

**L A I D O N T H E T A B L E M A Y 1 3 , 2 0 0 8**

LADS REPORT PREPARED BY:

Michele Gerardi

1440. Accepting a donation of real property for open space purposes – a SCDHS Board of Review transfer of development rights (File No. C02-05-0059). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1441. Amending the 2008 Operating Budget and transferring funds for the Selden /Centereach Little League. (Beedenbender) BUDGET & FINANCE
1442. Amending the 2008 Operating Budget to promote the Rocky Point Downtown Revitalization and Beautification Committee's family summer concert series. (Losquadro) BUDGET & FINANCE
1443. Authorizing Estee Lauder Breast Cancer Awareness Program at H. Lee Dennison Executive Office Building and Cohalan Court Complex. (Alden) HEALTH & HUMAN SERVICES
1444. Authorizing certain technical corrections to Adopted Resolution No. 285-2008. (Co. Exec.) WAYS & MEANS
1445. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Estate of Geraldine Coward by Carl T. Slater as administrator (SCTM No. 0100-039.00-02.00-001.000). (Co. Exec.) WAYS & MEANS
1446. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Estate of Geraldine Coward by Carl T. Slater as administrator (SCTM No. 0100-039.00-02.00-002.000). (Co. Exec.) WAYS & MEANS
1447. To readjust, compromise and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control #789-2008). (Co. Exec.) BUDGET & FINANCE
1448. To readjust, compromise and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control #790-2008). (Co. Exec.) BUDGET & FINANCE
1449. 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. (Co. Exec.) LABOR, WORKFORCE, & AFFORDABLE HOUSING
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1452. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Estate of James E. Berdinka a/k/a James E. Berdinka, Sr., by Cathy M. Ramsey as administrator (SCTM No. 1000-122.00-02.00-016.000). (Co. Exec.) WAYS & MEANS
1453. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 298. (Co. Exec.) BUDGET & FINANCE
1454. Amending the 2008 Operating Budget and transferring funds for the contracted agency SOAR Foundation, Inc. (Stern) BUDGET & FINANCE
1455. Amending the 2008 Operating Budget and transferring funds to North Amityville Community Economic Council (NACEC). (Pres. Off.) BUDGET & FINANCE
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1457. Adopting Local Law No. -2008, A Local Law to adopt a full cost disclosure policy for land acquisition resolutions. (Alden) ENVIRONMENT, PLANNING & AGRICULTURE
1458. Amending the 2008 Operating Budget and transferring funds to the Huntington Youth Bureau Youth Development Research Institute, Inc. (Cooper) BUDGET & FINANCE
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1460. To implement Sunday bus service for S92 Bus Route. (Romaine) PUBLIC WORKS & TRANSPORTATION
1461. Establishing County policy to confirm legal status of persons entering the probation system. (Losquadro) PUBLIC SAFETY
1462. Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(a)] for the Manteen property – Carlls River watershed addition – Town of Babylon – (SCTM Nos. 0100-083.00-01.00-156.000 and 0100-083.00-01.00-157.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1463. Authorizing acquisition of land under the Suffolk County Open Space Preservation Program – for the Reverse estate property – Miller Place/Yaphank Road NP addition – Town of Brookhaven – (SCTM No. 0200-213.00-02.00-011.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1464. Authorizing acquisition of land under the Suffolk County Open Space Preservation Program – for the Klein property – Miller Place/Yaphank Road NP addition – Town of Brookhaven – (SCTM No. 0200-188.00-05.00-010.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1465. Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(a)] for the Casaga Builders, Inc. as contract vendee of the Strum Street, Corp. property – Lake Ronkonkoma addition – Town of Smithtown – (SCTM No. 0800-171.00-04.00-043.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1466. Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(a)] for the Manteen property – Carlls River watershed – Town of Babylon – (SCTM No. 0100-083.00-02.00-004.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1467. Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(a)] for the Audirsch property – Carlls River watershed – Town of Babylon – (SCTM Nos. 0100-083.00-01.00-074.000 and 0100-083.00-01.00-075.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1468. Approving planning steps for the acquisition of farmland development rights – April 2008. (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1469. To reappoint member of County Planning Commission (Robert A. Braun, Esq.). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

#### HOME RULE MESSAGES

- HR.14 Home rule message requesting State of New York to amend the Civil Service Law, in relation to Resolution of disputes between a public employer and Suffolk County Park Police Officers (Senate Bill S.4690-A). (Pres. Off.) PARKS & RECREATION

Intro. Res. No. 1440-08  
 Introduced by the Presiding Officer on Request of the County Executive

Laid on Table

5/13/08

**RESOLUTION NO. -2008 , ACCEPTING A DONATION OF REAL PROPERTY FOR OPEN SPACE PURPOSES - A SCDHS BOARD OF REVIEW TRANSFER OF DEVELOPMENT RIGHTS (FILE NO. C02-05-0059)**

**WHEREAS**, a variance is being required from the Suffolk County Department of Health Services Board of Review in connection with an application as described in a Report of Findings and Recommendations regarding the applicant, James Danowski , File No. C02-05-0059; and

**WHEREAS**, the Board of Review, under Section 760-607 (A)(1) and (B)(1) of the SUFFOLK COUNTY SANITARY CODE, granted the request for a variance on February 21, 2006 (Schedule "A"), subject to the applicant obtaining, and transferring to the County of Suffolk development rights or credits for the excess density required and a transfer of property with covenants to the County of Suffolk to sterilize the transferred property so as to protect surface and groundwater quality by establishing limits on population density; and

**WHEREAS**, the Board of Review specifically imposed as a condition of its variance approval that the owner place a covenant upon the receiving parcel(s), known as S.C.T.M. No. District 0200, Section 182.00 Block 06.00 Lot 009.004, more particularly described on Schedule "B" attached hereto and made a part hereof, and on the transfer parcel(s) known as S.C.T.M. No. District 0200 Section 189.00 Block 04.00 Lot 018.000, more particularly described on Schedule "C" attached hereto and made a part hereof and whereby the parcel(s) described in Schedule "C" shall be sterilized by the property owner and transferred to the County of Suffolk for open space purposes in exchange for the transfer of its Development Density Rights to the property described in Schedule "B"; and

**WHEREAS**, the Suffolk County Department of Planning has recommended this proposed transfer in a Memorandum to the County Department of Health Services, Division of Environmental Quality, dated February 7, 2006, as provided in Schedule "D"; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby accepts the donation and transfer of the property described in Schedule "C", subject to it being sterilized by the owner for open space purposes to protect the aquifer and water supply, which property shall be kept in its natural state in perpetuity, except for property maintenance activities as may be appropriate, to effectuate the declaration of covenants and restrictions imposed by the applicant, without impairing the essential nature and open character of the premises and subject to the use of the open space area for passive recreational purposes; and be it further

**2<sup>nd</sup> RESOLVED**, that the Suffolk County Division of Real Property Acquisition and Management in the Department of Environment and Energy is hereby authorized, empowered, and directed, pursuant to Section C42-2(3)(d) of the Suffolk County Charter, to execute such documents as are necessary to acquire said parcel(s) as described in Schedule "C"; and be it further

**3<sup>rd</sup> RESOLVED**, that the Assessor of the Town of Brookhaven, and all other assessors having jurisdiction thereof, be and they hereby are directed to mark the assessment rolls of their jurisdiction to show that said property is owned by the County of Suffolk and is exempt from taxation and exempt from special ad valorem levies and special assessments to the extent permitted by law pursuant to Section 406(1) of the NEW YORK REAL PROPERTY TAX LAW; and be it further

**4<sup>th</sup> RESOLVED**, that the Suffolk County Division of Real Property Acquisition and Management in the Department of Environment and Energy shall transfer jurisdiction of said land as described in Schedule "C", to the Suffolk County Department of Parks, Recreation, and Conservation for passive recreational purposes in the Miller Place–Yaphank Road Nature Preserve (BR17); and be it further

**5<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes an unlisted action which 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 Section 617.7(c) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) which sets forth thresholds for determining significant effect on the environment;
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

**6<sup>th</sup> RESOLVED**, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with CEQ; and be it further

**7<sup>th</sup> RESOLVED**, that in accordance with 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 of Approval:

**Schedule "B"**

SCTM No.: District 0200, Section 182.000, Block 06.00, Lot 009.004

**Schedule "C"**

SCTM No. : District 0200, Section 189.00, Block 04.00, Lot 018.000

**Schedule "A"**

**Schedule "D"**

1441

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

Laid on Table 5/13/2008

**RESOLUTION NO. -2008, AMENDING THE 2008  
OPERATING BUDGET AND TRANSFERRING FUNDS FOR  
THE SELDEN CENTEREACH LITTLE LEAGUE**

**WHEREAS**, the 2008 Operating Budget does not include sufficient funds for the Selden/Centereach Little League; and

**WHEREAS**, it is the desire of the Suffolk County Legislature to amend the 2008 Operating Budget and transfer \$10,000 to the Selden/Centereach Little League; and

**WHEREAS**, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the 2008 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY &amp; OBJECT NAME</u>	<u>AMOUNT</u>
001	DPW	1363	0000	4410	RENT: OFFICES & BUILDINGS	-\$10,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY &amp; OBJECT NAME</u>	<u>AMOUNT</u>
001	EXE	7320	GHR1	4980	SELDEN/CENTEREACH LITTLE LEAGUE	+\$10,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Selden/Centereach Little League.

DATED:

APPROVED BY:

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

Date:

1442

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

Laid on Table 5/13/2008

**RESOLUTION NO. -2008, AMENDING THE 2008  
 OPERATING BUDGET TO PROMOTE THE ROCKY POINT  
 DOWNTOWN REVITALIZATION AND BEAUTIFICATION  
 COMMITTEE'S FAMILY SUMMER CONCERT SERIES**

**WHEREAS**, it is the desire of the Suffolk County Legislature to assist in the revitalization and beautification of the downtown Rocky Point area; and

**WHEREAS**, attracting visitors to family summer concerts in Rocky Point are anticipated to increase commerce in this area of the County; and

**WHEREAS**, a budget amendment is required to provide funds to help support the Rocky Point Downtown Revitalization and Beautification Committee's family summer concert series; and

**WHEREAS**, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the 2008 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY &amp; OBJECT NAME</u>	<u>AMOUNT</u>
001	ECD	6410	JCB1	4980	Friends of the North Shore Public Library	-\$15,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY &amp; OBJECT NAME</u>	<u>AMOUNT</u>
001	ECD	6410	XXXX	4980	Rocky Point Downtown Revitalization and Beautification Committee	+\$15,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the Rocky Point Downtown Revitalization and Beautification Committee; and be it further

**3<sup>rd</sup> RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Rocky Point Downtown Revitalization and Beautification Committee's family summer concert series.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

T:\BROVR 2008 OB amendment rocky point family summer concert series.doc

1443  
Intro. Res. No. -2008  
Introduced by Legislator Alden

Laid on Table 5/13/08

**RESOLUTION NO. -2008, AUTHORIZING ESTEE LAUDER  
BREAST CANCER AWARENESS PROGRAM AT H. LEE  
DENNISON EXECUTIVE OFFICE BUILDING AND COHALAN  
COURT COMPLEX**

**WHEREAS**, the Estee Lauder Companies Breast Cancer Awareness Program and The Breast Cancer Research Foundation (Foundation) were established in 1993 to help find a cure for this dreadful disease; and

**WHEREAS**, the Foundation's campaign has made the "pink ribbon" a universal symbol of the fight to eradicate breast cancer and a potent reminder to all women of the importance of early detection in saving lives; and

**WHEREAS**, to renew the public's support for its 2008 Breast Cancer Awareness Program, the Foundation wishes to initiate a "Victory Landmark Illumination Project" for breast cancer awareness on the night of Wednesday, October 1, 2008 at 7:00 p.m. by illuminating landmark buildings in as many major cities as possible throughout the USA and all around the world to create a visible hazy pink glow that will galvanize the national commitment to end this dreaded disease; and

**WHEREAS**, Suffolk County wishes to show its enthusiasm and pledge its allegiance to this cause by participating in the illumination project, just as it did on October 2, 2000, pursuant to Resolution No. 659-2000, on October 1, 2001, pursuant to Resolution No. 641-2001, on October 1, 2002, pursuant to Resolution No. 885-2002, on October 1, 2003, pursuant to Resolution No. 574-2003, on October 1, 2004, pursuant to Resolution No. 493-2004, on September 30, 2005, pursuant to Resolution No. 159-2005, on September 29, 2006, pursuant to Resolution No. 831-2006, and on October 1, 2007, pursuant to Resolution No. 839-2007; now, therefore be it

**1st RESOLVED**, that the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to illuminate the north side of the H. Lee Dennison Executive Office Building facing Veterans Memorial Highway and the Cohalan Court Complex at the south east corner of Carleton Avenue, Central Islip at 7:00 p.m., with a pink glow, on the night of Wednesday, October 1, 2008 in support of The Breast Cancer Research Foundation's illumination project; and be it further

**2nd RESOLVED**, that the presence of employees or representatives of the Estee Lauder Companies Breast Cancer Awareness Program and the Breast Cancer Research Foundation and representatives of breast cancer advocacy groups or organizations, in connection with such celebration, shall be permitted at the two (2) sites.

