursuant to Grant Award Number 2006-WP-BX-0006 made by the United States Department of Justice - Bureau of Justice Assistance to the New York State Unified Court System.

**WHEREAS,** the JD has determined that to develop the most effective possible Sex Offense Court and Sex Offender Management System, it requires the both the services of a Probation Officer/ Supervising Probation Officer/Court Liaison with experience working with sex offenders and a reliable means by which to conduct clinical polygraph examinations of indigent sex offenders; and

**WHEREAS,** the JD has determined that CONTRACTOR has both a staff experts in the surveillance supervision/compliance monitoring of sex offenders on probation and the resources, via a subcontract with an expert consultant, to provide clinical polygraph examinations of probationers; and

**WHEREAS,** the interests of the state will be best served by entering into an Agreement with CONTRACTOR to provide such services to the Suffolk County Sex Offense Court; and

**WHEREAS,** the Grant Application and the Grant Award specified that the Suffolk County Department of Probation would be responsible for providing the services set forth in this Agreement, including its Appendices, and, in a letter dated December 1, 2006, the Office of the State Comptroller approved a Single Source Exemption from giving notice in the New York State Contract reporter of the 10th Judicial District - Suffolk County's intent to enter this Agreement with the Suffolk County Department of Probation;

**NOW, THEREFORE,** for mutual consideration as provided herein, the parties agree as follows:

## I. TERM

When signed by the parties and approved by all necessary government agencies, this Agreement shall be in effect for the period from January 1, 2007 through May 31, 2008 ("Initial Term"), unless renewed or terminated earlier pursuant to its terms.

## II. AMENDMENT; RENEWAL

A. This Agreement may be amended only upon the mutual written agreement of the parties.

B. This Agreement may be renewed upon the mutual written agreement of the parties for up to three terms of up to 12 months each, subject to re-appropriation of the grant providing funding for this agreement, upon the same terms and conditions except compensation, provided that the total period in which this Agreement is in effect shall be no more than five (5) years from the

commencement date set forth in Section I above.

C. As set forth in Section VI(A) below, no such amendment to or renewal of this Agreement shall increase the maximum compensation to Contractor unless an additional grant has been awarded that names Contractor as the provider of the services set forth herein.

D. Any such amendment to or renewal of this Agreement shall be subject to approval by OSC and, where necessary as set forth in Section VI(A) below, shall contain a new budget.

## III. TERMINATION

A. This Agreement may be terminated with or without cause by the JD upon thirty (30) days' written notice to Contractor.

B. In the event that Contractor is a for-profit entity or in the event that this Agreement is not otherwise exempt from the requirements of the Procurement Lobbying Act (New York State Finance Law Section 139-k), the JD shall also have the right to terminate this Agreement upon thirty (30) days prior written notice to Contractor if it is found that Contractor's certification regarding its disclosure of prior determinations of non-responsibility, as required by the Procurement Lobbying Act, was intentionally false or intentionally incomplete.

C. This Agreement may be terminated by Contractor with cause upon sixty (60) days written notice to the JD.

D. In the event of termination of this Agreement by either party, the JD shall be liable to Contractor only for the services actually provided by Contractor up to and including the effective date of termination.

## IV. GRANT APPLICATION AND AWARD

Grant Application Number 2006-F0565-NY-WP, dated December 29, 2005, made by the New York State Unified Court System to the United States Department of Justice - Bureau of Justice Assistance, and the resulting Grant Award Number 2006-WP-BX-0006, dated July 18, 2006, made by the United States Department of Justice - Bureau of Justice Assistance to the New York State Unified Court System, both of which named Contractor as the provider of the services set forth in this Agreement, are attached hereto and made a part hereof as Appendix B to the Agreement.

## V. SCOPE OF SERVICES

A. Pursuant to this Agreement, Contractor shall provide the services set forth herein and in Appendices B and C hereto. Appendix C, which is attached hereto and made a part hereof, contains a description of the services to be provided by Contractor, the schedule for the provision of these services by Contractor, the performance criteria pursuant to which the provision of services by Contractor shall be evaluated, and the compensation due Contractor for the provision of these services.

B. It is expressly understood and agreed by Contractor that any and all of the services specified in this Agreement shall be provided only at the direction of the Court. The Presiding Judge of each case shall have sole discretion with respect to all matters relating to the provision of services by Contractor and to the disposition of any matter before the Court.

## VI. COMPENSATION

A. The maximum compensation payable to Contractor for the services described in this Agreement for the Initial Term of this Agreement shall not exceed $ 77,531. As set forth in Section

II( C) above, the compensation to Contractor made pursuant to an amendment or during a Renewal Term may not exceed the total maximum compensation already authorized for the Initial Term of the Agreement and all prior Renewal Terms, if any, unless an additional grant has been awarded that names Contractor as the provider of services during the term of the amendment or during the Renewal Term.

B. The budget for the Initial Term of the Agreement is set forth in Appendix D to this Agreement, which is attached hereto and made a part hereof. In the event that additional compensation becomes available at any time during the term of this Agreement, a new budget shall be prepared that shall replace or supplement the budget now set forth in Appendix D. This new budget shall be incorporated into this Agreement as a revised Appendix D pursuant to the amendment or renewal document entered into by the parties in accordance with Section II above.

C. Throughout the term of this Agreement, Contractor shall be reimbursed only for services actually performed in accordance with this Agreement and with Appendices B, C and D. Except as otherwise provided in Paragraph D below, payments shall be made in arrears on a quarterly basis and shall be processed upon submission by Contractor and approval by the JD of appropriate statements and vouchers in a format approved by the JD and OSC.

D. To the extent permitted by law and regulation, thirty (30) days prior to the beginning of the first quarter of each 12-month period in which this Agreement is in effect, including any Renewal Term, and provided that Contractor is a registered not-for-profit organization ("NFP"), Contractor may submit to the JD a request for a single advance payment of up to twenty-five percent (25%) of the annual maximum compensation by the JD for that 12-month period. All other payments made during that 12-month period shall be made in accordance with Paragraph C above. The advance payment described in this Paragraph D may be made at the discretion of the JD only

upon submission by Contractor of an appropriate voucher with sufficient supporting documentation in a format acceptable to the JD and OSC.

E. After every three (3) months of each 12-month period in which this Agreement is in effect, Contractor shall submit to the JD an expenditure voucher detailing the approved actual costs incurred pursuant to this Agreement during the immediately preceding three (3) month period. These expenditure vouchers shall be submitted by Contractor to the JD no later than thirty (30) days after the close of each three (3) month period commencing on the effective date of the Agreement, as set forth in Section I above. Following review and approval of Contractor's three (3) month expenditure voucher, the JD shall submit a voucher to OSC for payment to Contractor based on the approved expenses.

F. For those NFP Contractors receiving an advance payment pursuant to Paragraph D above, for the first, second and third quarters of each 12-month period, payment to Contractor shall be limited to the lesser of the following:

(i) the actual expenses incurred and approved for payment during that quarter of the year; or

(ii) twenty-five percent (25%) of the approved annual budget.

G. Within forty-five (45) days of the conclusion of each 12-month period in which this Agreement is in effect, Contractor shall submit to the JD a final reconciliation statement for the prior twelve (12) month period detailing the actual final expenses to be charged to the Agreement. If, upon review and approval of such final reconciliation statement, Contractor has expended less than the amount paid by the JD for that 12-month period, Contractor shall, within thirty (30) days, submit a check to the JD covering the difference. If Contractor's approved expenditures for said twelve (12) month period have exceeded the payments already made by the JD to Contractor, the JD shall

reimburse Contractor for the difference by submitting another voucher to OSC for payment to Contractor. Nothing contained herein shall increase the maximum amount payable to Contractor as set forth in Paragraph A above or as established by the JD pursuant to an amendment to this Agreement or for any Renewal Term of the Agreement.

H. No funds provided to Contractor by the JD pursuant to this Agreement may be used for any partisan political activity or for any activities that may influence legislation or the election or defeat of any candidate for public office or for the advancement or defeat of any ideological, political or social issue.

I. The amounts reimbursed to Contractor by the JD for services provided pursuant to this Agreement shall not duplicate any payments received by Contractor from outside, non-JD sources. In the event such duplicate funds are received by Contractor for services provided pursuant to this Agreement, the funds actually provided by the JD shall be returned to the JD by Contractor.

J. Contractor shall submit a final program report to the JD at the same time as it submits the final fiscal report required by Paragraph G above.

K. In addition to the fiscal and program reporting requirements set forth in this Section VI, Contractor shall submit such other oral and written reports concerning its provision of services as are set forth herein and in Appendices B and C and as may be required from time to time by the JD.

L. At its discretion, UCS and the JD shall have the right to conduct on-site inspections and to otherwise monitor the provision of services by Contractor, as well as the offices of Contractor. Contractor agrees to cooperate fully with all such inspections and monitoring.

## VII. CONFIDENTIALITY

In addition to the confidentiality requirements, if any, contained in Appendix B, Contractor acknowledges that any and all information, records, files, documents or reports contained in any media format (e.g., print, electronic) provided to Contractor by the Court or otherwise encountered by Contractor in the provision of services pursuant to this Agreement shall be considered extremely confidential and shall be handled accordingly at all times. Neither Contractor nor any of its employees, servants, subcontractors, agents or volunteers shall at any time be permitted to utilize any such confidential information for any purpose outside the scope of this Agreement without the express prior written authorization of the JD. Contractor shall educate, monitor and be responsible for its employees, servants, subcontractors, agents and volunteers providing services for Contractor pursuant to this Agreement concerning these confidentiality requirements. Any breach of the confidentiality requirements set forth in this Section or in Appendix B by Contractor or by any of its employees, servants, subcontractors, agents, or volunteers may result in the immediate termination of this Agreement by the JD and may subject Contractor to further penalties.

## VIII. REPORTING; RECORD KEEPING; MONITORING; AUDITS

A. In addition to the fiscal reporting requirements set forth in Section VI above, Contractor shall submit such other oral and written reports concerning its provision of services as are set forth herein and in Appendices B and C and as may be required from time to time by the JD.

B. Contractor shall submit a final program report to the JD at the same time as it submits the final fiscal report required by Section VI(G) above.

C. At its discretion, UCS and the JD shall have the right to conduct on-site inspections and to otherwise monitor the provision of services by Contractor, as well as the offices of Contractor.

Contractor agrees to cooperate fully with all such inspections and monitoring.

D. Contractor shall be required to retain all financial records pertaining to this Agreement for a period of six (6) years after the termination of the Agreement.

E. The JD, UCS, OSC, the state and any other governmental entity providing funding to Contractor for the provision of services pursuant to this Agreement shall have the right to perform both pre- and post-audits of Contractor's records relating to the receipt and expenditure of any funds provided pursuant to this Agreement.

F. In accordance with federal requirements, if Contractor is a sub-grantee who will be receiving more than $25,000.00 of federal pass-through funds pursuant to this Agreement and to any other sources, Contractor agrees to have an independent audit of such funds conducted in accordance with the Federal Office of Management & Budget ("OMB") Circulars A-128 (audits of state and local governments) or A-133 (audits of institutions of higher education & other non-profit institutions), as appropriate, and to provide one (1) copy of the applicable audit report to the JD within thirty (30) days following its completion.

## IX. INDEPENDENT CONTRACTOR

It is expressly understood and agreed that Contractor's status hereunder is that of an independent contractor and that no official, employee, servant, subcontractor, agent or volunteer of Contractor is an employee of the JD, UCS or the State of New York. Contractor is solely responsible for the work, compensation, benefits and personal conduct of all such persons assigned to the provision of services pursuant to this Agreement. Nothing contained in this Section or in any other provision of this Agreement shall be construed to impose any liability or duty on the JD, UCS or the State of New York to persons, firms, consultants or corporations employed or engaged or otherwise

utilized by the Contractor, either directly or indirectly, in any capacity whatsoever, nor shall the JD, UCS or the State of New York be liable for any acts, omissions, liabilities, obligations and taxes of any nature, including unemployment insurance and workers' compensation, of Contractor or any of its officials, employees, servants, subcontractors, agents or volunteers.

## X. ASSIGNMENT

The rights and obligations of Contractor under this Agreement may not be assigned, conveyed, transferred or subcontracted by Contractor without the prior written authorization of the JD.

## XI. NOTICES

All notices and communications made pursuant to this Agreement shall be in writing and shall be delivered to the addresses set forth below or to such other addresses as the parties may from time to time provide to each other. All notices shall be deemed received on the fifth (5th) business day after mailing or upon delivery, if delivered by hand.

Notification to JD:
10th Judicial District - Suffolk County
400 Carleton Avenue
Central Islip, NY 11722

Notification to Contractor:
Suffolk County Department of Probation
P.O. Box 188
Yaphank Avenue
Yaphank, NY 11980

## XII. TITLE TO EQUIPMENT

A. Throughout the term of this Agreement and any renewals thereto, Contractor shall

retain title to and possession of any furniture, computers and other equipment ("Purchased Equipment") that may be purchased by Contractor with funds provided by the JD.

B. Upon expiration or termination of this Agreement in accordance with its terms:

1. Contractor shall submit a final inventory of all such Purchased Equipment to UCS, which inventory shall conform to the requirements of the New York State Judiciary Financial Planning and Control Manual, no later than ten (10) business days after the effective date of expiration or termination.

2. Title to all Purchased Equipment purchased less than five (5) years prior to the effective date of expiration or termination shall be automatically transferred to the JD, unless the JD exempts a specific item of Purchased Equipment and provides written notification thereof to Contractor.

3. Contractor shall transfer non-exempt Purchased Equipment to the JD at the time and in a manner determined by UCS.

4. Contractor may retain title to and possession of all Purchased Equipment purchased at least five (5) years prior to the effective date of expiration or termination.

## XIII. MISCELLANEOUS PROVISIONS

A. This Agreement, including all its appendices, constitutes the entire agreement between the parties and supersedes all other communications between the parties relating to the subject matter herein.

B. New York State Unified Court System Appendix A (revised August 2007), containing standard terms for New York State contracts, is attached hereto and made a part hereof.

C. In the event of any conflict between the terms of this Agreement and the terms of

its Appendices, the following order of precedence shall prevail:

Appendix A;

Agreement - Sections I to XIII;

Appendix D;

Appendix B; and

Appendix C.

D. This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

E. If any part of this Agreement is found to be unenforceable for any reason, that part shall be deemed to be deleted and all other terms, conditions and provisions of this Agreement shall remain in full force and effect.

F. The obligations of the JD under this Agreement shall be limited to the extent that monies are appropriated or otherwise lawfully available therefor.

G. The captions contained in this Agreement are intended for convenience and reference purposes only and shall in no way be deemed to define, limit or describe the scope or intent of this Agreement, or any provision thereof, or in any way affect this Agreement.

H. In the event that any one or more of the provisions of this Agreement shall for any reason be declared unenforceable under the laws or regulations in force, such provision will not have any effect on the validity of the remainder of this Agreement, which shall then be construed as if such unenforceable provision had never been written or was never contained in this Agreement.

I. Neither party will be liable for losses, defaults, or damages under this Agreement which result from delays in performing, or inability to perform, all or any of the obligations or responsibilities imposed upon it pursuant to the terms and conditions of this Agreement, due to or

because of acts of God, the public enemy, acts of government, earthquakes, floods, strikes, typhoons, civil strife, fire or any other cause beyond the reasonable control of the party that was so delayed in performing or so unable to perform, provided that such party was not negligent and shall have used reasonable efforts to avoid and overcome such cause. Such party will resume full performance of such obligations and responsibilities promptly upon removal of any such cause.

# RIDER

**Suffolk County Indemnification Clause:**

The State and Contractor agree that Contractor is an independent contractor, and not an employee of the State. If the Contractor enters into subcontracts for the performance of work pursuant to this Agreement, the Contractor shall be solely responsible to the State for performance, whether the work is performed by the Contractor or its subcontractors. Nothing in the subcontract shall impair the rights of the State under this Agreement. No contractual relationship shall be deemed to exist between any subcontractor and the State. Nothing in this Agreement shall impair any right of contribution or indemnification that the Contractor may have against any subcontractor or other third party. To the extent permitted by law, the Contractor shall defend, indemnify and hold harmless the State and federal funding agency, and their respective officers, agents and employees from and against all claims, costs (including reasonable attorney's fees), judgments, liens, encumbrances, losses and liabilities arising out of the intentional acts (within the scope of the employee's duties) or negligent acts or omissions of the Contractor relating to or in any way arising out of the provision of services pursuant to this Agreement.

SC Law. No.: _____

## SIGNATURE PAGE

CONTRACT NUMBER_____

Agency Certification

In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract.

FOR: 10th Judicial District

Suffolk County
New York State
Unified Court System

**SIGNATURE:**_____

NAME: THOMAS F. LORITO

TITLE: DISTRICT EXECUTIVE

DATED:_____

**ATTORNEY GENERAL'S**

**COMPTROLLER'S**

FOR: County of Suffolk

**SIGNATURE:**_____

NAME: _____

TITLE: Deputy County Executive

DATED:_____

APPROVED:
Department of Probation

By: _____
John K. Desmond
Director of Probation

DATED:_____

APPROVED AS TO LEGALITY:

Christine Malafi
Suffolk County Attorney

By: _____
Jacqueline Caputi
Assistant County Attorney

DATED:_____

**Additional back-up material regarding I.R. 1366 is on file in the Legislative Clerk's Office.**

1367

Intro. Res. No. - 2008 Laid on the Table 4/29/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. – 2008, AMENDING THE 2008 ADOPTED OPERATING BUDGET TO REALLOCATE FUNDING WITHIN THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES, DIVISION OF PATIENT CARE SERVICES FOR THE PATIENT NAVIGATOR PROGRAM**

**WHEREAS**, the New York State Department of Health (NYSDOH) Cancer Services Program has reassigned its contract for the Healthy Women Partnership (HWP) of Suffolk County, which includes the Patient Navigator Program, to both the Peconic Bay Medical Center and Good Samaritan Hospital; and

**WHEREAS**, the Suffolk County Department of Health Services, Division of Patient Care Services has an executed contract with the Peconic Bay Medical Center for patient navigation services to clients screened through the Healthy Women Partnership Program at County Health Centers; and

**WHEREAS**, this contract is authorized through December 31, 2008; and

**WHEREAS**, this patient navigation service is an essential component for the success of the Healthy Women Partnership of Suffolk County; and

**WHEREAS**, this program provides Suffolk County Health Center clients with breast, cervical and colorectal cancer screening and diagnostic options; and

**WHEREAS**, the Peconic Bay Medical Center was the sole provider of services from 1/1/08-3/31/08; and

**WHEREAS**, as of 4/1/08 Good Samaritan Hospital will also be a provider under this program; and

**WHEREAS**, all the funds for this program were included in the 2008 Adopted Operating Budget under Peconic Bay Medical Center and funds need to be transferred to Good Samaritan Hospital; now, therefore be it

**1st RESOLVED**, that the Suffolk County 2008 Adopted Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to reallocate $46,638 of funding as follows:

FROM:

Department of Health Services
Division of Patient Care Services
001-HSV-4100-4980

| XORG | OBJECT NAME | 2008 Adopted Budget | Increase/ Decrease | 2008 Modified Budget |
|---|---|---|---|---|
| JAL1 | Peconic Bay Medical Center | $110,989 | -$46,638 | $64,351 |

TO:

Department of Health Services
Division of Patient Care Services
001-HSV-4100-4980

| XORG | OBJECT NAME | 2008 Adopted Budget | Increase/ Decrease | 2008 Modified Budget |
|---|---|---|---|---|
| XXXX | Good Samaritan Hospital | $0 | +$46,638 | $46,638 |

and be it further;

**2nd RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with Good Samaritan Hospital and Peconic Bay Medical Center; and be it further

**3rd RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

HSV # 15-2008

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

1367

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

Amending the 2008 Adopted Operating Budget to reallocate funding within the Suffolk County Department of Health Services, Division of Patient Care Services for the Patient Navigator Program.

3. Purpose of Proposed Legislation

The New York State Department of Health (NYSDOH) Cancer Services Program has reassigned its contract for the Healthy Women Partnership (HWP) of Suffolk County, which includes the Patient Navigator Program, to both the Peconic Bay Medical Center and Good Samaritan Hospital. The Patient Navigator Program assists clients with breast, cervical and colorectal cancer screening.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

Not applicable

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

None

8. Proposed Source of Funding

001-HSV-4100-4980 (JAL1) Peconic Bay Medical Center

9. Timing of Impact

2008

| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| ***Diane E. Weyer*** ***Principal Financial Analyst*** Beth A. Reynolds Principal Exec. Analyst | Diane Weyer Beth Reynolds | 3/28/08 4/21/08 |

SCIN FORM 175b (10/95)

# COUNTY OF SUFFOLK

1367

**STEVE LEVY**
SUFFOLK COUNTY EXECUTIVE

**DEPARTMENT OF HEALTH SERVICES**

**HUMAYUN J. CHAUDHRY, D.O., M.S.**
Commissioner

# MEMORANDUM

**To:** Humayun J. Chaudhry, D.O., M.S.
Commissioner Department of Health Services

**From:** Shaheda Iftikhar, MD SI
Acting Division Director, Patient Care Services

**Date:** March 21, 2008

**Subject:** **Request for Introcuctory Resolution Amending the 2008 Adopted Budget to Transfer $46,638 of non-Omni money from the Department of Health Services – Peconic Bay Medical Center (Pseudo Code JAL1) to Good Samaritan Hospital (4100-4980)**

---

The New York State Department of Health notified the County on March 13th, 2008 that they would now be running their Breast Program Partnership out of both Peconic Bay Medical Center and Good Samaritan Hospital.

The original intent was to reimburse Peconic Bay Medical Center with 100% of the funds from Pseudo Code JAL1 (4100-4980 - $110,989). However, with this new information, Patient Care will now be using the two Patient Navigators listed in the budget at each location. Since $17,712 is the expense for one navigator at Peconic through March of 2008, that leaves $93,277 left for the two navigators. We request that $46,638 of this Pseudo Code be transferred to Good Samaritan Hospital, 4100-4980.

Thank you.

Shaheda Iftikhar

cc: F. Gentleman, E. Kitz, L. Wright, D. Weyer, D. Murphy

Public Health
Prevent. Promote. Protect.
DIVISION OF PATIENT CARE SERVICES
225 Rabro Drive East, Hauppauge, NY 11788 (631) 853-3013 Fax (631) 853-3031

STATE OF NEW YORK
DEPARTMENT OF HEALTH

1367

Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Richard F. Daines, M.D.
*Commissioner*

Wendy E. Saunders
*Chief of Staff*

March 6, 2008

Andrew Mitchell
President and Chief Executive Officer
Central Suffolk Hospital, D/B/A Peconic Bay Medical Center
1300 Roanoke Avenue
Riverhead, NY 11901

Dear Mr. Mitchell:

Congratulations! Your application for funding for the *Integrated Cancer Services Program Breast, Cervical and Colorectal Cancer Screening Partnerships (CSP Partnerships)* (FAU # 0707301113) has been selected for award by the New York State Department of Health, contingent on available funds.

The award will result in two separate contracts, one for infrastructure and the other for reimbursable clinical services. The initial infrastructure contract will be for the period of 4/1/08 – 3/31/09, valued at $310,000.00, renewable annually for up to five years. The reimbursable clinical services contract will be for a five year period, 4/1/08-3/31/13. Reimbursements under this contract will be based on the CSP fee schedule.

In order to develop the contracts, the Regional Manager will work with you to review and develop needed modifications to the work plan, budget and budget justification for the 4/1/08 – 3/31/09 program year. The revised work plans and budgets will need to be completed and returned to your Regional Manager via email no later than March 21, 2008. Please note that final approvals of work plans, budgets and subsequent awards and contracts will be effective only upon approval by the New York Office of the State Comptroller.

We look forward to working with you on the implementation of this program. Please contact me at (518) 474-1222 if you have any questions.

Sincerely,

Sheri L. Scavone

Sheri L. Scavone, P.T., E.H.S.A., Cert. Palliative Care
Director
Cancer Services Program

cc: T. Justin
File
M. O'Connor

# STATE OF NEW YORK
# DEPARTMENT OF HEALTH

1367

Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Richard F. Daines, M.D.
*Commissioner*

Wendy E. Saunders
*Chief of Staff*

March 6, 2008

Charles Bove
CAO
Good Samaritan Hospital Medical Center
1000 Montauk Highway
West Islip, NY 11795

Dear Mr. Bove:

Congratulations! Your application for funding for the *Integrated Cancer Services Program Breast, Cervical and Colorectal Cancer Screening Partnerships (CSP Partnerships)* (FAU # 0707301113) has been selected for award by the New York State Department of Health, contingent on available funds.

The award will result in two separate contracts, one for infrastructure and the other for reimbursable clinical services. The initial infrastructure contract will be for the period of 4/1/08 – 3/31/09, valued at $310,000.00, renewable annually for up to five years. The reimbursable clinical services contract will be for a five year period, 4/1/08-3/31/13. Reimbursements under this contract will be based on the CSP fee schedule.

In order to develop the contracts, the Regional Manager will work with you to review and develop needed modifications to the work plan, budget and budget justification for the 4/1/08 – 3/31/09 program year. The revised work plans and budgets will need to be completed and returned to your Regional Manager via email no later than March 21, 2008. Please note that final approvals of work plans, budgets and subsequent awards and contracts will be effective only upon approval by the New York Office of the State Comptroller.

We look forward to working with you on the implementation of this program. Please contact me at (518) 474-1222 if you have any questions.

Sincerely,

Sheri L. Scavone

Sheri L. Scavone, P.T., E.H.S.A., Cert. Palliative Care
Director
Cancer Services Program

cc: T. Justin
File
B. Flett, RN

# COUNTY OF SUFFOLK

1367

**STEVE LEVY**
SUFFOLK COUNTY EXECUTIVE

**DEPARTMENT OF HEALTH SERVICES**

**HUMAYUN J. CHAUDHRY, D.O., M.S.**
Commissioner

March 28, 2008

Ben Zwirn, Deputy County Executive
Office of the County Executive, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution to amend the 2008 Adopted Operating Budget to reallocate funding within the Suffolk County Department of Health Services, Division of Patient Care Services for the Patient Navigator Program. The New York State Department of Health has reassigned its contract for the Healthy Women Partnership (HWP) of Suffolk County, which includes the Patient Navigator Program, to both the Peconic Bay Medical Center and Good Samaritan Hospital. All funds in the 2008 Operating Budget for the Patient Navigator Program were included under the Peconic Bay Medical Center (JAL1) and funds need to be transferred to Good Samaritan Hospital.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Dr. Shadeda Iftikhar at 3-3013. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is Reso-HSV-Patient Navigator Prgm.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
Shaheda Iftikhar, M.D., Physician III
Carolyn Kagan, Principal Contracts Examiner
Glenn Terry, Auditor
Diane E. Weyer, Principal Financial Analyst

**FINANCIAL IMPACT**
**2008 PROPERTY TAX LEVY**
**COST TO THE AVERAGE TAXPAYER**

1367

**GENERAL FUND**

| | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

**POLICE DISTRICT AND DISTRICT COURT**

| | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

**COMBINED**

| | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.



To be completed by the Executive Budget Office

1367

Intro. Res. No. - 2008 Laid on the Table 4/29/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. – 2008, AMENDING THE 2008 ADOPTED OPERATING BUDGET TO REALLOCATE FUNDING WITHIN THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES, DIVISION OF PATIENT CARE SERVICES FOR THE PATIENT NAVIGATOR PROGRAM**

**WHEREAS**, the New York State Department of Health (NYSDOH) Cancer Services Program has reassigned its contract for the Healthy Women Partnership (HWP) of Suffolk County, which includes the Patient Navigator Program, to both the Peconic Bay Medical Center and Good Samaritan Hospital; and

**WHEREAS**, the Suffolk County Department of Health Services, Division of Patient Care Services has an executed contract with the Peconic Bay Medical Center for patient navigation services to clients screened through the Healthy Women Partnership Program at County Health Centers; and

**WHEREAS**, this contract is authorized through December 31, 2008; and

**WHEREAS**, this patient navigation service is an essential component for the success of the Healthy Women Partnership of Suffolk County; and

**WHEREAS**, this program provides Suffolk County Health Center clients with breast, cervical and colorectal cancer screening and diagnostic options; and

**WHEREAS**, the Peconic Bay Medical Center was the sole provider of services from 1/1/08-3/31/08; and

**WHEREAS**, as of 4/1/08 Good Samaritan Hospital will also be a provider under this program; and

**WHEREAS**, all the funds for this program were included in the 2008 Adopted Operating Budget under Peconic Bay Medical Center and funds need to be transferred to Good Samaritan Hospital; now, therefore be it

**1st RESOLVED**, that the Suffolk County 2008 Adopted Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to reallocate $46,638 of funding as follows:

FROM:

Department of Health Services
Division of Patient Care Services
001-HSV-4100-4980

| XORG | OBJECT NAME | 2008 Adopted Budget | Increase/ Decrease | 2008 Modified Budget |
|---|---|---|---|---|
| JAL1 | Peconic Bay Medical Center | $110,989 | -$46,638 | $64,351 |

TO:

Department of Health Services
Division of Patient Care Services
001-HSV-4100-4980

| XORG | OBJECT NAME | 2008 Adopted Budget | Increase/ Decrease | 2008 Modified Budget |
|---|---|---|---|---|
| XXXX | Good Samaritan Hospital | $0 | +$46,638 | $46,638 |

and be it further;

**2nd RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with Good Samaritan Hospital and Peconic Bay Medical Center; and be it further

**3rd RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

HSV # 15-2008

1368

Intro. Res. No. - 2008 Laid on the Table 4/29/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2008, ACCEPTING AND APPROPRIATING 100% ADDITIONAL FEDERAL GRANT FUNDS PASSED THROUGH THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE FAMILY PLANNING PROGRAM**

**WHEREAS,** the New York State Department of Health Services has awarded 100% additional Federal grant funds to the Department of Health Services, Division of Patient Care Services for the Family Planning Program in the amount of $1,496,322 for the period 01/01/08-12/31/08; and

**WHEREAS,** this grant funding provides family planning and reproductive health services to Suffolk County residents; and

**WHEREAS,** this 100% additional Federal Aid in the amount of $131,310 needs to be appropriated for the existing Family Planning Program administered by Suffolk County Division of Patient Care Services; and

**WHEREAS**, these additional funds were not included in the 2008 Suffolk County Operating Budget; and

**WHEREAS**, these additional funds are 100% Federal funded; now therefore, be it

**1ST RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate $131,310 in additional grant funds as follows:

REVENUES

| | |
|---|---|
| 001-4435 Family & Health Planning Svc | $131,310 |

APPROPRIATIONS

Department of Health Services (HSV)
Division of Patient Care Services
Family Planning Program
001-HSV-4135

| | |
|---|---|
| Equipment | $22,560 |
| 2010 Furniture | $2,537 |
| 2020 Office Machines | $13,413 |
| 2080 Medical, Dental, Lab Equip | $5,310 |
| 2440 Instructional Equipment | $1,300 |
| Supplies, Materials & Other | $103,372 |
| 3010 Office Supplies | $1,554 |

| | |
|---|---|
| 3070 Memberships and Subscriptions | $607 |
| 3100 Instructional Supplies | $39,352 |
| 3160 Computer Software | $9,793 |
| 3370 Medical, Dental & Laboratory Supplies | $52,066 |
| | |
| Travel | $5,378 |
| 4330 Travel: Employee Contracts | $158 |
| 4340 Travel: Other | $2,100 |
| 4360 Employee Training Travel | $3,120 |

and be it further

**2nd RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV # 18-2008

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

1368

1. Type of Legislation

Resolution X  Local Law ____  Charter Law ____

2. Title of Proposed Legislation

Accepting and Appropriating 100% additional Federal grant funds passed through the New York State Department of Health to the Suffolk County Department of Health Services for the Family Planning Program.

3. Purpose of Proposed Legislation

The grant funding provides family planning and reproductive health services to Suffolk County residents.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

Not applicable

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

None

8. Proposed Source of Funding

100% Federal grant funds passed through the New York State Department of Health

9. Timing of Impact

2008

| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| ***Diane E. Weyer***<br>***Principal Financial Analyst***<br>Beth A. Reynolds<br>Princ. Fin. Analyst | Diane E. Weyer<br>Beth A. Reynolds | 4/9/08<br>4/21/08 |

SCIN FORM 175b (10/95)

1368

# interoffice
MEMORANDUM

**to:** Liza Wright
**from:** Carolyn Kagan
**subject:** Request for Resolution
**date:** April 8, 2008

Family Planning Program
Budget Period 01/01/08 - 12/31/08
001-4135
Revenue Code 4435

Please write a resolution to accept and appropriate 100.0% Federal grant funds passed through New York State Department of Health for the above mentioned program. The state grant award is $1,496,322 for the budget period of 01/01/08 – 12/31/08. $1,153,761 of the grant award is for personal services which is already included in the county's 2008 General Fund budget. The county's 2008 budget also has $211,251 available for OTPS expenses; however the OTPS portion of the approved grant budget is $342,561. Therefore $131,310 needs to be appropriated for full utilization of the grant funds. The appropriations are as follows:

| | |
|---|---|
| | 131,310 |
| EQUIPMENT | 22,560 |
| 2010 Furniture | 2,537 |
| 2020 Office Machines | 13,413 |
| 2080 Medical, Dental, Lab Equip | 5,310 |
| 2440 Instructional Equipment | 1,300 |
| SUPPLIES, MATERIALS & OTHER | 103,372 |
| 3010 Office Supplies | 1,554 |
| 3070 Memberships/Subscriptions | 607 |
| 3100 Instructional Supplies | 39,352 |
| 3160 Computer Software | 9,793 |
| 3370 Medical, Dental & Lab Supplies | 52,066 |
| TRAVEL: | 5,378 |
| 4330 Travel Employee Contracts | 158 |
| 4340 Travel Other Contracts | 2,100 |
| 4360 Travel/Training Travel | 3,120 |

Thank you for your help. Backup is attached.

1368

| COORDINATION OF GRANT APPLICATION OR CONTRACT<br>County of Suffolk | | DATE April 8, 2008 |
|---|---|---|
| Submitting Department/Agency<br>Department of Health Services | Location 225 Rabro Drive East, Hauppauge, NY 11788 | |
| Contact Person In Department/Agency<br>Carolyn Kagan | Telephone Number<br>852-2814 | Grant Application Due Date |

*Instructions:* Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 ½" X 11" sheet cross referenced to the item.

## *I. BACKGROUND INFORMATION*

1. Grant Title
   FAMILY PLANNING

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)
   TITLE X

3. Grant/Contract Status (Check One Box)

   ___ A. New Program Application

   _X_ B. Renewal Application

   ___ C. Supplemental (Specify) _____

   ___ D. Extension of Funding Period

   ___ E. Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)

   This program provides Family Planning and reproductive health services to Suffolk County residents.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

   NONE

## *II. BUDGET INFORMATION*

1. Term of Contract From: 01 /01/08 To: 12 /31 /08
6

2. Financial Assistance Requested

| *SOURCE* | *FIRST FUNDING CYCLE* | | *SECOND FUNDING CYCLE* | | *THIRD FUNDING CYCLE* | |
|---|---|---|---|---|---|---|
| | **Amount** | **Percent** | **Amount** | **Percent** | **Amount** | **Percent** |
| **Revenues** | $ 1,456,566 | 32.4 % | $ | % | $ | % |
| **Federal** | $ 1,496,322 | 33.2 % | $ | % | $ | % |
| **Private** | $ | % | $ | % | $ | % |
| **County** | $ 1,550,379 | 34.4 % | $ | % | $ | % |
| **Total** | $ 4,503,267 | 100.0 % | $ | % | $ | % |

1368

3. Explanation of Requested County Financial Assistance

| *Category* | *Total Requested* | *Personnel Costs Requested* | *Non-Personnel Costs Requested* |
|---|---|---|---|
| TOTAL COUNTY SHARE: | $ 1,550,379 | $ 920,442 | $ 629,937 |
| A. Cash Contribution | $ 0 | $ 0 | $ 0 |
| B. In-Kind Contribution | $ 1,550,379 | $ 920,442 | $ 629,937 |

4. Total Number of New Positions Requested
NONE

5. Can This Program Be Refunded by the Proposed Non-County Sources?

X YES NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

NONE

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinued (That is, program termination, reduced services, financial implications, layoffs, etc.)?

This program is eligible for 36% state aid reimbursement.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).

## *III. COUNTY EXECUTIVE'S OFFICE REVIEW*

| 1. Intergovernmental Relations Division Review: | Approved / Disapproved | 2. Signature of Coordinator | 3. Date |
|---|---|---|---|

4. Comments

| 5. Budget Office Review: | Approved / Disapproved | 6. Signature of Budget Director | 7. Date |
|---|---|---|---|

8. Comments

# GRANT BUDGET ANALYSIS COUNTY BUDGET YEAR 2008 PAGE 1 OF 3

| *Category* | *Appropriation Number Grantor Funds* | *Appropriation Number Revenues* | *Appropriation Number In-Kind Contribution* | *Remarks* |
|---|---|---|---|---|
| PERSONAL SERVICES:<br>1100 Permanent Salaries<br>1110 Interim Salaries<br>1130 Temp Salaries | 791,223<br>791,223 | 802,471<br>802,471 | 631,218<br>631,218 | See attached list |
| EQUIPMENT:<br>2010 Furniture<br>2020 Office Machines<br>2080 Medical, Dental, Lab Equip<br>2440 Instructional Equipment<br>2500 Other Equipment | 27,176<br>5,662<br>14,013<br>6,201<br>1,300 | | | |
| SUPPLIES, MATERIALS & OTHER:<br>3010 Office Supplies<br>3020 Postage<br>3030 Photostat,Photograph,Blueprint<br>3040 Printing<br>3070 Memberships/Subscriptions<br>3100 Instructional Supplies<br>3160 Computer software<br>3370 Medical,Dental & Lab | 295,065<br>2,054<br><br><br><br>607<br>59,253<br>9,793<br>223,358 | | 480,537<br><br><br><br><br><br><br>480,537 | |
| UTILITIES:<br>4010 Telephone & Telegraph | | | 12,349<br>12,349 | |
| TRAVEL:<br>4330 Travel Employee Contracts<br>4340 Travel Other Contracts<br>4360 Travel/Training Travel | 20,320<br>10,100<br>7,100<br>3,120 | | 10,412<br>10,412 | |

| *Category* | *Appropriation Number Grantor Funds* | *Appropriation Number Revenues* | *Appropriation Number In-Kind Contribution* | *Remarks* |
|---|---|---|---|---|
| FEES FOR SERVICES<br>4560 Fees for Services, Non-Employees 368 | | | 19,867 | |
| CONTRACTED SERVICES (List)<br>4980 Contract Agencies<br>Sunrise Labs | | 286,403<br><br>286,403 | | |
| EMPLOYEE BENEFITS:<br>8280 Retirement<br>8300 Insurance: Worker's Compensation<br>8330 Social Security<br>8360 Health Insurance<br>8380 Dental Insurance | 362,538 | 367,692 | 289,224 | |
| OTHER (List Source & Brief Explanation)<br><br>MILOR | | | 106,772 | |

I certify that the above in-kind contributions are not currently being used to support other Grants. _____

*Signature of Project Director*

# DETAIL LISTING OF PERSONAL SERVICES



| | | | | SOURCE OF FUNDING BY % | | | |
|---|---|---|---|---|---|---|---|
| *TITLE OF POSITION* | *GRADE/ STEP* | *SALARY* | *EMPLOYEE NAME* | *GRANTOR* | *REVENUE* | *IN-KIND* | *REMARKS* |
| *See attached sheets* | | | | | | | |

1368

STATE OF NEW YORK
DEPARTMENT OF HEALTH
Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Richard F. Daines, M.D.
*Commissioner*

Wendy E. Saunders
*Chief of Staff*

January 7, 2008
**Revised Letter*

1368

Ms. Maureen Whalen
Asst. to Director for Clinical Affairs
Suffolk County Department of Health Services
225 Rabro Dr East
Hauppauge, New York 11788

Re: Family Planning 2008
Contract No. C-019953

Dear Ms. Whalen:

This is to inform you of the Department's intent to provide continued funding to support your Comprehensive Family Planning and Reproductive Health services for the contract period January 1 – December 31, 2008. Your total award for this period will be $1,496,322 consisting of funding for the following:

| | |
|---|---|
| Family Planning Services Budget | |
| Family Planning Services Base Award | $1,255,374 |
| 2008 One-Time Award | $42,208 |
| Total Family Planning Services Amount | $1,297,582 |
| | |
| Special Project Awards | |
| TANF One-time Award | $80,880 |
| HIV Rapid Testing (Restricted line – only for purchase of HIV Rapid Test Kits) | $14,004 |
| HPV Vaccine Award | $103,856 |
| | |
| Total 2008 Award Amount | $1,496,322 |

The 2008 One-time Award is not being treated as a Special Award and does not need to be justified separately in the budget. The total of the base family planning award and the 2008 One-time Award should be used as the basis for preparing your family planning services budget. Please be advised that One-time award funding is not guaranteed in future funding periods. Each Special Project Award is to be lined out separately in your budget and a separate budget justification is to be provided for certain awards as requested in the budget instructions.