DATED:

APPROVED BY:

\_\_\_\_\_

1444  
Intro. Res. No. -2008

Laid on the Table

5/13/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. 2008, AUTHORIZING CERTAIN  
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.  
285-2008.**

**WHEREAS**, resolution 285-2008 has been adopted and certain technical corrections are required for this resolution; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the second "Whereas" clause of Resolution No. 285-2008 is hereby amended to read as follows:

**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 [now, therefore, be it]

**2<sup>nd</sup> RESOLVED**, that the fourth "Whereas" clause of Resolution No. 285-2008 is hereby amended to read as follows:

**WHEREAS**, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system as the basis for funding capital projects such as this project; and [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 2008 Capital Budget, as the basis for funding capital projects such as this project; and]

**3<sup>rd</sup> RESOLVED**, that the six "Whereas" clause of Resolution No. 285-2008 is hereby amended to read as follows:

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$100,000 in Suffolk County Serial Bonds; now, therefore, be it [and]

**4<sup>th</sup> RESOLVED**, that the second "Resolved" clause of Resolution No. 285-2008 is hereby amended to read as follows:

**RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty-nine (49) 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 [that it is hereby determined that this project, with a priority ranking of forty-nine (49) is eligible for approval in accordance with the provisions of resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further]

5<sup>th</sup> RESOLVED, that the third "Resolved" clause of Resolution No. 285-2008 is hereby amended to read as follows:

RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 [(X)] of the Suffolk County Charter; and be it further

6<sup>th</sup> RESOLVED, that the fifth "Resolved" clause of Resolution No. 285-2008 is hereby amended to read as follows:

RESOLVED, that the proceeds of \$100,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
<u>525-CAP-5343.314</u> <u>(Fund 001 Debt Service)</u>	50	Reconstruction of Shinnecock Canal Locks, Phase VI	\$100,000

[Ref-525-CP#5343.>]

Date

APPROVED BY:

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

Date of Approval:

Suffolk County  
 Project Name  
 General Obligation Serial Bonds  
 Level Debt

1444

Term of Bonds: 15  
 Amount to Bond: \$100,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2007					
5/1/2008					
11/1/2008	4.125%	\$4,947.90	\$4,125.00	\$9,072.90	\$9,072.90
			\$1,960.45	\$1,960.45	
11/1/2009	4.125%	\$5,152.00	\$1,960.45	\$7,112.45	\$9,072.90
			\$1,854.19	\$1,854.19	
11/1/2010	4.125%	\$5,364.52	\$1,854.19	\$7,218.71	\$9,072.90
			\$1,743.55	\$1,743.55	
11/1/2011	4.125%	\$5,585.81	\$1,743.55	\$7,329.35	\$9,072.90
			\$1,628.34	\$1,628.34	
11/1/2012	4.125%	\$5,816.22	\$1,628.34	\$7,444.56	\$9,072.90
			\$1,508.38	\$1,508.38	
11/1/2013	4.125%	\$6,056.14	\$1,508.38	\$7,564.52	\$9,072.90
			\$1,383.47	\$1,383.47	
11/1/2014	4.125%	\$6,305.96	\$1,383.47	\$7,689.43	\$9,072.90
			\$1,253.41	\$1,253.41	
11/1/2015	4.125%	\$6,566.08	\$1,253.41	\$7,819.49	\$9,072.90
			\$1,117.99	\$1,117.99	
11/1/2016	4.125%	\$6,836.93	\$1,117.99	\$7,954.91	\$9,072.90
			\$976.97	\$976.97	
11/1/2017	4.125%	\$7,118.95	\$976.97	\$8,095.93	\$9,072.90
			\$830.15	\$830.15	
11/1/2018	4.125%	\$7,412.61	\$830.15	\$8,242.75	\$9,072.90
			\$677.26	\$677.26	
11/1/2019	4.125%	\$7,718.38	\$677.26	\$8,395.64	\$9,072.90
			\$518.07	\$518.07	
11/1/2020	4.125%	\$8,036.76	\$518.07	\$8,554.83	\$9,072.90
			\$352.31	\$352.31	
11/1/2021	4.125%	\$8,368.28	\$352.31	\$8,720.59	\$9,072.90
			\$179.72	\$179.72	
11/1/2022	4.125%	\$8,713.47	\$179.72	\$8,893.18	\$9,072.90
		\$100,000.00	\$36,093.50	\$136,093.50	\$136,093.50

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

1444

**GENERAL FUND**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$9,873</b>	<b>\$0.02</b>		\$0.000

**POLICE DISTRICT AND DISTRICT COURT**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**COMBINED**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$9,873</b>	<b>\$0.02</b>		\$0.000

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Introductory Resolution No. 1445-08 Laid on Table 5/13/08

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  
**ESTATE OF GERALDINE COWARD by Carl T. Slater as Administrator**  
**0100-039.00-02.00-001.000**

**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 039.00, Block 02.00, Lot 001.000, and acquired by tax deed on July 13, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 16, 2004, in Liber 12331, at Page 144, and otherwise known as and by Town of Babylon, County of Suffolk, State of New York, and bounded and described as follows, to wit: Lots 9 and 10 in Block 33 on a certain map entitled "Map Number 1, Harlem Park" which map was filed in the Office of the Clerk of the County of Suffolk on May 1907 and October 7, 1907; 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 13, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 16, 2004 in Liber 12331 at Page 144.

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

**WHEREAS**, JOAN D. COWARD as Heir, has made application of said above described parcel and JOAN D. COWARD has paid the application fee and \$2,230.13, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2008; and

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

**2<sup>nd</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ESTATE OF GERALDINE COWARD by Carl T. Slater as Administrator, 85 Bronx River Road, Apt. 4 B, Yonkers, New York 10704, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: \_\_\_\_\_  
County Executive of Suffolk County

Date of Approval: \_\_\_\_\_

50.1

1445

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

April 24, 2008

Tax Map No.: 0100-039.00-02.00-001.000

Name of Last Legal Fee Owner: ESTATE OF GÉRALDINE COWARD by Carl T. Slater as  
Administrator

TREASURER'S COMPUTATION..... \$1,952.78

Taxes.....2007/2008..... \$ 277.35

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... \$2,230.13

Monies Received..... \$2,230.13

RESOLUTION AMOUNT..... \$2,230.13

APPROVED:

*Karen Slater 4/29/08*  
Accounting  
CO:sc

PREPARED BY:

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

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

1445

Resolution

Tax Map Number 0100-039.00-02.00-001.000

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  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      4/24/08

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0100	039.00	02.00	001.000

1445

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2001/02	410.72
2003/04	321.58
2004/05	336.41
2005/06	245.90
2006/07	262.48

2007/08 PROPERTY TAXES \$277.35 NOT INCLUDED IN COMPUTATION  
2002/03 PROPERTY TAXES PAID BY INDIVIDUAL

TOTAL: 1577.09

B. INTEREST DUE	282.70
C. TOTAL	1859.79
D. 5% LINE C	92.99
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

\$1,952.78  
 277.35 07/08  
 -----  
 \$2,230.13  
 2/14/08  
 ef

CERTIFICATION BY COUNTY TREASURER

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

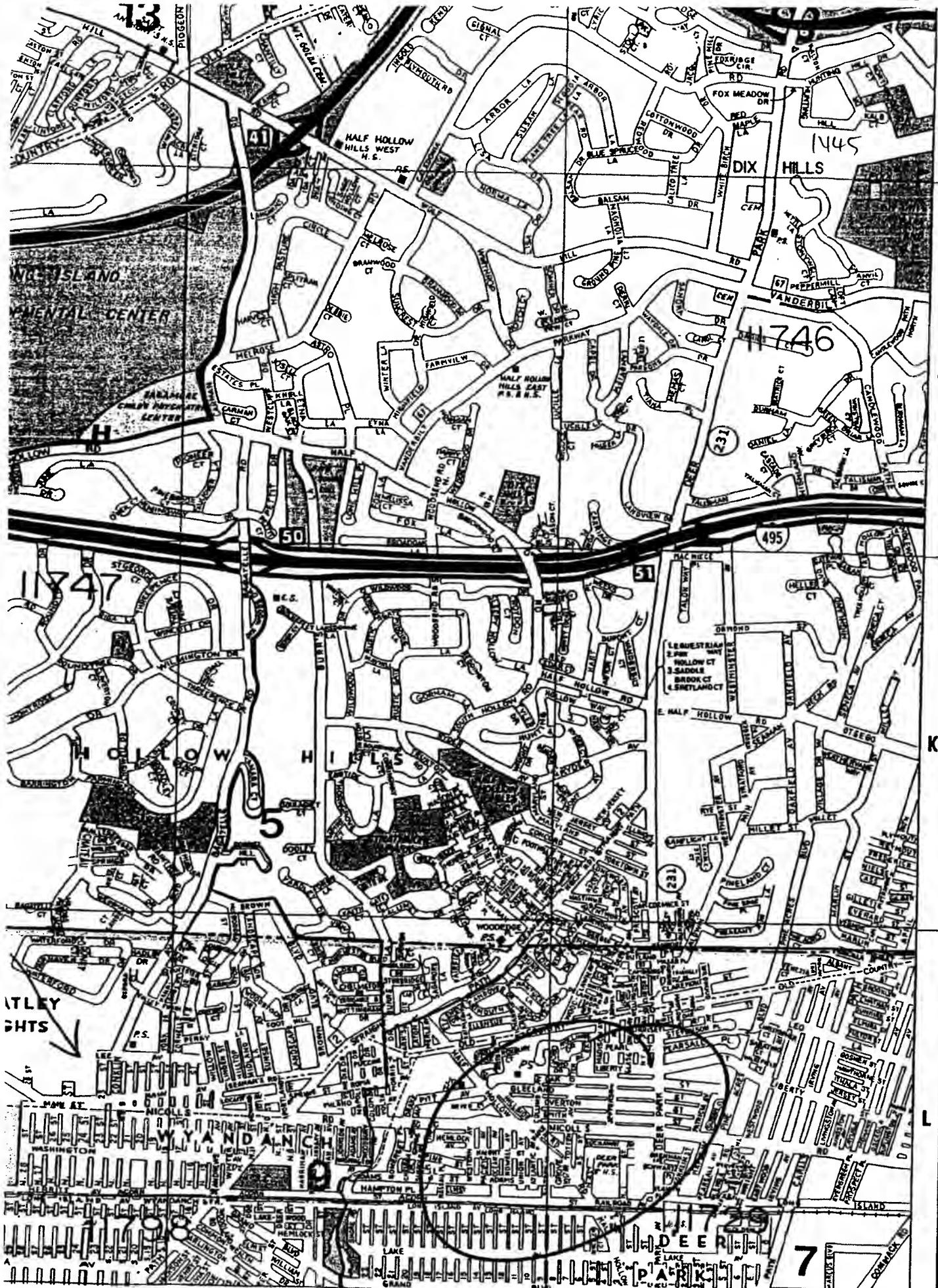
IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 29-Jan-08



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to and including 07/27/08





FOR ADJOINING AREA SEE MAP NO. 8

George 24

COUNTY OF SUFFOLK



MAY 01 2008

1445

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 30, 2008

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

Re: Tax Map No. 0100-039.00-02.00-001.000  
ESTATE OF GERALDINE COWARD by Carl T. Slater as Administrator

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. 1446-08 Laid on Table 5/13/08

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  
**ESTATE OF GERALDINE COWARD by Carl T. Slater as Administrator**  
**0100-039.00-02.00-002.000**

**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 039.00, Block 02.00, Lot 002.000, and acquired by tax deed on July 10, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 11, 2003, in Liber 12260, at Page 584, and otherwise known as and by Town of Babylon, County of Suffolk and State of New York, and bounded and described as follows, to wit: Lots 11 and 12 in Block 33 on a certain map entitled "Map Number 1, Harlem Park" which map was filed in the Office of the Clerk of the County of Suffolk on May 1907 and October 7, 1907; 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 10, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 11, 2003 in Liber 12260 at Page 584.