1368

New, first-time funding has been added to the 2008 Family Planning Program budgets for services and expenses to promote and expand access to HPV vaccine for uninsured women ages 19 through 26 who are clients of family planning programs. This funding is being provided so that Family Planning providers can provide direct access to HPV vaccine for clients, instead of these services being obtained through participation in the Department's Cancer Services Program. Services and expenses that can be reimbursed include purchase of vaccine, administration fees and other expenses related to the provision of these services, for example, the purchase of a refrigerator to store vaccine. Further guidance will be forthcoming. If you have questions about this new funding, please contact Theresa Nichols at (518) 474- 3368.

Final allocations remain contingent upon budget appropriations and approval of your workplan and budget. **In addition,** if your agency has requested that your 2007 amendment funding for your Legislative Add and / or Emergency Contraception be moved into your 2008 award, please note that final determination to allocate this funding to your 2008 award is pending the approval of Office of the State Comptroller. However, you should proceed with the assumption that this funding will be available for spending during the first quarter of 2008.

The required 2008 administrative forms (Section A), budget forms (Section B), and workplan implementation worksheets (Section C) have already been sent by e-mail to your Program Coordinator. If you wish to receive a hard copy by mail, please contact me at the address listed below. In addition to the original and two hard copies, of the reapplication package, you must also submit the completed forms on a CD ROM.

Please complete the budget pages according to the instructions provided. Your approved budget from the current year may be used as a model for completion of these budget pages; however, revisions have been made. Some of the most notable changes are:

- Page B2a-b - The functional cost center, Education & Outreach, now also includes the percentage of effort of staff with experience/training in patient education, that provide counseling regarding methods, STDs, and HIV as part of a clinic visit.

- Page B3c – Outreach and Education – List all expenses (except personnel) related to outreach and education, include items such as professional journals and subscriptions, professional resources (medical dictionary, educational curriculum, etc.), patient education and outreach brochures (cost of development and printing or purchase of commercially prepared ones), cost of education or outreach event (may include room rental fee, staff travel, advertising of event, etc.) and media campaign (include a detailed description of the effort and proposed expenditures) under this expense category.

Each contractor must submit a comprehensive workplan that must be approved by DOH program staff in the Bureau of Women's Health. Contractors will be held responsible for performance of all activities within their agreed upon workplan. Detailed project budgets, which reflect workplan activities, will also be approved by DOH program staff in the Bureau of Women's Health and the Division of Family Health Fiscal Unit, and, upon execution of a signed contract, will be adhered to by contractors and used by DOH staff for monitoring of performance and spending.

Please consult your regional DOH contact (list enclosed) as necessary when developing your workplan and budget.

The completed proposed workplan and budget should be received in the Division of Family Health Fiscal Unit **by close of business Thursday, January 31, 2008.** Please submit an original and one copy **plus** one copy on CD ROM to:

John Sterling, HPA1
New York State Department of Health
Division of Family Health, Fiscal Unit
Room 878 Corning Tower Building
Empire State Plaza
Albany, NY 12237-0657

and send one copy to your regional DOH contact, Marie Labbe, at the address provided on the enclosed list.

Please note that your agency will not be reimbursed for quarterly expenses until your workplan and budget are approved and your contract is executed.

To expedite the contracting process, return two originally signed and notarized copies of Appendix X, a completed Appendix B - Summary Budget -Page B1 based on the award amount indicated to my attention at the address listed above **by Friday, January 18, 2008.** Your renewal contract will initially be processed with this Summary Budget and standardized workplan (Appendix D) for execution through the Office of the State Comptroller. Appendix C – Payment and Reporting Schedule is also being amended to include language regarding the payment of Cost of Living Adjustment (COLA) awards.

If you have not signed up for electronic payments, you may do so by accessing the State Comptroller's website at epunit@osc.state.ny.us. The website will instruct you to download a form which you must complete with all bank information and submit to the State Comptroller's Office.

You may contact me at (518) 474-4569 with any budget related questions or Ms. Joan Linton at (518) 474-3368 with any programmatic inquiries. Thank you for your attention to this matter.

Sincerely,

John C. Sterling
Health Program Administrator I
Division of Family Health - Fiscal Unit

Enclosures

cc: Maureen Polizzi/Carolyn Kagen
Joan Linton / Ann Patricia
Marie Labbe

**FINANCIAL IMPACT**
**2008 PROPERTY TAX LEVY**
**COST TO THE AVERAGE TAXPAYER**

1368

**GENERAL FUND**

| | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

**POLICE DISTRICT AND DISTRICT COURT**

| | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

**COMBINED**

| | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

NOTES:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.



To be completed by the Executive Budget Office

# COUNTY OF SUFFOLK

1368

**STEVE LEVY**
SUFFOLK COUNTY EXECUTIVE

**DEPARTMENT OF HEALTH SERVICES**

**HUMAYUN J. CHAUDHRY, D.O., M.S.**
Commissioner

April 10, 2008

Ben Zwirn, Deputy County Executive
Office of the County Executive, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

I request the introduction of the enclosed resolution to accept and appropriate 100% additional Federal grant funds passed through the New York State Department of Health to the Department of Health Services for the Family Planning Program. This program provides family planning and reproductive health services to Suffolk County residents.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Carolyn Kagan at 2-2814. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is Reso-HSV-Family Planning.doc.

Sincerely yours,

Humayun J. Chaudhry, D.O., M.S.
Commissioner of Health Services

Enclosures

HJC/lw

C: Margaret B. Bermel, M.B.A, Director of Health Administrative Services
Matthew Miner, Deputy Commissioner
Shaheda Iftikhar, M.D., Physician III
Carolyn Kagan, Principal Contracts Examiner
Diane E. Weyer, Principal Financial Analyst

1369

Intro. Res. No. - 2008 Laid on the Table 4/29/08

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. - 2008, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR CENTRALIZED APPOINTMENT SCHEDULING SERVICES FOR THE DEPARTMENT OF HEALTH SERVICES**

**WHEREAS,** in 2003, the Department of Health Services recognized that the appointment scheduling system for Health Center appointments was inefficient and incapable of handling the volume of appointments for the County's Health Center network; and

**WHEREAS,** the appointments at that time were handled by the Hospitals' staff who had other Intake duties and were not dedicated exclusively to responding to telephone calls for scheduling appointments; and

**WHEREAS,** the County's Telecommunications Unit had advised that adequate trunk lines could not be installed in the various Health Centers to accommodate the volume of calls; and

**WHEREAS,** after careful review, the determination had been made at that time to issue a Request for Proposals (RFP) for this service which had been previously handled ineffectually by the Hospitals' staff; and

**WHEREAS,** the RFP was issued, and a contract executed in 2003 with the successful bidder, Medfone, Inc., located in Wantagh, NY; and

**WHEREAS,** Medfone, Inc. has provided centralized appointment scheduling services in an efficient and professional manner since that time, with a staff of approximately 22 bi-lingual appointment specialists, with English/Spanish specialists available at all times during the scheduling hours of Monday to Friday, 8 AM to 6 PM, and numerous other languages are available as required; and

**WHEREAS**, the volume of calls for the year 2007 totaled 328,585, which included 138,273 Appointments; 173,459 Confirmation Out calls; and 16,853 Confirmation In calls; and

**WHEREAS**, the number of patient visits for the year 2007 totaled 259,521, with 55,854 unduplicated patients; and

**WHEREAS**, it was determined that it would be cost-effective to continue to contract with a professional appointment scheduling company, as the Health Centers, either through the Hospitals or through the County, cannot provide this service at a lower cost to the taxpayer and are not equipped to provide this specialized service and do not have the bi-lingual staff nor the telephone trunk lines to provide this service at a lower cost than the apparent awardee of the RFP process; and

**WHEREAS,** in 2007 the Department of Health Services requested an RFP for "Centralized Appointment Scheduling Services", due to the contract termination date of December 31, 2007 with Medfone, Inc.; and

**WHEREAS,** in compliance with County policies and procedures, the Purchasing Division of the Department of Public Works advertised for these services, and mailed the RFP to three (3) potential vendors; and

**WHEREAS,** no potential bidders capable of providing a medically-based appointment scheduling system was located within Suffolk County; and

**WHEREAS,** an independent evaluation committee reviewed the sole proposal, which was submitted by Medfone, Inc., and found the quality of work and experience satisfactory, and the cost proposal submission reasonable and within industry standards, and recommended that the Department of Health Services enter into a contractual agreement with Medfone, Inc.; and

**WHEREAS,** due to the protracted RFP process, a RFP waiver was approved and a contract extension was executed through March 31, 2008; and

**WHEREAS,** legislative approval was not received at the March 2008 Legislative meeting to award this contract and execute a new agreement; and

**WHEREAS,** in accordance with the express intent of the Legislature to extend the current Agreement to provide the Legislative Budget Review Office the opportunity to conduct a cost-benefit analysis of this service, a RFP waiver was submitted to authorize the extension of the current Agreement through June 30, 2008; and

**WHEREAS,** this specific service was budgeted in the 2008 Adopted Budget, and sufficient funds were adopted in the 2008 Suffolk County Operating Budget to cover the cost of the contract for this specific service and no County employees would be affected by the execution of a contract for this service; and

**WHEREAS,** Local Law 3 - 1996 requires that the County Legislature approve any contract in excess of $20,000 awarded pursuant to an RFP process in which only one party responds to the County's solicitation of proposals; now therefore, be it

1ST **RESOLVED**, that upon receiving a two-thirds (2/3) vote of the County Legislature as required by Local Law 3-1996, the award letter may be issued by the Purchasing Division of the Department of Public Works, as recommended by the Evaluation Committee; and be it further

2ND **RESOLVED**, that the Department of Health Services is authorized to enter into a contractual agreement with Medfone, Inc. to provide a centralized appointment scheduling service for the Health Centers, and the County Executive be and hereby is authorized to execute a contract with Medfone, Inc.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County
Date of Approval:

HSV # 8-2008

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

1369

1. Type of Legislation

Resolution X  Local Law ____  Charter Law ____

2. Title of Proposed Legislation

Requesting legislative approval of a contract award for Centralized Appointment Scheduling Services for the Department of Health Services.

3. Purpose of Proposed Legislation

To comply with Local Law 3 – 1996 requiring the County Legislature to approve any Contract in excess of $20,000 awarded pursuant to a Request for Proposal (RFP) process in which only one party responds to the County's solicitation of proposals.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

Funds were already included in the 2008 Suffolk County Operating Budget

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

Not applicable

8. Proposed Source of Funding

2008 Operating funds

9. Timing of Impact

Upon execution of a contract with Medfone, Inc.

| *10. Typed Name & Title of Preparer* | *11. Signature of Preparer* | *12. Date* |
|---|---|---|
| ***Diane E. Weyer*** ***Principal Financial Analyst*** Princ. Exec. Analyst Beth Reynolds | Diane E. Weyer Beth A Reynolds | 4/12/08 4/21/08 |

SCIN FORM 175b (10/95)

COUNTY OF SUFFOLK

1369

OFFICE OF THE COUNTY EXECUTIVE

**Steve Levy**
COUNTY EXECUTIVE

PERSONAL AND CONFIDENTIAL

# MEMORANDUM

To: Deidre DeSimone, Principal Contracts Examiner
Department of Health Services

From: Jeffrey Szabo, Deputy County Executive and Chief of Staff
and Chair of RFP Waiver Committee

Re: RFP Waiver Request
Centralized Appointment Scheduling Services
Medfone Nationwide, Inc.

Date: December 13, 2007

This is to acknowledge receipt of your request dated December 4, 2007 for a waiver of formal bid solicitations or request for proposals under Suffolk County Code section 708-6(B) of Article III, "Consultant Services Procurement." You have asked for a waiver to execute n amendment of the agreement with Medfone Nationwide; Inc. to provide continued Centralized Appointment Scheduling Services for patients of the Department of Health Services' health centers.

The Waiver Committee has carefully reviewed your request. All terms and conditions of your request are incorporated herein by reference as if all are fully set forth. Your request for a waiver is **approved** upon the condition that any contract entered into between the County and the contractor abides by such terms and conditions; and on the further condition that approval is only valid and applicable to the RFP Waiver Request dated December 4, 2007.

The Waiver Committee requires further that prior to the execution of any contract, the contractor shall affirm under penalties of perjury that there is no known relationship between the County of Suffolk or any of its employees or elected officials and the contractor, any principal agent of the contractor, any partner, member, or director of the contractor, or any shareholder of the contractor holding greater than five (5%) percent of the outstanding shares of the contractor.

1369

Jeffrey W. Szabo
Deputy County Executive & Chief of Staff
and Chair of RFP Waiver Committee

JS:ao

cc: Fred Pollert, Deputy County Executive for Finance and Management
Ben Zwirn, Deputy County Executive
Dennis Brown, County Attorney's Office
Connie Corso, Budget Director

12th floor\April\Szabo DeSimone Medfone Nationwide, Inc. Centralized Appointment Scheduling Services 12-13-07

# COUNTY OF SUFFOLK

**STEVE LEVY**
SUFFOLK COUNTY EXECUTIVE

1369

**DEPARTMENT OF HEALTH SERVICES**

**HUMAYUN J. CHAUDHRY, D.O., M.S.**
Commissioner

**MEMORANDUM**

**Date:** December 4, 2007

**To:** James Morgo
Chief Deputy County Executive

**From:** Deidre DeSimone
Principal Contracts Examiner

**Re:** RFP Waiver Request
Centralized Appointment Scheduling Services
Medfone Nationwide, Inc.

---

The Department of Health Services (Department) hereby requests a waiver of the procurement requirements as set forth in Section 708 of the Suffolk County Code to allow the Department to execute an amendment of agreement with Medfone Nationwide, Inc. (Medfone). This amendment will provide continued Centralized Appointment Scheduling Services (Services) for patients of the Department's health centers.

The referenced Services were procured through a previous Request for Proposals (RFP). On August 16, 2007, RFP # 07/23146-tp was issued for the provision of Centralized Appointment Scheduling Services for the Department's Division of Patient Care Services. The RFP process was scheduled to be concluded and an award of contract made during November 2007; however, as Medfone is the sole-respondent to the new RFP, a Resolution to allow the Department to contract with Medfone is required in accordance with Local Law 3-1996.

The current Agreement with Medfone is due to expire on December 31, 2007; the Department is seeking to enter into an extension amendment through March 31, 2008 in order to allow sufficient time to process a resolution and agreement. Medfone has agreed to continue to provide Services on the same terms and conditions as stated in their current agreement.

The following are answers to the questions asked when seeking a waiver from the RFP process:

1. **Is special or technical skill or expertise required in rendering the service? Describe in detail.**

   No.

2. **Is formal education or training a prerequisite to the requisition of such skill or expertise? Describe in detail.**

   Formal training is a prerequisite for this Service. The provider needs to be trained in the use of the Department's Health Care Information System and must also be thoroughly versed in HIPAA regulations.

1369

3. **Is satisfaction of New York State Licensing or testing requirements a prerequisite of rendering such services? Describe in detail.**

   No.

4. **Does the professional service involve a special relationship between the consultant and the recipient (e.g., lawyer-client, doctor-patient, confidentiality of DSS recipient)? Describe in detail.**

   Yes, Services involve HIPAA regulations with respect to the confidentiality of patient information.

5. **Do the services involve "one-of-a-kind" programs provided by not-for-profit corporations (e.g., Meals-On-Wheels in the Smithtown catchments area)? Describe in detail.**

   No.

6. **Does Federal or New York State law, regulations or grant contracts require that the funds be channeled to certain contractors? Attach copy of such directives.**

   No.

7. **Explain why the nature of the services is such that they do not readily lend themselves to competitive procurement and why the best interest of the County would not be served by competitive procurement.**

   Services are currently being procured through an RFP. Additional time is required to process a resolution and agreement. An extension amendment will provide continuity of Services while the RFP process is concluded.

8. **If the services are not to be priced competitively, how will they be priced (e.g., rates set by New York State for personal care aides)? Describe in detail.**

   The currently provided Services are priced competitively, as they were procured through a previous RFP. Medfone has agreed to continue to provide Services at their current rates for the extension period. The total estimated cost for the three (3) month extension period is $150,000.00. The Department has identified funding in the 2008 Suffolk County Operating Budget under fund 001-4101-4560.

Upon approval of this waiver request, an amendment for the time period of January 1, 2008 through March 31, 2008 will be processed unless otherwise directed by you.

Thank you in advance for your consideration of this request.

DD/sf

cc: John R. Heilbrunn, Assistant Director of Management and Research

**FINANCIAL IMPACT**
**2008 PROPERTY TAX LEVY**
**COST TO THE AVERAGE TAXPAYER**

1369

**GENERAL FUND**

| | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

**POLICE DISTRICT AND DISTRICT COURT**

| | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

**COMBINED**

| | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.



To be completed by the Executive Budget Office

# COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

1369

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.
Commissioner

April 10, 2008

Ben Zwirn, Deputy County Executive
Office of the County Executive, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution requesting Legislative approval of a contract award for Centralized Appointment Scheduling Services for the Department of Health Services. This legislation is needed to comply with Local Law 3 – 1996 requiring the County Legislature to approve any Contract in excess of $20,000 awarded pursuant to a Request for Proposal (RFP) process in which only one party responds to the County's solicitation of proposals. Since Legislative approval was not received at the March 2008 meeting to award this contract, this Resolution request is being resubmitted for consideration. Please note also that the County Executive's Office had requested a cost-benefit anaysis from the Association of Municipal Employees (AME) for this service.

I enclose the financial impact statement and other materials for this Resolution. If you have any questions on the enclosed, please call Deidre DeSimone at 3-3174. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is Reso-HSV-HC Scheduling Svcs 2.doc.

Sincerely yours,

Humayun J. Chaudhry, D.O., M.S.
Commissioner of Health Services

Enclosures

HJC/lw

C: Margaret B. Bermel, M.B.A, Director of Health Administrative Services
Matthew Miner, Deputy Commissioner
Deidre DeSimone, Principal Contracts Examiner
Shaheda Iftikhar, M.D., Physician III
Diane E. Weyer, Principal Financial Analyst

Intro Res. No. 1370-08 Laid on Table 4/29/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2008, APPROVING THE APPOINTMENT OF CHRISTOPHER DELVECCHIO, AS A MEMBER OF THE SUFFOLK COUNTY FIRE, RESCUE AND EMERGENCY SERVICES COMMISSION**

**RESOLVED**, that the appointment of Christopher DelVecchio, 33 Tonopan Street, Mastic, NY 11950, as a representative of the Suffolk County Volunteer Firemen's Association, Inc., on the Suffolk County Fire, Rescue and Emergency Services Commission, for the term of office beginning immediately and expiring December 31, 2010, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provision of C-11.4 of the Suffolk County Charter, Article XI.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1370

# Suffolk County Fire, Rescue & Emergency Services Commission

**PO Box 127 – Yaphank, NY 11980**
**(631) 852-4851**

October 2, 2007

Theodore Rosko, President
Suffolk County Volunteer Firemen's Association
67 Smith Road
Shirley, NY 11967

Dear President Rosko:

The term of your organization's representatives on the Suffolk County Fire, Rescue & Emergency Services Commission will expire on December 31, 2007. Richard Vella and Joseph Birbiglia are currently your representatives.

Please submit the names of your nominees for the term January 1, 2008 through December 31, 2010 to Terry Portoghese of this office prior to December 1, 2007. **IMPORTANT: A current resume is required for the primary representatives you nominate and should be submitted along with your nomination letter.**

If you have any questions, please call Terry Portoghese at 631-852-4851.

Thank you.

Best regards,

Joseph F. Williams
Commissioner

JFW:tp

REC'D NOV 07 2007

# The Suffolk County Volunteer Firemen's Association, Inc.

Organized 1886

"Proud Hosts of the 2010 F.A.S.N.Y. Convention"

Office of the Secretary Kathryn M. Perry
67 Smith Road
Shirley, NY 11967
631-395-5175

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November 2, 2007

Joseph F. Williams, Commissioner
Suffolk County Fire, Rescue & Emergency Services
PO Box 127
Yaphank, NY 11780

Dear Commissioner Williams:

The Officers and members of the Suffolk County Volunteer Firemen's Association are proud to endorse Joseph Birbiglia for his reappointment to the Suffolk County Fire, Rescue & Emergency Services Commission.

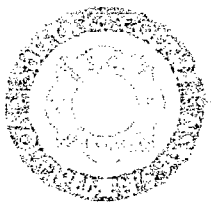
Joe has done and will continue to do and outstanding job in representing our Association on the FRES Commission. Should you have any questions or require additional information, please feel to contact President Ted Rosko or myself.

Sincerely yours,

Kathryn M. Perry

Kathryn M. Perry
Secretary

REC'D JAN 0 2 2008



The Suffolk County Volunteer Firemen's Association

Organized 1886

Proud Hosts of the 2010 N.A.S.A.V.F.C. Convention

1370

December 28, 2007

Commissioner Joseph Williams
Suffolk County Fire, Rescue & Emergency Services
PO Box 127
Yaphank, NY 11780

Dear Commissioner Williams:

Due to the unexpected and untimely death of Joseph Birbiglia, the Suffolk County Volunteer Firemen's Association respectfully requests that our seat from the Association to the Suffolk County Fire, Rescue & Emergency Services Commission be left open until the March meeting.

Thank you for your cooperation in this matter. Should you have any questions or require additional information please feel free to contact me.

Firematically yours,

Ted Rosko, Jr.
President

tr:kmp

# The Suffolk County Volunteer Firemen's Association, Inc.

Organized 1886

"Proud Hosts of the 2010 FASNY Convention"

Office of the Secretary Kathryn M. Perry
67 Smith Road
Shirley, NY 11967
631-395-5175

1370

March 26, 2008

Joseph F. Williams, Commissioner
Suffolk County Fire, Rescue & Emergency Services
PO Box 127
Yaphank, NY 11780

Dear Commissioner Williams:

The Officers and members of the Suffolk County Volunteer Firemen's Association are proud to endorse Christopher Del Vecchio for appointment to the Suffolk County Fire, Rescue & Emergency Services Commission.

Chris is a 29 year member of the Mastic Fire Department and a Past President of the Brookhaven Town Fire Police Association. We in Suffolk County believe that Chris will do an outstanding job in representing our Association on the FRES Commission. Should you have any questions or require additional information, please feel to contact me or President Ted Rosko.

Sincerely yours,

Kathryn M. Perry

Kathryn M. Perry
Secretary

# MASTIC FIRE DISTRICT

P.O. BOX 85
MASTIC, NEW YORK 11950

PHONE: (631) 281-8787
FAX: (631) 281-8509

SERVICE SINCE 1925

MEMBER OF:
NEW YORK STATE FIRE DISTRICT OFFICERS ASSOC.
SUFFOLK COUNTY FIRE DISTRICT OFFICERS ASSOC.
BROOKHAVEN TOWN FIRE DISTRICT OFFICERS ASSOC.

13 70

03/10/2008

To Whom It May Concern:

Please be advised Chris DelVecchio has been an active member of the Mastic Fire Department since 1979. Chris having approximately 30 years experience in the Fire Service as well as his knowledge as a Firematic Officer would be very beneficial to your Commission.

As most people know Chris's hard work, dedication and passion to the Fire Service does not go unnoticed. Please except this letter as a recommendation for Chris's appointment to the FRES Commission. Please feel free to contact me at 631-281-8787.

Thank You,

Rudy Sunderman Jr.
Chairman
Mastic Fire District

# MASTIC FIRE DEPARTMENT

**MASTIC CHEMICAL CO. NO. 1**
**1080 MASTIC ROAD, MASTIC, NEW YORK 11950**
Phone (631) 281-8660 (Answering Machine); Fax # (631) 281-8683

***Continuous community service since April 29, 1925***

1370

CHIEF: Steve Quesada
ASST. CHIEF: Michael Guarino
**MEMBER OF:**

National Fire Protection Association
Firemen's Association, State of New York
Suffolk County Volunteer Fireman's Association
Suffolk County Fire Safety Educators Association
Brookhaven Town Volunteer Fireman's Association
Brookhaven Town Fire Police Association

**EX-CHIEFS:**

Thomas Eyton Jones
Gerrard Barry
Vincent A. Barty
Milton Delucia
Benjamin G. Hurley
John Pollack
William Hall
Thomas Eyton Jones
John Hall
Hans Anderson
William Stiriz
George Huber
Ralph Toto
William Kirklewski
Leonard Eppig
Joseph Andrejack
William Stafford
Peter Rosato
Edward Barrett
Joseph Toto
Allan Haase
Robert Clay
Irving Kirk
Fred Rosato
William Reichert
Nicholas Lo Cascio
Rudolph Sunderman Sr.
Howard Beck
Terence Scaffaro
Charles Mineo
Howard Beck
Richard Van de Kieft
Donald Ruben
Dante Bilotta
Henry Behrens Jr.
George Zaglool
Richard Clay
Steven Zaglool
Rudolph Sunderman, Jr.
Patrick Greene
John Corideo

March 17, 2008

FRES Commission Committee

The Chiefs office would like to recommend Chris DelVecchio to the Committee. He has 30 years with the fire service and has always given his time to help and get the job completed in the safest and best way possible.

He will definitely be an asset to your committee.

If you have any questions or if I can be of further help, please feel free to contact me at 281-8660.

SQ:ef

Firematically yours,

Steve Quesada

Steve Quesada
Chief of Department

# CHRISTOPHER J DEL VECCHIO

## 33 TONOPAN ST MASTIC N.Y. 11950

## HOME # 281-1569 CELL # 516-369-1148

1370

MARRIED 19 YRS

2 CHILDREN STEPSON 25 DAUTHER 23

EMPLOYED BY SUFFOLK COUNTY FOR 6 YEARS REASSIGNED TO SUFFOLK COUNTY FIRE-RESCUE

ACTIVE MEMBER OF MASTIC FIRE DEPARTMENT SINCE 1979

EX CAPTAIN OF THE MASTIC FIRE DEPARTMENT 2003-2004

PRESENT MEMBERSHIP COMMITTEE CHAIRMEN FOR MASTIC FIRE DEPARTMENT 2008

MEMBER OF FASNY SINCE 2004

FASNY DELEGATE FOR MASTIC FIRE DEPARTMENT SINCE 2004

BOARD MEMBER OF MASTIC FIRE DEPARTMENT FIREFIGHTERS ASSISTANT FUND SINCE 2002

MEMBER OF BROOKHAVEN TOWN FIRE POLICE ASSOCIATION & PAST PRESDENT 2004-2005

MEMBER OF LONG ISLAND ANTQUIE ASSOCIATION & PAST PRESDENT 1998- 1999

MEMBER OF SUFFOLK COUNTY VOLUNTEER FIREMENS ASSOCIATION

MEMBER OF VOLUNTEER FIRE POLICE ASSOCIATION STATE OF NEW YORK SINCE 1997

MEMBER OF SUFFOLK COUNTY PARADE OFFICIALS SINCE 2003 PRESENTLY 2 ND VICE PRESDENT

MEMBER OF BROOKHAVEN TOWN VOLUNTEER FIREMENS ASSOCIATION SINCE 2004

MEMBER OF BROOKHAVEN TOWN DRILL TEAM CAPTAINS ASSOCIATION SINCE 2003

MEMBER OF SUFFOLK COUNTY DRILL TEAM CAPTAINS ASSOCIATION SINCE 2003

MEMBER OF NEW YORK STATE DRILL TEAM CAPTAINS ASSOCIATION SINCE 2003

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Local Law: _____ Charter Law: _____ Resolution: ___X_____

2. Title of Proposed Legislation
Appointment of Christopher DelVecchio, as a member of the Suffolk County Fire, Rescue and Emergency Services Commission.

3. Purpose of Proposed Legislation

Appointment of Christopher DelVecchio, 33 Tonopan Street, Mastic, NY 11950, as a representative of the Suffolk County Volunteer Firemen's Association, Inc., on the Suffolk County Fire, Rescue & Emergency Services Commission for the term ending December 31, 2010.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No ___X_

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact.

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
Immediately – December 31, 2010

| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| Joseph F. Williams, Commissioner | | April 1, 2008 |

SCIN FORM 175b (10/95)

# COUNTY OF SUFFOLK

APR 0 3 2008

1370

JOSEPH F. WILLIAMS
COMMISSIONER

BELINDA PAGDANGANAN
DEPUTY COMMISSIONER

**STEVE LEVY**
SUFFOLK COUNTY EXECUTIVE

WARREN HORST
CHIEF FIRE MARSHAL

EDWARD C. SCHNEYER
DIRECTOR OF EMERGENCY PREPAREDNESS

**DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES**

## MEMORANDUM

**TO:** Ben Zwirn
Deputy County Executive

**FROM:** Joseph F. Williams
Commissioner

**DATE:** April 1, 2008

**SUBJECT:** 2008-2010 FRES COMMISSION APPOINTMENT

Please find attached the necessary documents for the appointment of the following person on the Suffolk County Fire, Rescue and Emergency Services (FRES) Commission for the term beginning immediately through December 31, 2010.

| ORGANIZATION | REPRESENTATIVE NAME | HISTORY |
|---|---|---|
| Suffolk County Volunteer Firemen's Association | Christopher DelVecchio | New |

Joseph Birbiglia was nominated by the Volunteer Firemen's Association to be reappointed as a FRES Commission member for the 2008 – 2010 term, but unfortunately, passed away and Chris DelVecchio is his replacement nomination.

There is no record of attendance for this nominee as he is a new member.

If you have any questions regarding this appointment, please contact Terry Portoghese of my office at 24851.

JFW:tp
Enclosures

cc: Jim Morgo, Chief Deputy County Executive

PO BOX 127 – YAPHANK AVENUE
YAPHANK, NEW YORK 11980-0127

COMMISSIONER'S OFFICE: (631) 852-4850
FIRE MARSHAL'S OFFICE: (631) 852-4855
EMERGENCY MGMT OFFICE: (631) 852-4900
COMM. CENTER (24-HOUR): (631) 852-4815
FAX: (631) 852-4861

1371

Intro. Res. No. - 2008 Laid on the Table 4/29/08
Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH MEDIAN IMPROVEMENTS ON VARIOUS COUNTY ROADS (CAPITAL PROGRAM NUMBER 5001)**

**WHEREAS**, the Commissioner of Public Works has requested funds for construction in connection with Median Improvements on CR 19, Patchogue-Holbrook Road, from the Vicinity of the Long Island Expressway to the Vicinity of Waverly Avenue; and

**WHEREAS**, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of said request; and

**WHEREAS**, the professional engineering services associated with the planning, design and construction of this project have been performed by the staff of the Department of Public Works; and

**WHEREAS**, Resolution No. 471-1994 as revised by Resolution No.461-2006, established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding Capital Projects such as this project; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of $450,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, Resolution No. 1240-2001 approved by the County Legislature issued a SEQRA Negative Declaration for the project, therefore, the provisions of SEQRA have been complied with and no further environmental review is necessary; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No.461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete the Median Improvements on Various County Roads, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

4th **RESOLVED**, that the proceeds of $450,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

| Project No. | J.C. | Project Title | Amount |
|---|---|---|---|
| 525-CAP-5001.314<br>(Fund 001-Debt Service) | 50 | Median Improvements on Various County Roads | $450,000 |

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1371

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

**RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH MEDIAN IMPROVEMENTS ON VARIOUS COUNTY ROADS (CAPITAL PROGRAM NUMBER 5001)**

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes __X__ No _____**

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

**County** **Town** **Economic Impact**

**Village** **School District** **Other (Specify):**

**Library District** **Fire District**

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2009

| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| Nicholas Paglia<br>Executive Technician | | April 14, 2008 |

SCIN FORM 175b (10/95)

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

1371

**GENERAL FUND**

| | 2009 PROPERTY TAX LEVY | 2009 COST TO AVG TAXPAYER | 2009 AV TAX RATE PER $100 | 2009 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$42,165** | **$0.08** | | $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 | **$42,165** | **$0.08** | | $0.000 |

NOTES:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.



To be completed by the Executive Budget Office

**Suffolk County**

1371

General Obligation Serial Bonds
50% Rule

| | |
|---|---|
| Term of Bonds | 15 |
| Amount to Bonds: | $450,000 |

| Date | Coupon | Principal | Interest | Total Debt Service | Fiscal Debt Service |
|---|---|---|---|---|---|
| 11/1/2008 | | | | | |
| 5/1/2009 | | | $9,082.50 | $9,082.50 | |
| 11/1/2009 | 4.00% | $ 24,000 | 9,082.50 | 33,082.50 | $42,165.00 |
| 5/1/2010 | | | 8,602.50 | 8,602.50 | |
| 11/1/2010 | 4.00% | 26,000 | 8,602.50 | 34,602.50 | 43,205.00 |
| 5/1/2011 | | | 8,082.50 | 8,082.50 | |
| 11/1/2011 | 4.00% | 26,000 | 8,082.50 | 34,082.50 | 42,165.00 |
| 5/1/2012 | | | 7,562.50 | 7,562.50 | |
| 11/1/2012 | 4.00% | 27,000 | 7,562.50 | 34,562.50 | 42,125.00 |
| 5/1/2013 | | | 7,022.50 | 7,022.50 | |
| 11/1/2013 | 4.00% | 28,000 | 7,022.50 | 35,022.50 | 42,045.00 |
| 5/1/2014 | | | 6,462.50 | 6,462.50 | |
| 11/1/2014 | 4.00% | 29,000 | 6,462.50 | 35,462.50 | 41,925.00 |
| 5/1/2015 | | | 5,882.50 | 5,882.50 | |
| 11/1/2015 | 4.00% | 30,000 | 5,882.50 | 35,882.50 | 41,765.00 |
| 5/1/2016 | | | 5,282.50 | 5,282.50 | |
| 11/1/2016 | 4.00% | 30,000 | 5,282.50 | 35,282.50 | 40,565.00 |
| 5/1/2017 | | | 4,682.50 | 4,682.50 | |
| 11/1/2017 | 4.00% | 31,000 | 4,682.50 | 35,682.50 | 40,365.00 |
| 5/1/2018 | | | 4,062.50 | 4,062.50 | |
| 11/1/2018 | 4.00% | 32,000 | 4,062.50 | 36,062.50 | 40,125.00 |
| 5/1/2019 | | | 3,422.50 | 3,422.50 | |
| 11/1/2019 | 4.00% | 33,000 | 3,422.50 | 36,422.50 | 39,845.00 |
| 5/1/2020 | | | 2,762.50 | 2,762.50 | |
| 11/1/2020 | 4.00% | 34,000 | 2,762.50 | 36,762.50 | 39,525.00 |
| 5/1/2021 | | | 2,082.50 | 2,082.50 | |
| 11/1/2021 | 4.00% | 34,000 | 2,082.50 | 36,082.50 | 38,165.00 |
| 5/1/2022 | | | 1,402.50 | 1,402.50 | |
| 11/1/2022 | 4.25% | 35,000 | 1,402.50 | 36,402.50 | 37,805.00 |
| 5/1/2023 | | | 658.75 | 658.75 | |
| 11/1/2023 | 4.25% | 31,000 | 658.75 | 31,658.75 | 32,317.50 |
| 5/1/2024 | | | - | - | |
| 11/1/2024 | 4.25% | - | - | - | - |
| 5/1/2025 | | | - | - | |
| 11/1/2025 | 4.25% | - | - | - | - |
| 5/1/2026 | | | - | - | |
| 11/1/2026 | 4.25% | - | - | - | - |
| 5/1/2027 | | | - | - | |
| 11/1/2027 | 4.25% | - | - | - | - |
| 5/1/2028 | | | - | - | |
| 11/1/2028 | 4.25% | - | - | - | - |
| | | $ 450,000 | $154,107.50 | $604,107.50 | $604,107.50 |

# COUNTY OF SUFFOLK

1371


STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

**DEPARTMENT OF PUBLIC WORKS**

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER


# MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

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

DATE: March 14, 2008

**RE: C.P. 5001 – Median Improvements on CR 19, Patchogue-Holbrook Road, from the Vicinity of the Long Island Expressway to the Vicinity of Waverly Avenue, Town of Brookhaven**

Attached are a draft resolution and duplicate copy to appropriate the sum of $450,000 for construction in connection with the above referenced project. There are sufficient funds included in the 2008 Capital Budget and Program for this project.

This project will improve safety on CR 19, Patchogue-Holbrook Road, from the vicinity of the Long Island Expressway to the vicinity of Waverly Avenue. The improvements include lengthening the left-turn lane at Greenbelt Parkway and Waverly Avenue, traffic signal enhancements as well as aesthetic improvements including the installation of stamped concrete bordering the medians and landscaping.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP 5001.doc".

TL:WH:er
attach.
cc: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Chief Financial Analyst
William Hillman, P.E., Chief Engineer
William Chandler, Federal Construction Projects Coordinator
Linda Brandolf, CPA, Capital Accounting
James Bagg, Chief Environmental Analyst

Intro. Res. No. 1372 - 2008 Laid on the Table 4/29/08
Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. 2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STRENGTHENING AND IMPROVING COUNTY ROADS (CAPITAL PROGRAM NUMBER 5014)**

**WHEREAS**, the Commissioner of Public Works has requested funds for construction in connection with Strengthening and Improving CR 16, Horseblock Road, from CR 80, Montauk Highway to CR 21, Rocky Point-Yaphank Road and CR 21, Rocky Point-Yaphank Road, from CR 16, Horseblock Road to Main Street, Yaphank, Town of Brookhaven; and

**WHEREAS**, the professional engineering services associated with the planning, design and construction of this project have been and will be performed by the staff of the Department of Public Works; and

**WHEREAS**, sufficient funds are not included in the 2008 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C-4-13, an offsetting authorization must be provided from another capital project; and

**WHEREAS**, Resolution No. 471-1994 as revised by Resolution No.461-2006, established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding capital projects such as this project; and

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

1st **RESOLVED**, Resolution No. 1171-1995 approved by the County Legislature issued a SEQRA Negative Declaration for the project, therefore, the provisions of SEQRA have been complied with and no further environmental review is necessary; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty-one (41) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No.461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete the Strengthening and Improving County Roads, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

4th **RESOLVED**, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5548
Project Title: Reconstruction of CR 83, Patchogue-Mt. Sinai Road

| | Total Est'd Cost | Current 2008 Capital Budget & Program | Revised 2008 Capital Budget & Program |
|---|---|---|---|
| 3. Construction | $1,600,000 | $400,000 B | $ 0 |
| TOTAL | $2,550,000 | $400,000 | $ 0 |

Project No.: 5515
Project Title: Reconstruction of CR 46, William Floyd Parkway

| | Total Est'd Cost | Current 2008 Capital Budget & Program | Revised 2008 Capital Budget & Program |
|---|---|---|---|
| 2. Land Acquisition. | $170,000 | $750,000 B | $150,000 B |
| TOTAL | $9,920,000 | $750,000 | $150,000 |

Project No.: 5014
Project Title: Strengthening & Improving County Roads

| | Total Est'd Cost | Current 2008 Capital Budget & Program | Revised 2008 Capital Budget & Program |
|---|---|---|---|
| 3. Construction | $60,015,000 | $5,500,000 B | $6,500,000 B |
| TOTAL | $60,015,000 | $5,500,000 | $6,500,000 |

and be it further

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

| Project No. | J.C. | Project Title | Amount |
|---|---|---|---|
| 525-CAP- 5014.347 (Fund 001-Debt Service) | 50 | Strengthening and Improving County Roads | $1,000,000 |

Dated:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1372

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

**RESOLUTION NO. 2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STRENGTHENING AND IMPROVING COUNTY ROADS (CAPITAL PROGRAM NUMBER 5014)**

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes** __X__ **No** _____

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

(**County**) **Town** **Economic Impact**

**Village** **School District** **Other (Specify):**

**Library District** **Fire District**

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2009

| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| Nicholas Paglia<br>Executive Technician | | April 14, 2008 |

SCIN FORM 175b (10/95)

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

1312

**GENERAL FUND**

| | 2009 PROPERTY TAX LEVY | 2009 COST TO AVG TAXPAYER | 2009 AV TAX RATE PER $100 | 2009 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$94,335** | **$0.18** | | $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 | **$94,335** | **$0.18** | | $0.000 |

NOTES:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.



To be completed by the Executive Budget Office

**Suffolk County**

General Obligation Serial Bonds
50% Rule

1372

Term of Bonds: 15
Amount to Bonds: $1,000,000

| Date | Coupon | Principal | Interest | Total Debt Service | Fiscal Debt Service |
|---|---|---|---|---|---|
| 11/1/2008 | | | | | |
| 5/1/2009 | | | $20,177.50 | $20,177.50 | |
| 11/1/2009 | 4.00% | $ 54,000 | 20,177.50 | 74,177.50 | $94,355.00 |
| 5/1/2010 | | | 19,097.50 | 19,097.50 | |
| 11/1/2010 | 4.00% | 57,000 | 19,097.50 | 76,097.50 | 95,195.00 |
| 5/1/2011 | | | 17,957.50 | 17,957.50 | |
| 11/1/2011 | 4.00% | 59,000 | 17,957.50 | 76,957.50 | 94,915.00 |
| 5/1/2012 | | | 16,777.50 | 16,777.50 | |
| 11/1/2012 | 4.00% | 61,000 | 16,777.50 | 77,777.50 | 94,555.00 |
| 5/1/2013 | | | 15,557.50 | 15,557.50 | |
| 11/1/2013 | 4.00% | 63,000 | 15,557.50 | 78,557.50 | 94,115.00 |
| 5/1/2014 | | | 14,297.50 | 14,297.50 | |
| 11/1/2014 | 4.00% | 64,000 | 14,297.50 | 78,297.50 | 92,595.00 |
| 5/1/2015 | | | 13,017.50 | 13,017.50 | |
| 11/1/2015 | 4.00% | 66,000 | 13,017.50 | 79,017.50 | 92,035.00 |
| 5/1/2016 | | | 11,697.50 | 11,697.50 | |
| 11/1/2016 | 4.00% | 68,000 | 11,697.50 | 79,697.50 | 91,395.00 |
| 5/1/2017 | | | 10,337.50 | 10,337.50 | |
| 11/1/2017 | 4.00% | 70,000 | 10,337.50 | 80,337.50 | 90,675.00 |
| 5/1/2018 | | | 8,937.50 | 8,937.50 | |
| 11/1/2018 | 4.00% | 71,000 | 8,937.50 | 79,937.50 | 88,875.00 |
| 5/1/2019 | | | 7,517.50 | 7,517.50 | |
| 11/1/2019 | 4.00% | 73,000 | 7,517.50 | 80,517.50 | 88,035.00 |
| 5/1/2020 | | | 6,057.50 | 6,057.50 | |
| 11/1/2020 | 4.00% | 75,000 | 6,057.50 | 81,057.50 | 87,115.00 |
| 5/1/2021 | | | 4,557.50 | 4,557.50 | |
| 11/1/2021 | 4.00% | 77,000 | 4,557.50 | 81,557.50 | 86,115.00 |
| 5/1/2022 | | | 3,017.50 | 3,017.50 | |
| 11/1/2022 | 4.25% | 78,000 | 3,017.50 | 81,017.50 | 84,035.00 |
| 5/1/2023 | | | 1,360.00 | 1,360.00 | |
| 11/1/2023 | 4.25% | 64,000 | 1,360.00 | 65,360.00 | 66,720.00 |
| 5/1/2024 | | | - | - | |
| 11/1/2024 | 4.25% | - | - | - | - |
| 5/1/2025 | | | - | - | |
| 11/1/2025 | 4.25% | - | - | - | - |
| 5/1/2026 | | | - | - | |
| 11/1/2026 | 4.25% | - | - | - | - |
| 5/1/2027 | | | - | - | |
| 11/1/2027 | 4.25% | - | - | - | - |
| 5/1/2028 | | | - | - | |
| 11/1/2028 | 4.25% | - | - | - | - |
| | | $ 1,000,000 | $340,730.00 | $1,340,730.00 | $1,340,730.00 |

# COUNTY OF SUFFOLK

1372

**STEVE LEVY**
SUFFOLK COUNTY EXECUTIVE

**DEPARTMENT OF PUBLIC WORKS**
**GILBERT ANDERSON, P.E.**
COMMISSIONER

**THOMAS LAGUARDIA, P.E.**
CHIEF DEPUTY COMMISSIONER

**LOUIS CALDERONE**
DEPUTY COMMISSIONER

# MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

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

DATE: March 14, 2008

RE: **C.P. 5014 – Strengthening and Improving CR 16, Horseblock Road, from CR 80, Montauk Highway to CR 21, Rocky Point-Yaphank Road and CR 21, Rocky Point-Yaphank Road, from CR 16, Horseblock Road to Main Street, Yaphank, Town of Brookhaven**

Attached are a draft resolution and duplicate copy to appropriate the sum of $1,000,000 for construction in connection with the above referenced project. There are insufficient funds included in the 2008 Capital Budget and Program for this project and, as such, an offset must be provided. It is our intent to utilize $400,000 in construction funds from C.P. 5548 and $600,000 in land acquisition funds from C.P. 5515.

This project will provide pavement and pavement marking improvements within the above referenced limits. The work includes milling, repairing of existing pavement where necessary, and providing 1-3/4" overlay throughout the project limits. The project would also include minor drainage repair.

The Suffolk County Council on Environmental Quality has reviewed our Strengthening and Improving County Roads Program and found that it constituted a Type II Action and no further review is required. The County Legislature concurred with this finding pursuant to Resolution No. 1171-1995.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP 5014 (CR 21).doc".

TL:WH:er
attach.
cc: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Chief Financial Analyst
Gilbert Anderson, P.E., Commissioner
William Hillman, P.E., Chief Engineer
William Chandler, Federal Construction Projects Coordinator
Linda Brandolf, CPA, Capital Accounting
James Bagg, Chief Environmental Analyst

Intro. Res. No. 1373 - 2008 Laid on the Table 4/29/08
Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH THE DREDGING OF COUNTY WATERS (CAPITAL PROGRAM NUMBER 5200)**

**WHEREAS**, the Commissioner of Public Works has requested funds for engineering in connection with Dredging of County Waters; 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 $50,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

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

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete the Dredging of County Waters, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

4th **RESOLVED**, that the proceeds of $50,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

| Project No. | J.C. | Project Title | Amount |
|---|---|---|---|
| 525-CAP- 5200.114 (Fund 001-Debt Service) | 50 | Dredging of County Waters | $50,000 |

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1373

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

**RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH THE DREDGING OF COUNTY WATERS (CAPITAL PROGRAM NUMBER 5200)**

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes** __X__ **No** _____

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

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

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2009

| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| Nicholas Paglia<br>Executive Technician | | April 14, 2008 |

SCIN FORM 175b (10/95)

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

1373

**GENERAL FUND**

| | 2009 PROPERTY TAX LEVY | 2009 COST TO AVG TAXPAYER | 2009 AV TAX RATE PER $100 | 2009 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$10,000** | **$0.02** | | $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 | **$10,000** | **$0.02** | | $0.000 |

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.



To be completed by the Executive Budget Office

**Suffolk County**

1373

General Obligation Serial Bonds
50% Rule

| | |
|---|---|
| Term of Bonds | 5 |
| Amount to Bonds: | $50,000 |

| Date | Coupon | Principal | Interest | Total Debt Service | Fiscal Debt Service |
|---|---|---|---|---|---|
| 11/1/2008 | | | | | |
| 5/1/2009 | | | $1,000.00 | $1,000.00 | |
| 11/1/2009 | 4.00% | $ 8,000 | 1,000.00 | 9,000.00 | $10,000.00 |
| 5/1/2010 | | | 840.00 | 840.00 | |
| 11/1/2010 | 4.00% | 10,000 | 840.00 | 10,840.00 | 11,680.00 |
| 5/1/2011 | | | 640.00 | 640.00 | |
| 11/1/2011 | 4.00% | 10,000 | 640.00 | 10,640.00 | 11,280.00 |
| 5/1/2012 | | | 440.00 | 440.00 | |
| 11/1/2012 | 4.00% | 11,000 | 440.00 | 11,440.00 | 11,880.00 |
| 5/1/2013 | | | 220.00 | 220.00 | |
| 11/1/2013 | 4.00% | 11,000 | 220.00 | 11,220.00 | 11,440.00 |
| 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 | 4.26% | - | - | - | - |
| 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% | - | - | - | - |
| | | $ 50,000 | $6,280.00 | $56,280.00 | $56,280.00 |

# COUNTY OF SUFFOLK

1373


STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS
GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER


# MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

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

DATE: March 14, 2008

**RE: C.P. 5200 – Dredging of County Waters**

Attached are a draft resolution and duplicate copy to appropriate the sum of $50,000 for engineering in connection with the above referenced project. There are sufficient funds included in the 2008 Capital Budget and Program for this project.

This program provides for the contract surveying and dredging of the channels historically maintained by Suffolk County. The locations are subject to change due to weather-seasonal limitations, environmental restrictions, availability of equipment and competing priorities.

The location proposed to be surveyed at this time under this program is Stony Brook Harbor in the Town of Brookhaven.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP 5200 (Engr).doc".

TL:WH:er
attach.
cc: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Chief Financial Analyst
William Hillman, P.E., Chief Engineer
Linda Brandolf, CPA, Capital Accounting
James Bagg, Chief Environmental Analyst

1374

Intro. Res. No. - 2008 Laid on the Table 4/29/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH A COUNTY WIDE HIGHWAY CAPACITY STUDY (CAPITAL PROGRAM NUMBER 5502)**

**WHEREAS**, the Commissioner of Public Works has requested funds for engineering in connection with a County Wide Highway Capacity Study; 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 $300,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (18), (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of thirty-six (36) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete a County Wide Highway Capacity Study, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

4th **RESOLVED**, that the proceeds of $300,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

| Project No. | J.C. | Project Title | Amount |
|---|---|---|---|
| 525-CAP 5502.110<br>(Fund 001 Debt Service) | 50 | County Wide Highway Capacity Study | $300,000 |

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1374

# STATEMENT OF FINANCIAL IMPACT
# OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

**RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH A COUNTY WIDE HIGHWAY CAPACITY STUDY (CAPITAL PROGRAM NUMBER 5502)**

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes X No _____**

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

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

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2009

| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| Debra Kolyer<br>Principal Financial Analyst | Deb Kolyer | April 16, 2008 |

SCIN FORM 175b (10/95)

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

1374

**GENERAL FUND**

| | 2009 PROPERTY TAX LEVY | 2009 COST TO AVG TAXPAYER | 2009 AV TAX RATE PER $100 | 2009 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$67,625** | **$0.13** | | $0.000 |

**POLICE DISTRICT AND DISTRICT COURT**

| | 2009 PROPERTY TAX LEVY | 2009 COST TO AVG TAXPAYER | 2009 AV TAX RATE PER $100 | 2009 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

**COMBINED**

| | 2009 PROPERTY TAX LEVY | 2009 COST TO AVG TAXPAYER | 2009 AV TAX RATE PER $100 | 2009 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$67,625** | **$0.13** | | $0.000 |

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.



To be completed by the Executive Budget Office

**Suffolk County**
**Project Name**
General Obligation Serial Bonds
Level Debt

1374

| | |
|---|---|
| Term of Bonds | 5 |
| Amount to Bond: | $300,000 |

| Date | Coupon | Principal | Interest | Total Debt Service | Fiscal Debt Service |
|---|---|---|---|---|---|
| 11/1/2008 | | | | | |
| 5/1/2009 | | | $12,375.00 | $67,624.95 | $67,624.95 |
| 11/1/2009 | 4.125% | $55,249.95 | $5,047.97 | $5,047.97 | |
| | | | $5,047.97 | $62,576.98 | $67,624.95 |
| 11/1/2010 | 4.125% | $57,529.01 | $3,861.43 | $3,861.43 | |
| | | | $3,861.43 | $63,763.51 | $67,624.95 |
| 11/1/2011 | 4.125% | $59,902.08 | $2,625.95 | $2,625.95 | |
| | | | $2,625.95 | $64,998.99 | $67,624.95 |
| 10/31/2012 | 4.125% | $62,373.04 | $1,339.51 | $1,339.51 | |
| | | | $1,339.51 | $66,285.44 | $67,624.95 |
| 11/1/2013 | 4.125% | $64,945.93 | | | |
| | | $300,000.00 | $38,124.73 | $338,124.73 | $338,124.73 |

# COUNTY OF SUFFOLK

MAR 2 5 2008

1374

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS
GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

## MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

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

DATE: March 14, 2008

RE: **C.P. 5502 – County Wide Highway Capacity Study**

Attached are a draft resolution and duplicate copy to appropriate the sum of $300,000 for engineering in connection with the above referenced project. There are sufficient funds included in the 2008 Capital Budget and Program for this project.

The work involves professional engineering services for a study which will quantify remaining capacity of County roadways. The study will evaluate current and future capacity of the County highway system to determine the ability of this system to accommodate future land use growth that could result from local zoning and land use policies. Once completed, the County will share the road capacity guide with each town to complement their planning process. The road capacity guide will become a planning tool to spur economic development in a coordinated way in order to minimize the negative traffic impacts that frequently result from new developments.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP 5502.doc".

TL:WH:er
attach.
cc: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Chief Financial Analyst
William Hillman, P.E., Chief Engineer
William Chandler, Federal Construction Projects Coordinator
Linda Brandolf, CPA, Capital Accounting
James Bagg, Chief Environmental Analyst

Intro. Res. No. 1375-08 Laid on Table 4/29/08
Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2008, AMENDING THE 2008 OPERATING BUDGET TO TRANSFER UNEXPENDED FUNDS FROM FUND 477 WATER QUALITY PROTECTION PROGRAM FUND BALANCE-WATER QUALITY PROTECTION COMPONENT FROM THE PROGRAM ENDING NOVEMBER 30, 2007, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STORMWATER REMEDIATION TO GREEN CREEK AT COUNTY ROAD 85, MONTAUK HIGHWAY**

**WHEREAS**, there are sufficient unexpended funds within the reserved fund balance of Fund 477 Water Quality Protection component for the program ending November 30, 2007 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

**1st 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 as stated in SEQRA resolution no. 1337-2007, and 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

**2nd RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy-three (73) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

**3rd RESOLVED**, that sufficient funds exist within Fund 477 Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

**4th RESOLVED**, that the Adopted 2008 Operating Budget be and hereby is amended and that the following funds from the Fund 477 Fund Balance be and hereby are appropriated as follows:

EXPENDITURES:

| Agency | Fund | Organization | Object | Description | Amount |
|---|---|---|---|---|---|
| IFT | 477 | E525 | 9600 | Transfer to Capital Fund | $700,000.00 |

and be it further

**5th RESOLVED**, that the interfund revenues and expenditures be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

| Agency Fund | Rev Source | Org | Description | Amount |
|---|---|---|---|---|
| IFT | R477 | E525 | Transfer from Water Quality Protection | $700,000 |

and be it further

**6th 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

| | Total Est'd Cost | Current 2008 Capital Budget & Program | Revised 2008 Capital Budget & Program |
|---|---|---|---|
| 3. Construction | $700,000 | $0 | $700,000W |
| TOTAL | $700,000 | $0 | $700,000 |

and be it further

**7th RESOLVED**, that the transfer in the amount of $700,000 be and hereby is appropriated as follows:

| Project Number | JC | Project Title | Amount |
|---|---|---|---|
| 525-CAP-8240.319 | 50 | Storm Water Remediation to Green Creek @ CR 85, Montauk Highway | $700,000 |

and be it further

**8th RESOLVED,** that the County Treasurer and County Comptroller are hereby authorized 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

1375

# STATEMENT OF FINANCIAL IMPACT
# OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X  Local Law ____  Charter Law ____

2. Title of Proposed Legislation

AMENDING THE 2008 OPERATING BUDGET TO TRANSFER UNEXPENDED FUNDS FROM FUND 477 WATER QUALITY PROTECTION PROGRAM FUND BALANCE-WATER QUALITY PROTECTION COMPONENT FOR THE PROGRAM ENDING NOVEMBER 30,2007, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STORMWATER REMEDIATION TO GREEN CREEK AT COUNTY ROAD 85, MONTAUK HIGHWAY

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes X** **No ___**

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

**County** **Town** **Economic Impact**

**Village** **School District** **Other (Specify):**

**Library District** **Fire District**

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

THIS RESOLUTION TRANSFERS UNEXPENDED FUNDS FROM FUND 477, WATER QUALITY PROTECTION PROGRAM-WATER QUALITY PROTECTION COMPONENT ENDING ON NOVEMBER 30, 2007, 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 | 11. Signature of Preparer | 12. Date |
|---|---|---|
| DEBRA KOLYER<br>PRINCIPAL FINANCIAL ANALYST | Deb Kolyer | APRIL 18, 2008 |

SCIN FORM 175b (10/95)

**COUNTY OF SUFFOLK**

MAR 2 4 2008

1375

**OFFICE OF THE COUNTY EXECUTIVE**

**Steve Levy**
COUNTY EXECUTIVE

DEPARTMENT OF ENVIRONMENT AND ENERGY

CARRIE MEEK GALLAGHER
COMMISSIONER

March 19, 2008

Ben Zwirn
Deputy County Executive
H. Lee Dennison Bldg. Fl. 11
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

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

> 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

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

Sincerely,

Carrie Meek Gallagher, Commissioner

Enc.
CMG:gkr

cc: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, CE Reso Review

**Intro. Reso. No.** 1376-08 **Laid on Table** 4/29/08
**Introduced by the Presiding Officer on request of the County Executive**

**RESOLUTION NO. -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF THE BULKHEAD AT TIMBER POINT MARINA (CP 5377)**

**WHEREAS**, at the direction of the Department of Public Works, additional planning and design funds are being requested by the Police Commissioner for the reconstruction of the bulkhead at Timber Point Marina; and

**WHEREAS**, additional funds are not included in the 2008 Adopted Capital Budget and Program to cover said additional costs and, pursuant to Suffolk County Charter Section C-4-13, an offsetting authorization must be provided from another capital project; and

**WHEREAS**, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2008 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of $45,000 in Suffolk County Serial Bonds; now, therefore, be it

**1st RESOLVED**, that it is determined that this program with a priority ranking of sixty-four (64) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

**2nd RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1201-2006 classified the action contemplated by this as a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c) (1)(2) and Chapter 279 of the Suffolk County Code, which project involves the maintenance, repair, replacement, rehabilitation or reconstruction of a structure in-kind on the same site; and be it further

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

Project No.: 5375
Project Title: Bulkheading at Various Locations

| | Total Est'd Cost | Current 2008 Capital Budget & Program | Revised 2008 Capital Budget & Program |
|---|---|---|---|
| 3. Construction | $2,440,000 | $500,000B | $455,000B |
| TOTAL | $2,440,000 | $500,000 | $455,000 |

Project No.: 5377
Project Title: Reconstruction of the Bulkhead at Timber Point Marina

| | Total Est'd Cost | Current 2008 Capital Budget & Program | Revised 2008 Capital Budget & Program |
|---|---|---|---|
| 1. Planning, Design & Supervision | $125,000 | $ -0- | $45,000B |
| TOTAL | $875,000 | $ -0- | $45,000 |

and be it further

4th **RESOLVED,** that the proceeds of $45,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

| Project No. | JC | Project Title | Amount |
|---|---|---|---|
| 525-CAP-5377.110 (Fund 001-Debt Service) | 50 | Reconstruction of the Bulkhead at Timber Point Marina | $45,000 |

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

# STATEMENT OF FINANCIAL IMPACT
# OF PROPOSED SUFFOLK COUNTY LEGISLATION

1376

| | | |
|---|---|---|
| 1. Type of Legislation<br><br>Resolution ___X___ | Local Law _____ | Charter Law _____ |

2. Title of Proposed Legislation

**RESOLUTION NO. -2008, AMENDING THE 2008 CAPITAL BUDGET & PROGRAM & APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF THE BULKHEAD AT TIMBER POINT MARINA (C. P. 5377)**

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes __X__ No _____**

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

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

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2009

| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| NICHOLAS PAGLIA | | 4/14/2008 |

SCIN FORM 175b (10/95)

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

1376

**GENERAL FUND**

| | 2009 PROPERTY TAX LEVY | 2009 COST TO AVG TAXPAYER | 2009 AV TAX RATE PER $100 | 2009 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$9,800** | **$0.02** | | $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 | **$9,800** | **$0.02** | | $0.000 |

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.



To be completed by the Executive Budget Office

**Suffolk County**

General Obligation Serial Bonds
50% Rule

1376

| | |
|---|---|
| Term of Bonds | 5 |
| Amount to Bonds: | $45,000 |

| Date | Coupon | Principal | Interest | Total Debt Service | Fiscal Debt Service |
|---|---|---|---|---|---|
| 11/1/2008 | | | | | |
| 5/1/2009 | | | $900.00 | $900.00 | |
| 11/1/2009 | 4.00% | $ 8,000 | 900.00 | 8,900.00 | $9,800.00 |
| 5/1/2010 | | | 740.00 | 740.00 | |
| 11/1/2010 | 4.00% | 9,000 | 740.00 | 9,740.00 | 10,480.00 |
| 5/1/2011 | | | 560.00 | 560.00 | |
| 11/1/2011 | 4.00% | 9,000 | 560.00 | 9,560.00 | 10,120.00 |
| 5/1/2012 | | | 380.00 | 380.00 | |
| 11/1/2012 | 4.00% | 10,000 | 380.00 | 10,380.00 | 10,760.00 |
| 5/1/2013 | | | 180.00 | 180.00 | |
| 11/1/2013 | 4.00% | 9,000 | 180.00 | 9,180.00 | 9,360.00 |
| 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% | - | - | - | - |
| | | $ 45,000 | $5,520.00 | $50,520.00 | $50,520.00 |

COUNTY OF SUFFOLK

1376

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

**MEMORANDUM**

**TO:** **Ben Zwirn, Deputy County Executive**
**Suffolk County Executive's Office**

**FROM:** **Richard Dormer, Police Commissioner**

**DATE:** **March 17, 2008**

**SUBJECT:** **INTRODUCTORY RESOLUTION REQUEST**

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At the direction of the Department of Public Works, the Police Department requests the introduction of a resolution to provide additional planning and design funds for the reconstruction of the bulkhead at Timber Point Marina (C.P. 5377). Please note that the Department of Public Works has provided an offset for the additional monies.

Copies of a draft resolution, impact statement and introduction form are attached. An e-mail version was also sent to CE RESO REVIEW under the titles "Reso-POL-C.P. 5377-2008"; "Backup-POL-C.P. 5377-SCIN 175A"; "Backup-POL-C.P. 5377-SCIN 175B"; and "Backup-POL-C.P. 5377-cover letter-2008.

If you have any questions, please contact Edward Webber, Chief of Support Services Division, at 852-6230.

/sv
Att.

cc: Jim Morgo, Chief Deputy County Executive
Roger K. Shannon, Deputy Police Commissioner
Robert Anthony Moore, Chief of Department
Edward Webber, Chief, Support Services Division
Robert Ponzo, Chief, Patrol Division
Harold Jantzen, C.O., Marine Bureau
Robert Scharf, Lieutenant, C.O., Staff Services Bureau
Patricia E. Sitler, Principal Program Examiner, Administrative Services Bureau

1377

Intro. Res. No. 2008 Laid on Table 4/29/08

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

**RESOLUTION NO. , 2008 CALLING FOR A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING THE PLANNING OF THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST (OUTFALL) (CP 8108)**

**WHEREAS,** by proceedings heretofore duly had and taken pursuant to Article 5-A of the County Law, the County Legislature of the County of Suffolk, New York has established a County sewer district designated and known as Suffolk County Sewer District No. 3 – Southwest; and

**WHEREAS,** a map and plan, together with an estimate of cost, has been prepared and filed with the County Legislature pursuant to Section 268 of the County Law in relation to the proposed planning for an increase and improvement of the facilities and implementing a response plan of said sewer district; and

**WHEREAS**, the Administrative Head of the Sewer District has requested that funds be appropriated to cover the planning and response plan costs associated with the improvement project related to the outfall pipe; and

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

1st **RESOLVED,** this Legislature, being the lead agency under the State Environmental Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York State Code of Rules and Regulations ("NYCRR"), the Legislature has no further responsibilities under SEQRA, and be it further

2nd **RESOLVED,** by the County Legislature of the County of Suffolk, New York, as follows

Section 1. A meeting of the County Legislature of the County of Suffolk New York shall be held at the County Center in the meeting room of the County Legislature in Hauppauge, New York, in said County, on the 10th day of June 2008, at 2:30 p.m., Prevailing Time, for the purpose of conducting a public hearing on the aforesaid matter and for such other action on the part of said County Legislature as may be required by law or proper in premises.

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the County Legislature of the County of Suffolk New York will meet at the County Center in the meeting room of the County Legislature in Hauppauge, New York, in said County, on June 10, 2008 at 2:30 PM, Prevailing Time, for the purpose of conducting a public hearing upon a proposal to plan the increase and improve the outfall facilities of County Sewer District No. 3 – Southwest in and about the within the Town of Babylon, in and for said County, substantially in accordance with certain maps, plans, report and recommendations prepared by and filed with the County legislature by the Suffolk County Sewer Agency with the

assistance of the County Department of Public Works, at which time and place said County legislature will consider such proposal and hear all parties interested therein concerning the same.

The project is to provide the planning to evaluate the integrity and life expectancy of the sewage outfall that crosses the Great South Bay between the Bergen Point Wastewater Treatment Facility and the barrier beach in the vicinity of Cedar Island. The project will also develop a response plan in the event that rehabilitation or replacement of segments of pipe is necessary at sometime in the future. The cost opinion associated with the planning phase and response plan is $5 million. The planning steps and response plan are more fully described and defined in the aforementioned maps, plans, report, and recommendations. It will consist of planning, permitting, environmental review, and the interim plan for response, all related to the outfall facility.

The existing district is billed on assessed value, a per parcel charge and a user fee. It is proposed that the project will be implemented during 2008 and the serial bonds of $5 million associated with this planning phase of the project will be issued during 2009. It is indicated in the map, plan and report, that serial bonds will result in a first year cost of $400,000 based on 4% financing over a 20 year period. The available full value of the Towns of Islip and Babylon along with the average full value of a typical property within each Town results in an increase in the rate of $0.010929 per $1,000 of full value. This increased rate amounts to a value of $5.14 per year in Babylon and $5.55 per year in Islip.

A copy of the map, plan, and estimate of costs relating to said proposed increase, improvement, and extension of facilities is on file in the Office of the Clerk of said County Legislature, where the same may be examined during regular business hours.

Section 3. This resolution shall take effect immediately.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1377

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

**CALLING FOR A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING THE PLANNING OF THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST (OUTFALL) (CP8108)**

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes** ___ **No X**

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

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

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

THIS RESOLUTION CALLS FOR A PUBLIC HEARING PURSUANT TO SECTION 254 OF COUNTY LAW, AS A RESULT OF THE PROPOSED PLANNING FOR AN INCREASE AND IMPROVEMENT OF THE FACILITIES AND IMPLEMENTING A RESPONSE OF SAID PLAN. THERE IS NO COST ASSOCIATED WITH PUBLIC HEARINGS.

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

N/A

8. Proposed Source of Funding

THERE IS NO COST ASSOCIATED WITH PUBLIC HEARINGS AND, THEREFORE, NO ASSOCIATED FUNDING SOURCE.

9. Timing of Impact

UPON ADOPTION

| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| DEBRA KOLYER<br>PRINCIPAL FINANCIAL ANALYST | Debra Kolyer | APRIL 16, 2008 |

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT**
**2008 PROPERTY TAX LEVY**
**COST TO THE AVERAGE TAXPAYER**

1377

**GENERAL FUND**

| TOWN | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

**POLICE DISTRICT AND DISTRICT COURT**

| TOWN | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

**COMBINED**

| TOWN | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

NOTES:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.



To be completed by the Executive Budget Office

# COUNTY OF SUFFOLK

1377

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

## M E M O R A N D U M

TO: Ben Zwirn, Deputy County Executive

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

SUBJECT: Calling for a Public Hearing for the Purpose of Considering the Planning of the Increase and Improvement of Facilities for Sewer District No. 3 – Southwest (Outfall) CP 8108

DATE: March 26, 2008

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW-bw CP8108 – SD 3 – Southwest (Outfall) Hearing 3-26-08 and backup filed as Reso-Backup DPW-bw CP8108 – SD 3 – Southwest Improvement Hearing 3-26-08. The resolution calls for a public hearing to provide funds to plan for the improvement of the Ocean Outfall and implement a response plan. Due to the need to proceed with the project as soon as possible we appreciate the draft resolution being laid on the table as soon as possible.

TL:BW:ni
Attachment
cc: Jim Morgo, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, County Executive Assistant
Laura Conway, CPA, Chief Accountant
Ben Wright, P.E., Chief Engineer, Sanitation
CE RESO REVIEW
ResoBackup DPW-bw CP8108 SD3 Southwest Outfall Improvement Hearing memo 3-21-08

1378

**Intro. Res. No. -2008** **Laid on Table** 4/29/08

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

**RESOLUTION NO. -2008, A RESOLUTION MAKING CERTAIN ADDITIONAL FINDINGS AND DETERMINATIONS IN RELATION TO A PROPOSAL TO INCREASE AND IMPROVE FACILITIES FOR SEWER DISTRICT NO. 18 – HAUPPAUGE INDUSTRIAL (CP 8126)**

**WHEREAS**, pursuant to Resolution No. 1010-2005, which was adopted on September 27, 2005 and signed by the County Executive on September 30, 2005, the Suffolk County Legislature, upon evidence given at public hearings held on June 28, 2005 and reopened on August 9, 2005, and upon maps and plans filed with the County Legislature, found and determined that it was in the public interest to increase and improve the facilities of Suffolk County Sewer District No. 18 - Hauppauge Industrial and to extend such district at a maximum estimated cost of $65,000,000, to be obtained through debt obligations, substantially in accordance with the maps and plans filed at that time with the County Legislature; and

**WHEREAS,** in the course of the two intervening years since the original report, map, and plan were filed with the County Legislature, the total cost of the improvement, increase and extension of Suffolk County Sewer District No. 18 – Hauppauge Industrial has increased from $65,000,000 to $70,000,000, as reflected in the revised "Report, Map, and Recommendations for Proposed Extension and Improvement of Suffolk County Sewer District No. 18, Hauppauge Industrial – Rev. October 2007", which has been duly filed with the County Legislature; and

**WHEREAS,** in order to seek public comment and input on the revised "Report, Map, and Recommendations for the Proposed Extension and Improvement of the Suffolk County Sewer District No. 18, Hauppauge Industrial – Rev. October 2007" and in order for the public to comment and present input on the proposed "increase and improvement of facilities" portion of this project, the County Legislature duly adopted Resolution No. 1041-2007, which called for another public hearing in regard to the increase and improvement of facilities for Suffolk County Sewer District No. 18 Hauppauge Industrial to be held in Riverhead on November 20, 2007 at 2:30 p.m., Prevailing Time; and

**WHEREAS**, while the public hearing was held on November 20, 2007 at 2:30 p.m., Prevailing Time following which the Legislature duly enacted Resolution No. 1279-2007, finding that the increase and improvement of facilities for Suffolk County Sewer District No. 18 Hauppauge – Industrial was in the public interest, it was subsequently discovered that the Notice of the Public Hearing required by Resolution No. 1041-2007 was improperly published; and

**WHEREAS,** in order to correct improper publication the Legislature repealed Resolution No. 1041-2007 in its entirety and enacted Resolution No. 214-2008 calling for a new public hearing and new Notice of Public Hearing regarding the proposed increase and improvement of facilities for Suffolk County Sewer District No. 18 Hauppauge Industrial in conformity with the legal requirements of Article 5-A of the New York County Law and language mandated by the Rules of the New York State Comptroller; and

**WHEREAS**, pursuant to Resolution No. 214-2008, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

**WHEREAS,** said public hearing was held in Hauppauge, New York in said County on April 29, 2008 at 2:30 p.m., Prevailing Time; and

**WHEREAS**, said County Legislature has duly considered the revised map and plan and estimate of cost for the increase and improvement of facilities for Suffolk County Sewer District No. 18 Hauppauge Industrial submitted and evidence given at the public hearings held on June 28, 2005, November 20, 2007, and April 29, 2008 respectively; now therefore be it

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

Section 1. Upon evidence given at the aforesaid public hearings and after due consideration of the revised maps, plans, reports, recommendations, and data filed with the County Legislature, it is hereby found and determined that it is in the public interest to increase and improve the facilities at Suffolk County Sewer District No. 18 - Hauppauge Industrial and that the proposed facilities are adequate and appropriate;

Section 2. Upon evidence given at the aforesaid public hearings and after due consideration of the revised maps, plans, reports, recommendations, and data filed with the County Legislature, the Legislature further finds and determines that it is in the public interest to increase the original amount authorized for entire project, including the increase and improvement of facilities and the extension of boundaries for Suffolk County Sewer District No. 18 - Hauppauge Industrial, from $65,000,000 to $70,000,000;

Section 3. Upon evidence given at the aforesaid public hearings and after due consideration of the revised maps, plans, reports, recommendations, and data filed with the County Legislature, it further finds and determines that it is in the public interest to increase and improve the facilities at Suffolk County Sewer District No. 18 - Hauppauge Industrial at a maximum cost of approximately $35,000,000 which represents that portion of the aforementioned $70,000,000 which will be attributable to the increase and improvement of facilities of said sewer district, substantially in accordance with the revised map and plan;

Section 4. Upon evidence given at the aforesaid public hearings and after due consideration of the revised maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the existing Suffolk County Sewer District No. 18 and the proposed extension of Suffolk County Sewer District No. 18 - Hauppauge Industrial, will be benefited by such increase and improvement of facilities.