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

**WHEREAS**, JOAN D. COWARD as Heir, has made application of said above described parcel and JOAN D. COWARD has paid the application fee and \$2,605.59, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2008; and

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

**2<sup>nd</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ESTATE OF GERALDINE COWARD by Carl T. Slater as Administrator, 85 Bronx River Road, Apt. 4 B, Yonkers, New York 10704, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: \_\_\_\_\_  
County Executive of Suffolk County

Date of Approval: \_\_\_\_\_

50.1

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1446

April 24, 2008

Tax Map No.: 0100-039.00-02.00-002.000

Name of Last Legal Fee Owner: ESTATE OF GERALDINE COWARD by Carl T. Slater as  
Administrator

TREASURER'S COMPUTATION..... \$2,210.02

Taxes.....2007/2008..... \$ 395.57

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... \$2,605.59

Monies Received..... \$2,605.59

RESOLUTION AMOUNT..... \$2,605.59

APPROVED:

Karen A Slater 4/29/08  
Accounting  
CO:sc

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

1446

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X  
Tax Map Number 0100-039.00-02.00-002.000

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
<u>Cathy O'Neal</u>	<u>Cathy O'Neal</u>	<u>4/24/08</u>

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0100	039.00	02.00	002.000 1446

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2000/01	359.92
2001/02	410.72
2003/04	221.05
2004/05	230.98
2005/06	245.90
2006/07	262.48

2002/03 PROPERTY TAXES PAID BY INDIVIDUAL  
2007/08 PROPERTY TAXES \$395.57 NOT INCLUDED IN COMPUTATION

TOTAL: 1731.05

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

373.73  
2104.78  
105.24

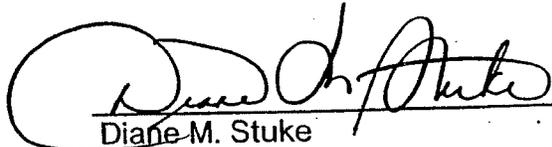
H. TOTAL DUE

-----  
\$2,210.02  
# 395.57  
2,605.59 2/14/08  
EF

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 29-Jan-08

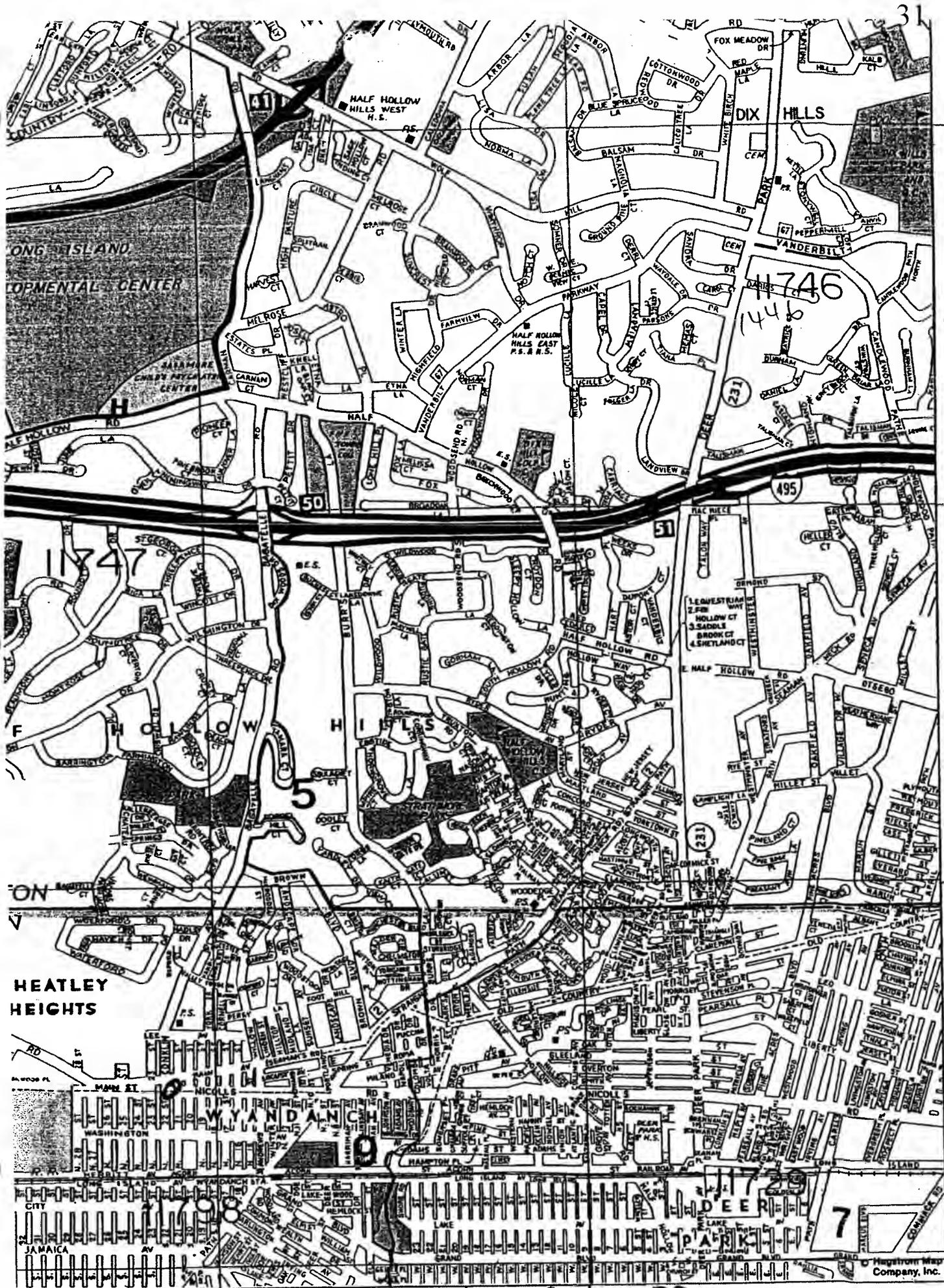
  
\_\_\_\_\_  
Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 07/27/08

1446

0100 039 02 002





HEATLEY HEIGHTS

A

5 NICD-034-12-002

6

3

Hugoborn Map Company, Inc.

COUNTY OF SUFFOLK

Gen 323



MAY 01 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

April 30, 2008

1446

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

Re: Tax Map No. 0100-039.00-02.00-002.000  
ESTATE OF GERALDINE COWARD by Carl T. Slater as Administrator

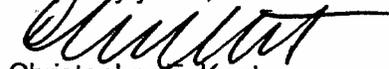
Dear Mr. Zwirn:

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  
~~\_\_\_\_\_ and Tom Vaughn~~  
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

Intro. Res. # 1447-08

Laid on Table 5/13/08

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 # 789-2008)

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# 789-2008

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	06/07	N/A	200 97580 3 40.1	12714.75	0	12714.75
A	HUNTINGTON	07/08	N/A	400 119 1 105.1	19958.96	16946.16	3012.80
A	HUNTINGTON	06/07	N/A	400 283 1 26	15815.24	12980.34	2834.90

\*As Provided and Requested By Town Assessor or Receiver of Taxes

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1447

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

1. Type of Legislation		
Resolution	X	Local Law
		Charter Law
2. Title of Proposed Legislation		
<b>TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS</b>		
3. Purpose of Proposed Legislation      Yes ____      No ____		
<b>SEE NO. 2 ABOVE</b>		
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		
<u>N/A</u>		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
2008		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date April 18, 2008
R. Motschenbacher    RPAT. I		

**Additional back-up material regarding I.R. 1447 is  
on file in the Legislative Clerk's Office, Hauppauge.**

Intro. Res. # 1448-08

Laid on Table 5/13/08

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 # 790-2008)

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# 790-2008

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
C	BROOKHAVEN	07/08	N/A -	204 13 2 25	58376.88	9729.48	48647.40
A	BROOKHAVEN	07/08	N/A	200 805 1 5.1	29912.40	15333.13	14579.27
A	BROOKHAVEN	07/08	N/A	200 805 1 7.8	26026.61	17774.26	8252.35
A	ISLIP	07/08	N/A	500 284 3 21	8710.82	3509.48	5201.34

\*As Provided and Requested By Town Assessor or Receiver of Taxes

APPROVED BY:

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

\_\_\_\_\_  
Date of Approval:

1448

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution  Local Law Charter Law

---

2. Title of Proposed Legislation

**TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS**

---

3. Purpose of Proposed Legislation Yes \_\_\_ No \_\_\_

**SEE NO. 2 ABOVE**

---

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

---

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

N/A

---

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

N/A

---

8. Proposed Source of Funding

N/A

---

9. Timing of Impact

2008

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10. Typed Name & Title of Preparer R. Motschenbacher RPAT. I

11. Signature of Preparer *R. Motschenbacher*

12. Date April 23, 2008

**Additional back-up material regarding I.R. 1448 is  
on file in the Legislative Clerk's Office, Hauppauge.**

Introductory Resolution No. 144 9-08

Laid on Table 5/13/08

Introduced by the Presiding Officer on request of the County Executive

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

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

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

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

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

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

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

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

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

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

3. If the income, at initial occupancy, of the occupant should exceed 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;
  4. If the subsidized purchase price of home should exceed 60% of median sales price for Suffolk County based upon the State of New York Mortgage Agency Guidelines;
  5. If the rent should exceed HUD established fair market rent for Nassau-Suffolk PSMA based upon bedroom size;
  6. If the affordable housing unit or units are owner-occupied, and the unit or units fail(s) to remain the principal residence of the owner for a period of five (5) consecutive years. If the affordable housing unit or units are tenant-occupied, and the unit or units fail(s) to remain affordable for ten (10) consecutive years;
  7. If the grantee fails to certify to the Suffolk County Director of Affordable Housing prior to closing of the title with any affordable housing grantee
    - a. the dates of completion and occupancy for any affordable housing unit or units constructed or rehabilitated on said property; and
    - b. the total household income, from all sources, of the purchaser or purchasers of the property and his or her family; and
    - c. the total purchase or rental price of the affordable housing unit or units sold or otherwise transferred; and
    - d. the affordable housing unit or units meet local building and zoning codes;
  8. If the grantee shall fail to provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31 of each year commencing December 31, 2008, on the subject premises, including, but not limited to, the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises; or
  9. If any subsequent grantee fails to comply with all applicable state, federal, and local regulations pertaining to price, income eligibility and marketing standards for affordable housing programs.
- 2<sup>nd</sup> **RESOLVED**, the grantee will be restricted in its use of the subject parcels and will use said parcels solely and exclusively for affordable housing with all right title and interest reverting to the County of Suffolk in the event that the grantee at any time, uses or attempts to use said subject parcels for other than affordable housing or attempts to sell, transfer or otherwise dispose of or does, in fact, sell transfer or otherwise dispose of said subject parcels with said parcels being used thereafter for other than affordable housing.

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

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

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

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

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

DATED:

APPROVED BY:

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

Date of Approval:

## EXHIBIT "A"

Tax Map No.	Location	Acre
0200-958.00-07.00-041.000	NW/C/O Louise Ave. & Taylor Ave., North Bellport	0.18
0200-959.00-01.00-007.000	W/S/O Provost Ave., 320' S/O Hampton Ave., North Bellport	0.18
0200-973.80-03.00-001.000	E/S/O McDonald Ave., 240' N/O Brookhaven Ave., North Bellport	0.18

**ADOPTED**

BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 707-07  
MEETING OF: JULY 24, 2007

AUTHORIZING TRANSFER OF PROPERTY TO CDCLI HOUSING DEVELOPMENT FUND, HABITAT FOR HUMANITY, SUFFOLK HOUSING DEVELOPMENT FUND CO., AND ECONOMIC OPPORTUNITY COUNCIL OF SUFFOLK, INC., TO PROMOTE THE AVAILABILITY OF AFFORDABLE HOUSING

WHEREAS, the Town of Brookhaven, Suffolk County, and 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 Town of Brookhaven and Suffolk County are working in partnership to create affordable housing opportunities for residents in the Town of Brookhaven; and

WHEREAS, Habitat for Humanity Suffolk Housing Development Fund Co., Economic Opportunity Council of Suffolk, Inc., and CDCLI Housing Development Fund Corp. will rehabilitate and construct deteriorated and vacant foreclosed properties within the Town of Brookhaven to remove a blighting condition and has agreed in principle to cooperate with and assist the Town in promoting affordable housing. Once rehabilitated, the property can be sold as affordable housing; 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 via its authority under Section 64, paragraph 2 of the New York State Town Law, 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 three (3) foreclosed properties more particularly described in Exhibit "A" hereto, to Habitat for Humanity Suffolk Housing Development Fund Co., Economic Opportunity Council of Suffolk, Inc., and CDCLI Housing Development Fund Corp., 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.

1449

EXHIBIT A		
SCTM#	ADDRESS	ORGANIZATION
200-959-01-007	736 Provost Avenue Bellport, NY 11713	CDCLI Housing Development Fund Corporation
200-958-7-41	902 Taylor Avenue Bellport, NY 11713	Habitat for Humanity Suffolk Housing Development Fund Co.
200-973.8-3-1	723 McDonald Avenue Bellport, NY 11713	Habitat for Humanity Suffolk Housing Development Fund Co.

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

*Pamela J. Bethel*

PAMELA J. BETHEL, TOWN CLERK DATED: 8-23-07  
DO NOT ACCEPT UNLESS THE RAISED SEAL OF  
THE TOWN OF BROOKHAVEN IS AFFIXED HEREON

1449

REFERENDUM CERTIFICATE

CERTIFICATE OF CLERK

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

That a resolution of the Town Board of the Town of Brookhaven, in the County of Suffolk, State of New York, was adopted on July 24, 2007, for the purpose and effect of which is to authorize the transfer of three foreclosed parcels of property from Suffolk County for affordable housing purposes as more particularly described in Exhibit "A" attached hereto to Habitat for Humanity Suffolk Housing Development Fund Co., Economic Opportunity Council of Suffolk, Inc., and CDCLI Housing Development Fund, and such resolution was subject to a permissive referendum, and that notice setting forth the date of adoption of the resolution and containing an abstract of said resolution which concisely stated the purpose and effect, thereof, was duly posted and published as required by law.

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 24<sup>th</sup> day of August, 2007.