Section 5. Suffolk County Sewer District No. 18 - Hauppauge Industrial, as extended, shall comprise all that certain plot, piece or parcel of land, with improvements erected thereon situate, lying and being at Hauppauge, Town of Smithtown, County of Suffolk and State of New York, being bounded and described as follows:

Beginning at a point on the northerly line of Vanderbilt Motor Parkway said point being 30.00 feet westerly of an arc having a Radius of 40.00 feet and Length of 62.83 feet which connects the northerly line of Vanderbilt Motor Parkway with the westerly line of Kennedy Drive;

RUNNING THENCE South 84 degrees 52 minutes 36 seconds West for a distance of 965.75 feet to a point;
RUNNING THENCE South 89 degrees 53 minutes 16 seconds West for a distance of 42.68 feet to a point;
RUNNING THENCE South 84 degrees 27 minutes 36 seconds West for a distance of 824.02 feet to a point;
RUNNING THENCE South 83 degrees 20 minutes 16 seconds West for a distance of 183.37 feet to a point;
RUNNING THENCE South 83 degrees 22 minutes 37 seconds West for a distance of 1101.79 feet to a point;
RUNNING THENCE South 84 degrees 04 minutes 48 seconds West for a distance of 1236.94 feet to a point;
RUNNING THENCE South 83 degrees 48 minutes 09 seconds West for a distance of 1301.75 feet to a point;
RUNNING THENCE South 83 degrees 31 minutes 18 seconds West for a distance of 1029.09 feet to a point;
RUNNING THENCE South 84 degrees 15 minutes 00 seconds West for a distance of 317.04 feet to a point;
RUNNING THENCE South 84 degrees 21 minutes 39 seconds West for a distance of 858.90 feet to a point;
RUNNING THENCE South 83 degrees 40 minutes 06 seconds West for a distance of 400.16 feet to a point;
RUNNING THENCE South 83 degrees 40 minutes 45 seconds West for a distance of 481.01 feet to a point;
RUNNING THENCE South 83 degrees 03 minutes 58 seconds West for a distance of 407.79 feet to a point;
RUNNING THENCE South 84 degrees 04 minutes 09 seconds West for a distance of 210.14 feet to a point;
RUNNING THENCE South 84 degrees 05 minutes 48 seconds West for a distance of 400.14 feet to a point;
RUNNING THENCE South 89 degrees 53 minutes 18 seconds West for a distance of 28.94 feet to a point;
RUNNING THENCE South 84 degrees 30 minutes 06 seconds West for a distance of 37.44 feet to an arc which bears to the right having a Radius of 1500.00 feet;
RUNNING THENCE along the arc which bears to the right having a Radius of 1500.00 feet and a chord of North 77 degrees 43 minutes 11 seconds West 880.30 feet, a distance of 893.45 feet to a point;
RUNNING THENCE North 03 degrees 20 minutes 40 seconds East for a distance of 596.71 feet to a point;
RUNNING THENCE North 02 degrees 53 minutes 50 seconds East for a distance of 37.85 feet to a point;
RUNNING THENCE North 02 degrees 49 minutes 35 seconds East for a distance of 828.90 feet to a point;
RUNNING THENCE North 06 degrees 43 minutes 53 seconds East for a distance of 1052.39 feet to a point;
RUNNING THENCE North 87 degrees 09 minutes 44 seconds West for a distance of 50.12 feet to a point;

RUNNING THENCE North 02 degrees 33 minutes 28 seconds East for a distance of 461.63 feet to a point;
RUNNING THENCE North 76 degrees 26 minutes 24 seconds West for a distance of 218.18 feet to a point;
RUNNING THENCE North 03 degrees 11 minutes 38 seconds West for a distance of 436.09 feet to a point;
RUNNING THENCE North 84 degrees 30 minutes 56 seconds East for a distance of 79.34 feet to a point;
RUNNING THENCE North 02 degrees 10 minutes 34 seconds East for a distance of 49.91 feet to a point;
RUNNING THENCE North 05 degrees 33 minutes 57 seconds West for a distance of 210.00 feet to a point;
RUNNING THENCE North 45 degrees 13 minutes 59 seconds West for a distance of 287.38 feet to a point;
RUNNING THENCE North 83 degrees 28 minutes 20 seconds West for a distance of 77.00 feet to a point;
RUNNING THENCE North 00 degrees 00 minutes 32 seconds West for a distance of 55.35 feet to a point;
RUNNING THENCE South 85 degrees 51 minutes 58 seconds East for a distance of 759.00 feet to a an arc which bears to the left having a Radius of 3626.04 feet;
RUNNING THENCE along the arc which bears to the left having a Radius of 3626.04 feet and a chord North 87 degrees 14 minutes 56 seconds East, 869.33 feet, a distance of 871.43 feet to an arc which bears to the left having a Radius of 1981.86 feet;
RUNNING THENCE along the arc which bears to the left having a Radius of 1981.86 feet and a chord of North 68 degrees 07 minutes 25 seconds East, 840.38 feet, a distance of 846.81 feet to a point;
RUNNING THENCE South 34 degrees 03 minutes 02 seconds East for a distance of 93.90 feet to a point;
RUNNING THENCE North 38 degrees 41 minutes 59 seconds East for a distance of 382.97 feet to an arc which bears to the left having a Radius of 3054.95 feet;
RUNNING THENCE along the arc which bears to the left having a Radius of 3054.95 feet and a chord of North 43 degrees 39 minutes 08 seconds East, 566.76 feet, a distance of 567.58 feet to a point;
RUNNING THENCE North 38 degrees 16 minutes 14 seconds East for a distance of 1392.42 feet to an arc which bears to the right having a Radius of 1837.86 feet;
RUNNING THENCE along the arc which bears to the right having a Radius of 1837.86 feet and a chord of North 76 degrees 32 minutes 29 seconds East, 1531.21 feet, a distance of 1579.36 feet to a point;
RUNNING THENCE South 76 degrees 00 minutes 39 seconds East for a distance of 161.23 feet to a point;
RUNNING THENCE South 76 degrees 54 minutes 28 seconds East for a distance of 796.42 feet to a point;
RUNNING THENCE South 76 degrees 31 minutes 30 seconds East for a distance of 218.72 feet to an arc which bears to the left having a Radius of 2363.83 feet;
RUNNING THENCE along the arc which bears to the left having a Radius of 2363.83 feet and a chord of South 79 degrees 09 minutes 55 seconds East, 217.76 feet, a distance of 217.84 feet to a point;
RUNNING THENCE South 76 degrees 22 minutes 35 seconds East for a distance of 411.16 feet to a point;
RUNNING THENCE North 76 degrees 33 minutes 05 seconds East for a distance of 300.17 feet to a point;

RUNNING THENCE North 68 degrees 28 minutes 45 seconds East for a distance of 251.49 feet to a point;
RUNNING THENCE North 82 degrees 12 minutes 35 seconds East for a distance of 351.67 feet to a point;
RUNNING THENCE North 87 degrees 03 minutes 55 seconds East for a distance of 232.34 feet to a point;
RUNNING THENCE South 03 degrees 25 minutes 55 seconds East for a distance of 367.98 feet to a point;
RUNNING THENCE South 12 degrees 40 minutes 51 seconds East for a distance of 1145.02 feet to a point;
RUNNING THENCE South 80 degrees 28 minutes 54 seconds East for a distance of 296.25 feet to a point;
RUNNING THENCE South 80 degrees 30 minutes 44 seconds East for a distance of 1021.42 feet to a point;
RUNNING THENCE South 81 degrees 28 minutes 24 seconds East for a distance of 252.16 feet to a point;
RUNNING THENCE South 82 degrees 00 minutes 04 seconds East for a distance of 1412.33 feet to a point;
RUNNING THENCE South 80 degrees 22 minutes 44 seconds East for a distance of 672.24 feet to a point;
RUNNING THENCE South 67 degrees 14 minutes 47 seconds East for a distance of 64.62 feet to a point;
RUNNING THENCE South 80 degrees 29 minutes 04 seconds East for a distance of 197.25 feet to a point;
RUNNING THENCE South 82 degrees 10 minutes 04 seconds East for a distance of 304.50 feet to a point;
RUNNING THENCE South 77 degrees 33 minutes 04 seconds East for a distance of 132.45 feet to a point;
RUNNING THENCE South 79 degrees 42 minutes 54 seconds East for a distance of 137.37 feet to a point;
RUNNING THENCE South 10 degrees 08 minutes 16 seconds West for a distance of 90.14 feet to a point;
RUNNING THENCE South 04 degrees 51 minutes 06 seconds West for a distance of 55.80 feet to a point;
RUNNING THENCE South 00 degrees 28 minutes 26 seconds West for a distance of 111.28 feet to a point;
RUNNING THENCE South 10 degrees 14 minutes 36 seconds West for a distance of 61.61 feet to a point;
RUNNING THENCE South 03 degrees 17 minutes 54 seconds East for a distance of 150.27 feet to a point;
RUNNING THENCE South 02 degrees 59 minutes 06 seconds West for a distance of 173.80 feet to a point;
RUNNING THENCE South 03 degrees 37 minutes 36 seconds West for a distance of 721.31 feet to a point;
RUNNING THENCE South 03 degrees 04 minutes 56 seconds West for a distance of 165.70 feet to a point;
RUNNING THENCE South 00 degrees 07 minutes 04 seconds East for a distance of 213.78 feet to a point;
RUNNING THENCE South 03 degrees 48 minutes 06 seconds West for a distance of 402.02 feet to a point;

RUNNING THENCE South 00 degrees 59 minutes 36 seconds West for a distance of 101.55 feet to a point;
RUNNING THENCE South 03 degrees 22 minutes 06 seconds West for a distance of 662.37 feet to a point;
RUNNING THENCE South 83 degrees 12 minutes 13 seconds West for a distance of 409.18 feet to a point;
RUNNING THENCE South 82 degrees 48 minutes 46 seconds West for a distance of 278.91 feet to a point;
RUNNING THENCE South 82 degrees 45 minutes 48 seconds West for a distance of 435.92 feet to a point;
RUNNING THENCE South 82 degrees 52 minutes 58 seconds West for a distance of 827.95 feet to the point and place of BEGINNING.

Section 6. As evidenced by certification from the Suffolk County Board of Elections duly filed with the County Legislature, there are no qualified electors who are residents in the existing district or in the proposed district extension, thus a permissive referendum on the proposed increase and improvement to Suffolk County Sewer District No. 18 - Hauppauge Industrial is unnecessary.

Section 7. As evidenced by Resolution No. 716-2004, the County Legislature acting as the State Environmental Quality Review Act (SEQRA) lead agency determined that the Proposed Improvement and Expansion of Sewer District No. 18 - Hauppauge Industrial, constituted a Type I action pursuant to the provisions of Title 6 NYCRR Part 617.6(b)(6)(i) and Chapter 279 of the Suffolk County Code, which project will not have a significant effect on the environment, thus no further SEQRA action is necessary.

2nd **RESOLVED,** by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. The Application for New York State Comptroller Consent for the expenditure of debt for the project, including both the increase and improvement of facilities portion of the project and the extension of boundaries portion of the project, is attached to this Resolution as Exhibit A. The Application includes the Report, Map, and Recommendations for the Proposed Extension and Improvement of the Suffolk County Sewer District No. 18, Hauppauge Industrial dated August 2006 and revised in October 2007 ("Application"). Said Application was prepared at the direction of the Legislature and has duly been submitted to the Office of the State Comptroller.

Section 2. The Legislature, upon information and belief, believes the contents of the Application to be accurate.

Section 3. The Suffolk County Executive or his designee is hereby authorized and empowered to prepare, execute, verify, and submit any additional information regarding the Application or to amend the existing Application that the County has previously filed regarding obtaining the approval of the expenditure of debt funds for increase and improvement of facilities for Suffolk County Sewer District No. 18 – Hauppauge Industrial from the New York State Department of Audit and Control consistent with Article 5A of the New York County Law.

4th **RESOLVED** that all other provisions of Resolution No. 1010-2005 and Resolution No. 1279-2007 are hereby affirmed, ratified and remain in full force and effect.

5TH **RESOLVED,** this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

6th **RESOLVED**, that this resolution shall take effect immediately.

DATED: April XX, 2008

APPROVED BY:

County Executive of Suffolk County

1378

# STATEMENT OF FINANCIAL IMPACT
# OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution x Local Law _____ Charter Law _____

2. Title of Proposed Legislation

A RESOLUTION MAKING CERTAIN ADDITIONAL FINDINGS AND DETERMINATIONS IN RELATION TO A PROPOSAL TO INCREASE AND IMPROVE FACILITIES FOR SEWER DISTRICT NO. 18 –HAUPPAUGE INDUSTRIAL (CP 8126)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE.

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes ___ No X**

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

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

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

THIS RESOLUTION ALLOWS FOR ADDITIONAL FINDINGS AND DETERMINATIONS THAT PROJECT INCREASED COSTS FROM $65,000,000 TO $70,000,000 FOR THE PROPOSED EXTENSION AND IMPROVEMENT OF SUFFOLK SEWER DISTRICT NO. 18, HAUPPAUGE INDUSTRIAL. THE SUPPORTING PUBLIC HEARING REPORT DETAILS THE PROJECT COSTS AND IMPACT ON THE PROPERTY OWNERS.

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

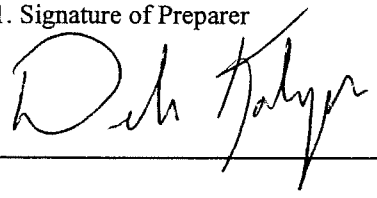
THE PROJECT IS $70 MILLION IN SERIAL BONDS AND THE ASRF WILL CONTINUE TO STABILIZE RATES AT AN ANNUAL INCREASE OF 3%.

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2009

| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| Debra Kolyer<br>Principal Financial Analyst |  | April 17, 2008 |

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT**
**2008 PROPERTY TAX LEVY**
**COST TO THE AVERAGE TAXPAYER**

1378

**GENERAL FUND**

| TOWN | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

**POLICE DISTRICT AND DISTRICT COURT**

| TOWN | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

**COMBINED**

| TOWN | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.



To be completed by the Executive Budget Office

# COUNTY OF SUFFOLK

1378

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

## M E M O R A N D U M

TO: Ben Zwirn, Deputy County Executive

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

SUBJECT: A Resolution Making Certain Findings and Determinations in Relation to a Proposal to Increase and Improve Facilities for Sewer District No. 18 – Hauppauge Industrial (CP8126)

DATE: March 31, 2008

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW-bw CP8126 – SD 18 – Hauppauge Industrial Improvement Findings 3-31-08 and backup filed as Reso-Backup DPW-bw CP8126 – SD 18 – Hauppauge Industrial Improvement Findings 3-31-08. The resolution presents the findings of the public hearing to improve and expand the facilities of the existing sewer district into the remainder of the Hauppauge Industrial Park. Due to the need to proceed with the project as soon as possible and considering the delay caused by the improper advertisement, we request the resolution is laid on the table as soon as possible.

TL:BW:ni
Attachment
cc: Jim Morgo, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
✓Brendan Chamberlain, County Executive Assistant
Laura Conway, CPA, Chief Accountant
Ben Wright, P.E., Chief Engineer, Sanitation
CE RESO REVIEW
ResoBackup DPW-bw CP8126- SD 18 - Hauppauge Industrial Improvement Findings memo 3-31-08

Intro. Res. No. 1379-08 -2008 Laid on the Table 4/29/08
Introduced by the Presiding Officer at the Request of the County Executive

**RESOLUTION NO. -2008 APPROPRIATING FUNDS IN CONNECTION WITH RESTORATION OF FACADES AT THE SUFFOLK COUNTY VANDERBILT MUSEUM (CP 7441)**

WHEREAS, the Deputy Director of the Suffolk County Vanderbilt Museum has requested construction funds to restore damaged, unstable and unsafe building facades at museum facilities; and

WHEREAS, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter called "SEQRA"), CEQ Resolution No. 38-94 recommended the activity as a Type II action pursuant to the provisions of Title 6 NYCRR, Part 617.13 (d) and (1); and

WHEREAS, Resolution No. 471 -1994 as revised by Resolution No 398-2000 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of said request; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,100,000 in Suffolk County Serial Bonds; now therefore be it

1. RESOLVED, that this Legislature, being the lead agency under SEQRA , and Chapter 279 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Title 6 NYCRR, Part 617.13 (d) and (1), and determines that implementation of this action will not have a significant impact on the environment for the following reasons:

    1. The action involves replacement and rehabilitation involving no substantial changes to an existing structure.

and be it further

2. RESOLVED, that in accordance with Section 279-5 (c)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution; and be it further

3. RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty-eight (38), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 398-2000; and be it further

4. RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to complete restoration of damaged, unstable and unsafe building facades at the Suffolk County Vanderbilt Museum; and be it further

5. RESOLVED, that the proceeds of $1,100,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

| Project No. | Project Title | Amount |
|---|---|---|
| 525-CAP-CAP-Ref-525-7441 | Restoration of Facades at the Suffolk County Vanderbilt Museum | $1,100,000 |

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

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Project #COEX-27-94 CEQ Resolution No. 38-94 July 20, 1994

HISTORIC TRUST FINDINGS TOGETHER WITH
RECOMMENDATION CONCERNING A SEQRA CLASSIFICATION
AND DETERMINATION FOR THE PURPOSES OF
CHAPTER 279 OF THE SUFFOLK COUNTY CODE
FOR THE PROPOSED CAPITAL PROGRAM REQUESTS CONCERNING THE
VANDERBILT MUSEUM AND PLANETARIUM

WHEREAS, at their July 20, 1994 meeting, the Suffolk County Council on Environmental Quality reviewed associated information submitted by the County Executive's Budget Office; and

WHEREAS, a presentation regarding the projects was given at the meeting by Mr. Bagg, Chief Environmental Analyst of the Suffolk County Planning Dept.; and

WHEREAS, the projects will benefit the historic integrity of the county owned historic property known as the Vanderbilt Museum; now

Be It Therefore

RESOLVED, that the CEQ, as members of the Suffolk County Historic Trust, has approved the Budget requests involving repairs and restoration, conservation of collections, and purchase of equipment at the Vanderbilt Museum, provided all work is in conformance with the WASA Historic Structures Report and are reviewed by the Suffolk County Historian, Mr. Lance Mallamo; and

Be It Further

RESOLVED, that in the judgement of the CEQ, based on the information received and presented, the following activities as listed are considered Type II actions under the provisions of NYCRR Part 617.13, and Chapter 279 of the Suffolk County Code:

1. Design and engineering, restoration and stabilization of the sea plane hangar - Type II action pursuant to Part 617.13 (d) (1), (8) and (18);
2. Electrical distribution system - Type II action pursuant to Part 617.13 (d) (8);
3. Restoration of driveways, gutters and catchment basins - Type II action pursuant to Part 617.13 (d) (1), (8) and (18);
4. Restoration of the boat house - Type II action pursuant to Part 617.13 (d) (1), (8) and (18);
5. Waterproofing masonry walls and drainage - Type II action pursuant to Part 617.13 (d) (1) and (18);
6. Fire and security system - Type II action pursuant to Part 617.13 (d) (8) and (18);
7. Restoration of building facades - Type II action pursuant to Part 617.13 (d) (1);

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COEX-27-94



8. Building environmental control systems - Type II action pursuant to Part 617.13 (d) (8) and (18);
9. Purchase of equipment - Type II action pursuant to Part 617.13 (d) (12);
10. Computerization upgrade - Type II action pursuant to Part 617.13 (d) (12);
11. Conservation of collections - Type II action pursuant to Part 617.13 (d) (1); and

Be It Further

RESOLVED, that based on the information received, a quorum of the council recommends to the Suffolk County Legislature, and County Executive, pursuant to Chapter 279 of the Suffolk County Code, that the projects listed above are Type II actions, and that they adopt a SEQRA determination to that effect.

Motion by: Ms. Manfredonia Seconded by: Ms. Suhrhoff

| CEQ Vote: | | | | | |
|---|---|---|---|---|---|
| | Appointed Members: | 6 | Ayes: | 8 | |
| | CAC Representatives: | 2 | Nays: | 0 | Presiding: |
| | Total Voting: | 8 | Abstentions: | 0 | Ms. Elkowitz |

Further information may be obtained by contacting:

Council on Environmental Quality
H. Lee Dennison Building, 12th Floor
Veterans Memorial Highway
Hauppauge, New York 11788
James F. Bagg, Chief Environmental Analyst
Tel: (516) 853-5203

JFB/tk
cc: Honorable Robert J. Gaffney
Suffolk County Executive
Honorable Donald Blydenburgh, Presiding Officer
All Suffolk County Legislators
Clerk of Legislature
Robert Cimino, Suffolk County Attorney
Paul Sabatino, Attorney for the Legislature
Lance Mallamo, Director of Historic Services
Thomas McAdam, Assistant Budget Director

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PROJECT # COEX-27-94

RESOLUTION # 38-94

DATE July 20, 1994

RECORD OF CEQ RESOLUTION VOTES

| CEQ APPOINTED MEMBERS | AYE | NAY | ABSTAIN | NOT PRESENT |
|---|---|---|---|---|
| Mary Ellen Suhrhoff | X | | | |
| Leg. Hackeling | | | | X |
| Thomas Cramer | | | | X |
| Sharon Kast | X | | | |
| Nancy Manfredonia | X | | | |
| Larry Swanson | X | | | |
| Barbara Van Liew | X | | | |
| Theresa Elkowitz | X | | | |
| CAC REPRESENTATIVES | | | | |
| M. Kaufman (Nissequogue CAC) | X | | | |
| D. Fornuto (Smithtown CAC) | X | | | |

Recommendation: Type II Actions

Motion: Ms. Manfredonia

Second: Ms. Suhrhoff

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1379

1. Type of Legislation

Resolution X Local Law _____ Charter Law ____

2. Title of Proposed Legislation

APPROPRIATING FUNDS IN CONNECTION WITH RESTORATION OF FACADES AT THE SUFFOLK COUNTY VANDERBILT MUSEUM (CP 7441)

3. Purpose of Proposed Legislation

To appropriate funds approved in the 2008 Adopted Capital Budget and Program.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes X No _____

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

County X Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

Serial Bonds will be required.

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

See attached debt schedule.

8. Proposed Source of Funding

Serial bonds

9. Timing Impact

2008

| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| Carol Ghiorsi Hart<br>Deputy Director | | 4/04/08 |

Gen C1

Suffolk County

# Vanderbilt

Mansion • Planetarium • Museum

1379

MEMORANDUM

TO: BEN ZWIRN, DEPUTY COUNTY EXECUTIVE

Cc. JIM MORGO, CHIEF DEPUTY COUNTY EXECUTIVE

FROM: CAROL GHIORSI HART, DEPUTY DIRECTOR cgh

RE: 2008 CAPITAL PROJECT # 7441 APPROPRIATION

DATE: April 6, 2008

In 2006 the Suffolk County Department of Public Works coordinated a detailed inspection of facades at the Suffolk County Vanderbilt Museum. The results have documented serious deficiencies at a number of locations, but most critical is the facade of the massive Bell Tower which functions as the main entrance to the former Vanderbilt mansion. As a result, the installation of emergency netting securing the upper stories of that structure, as well as the construction of a roofed platform over the Bell Tower entrance driveway became necessary to protect museum visitors from falling concrete. The results also documented serious deficiencies at a number of other locations that pose a safety threat to museum visitors from falling concrete. This is a top priority project due to the continuing deterioration of the facades, particularly the Mansion Tower. Without this funding we will be unable to bid the first phase "Tower" portion. This project needs this funding, in addition to the 2007 appropriation, in order to move forward.

I am requesting the following appropriation from the 2008 Capital Budget so that repairs to the facades can be implemented as quickly as possible:

| | | | |
|---|---|---|---|
| CP # 7441 | Restoration of Facades | $100,000 | Planning |
| | | $1,000,000 | Construction |

Enclosed please find a copy of a resolution Reso-Vanderbilt-CP 7441 Facades, SCIN Forms 175 (a) and (b), and a resolution from the Suffolk County Council on Environmental Quality for the façade project. I would appreciate it if you would arrange to have this resolution introduced at the next meeting of the Suffolk County Legislature.

Please contact me at 854-5550 if you require additional information. Thank you for your cooperation in this matter.

Carol Ghiorsi Hart
854-5550

P.O. Box 0605 • 180 Little Neck Road • Centerport, NY 11721-0605 • (631) 854-5555

1380

Intro. Res. No. 2008 Laid on Table 4/29/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. 2008, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR AN AUDIT OF THE PUBLIC ADMINISTRATOR'S OFFICE**

**WHEREAS,** the Office of the Public Administrator requested an RFP for a performance audit of the Suffolk County Office of the Public Administrator for the years ended December 31, 2006, 2007 and 2008.

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

**WHEREAS,** the Purchasing Division of the Department of Public Works advertised for these services and provided the RFP to eight (8) potential contractors and received only one response from Capraro, Centofranchi, Tidona, Ench & Co., P.C. and

**WHEREAS,** an independent evaluation committee reviewed the proposal from Capraro, Centofranchi, Tidona, Ench & Co., P.C. and found their quality of work and experience satisfactory, and its cost proposal submission within the industry standards, and has recommended that the Office of the Public Administrator enter into a contractual agreement with the provider; and

**WHEREAS,** there are sufficient funds in the 2008 Suffolk County Operating Budget to cover the cost of the first year of the contract; now, therefore, be it

**1ST RESOLVED,** that upon receiving a two-thirds vote of the County Legislature as required by Local Law No. 3-1996 that the Office of the Public Administrator enter into a contractual agreement with Capraro, Centofranchi, Tidona, Ench & Co., P.C. for a performance audit of the Suffolk County Office of the Public Administrator for the years ended December 31, 2006, 2007 and 2008, and be it further

**2ND RESOLVED,** that the County Executive be and hereby is authorized to execute a contract with Capraro, Centofranchi, Tidona, Ench & Co., P.C.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1380

1. Type of Legislation

Resolution X  Local Law _____  Charter Law ____

2. Title of Proposed Legislation

**REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR AN AUDIT OF THE PUBLIC ADMINISTRATOR'S OFFICE**

3. Purpose of Proposed Legislation

See # 2.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes No ___X__

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

County  Town  Economic Impact

Village  School District  Other (Specify):

Library District  Fire District

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

No fiscal impact—Funding is included in 2008 Adopted Operating Budget and additional years on a year by year inclusion in the operating budget.

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

The contract cost for the three-year term is $22,500 (2008-$7500;2009-$7500;2010-$7500)
Year four is $8,000 and year five is $8,000. (Both year 4 & 5 are option years)

8. Proposed Source of Funding

County Operating Budget

9. Timing Impact

Upon adoption.

| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| John Bianchet<br>Administrator III | John Bianchet | 3/14/08 |

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MAR 3 1 2008

# COUNTY OF SUFFOLK

1380

MAR 1 9 2008

**STEVE LEVY**
SUFFOLK COUNTY EXECUTIVE

**OFFICE OF THE PUBLIC ADMINISTRATOR**

**FRANKLYN A. FARRIS**
**PUBLIC ADMINISTRATOR**

March 14, 2008

Mr. Ben Zwirn
Deputy County Executive
County Executive Office
Dennison Bldg.
Hauppauge NY 11788

Re: Reso-PA-Audit

Dear Mr. Zwirn:

The Office of the Public Administrator is required to conduct annual audits of its operation. The Purchasing Office prepared a Request for Proposal (RFP) for this purpose and only one bidder replied. The request was for a three-year contract. The lone bidder submitted a proposal for $22,500 for the three-year contract. The RFP was reviewed by the independent evaluation committee and was approved. Local Law No. 3-1996 requires that when only one bidder replies and the proposed contract exceeds $20,000, a resolution must be submitted to the County Legislature for approval of the contract award.

Pursuant to the guidelines for submission of resolutions, enclosed are two copies of a resolution entitled REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR AN AUDIT OF THE PUBLIC ADMINISTRATOR'S OFFICE for your submission to the next meeting of the Suffolk County Legislature. Also enclosed is the Statement of Financial Impact.

The Public Administrator's Office has contracted for annual audits since 1994 and has included appropriations for their conduct. The office has sufficient funds in its 2008 budget to cover the first year of the contract. The budgets for subsequent years will contain funds to continue the audits.

Thank you for your cooperation. Please call me at 852-1753, if you have any questions.

Very Truly Yours,

Franklyn A. Farris
Public Administrator

FAF/JB/jb

Enclosures

cc: Jim Morgo, Chief Deputy County Executive

300 CENTER DRIVE ■ RIVERHEAD NY 11901-3398 ■ TEL: (631) 852-1753 ■ FAX: (631) 852-2740

1381

Intro Res. No. –08 Laid on the Table 4/29/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. –2008, ACCEPTING AND APPROPRIATING SUPPLEMENTAL DISLOCATED WORKER FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.**

**WHEREAS,** the New York State Department of Labor has awarded additional funds for the Workforce Investment Act (WIA) Program to the Suffolk County Department of Labor in the amount of $748,287; and

**WHEREAS,** the additional funds were awarded in the "Supplemental Dislocated Worker" category to integrate employment and training services into a comprehensive workforce delivery system for impacted workers; and

**WHEREAS,** these additional funds have not been included in the 2008 Adopted Operating Budget; and

**WHEREAS,** it is in the best interest of the County to accept this 100% funded grant; now, therefore be it

**1ST RESOLVED,** that the County Comptroller and the County Treasurer be and they are hereby authorized to accept and appropriate the following funds:

| | |
|---|---|
| **REVENUES:** | |
| 320-4790 Federal Aid | $748,287 |
| **ORGANIZATIONS:** | $748,287 |
| Department of Labor (LAB) | |
| Workforce Investment Act | |
| 320-6300 | |
| **4000-CONTRACTUAL EXPENSES** | **748,287** |
| 4980-Contracted Agencies | 748,287 |

and, be it further

**2ND RESOLVED,** that the Reporting Category for the Integrated Financial Management system (IFMS) is 6300.

APPROVED BY: _____

County Executive of Suffolk County

Date of Approval:

1381

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

| | | | |
|---|---|---|---|
| 1. | Type of Legislation<br><br>Resolution _X___ Local Law __ Charter Law | | |
| 2. | Title of Proposed Legislation:<br>**ACCEPTING AND APPROPRIATING 100% SUPPLEMENTAL DISLOCATED WORKER GRANT FUNDS FROM THE NEW YORK STATE DEPARMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.** | | |
| 3. | Purpose of Proposed Legislation<br>**To integrate Dislocated Worker related employment and training services into a Comprehensive workforce delivery system for impacted workers** | | |
| 4. | Will the Proposed Legislation Have a Fiscal Impact? **Yes _X_** No ____ | | |
| 5. | If the Answer to item 4 is "yes", on what will it impact? (check appropriate category)<br><br>**___X_ County** _____Town _____Economic Impact<br>_____Village _____School District _____Other (Specify)<br>_____Library District _____Fire District _____NOT APPLICABLE | | |
| 6. | If the answer to item 4 is "yes", Provide Detailed Explanation of Impact<br>**Revenue to County** | | |
| 7. | Total Financial Cost of Funding over 5 Years on Each Affected Political or Subdivision.<br>**Revenue to County** | | |
| 8. | Proposed Source of Funding<br><br>**New York State Department of Labor** | | |
| 9. | Timing of Impact<br><br>**Immediate** | | |
| 10. | Typed Name & Title of Preparer<br><br>**JOANNE KANDELL**<br>**PRINCIPAL ACCOUNTANT** | 11. Signature of Preparer<br><br>Joanne Kandell | 12. Date<br><br>**April 8, 2008** |

SCIN FORM 175b (10/95)

1381

| COORDINATION OF GRANT APPLICATION OR CONTRACT<br>**County of Suffolk** | Date: March 28, 2008 |
|---|---|
| Submitting Department/Agency<br>**Suffolk County Department of Labor** | Location<br>**Bldg. 17, No. County Complex**<br>**Veterans Memorial Highway**<br>**Hauppauge, NY 11788** |

| Contact Person in Dept/Agency | Telephone Number | Grant Application Due Date |
|---|---|---|
| **Joanne Kandell** | **853-6610** | **N/A** |

INSTRUCTIONS: Applicant will complete all items on this form. If an item is not applicable enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" x 11" sheet cross referenced to the item.

## I. BACKGROUND INFORMATION

1. Grant Title:
**ACCEPTING AND APPROPRIATING DISLOCATED WORKER FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)
**NEW YORK STATE DEPARTMENT OF LABOR**

3. Grant/Contract Status (Check One)

a. ___ New Program Application
b. ___ Renewal Application
c. **x Supplemental (Specify) Supplemental Dislocated Worker**
d. ___ Extension of Funding Period
e. ___ Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment)
**To integrate employment and training services into a comprehensive workforce delivery system for impacted workers.**

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program).
**SUFFOLK COUNTY DEPARTMENT OF LABOR**

## II. BUDGET INFORMATION

1. Term of Contract
FROM: **7/01/07** TO: **6/30/08**

2. Financial Assistance Requested

| | FIRST FUNDING CYCLE | | SECOND FUNDING CYCLE | | THIRD FUNDING CYCLE | |
|---|---|---|---|---|---|---|
| SOURCE | Amount | Percent | Amount | Percent | Amount | Percent |
| Federal | $ | % | $ | % | $ | % |
| State | **$ 748,287** | **100%** | $ | % | $ | % |
| Town | $ | % | $ | % | $ | % |
| County | $ | % | $ | % | $ | % |
| Total | $ 748,287 | **100%** | $ | % | $ | % |

SCIN Form 164b (10-80) This form replaces EXGC Form 1, which is obsolete

| 3. EXPLANATION OF REQUESTED COUNTY FINANCIAL ASSISTANCE | | | |
|---|---|---|---|
| CATEGORY | TOTAL REQUESTED | PERSONNEL COSTS REQUESTED | NON-PERSONNEL COSTS REQUESTED |
| TOTAL COUNTY SHARE: | $ -0- | $ -0- | $ -0- |
| Cash Contribution: a. | $ -0- | $ -0- | $ -0- |
| b. In-kind Contribution: | $ -0- | $ -0- | $ -0- |

4. Total Number of Positions Requested
**-0-**

5. Can This Program Be Re-funded by the Proposed Non-County Sources? **x** Yes ____ No

6. Estimated Expected Additional Indirect costs (Costs to County not Delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)
**-0-**

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinued (That is, program termination, reduced services, financial implication, layoffs, etc.

**Program terminates.**

8. Attach a List of Potential Subcontractors, If Any, Outlining the Purpose of Each Subcontract (That is, 456 and 498 Account Items; use an additional 8 1/2" x 11" sheet).

**N/A**

| III. COUNTY EXECUTIVE'S OFFICE REVIEW | | | |
|---|---|---|---|
| Intergovernmental Relations Division Review: | _____ Approved<br>_____ Disapproved | Signature of Coordinator | Date |
| Comments | | | |
| Budget Office Review: | _____ Approved<br>_____ Disapproved | Signature of Budget Director | Date |
| Comments | | | |

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# COUNTY OF SUFFOLK

APR 1 5 2008

1381

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

ROBERT W. DOW, JR.
COMMISSIONER
DEPARTMENT OF LABOR
725 VETERANS MEMORIAL HIGHWAY
HAUPPAUGE, N.Y. 11788

ADDRESS CORRESPONDENCE TO:
P.O. BOX 1319
SMITHTOWN, N.Y. 11787-0895
e-mail:sc.dol@suffolkcountyny.gov
FAX # (631) 853-6510
www.suffolkcountyny.gov/labor

## MEMORANDUM

TO: Ben Zwirn, Deputy County Executive for Intergovernmental Relations
Suffolk County Executive's Office

FROM: Robert W. Dow, Jr., Commissioner RWD

DATE: April 8, 2008

RE: **INTRODUCTORY RESOLUTION**

Attached please find the following Introductory Resolution for the next Legislative meeting:

RESOLUTION NO. -08, **ACCEPTING AND APPROPRIATING SUPPLEMENTAL DISLOCATED WORKER FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.**

Thank you for your assistance.

* * *

RWD:jk
Attachment

cc: Jim Morgo, Chief Deputy County Executive

Introductory Resolution No. 1382-08 Laid on Table 4/29/08

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. 0200-498.00-03.00-020.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 498.00, Block 03.00, Lot 020.000, and acquired by tax deed on July 6, 2001, from Joseph Sawicki, Jr., the Chief Deputy County Treasurer of Suffolk County, New York, and recorded on July 12, 2001, in Liber 12129, CP 300 and otherwise known as and by Town of Brookhaven, known and designated as District 0200, Section 498.00, Block 03.00, Lot 020.000,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Exhibit "A"

1382

RESOLUTION NO. 1034-07
MEETING OF: NOVEMBER 8, 2007

**ADOPTED**

BY THE BROOKHAVEN TOWN BOARD

AUTHORIZING TRANSFER OF FORECLOSED PROPERTY FROM THE COUNTY OF SUFFOLK TO THE TOWN OF BROOKHAVEN AND FROM THE TOWN TO CDCLI HOUSING DEVELOPMENT FUND TO PROMOTE THE AVAILABILITY OF AFFORDABLE HOUSING
(SCTM#0200-498.00-03.00-020.000)

WHEREAS, the Town of Brookhaven, Suffolk County, and various not-for-profit groups have cooperated throughout the years to create affordable housing opportunities and to remove blighting conditions within the Town; and

WHEREAS, the County of Suffolk wishes to transfer a certain parcel of property from its foreclosure inventory to the Town of Brookhaven in order for the Town to transfer this parcel to a not-for-profit corporation for the sole purpose of developing affordable housing; and

WHEREAS, the Suffolk County Department of Economic Development and Workforce Housing has requested that the Town of Brookhaven transfer a certain parcel of property on Bartlett Road, Middle Island, New York, 11953 (SCTM#0200-498.00-03.00-020.000) to Community Development Corporation of Long Island (CDCLI) Housing Development Fund for the express purpose to promote affordable housing purposes, as per the attached documentation; and

WHEREAS, CDCLI Housing Development Fund Corp. will construct a home on the eastern half acre of said parcel of property leaving the western half acre of the property undeveloped in order to protect the habitat of the Pine Barrens; and

WHEREAS, once this parcel of property is transferred from the Town to CDCLI Housing Development Fund Corporation the Town will enable a first-time homebuyer of a certain income level with a viable homeownership opportunity; and

WHEREAS, the Town of Brookhaven desires to continue to be an active partner with providing affordable housing opportunities;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Brookhaven that the Supervisor and/or Deputy Supervisor is hereby authorized to execute any agreement and/or instrument approved as to form by the Department of Law, providing for the conveyance of the parcel of property on Bartlett Road, Middle Island, New York, 11953 (SCTM#0200-498.00-03.00-020.000), from the County of Suffolk to the Town of Brookhaven and subsequently from the Town to CDCLI Housing Development Fund Corp. for the express purpose of developing affordable housing; and be it further

"Exhibit A"

1382

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 subject to a permissive referendum.