*Pamela J. Bethel*

PAMELA J. BETHEIL, TOWN CLERK  
TOWN OF BROOKHAVEN

COUNTY OF SUFFOLK



Gen A48  
1449  
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

March 12, 2008

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

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

Dear Mr. Zwirn:

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

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

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

CEK:WRT:slb

Resolution + 1 copy  
Summary Statement  
Tax Map & Aerial Map  
Hagstrom Map  
Sponsor's Memo  
Copy w/ Resolution to:

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

1449

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

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES  
TOWN OF BROOKHAVEN

Tax Map No.: See attached Exhibit "A"

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$32,995.17

PURPOSE:

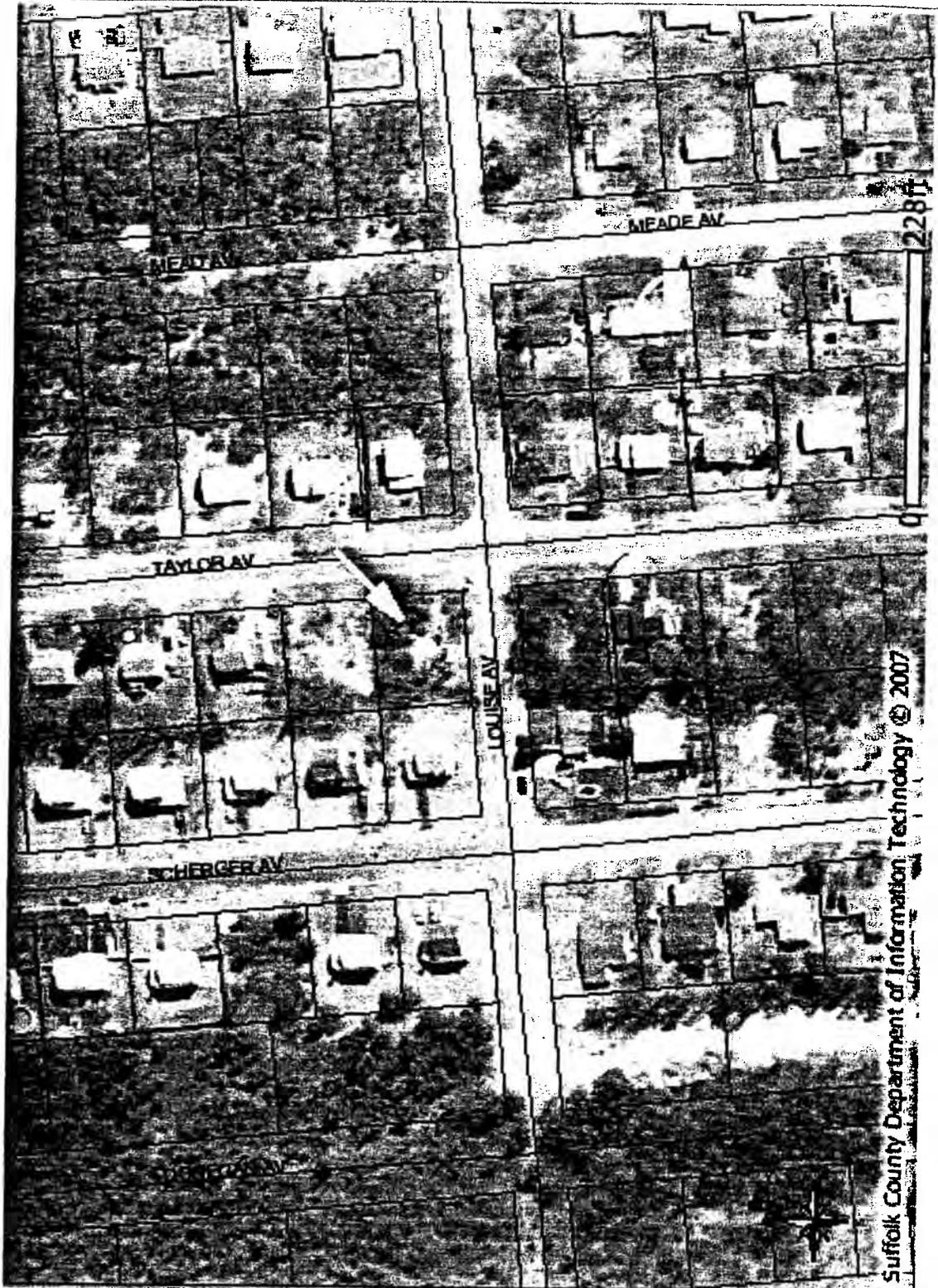
- |                            |                   |
|----------------------------|-------------------|
| A. Affordable Housing      | <u>  X  </u>      |
| B. Town Parks              | <u>          </u> |
| C. Road/Highway            | <u>          </u> |
| D. Drainage/Recharge Basin | <u>         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

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

WRT:slb

1449

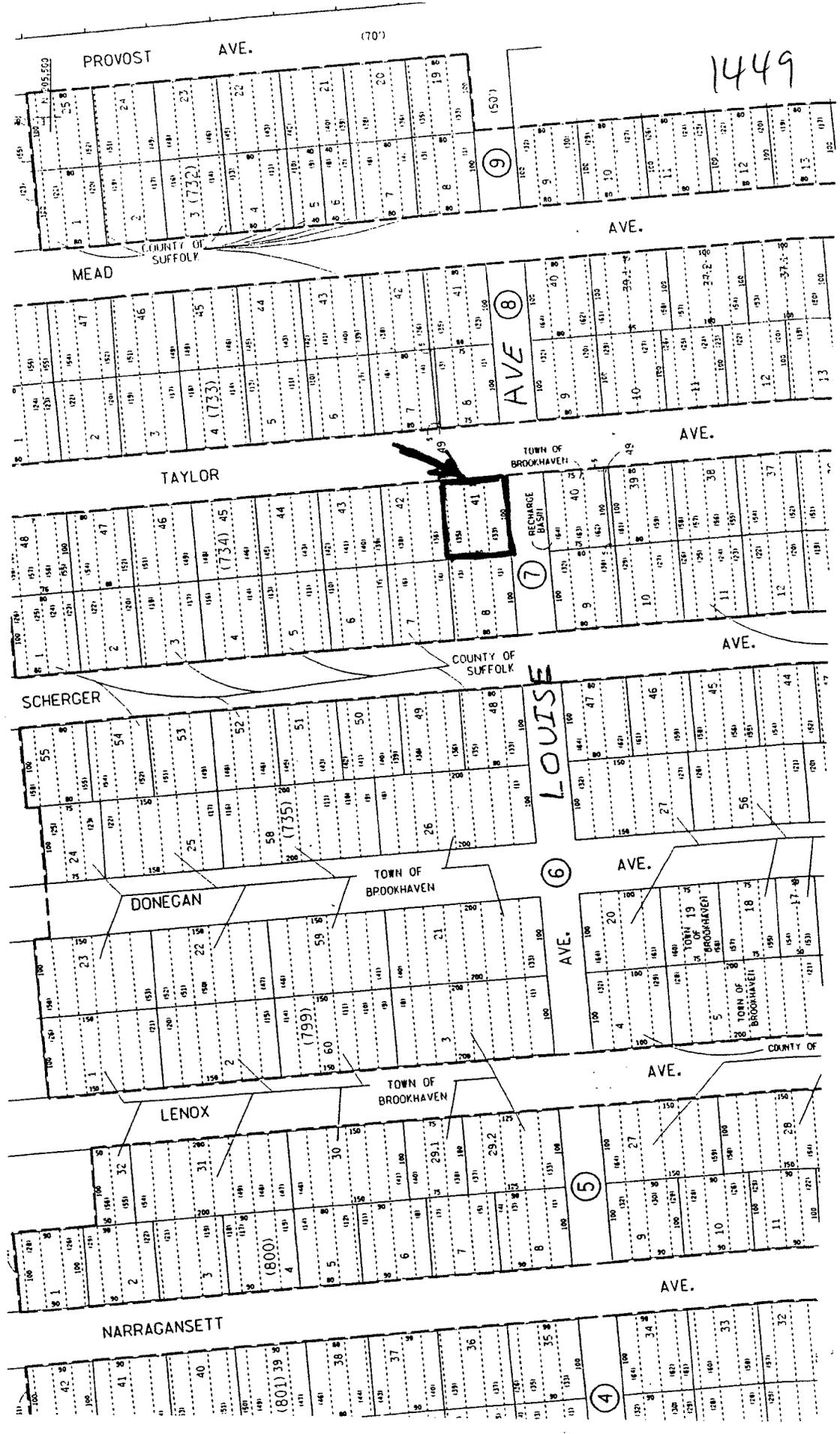
0200-958.00-07.00-041.000



Suffolk County Department of Information Technology © 2007

1449

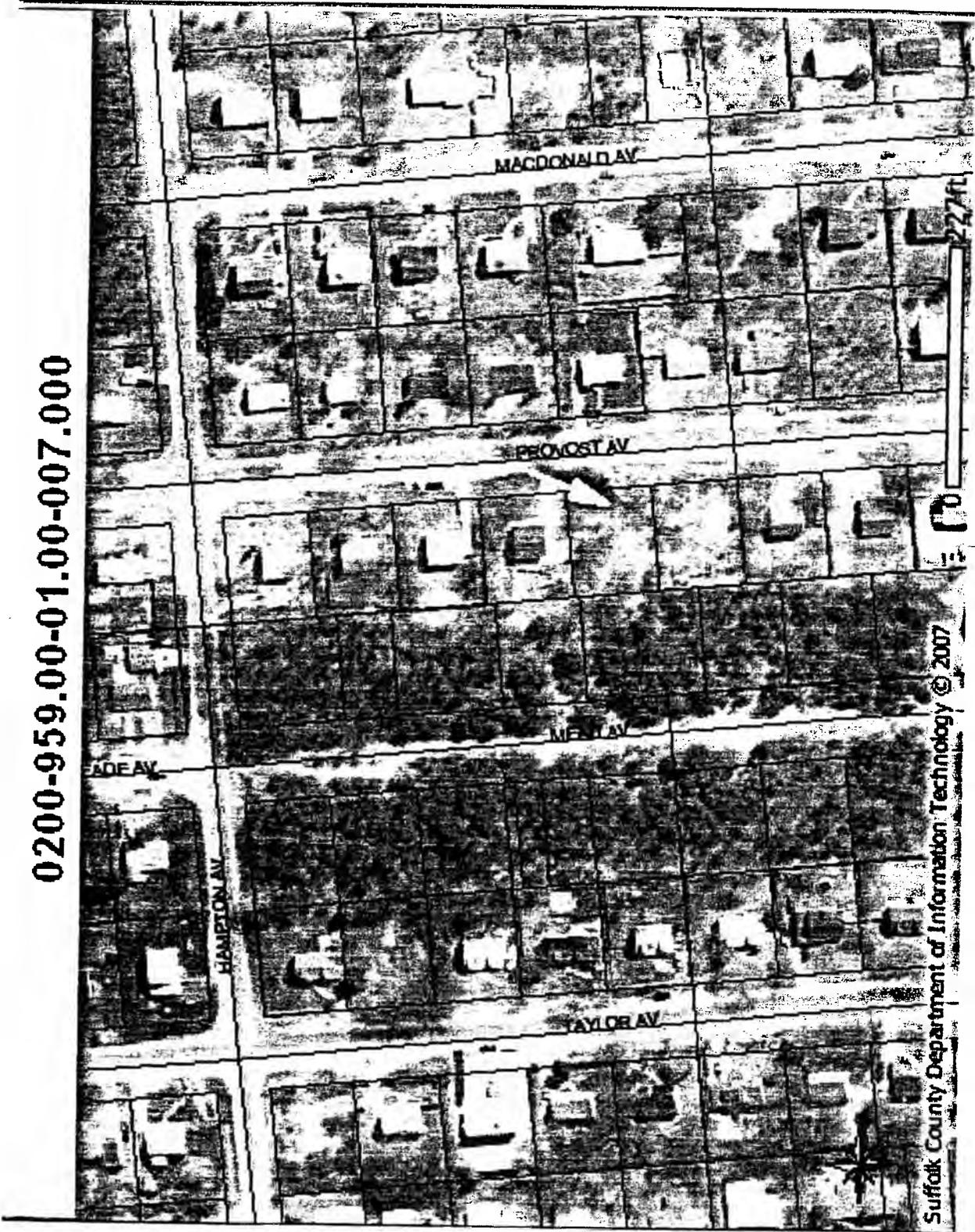
3/10/2008 -- 8:56:12 AM -- \\R4\p\draft\viewer\0200\prod\2095800x.dgn DSBL: 0200 95800 0700 041000