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

Pamela J. Bethel

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

1382

| EXHIBIT A | | |
|---|---|---|
| **SCTM#** | **ADDRESS** | **ORGANIZATION** |
| 0200-498.00-03.00-020.000 | Bartlett Road,<br>Middle Island, NY 11953 | Community Development Corporation of Long Island (CDCLI) |

1382

**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

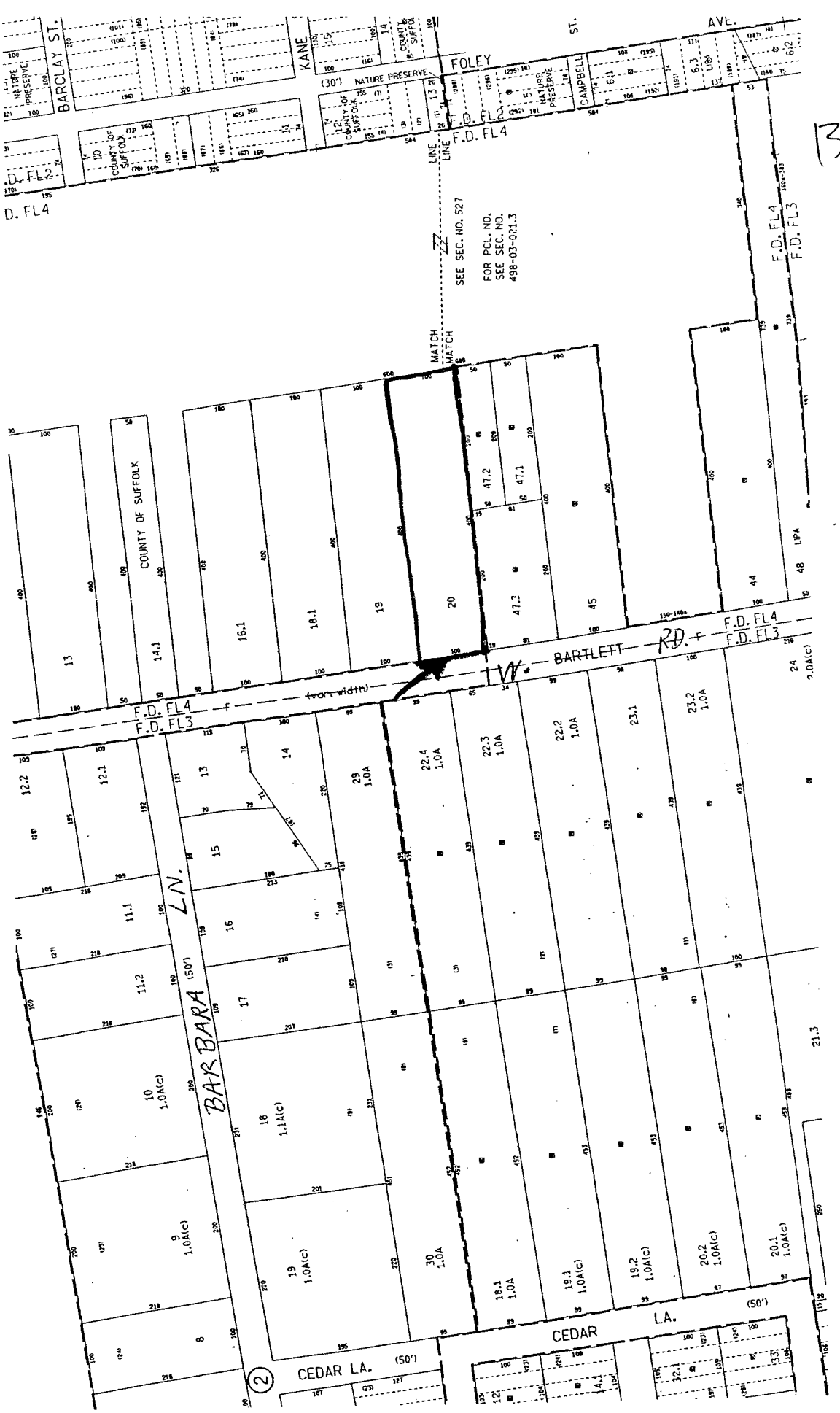
Tax Map No.: 0200-498.00-03.00-020.000

Section 72-h, Gen'l Municipal Law

| | | Amount |
|---|---|---|
| County Investment | | $3,329.80 |
| PURPOSE: | A. Affordable Housing | X |
| | B. Town Parks | ____ |
| | C. Road/Highway | ____ |
| | D. Drainage/Recharge Basin | ____ |
| | E. Other | ____ |

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

WRT:slb




1382

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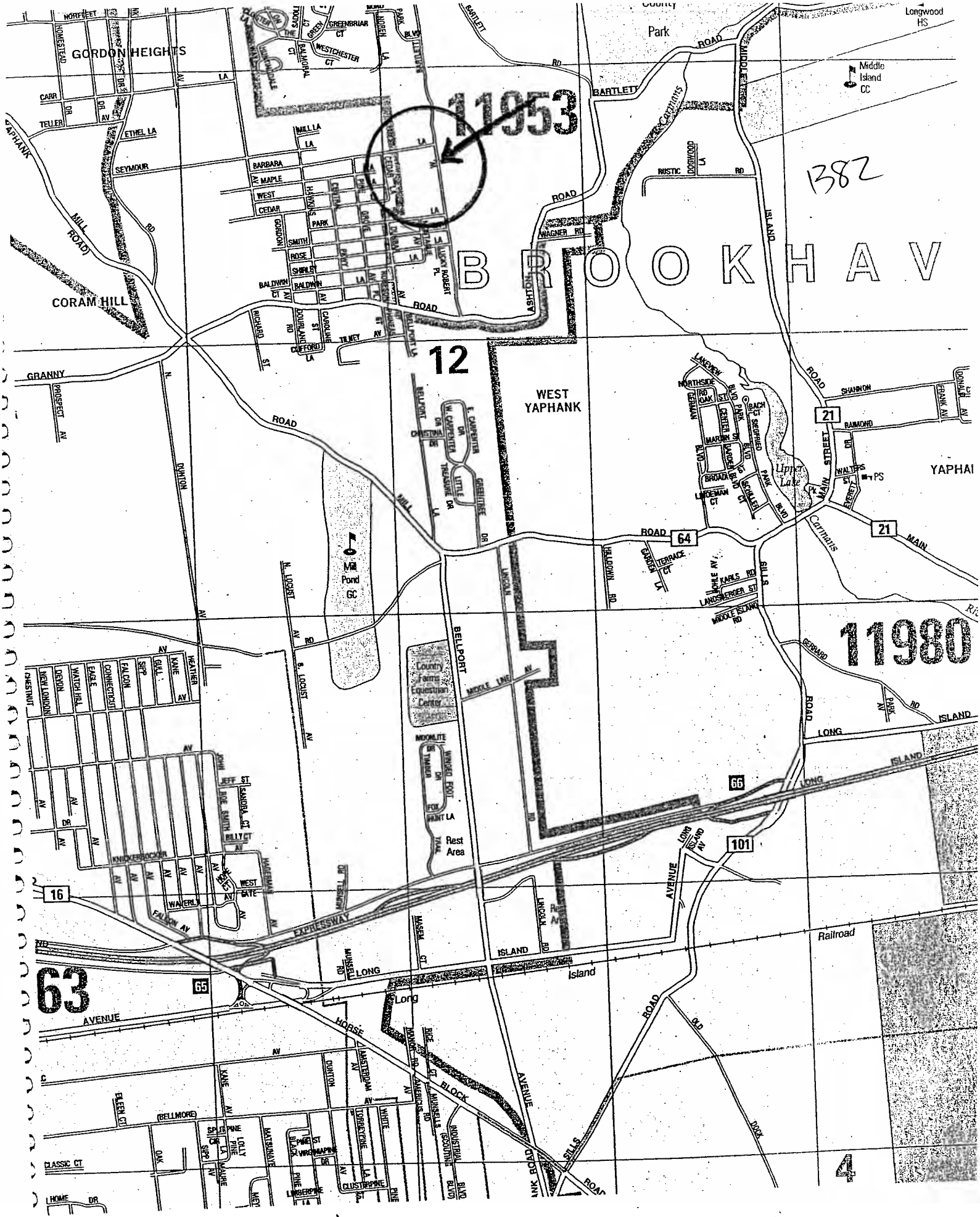
# TM# 0200-498.00-03.00-020.000




Tm# 0200-498.00-03.00-020.000

1382

OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

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

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

   __X__ County _____ Town _____ Economic Impact

   _____ Village _____ School District _____ Other (Specify):

   _____ Library District _____ Fire District

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

   Loss of County investment
   Loss of sale at public auction

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

   Unknown

8. Proposed Source of Funding

   Unknown

9. Timing of Impact

   2008

10. Name & Title of Preparer

    R. J. Bhatt
    LMS III

    Signature of Preparer: R J Bhatt

    Date: 4/9/08

Gen CY

APR 1 6 2008

# COUNTY OF SUFFOLK

1382

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

April 14, 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.: 0200-498.00-03.00-020.000
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

Intro. Res. # 1383-08 Laid on Table 4/29/08

INTRODUCED BY THE PRESIDING OFFICER AT THE REQUEST OF THE COUNTY EXECUTIVE STEVE LEVY

RESOLUTION NO. _____ 2008
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE ( CONTROL # 780-2008)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law, and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes, then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO. CONTROL# 780-2008

| KEY | EXPLANATION | RPTL SEC | LIMITATIONS |
|---|---|---|---|
| A | Clerical Error | 556 | 3 years |
| B | Unlawful Entry | 556 | 3 years |
| C | Error in Essential Fact | 556a | 3 years |

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

| Key | Town | Year | Item No. | S.C. Tax Map No. | Original *-Tax | Corrected *-Tax | Chargeback Refund, if *-Tax Paid |
|---|---|---|---|---|---|---|---|
| A | EASTHAMPTON | 07/08 | N/A | 0300 24 11 10 | 4596.50 | 1873.58 | 2722.92 |
| A | HUNTINGTON | 07/08 | N/A | 0400 237 3 155 | 9225.91 | 4106.61 | 5119.30 |
| A | HUNTINGTON | 07/08 | N/A | 0400 282 3 129 | 6961.71 | 3094.90 | 3866.81 |
| A | HUNTINGTON | 07/08 | N/A | 0400 284 2 21 | 8041.03 | 3507.79 | 4533.24 |
| A | HUNTINGTON | 07/08 | N/A | 0403 4 4 22 | 30675.65 | 24774.83 | 5900.82 |
| A | HUNTINGTON | 07/08 | N/A | 0400 237 1 24 | 7093.41 | 2997.98 | 4095.43 |
| A | HUNTINGTON | 07/08 | N/A | 0400 215 2 145 | 14628.17 | 11277.05 | 3351.12 |
| A | HUNTINGTON | 07/08 | N/A | 0400 209 2 28 | 20231.32 | 15799.76 | 4431.56 |
| A | HUNTINGTON | 07/08 | N/A | 0400 203 2 55 | 12821.50 | 5678.90 | 7142.60 |
| A | HUNTINGTON | 07/08 | N/A | 0400 175 3 78 | 5493.48 | 1660.79 | 3832.69 |
| A | HUNTINGTON | 07/08 | N/A | 0400 170 2 10.2 | 13265.41 | 6367.55 | 6897.86 |
| A | HUNTINGTON | 07/08 | N/A | 0400 156 2 60 | 6786.34 | 3394.16 | 3392.18 |
| A | HUNTINGTON | 07/08 | N/A | 0400 154 1 22 | 6435.73 | 3517.93 | 2917.80 |
| A | HUNTINGTON | 07/08 | N/A | 0400 95 3 76 | 5916.48 | 2795.72 | 3120.76 |
| A | HUNTINGTON | 07/08 | N/A | 0400 267 2 21 | 260156.85 | 251012.78 | 9144.07 |
| A | HUNTINGTON | 07/08 | N/A | 0400 79 3 4 | 19246.76 | 14861.63 | 4385.13 |
| A | HUNTINGTON | 07/08 | N/A | 0402 6 1 16 | 21560.92 | 15847.93 | 5712.99 |
| A | HUNTINGTON | 07/08 | N/A | 0400 167 1 22 | 9308.48 | 4940.93 | 4367.55 |
| A | HUNTINGTON | 07/08 | N/A | 0400 232 3 77 | 5653.21 | 2722.50 | 2930.71 |
| A | HUNTINGTON | 06/07 | N/A | 0400 232 3 77 | 5419.78 | 2596.44 | 2823.34 |
| A | SMITHTOWN | 07/08 | N/A | 0800 83 4 29.3 | 14774.02 | 9069.71 | 5704.31 |
| A | SMITHTOWN | 07/08 | N/A | 0801 5 1 15.1 | 37693.37 | 28784.10 | 8909.27 |
| A | SOUTHOLD | 07/08 | N/A | 1000 053 6 27.2 | 7910.62 | 4364.49 | 3546.13 |

*As Provided and Requested By Town Assessor or Receiver of Taxes

APPROVED BY:

County Executive of Suffolk County Date of Approval:

Intro. Res. # 1384-08 Laid on Table 4/29/08

INTRODUCED BY THE PRESIDING OFFICER AT THE REQUEST OF THE COUNTY EXECUTIVE STEVE LEVY

RESOLUTION NO. _____ 2008
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE ( CONTROL # 781-2008)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law, and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes, then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO. CONTROL# 781-2008

| KEY | EXPLANATION | RPTL SEC | LIMITATIONS |
|---|---|---|---|
| A | Clerical Error | 556 | 3 years |
| B | Unlawful Entry | 556 | 3 years |
| C | Error in Essential Fact | 556a | 3 years |

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

| Key | Town | Year | Item No. | S.C. Tax Map No. | Original *-Tax | Corrected *-Tax | Chargeback Refund, if *-Tax Paid |
|---|---|---|---|---|---|---|---|
| A | BROOKHAVEN | 07/08 | N/A | 200 516 6 2 | 83,635.46 | 67,368.72 | 16,266.74 |
| A | BROOKHAVEN | 07/08 | N/A | 200 882 4 8.2 | 8,515.14 | 603.86 | 7,911.28 |
| A | BROOKHAVEN | 07/08 | N/A | 200 957 4 34.3 | 360,555.07 | 186,691.64 | 173,863.43 |
| C | BROOKHAVEN | 07/08 | N/A | 200 98050 7 41 | 4,573.63 | 1,566.02 | 3,007.61 |
| A | BROOKHAVEN | 07/08 | N/A | 200 71 4 34.8 | 13,606.88 | 10,824032 | 2,782.56 |
| C | BROOKHAVEN | 07/08 | N/A | 200 33 5 28.1 | 3,842.53 | 811.89 | 3,030.64 |
| C | BROOKHAVEN | 07/08 | N/A | 200 657 1 12.2 | 3,987.88 | 490.59 | 3,497.29 |
| A | BROOKHAVEN | 07/08 | N/A | 200 656 2 7.1 | 214,988.26 | 132,101.22 | 82,887.04 |
| A | BROOKHAVEN | 07/08 | N/A | 204 9 8 15 | 23,636.28 | 19,527.82 | 4,108.46 |
| C | BROOKHAVEN | 07/08 | N/A | 200 98050 3 28 | 3,370.59 | 601.52 | 2,769.07 |
| A | BROOKHAVEN | 07/08 | N/A | 200 631 2 6.5 | 8,587.95 | 4,499.67 | 4,088.28 |
| A | RIVERHEAD | 07/08 | N/A | 600 109 2 1.5 | 31,236.82 | 22,337.74 | 8,902.08 |
| A | RIVERHEAD | 07/08 | N/A | 600 45 2 14.9 | 24,812.74 | 21,326.61 | 3,486.13 |
| A | SMITHTOWN | 07/08 | N/A | 800 95 2 2 | 9,765.34 | 5,622.69 | 4,142.65 |
| C | SMITHTOWN | 07/08 | N/A | 800 41 6 6.2 | 11,945.95 | 4,922.11 | 7,023.84 |
| A | SMITHTOWN | 07/08 | N/A | 800 120 4 2 | 5,781.77 | 2,933.59 | 2,848.18 |
| A | SMITHTOWN | 07/08 | N/A | 800 94 1 47 | 9,298.51 | 4,588.03 | 4,710.48 |
| A | SMITHTOWN | 07/08 | N/A | 800 168 6 7 | 17,914.67 | 15,395.71 | 2,518.96 |

*As Provided and Requested By Town Assessor or Receiver of Taxes

APPROVED BY:

County Executive of Suffolk County Date of Approval:

Intro. Res. # 1385 Laid on Table 4/29/08

INTRODUCED BY THE PRESIDING OFFICER AT THE REQUEST OF THE COUNTY EXECUTIVE STEVE LEVY

RESOLUTION NO. _____2008
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE ( CONTROL # 782-2008)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law, and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes, then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO. CONTROL# 782-2008

| KEY | EXPLANATION | RPTL SEC | LIMITATIONS |
|---|---|---|---|
| A | Clerical Error | 556 | 3 years |
| B | Unlawful Entry | 556 | 3 years |
| C | Error in Essential Fact | 556a | 3 years |

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

| Key | Town | Year | Item No. | S.C. Tax Map No. | Original *-Tax | Corrected *-Tax | Chargeback Refund, if *-Tax Paid |
|---|---|---|---|---|---|---|---|
| A | BROOKHAVEN | 07/08 | N/A | 200 602 2 4 | 4766.35 | 1036.08 | 3730.27 |
| A | BROOKHAVEN | 07/08 | N/A | 200 725 2 46 | 14260.14 | 6741.15 | 7518.99 |
| A | BROOKHAVEN | 06/07 | N/A | 200 725 2 46 | 14108.29 | 6673.66 | 7434.63 |
| A | BROOKHAVEN | 07/08 | N/A | 200 53 5 25.1 | 12045.76 | 8276.23 | 3769.53 |
| A | BROOKHAVEN | 07/08 | N/A | 204 13 4 34 | 10905.15 | 5832.99 | 5072.16 |
| A | BROOKHAVEN | 07/08 | N/A | 204 13 4 31 | 5325.78 | 1268.07 | 4057.71 |
| A | BROOKHAVEN | 07/08 | N/A | 204 13 4 30 | 6340.23 | 1268.07 | 5072.16 |
| A | BROOKHAVEN | 07/08 | N/A | 204 13 4 29 | 4057.75 | 1014.41 | 3043.34 |
| A | BROOKHAVEN | 07/08 | N/A | 204 13 4 26 | 6086.57 | 1014.41 | 5072.16 |
| A | BROOKHAVEN | 07/08 | N/A | 204 13 4 25 | 8977.14 | 3397.78 | 5579.36 |
| A | BROOKHAVEN | 07/08 | N/A | 204 13 4 24 | 6086.57 | 1268.07 | 4818.50 |
| A | BROOKHAVEN | 07/08 | N/A | 204 13 4 23.3 | 5287.72 | 2536.08 | 2751.64 |
| A | BROOKHAVEN | 07/08 | N/A | 204 13 4 19 | 8876.31 | 6340.23 | 2536.08 |
| A | EASTHAMPTON | 07/08 | N/A | 300 54 3 6 | 20209.78 | 17478.72 | 2731.06 |
| A | HUNTINGTON | 07/08 | N/A | 400 33 3 19 | 10824.80 | 7044.36 | 3780.44 |
| A | RIVERHEAD | 07/08 | N/A | 600 20 3 4 | 13459.90 | 9327.70 | 4132.20 |
| A | RIVERHEAD | 07/08 | N/A | 600 100 2 19.7 | 25909.99 | 18241.18 | 7668.81 |
| A | RIVERHEAD | 07/08 | N/A | 600 111 1 15 | 13065.93 | 8583.63 | 4482.30 |

*As Provided and Requested By Town Assessor or Receiver of Taxes

APPROVED BY:

County Executive of Suffolk County Date of Approval:

Intro. Res. # 1386-08 Laid on Table 4/29/08

INTRODUCED BY THE PRESIDING OFFICER AT THE REQUEST OF THE COUNTY EXECUTIVE STEVE LEVY

RESOLUTION NO. _____2008
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE ( CONTROL # 783-2008)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law, and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes, then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO. CONTROL# 783-2008

| KEY | EXPLANATION | RPTL SEC | LIMITATIONS |
|---|---|---|---|
| A | Clerical Error | 556 | 3 years |
| B | Unlawful Entry | 556 | 3 years |
| C | Error in Essential Fact | 556a | 3 years |

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

| Key | Town | Year | Item No. | S.C. Tax Map No. | Original *-Tax | Corrected *-Tax | Chargeback Refund, if *-Tax Paid |
|---|---|---|---|---|---|---|---|
| A | BROOKHAVEN | 07/08 | N/A | 204 13 4 28 | 3804.15 | 1014.41 | 2789.74 |
| A | BROOKHAVEN | 07/08 | N/A | 200 156 2 13.23 | 14173.46 | 2520.88 | 11652.58 |
| A | BROOKHAVEN | 07/08 | N/A | 200 699 2 12.5 | 485140.78 | 307164.97 | 177975.81 |
| A | BROOKHAVEN | 07/08 | N/A | 200 699 2 2.7 | 40882.65 | 25892.38 | 14990.27 |
| C | EAST HAMPTON | 07/08 | N/A | 300 103 2 27 | 6149.88 | 1911.12 | 4238.76 |
| A | ISLIP | 07/08 | N/A | 500 478 3 65 | 14547.80 | 11919.71 | 2628.09 |
| A | RIVERHEAD | 07/08 | N/A | 600 131 3 31.1 | 12280.24 | 63.33 | 12216.91 |
| A | RIVERHEAD | 07/08 | N/A | 600 128 2 8 | 219001.71 | 1371.96 | 217629.75 |
| A | SMITHTOWN | 07/08 | N/A | 800 48 2 26 | 6826.19 | 2422.01 | 4404.18 |
| A | SMITHTOWN | 07/08 | N/A | 800 29.1 1 80 | 5428.59 | 2290.49 | 3138.10 |
| B | SMITHTOWN | 07/08 | N/A | 800 167 5 4 | 6373.01 | 0 | 6373.01 |
| A | SMITHTOWN | 07/08 | N/A | 800 74 4 20 | 8495.90 | 3281.18 | 5214.72 |
| A | SMITHTOWN | 07/08 | N/A | 800 32 5 17 | 4036.51 | 1220.54 | 2815.97 |
| A | SMITHTOWN | 07/08 | N/A | 800 11 6 3.2 | 12599.28 | 507.90 | 12091.38 |
| A | SMITHTOWN | 06/07 | N/A | 800 11 6 3.2 | 11910.82 | 478.42 | 11432.40 |
| A | SOUTHAMPTON | 06/07 | N/A | 905 16 2 5 | 17826.58 | 14178.51 | 3648.07 |
| A | SOUTHAMPTON | 06/07 | N/A | 900 84 1 11.1 | 28800.98 | 13324.31 | 15476.31 |
| A | SOUTHOLD | 07/08 | N/A | 1000 52 2 30 | 4368.66 | 1484.52 | 2884.14 |

*As Provided and Requested By Town Assessor or Receiver of Taxes

APPROVED BY:

County Executive of Suffolk County Date of Approval:

Intro. Res. # 1387-08 Laid on Table 4/29/08

INTRODUCED BY THE PRESIDING OFFICER AT THE REQUEST OF THE COUNTY EXECUTIVE STEVE LEVY

RESOLUTION NO. _____2008
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE ( CONTROL # 784-2008)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law, and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes, then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO. CONTROL# 784-2008

| KEY | EXPLANATION | RPTL SEC | LIMITATIONS |
|---|---|---|---|
| A | Clerical Error | 556 | 3 years |
| B | Unlawful Entry | 556 | 3 years |
| C | Error in Essential Fact | 556a | 3 years |

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

| Key | Town | Year | Item No. | S.C. Tax Map No. | Original *-Tax | Corrected *-Tax | Chargeback Refund, if *-Tax Paid |
|---|---|---|---|---|---|---|---|
| A | BABYLON | 07/08 | N/A | 103 18 1 16.7 | 15568.19 | 6218.54 | 9349.65 |
| C | BABYLON | 07/08 | N/A | 100 133 1 55 | 8020.48 | 5497.31 | 2523.17 |
| A | BABYLON | 07/08 | N/A | 100 57 2 11.4 | 25562.38 | 23055.94 | 2506.44 |
| A | BABYLON | 07/08 | N/A | 103 19 4 14 | 6187.83 | 2606.11 | 3581.72 |
| A | BABYLON | 07/08 | N/A | 100 66 1 68 | 5072.90 | 1395.78 | 3677.12 |
| A | BABYLON | 07/08 | N/A | 100 106 1 12 | 10377.47 | 4238.95 | 6138.52 |
| A | BABYLON | 07/08 | N/A | 100 140 2 112 | 7098.69 | 3304.76 | 3793.93 |
| A | BABYLON | 07/08 | N/A | 100 14301 1 79 | 5966.62 | 3020.36 | 2946.26 |
| A | BABYLON | 07/08 | N/A | 100 179 2 21.1 | 7989.42 | 4631.94 | 3357.48 |
| A | BABYLON | 07/08 | N/A | 103 21 4 25 | 6342.26 | 3472.64 | 2869.62 |
| A | BABYLON | 07/08 | N/A | 103 13 4 74 | 15639.60 | 10786.63 | 4852.97 |
| C | BROOKHAVEN | 07/08 | N/A | 200 605 3 3.4 | 15707.61 | 8948.34 | 6759.27 |
| A | HUNTINGTON | 07/08 | N/A | 400 167 1 63 | 10310.03 | 4822.46 | 5487.57 |
| A | ISLIP | 07/08 | N/A | 500 291 2 38 | 6455.26 | 3763.07 | 2692.19 |
| C | ISLIP | 07/08 | N/A | 500 148 1 36 | 91242.00 | 83542.78 | 7699.22 |
| C | SMITHTOWN | 07/08 | N/A | 802 12 1 18.1 | 17664.74 | 3269.44 | 14395.30 |
| A | SMITHTOWN | 07/08 | N/A | 800 131 2 22 | 62148.41 | 45075.12 | 17073.29 |
| A | SMITHTOWN | 07/08 | N/A | 800 122 3 25 | 5966.71 | 2642.58 | 3324.13 |

*As Provided and Requested By Town Assessor or Receiver of Taxes

APPROVED BY:

County Executive of Suffolk County Date of Approval:

Intro. Res. # 1388-08 Laid on Table 4/29/08

INTRODUCED BY THE PRESIDING OFFICER AT THE REQUEST OF THE COUNTY EXECUTIVE STEVE LEVY

RESOLUTION NO. _____2008
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE ( CONTROL # 785-2008)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law, and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes, then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO. CONTROL#785-2008

| KEY | EXPLANATION | RPTL SEC | LIMITATIONS |
|---|---|---|---|
| A | Clerical Error | 556 | 3 years |
| B | Unlawful Entry | 556 | 3 years |
| C | Error in Essential Fact | 556a | 3 years |

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

| Key | Town | Year | Item No. | S.C. Tax Map No. | Original *-Tax | Corrected *-Tax | Chargeback Refund, if *-Tax Paid |
|---|---|---|---|---|---|---|---|
| A | BROOKHAVEN | 07/08 | N/A | 204 6 1 14 | 36519.53 | 15977.31 | 20542.22 |
| A | BROOKHAVEN | 07/08 | N/A | 200 320 1 1.8 | 16729.77 | 10663.25 | 6066.52 |
| A | BROOKHAVEN | 07/08 | N/A | 200 308 2 57.1 | 91642.81 | 72828.72 | 18814.09 |
| A | BROOKHAVEN | 07/08 | N/A | 200 474 6 32.1 | 85883.81 | 67776.22 | 18107.59 |
| A | BROOKHAVEN | 07/08 | N/A | 200 800 2 26.2 | 45789.05 | 34259.94 | 11529.11 |
| A | BROOKHAVEN | 07/08 | N/A | 200 307 3 13.16 | 60348.29 | 47603.26 | 12745.03 |
| A | BROOKHAVEN | 07/08 | N/A | 200 731 1 24.1 | 467843.93 | 339640.72 | 128203.21 |
| A | BROOKHAVEN | 07/08 | N/A | 200 487 2 3.3 | 685757.44 | 443735.31 | 242022.13 |
| A | BROOKHAVEN | 07/08 | N/A | 200 835 1 7 | 58676.86 | 44355.87 | 14320.99 |
| A | BROOKHAVEN | 07/08 | N/A | 200 99 5 6.1 | 48622.73 | 35833.45 | 12789.28 |
| A | BROOKHAVEN | 07/08 | N/A | 200 517 2 2 | 23859.79 | 17122.89 | 6736.90 |
| A | BROOKHAVEN | 07/08 | N/A | 200 207 6 5 | 43449.12 | 30957.49 | 12491.63 |
| A | BROOKHAVEN | 07/08 | N/A | 200 279 1 2 | 53003.12 | 26703.87 | 26299.25 |
| A | BROOKHAVEN | 07/08 | N/A | 200 402 1 18.13 | 14409.80 | 5619.82 | 8789.98 |
| A | BROOKHAVEN | 07/08 | N/A | 200 98140 7 1 | 19105.87 | 8188.23 | 10917.64 |
| A | BROOKHAVEN | 07/08 | N/A | 200 689 3 18 | 14286.07 | 10025.32 | 4260.75 |
| A | BROOKHAVEN | 07/08 | N/A | 200 430 1 57.2 | 105861.18 | 61373.07 | 44488.11 |
| A | BROOKHAVEN | 07/08 | N/A | 200 182 3 1 | 371354.22 | 272425.99 | 98928.23 |

*As Provided and Requested By Town Assessor or Receiver of Taxes

APPROVED BY:

County Executive of Suffolk County Date of Approval:

Intro. Res. # 1389-08

Laid on Table 4/29/08

INTRODUCED BY THE PRESIDING OFFICER AT THE REQUEST OF THE COUNTY EXECUTIVE STEVE LEVY

RESOLUTION NO. _____ 2008
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE ( CONTROL # 786-2008)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law, and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes, then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO. CONTROL# 786-2008

| KEY | EXPLANATION | RPTL SEC | LIMITATIONS |
|---|---|---|---|
| A | Clerical Error | 556 | 3 years |
| B | Unlawful Entry | 556 | 3 years |
| C | Error in Essential Fact | 556a | 3 years |

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

| Key | Town | Year | Item No. | S.C. Tax Map No. | Original *-Tax | Corrected *-Tax | Chargeback Refund, if *-Tax Paid |
|---|---|---|---|---|---|---|---|
| A | BROOKHAVEN | 07/08 | N/A | 204 13 2 23.3 | 198067.86 | 135984.62 | 62083.24 |
| A | BROOKHAVEN | 07/08 | N/A | 204 13 2 19.3 | 14202.07 | 9763.91 | 4438.16 |
| A | BROOKHAVEN | 07/08 | N/A | 200 937 7 2.4 | 101121.68 | 72187.15 | 28934.53 |
| A | BROOKHAVEN | 07/08 | N/A | 200 97760 4 18 | 22872.41 | 12691.41 | 10181.00 |
| A | BROOKHAVEN | 07/08 | N/A | 200 99 2 6.3 | 74155.22 | 63164.11 | 10991.11 |
| A | BROOKHAVEN | 07/08 | N/A | 200 688 1 21 | 249818.43 | 150003.85 | 99814.58 |
| A | BROOKHAVEN | 07/08 | N/A | 200 867 2 9.2 | 46333.67 | 16571.10 | 29762.57 |
| A | BROOKHAVEN | 07/08 | N/A | 204 12 4 16.1 | 78872.10 | 60003.64 | 18868.46 |
| A | BROOKHAVEN | 07/08 | N/A | 200 490 1 2 | 75048.34 | 58177.00 | 16871.34 |
| A | BROOKHAVEN | 07/08 | N/A | 200 253 1 25.1 | 467612.08 | 306309.95 | 161302.13 |
| A | BROOKHAVEN | 07/08 | N/A | 200 688 1 2 | 33835.49 | 26567.10 | 7268.39 |
| A | BROOKHAVEN | 07/08 | N/A | 200 857 3 21 | 17896.86 | 8948.43 | 8948.43 |
| A | BROOKHAVEN | 07/08 | N/A | 201 3 2 14.1 | 16235.37 | 12293.43 | 3941.94 |
| A | BROOKHAVEN | 07/08 | N/A | 203 11 3 3 | 30818.21 | 26896.12 | 3923.09 |
| A | BROOKHAVEN | 07/08 | N/A | 203 15 2 21.1 | 22237.51 | 19442.31 | 2795.20 |
| A | BROOKHAVEN | 07/08 | N/A | 200 187 6 20.1 | 9128.05 | 1947.79 | 7180.26 |
| C | SMITHTOWN | 07/08 | N/A | 800 114 1 16.1 | 4593.77 | 438.15 | 4155.62 |
| C | SOUTHOLD | 07/08 | N/A | 1000 78 5 16 | 9228.34 | 6118.79 | 3109.55 |
| C | SOUTHOLD | 07/08 | N/A | 1000 3 2 11.1 | 18361.87 | 2548.18 | 15813.69 |

*As Provided and Requested By Town Assessor or Receiver of Taxes

APPROVED BY:

County Executive of Suffolk County Date of Approval:

Intro. Res. # 1390-08

Laid on Table 4/29/08

INTRODUCED BY THE PRESIDING OFFICER AT THE REQUEST OF THE COUNTY EXECUTIVE STEVE LEVY

RESOLUTION NO. _____2008
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE ( CONTROL # 787-2008)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law, and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes, then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO. CONTROL#787-2008

| KEY | EXPLANATION | RPTL SEC | LIMITATIONS |
|---|---|---|---|
| A | Clerical Error | 556 | 3 years |
| B | Unlawful Entry | 556 | 3 years |
| C | Error in Essential Fact | 556a | 3 years |

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

| Key | Town | Year | Item No. | S.C. Tax Map No. | Original *-Tax | Corrected *-Tax | Chargeback Refund, if *-Tax Paid |
|---|---|---|---|---|---|---|---|
| A | HUNTINGTON | 07/08 | N/A | 400 40 6 22.4 | 19246.76 | 14670.02 | 4576.74 |
| A | BROOKHAVEN | 07/08 | N/A | 200 98270 3 16.5 | 27062.63 | 24551.57 | 2511.06 |
| A | BROOKHAVEN | 07/08 | N/A | 200 26 4 10.10 | 25454.15 | 21927.84 | 3617.31 |
| A | BROOKHAVEN | 07/08 | N/A | 208 5 2 5 | 15439.47 | 11853.51 | 3585.96 |
| A | BROOKHAVEN | 07/08 | N/A | 208 5 2 1 | 17898.67 | 14312.71 | 3585.96 |
| A | BROOKHAVEN | 07/08 | N/A | 208 4 4 7.21 | 18169.34 | 14737.00 | 3432.34 |
| A | BROOKHAVEN | 07/08 | N/A | 206 6 1 1.5 | 12429.07 | 8552.03 | 3877.04 |
| A | BROOKHAVEN | 07/08 | N/A | 206 5 6 9 | 13040.93 | 9780.71 | 3260.22 |
| A | BROOKHAVEN | 07/08 | N/A | 205 7 5 12 | 14953.07 | 11751.30 | 3201.77 |
| A | BROOKHAVEN | 07/08 | N/A | 200 509 5 2.28 | 14228.69 | 11333.76 | 2894.93 |
| A | BROOKHAVEN | 07/08 | N/A | 200 539 6 28 | 4248.34 | 518.04 | 3730.30 |
| A | BROOKHAVEN | 07/08 | N/A | 200 907 4 49 | 3979.35 | 1111.83 | 2867.52 |
| A | BROOKHAVEN | 07/08 | N/A | 200 849 1 3 | 6711.22 | 2358.23 | 4352.99 |
| A | BROOKHAVEN | 07/08 | N/A | 200 840 3 24 | 7004.45 | 3043.94 | 3960.51 |
| A | BROOKHAVEN | 07/08 | N/A | 200 469 3 27 | 5937.14 | 2227.24 | 3709.90 |
| A | BROOKHAVEN | 07/08 | N/A | 200 344 7 26 | 5570.57 | 1659.90 | 3910.67 |
| A | BROOKHAVEN | 07/08 | N/A | 200 285 6 29.1 | 4195.16 | 1396.18 | 2798.98 |
| A | BROOKHAVEN | 07/08 | N/A | 200 641 5 14 | 7158.83 | 3765.45 | 3393.38 |

*As Provided and Requested By Town Assessor or Receiver of Taxes

APPROVED BY:

County Executive of Suffolk County Date of Approval:

Intro. Res. # 1391-08 Laid on Table 4/29/08

INTRODUCED BY THE PRESIDING OFFICER AT THE REQUEST OF THE COUNTY EXECUTIVE STEVE LEVY

RESOLUTION NO. _____2008
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE ( CONTROL # 788-2008)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law, and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes, then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO. CONTROL# 788-2008

| KEY | EXPLANATION | RPTL SEC | LIMITATIONS |
|---|---|---|---|
| A | Clerical Error | 556 | 3 years |
| B | Unlawful Entry | 556 | 3 years |
| C | Error in Essential Fact | 556a | 3 years |

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

| Key | Town | Year | Item No. | S.C. Tax Map No. | Original *-Tax | Corrected *-Tax | Chargeback Refund, if *-Tax Paid |
|---|---|---|---|---|---|---|---|
| A | BABYLON | 07/08 | N/A | 100 176 2 5 | 15439.28 | 10933.11 | 4506.17 |
| A | BROOKHAVEN | 07/08 | N/A | 200 316 9 5 | 7546.81 | 4229.02 | 3317.79 |
| A | BROOKHAVEN | 07/08 | N/A | 200 98320 7 48 | 4932.49 | 902.29 | 4030.20 |
| C | BROOKHAVEN | 07/08 | N/A | 200 98130 5 22 | 3862.63 | 818.85 | 3043.78 |
| C | BROOKHAVEN | 07/08 | N/A | 200 38 1 1 | 6051.26 | 1518.82 | 4532.44 |
| A | BROOKHAVEN | 07/08 | N/A | 200 593 2 5 | 45987.83 | 31335.22 | 14652.61 |
| A | BROOKHAVEN | 07/08 | N/A | 200 329 2 7.1 | 6226.38 | 818.45 | 5407.93 |
| A | BROOKHAVEN | 07/08 | N/A | 200 97750 3 13 | 20919.93 | 5494.95 | 15424.98 |
| A | BROOKHAVEN | 06/07 | N/A | 200 97750 3 13 | 19322.88 | 5075.47 | 14247.41 |
| A | BROOKHAVEN | 07/08 | N/A | 208 4 4 7.49 | 18154.85 | 15209.21 | 2945.64 |
| A | BROOKHAVEN | 06/07 | N/A | 200 597 2 4.3 | 15752.66 | 11391.01 | 4361.65 |
| A | BROOKHAVEN | 07/08 | N/A | 200 26 4 10.15 | 25711.04 | 22316.29 | 3394.29 |
| A | BROOKHAVEN | 07/08 | N/A | 200 97610 3 3.12 | 85550.08 | 49878.02 | 35672.06 |
| A | BROOKHAVEN | 07/08 | N/A | 200 97610 3 1.4 | 406364.34 | 234178.02 | 172186.32 |
| C | BROOKHAVEN | 06/07 | N/A | 200 558 2 13 | 6377.67 | 1307.57 | 5070.10 |
| C | BROOKHAVEN | 07/08 | N/A | 200 558 2 13 | 6632.02 | 1362.86 | 5269.16 |
| A | BROOKHAVEN | 07/08 | N/A | 200 610 2 17.14 | 8786.27 | 5743.78 | 3042.49 |
| C | BROOKHAVEN | 07/08 | N/A | 200 978 1 2.5 | 24974.10 | 16785.87 | 8188.23 |
| A | HUNTINGTON | 07/08 | N/A | 400 43 1 56.1 | 15296.80 | 11600.41 | 3696.39 |

*As Provided and Requested By Town Assessor or Receiver of Taxes

APPROVED BY:

County Executive of Suffolk County Date of Approval:

Intro. Res. No 1392-08 - 2008 Laid on the Table 4/29/08
Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH RECONSTRUCTION AND IMPROVEMENTS AT THE BOMARC RECORDS STORAGE FACILITY (CAPITAL PROGRAM NUMBER 1705)**

**WHEREAS**, the Commissioner of Public Works has requested funds for improvements to provide additional storage capacity at the BOMARC Record Storage Facility (C-0209); 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. 571-1998 and as reaffirmed by Resolution No. 209-2000 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of $ 500,000 in Suffolk County Serial Bonds; now, therefore, be it

**1st RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 169-2002 classified the action contemplated by this as a Type II Action; and be it further

**2nd RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-one (51) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and as amended by Resolution No. 522-2007; and be it further

**3rd RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

**4thRESOLVED**, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 1705
Project Title: Reconstruction and Improvements At The Bomarc Record Storage Facility

| | Total Est'd Cost | Current 2008 Capital Budget& Program | Revised 2008 Capital Budget& Program |
|---|---|---|---|
| 1. Planning, Design, and Supervision | $300,000 | $100,000 | $20,000 |
| 3. Construction | $2,550,000 | $150,000 | $80,000 |
| 5. Furniture & Equipment | $750,000 | $250,000 | $400,000 |
| TOTAL | $3,600,000 | $500,000 | $500,000 |

and be it further

**5th RESOLVED**, that the proceeds of $500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

| Project No. | J.C. | Project Title | Amount |
|---|---|---|---|
| 525-CAP- 1705.11_ | 20 | Reconstruction and Improvements At The Bomarc Record Storage Facility | $20,000 |
| 525-CAP- 1705.31_ | 20 | Reconstruction and Improvements At The Bomarc Record Storage Facility | $80,000 |
| 525-CAP- 1705.51_ | 20 | Reconstruction and Improvements At The Bomarc Record Storage Facility | $400,000 |

Date:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1392

# STATEMENT OF FINANCIAL IMPACT
# OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X  Local Law ____  Charter Law ____

2. Title of Proposed Legislation

**AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH RECONSTRUCTION AND IMPROVEMENTS AT THE BOMARC RECORDS STORAGE FACILITY (CAPITAL PROGRAM NUMBER 1705)**

3. Purpose of Proposed Legislation

See No. 2 above.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes X  No ____

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

| | | |
|---|---|---|
| County XX | 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

8. Proposed Source of Funding

Serial Bonds

9. Timing of Impact
2009

| 10. Typed Name and Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| Tedd Godek, RA<br>County Architect | Tedd Godek | 14 April 08 |

Gen C15

# COUNTY OF SUFFOLK

1392


STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

## DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER


## MEMORANDUM

TO: Ben Zwirn, Deputy County Executive (2 copies)

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

DATE: April 14, 2008

**RE: CP 1705 – Reconstruction and Improvements at the BOMARC Record Storage Facility**

---

Attached for your review is a draft resolution appropriating the sum of $500,000 for the extension of the 2nd floor mezzanine at the above referenced facility.

This action is considered a Type II action under SEQRA in accordance with Resolution No. 169-2002.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1705 Bomarc Record Storage Imprvmtsdoc.

TL/TG/dk
attachments
cc: Jim Morgo, Chief Deputy County Executive
Gilbert Anderson, P.E., Commissioner
Louis Calderone, Deputy Commissioner
Tedd Godek, R.A., County Architect, Buildings Design & Construction
Michael J. Monaghan, P.E., Principal Mechanical Engineer
Laura Conway, CPA, Chief Accountant
Read Vail, Chief Budget Examiner
CE RESO Review (e-mail)



SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER


335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4010 FAX (631) 852-4246

Intro. Res. No 1393-08 - 2008 Laid on the Table 4/29/08
Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH RENOVATIONS TO SURROGATE'S COURT (CAPITAL PROGRAM NUMBER 1133)**

**WHEREAS**, the Commissioner of Public Works has requested funds for the renovation of the Surrogate's Court facility; 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. 571-1998 and as reaffirmed by Resolution No. 209-2000 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,240,000 in Suffolk County Serial Bonds; now, therefore, be it

**1st RESOLVED**, the Central Pine Barrens Joint Planning and Policy Commission, as SEQRA lead agency, on September 21,2005 issued a Negative Declaration for all proposed development at the Riverhead County Center as contained the Final Resolution on the Compatible Growth Area Development of Regional Significance Hardship Application; and be it further

**2nd RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-one (51) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and as reaffirmed by Resolution No. 209-2000; and be it further

**3rd RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

**4th RESOLVED**, that the proceeds of $1,240,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

| Project No. | J.C. | Project Title | Amount |
|---|---|---|---|
| 525-CAP- 1133.310 | 20 | Renovations to Surrogate's Court | $1,240,000 |

Date:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

# STATEMENT OF FINANCIAL IMPACT
# OF PROPOSED SUFFOLK COUNTY LEGISLATION

1393

1. Type of Legislation

Resolution __X__ Local Law ____ Charter Law ____

2. Title of Proposed Legislation

Appropriating Funds in Connection with Renovations to Surrogate's Court
(Capital Program Number 1133)

3. Purpose of Proposed Legislation

See No. 2 above.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes __X__ No ____

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

| | | |
|---|---|---|
| County XX | 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

8. Proposed Source of Funding

Serial Bonds

9. Timing of Impact
2008

| 10. Typed Name and Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| Tedd Godek<br>County Architect | Tedd Godek | 14 April 08 |

Gen C16

# COUNTY OF SUFFOLK

1393

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

## DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

## MEMORANDUM

TO: Ben Zwirn, Deputy County Executive (2 copies)

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

DATE: April 14, 2008

**RE: CP 1133 – Renovations to Surrogate's Court**

---

Attached for your review is a draft resolution appropriating the sum of $1,240,000 for the construction of Renovations to Surrogate's Court in Riverhead. The funding will be used for renovation and rehabilitation of windows and parking improvements.

Pursuant to the SEQRA negative declaration for a Type I action issued for the Riverhead County Center site by the Central Pine Barrens Joint Planning and Policy Commission as lead agency, it has been determined this project will not have a significant environmental impact.

An e-mail copy of this resolution has been sent to CE RESO Review saved under the title Reso-DPW-CP1133 Resolution Surrogate's Court.doc.

TL/TG/dk
attachments
cc: Jim Morgo, Chief Deputy County Executive
Gilbert Anderson, P.E., Commissioner
Louis Calderone, Deputy Commissioner
Tedd Godek, R.A., County Architect, Buildings Design & Construction
Craig Rhodes, Assistant Director, Buildings O&M
Laura Conway, CPA, Chief Accountant
Read Vail, Chief Budget Examiner
Linda Brandolf, CPA, Capital Accounting
Thomas Lorito, Administrative Judge's Office
CE RESO Review (e-mail)

Intro. Res. No 1394-08 - 2008 Laid on the Table 4/29/08
Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH REPLACEMENT/CLEANUP OF FOSSIL FUEL, TOXIC AND HAZARDOUS MATERIAL STORAGE TANKS (CAPITAL PROGRAM NUMBER 1706)**

**WHEREAS**, the Commissioner of Public Works has requested funds for the Replacement/Cleanup of Fossil Fuel and Hazardous Material Storage Tanks; 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. 571-1998 and as reaffirmed by Resolution No. 209-2000 has established a priority ranking system 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 $25,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, that as the upgrading and replacement of tanks are mandated by Article 12 of the Suffolk County Sanitary Code and Title 40 of the Code of Federal Regulations that the Legislature being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby determines that this action constitutes a Type II action pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under "SEQRA"; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-two (62) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and as reaffirmed by Resolution No. 209-2000; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

4th **RESOLVED**, that the proceeds of $25,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

| Project No. | J.C. | Project Title | Amount |
|---|---|---|---|
| 525-CAP-1706. 3__ | 20 | Replacement/Cleanup of Fossil Fuel, Toxic and Hazardous Material Storage Tanks | $25,000 |

Date:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

**REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION**
**OFFICE OF THE COUNTY EXECUTIVE**

1394

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

| Submitting Department (Department Name and Location): | Department Contact Person: (Name and Phone Number): |
|---|---|
| Public Works, Yaphank, New York | Michael J. Monaghan, P.E. 631-852-4225 |

Suggestion Involves:

Technical Amendment __X__ New Program ____

Grant Award ____ Contract (New ____ Rev. ____)

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

APPROPRIATING FUNDS IN CONNECTION WITH REPLACEMENT/CLEANUP OF FOSSIL FUEL, TOXIC AND HAZARDOUS MATERIAL STORAGE TANKS (CAPITAL PROGRAM NUMBER 1706)

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

# STATEMENT OF FINANCIAL IMPACT
# OF PROPOSED SUFFOLK COUNTY LEGISLATION

1394

1. Type of Legislation

Resolution __X__ Local Law ____ Charter Law ____

2. Title of Proposed Legislation

APPROPRIATING FUNDS IN CONNECTION WITH REPLACEMENT/CLEANUP OF FOSSIL FUEL, TOXIC AND HAZARDOUS MATERIAL STORAGE TANKS (CAPITAL PROGRAM NUMBER 1706)

3. Purpose of Proposed Legislation

See No. 2 above.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes __X__ No ____

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

| | | |
|---|---|---|
| County XX | 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

8. Proposed Source of Funding

Serial Bonds

9. Timing of Impact
2009

| 10. Typed Name and Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| Tedd Godek, R.A.<br>County Architect | Tedd Godek | 14 April 05 |

Intro. Res. No 1395-08 - 2008 Laid on the Table 4/29/08
Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH REMOVAL OF TOXIC AND HAZARDOUS BUILDING MATERIALS & COMPONENTS AT VARIOUS COUNTY FACILITIES (CAPITAL PROGRAM NUMBER 1732)**

**WHEREAS**, the Commissioner of Public Works has requested funds for the Removal of Toxic and Hazardous Building Materials & Components at Various County Facilities; 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. 571-1998 and as reaffirmed by Resolution No. 209-2000 has established a priority ranking system 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 $325,000 in Suffolk County Serial Bonds; now, therefore, be it

**1st RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 256-2005 classified the action contemplated by this as a Type II Action; and be it further

**2nd RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-one (61) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and as reaffirmed by Resolution No. 209-2000; and be it further

**3rd RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

**4th RESOLVED**, that the proceeds of $325,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

| Project No. | J.C. | Project Title | Amount |
|---|---|---|---|
| 525-CAP- 1732.1__ | 20 | Planning for Removal of Toxic and Hazardous Building Materials & Components at Various County Facilities | $25,000 |
| 525-CAP-1732.3__ | 20 | Removal of Toxic and Hazardous Building Materials & Components at Various County Facilities | $300,000 |

Date:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

# STATEMENT OF FINANCIAL IMPACT
# OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law ____ Charter Law ____

2. Title of Proposed Legislation

APPROPRIATING FUNDS IN CONNECTION WITH REMOVAL OF TOXIC AND HAZARDOUS BUILDING MATERIALS & COMPONENTS AT VARIOUS COUNTY FACILITIES (CAPITAL PROGRAM NUMBER 1732)

3. Purpose of Proposed Legislation

See No. 2 above.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes __X__ No ____

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

| | | |
|---|---|---|
| County XX | 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.

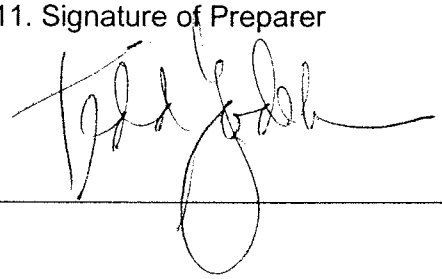
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision

See attached debt service

8. Proposed Source of Funding

Serial Bonds

9. Timing of Impact
2008

| 10. Typed Name and Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| Tedd Godek, R.A.<br>County Architect |  | 14 April 08 |

Gen C18

# COUNTY OF SUFFOLK

1395


STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

**DEPARTMENT OF PUBLIC WORKS**

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER


## MEMORANDUM

TO: Ben Zwirn, Deputy County Executive (2 copies)

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

DATE: April 14, 2008

**RE: CP 1732 – Removal of Toxic and Hazardous Building Materials & Components at Various County Facilities**

---

Attached for your review is a draft resolution appropriating the sum of $325,000 for the mitigation of hazardous materials at County facilities.

As funds become available, we are performing complete removal of asbestos from our facilities, executing miscellaneous projects to support construction projects and prosecuting emergency work. In accordance with Federal Clean Air Act, we have begun to upgrade, remove and/or replace equipment using CFC's. The major CFC containing equipment replacement is complete. We will identify and replace the smaller unitary HVAC equipment as funds allow.

Candidate buildings for asbestos removal work include the Riverhead County Center and Griffing Avenue Court Complex. Candidate buildings for replacement of smaller unitary HVAC equipment include Vector Control.

This work is considered a Type II action under SEQRA in accordance with Resolution No. 256-2005.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1732 Resolution Haz Mat.doc.

TL/TG/dk
attachments
cc: Jim Morgo, Chief Deputy County Executive
Gilbert Anderson, P.E., Commissioner
Louis Calderone, Deputy Commissioner
Tedd Godek, R.A., County Architect, Buildings Design & Construction
Michael J. Monaghan, P.E., Principal Mechanical Engineer
Laura Conway, CPA, Chief Accountant
Read Vail, Chief Budget Examiner
CE RESO Review (e-mail)

Intro. Res. No 1396-08 - 2008 Laid on the Table 4/29/08
Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH REPLACEMENT OF MAJOR BUILDINGS OPERATIONS EQUIPMENT AT VARIOUS COUNTY FACILITIES (CAPITAL PROGRAM NUMBER 1737)**

**WHEREAS**, the Commissioner of Public Works has requested funds for the Replacement of Major Buildings Operations Equipment at Various County Facilities; 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. 571-1998 and as reaffirmed by Resolution No. 209-2000 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of $400,000 in Suffolk County Serial Bonds; now, therefore, be it

**1st RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 255-2005 classified the action contemplated by this as a Type II Action; and be it further

**2nd 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. 571-1998 and as reaffirmed by Resolution No. 209-2000; and be it further

**3rd RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

**4th RESOLVED**, that the proceeds of $400,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

| Project No. | J.C. | Project Title | Amount |
|---|---|---|---|
| 525-CAP- 1737.3__ | 20 | Replacement of Major Buildings Operations Equipment at Various County Facilities | $400,000 |

Date:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

# STATEMENT OF FINANCIAL IMPACT
# OF PROPOSED SUFFOLK COUNTY LEGISLATION

1396

1. Type of Legislation

Resolution __X__ Local Law ____ Charter Law ____

2. Title of Proposed Legislation

APPROPRIATING FUNDS IN CONNECTION WITH REPLACEMENT OF MAJOR BUILDINGS OPERATIONS EQUIPMENT AT VARIOUS COUNTY FACILITIES (CAPITAL PROGRAM NUMBER 1737)

3. Purpose of Proposed Legislation

See No. 2 above.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes __X__ No ____

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

| | | |
|---|---|---|
| County XX | 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

8. Proposed Source of Funding

Serial Bonds

9. Timing of Impact
2009

| 10. Typed Name and Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| Tedd Godek, R.A.<br>County Architect | Tedd Godek | 14 April '05 |

Gen C19

# COUNTY OF SUFFOLK

1396

**STEVE LEVY**
SUFFOLK COUNTY EXECUTIVE

## DEPARTMENT OF PUBLIC WORKS

**THOMAS LAGUARDIA, P.E.**
CHIEF DEPUTY COMMISSIONER

**GILBERT ANDERSON, P.E.**
COMMISSIONER

**LOUIS CALDERONE**
DEPUTY COMMISSIONER

## MEMORANDUM

TO: Ben Zwirn, Deputy County Executive (2 copies)

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

DATE: April 14, 2008

**RE: CP 1737 – Replacement of Major Buildings Operations Equipment at Various County Facilities**

---

Attached for your review is a draft resolution requesting that $400,000 be appropriated into construction for the replacement of major building operation equipment that fails in service.

Funds are used for both planned and unplanned work. Planned work includes the replacement of high temperature boilers at the H. Lee Dennison Building (C-0140) and the chillers at the Legislature Building (C-0020).

This work is considered a Type II action under SEQRA in accordance with Resolution No. 255-2005 as it concerns maintenance or repair involving no substantial changes in an existing structure and/or replacement, rehabilitation, or reconstruction of a facility, in kind.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1737 Resolution Major Equipment.doc.

TL/TG/dk
attachments
cc: Jim Morgo, Chief Deputy County Executive
Gilbert Anderson, P.E., Commissioner
Louis Calderone, Deputy Commissioner
Tedd Godek, R.A., County Architect, Buildings Design & Construction
Michael J. Monaghan, P.E., Principal Mechanical Engineer
Laura Conway, CPA, Chief Accountant
Read Vail, Chief Budget Examiner
CE RESO Review (e-mail)

Intro. Res. No 1397-08 - 2008 Laid on the Table 4/29/08
Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE ROOF REPLACEMENT ON VARIOUS COUNTY BUILDINGS (CAPITAL PROGRAM NUMBER 1623)**

**WHEREAS**, the Commissioner of Public Works has requested funds for Roof Replacement on Various County Buildings; and

**WHEREAS**, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of said request; and

**WHEREAS**, pursuant to Resolution No. 675-2006, the application of the 5-25-5 law has been waived during fiscal year 2008, this resolution requests the method of financing be changed for this project; and

**WHEREAS**, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature, rather than an offset, under Section C4-13 of the Suffolk County Charter; and

**WHEREAS**, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2007 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 $525,000 in Suffolk County Serial Bonds; therefore be it

**1st RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 707-2005 classified the action contemplated by this as a Type II action; and be it further

**2nd RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-four (54) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and as reaffirmed by Resolution No. 209-2000; and be it further

**3rd RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

**4th RESOLVED**, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No: 1623
Project Title: Roof Replacement on Various County Buildings

| | Total Est'd Cost | Current 2008 Capital Budget & Program | Revised 2008 Capital Budget & Program |
|---|---|---|---|
| 3. Construction | $4,720,550 | $525,000G | $525,000B |
| TOTAL | $4,720,550 | $525,000G | $525,000B |

and be it further

**5th RESOLVED**, that the proceeds of $525,000 in Suffolk County Serial Bonds be and hereby appropriated as follows:

| Project No. | J.C. | Project Title | Amount |
|---|---|---|---|
| 525-CAP-1623. (Fund 001-Debt Service) | 20 | Roof Replacement on Various County Buildings | $525,000 |

Date:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

# STATEMENT OF FINANCIAL IMPACT
# OF PROPOSED SUFFOLK COUNTY LEGISLATION

1397

1. Type of Legislation

Resolution __X__ Local Law ____ Charter Law ____

2. Title of Proposed Legislation

AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE ROOF REPLACEMENT ON VARIOUS COUNTY BUILDINGS (CAPITAL PROGRAM NUMBER 1623)

3. Purpose of Proposed Legislation

See No. 2 above.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes __X__ No ____

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

| | | |
|---|---|---|
| County XX | 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

8. Proposed Source of Funding

Serial Bonds

9. Timing of Impact
2008-09

| 10. Typed Name and Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| Tedd Godek, R.A.<br>County Architect | Tedd Godek | 14 April '05 |

Gen C20

# COUNTY OF SUFFOLK

1397


STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

**DEPARTMENT OF PUBLIC WORKS**

**THOMAS LAGUARDIA, P.E.**
CHIEF DEPUTY COMMISSIONER

**GILBERT ANDERSON, P.E.**
COMMISSIONER

**LOUIS CALDERONE**
DEPUTY COMMISSIONER


## MEMORANDUM

TO: Ben Zwirn, Deputy County Executive (2 copies)

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

DATE: April 14, 2008

**RE: CP 1623 – Roof Replacement on Various County Buildings**

---

Attached for your review is a draft resolution appropriating the sum of $525,000 into construction for roof replacement on various County buildings. Buildings targeted for work under the current program include:

C-0022 – Farmingville Health Center
C-0358 – Tri-Community Health Center
C-0155 – Vector Control Garage
N/A – Various County Farm Structures

This action is considered a Type II action under SEQRA in accordance with Resolution No. 707-2005.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1623 Resolution Roof Repl Various Bldgs.doc.

TL/TG/dk
attachments
cc: Jim Morgo, Chief Deputy County Executive
Gilbert Anderson, P.E., Commissioner
Louis Calderone, Deputy Commissioner
Tedd Godek, R.A., County Architect, Buildings Design & Construction
Michael J. Monaghan, P.E., Principal Mechanical Engineer
Laura Conway, CPA, Chief Accountant
Read Vail, Chief Budget Examiner
CE RESO Review (e-mail)

Intro. Res. No 1398-08 - 2008 Laid on the Table 4/29/08
Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2008, APPROPRIATING FUNDS IN CONNECTION WITH RIVERHEAD COUNTY CENTER POWER PLANT UPGRADE (CAPITAL PROGRAM NUMBER 1715)**

**WHEREAS**, the Commissioner of Public Works has requested funds for Upgrades to the Riverhead Power Plant; 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. 571-1998 and as reaffirmed by Resolution No. 209-2000 has established a priority ranking system 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 $300,000 in Suffolk County Serial Bonds; now, therefore, be it

**1st RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 258-2005 classified the action contemplated by this as a Type II Action; and be it further

**2nd RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-seven (67) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and as reaffirmed by Resolution No. 209-2000; and be it further

**3rd RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

**4th RESOLVED**, that the proceeds of $300,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

| Project No. | J.C. | Project Title | Amount |
|---|---|---|---|
| 525-CAP- 1715.3__ | 20 | Planning for Riverhead County Center Power Plant Upgrade | $300,000 |

Date:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

# STATEMENT OF FINANCIAL IMPACT
# OF PROPOSED SUFFOLK COUNTY LEGISLATION

1398

1. Type of Legislation

Resolution X  Local Law ____  Charter Law ____

2. Title of Proposed Legislation

APPROPRIATING FUNDS IN CONNECTION WITH RIVERHEAD COUNTY CENTER POWER PLANT UPGRADE (CAPITAL PROGRAM NUMBER 1715)

3. Purpose of Proposed Legislation

See No. 2 above.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes X  No ____

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

| | | |
|---|---|---|
| County XX | 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

8. Proposed Source of Funding

Serial Bonds

9. Timing of Impact
2009

| 10. Typed Name and Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| Tedd Godek, R.A.<br>County Architect | Tedd Godek | 4 April '08 |

Gen Cz1

# COUNTY OF SUFFOLK

1398


**STEVE LEVY**
SUFFOLK COUNTY EXECUTIVE

**DEPARTMENT OF PUBLIC WORKS**

**THOMAS LAGUARDIA, P.E.**
CHIEF DEPUTY COMMISSIONER

**GILBERT ANDERSON, P.E.**
COMMISSIONER

**LOUIS CALDERONE**
DEPUTY COMMISSIONER


## MEMORANDUM

TO: Ben Zwirn, Deputy County Executive (2 copies)

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

DATE: April 14, 2008

**RE: CP 1715 – Riverhead County Center Power Plant Upgrade**

---

Attached for your review is a draft resolution appropriating the sum of $300,000 to continue with our program to upgrade the Riverhead County Center Power Plant. Funding for this year will be used for automatic temperature control and monitoring points throughout the various heating and cooling systems.

This work is considered a Type II Action under SEQRA in accordance with Resolution No. 258-2005.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1715 Resolution Riv PP Upgrade.doc.

TL/TG/dk
attachments
cc: Jim Morgo, Chief Deputy County Executive
Gilbert Anderson, P.E., Commissioner
Louis Calderone, Deputy Commissioner
Tedd Godek, R.A., County Architect, Buildings Design & Construction
Michael J. Monaghan, P.E., Principal Mechanical Engineer
Laura Conway, CPA, Chief Accountant
Read Vail, Chief Budget Examiner
CE RESO Review (e-mail)

Intro Res. No. 1399-08 Laid on Table 4/29/08
Introduced by Presiding Officer on the Request of the County Executive

RESOLUTION NO. TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #297

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

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

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

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

| Description | Year | Original Tax | Corrected Tax | Chargeback or Refund, if paid |
|---|---|---|---|---|
| **EAST HAMPTON:** | | | | |
| **0300-032.00-06.00-011.002** | **2007/08** | **$26,933.92** | **$0.00** | **$26,933.92** |
| **0300-032.00-06.00-010.000** | **2007/08** | **$14,123.46** | **$0.00** | **$14,123.46** |
| **SOUTHAMPTON:** | | | | |
| **0904-021.00-01.00-003.000 (ITEM #600217.00)** | **2005/06** | **$17,638.64** | **$0.00** | **$17,638.64** |
| **BABYLON:** | | | | |
| **0100-050.00-01.00-005.018** | **2005/06** | **$85,600.41** | **$0.00** | **$85,600.41** |

Dated:

Approved By:

_____

Suffolk County Executive

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   **ResolutionXXX** Local Law Charter Law

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

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

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

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

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

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

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

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

9. Timing of Impact
   Variable

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

Angie M. Carpenter
County Treasurer

Angie M. Carpenter 4/16/08

**Additional back-up material regarding I.R. 1399 is on file in the Legislative Clerk's Office.**

Introductory Resolution No. 1400-08 Laid on Table 4/29/08

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 ISLIP FOR AFFORDABLE HOUSING PURPOSES**
**(SCTM NO. 0500-152.00-03.00-011.000)**

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

**ALL,** that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 152.00, Block 03.00, Lot 011.000, and acquired by tax deed on June 14, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 15, 2005, in Liber 12392, CP 604 and otherwise known as and by Town of Islip, known and designated as Lot No. 13 as shown on a certain map entitled "Map of Country Farms at Holbrook," and filed in the Suffolk county clerk's Office on June 17, 1965 as Map No., 4379,

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

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

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

1st **RESOLVED,** the subject parcel shall be conveyed to the Town of Islip, 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 PMSA based upon bedroom size;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Exhibit "A"

March 11,2008

12

**RESOLUTION**

**WHEREAS,** the County of Suffolk occasionally makes available to the Town of Islip Community Development Agency property owned by Suffolk County which can be conveyed, without consideration, to the Town of Islip Community Development Agency for affordable housing purposes under the provisions of Section 72-H General Municipal Law, and

**WHEREAS,** a recent review of the county owned property by the Town of Islip Community Development Agency determined that the following parcel would create affordable housing through such a conveyance.

On motion by Supervisor Nolan , seconded by Councilman Flotteron

**BE IT THEREFORE RESOLVED** that the Town of Islip hereby requests conveyance of the following property for affordable housing purposes to the Town of Islip Community Development Agency.

Tax Map Number: 0500-152.00-03.00-011.000

**UPON A VOTE** being taken, the result was: unanimously carried 5-0.

1400

**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 ISLIP

Tax Map No.: 0500-152.00-03.00-011.000

Section 72-h, Gen'l Municipal Law

| | | Amount |
|---|---|---|
| County Investment | | $44,114.05 |
| PURPOSE: | | |
| | A. Affordable Housing | X |
| | B. Town Parks | |
| | C. Road/Highway | |
| | D. Drainage/Recharge Basin | |
| | E. Other | |

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

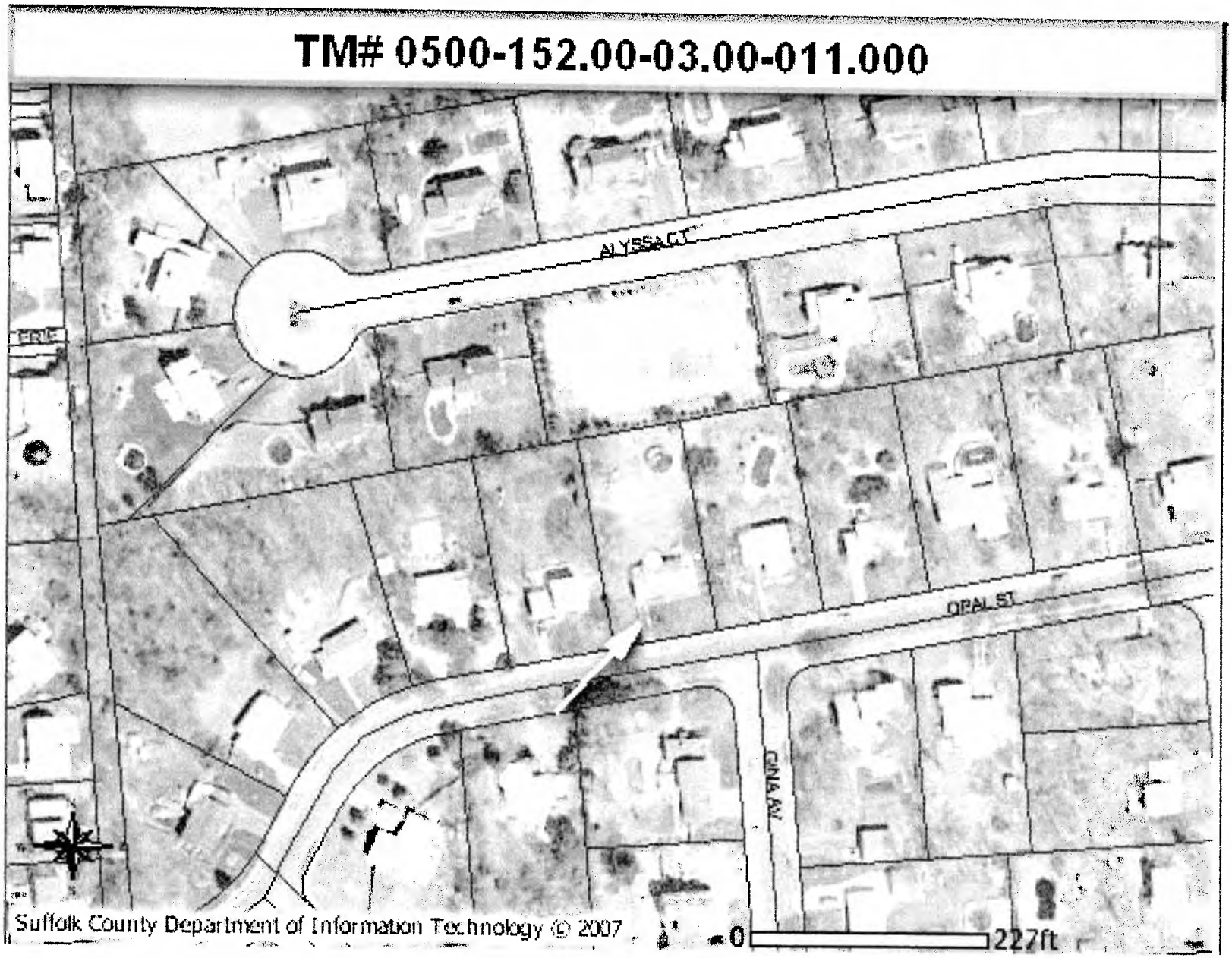
WRT:slb

4/1/2008 -- 3:07:24 PM -- \\R4\rp\draft\viewer\0500\prod\5015200x.dgn DSBL: 0500 15200 0300 011000

1400

TM # 0500-152.00-03.00-011.000

# TM# 0500-152.00-03.00-011.000




1 of 1

TM# 0500-152.00-03.00-011.000

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1400

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 Islip 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

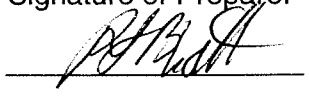
   Unknown

9. Timing of Impact

   2008

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

    R. J. Bhatt
    LMS III

    4/9/08

Gen C23

# COUNTY OF SUFFOLK

APR 16 2008

1400


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


April 14, 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.: 0500-152.00-03.00-011.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the Town of Islip 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 Islip 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

Intro. Res. No. 1401-08 Laid on the Table 4/29/08
Introduced by the Presiding Officer at the Request of the County Executive

**RESOLUTION NO. -2008, AMENDING THE 2008 OPERATING BUDGET AND APPROPRIATING FUNDS IN CONNECTION WITH BONDING SETTLEMENTS FOR GENERAL LIABILITY CASE**

WHEREAS, a General Liability case was approved for settlement by the Ways and Means Committee for a total amount of $1,475,000; and

WHEREAS, the Order Approving Settlement Pursuant to General Municipal Law Section 6-n, is expected to be signed by June 17, 2008 providing for payment in 90 days; and

WHEREAS, the Ordered Settlement is a mandated expense that must be paid by the County; and

WHEREAS, sufficient funds for this General Liability settlement are not available in the 2008 Operating Budget; and

WHEREAS, the County Legislature, by Resolution of even date herewith, has authorized the issuance of $1,475,000 in Suffolk County Serial Bonds to cover the cost of said settlements; now, therefore be it

RESOLVED, that this settlement in the amount of $1,475,000 be bonded and paid under the authority of the Division of Risk Management, County Department of Civil Service, in conjunction with the County Department of Audit and Control and the County Executive's Budget Office; and be it further

RESOLVED, that the proceeds of One Million Four Hundred Seven Hundred Fifty Thousand ($1,475,000) Dollars in Suffolk County Serial Bonds be and are hereby appropriated as follows:

REVENUES:
038-2780 Proceeds: Debt $1,475,000

Miscellaneous
General Liability Insurance
038-MSC-1914

8505 – Settlements $1,475,000

DATED:

APPROVED BY:

_____
County Executive of the County of Suffolk

Date of Approval:

# SUFFOLK COUNTY LEGISLATURE

**County of Suffolk**


***Lou D'Amaro***
**Legislator 17th District**

130 West Jericho Turnpike
Huntington Station, NY 11746
Tel: (631) 854-4433
Fax (631) 854-4415
*lou.damaro@suffolkcountyny.gov*


***COMMITTEES:***

*CHAIRMAN - WAYS AND MEANS
*VICE-CHAIRMAN - BUDGET AND FINANCE
*VICE-CHAIRMAN - ENVIRONMENT, PLANNING & AGRICULTURE
*MEMBER - PUBLIC WORKS & TRANSPORTATION

April 16, 2008

Lynne A. Bizzarro
Chief Deputy County Attorney
P.O. Box 6100
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, New York 11788

**Re: Christopher DeLuca v. County of Suffolk, et al.**

This letter will confirm that at the April 16, 2008 meeting of the Ways and Means Committee of the Suffolk County Legislature, settlement of the above captioned matter by the County's contribution of the sum of $1,475,000 was authorized.

Very truly yours

Lou D'Amaro
Suffolk County Legislator
Chairman, Ways and Means Committee

# STATEMENT OF FINANCIAL IMPACT
# OF PROPOSED SUFFOLK COUNTY LEGISLATION

(40)

| |
|---|
| 1. Type of Legislation<br><br>Resolution **X** Local Law _____ Charter Law _____ |
| 2. Title of Proposed Legislation<br><br>RESOLUTION NO. –2008, AMENDING THE 2008 OPERATING BUDGET AND APPROPRIATING FUNDS IN CONNECTION WITH BONDING SETTLEMENTS FOR GENERAL LIABILITY CASE |
| 3. Purpose of Proposed Legislation<br><br>SEE NO. 2 ABOVE |
| 4. Will the Proposed Legislation Have a Fiscal Impact? **Yes X** **No** ___ |
| 5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)<br><br>**County X** **Town** **Economic Impact**<br><br>**Village** **School District** **Other (Specify):**<br><br>**Library District** **Fire District** |
| 6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact<br><br>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.<br><br>SEE ATTACHED DEBT SCHEDULE |
| 8. Proposed Source of Funding<br><br>SERIAL BONDS |
| 9. Timing of Impact<br><br>2008 |

| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| CARMINE CHIUSANO<br>PRINCIPAL FINACIAL ANALYST | | APRIL 30, 2008 |

SCIN FORM 175b (10/95)

1402

Introductory Resolution No. -2008 Laid on the Table 4/29/08
Introduced by the Presiding Officer on request ofthe County Executive

**RESOLUTION NO. – 2008 ACCEPTING AND APPROPRIATING AN AMENDMENT TO THE COLLEGE BUDGET FOR A GRANT AWARD FROM THE SUFFOLK COMMUNITY COLLEGE FOUNDATION, INC. FOR A RAYTHEON/GENERAL MOTORS SERVICE TECHNICAL COLLEGE TRAINING PROGRAM 100% REIMBURSED BY PRIVATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE**

**WHEREAS**, the Suffolk Community College Foundation, Inc. has accepted a grant award from Raytheon Professional Services L.L.C. for a 2008 calendar year Raytheon/General Motors Service Technical College Training Program, for the period of January 1, 2008 through December 31, 2008; and

**WHEREAS**, the Foundation has awarded the College the sum of $188,600 for the period of January 1, 2008 through December 31, 2008, to reimburse the College for the salaries and fringe benefit costs of the faculty necessary to conduct the training program for said performance period; and

**WHEREAS**, the 2007-2008 College operating budget provides $182,778 for the salary and associated fringe benefit costs of the faculty of the Raytheon/General Motors Service Technical College Training Program for the period of January 1, 2008 through December 31, 2008; and

**WHEREAS**, it is necessary to amend the 2007-2008 College budget to provide for an additional $5,822, bringing the total amount of the award to $188,600, for the period of January 1, 2008 through December 31, 2008; and

**WHEREAS**, the program will provide the required training needed to meet General Motors standards on a yearly basis; and

**WHEREAS**, no matching funds are required as the program is 100% reimbursed by private funds; and

**WHEREAS**, the Board of Trustees of Suffolk County Community College accepted the grant award from the Suffolk Community College Foundation, Inc., in the amount of $188,600, on April 17, 2008 by Resolution No. 2008.24; and

**WHEREAS**, the College anticipates spending the increase reflected in the grant award in the amount of $5,822, in accordance with the terms of said grant before December 31, 2008; now, therefore, be it

1st **RESOLVED**, that said grant award, in the amount of $188,600, from the Suffolk Community College Foundation, Inc., for a Raytheon/General Motors Service Technical College Training Programbe accepted; and be it further

2nd **RESOLVED**, that said 2007-2008 College operating budget be amended in the amount of $5,822, and said amount be appropriated for the operation of the program as follows:

| REVENUES: | AMOUNT: |
|---|---|
| Private Aid: Raytheon/GM 818-GRT-2497-08 | $ 5,822 |

| APPROPRIATIONS: | AMOUNT: |
|---|---|
| Raytheon/GM: 818-GRT-GA24-08 | $ 5,822 |

Suffolk County Community College
Raytheon/General Motors Service Technical College Training Program
818-GRT-GA24-08

| | |
|---|---|
| 1000-Personal Services | $ 5,408 |
| 1100-Permanent Salaries | 5,408 |
| 8000-Employee Benefits | $ 414 |
| 8330-Social Security | 414 |

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of approval:

1402

**RESOLUTION NO. 2008.24 ACCEPTING A GRANT AWARD FROM THE SUFFOLK COMMUNITY COLLEGE FOUNDATION, INC. TO CONDUCT THE RAYTHEON/GENERAL MOTORS SERVICE TECHNICAL COLLEGE TRAINING PROGRAM**

**WHEREAS**, the Suffolk Community College Foundation, Inc. has accepted a grant award from Raytheon Professional Services LLC for the 2008 calendar year Raytheon/General Motors Service Technical College Training Program for General Motors technicians, for the period of January 1, 2008 through December 31, 2008, and

**WHEREAS**, the Foundation has awarded the College the sum of $188,600 for the period of January 1, 2008 through December 31, 2008, to reimburse the College for the salaries and fringe benefits of the faculty necessary to conduct the training program, and

**WHEREAS,** matching funds are not required, be it therefore

**RESOLVED**, that a grant award in the amount of $188,600, from the Suffolk Community College Foundation, Inc. for the Raytheon/General Motors Service Technical College Training Program, for the period of January 1, 2008 through December 31, 2008, is hereby accepted and the College President or her designee is authorized to execute a contract with the administering agency.