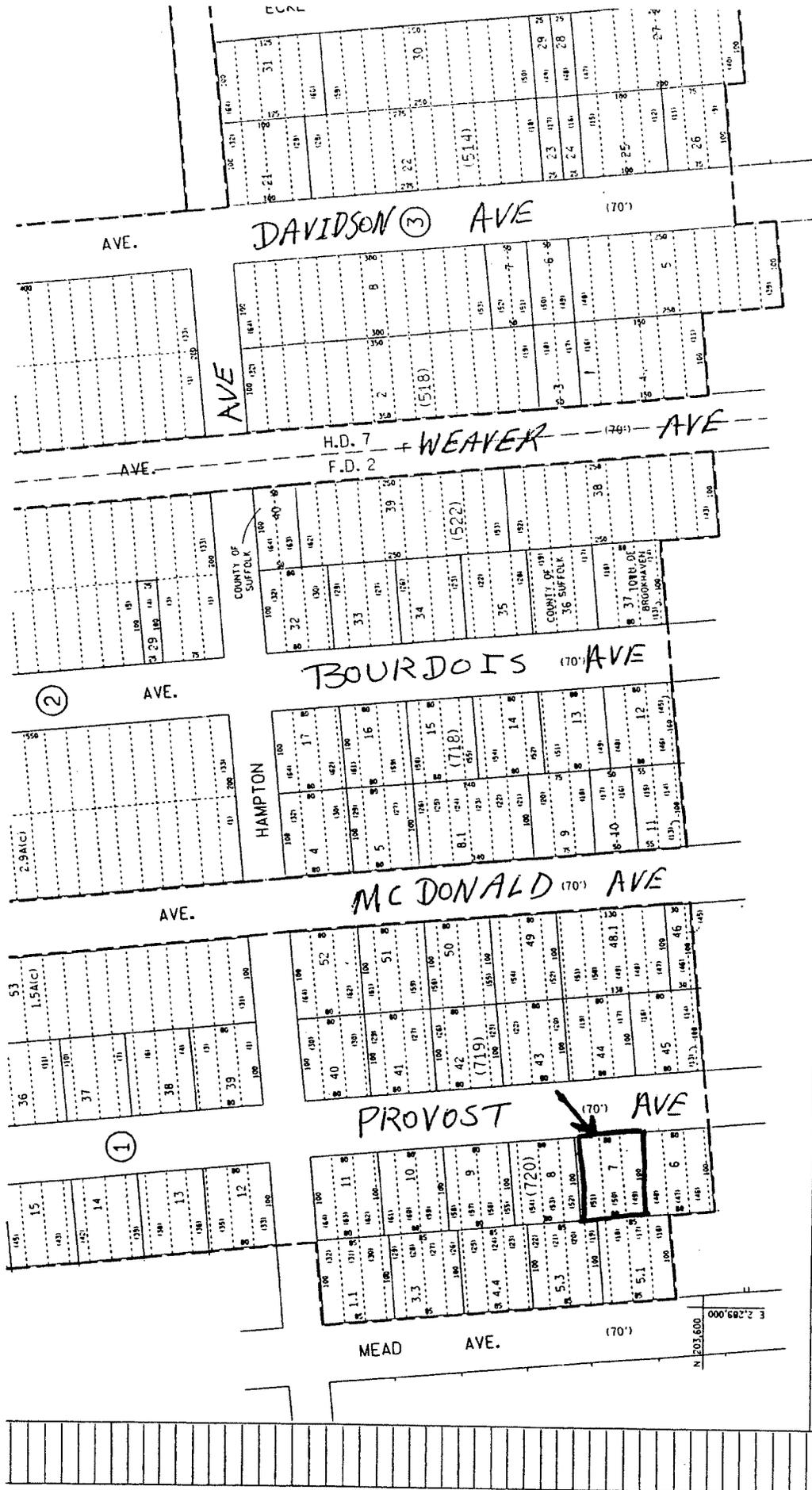
TM#0200-95800-0700-041000

1449

0200-959.00-01.00-007.000



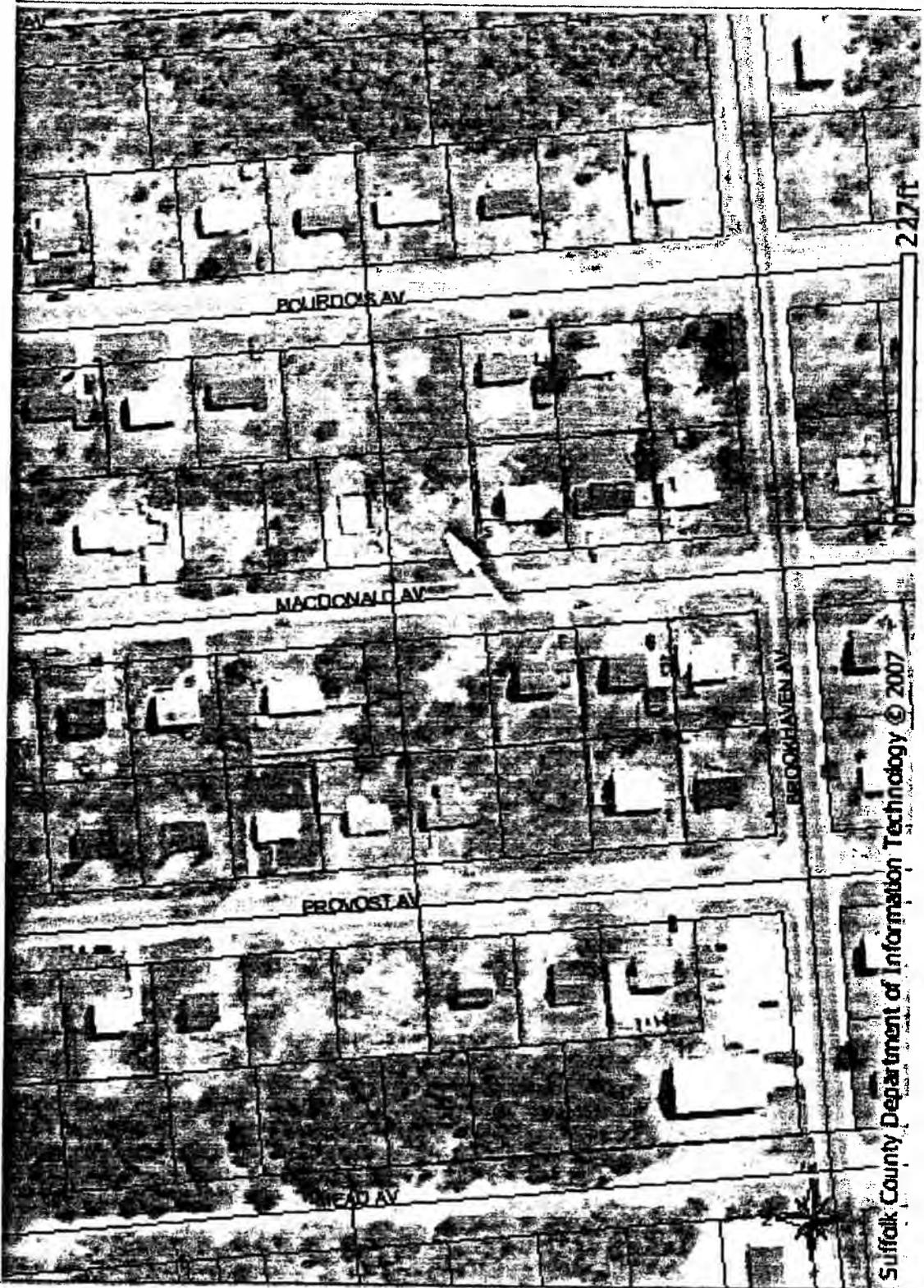
Suffolk County Department of Information Technology © 2017



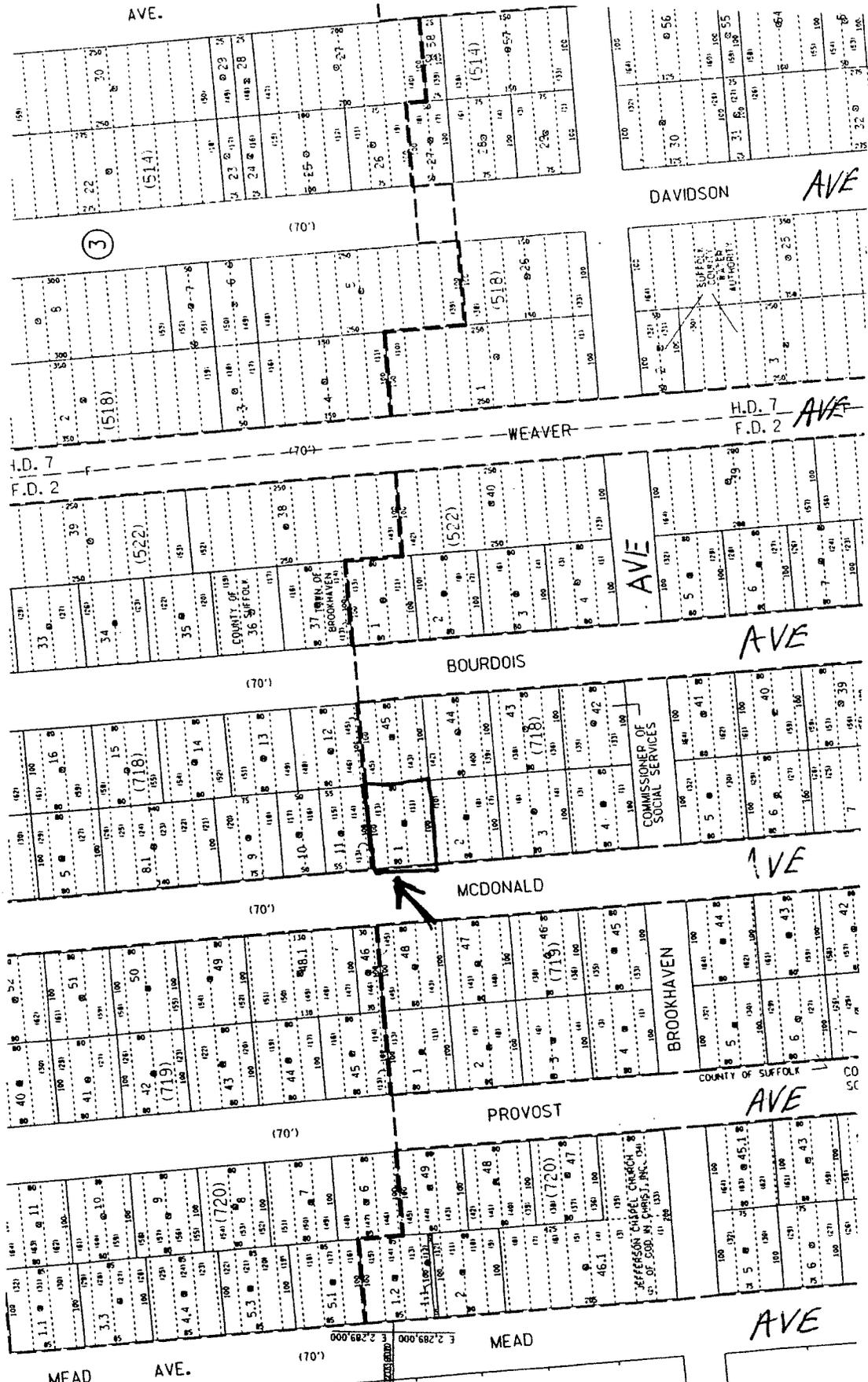
TM # 0200-959.00-01.00-007.000

1449

0200-973.80-03.00-001.000



Suffolk County Department of Information Technology © 2007



- 7-02-96
- 7-24-97
- 3-11-98
- 2-01-99
- 1-09-99
- 3-20-01
- 3-20-02
- 3-14-04
- 15-05
- 1-21-06
- 3-10-06

Tm # 0200-973.80-03.00-001.000

55  
1449



56

1449

99

56

55

101

54

80

4

36

BELLPORT

N.Y.S. Conservatio Area (Access by Perri)

BELL

R1

S1

T1

U1

V1

1449

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution  X  Local Law \_\_\_\_\_ Charter Law \_\_\_\_\_

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

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

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

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

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

Loss of County investment  
Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2008

10. Name & Title of Preparer

Signature of Preparer

Date

R. J. Bhatt   
LMS III

[Signature]

3/10/08

Introductory Resolution No. 1450-08

Laid on Table 5/13/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,  
PURSUANT TO LOCAL LAW 16-1976, OF REAL  
PROPERTY ACQUIRED UNDER SECTION 46 OF THE  
SUFFOLK COUNTY TAX ACT

**JOSEPH PHILIP MARCARIO and MARIEN RONEA MARCARIO, his wife**  
**0200-453.00-04.00-002.001**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 453.00, Block 04.00, Lot 002.001, and acquired by tax deed on July 7, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 25, 2007, in Liber 12515, at Page 222, and otherwise known as and by Town of Brookhaven, Suffolk County Tax Map Number: District 0200, Section 453.00, Block 04.00, Lot 002.001; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 7, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 25, 2007 in Liber 12515 at Page 222.

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

**WHEREAS**, SODA HOUSING CORP., as Mortgagee, by Brett Limoncelli, Vice President, has made application of said above described parcel and SODA HOUSING CORP., as Mortgagee, by Brett Limoncelli, Vice President, has paid the application fee and will be paying \$66,229.74 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; and

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

2<sup>nd</sup> - **RESOLVED**, that the 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 JOSEPH PHILIP MARCARIO and MARIEN RONEA MARCARIO, his wife, 11 Apple Cross Lane, East Setauket, New York 11733, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: \_\_\_\_\_  
County Executive of Suffolk County

Date of Approval: \_\_\_\_\_

50.1

1450

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

April 7, 2008

Tax Map No.: 0200-453.00-04.00-002.001

Name of Last Legal Fee Owner: JOSEPH PHILIP MARCARIO and MARIEN RONEA MARCARIO,  
his wife

TREASURER'S COMPUTATION..... \$57,220.88

Taxes.....2007/08.....\$ 9,008.86

Recording Fees collected for County Clerk.. N/A

License Fee ..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... \$66,229.74

Monies to be Received.....\$66,229.74

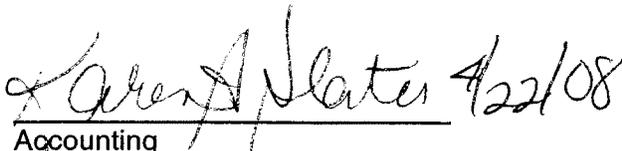
RESOLUTION AMOUNT.....\$66,229.74

APPROVED:

PREPARED BY:



Lori Bertone  
Redemption Unit  
(631) 853-5932

 4/22/08

Accounting  
LB:sc

1450

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X  
Tax Map Number 0200-453.00-04.00-002.001

2. Title of Proposed Legislation -

Authorizing the Director of the Division of Real Property Acquisition and Management and/or her/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

Lori Bertone

Signature of Preparer

Lori Bertone

Date

4/7/08

COMPUTATION BY SUFFOLK COUNTY TREASURER

1450

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	453.00	04.00	002.001

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2002/03	10222.77
2003/04	11262.13
2004/05	10993.13
2005/06	10486.67
2006/07	8604.31