Project Director: Joseph Imperial

1402

Board of Trustees Meeting
Date: April 17, 2008

# ABSTRACT

Grant Proposal ___ Grant Award _X_

| | |
|---|---|
| Funding Source: | Raytheon Professional Services L.L.C.<br>Through the Suffolk Community College Foundation, Inc. |
| Project Title: | Raytheon/General Motors Service Technical College Training Program |
| Project Director: | Joseph Imperial, Director, Automotive Technology |
| Project Period: | January 1, 2008 through December 31, 2008 |
| Campus: | Ammerman |
| Amount of Award: | $188,600 |
| Match/In-kind Contribution/Fees: | none |
| Total Program Budget: | $188,600 |
| Full-Time Positions/Reassigned Time: | Two Corporate Trainers |
| No. of Students to be Served: | Maximum of 530 students |

Type of Student to be Served:
General Motors technicians employed at General Motors dealerships, management and engineering employees, emergency medical personnel, state emissions technicians, military personnel, secondary and post-secondary faculty, and General Motors automotive service education program (A. S. E. P.) students.

Description of Project:
The Raytheon/General Motors Service Technical College Training Program provides the required training needed to meet standards on a yearly basis.

Suffolk
COMMUNITY COLLEGE FOUNDATION, INC.

1402

**SUFFOLK COMMUNITY COLLEGE FOUNDATION**
**BOARD OF DIRECTORS**
**JANUARY 29, 2008**

**RESOLUTION 2008.F1**

**WHEREAS**, Suffolk Community College Foundation, Inc. has received a grant award extension from Raytheon Company D/B/A Raytheon Professional Services, in the amount of $192,600.00, for continuation of the Raytheon/GM Training Program for the 2008 calendar year, and

**WHEREAS**, the project provides for the costs associated with training for General Motors technicians, and

**WHEREAS**, Suffolk County Community College has the personnel and process in place for carrying out the requirements of the grant, be it therefore

**RESOLVED**, that the grant award extension, in the amount of $192,600.00, from the Raytheon Company, for the Raytheon/GM Training Program, for the period January 1, 2008 through December 31, 2008, is hereby accepted, and the Executive Director is authorized to execute an agreement with the administering agency, and be it further

**RESOLVED**, that the Foundation hereby awards to Suffolk County Community College the amount of $188,600.00 of the Raytheon grant award for the salaries and benefits of the personnel assigned to carry out the training program, and the Executive Director is authorized to execute an agreement with the College providing for the payment of such costs upon receipt of funds from Raytheon.

Robert J. Frey, Ph.D.
Secretary

# PURCHASE ORDER

***Raytheon Professional Services LLC***

Purchase Order No 6032

Purchase Order Date 21-DEC-2007

| SUPPLIER | SHIP TO | BILL TO |
|---|---|---|
| Suffolk County<br>Community College<br>533 College Road<br>Selden NY 11784 | Raytheon Professional<br>Services<br>1919 Technology Drive<br>Troy MI 48083-4245 | Accounts Payable<br>Raytheon Professional Services<br>1919 Technology Drive<br>Troy MI 48083-4245 |

| TERMS | SHIP VIA | FOB | CONFIRMED |
|---|---|---|---|
| Net 45 | | Due | Joeseph Imperial |

**COMMENTS**

**This Purchase Order issued 12/21/07 hereby incorporate the Terms and Conditions of the Technical Services Agreement dated 12/12/06 between Raytheon Professional Services and Suffolk County Community College.**

**~SD 12/21/07**

| ITEM | ORDER QTY | UOM | DESCRIPTION | UNIT PRICE | DATE DUE | EXTENDED PRICE |
|---|---|---|---|---|---|---|
| 1 | 230 | DAY | GMSTC Instructor | 410.00 | | 94,300.00 |
| 2 | 230 | DAY | GMSTC Instructor #2 | 410.00 | | 94,300.00 |
| 3 | 2000 | EACH | Travel Funds for GMSTC Instructor | 1.00 | | 2,000.00 |
| 4 | 2000 | EACH | Travel Funds for GMSTC Instructor #2 | 1.00 | | 2,000.00 |
| | | | | | ORDER TOTAL | 192,600.00 |

"Show Raytheon Complete Purchase Order Number, Line Item Number And Description(s) on All Invoices And Packing Slips. Otherwise, there may be Payment delays. As acknowledgement, Seller must sign this PO and fax it to the Buyer within 7 business days after the date of issue. Failure to fax the signed PO automatically signifies acceptance of the PO and all terms and conditions as incorporated into the PO or by reference."

Sandra J Davis 972-205-5183

BUYER

Supplier Acknowledgement _____

(return to buyer) Supplier Representative

1 of 2

Gen C25

1402

# Suffolk
COUNTY COMMUNITY COLLEGE

To: Ben Zwirn, Assistant Deputy County Executive

From: Charles K. Stein, V. P. for Business & Financial Affairs

Date: April 4, 2008

Subject: Request for a Resolution Accepting and Appropriating an Amendment to the College budget for a Grant Award

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

Proposal _____ Grant Award X

Project Name: Raytheon/GM Service Technical College Training Program

Funding Source: Raytheon Professional Services LLC, through the Suffolk Community College Foundation, Inc.

Amount of Amendment: $ 5,822

Total Amount of Grant Award: $188,600

Full Time Positions: Two Corporate Trainers

Please call me if there are questions regarding this request.
An e-mail version of the resolution was sent to CE RESO REVIEW:
File name: **Reso-SCCC-Raytheon 2008 Amend.doc**

cc: J. Canniff, Vice President for Academic and Campus Affairs
M. L. Araneo, Vice President for Institutional Advancement
J. Bullard, Jr., Associate Dean for Financial Affairs
J. Imperial, Director of Automotive Technology

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

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

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

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

1402

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation
Accepting and Appropriating an Amendment to the College Budget for a Grant Award from the Suffolk Community College Foundation, Inc. for a Raytheon/General Motors Service Technical College Training Program 100% Reimbursed by Private Funds at Suffolk County Community College

3. Purpose of Proposed Legislation
To accept a grant award in the amount of $188,600, from the Suffolk Community College Foundation, Inc. for a Raytheon/General Motors Service Technical College Training Program at Suffolk County Community College during the 2007-2008 academic year and completing during the 2008-2009 academic year; and to accept an amendment to the 2007-2008 College budget in the amount of $5,822.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes ___ No X

5. If the answer to item 4 is "yes," on whatwill 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 amendment to the 2007-2008 College budget will provide $5,822, from the Suffolk Community College Foundation, Inc., for operating costs for the Raytheon/General Motors Service Technical College Training Program during the 2007-2008 academic year and completing during the 2008-2009 academic year. No matching funds are required.

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

8. Proposed Source of Funding: Raytheon Professional Services LLC, through the Suffolk Community College Foundation, Inc.

9. Timing of Impact: January 1, 2008 through December 31, 2008

10. Typed Name & Title of Preparer
Deborah E. Lesser, M.S.
Senior Accountant

11. Signature of Preparer Deborah E. Lesser

12. Date
March 18, 2008

SCIN FORM 175A (10/95)

# I.R. 1403 – Void #

Intro. Res. No. 1404-08 Laid on Table 4/29/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. , AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF ABANDONMENT OF THE INTEREST OF THE COUNTY OF SUFFOLK IN PROPERTY DESIGNATED AS TOWN OF BABYLON SUFFOLK COUNTY TAX MAP NO. 0100-058.00-01.00-044.000 PURSUANT TO SECTION 40-D OF THE SUFFOLK COUNTY TAX ACT**

**WHEREAS**, a parcel of property lying, situate and being in the Town of Babylon, designated as Suffolk County Tax Map Number 0100-058.00-01.00-044.000 known as Suffolk County Tax Map Number: District 0100, Section 058.00, Block 01.00, Lot 044.000, formerly assessed to NDN Enterprises Ltd.; and

**WHEREAS**, the County of Suffolk acquired said property designated as Suffolk County Tax Map Number 0100-058.00-01.00-044.000 , by tax deed dated June 22, 2006, and recorded on June 28, 2006 in the Suffolk County Clerk's Office in Liber 12457 at page 34 for unpaid 2003 / 2004 taxes; and

**WHEREAS**, it has been determined that due to timely tax payment being misapplied, property should not have been taken; now, therefore, be it

**1st - RESOLVED**, that pursuant to Section 40-C of the Suffolk County Tax Act, after receiving payment in full of all monies due to the County of Suffolk, including but not limited to, accrued taxes, penalties and interest as calculated by the Treasurer of the County of Suffolk, payment has been made to the Division of Real Property Acquisition and Management, the tax deed to Suffolk County will be canceled pursuant to section 40-D of the Suffolk County Tax Act. The Director of the Division of Real Property Acquisition and Management and/or his designee is authorized to file a certificate of abandonment of Claim of title, which Suffolk County holds pursuant to said tax deed.

Dated:

Approved by:

_____

County Executive of Suffolk County

1404

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0100-058.00-01.00-044.000

2. Title of Proposed Legislation

Authorizing the Director of the Division of Real Property Acquisition and Management and/or his designee to issue a Certificate of Abandonment of the interest of the County of Suffolk Pursuant to Section 40-D of the Suffolk County Tax Act.

3. Purpose of Proposed Legislation

To cancel Tax Deeds and abandon the County's interest in properties taken by mistake or in error when determined by the Town Assessor, the Suffolk County Division of Real Property Acquisition and Management, and the County Treasurer.

4. Will the Proposed Legislation have a fiscal impact? Yes X No____

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2008

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

Cathy O'Neal Cathy O'Neal 4/3/08

SUFFOLK COUNTY TREASURER - RIVERHEAD, NEW YORK

1404

TAX DEED CANCELLATION RES#: ITEM #

TAX MAP #: 0100-58-1-44 ASS'D: NDN ENTERPRISES LTD

**PAID AS SALES**

| | | YEAR: 2003/04 | YEAR: | YEAR: | YEAR: |
|---|---|---|---|---|---|
| FLAT TAX | | $73.51 | | | |
| 5% PENALTY | | 3.68 | | | |
| TOTAL | | 77.19 | | | |
| 11% INTEREST | | 8.49 | | | |
| ADVERTISING | | 20.00 | | | |
| SALE AMOUNT | | 105.68 | | | |
| INTEREST | 12% | 12.68 | | | |
| RED. ADV | | 12.00 | | | |
| TOTAL AMOUNT | | $130.36 | | | |

**PAID AS CURRENT YEAR-BILLED AS BLACK INK ITEMS-5% PENALTY + 1% INTEREST PER MONTH**

| | | YEAR: 06/07 | YEAR: | YEAR: | |
|---|---|---|---|---|---|
| FLAT TAX | | $171.80 | | | |
| 5% PENALTY | | 8.59 | | | |
| TOTAL | | 180.39 | | | |
| INTEREST | 14 | 25.25 #N/A | #N/A | #N/A | |
| TOTAL AMOUNT | | $205.64 | | | |

*PLEASE NOTE THAT THIS AMOUNT DOES NOT INCLUDE TAXES FOR 2007/08 IN THE AMOUNT OF $126.79.

CALCULATIONS PAYABLE BY: 3/31/2008

TOTAL DUE: $336.00 *

126.79

2007/2008 $462.79

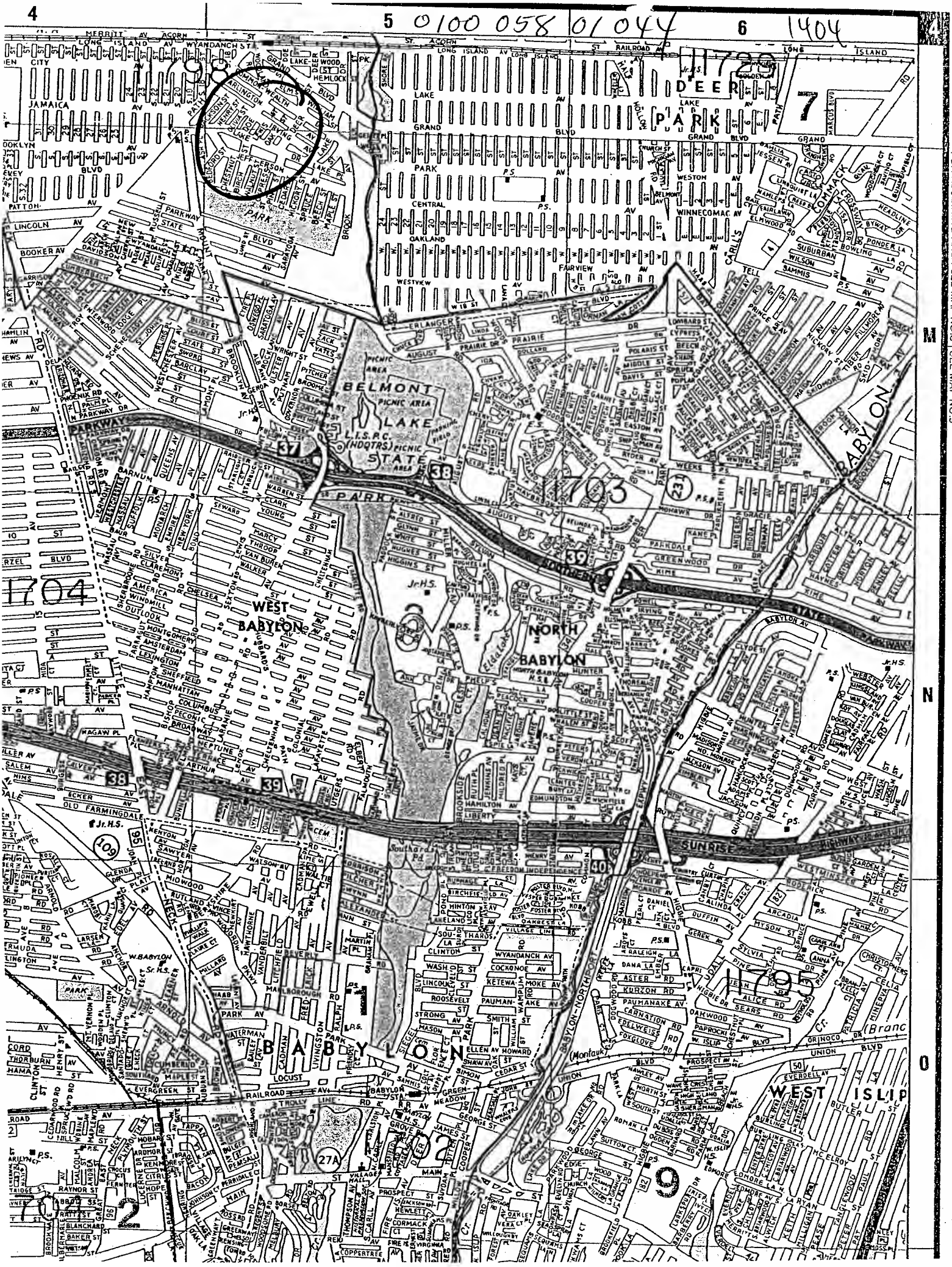
1/4/07 ep

LEGEND

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Property or Rit Line | | Subdivision Lot No. | (12) | Block Limit | | School District Line — SCH — | Hydrant District Line — H — |
| Denotes Common Owner | Z | Subdivision Block/Bldg. No. | (21) | Block No. | (2) | Fire District Line — F — | Refuse District Line — R — |
| Subdivision Lot Line | | Deed Dimension | 82 | County Line | | Water District Line — W — | Historical District Line — HST — |
| Stream / Shore | | Scaled Dimension | 82± | Town Line | | Light District Line — L — | Ambulance District Line — A — |
| Parcel No. | 23 | Deed Area | 12.1 A(d) or 12.1A | Village Line | | Park District Line — P — | Wastewater District Line — WW — |
| | | Calculated Area | 12.1 A(c) | | | Sewer District Line — S — | |

UNLESS DRAWN OTHERWISE, ARE WITHIN THE FOLLO

| | | | |
|---|---|---|---|
| SCHOOL | 9 | | SEWE |
| FIRE | 13 | | HYDR |
| LIGHT | 55 | | WATE |
| PARK | | | REFU |
| AMBULANCE | | | WAST |


4
5
0100 058 01 044
6
1404
DEER PARK
BELMONT LAKE STATE PARK
WEST BABYLON
NORTH BABYLON
BABYLON
WEST ISLIP
BABYLON
SUNRISE
FOR ADJOINING AREA SEE MAP NO.8 | SEE MAP NO.9
M
N
O

Gen C2

# COUNTY OF SUFFOLK

1404

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

April 8, 2008

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

Re: Tax Map No. 0100-058.00-01.00-044.000
NDN ENTERPRISES LTD.

Dear Mr. Zwirn:

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

Section 40-D of the Suffolk County Tax Act – Authorizing the abandonment of the interest of the County of Suffolk in the property designated.

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

Very truly yours,

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

CEK:sc

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

Copy of Resolution to:
Ben Zwirn, Deputy County Executive for I. R. (original plus 1 hard copy)
Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain and Tom Vaughn, Intergovernmental Relations
Steve Forst, Budget Office (hard copy)
C.E. Reso. Review (electronic copy)

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

53

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

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

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

Intro. Res. No. 1405

Introduced by the Presiding Officer on request of the County Executive

Laid on Table 4/29/08

**RESOLUTION NO. 2008, AUTHORIZING THE INCLUSION OF NEW PARCELS INTO EXISTING AGRICULTURAL DISTRICTS IN THE COUNTY OF SUFFOLK**

**WHEREAS**, the New York State Agriculture and Markets Law, Article 25-AA, allows the annual inclusion of land which is predominantly viable agricultural land in existing certified agricultural districts; and

**WHEREAS**, the Suffolk County Agricultural and Farmland Protection Board has met and made recommendations relative to these parcels; and

**WHEREAS**, the Suffolk County Agricultural and Farmland Protection Board has voted to allow the attached parcels to join existing certified Agricultural Districts; and

**WHEREAS**, the Department of Planning staff has evaluated the use of the proposed parcels and has determined that the parcels are predominantly viable agricultural land; and

**WHEREAS**, three hundred sixty three (363) parcels totaling nine thousand fifty four and nine tenths (9,054.9) acres in the Towns of Brookhaven, Huntington, Islip, Riverhead, Southampton, and Southold have requested inclusion in existing Agricultural Districts (Exhibit "A"); now, therefore be it

1st **RESOLVED**, that this Legislature hereby finds that it is in the best interest of the people of Suffolk County to include the new parcels into existing Agricultural Districts as recommended by the Suffolk County Agricultural and Farmland Protection Board; and be it further

2nd **RESOLVED,** that the petition for the inclusion of new parcels of viable agricultural land in certified Agricultural Districts is hereby approved and adopted, and referred to the Commissioner of the New York State Department of Agriculture and Markets for review of the petition as required by Section 303-b. (4) of the New York Agricultural and Markets Law, Article 25AA; and be it further

3rd **RESOLVED**, that the Clerk of the Suffolk County Legislature is hereby directed to submit said petition including this resolution, the report of the Suffolk County Agricultural and Farmland Protection Board and the Tax Map Identification Numbers and tax maps for each parcel of land to be included in the Agricultural Districts to the New York State Commissioner of Agriculture and Markets; and be it further

4th **RESOLVED**, 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 pursuant to Title 6 NYCRR Part 617.5(c)(20) and (27) since it constitutes a local legislative decision in connection with routine agency administration and management in compliance with Article 25AA (Agricultural Districts) of the New York State Agricultural and Markets Law, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

Exhibit A
Parcels for Inclusion in Existing Agricultural Districts as Recommended by the Suffolk County Agricultural and Farmland Protection Board

| Tax Map Number | Name | Acres |
|---|---|---|
| 0200 46000 0200 007000 | Edda Dosiak | 17.5 |
| 0200 46100 0200 004000 | Edda Dosiak | 1.0 |
| 0200 46100 0200 010002 | Edda Dosiak | 5.0 |
| 0200 46100 0200 011000 | Edda Dosiak | 1.0 |
| 0200 50700 0300 011000 | Rassk Associates Inc | 11.0 |
| 0200 50700 0400 005000 | Edda Dosiak | 4.6 |
| 0200 50700 0400 006000 | Edda Dosiak | 3.6 |
| 0200 50800 0100 002000 | Edda Dosiak | 32.1 |
| 0200 50800 0200 001000 | Edda Dosiak | 3.8 |
| 0200 55800 0200 002000 | Edda Dosiak | 9.0 |
| 0200 55800 0200 032000 | Edda Dosiak | 4.8 |
| 0200 55800 0200 033000 | Edda Dosiak | 1.5 |
| 0200 57800 0300 001001 | S.N. Rodgers | 28.0 |
| 0200 59100 0300 013000 | Charles & Lori Spitzner | 2.3 |
| 0200 66500 0100 001002 | Suffolk County Honor Farm | 2.2 |
| 0200 66500 0100 001003 | Suffolk County Honor Farm | 5.0 |
| 0200 66500 0100 001004 | Suffolk County Honor Farm | 164.5 |
| 0200 75700 0100 006000 | Ender & Theresa Kaya | 7.8 |
| 0200 79600 0500 001000 | Craig & Carol Kawasaki | 2.3 |
| 0200 79600 0500 002000 | Craig & Carol Kawasaki | 5.8 |
| 0200 84900 0300 008000 | H. Ronald Bush | 1.3 |
| 0200 84900 0300 010003 | H. Ronald Bush | 1.2 |
| 0200 94600 0200 010001 | Fingerhut & Schwartz | 1.0 |
| 0200 94600 0200 010002 | Fingerhut & Schwartz | 1.0 |
| 0200 94600 0200 010003 | Fingerhut & Schwartz | 1.0 |
| 0200 94600 0200 010004 | Fingerhut & Schwartz | 0.9 |
| 0200 94600 0200 011001 | Fingerhut & Schwartz | 0.9 |
| 0200 94600 0200 011002 | Fingerhut & Schwartz | 0.9 |
| 0200 94600 0200 011003 | Fingerhut & Schwartz | 1.0 |
| 0200 94600 0200 011004 | Fingerhut & Schwartz | 0.9 |
| 0400 10700 0300 002000 | Tilden Realty LLC | 2.1 |
| 0400 10700 0300 006001 | Tilden Realty LLC | 9.7 |
| 0400 10700 0300 006010 | Tilden Realty LLC | 1.3 |
| 0500 35700 0300 033000 | Bernard Loughlin | 10.3 |
| 0600 00700 0100 004001 | Wells | 9.0 |
| 0600 00700 0100 004002 | Wells | 2.0 |
| 0600 00700 0100 031000 | LI House Wines | 2.0 |
| 0600 00800 0200 012004 | Reeve | 13.1 |
| 0600 00800 0200 012005 | Reeve | 10.7 |
| 0600 00800 0200 013004 | Luce | 22.2 |
| 0600 00800 0300 010000 | McCombe | 20.0 |
| 0600 00800 0700 001000 | Hallock | 0.9 |
| 0600 00800 0700 003001 | Hallock | 3.6 |
| 0600 00800 0700 005000 | Hallock | 7.9 |
| 0600 00900 0100 006006 | Caracciolo | 10.6 |
| 0600 00900 0100 011004 | Big E | 3.1 |

Exhibit A
Parcels for Inclusion in Existing Agricultural Districts as Recommended by the Suffolk County Agricultural and Farmland Protection Board

| Tax Map Number | Name | Acres |
|---|---|---|
| 0600 00900 0100 011005 | Big E | 19.3 |
| 0600 00900 0100 011006 | Big E | 63.1 |
| 0600 00900 0100 011007 | Big E | 52.4 |
| 0600 00900 0200 005006 | Caracciolo, Jr. | 24.3 |
| 0600 00900 0200 005007 | Caracciolo, Jr. | 0.9 |
| 0600 00900 0200 005008 | Caracciolo, Jr. | 1.5 |
| 0600 00900 0200 005009 | Caracciolo, Jr. | 1.8 |
| 0600 00900 0200 005010 | Caracciolo, Jr. | 2.0 |
| 0600 00900 0200 007003 | Sydlowski | 15.0 |
| 0600 00900 0200 008000 | Ireland | 17.9 |
| 0600 00900 0200 009000 | Ireland | 23.3 |
| 0600 00900 0200 010002 | Wines | 2.5 |
| 0600 00900 0200 011000 | Van De Wetering | 33.9 |
| 0600 01700 0100 007004 | Schmitt | 24.4 |
| 0600 01700 0300 003000 | Kapsalis | 36.0 |
| 0600 01700 0400 003001 | Yours Farm Assoc LLP | 69.4 |
| 0600 01700 0500 001000 | Schmitt | 29.0 |
| 0600 01700 0500 002001 | Schmitt | 56.7 |
| 0600 01700 0500 004005 | DeLea | 109.3 |
| 0600 01700 0500 004006 | Pisacano | 2.5 |
| 0600 01700 0500 004007 | Pisacano | 7.5 |
| 0600 01800 0100 006006 | Pratt Farm II LLC | 21.0 |
| 0600 01800 0100 006007 | Pratt Farm III LLC | 35.0 |
| 0600 01800 0100 006008 | Pratt Farm IV LLC | 15.0 |
| 0600 01800 0100 006011 | Pratt Farm III LLC | 2.4 |
| 0600 01800 0100 006012 | Pratt Farm IV LLC | 7.0 |
| 0600 01800 0100 007002 | Stars in the Forest WR | 61.9 |
| 0600 01800 0100 007004 | Stars in the Forest WR | 0.7 |
| 0600 01800 0100 007005 | PLT | 6.7 |
| 0600 01800 0100 007006 | PLT | 20.3 |
| 0600 01800 0100 007007 | Gallucio Est. Vineyard | 2.1 |
| 0600 01800 0100 007008 | Gallucio Est. Vineyard | 1.8 |
| 0600 01800 0100 008001 | Reeve | 3.9 |
| 0600 01800 0100 008002 | Reeve | 8.4 |
| 0600 01800 0100 010001 | Justin Purchasing Corp. | 41.0 |
| 0600 01800 0200 009002 | DeLalio Sod Farms | 160.3 |
| 0600 02000 0100 002003 | Young | 66.7 |
| 0600 02000 0100 002005 | Young | 2.7 |
| 0600 02000 0100 002006 | Young | 2.6 |
| 0600 02000 0200 002000 | Schmitt | 37.1 |
| 0600 02000 0300 003000 | Wells | 27.1 |
| 0600 02000 0300 006002 | Wells | 2.1 |
| 0600 02000 0300 006003 | Wells | 50.9 |
| 0600 02000 0300 007002 | Wells | 33.4 |
| 0600 02000 0300 009002 | LI House Wines | 5.5 |
| 0600 02000 0300 009003 | LI House Wines | 1.4 |

Exhibit A
Parcels for Inclusion in Existing Agricultural Districts as Recommended by the Suffolk County Agricultural and Farmland Protection Board

| Tax Map Number | Name | Acres |
|---|---|---|
| 0600 02000 0300 009004 | LI House Wines | 52.8 |
| 0600 02100 0200 018002 | Young | 59.5 |
| 0600 02100 0300 002000 | Krudop | 0.9 |
| 0600 02100 0300 003000 | Krudop | 0.9 |
| 0600 02200 0100 003002 | Cichanowicz | 40.5 |
| 0600 02200 0200 015000 | Northwind Farm c/o Richard O'Deh | 16.2 |
| 0600 02200 0300 004000 | Caracciolo | 19.5 |
| 0600 02200 0300 008000 | Innamorato | 12.5 |
| 0600 02200 0500 001000 | Caracciolo, Jr. | 0.9 |
| 0600 02300 0100 005002 | Half Hollow Nursery Inc | 159.3 |
| 0600 02300 0100 006000 | Half Hollow Nursery Realty | 63.5 |
| 0600 02300 0100 013000 | Half Hollow Nursery Ctr Corp | 12.1 |
| 0600 02300 0100 014000 | Half Hollow Nursery Ctr Corp | 12.3 |
| 0600 03900 0100 020000 | Lewin | 7.6 |
| 0600 03900 0400 006001 | Lewin, Wells, Scanlon | 2.0 |
| 0600 03900 0400 006002 | Lewin, Wells, Scanlon | 9.1 |
| 0600 03900 0400 007002 | Baiting Hollow Farms LLC | 16.8 |
| 0600 04000 0200 010000 | Wulforst | 51.5 |
| 0600 04100 0100 010004 | Friar's Head Farm | 0.5 |
| 0600 04100 0200 005001 | Talmage | 5.1 |
| 0600 04100 0200 005005 | Friars Head Farm | 51.1 |
| 0600 04100 0200 005006 | Friars Head Farm | 80.6 |
| 0600 04100 0200 007000 | Cornell (NY State Veg Research Farm) | 50.6 |
| 0600 04100 0200 008001 | Cornell U. | 18.3 |
| 0600 04100 0200 010007 | Zilnicki | 70.6 |
| 0600 04200 0100 003000 | Zilnicki | 59.1 |
| 0600 04200 0100 017000 | Zilnicki & ors | 17.1 |
| 0600 04200 0100 020000 | Zilnicki & ors | 24.8 |
| 0600 04200 0100 022000 | Schmitt | 30.0 |
| 0600 04200 0100 024000 | Zilnicki | 47.8 |
| 0600 04200 0100 028008 | Zilnicki | 2.0 |
| 0600 04200 0100 028009 | Zilnicki | 34.6 |
| 0600 04200 0200 001001 | Schneider Vineyards LLC | 4.4 |
| 0600 04200 0200 001002 | Schneider Vineyards LLC | 17.0 |
| 0600 04200 0200 002002 | Schmitt | 14.1 |
| 0600 04200 0200 002003 | Schmitt | 10.0 |
| 0600 04200 0200 003001 | Anderson | 20.1 |
| 0600 04300 0100 001001 | Kozak | 19.6 |
| 0600 04300 0200 003010 | Hartmann & ors | 35.6 |
| 0600 04300 0300 001000 | Papish | 5.7 |
| 0600 04400 0200 008003 | DeLalio Sod Farms | 97.4 |
| 0600 04400 0200 012001 | Hartmann | 4.0 |
| 0600 04400 0200 012002 | Hartmann | 60.6 |
| 0600 04400 0300 002001 | Barnet Holdings | 1.1 |
| 0600 04400 0300 002002 | Barnet Holdings | 26.8 |
| 0600 04400 0300 003001 | Hartmann | 29.2 |

Exhibit A
Parcels for Inclusion in Existing Agricultural Districts as Recommended by the Suffolk County Agricultural and Farmland Protection Board

| Tax Map Number | Name | Acres |
|---|---|---|
| 0600 04500 0100 003001 | Hartmann | 19.5 |
| 0600 04500 0100 004004 | Wells | 53.0 |
| 0600 04500 0100 013001 | Lingerfelt | 5.5 |
| 0600 04500 0100 013002 | McBurnie | 13.0 |
| 0600 04500 0100 013003 | Haarmann | 5.5 |
| 0600 04500 0200 002003 | Wells | 20.1 |
| 0600 04600 0100 037002 | Zaweski & Zilniki | 2.0 |
| 0600 04600 0100 037003 | Zaweski & Zilniki | 3.9 |
| 0600 04600 0100 037004 | Zaweski & Zilniki | 28.8 |
| 0600 04600 0200 044000 | Massoud | 1.1 |
| 0600 04600 0100 040004 | Springer | 2.1 |
| 0600 04600 0300 018001 | Wineton Realty LLC | 133.1 |
| 0600 04800 0100 001003 | Zaleski | 57.5 |
| 0600 04800 0100 001004 | Zaleski | 5.0 |
| 0600 04800 0100 001005 | Zaleski | 5.0 |
| 0600 04800 0100 001006 | Zaleski | 5.0 |
| 0600 04800 0100 003009 | Zaweski | 26.4 |
| 0600 04800 0100 003010 | Zaweski | 1.8 |
| 0600 04800 0200 004000 | Half Hollow Nursery Realty | 15.9 |
| 0600 04800 0300 006000 | Caracciolo Jr. | 20.2 |
| 0600 04800 0300 009003 | Zaweski | 1.8 |
| 0600 04800 0300 009005 | Manor Lanes Vineyards | 10.5 |
| 0600 04800 0300 010000 | Zaweski & Albin | 11.5 |
| 0600 04800 0300 011000 | Zaweski & Albin | 10.7 |
| 0600 04800 0300 014001 | Gajeski | 9.5 |
| 0600 04800 0300 015000 | Half Hollow Nursery Ctr Corp | 21.0 |
| 0600 04800 0300 019000 | Half Hollow Nursery Ctr Corp | 18.2 |
| 0600 04800 0300 022000 | Schmitt | 6.8 |
| 0600 04800 0300 026000 | Half Hollow Nursery Ctr Corp | 16.6 |
| 0600 04800 0400 005000 | Half Hollow Nursery Ctr Corp | 1.3 |
| 0600 04800 0600 001000 | Half Hollow Nursery Ctr Corp | 0.5 |
| 0600 05700 0200 003000 | Condzella | 1.0 |
| 0600 05700 0200 005000 | Condzella | 5.2 |
| 0600 05700 0200 006001 | Condzella | 3.1 |
| 0600 05800 0100 002002 | Davis | 64.2 |
| 0600 05800 0100 004000 | Lewin | 33.7 |
| 0600 05800 0100 005000 | Lewin | 25.6 |
| 0600 05800 0200 012002 | Andrews | 24.8 |
| 0600 05800 0200 013001 | Logan & Staufer | 6.0 |
| 0600 05800 0500 001000 | Howard Lewin | 1.4 |
| 0600 05900 0100 001001 | Howard Lewin | 1.1 |
| 0600 05900 0100 001002 | Howard Lewin | 95.0 |
| 0600 05900 0100 003002 | Green Hollow Inc | 6.0 |
| 0600 05900 0100 003003 | Green Hollow Inc | 100.6 |
| 0600 05900 0200 003006 | Lewin | 112.5 |
| 0600 05900 0200 006002 | Lewin | 122.6 |

Exhibit A
Parcels for Inclusion in Existing Agricultural Districts as Recommended by the Suffolk County Agricultural and Farmland Protection Board

| Tax Map Number | Name | Acres |
|---|---|---|
| 0600 06000 0100 001000 | Lewin | 218.3 |
| 0600 06000 0100 005002 | Lewin | 97.1 |
| 0600 06000 0100 009001 | Lewin | 7.4 |
| 0600 06000 0100 009002 | Lewin | 48.6 |
| 0600 06100 0100 007002 | Martin | 5.5 |
| 0600 06100 0200 007001 | Rottkamp | 21.3 |
| 0600 06100 0200 007002 | Rottkamp | 30.0 |
| 0600 06100 0200 007003 | Martin | 5.2 |
| 0600 06100 0200 008001 | Rottkamp | 11.3 |
| 0600 06100 0200 009000 | RoselleBuilding Co., Inc. | 58.3 |
| 0600 06100 0200 010000 | RoselleBuilding Co., Inc. | 36.0 |
| 0600 06100 0200 017002 | Wulforst | 187.5 |
| 0600 06200 0100 012003 | Jarzombek | 3.1 |
| 0600 06200 0100 012004 | Jarzombek | 1.9 |
| 0600 06200 0200 002000 | Warner | 40.0 |
| 0600 06200 0200 003001 | Jarzombek | 2.0 |
| 0600 06200 0200 003002 | Jarzombek | 36.9 |
| 0600 06200 0200 004005 | Reeves Ave. Storage Co LLC | 3.2 |
| 0600 06200 0200 004006 | Osborne Ave Tree Nursery Co. LLC | 62.2 |
| 0600 06200 0200 005001 | Osborne Ave Tree Nursery Co. LLC | 25.4 |
| 0600 06200 0200 005002 | Warner | 32.9 |
| 0600 06300 0100 001000 | Warner | 23.3 |
| 0600 06300 0100 002003 | Zilniki | 23.5 |
| 0600 06300 0100 003000 | Zilniki | 19.1 |
| 0600 06300 0100 004000 | 42 Sound Ave Inc. | 22.1 |
| 0600 06300 0100 008001 | Raynor & ors | 2.5 |
| 0600 06300 0100 008002 | Raynor & ors | 50.0 |
| 0600 06300 0100 009002 | Anderson | 22.9 |
| 0600 06300 0100 013000 | Zilnicki | 30.0 |
| 0600 06300 0200 002000 | Tuccio | 26.2 |
| 0600 06300 0200 003000 | Muma | 10.2 |
| 0600 06300 0200 005002 | Muma | 19.1 |
| 0600 06300 0200 007000 | Zilniki & Raynor | 113.9 |
| 0600 06300 0300 002002 | Grodski | 2.8 |
| 0600 06300 0300 003000 | Zilniki | 73.7 |
| 0600 06300 0300 005004 | Zilniki | 164.7 |
| 0600 06400 0100 006079 | NF Development LLC | 87.1 |
| 0600 06400 0100 006080 | NF Development LLC | 13.2 |
| 0600 06400 0100 007001 | Anderson | 66.8 |
| 0600 06400 0100 057000 | Anderson | 25.6 |
| 0600 06400 0200 001001 | Papish | 55.5 |
| 0600 06500 0100 009002 | Hodun | 81.9 |
| 0600 06500 0500 002001 | DeLalio Sod Farms | 61.5 |
| 0600 06500 0500 010000 | Cichanowicz | 15.9 |
| 0600 06500 0500 014001 | Cichanowicz | 42.3 |
| 0600 06500 0600 003001 | Warner | 18.7 |