2007/08 PROPERTY TAXES \$9008.86, NOT INCLUDED IN COMPUTATION

TOTAL: 51569.01

B. INTEREST DUE	2927.07
C. TOTAL	54496.08
D. 5% LINE C	2724.80
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

\$57,220.88  
2007/2008 9,008.86  
 66,229.74 *11/5/08*

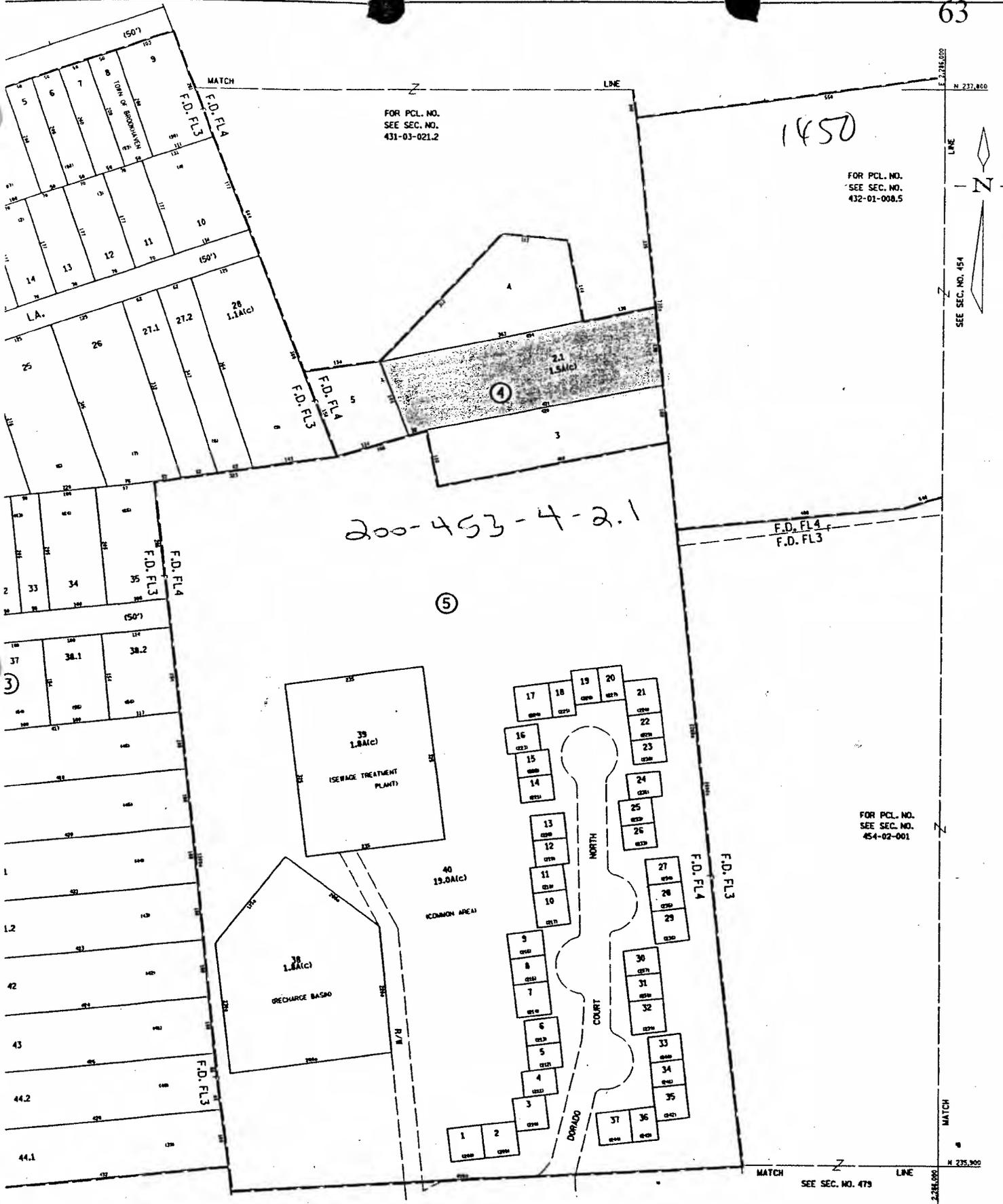
CERTIFICATION BY COUNTY TREASURER

I, Douglas W. Sutherland, Chief Deputy County Treasurer in the County of Suffolk, 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. 10-Jan-08

  
 \_\_\_\_\_  
 Douglas W. Sutherland  
 Chief Deputy County Treasurer

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



ALL PROPERTIES DISTRICTS: HT _____ L _____ WATER _____	<b>NOTICE</b> MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROMPTED WITHOUT WRITTEN PERMISSION OF THE REAL PROPERTY TAX SERVICE AGENCY.	 <b>COUNTY OF SUFFOLK</b> <b>Red Property Tax Service Agency</b> County Center Riverhead, N Y 11901 SCALE IN FEET: 1" = 100'	K 430 431 432 433 434 435 436 437 438 439 440	TOWN OF <b>BROOKHAVEN</b> VILLAGE OF _____ DISTRICT NO <b>0200</b>	SECTION NO <b>453</b>
					PROPERTY MAP

11764

1450

Washington Memorial Park & Crematorium

Twin Ponds Nat Pres

# BROOKHAVEN

11953

MIDDLE ISLAND

Cathedral Pines County Park

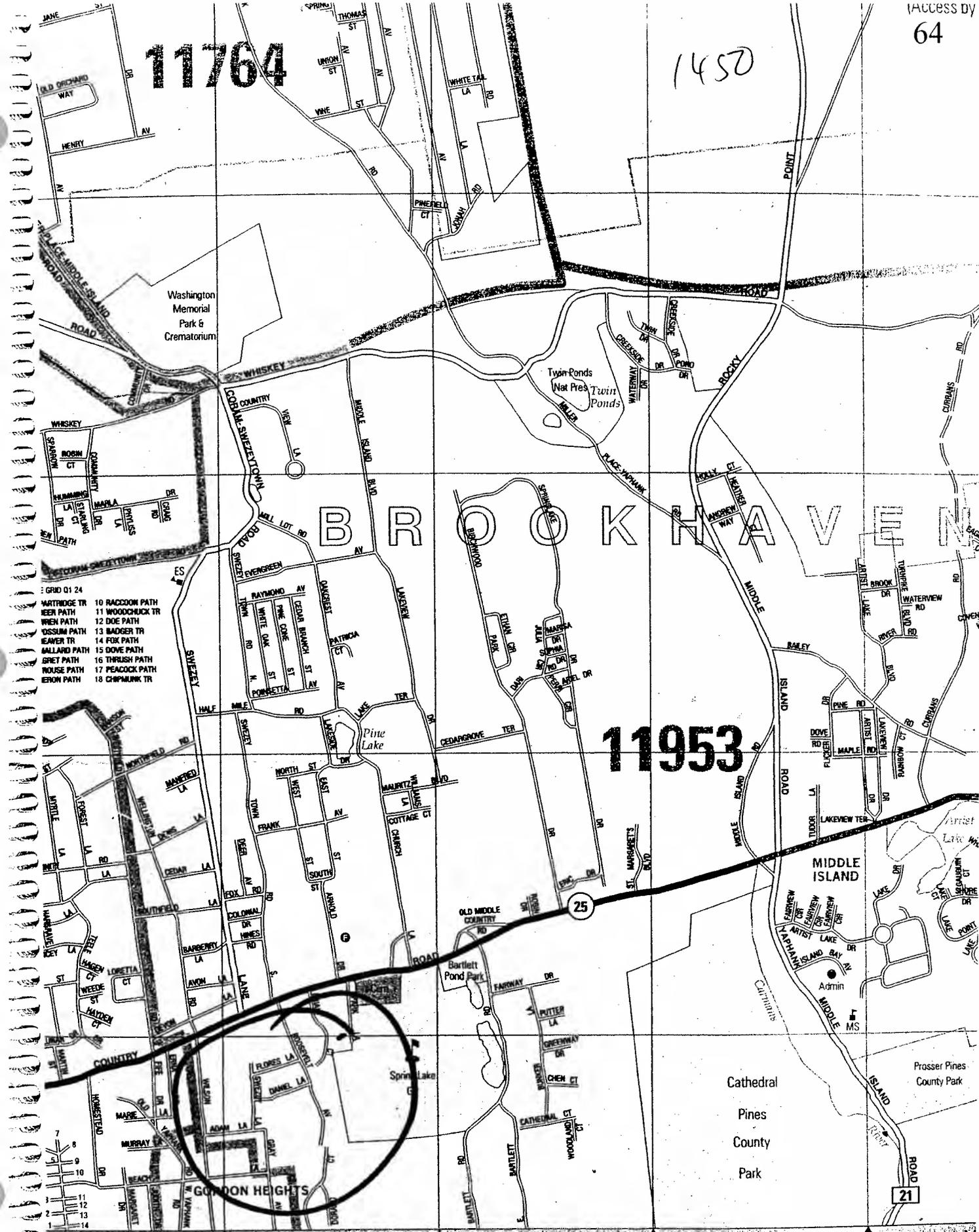
Prosser Pines County Park

- GRID Q1 24
- 9 MATRIDGE TR
  - 10 RACCOON PATH
  - 11 WOODCHUCK TR
  - 12 DOE PATH
  - 13 BADGER TR
  - 14 FOX PATH
  - 15 DOVE PATH
  - 16 THRUSH PATH
  - 17 PEACOCK PATH
  - 18 CHIPMUNK TR

R1      S1      T1      U1      V

72°54'30"      72°57'45"      72°57'00"      72°58'15"

200-453-4-21 Joins Map 27



COUNTY OF SUFFOLK

APR 29 2008

147

Gen 657



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 29, 2008

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

Re: Tax Map No. 0200-453.00-04.00-002.001  
JOSEPH PHILIP MARCARIO and MARIEN RONEA MARCARIO, his wife

Dear Mr. Zwirn:

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

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

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

Very truly yours,

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

CEK:sc

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

Copy of Resolution to:  
Ben Zwirn, Deputy County Executive for I. R. (original plus 1 hard copy)  
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. 1451-08 Laid on Table 5/13/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008 AUTHORIZING THE REDUCTION  
OF THE PURCHASE PRICE FOR PROPERTY SOLD AT AUCTION THAT  
SUBSEQUENTLY WAS DAMAGED BY FIRE.

**PURCHASER: GEORGE KUEY**  
**0200-976.90-03.00-049.000**  
**3 Pine Road, Mastic Beach, NY**

**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 976.90, Block 03.00, Lot 049.000, and acquired by tax deed on July 20, 1999, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 20, 1999, in Liber 11977, at Page 47, and otherwise known and designated as Lot 6870 to 6874 inclusive on a certain map entitled "Map of Mastic Beach, Unit 2", and filed in the Office of the Clerk of the County of Suffolk on June 29, 1926 as Map No. 180. Being more commonly known as 3 Pine Road, Mastic Beach, NY; and

**WHEREAS**, pursuant to Section 9 of Suffolk County Local Law No. 13-1976, said parcel of land was offered at auction on October 15, 2007, as parcel No. 195 in the Auction Brochure; and

**WHEREAS**, at the time of the auction, said parcel was improved by a single family dwelling determined to be habitable; and

**WHEREAS**, the parcel was offered with a deed restriction requiring the successful bidder to occupy the premises for a period of five years; and

**WHEREAS**, the highest bid received for said parcel was \$85,000 from Mr. George Kuey; and

**WHEREAS**, this Legislature approved said sale by Resolution No. 128-2008 authorizing the Director of the Division of Real Property in the Department of Environment and Energy to deliver a deed; and

**WHEREAS**, subsequent to the auction but prior to the delivery of the deed, on February 2, 2008, the dwelling on the subject parcel was damaged by fire which has rendered the dwelling uninhabitable with repair costs estimated to be \$38,465; and

**WHEREAS**, paragraph 10 of the Auction Terms and Conditions allows the purchaser at auction to cancel the sale if the fire "reduces the value of the auctioned premises more than 10%"; and

**WHEREAS**, paragraph 10 of the Auction Terms and Conditions allows the Division of Real Property Acquisition and Management to "reduce the purchase price after verifying the amount and value of damage by an appraisal."; and

**WHEREAS**, the purchaser at auction will not exercise his right to cancel the sale and is willing to close on the sale provided that the Division of Real Property Acquisition and Management will reduce the purchase price by 10% and deliver a deed without the condition that the premises be owner occupied for a minimum of five years after closing; now therefore be it

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

**2<sup>nd</sup> - RESOLVED**, that this Legislature finds that as a result of the fire the dwelling is uninhabitable and the minimum cost of repairs will be \$38,465 which is more than 10% of the bid price, and be it further

**3<sup>rd</sup> - RESOLVED**, that this Legislature finds that it would be in the best interests of Suffolk County under the circumstance effecting the subject parcel, to reduce the purchase price by 10% to \$76,500 and remove the condition of owner occupancy from the deed; and

**4<sup>th</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management in the Department of Environment and Energy, Christopher Kent, and/or his designee, be and he hereby is authorized and directed to deliver a deed and close on the subject parcel with the successful bidder at auction at the new purchase price of \$76,500 and without the deed restriction requiring owner occupancy.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1451

DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
SPONSORS MEMO FOR COUNTY LEGISLATION

Resolution Title:

AUTHORIZING THE REDUCTION OF THE PURCHASE PRICE FOR PROPERTY  
SOLD AT AUCTION THAT SUBSEQUENTLY WAS DAMAGED BY FIRE.

Purpose/Justification of Request:

Section 9 of Suffolk County Local Law No. 13-1976 and Paragraph 10 of the October 15, 2007  
Auction Brochure.

Specify Where Applicable:

1. Is request due to change in law? yes\_\_\_ no X  
If yes, please explain:
2. Has this resolution been submitted previously? yes\_\_ no X  
If yes, give I.R.#, attach copy and reason for resubmittal:
3. Is backup attached? yes X no
4. Is this resolution subject to SEQRA review? yes\_\_\_ no X

Fiscal Information:

Anticipated Revenue \$ 76,500.

Contact Person Ronald W. Holik Telephone Number (631) 853-5926

1451

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X  
Tax Map Number 0200-976.90-03.00-049.000

2. Title of Proposed Legislation  
AUTHORIZING THE REDUCTION OF THE PURCHASE PRICE FOR PROPERTY SOLD  
AT AUCTION THAT SUBSEQUENTLY WAS DAMAGED BY FIRE.

3. Purpose of Proposed Legislation

Retain title to environmentally sensitive properties acquired by tax deed

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

If this sale is cancelled the County will have to incur: (1) the expense of demolishing the fire damaged dwelling; (2) the expense of having to re-auction the property; and the property will remain off of the Tax roll until it is closed. If sale is approved Suffolk County receives \$76,500 this year.

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

N/A

8. Proposed Source of Funding

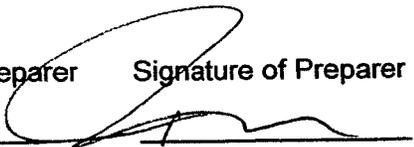
N/A

9. Timing of Impact

2008

10. Typed Name of Preparer      Signature of Preparer      Date April 28, 2008

Ronald W. Holik



Introductory Resolution No. 1452-08 Laid on Table 5/13/08

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  
**ESTATE OF JAMES E. BERDINKA a/k/a JAMES E. BERDINKA, SR., by  
Cathy M. Ramsey as Administrator  
1000-122.00-02.00-016.000**

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 Southold, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 1000, Section 122.00, Block 02.00, Lot 016.000, and acquired by tax deed on February 5, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on February 6, 2003, in Liber 12234, at Page 289, and otherwise known as and by Town of Southold, Suffolk County Tax Map Number: District 1000, Section 122.00, Block 02.00, Lot 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 February 5, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on February 6, 2003 in Liber 12234 at Page 289.

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

**WHEREAS**, JAMES E. BERDINKA, by Cathy M. Ramsey, as daughter, now known as Administrator of the Estate of James E. Berdinka, has made application of said above described parcel and JAMES E. BERDINKA, by Cathy M. Ramsey, as daughter, now known as Administrator of the Estate of James Berdinka, has paid the application fee and \$23,116.65 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, additional taxes have accrued in the amount of \$18,707.42, which will be paid at the closing, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; and

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

2<sup>nd</sup> - **RESOLVED**, that the 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 ESTATE OF JAMES E. BERDINKA a/k/a JAMES E. BERDINKA, SR., by Cathy M. Ramsey, as Administrator, 251 Weeks Mills Road, New Sharon, Maine 04955, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: \_\_\_\_\_  
County Executive of Suffolk County

Date of Approval: \_\_\_\_\_

50.1

1452

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

April 15, 2008

Tax Map No.: 1000-122.00-02.00-016.000

Name of Last Legal Fee Owner: ESTATE OF JAMES E. BERDINKA a/k/a JAMES E.  
BERDINKA, SR., by Cathy M. Ramsey as Administrator

TREASURER'S COMPUTATION - 9/7/03 - .....\$22,766.65 - already paid  
TREASURER'S COMPUTATION - 7/15/08 - .... **\$14,089.72 - to be received**

Taxes.....2007/08..... **\$ 4,617.70 - to be received**

Recording Fees collected for County Clerk.. N/A

License Fee .....\$ 350.00 - already paid

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... \$41,824.07

Monies Previously Received.....\$23,116.65

**Monies to be Received.....\$18,707.42**

**RESOLUTION AMOUNT.....\$41,824.07**

APPROVED:

PREPARED BY:

*Cathy O'Neal*

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

*Karen Adlert 4/22/08*

Accounting  
CO:sc

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1452

1. Type of Legislation

Resolution X  
Tax Map Number 1000-122.00-02.00-016.000

2. Title of Proposed Legislation

Authorizing the Director of the Division of Real Property Acquisition and Management and/or her/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                      4/15/08

COMPUTATI ] BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
1000	122.00	02.00	016.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

1452

2003/04	2461.78
2004/05	2594.19
2005/06	2630.48
2006/07	4135.64

2007/08 PROPERTY TAXES \$4617.70 NOT INCLUDED IN COMPUTATION

TOTAL: 11822.09

B. INTEREST DUE	1596.69
C. TOTAL	13418.78
D. 5% LINE C	670.94
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

\$14,089.72

4617.70 07/08

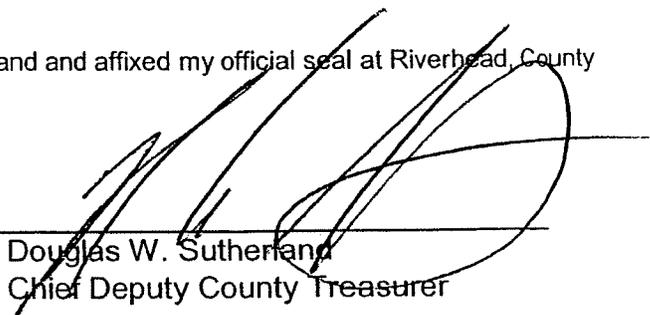
\$18707.42 1/29/08 ef

**CERTIFICATION BY COUNTY TREASURER**

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

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

17-Jan-08

  
 \_\_\_\_\_  
 Douglas W. Sutherland  
 Chief Deputy County Treasurer

\*\*Interest and penalty computed to and including 07/15/08

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
1000	122.00	02.00	016.000

1452

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

1997/98	3898.69
1998/99	4072.20
1999/00	3960.13
2000/01	3527.45
2001/02	3118.05

2002/2003 TAXES \$ 2,682.58  
NOT INCLUDED IN  
COMPUTATION.

TOTAL: 18576.52

B. INTEREST DUE	551.17
C. TOTAL	19127.69
D. 5% LINE C	956.38
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

ADD 02/03 TAXES

\$20,084.07  
2,682.58

TOTAL

22,766.65

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.

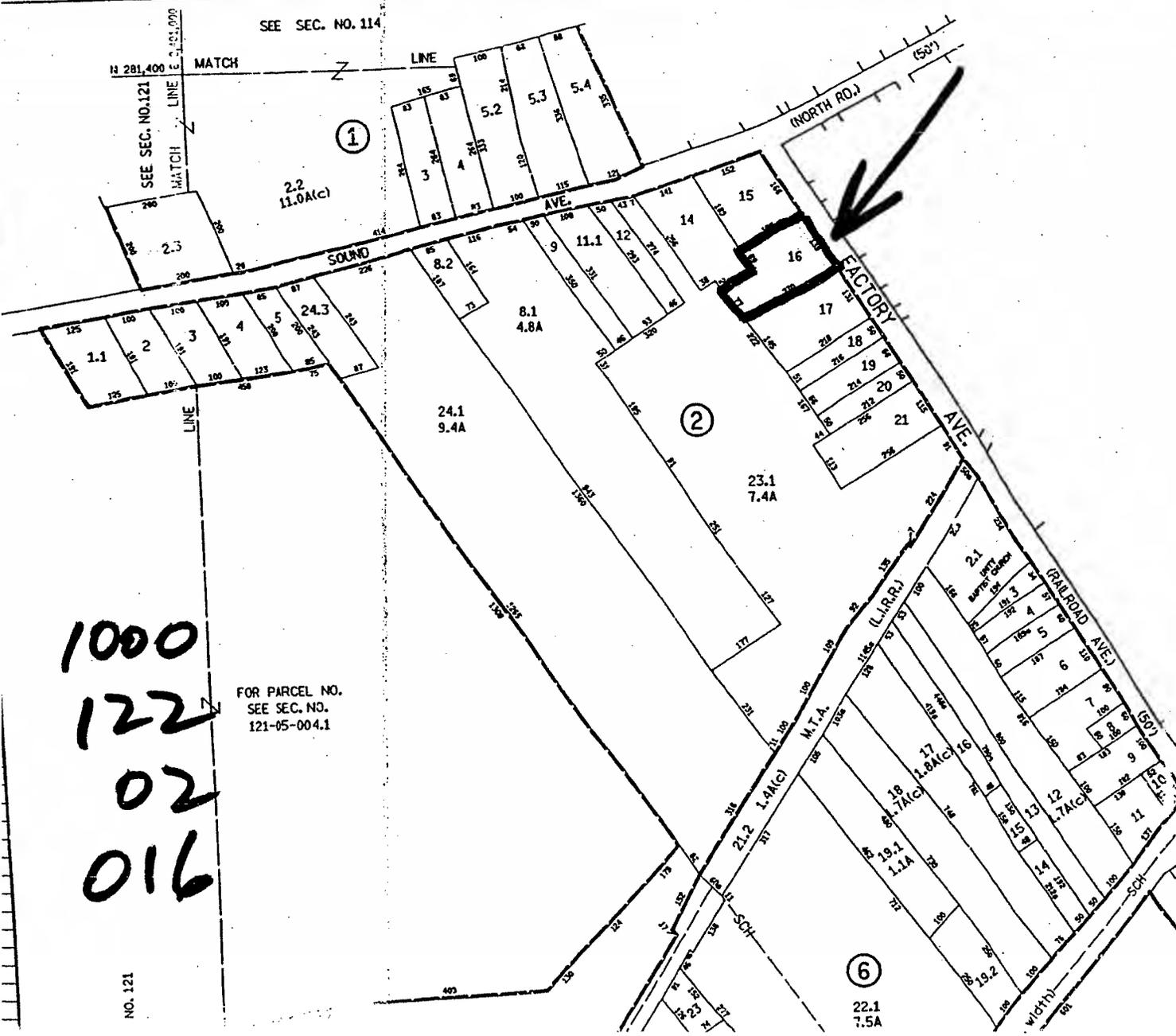
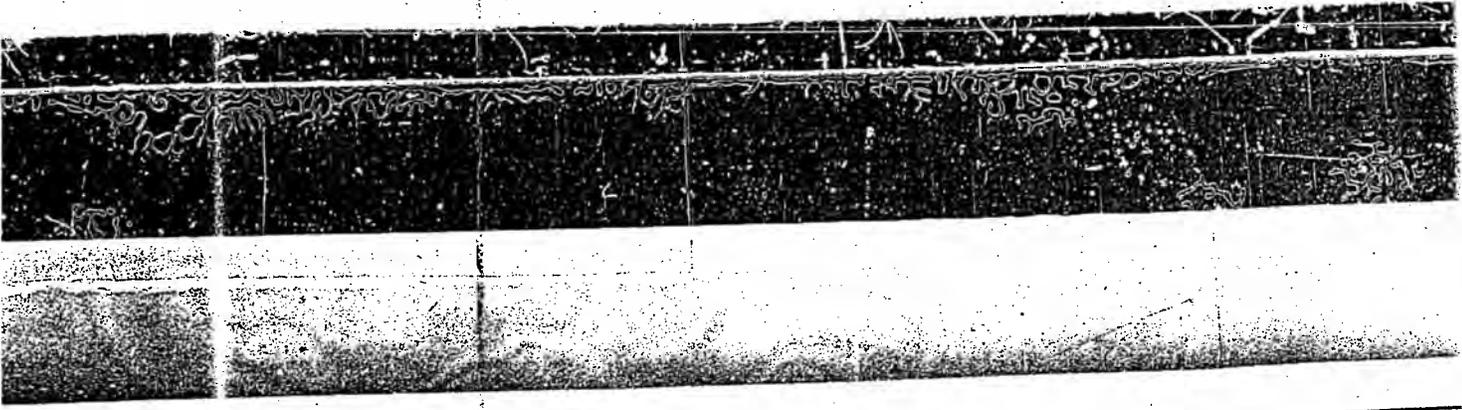
11-Mar-03