Exhibit A
Parcels for Inclusion in Existing Agricultural Districts as Recommended by the Suffolk County Agricultural and Farmland Protection Board

| Tax Map Number | Name | Acres |
|---|---|---|
| 0600 06500 0600 009001 | Bellmark LLC | 1.2 |
| 0600 06500 0600 009002 | Bellmark LLC | 1.2 |
| 0600 06600 0100 001001 | McKay | 18.1 |
| 0600 06600 0200 002004 | Schaffner | 35.6 |
| 0600 06600 0200 002005 | Schaffner | 27.7 |
| 0600 06600 0200 002006 | Schaffner | 5.8 |
| 0600 06600 0200 002007 | Schaffner | 12.5 |
| 0600 06600 0200 017000 | Gassert | 16.7 |
| 0600 06600 0400 001003 | Schaffner | 29.8 |
| 0600 06700 0200 026003 | Gammon | 3.0 |
| 0600 06700 0200 029001 | Reeve | 17.9 |
| 0600 06700 0300 001007 | Janlewicz | 8.7 |
| 0600 06700 0300 001008 | Janlewicz | 36.8 |
| 0600 06700 0300 029009 | Massoud | 33.6 |
| 0600 06700 0300 029010 | Massoud | 3.5 |
| 0600 06700 0300 029011 | Massoud | 3.6 |
| 0600 06700 0400 033003 | Massoud | 30.2 |
| 0600 06800 0100 012002 | Losquadro | 55.2 |
| 0600 06800 0100 016001 | Wineton Realty LLC | 33.2 |
| 0600 06800 0100 016002 | Wineton Realty LLC | 20.5 |
| 0600 06800 0100 018002 | Walter Gabrielsen Jr. | 3.2 |
| 0600 06800 0100 020000 | Walter Gabrielsen Jr. | 9.2 |
| 0600 06800 0100 022000 | Nixon | 32.4 |
| 0600 06800 0100 024004 | Nixon | 125.0 |
| 0600 06800 0100 029002 | Nixon | 22.1 |
| 0600 06800 0200 020003 | Gammon | 1.1 |
| 0600 06800 0200 020004 | Gammon | 9.8 |
| 0600 06900 0200 016004 | Sieminski | 20.7 |
| 0600 06900 0200 018000 | Sieminski | 11.1 |
| 0600 06900 0200 023000 | Jason Cellar LLC | 19.7 |
| 0600 06900 0200 024000 | Zaweski | 2.1 |
| 0600 06900 0300 054000 | Korpi | 22.3 |
| 0600 06900 0300 056000 | Zaweski | 24.5 |
| 0600 06900 0300 057000 | Zaweski | 24.0 |
| 0600 06900 0300 058000 | Half Hollow Nursery Realty | 27.2 |
| 0600 07100 0100 002000 | Schmitt | 41.2 |
| 0600 07500 0100 001001 | Condzella | 0.1 |
| 0600 07500 0100 002000 | Condzella | 5.6 |
| 0600 07600 0100 018001 | Howard Lewin | 1.0 |
| 0600 07600 0100 018002 | Howard Lewin | 1.0 |
| 0600 07600 0200 011001 | Howard Lewin | 1.4 |
| 0600 07600 0200 011002 | Howard Lewin | 1.4 |
| 0600 07700 0100 004000 | Lewin | 97.6 |
| 0600 07700 0400 001000 | Howard Lewin | 1.1 |
| 0600 07800 0100 001000 | Lewin, Yakaboski | 169.4 |
| 0600 07900 0100 003000 | Edwards | 63.2 |

Exhibit A
Parcels for Inclusion in Existing Agricultural Districts as Recommended by the Suffolk County Agricultural and Farmland Protection Board

| Tax Map Number | Name | Acres |
|---|---|---|
| 0600 07900 0100 012002 | Sujecki | 5.0 |
| 0600 07900 0100 012003 | Sujecki | 0.6 |
| 0600 07900 0100 012004 | Sujecki | 0.6 |
| 0600 07900 0100 012005 | Sujecki | 1.0 |
| 0600 07900 0100 012007 | Sujecki | 1.1 |
| 0600 07900 0100 012008 | Sujecki | 26.4 |
| 0600 07900 0100 016000 | Farr | 2.3 |
| 0600 08000 0100 003002 | Farr | 34.0 |
| 0600 08000 0100 003003 | Farr | 20.0 |
| 0600 08000 0300 010000 | Osborne Ave Tree Nursery Co. LLC | 14.4 |
| 0600 08100 0200 001000 | Zilniki | 13.4 |
| 0600 08100 0200 005000 | Park | 6.2 |
| 0600 08200 0100 011003 | Tuccio | 110.2 |
| 0600 08400 0100 004001 | McBurnie | 9.7 |
| 0600 08500 0300 014000 | Verderber | 0.5 |
| 0600 08500 0300 067000 | Verderber | 19.8 |
| 0600 08500 0300 072004 | Klein | 54.7 |
| 0600 08500 0300 073002 | 406 Main Rd. LLC | 26.2 |
| 0600 08800 0100 009002 | Millar | 35.4 |
| 0600 08800 0100 010000 | Millar | 28.8 |
| 0600 08800 0100 015001 | Verderber | 76.5 |
| 0600 09400 0100 005000 | Sieminski | 21.7 |
| 0600 09400 0100 006000 | Sieminski | 9.6 |
| 0600 09700 0300 001000 | Howard Lewin | 1.4 |
| 0600 09800 0100 005000 | Meyer | 49.8 |
| 0600 09800 0100 014000 | North Shore Farms, Inc. | 13.0 |
| 0600 09800 0100 020000 | Green Meadows LLC | 4.1 |
| 0600 09800 0100 021001 | Green Meadows LLC | 8.5 |
| 0600 09900 0100 004000 | PF&E Associates Inc | 22.0 |
| 0600 09900 0100 005000 | Zeh | 30.4 |
| 0600 09900 0100 017000 | Zeh | 10.6 |
| 0600 09900 0200 004046 | Dowd | 2.1 |
| 0600 10000 0200 019003 | Hodun | 6.3 |
| 0600 10000 0200 019010 | Binder | 5.1 |
| 0600 10000 0200 019011 | Binder | 5.1 |
| 0600 10000 0200 025007 | Rottkamp | 32.9 |
| 0600 10000 0300 010008 | Funfgeld | 4.4 |
| 0600 10000 0300 010009 | Funfgeld | 14.1 |
| 0600 10000 0300 010011 | Funfgeld | 8.6 |
| 0600 10000 0300 010012 | Funfgeld | 2.7 |
| 0600 10000 0300 010013 | Funfgeld | 8.6 |
| 0600 11600 0100 003001 | Korus & ors | 29.1 |
| 0600 11600 0100 007002 | Green Meadows LLC | 108.8 |
| 0600 11600 0200 001001 | Green Meadows LLC | 24.8 |
| 0600 11600 0200 002000 | Marro & Petrocelli | 25.5 |
| 0600 11600 0200 003000 | Marro & Petrocelli | 25.5 |

Exhibit A
Parcels for Inclusion in Existing Agricultural Districts as Recommended by the Suffolk County Agricultural and Farmland Protection Board

| Tax Map Number | Name | Acres |
|---|---|---|
| 0600 11700 0100 003000 | Zeh | 41.7 |
| 0600 11700 0100 005001 | Gibbs & Miloski | 10.5 |
| 0600 11700 0100 005002 | Gibbs & Miloski | 1.7 |
| 0600 11700 0100 005003 | Gibbs & Miloski | 28.8 |
| 0600 11700 0100 006000 | Ambrosini | 24.1 |
| 0600 11700 0100 008002 | DeLalio Sod Farms | 52.0 |
| 0600 13600 0100 004000 | Dibernardi | 14.9 |
| 0600 13700 0100 032000 | DeLalio Sod Farms | 52.0 |
| 0600 14400 0100 027006 | Spindler | 12.4 |
| 0600 14600 0100 027009 | Martino | 9.2 |
| 0900 11600 0300 002000 | Harry S. Ludlow | 2.7 |
| 0908 00200 0100 008000 | Christian Wolffer | 1.6 |
| 0908 00200 0200 001000 | Sag Pond Properties LLC | 12.4 |
| 0908 00200 0200 002000 | Wolffer Estate Stables LLC | 1.1 |
| 0908 00200 0200 003000 | Sag Pond Properties LLC | 1.0 |
| 0908 00200 0200 006000 | Wolffer Estate Vineyards LLC | 16.9 |
| 0908 00200 0200 007000 | Wolffer Estate Vineyards LLC | 2.8 |
| 0908 00200 0200 008000 | Wolffer Estate Vineyards LLC | 0.9 |
| 0908 00200 0200 013000 | Wolffer Estate Holding LLC | 0.6 |
| 0908 00200 0200 014000 | Wolffer Estate Holding LLC | 19.6 |
| 0908 00200 0200 021000 | Wolffer Farms LLC | 2.2 |
| 0908 00200 0200 022000 | Wolffer Estate Stables LLC | 22.3 |
| 0908 00200 0200 023000 | Wolffer Estate Stables LLC | 2.9 |
| 0908 00200 0200 024000 | Wolffer Estate Stables LLC | 2.0 |
| 0908 00200 0200 027000 | Wolffer Estate Stables LLC | 3.9 |
| 0908 00200 0200 028000 | Wolffer Estate Stables LLC | 3.2 |
| 0908 00200 0200 029000 | Sag Pond Properties LLC | 13.2 |
| 0908 00200 0200 030000 | Wolffer Estate Vineyards LLC | 1.1 |
| 0908 00200 0200 031000 | Christian Wolffer | 27.4 |
| 0908 00200 0300 004000 | NL Housing LLC | 1.3 |
| 1000 03100 0100 005009 | Patricia Sepenoski | 7.9 |
| 1000 03100 0100 005010 | Patricia Sepenoski | 2.1 |
| 1000 03100 0600 028006 | SCPDR | 8.2 |
| 1000 03800 0100 001013 | SCPDR | 27.5 |
| 1000 05600 0300 009000 | Ira & Kathy Haspel | 4.5 |
| 1000 13300 0100 003003 | Howard Pickerell | 247.0 |
| 1000 13300 0100 003007 | Bill Pell | 28.0 |
| 1000 13300 0100 026000 | Aeros Cultured Oyster Co. | 30.0 |
| 1000 13300 0100 028002 | Aeros Cultured Oyster Co. | 37.0 |
| 1000 14000 0100 023001 | LI Oyser LLC | 0.8 |
| | **Total Acreage** | **9,054.9** |

Gen C28

# COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES, AICP
DIRECTOR OF PLANNING

April 3, 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 revised Introductory Resolution that would authorize the inclusion of additional parcels into several of Suffolk's existing Agricultural Districts. This is being done in accordance with provisions of Section 303-b of the New York State Agricultural and Markets Law, Article 25-AA, that requires an annual opportunity for property owners to enter an agricultural district. A total of three hundred sixty three parcels representing 9,054.9 acres of farmland are proposed to be included in the agricultural district program. This revised resolution includes three additional parcels encompassing 12.1 acres.

Agricultural districts encourage the continuation of farming by providing the "right to farm" protections and property tax benefits.

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
Carol E. Walsh, Principal Research Analyst, Department of Planning
Jessica L. Kalmbacher, Research Technician, Department of Planning
Brendan Chamberlain, County Executive Assistant
CE Reso Review (e-mail copy only)

Intro. Res. No 1406-08 Laid on Table 4/29/08

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

**RESOLUTION NO. , APPROVING THE REAPPOINTMENT OF RABBI STEVEN A. MOSS AS CHAIR OF THE SUFFOLK COUNTY HUMAN RIGHTS COMMISSION.**

**WHEREAS**, the term of office as Chair of the Suffolk County Human Rights Commission expired on May 31, 2008, now therefore be it

**RESOLVED**, that the reappointment of Rabbi Steven A. Moss of 204G Springmeadow Drive, Holbrook, NY 11741, as the Chair of the Suffolk County Human Rights Commission, for a term of office expiring May 31, 2009, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of Chapter 89-4A of the Suffolk County Code.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1406

204G Springmeadow Dr.
Holbrook, NY 11741

Phone 631-472-5272
Fax 631-472-4156
Email:samoss@earthlink.net

# Rabbi Dr. Steven Moss

**Education**

2000 Long Island University
**Advanced Certificate in Gerontology**

1999 Hebrew Union College New York
**Doctor of Divinity**

1996 – 1999 Hebrew Union College New York
**Doctor of Ministry**

1996 – 1998 Postgraduate Center for Mental Health New York
**Certificate of Training in Pastoral Counseling**

1974-1975 NYU Medical Center; Memorial Sloan-Kettering Cancer Center
**2 Units of Clinical Pastoral Education**

1974 Hebrew Union College New York
**Ordination and Master of Hebrew Letters**

1965 – 1969 New York University, University Heights New York
**Bachelor of Arts**

**Professional experience**

1972 – to present B'nai Israel Reform Temple Oakdale
**Rabbi**

1971 – to present New York Board of Rabbis
**Chaplain**: Currently: Good Samaritan Hospital (West Islip), Southside Hospital (BayShore), Brookhaven Memorial Hospital (Patchogue), and many local nursing and adult homes; Chaplaincy Coordinator for Suffolk County
Previously, Sloan-Kettering Cancer Center (1971-2000)

Present Partners in Dignity, FEGS
**Pastoral Care Coordinator, Suffolk County**

**Additional professional activities**

Chairperson, Suffolk County Human Rights Commission

Special Assistant to the County Executive for Bias Related Matters

Co-Chairperson, Suffolk County and Islip Town Anti-Bias Task Forces

Founder and Director of STOPBIAS

Chaplain, Suffolk County Police Department, New York State Police

1406

Chaplain, Suffolk County Police Association, Chiefs of Police Association

Founder, Jewish Hospice Referral Service

**Professional memberships**

New York Board of Rabbis

Long Island Board of Rabbis

Long Island Association of Reform Rabbis

Suffolk Board of Rabbis

Central Conference of American Rabbis

National Association of Jewish Chaplains

**Community activities**

Past President, Suffolk County Board of Rabbis

Past President, Suffolk County Jewish Communal Planning Council

Past President, Sayville Area Clergy Association

Member, Islip Town Board of Ethics

Board member, Center for the Holocaust, Suffolk Community College

Founding Member, Oakdale-Bohemia Anti-Bias Task Force

**References**

Upon request

**Awards received**

2008, New York Board of Rabbis, Rabbi of the Year

2004, Maxine Postal Award for Human Dignity, Suffolk Community Council

2000, Humanitarian Award from the Suffolk County Executive

1997, Suffolk County District Attorney's Distinguished Citizen Award

1994, Israel and Libby Moshowitz Award from the NYBR

1990, Myrtle Leaf Award from Hadassah

1987, New York Board of Rabbi's Chaplain of the Year Award

1980, Who's Who in American Jewry

1976, UJA-Federation Award for Community Service

1406

# STATEMENT OF FINANCIAL IMPACT
# OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

APPROVING THE REAPPOINTMENT OF RABBI STEVEN A. MOSS AS CHAIR OF THE HUMAN RIGHTS COMMISSION

3. Purpose of Resolution: Same as above

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes __ No __X__**

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

**County** **Town** **Economic Impact**

**Village** **School District** **Other (Specify): Community College**

**Library District** **Fire District**

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

NO IMPACT

.

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

N/A.

8. Proposed Source of Funding

N/A

9. Timing of Impact

UPON APPROVAL

| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| APRIL ORTIZ<br>COUNTY EXECUTIVE ASSISTANT | April Ortiz | APRIL 16, 2008 |

SIN FORM 175b (10/95)

Intro. Res. No 1407-08 Laid on Table 4/29/08

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

**RESOLUTION NO. , APPROVING THE REAPPOINTMENT OF RABBI STEVEN A. MOSS AS A MEMBER OF THE SUFFOLK COUNTY HUMAN RIGHTS COMMISSION.**

**WHEREAS**, the term of office of Rabbi Steven A. Moss expired on May 31, 2008, now therefore be it

**RESOLVED**, that the reappointment of Rabbi Steven A. Moss of 204G Springmeadow Drive, Holbrook, NY 11741, to the position of Commissioner #6, as a member of the Suffolk County Human Rights Commission, for a term of office expiring May 31, 2011, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of Chapter 89-4A of the Suffolk County Code.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1407

204G Springmeadow Dr.
Holbrook, NY 11741

Phone 631-472-5272
Fax 631-472-4156
Email:samoss@earthlink.net

# Rabbi Dr. Steven Moss

**Education**

2000 Long Island University
**Advanced Certificate in Gerontology**

1999 Hebrew Union College New York
**Doctor of Divinity**

1996 – 1999 Hebrew Union College New York
**Doctor of Ministry**

1996 – 1998 Postgraduate Center for Mental Health New York
**Certificate of Training in Pastoral Counseling**

1974-1975 NYU Medical Center; Memorial Sloan-Kettering Cancer Center
**2 Units of Clinical Pastoral Education**

1974 Hebrew Union College New York
**Ordination and Master of Hebrew Letters**

1965 – 1969 New York University, University Heights New York
**Bachelor of Arts**

**Professional experience**

1972 – to present B'nai Israel Reform Temple Oakdale
**Rabbi**

1971 – to present New York Board of Rabbis
**Chaplain**: Currently: Good Samaritan Hospital (West Islip), Southside Hospital (BayShore), Brookhaven Memorial Hospital (Patchogue), and many local nursing and adult homes; Chaplaincy Coordinator for Suffolk County
Previously, Sloan-Kettering Cancer Center (1971-2000)

Present Partners in Dignity, FEGS
**Pastoral Care Coordinator, Suffolk County**

**Additional professional activities**

Chairperson, Suffolk County Human Rights Commission

Special Assistant to the County Executive for Bias Related Matters

Co-Chairperson, Suffolk County and Islip Town Anti-Bias Task Forces

Founder and Director of STOPBIAS

Chaplain, Suffolk County Police Department, New York State Police

Chaplain, Suffolk County Police Association, Chiefs of Police Association

Founder, Jewish Hospice Referral Service

**Professional memberships**

New York Board of Rabbis

Long Island Board of Rabbis

Long Island Association of Reform Rabbis

Suffolk Board of Rabbis

Central Conference of American Rabbis

National Association of Jewish Chaplains

**Community activities**

Past President, Suffolk County Board of Rabbis

Past President, Suffolk County Jewish Communal Planning Council

Past President, Sayville Area Clergy Association

Member, Islip Town Board of Ethics

Board member, Center for the Holocaust, Suffolk Community College

Founding Member, Oakdale-Bohemia Anti-Bias Task Force

**References**

Upon request

**Awards received**

2008, New York Board of Rabbis, Rabbi of the Year

2004, Maxine Postal Award for Human Dignity, Suffolk Community Council

2000, Humanitarian Award from the Suffolk County Executive

1997, Suffolk County District Attorney's Distinguished Citizen Award

1994, Israel and Libby Moshowitz Award from the NYBR

1990, Myrtle Leaf Award from Hadassah

1987, New York Board of Rabbi's Chaplain of the Year Award

1980, Who's Who in American Jewry

1976, UJA-Federation Award for Community Service

1407

# STATEMENT OF FINANCIAL IMPACT
# OF PROPOSED SUFFOLK COUNTY LEGISLATION

| |
|---|
| 1. Type of Legislation<br><br>Resolution __X__ Local Law _____ Charter Law _____ |
| 2. Title of Proposed Legislation<br><br>APPROVING THE REAPPOINTMENT OF RABBI STEVEN A. MOSS AS A MEMBER OF THE HUMAN RIGHTS COMMISSION |
| 3. Purpose of Resolution: Same as above |
| 4. Will the Proposed Legislation Have a Fiscal Impact? **Yes __ No __X__** |
| 5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)<br><br>**County** **Town** **Economic Impact**<br><br>**Village** **School District** **Other (Specify): Community College**<br><br>**Library District** **Fire District** |
| 6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact<br><br>NO IMPACT |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.<br><br>N/A. |
| 8. Proposed Source of Funding<br>N/A |
| 9. Timing of Impact<br><br>UPON APPROVAL |

| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| APRIL ORTIZ<br>COUNTY EXECUTIVE ASSISTANT | April Ortiz | APRIL 16, 2008 |

SIN FORM 175b (10/95)

Intro. Res. No. 1408 - 2008 Laid on Table 4/29/08

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

**RESOLUTION NO. -2008 AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12- 5(E)(1)(a)] FOR THE RED ENTERPRISES, LTD PROPERTY – CARLLS RIVER WATERSHED ADDITION (TOWN OF BABYLON - SCTM#0100-083.00-01.00-140.000)**

**WHEREAS,** Article XII of the SUFFOLK COUNTY CHARTER established the Old Suffolk County Drinking Water Protection Program, as amended and effective as of November 30, 2000, the first priority of which being the acquisition of qualified lands to be funded by revenues generated by the quarter percent (1/4%) sales and compensating use tax; and

**WHEREAS,** in compliance with Sections C12-3(B) and (C) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, prior to the Division Director of the Division of Real Property Acquisition and Management entering into any negotiations for the acquisition of, and consummation of acquisition of any such parcel, the Board of Trustees of the Department of Parks, Recreation and Conservation shall review and recommend its acquisition; and

**WHEREAS,** adequate funding is provided for, under the Old Suffolk County Drinking Water Protection Program, pursuant to Section C12-5(E)(1)(a) of Article XII of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000,for the acquisition of such land; and

**WHEREAS,** Resolution No. 877-2005, authorized planning steps for the acquisition of the subject property; and

**WHEREAS,** the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and had approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; now, therefore, be it

**1st RESOLVED,** that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(a), as amended and effective as of November 30, 2000, for a total purchase price of Fifteen Thousand Dollars ($15,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

| PARCEL: | SUFFOLK COUNTY TAX MAP NUMBER: | | ACRES: | REPUTED OWNER AND ADDRESS: |
|---|---|---|---|---|
| No. 1 | District | 0100 | 0.09± | Red Enterprises, Ltd. |
| | Section | 083.00 | | P.O. Box 486 |
| | Block | 01.00 | | Mt. Sinai, NY 11766 |
| | Lot | 140.000 | | |

; and, be it further

2nd **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Fifteen Thousand Dollars ($15,000.00), subject to a final survey; and, be it further

3rd **RESOLVED,** that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $15,000.00, subject to a final survey, from previously appropriated funds in MY-176-LAW-GDHI under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and, be it further

4th **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th **RESOLVED,** that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreation use; and, be it further

6th **RESOLVED,** that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

7th **RESOLVED,** that the project will not have a significant effect on the environment for the following reasons:

1.) the proposed action will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and

2.) the proposed use of the subject parcel(s) will be passive recreation; and

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

8th **RESOLVED,** in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATE:

APPROVED BY:

_____

County Executive of Suffolk County
Date of Approval:

Gen C31

# COUNTY OF SUFFOLK

MAR 20 2008

1408


**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 12, 2008

Mr. Ben Zwirn, Asst. Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Red Enterprises, Ltd. property (Carlls River Watershed Addition), in the Town of Babylon, under the Old Suffolk County Drinking Water Protection Program (12-5.E). The purchase price is $15,000.00 for 0.09± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

CEK:pd
Att.
cc: James 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-LMS VI
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
Tom Vaughn, County Executive Assistant
Brendan Chamberlain, County Executive Assistant
Phyllis Benincasa, Acquisition Agent
CE Reso Review (e-mail copy only)

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

1. Type of Legislation

   Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the Old Suffolk County Water Protection Program, of the Red Enterprises, Ltd. Property (Carlls River Watershed Addition), SCTM#0100-083.00-01.00-140.000, (Town of Babylon).

3. Purpose of Proposed Legislation

   See No. 2 above

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

   N/A

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

   N/A

8. Proposed Source of Funding

   Old Suffolk County Drinking Water Protection Program

9. Timing of Impact

   N/A

| *10. Typed Name & Title of Preparer* | *11. Signature of Preparer* | *12. Date* |
|---|---|---|
| Janet M. Longo<br>Acquisition Supervisor | Janet Longo | March 12, 2008 |

SCIN FORM 175b (10/95)

1409

Intro. Res. No. -2008 Laid on Table 4/29/08

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

**RESOLUTION NO. -2008 AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM - FOR THE BRANDENSTEIN PROPERTY – CRAB CREEK (TOWN OF SHELTER ISLAND – SCTM#0700-021.00-01.00-001.000 p/o)**

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

**WHEREAS**, Resolution No. 83-2008 appropriated $8,833,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

**WHEREAS**, Resolution No. 796-2006 authorized planning steps for acquisition of the subject property; and

**WHEREAS,** the Town of Shelter Island ("Town") has approved Resolution No.375-2007 on August 17, 2007, authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

**WHEREAS,** the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; now, therefore, be it

**1st RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to the traditional Suffolk County Open Space Preservation Program (1986 et seq), for a total purchase price of Five Million Dollars ($5,000.000.00), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Two Million Five Hundred Thousand Dollars ($2,500,000.00) for a fifty percent (50%) undivided interest; and the Town's share, totaling Two Million Five Hundred Thousand Dollars ($2,500,000.00), for a fifty percent (50%) undivided interest, as tenants-in-common, subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

| PARCEL: | SUFFOLK COUNTY TAX MAP NUMBER: | | ACRES: | REPUTED OWNER AND ADDRESS: |
|---|---|---|---|---|
| No. 1 | District | 0700 | 12.667± | Judith C. and Howard C. Brandenstein |
| | Section | 021.00 | | 12 Brander Pkwy.-Box 3029 |

| | | |
|---|---|---|
| Block | 01.00 | Shelter Island, NY 11965-3029 |
| Lot | 001.000 p/o | |

; and, be it further

**2nd RESOLVED,** that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for the County's portion of the purchase price of Two Million Five Hundred Thousand Dollars ($2,500,000.00), subject to a final survey; and, be it further

**3rd RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $2,500,000.00, 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

**4th RESOLVED,** that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, with the County of Suffolk owning a fifty percent (50%) undivided interest and the Town owning a fifty percent (50%) undivided interest; and, be it further

**5th RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such other actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports, and environmental audits, making tax adjustments, and executing such other documents as are required to acquire such County interest in said lands; and, be it further

**6th RESOLVED,** that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

**7th RESOLVED,** that the Director of the Division of Real Property Acquisition and Management is hereby authorized to negotiate and enter into any necessary collateral agreements with the Town to effectuate the terms of the resolution; and, be it further

**8th RESOLVED,** if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation, is hereby authorized to negotiate and enter into a municipal cooperative agreement with the Town for the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department of Parks, Recreation and Conservation, who is charged with the management and operation of said property; and, be it further

**9th RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

**10th RESOLVED,** that the project will not have a significant effect on the environment for the following reasons:

1.) the proposed action will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and

2.) the proposed use of the subject parcel(s) will be passive recreation.

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

**11th RESOLVED,** that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1409

RECEIVED
AUG 30 2007
DIV. REAL PROP. ACQ. & MGMT.
ACQUISITION

# TOWN OF SHELTER ISLAND

38 NORTH FERRY ROAD - P.O. BOX 1549
SHELTER ISLAND, NEW YORK 11964-1549

DOROTHY S. OGAR
TOWN CLERK
REGISTRAR OF VITAL STATISTICS
FREEDOM OF INFORMATION OFFICER
RECORDS ACCESS OFFICER

ADMINISTRATIVE (631)-749-1166
FAX NUMBER (631)-749-3436

August 27, 2007

Ms. Phyllis Benincasa
H. Lee Dennis Building, 2nd Floor
Acquisition
P. O. Box 1600
Hauppauge, New York 11788

Dear Ms. Benincasa:

This is to certify that Resolution No. 375 - 2007, dated August 17, 2007, was duly adopted by the Town Board of the Town of Shelter Island, to wit:

"Whereas", pursuant to Section 247 of the General Municipal Law and Section 50-5 of the Code of the Town of Shelter Island, the Town is empowered to purchase rights in real property for the preservation of the community, and

"Whereas", the Town Board of the Town of Shelter Island has determined that it is in the best interest of community preservation and protection of the environment to acquire property at 12 Brander Parkway, presently owned by Judy and Howard Brandenstein consisting of 12.7 acres and described on the Suffolk County Tax Map as part of 0700-021-01-001, for approximately $5,000,000.00 plus closing costs, and

"Whereas", it is required by law that a "lead agency" be established to review this matter pursuant to 6 NYCRR Part 617 (SEQRA), and

"Whereas", this Board wishes to establish itself as Lead Agency and render a declaration of significance pursuant to SEQRA, and

"Whereas", a pubic hearing was held on August 17, 2007, on the proposed acquisition, and all persons were heard and submitted documents considered, and

"Whereas", the Town Board finds that acquisition of this property is in the best interests of the community as protection for Crab Creek, now, Therefore

BE IT RESOLVED, That this Board hereby establishes itself as Lead Agency pursuant to SEQRA, and

BE IT FURTHER RESOLVED, That this Board adopts a Negative Declaration, finding that this in an "unlisted" action which will not result in any significant adverse impacts on the environment based on the analysis set forth in the EAF and the negative declaration, and

1409

BE IT FURTHER RESOLVED, That the Town of Shelter Island hereby finds:
1. That the property is eligible for acquisition under the Land Preservation Partnership Component of the Multifaceted Land Preservation Program (County Resolution No. 951-1997), and
2. The property will be used as Open Space, for passive recreational use, and
3. That the Town will split fee title with the County of Suffolk, and
4. The estimated amount coming off taxes would be de minimus, and
5. The Town of Shelter Island will appropriate funds for the acquisition of the above-described as specified above, including but not limited to survey, appraisal, environmental audit, title insurance, tax adjustment and taxes prior to acquisition, and

BE IT FURTHER RESOLVED, That said acquisition is hereby approved, and the Supervisor is hereby authorized to execute all necessary documents to effectuate this purchase, and

BE IT FURTHER RESOLVED, That the Town Clerk is hereby directed to send a copy of this resolution to the office of Suffolk County Legislator Edward Romaine and the Suffolk County Real Property Acquisition Department.

Sincerely,

Dorothy S. Ogar
Town Clerk

DSO/dso

Gen C 32

# COUNTY OF SUFFOLK

MAR 2 0 2008

1409


**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 21, 2008

Mr. Ben Zwirn, Asst. Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Brandenstein property (Crab Creek), in the Town of Shelter Island, under the Suffolk County Multifaceted Land Preservation Program. The purchase price is $5,000,000.00,of which the County of Suffolk's share is $2,500,00.00, for 12.667± 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
Phyllis Benincasa, Acquisition Agent
CE Reso Review (e-mail copy only)

# *STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION* 1409

1. Type of Legislation

   Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the Suffolk County Multifaceted Land Preservation Program, of the Brandenstein property (Crab Creek), SCTM#0700-021.00-01.00-001.000 p/o, (Town of Shelter Island).

3. Purpose of Proposed Legislation

   See No. 2 above

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

   N/A

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

   N/A

8. Proposed Source of Funding

   Suffolk County Multifaceted Land Preservation Program

9. Timing of Impact

   N/A

| *10. Typed Name & Title of Preparer* | *11. Signature of Preparer* | *12. Date* |
|---|---|---|
| Janet M. Longo<br>Acquisition Supervisor | Janet Longo | March 21, 2008 |

SCIN FORM 175b (10/95)

1410

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

Laid on Table 4/29/08

**RESOLUTION NO. -2008, AUTHORIZING USE OF H. LEE DENNISON EXECUTIVE OFFICE BUILDING PROPERTY BY COOLEY'S ANEMIA FOUNDATION**

**WHEREAS**, Cooley's Anemia is a fatal genetic blood disorder affecting newborns, which requires blood transfusions every two weeks for approximately the first 18 months of a baby's life; and

**WHEREAS**, until recently, children born with Cooley's Anemia rarely lived beyond the first decade of life; and

**WHEREAS**, the Suffolk County Cooley's Anemia Foundation wishes to hold a Motorcycle Rally that will raise funds for research, patient services and community education; and

**WHEREAS,** this Motorcycle Rally to be held on Sunday, June 15, 2008, will commence in Nassau County and end at the H. Lee Dennison Building; and

**WHEREAS,** the H. Lee Dennison Building's north parking lot will be used to hold a barbecue for the riders; and

**WHEREAS**, the County of Suffolk shall receive consideration in the total amount of One Hundred and Twenty Five Dollars ($125.00), payment of which shall be guaranteed by the Suffolk County Cooley's Anemia Foundation; and

**WHEREAS**, a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured will be provided by the Suffolk County Cooley's Anemia Foundation; and

**WHEREAS**, the use of County property for a Motorcycle Rally to support the Suffolk County Cooley's Anemia Foundation will raise funds to provide research, patient services and community education to help patients born with this disease life a longer and healthier life; now, therefore, be it

**1st** **RESOLVED**, that the use of County-owned property, i.e. the north parking area of the H. Lee Dennison Executive Office Building for the Motorcycle Rally and barbecue described herein from the hours 9:00 a.m. to 5:00 p.m., in consideration of the payment of One Hundred and Twenty Five Dollars ($125.00), is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured by the County of Suffolk from the Suffolk County Cooley's Anemia Foundation, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

**2nd** **RESOLVED**, that the Commissioner Suffolk 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 Motorcycle Rally at the H. Lee Dennison Executive Office Building; and be it further

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-motorcycle rally – cooley's anemia

1411

**Intro. Res. No. -2008** **Laid on Table** 4/29/08

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

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE MINI GRAPHICS, INC., (SUFFOLK COUNTY TAX MAP NO. 0800-181.00-03.00-001.013).**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2008, a proposed local law entitled, "**A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE MINI GRAPHICS, INC., (SUFFOLK COUNTY TAX MAP NO. 0800-181.00-03.00-001.013),**" and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

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

**A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE MINI GRAPHICS, INC., (SUFFOLK COUNTY TAX MAP NO. 0800-181.00-03.00-001.013).**

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

**Section 1. Legislative Intent.**

This Legislature finds and determines that pursuant to Local Law No. 14-2003, this Legislature authorized the designation of an Empire Zone; that Local Law 15-2003 established Empire Zone boundaries; and that a new local law is required to submit to New York State a request to revise the zone boundaries to include Mini Graphics, Inc., located at premises described as Suffolk County Tax Map No. 0800-181.00-03.00-001.013.

This Legislature also finds and determines that New York State has amended the Empire Zone Program to include specific projects deemed as Regionally Significant Projects. Regionally Significant Projects are defined as company and site specific projects located outside the existing zone boundaries that will create fifty (50) or more jobs.

This Legislature further finds and determines that Mini Graphics, Inc., a printer of pharmaceutical inserts located at 140 Commerce Drive, Hauppauge, New York 11788 meets the criteria of Section 957(d) of the NEW YORK GENERAL MUNICIPAL LAW for a Regionally Significant Project and has requested consideration for such designation by the Suffolk County Empire Zone - Zone Administrative Board.

Therefore, the purpose of this law is to authorize the submission of an application to New York State to amend the boundaries of the Suffolk County Empire Zone, to include the above location.

**Section 2. Application.**

The Suffolk County Empire Zone - Zone Administrative Board, is hereby authorized, empowered and directed in accordance with Section 3 of this Law to submit an application to the New York State Department of Economic Development to augment the boundaries of the existing Empire Zone and to execute such documents as are necessary and desirable to effectuate the purposes of this Law.

**Section 3. Request for Consideration.**

A.) The Commissioner of the New York State Department of Economic Development is hereby requested to revise the boundaries of the Empire Zone in accordance with this Law.

B.) The Clerk of the Suffolk County Legislature is hereby authorized, empowered and directed to file a certified copy of this local law with said Commissioner upon its adoption.

**Section 4. Designation of Revised Empire Zone Boundaries.**

The boundary of the Empire Zone, designated in Local Law 14-2003 and Local Law 15-2003, as adopted, shall be amended to include Suffolk County Tax Map No. 0800-181.00-03.00-001.013.

**Section 5. Real Property Tax Exemption.**

A.) The property included in the revised boundaries as described and designated by this Law is hereby granted an exemption from the taxes and special ad valorem levies by the County of Suffolk and the exemption shall be granted for the period and to the extent provided for in Section 485-e of the New York Real Property Tax Law. This exemption shall be for a term of (10) years, notwithstanding that the designation of the Empire Zone may expire prior to the end of such ten (10) year term.

B.) The exemption granted pursuant to this Law shall only take effect as to the revised Empire Zone designation in the event that the revised designation is approved by New York State and placed on the tax rolls. In the event the revised Empire Zone designation is not approved, the exemption granted pursuant to Local Law No. 14-2003, as adopted, shall continue pursuant to the terms of that Law.

**Section 6. Applicability.**

This Law shall apply to all actions and taxable status dates occurring on or after the effective date except as otherwise provided for herein.

**Section 7. Severability.**

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

**Section 8. SEQRA Determination.**

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

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

**Section 9. Effective Date.**

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

**DATED:**

**APPROVED BY:**

_____
**Steve Levy**
**County Executive of Suffolk County**

**Date of Approval:**

After a public hearing duly held on _____
Filed with the Secretary of State on _____

# OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1411

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

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

**DATE:** April 24, 2008

**TO:** CLERK OF THE COUNTY LEGISLATURE

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

---

**PROPOSED LOCAL LAW YEAR 2008**

**TITLE:** A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE MINI GRAPHICS, INC., (SUFFOLK COUNTY TAX MAP NO. 0800-181.00-03.00-001.013)

**SPONSOR:** PRESIDING OFFICER ON REQUEST OF COUNTY EXECUTIVE

**DATE OF RECEIPT BY COUNSEL:** 4/23/2008 **PUBLIC HEARING:** 5/13/2008

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

Enactment of this proposed local law would authorize the submission of an application to re-designate the boundaries of the Suffolk County Empire Zone. This Local Law would authorize the designation of a revised Empire Zone to include Mini Graphics, Inc., property in Hauppauge.

If these new boundaries are accepted by the New York State Department of Economic Development, the above properties would be granted an exemption from real property taxes, special ad valorem levies, and certain other taxes by the County of Suffolk pursuant to State law.

This local law would be effective immediately upon its filing in the Office of the Secretary of State.

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

**GN:js**

s:\rule28\28-empire-zone-mini-graphics

# STATEMENT OF FINANCIAL IMPACT
# OF PROPOSED SUFFOLK COUNTY LEGISLATION

1411

1. Type of Legislation

Resolution _____ Local Law ___X__ Charter Law _____

2. Title of Proposed Legislation

**ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE MINI GRAPHICS, INC., (SUFFOLK COUNTY TAX MAP NO. 0800-181.00-03.00-001.013).**

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes ____ No __X___**

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

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

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

Adoption of this resolution will extend the benefits offered through the NYS Empire Zone Program to Mini Graphics, Inc. through the designation of a Regionally Significant Project. Mini Graphics will be exempt from the taxes and special ad valorem levies by the County of Suffolk to the extent provided for in Section 485-e of the New York Real Property Tax Law. Benefits to the County of Suffolk is the creation of approximately 200 new jobs.

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

N/A

8. Proposed Source of Funding

9. Timing of Impact

UPON ADOPTION AND FILING WITH THE OFFICE OF THE SEVRETARY OF STATE.

| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
|---|---|---|
| James P. Burt<br>Assistant Budget Director | James P Burt | April 15, 2008 |

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT**
**2008 PROPERTY TAX LEVY**
**COST TO THE AVERAGE TAXPAYER**

1411

**GENERAL FUND**

| | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

0

**POLICE DISTRICT AND DISTRICT COURT**

| | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

**COMBINED**

| | 2008 PROPERTY TAX LEVY | 2008 COST TO AVG TAXPAYER | 2008 AV TAX RATE PER $100 | 2008 FEV TAX RATE PER $1000 |
|---|---|---|---|---|
| | | | | |
| TOTAL | **$0** | **$0.00** | | $0.000 |

NOTES:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.



To be completed by the Executive Budget Office

1411

MAR 19 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:** March 18, 2008

**SUBJECT:** **Resolution to Amend Empire Zone Boundaries to include Mini Graphics, Inc.**

**********

The Department of Economic Development and Workforce Housing requests the submission of the attached resolution which amends the Suffolk County Empire Zone boundaries to include the tax map associated with Mini Graphics, Inc. of Hauppauge, a printer of pharmaceutical inserts. Empire State Development has reviewed this request for designation as a Regionally Significant Project and has approved its formal submission.

Attached please find the draft resolution and required SCIN 175a and 175b. Electronic copies have been submitted to the County Executive Resolution Review Committee.

Thank you.

CF/kmb
cc: Jim Morgo, Chief Deputy County Executive
✓Brendan Chamberlain, County Executive Assistant

Steve Levy
*Suffolk County Executive*

Jim M. Morgo
*Commissioner*