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 09/07/03

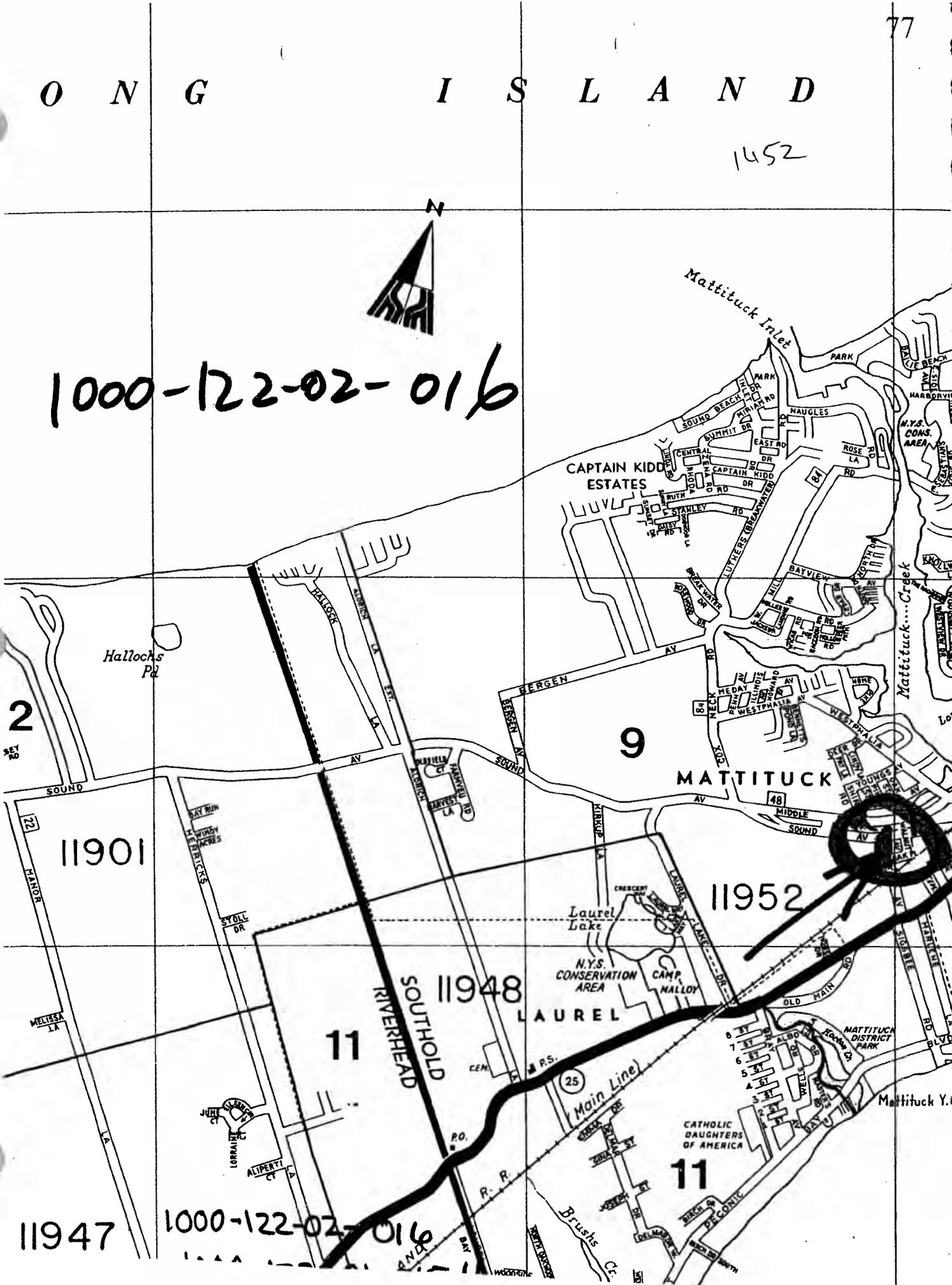
1452



O N G I S L A N D

1452

1000-122-02-016



2

11901

9

MATTITUCK

11952

11948

LAUREL

11

SOUTHOLD RIVERHEAD

11

11947

1000-122-02-016

Main Line

Brushs Ct.

COUNTY OF SUFFOLK

APR 29 2008

Gen A 78



1452

CHRISTOPHER E. KENT  
DIVISION DIRECTOR

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER  
COMMISSIONER

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

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

April 25, 2008

Re: Tax Map No. 1000-122.00-02.00-016.000  
ESTATE OF JAMES E. BERDINKA a/k/a JAMES E. BERDINKA, SR., by  
Cathy M. Ramsey as Administrator

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

Intro Res. No. **1453-08** Laid on Table **5/13/08**  
 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 #298

**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.

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
<b>BROOKHAVEN:</b>				
<b>0200-788.00-03.00-003.001</b>	<b>2007/08</b>	<b>\$6189.59</b>	<b>\$0.00</b>	<b>\$6189.59</b>

Dated:

Approved By:

---

Suffolk County Executive

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1453

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 4 is "yes," on what will it impact? (Circle appropriate category)

<b>County</b>	<b>Town</b>	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  
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* 4/17/08

**Additional back-up material regarding 1453 is filed  
with the Legislative Clerk's Office, Hauppauge.**

1454  
Intro. Res. No. -2008  
Introduced by Legislator Stern

Laid on Table 5/13/2008

**RESOLUTION NO. -2008, AMENDING THE 2008  
OPERATING BUDGET AND TRANSFERRING FUNDS FOR  
THE CONTRACTED AGENCY SOAR FOUNDATION, INC.**

**WHEREAS**, the 2008 Operating Budget does not include sufficient funds for the SOAR Foundation, Inc.; and

**WHEREAS**, it is the desire of the Suffolk County Legislature to amend the 2008 Operating Budget and transfer \$5,000 to the contracted agency SOAR Foundation, Inc.; and

**WHEREAS**, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the 2008 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	8050	JCY1	4980	Hills Foundation for Enhancement and Enrichment for Children	-\$5,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	8050	XXXX	4980	SOAR Foundation, Inc.	+\$5,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the SOAR Foundation, Inc.; and it be further

**3<sup>rd</sup> RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the SOAR Foundation, Inc.

DATED:

APPROVED BY:

Intro. Res. No. 1455-2008  
 Introduced by Presiding Officer Lindsay

Laid on Table 5/13/2008

**RESOLUTION NO. -2008, AMENDING THE 2008  
 OPERATING BUDGET AND TRANSFERRING FUNDS TO  
 NORTH AMITYVILLE COMMUNITY ECONOMIC COUNCIL  
 (NACEC)**

**WHEREAS**, the 2008 Operating Budget does not include sufficient funds for the North Amityville Community Economic Council in the Youth Bureau; and

**WHEREAS**, it is the desire of the Suffolk County Legislature to amend the 2008 Operating Budget and transfer \$16,000 to the contracted agency North Amityville Community Economic Council; and

**WHEREAS**, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the 2008 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY &amp; OBJECT NAME</u>	<u>AMOUNT</u>
001	ECD	6410	AMJ1	4980	North Amityville Community Economic Council	-\$16,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY &amp; OBJECT NAME</u>	<u>AMOUNT</u>
001	EXE	7320	XXXX	4980	North Amityville Community Economic Council	+\$16,000

**2<sup>nd</sup> RESOLVED**, that the County Executive's Budget Office is authorized to assign a new activity (pseudo) code for the North Amityville Community Economic Council; and it be further

**3<sup>rd</sup> RESOLVED**, that the monies appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the North Amityville Community Economic Council.

DATED:

APPROVED BY:

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

Date:

1456

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

Laid on Table 5/13/2008

**RESOLUTION NO. -2008, AMENDING THE 2008  
 OPERATING BUDGET TO FUND THE LAKE GROVE  
 BEAUTIFICATION & HISTORICAL SOCIETY**

**WHEREAS**, Lake Grove was settled in the early 1700's and is one of Suffolk County's oldest communities; and

**WHEREAS**, The Lake Grove Beautification & Historical Society has promoted programs and projects to foster a true sense of the Village of Lake Grove for the residents of Suffolk County as well as visitors to the area; and

**WHEREAS**, it is the desire of the Suffolk County Legislature to assist in funding the Lake Grove Beautification & Historical Society in their efforts; and

**WHEREAS**, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

**1<sup>ST</sup> RESOLVED**, that the 2008 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY &amp; OBJECT NAME</u>	<u>AMOUNT</u>
001	ECD	6410	JCA1	4980	Lake Grove Chamber of Commerce	-\$5,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY &amp; OBJECT NAME</u>	<u>AMOUNT</u>
001	ECD	6410	XXXX	4980	Lake Grove Beautification & Historical Society	+\$5,000

and be it further

**2<sup>ND</sup> RESOLVED**, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the Lake Grove Beautification & Historical Society; and be it further

**3<sup>RD</sup> RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Lake Grove Beautification & Historical Society.

DATED:

APPROVED BY:

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

Date:

T:\BROIR 2008 OB amendment Lake Grove Beautification & Historical Society.doc

**UPDATED VERSION AS OF 5/8/2008**

Intro. Res. No. 1457-2008  
 Introduced by Legislator Alden

Laid on Table 5/13/2008

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW  
 NO. -2008, A LOCAL LAW TO ADOPT A FULL COST  
 DISCLOSURE POLICY FOR LAND ACQUISITION  
 RESOLUTIONS**

**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 ADOPT A FULL COST DISCLOSURE POLICY FOR LAND ACQUISITION RESOLUTIONS;" 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 ADOPT A FULL COST DISCLOSURE POLICY  
 FOR LAND ACQUISITION RESOLUTIONS**

**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 land acquisition programs have committed more than \$1 billion through 2013 to preserving the rural character of Suffolk County and have won national recognition for preserving the environment and protecting drinking water.

This Legislature also finds and determines that Suffolk County's purchase of farmland development rights has insured that farming will continue as a way of life in Suffolk County for generations to come.

This Legislature further finds that the preservation of the environment comes with costs. There are two cost elements to every acquisition consisting of firstly, the current cost of the acquisition which includes the purchase price and the associated soft costs such as title insurance, surveys, and current taxes and secondly, the future costs which include the stewardship of the property and the loss of revenues caused by the removal of the land from the tax rolls.

This Legislature determines that in tough economic times, this Legislature must obtain and assess all relevant fiscal information before completing environmental land acquisitions. In addition to the direct acquisition costs, this Legislature should also consider the impact the acquisition will have on the County's debt service, the loss of property tax revenues and maintenance costs associated with the acquisition.

This Legislature also finds that the Division of Real Property Acquisition and Management in the County Department of Environment and Energy is the lead agency in the

County's land acquisition process and should be the vehicle to provide detailed financial, environmental, and statistical information on proposed acquisitions.

Therefore, the purpose of this law is to require that the County Legislature obtain and consider with relevant fiscal information before completing environmental land acquisitions.

**Section 2. Definitions.**

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

**ENVIRONMENTAL LAND ACQUISITION RESOLUTION:** A resolution of the County of Suffolk which authorizes the acquisition of an interest in real property for environmental protection purposes, including the acquisition of farmland development rights.

**Section 3. Disclosure Requirements.**

A.) The Division of Real Property Acquisition and Management in the County Department of Environment and Energy is hereby directed to submit, as part of any environmental land acquisition resolution, detailed information including but not limited to:

- 1.) acquisition costs;
- 2.) real estate taxes paid by jurisdiction;
- 3.) impact of the acquisition on the tax rolls of each affected jurisdiction;
- 4.) impact on the County's debt service payments; and
- 5.) stewardship and maintenance costs and benefits associated with the acquisition.

B.) No environmental land acquisition resolution shall be considered for approval by the Suffolk County Legislature unless and until it receives the information described in subsection (A) of this Section.

**Section 4. Applicability.**

This law shall apply to all land acquisition resolutions considered by the Suffolk County Legislature occurring on or after the effective date of this law.

**Section 5. Severability.**

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

**Section 6. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND

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

**Section 7. Effective Date.**

This law shall take effect on the sixtieth (60<sup>th</sup>) day immediately subsequent to filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

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

Date:

**OFFICE OF THE COUNTY LEGISLATURE**  
COUNTY OF SUFFOLK



1457

**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:** MAY 8, 2008  
**TO:** CLERK OF THE COUNTY LEGISLATURE  
**RE:** MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2008

**TITLE:** A LOCAL LAW TO ADOPT A FULL COST DISCLOSURE POLICY FOR LAND ACQUISITION RESOLUTIONS

**SPONSOR:** LEGISLATOR ALDEN

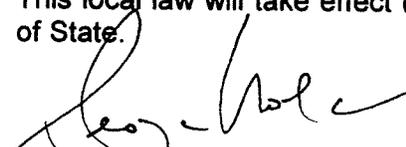
**DATE OF RECEIPT BY COUNSEL:** 4/7/2008      **PUBLIC HEARING:** 6/10/2008  
**DATE ADOPTED/NOT ADOPTED:** \_\_\_\_\_      **CERTIFIED COPY RECEIVED:** \_\_\_\_\_

This proposed local law would require the Division of Real Property Acquisition and Management to submit, as part of any environmental land acquisition resolution, the following information:

- 1.) the cost of the acquisition;
- 2.) real estate taxes paid on the parcel, by jurisdiction;
- 3.) the impact of the acquisition on the tax rolls of each affected jurisdiction;
- 4.) the impact on the County's debt service; and
- 5.) the stewardship and maintenance costs and benefits associated with the jurisdiction.

No environmental land acquisition resolution will be considered for approval by the Legislature until the fiscal information described above is provided.

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

  
**GEORGE NOLAN**  
Counsel to the Legislature

**GN:js**

s:\rule28\28-full-cost-disclosure-land-acquisition

1458

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

Laid on Table 5/13/2008

**RESOLUTION NO. -2008, AMENDING THE 2008  
 OPERATING BUDGET AND TRANSFERRING FUNDS TO THE  
 HUNTINGTON YOUTH BUREAU YOUTH DEVELOPMENT  
 RESEARCH INSTITUTE, INC.**

**WHEREAS**, the 2008 Operating Budget does not include sufficient funds for the Huntington Youth Bureau Youth Development Research Institute, Inc.; and

**WHEREAS**, it is the desire of the Suffolk County Legislature to amend the 2008 Operating Budget to provide \$10,000 to the Huntington Youth Bureau Youth Development Research Institute, Inc.; and

**WHEREAS**, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the 2008 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY &amp; OBJECT NAME</u>	<u>AMOUNT</u>
001	ECD	6410	0000	4980	Contracted Agencies	-\$10,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY &amp; OBJECT NAME</u>	<u>AMOUNT</u>
001	EXE	7320	XXXX	4980	Huntington Youth Bureau Youth Development Research Institute, Inc.	+\$10,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the Huntington Youth Bureau Youth Development Research Institute, Inc.; and be it further

**3<sup>rd</sup> RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Huntington Youth Bureau Youth Development Research Institute, Inc.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

T:\BROIR 2008 OB amendment Huntington Youth Bureau.doc

1459  
Intro. Res. No. -2008  
Introduced by Legislator Romaine

Laid on the Table 5/13/08

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW  
NO. 2008, A LOCAL LAW TO IMPOSE ONE-YEAR  
SALARY FREEZE FOR THE COUNTY EXECUTIVE AND  
COUNTY LEGISLATORS**

**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 TO IMPOSE ONE-YEAR SALARY FREEZE FOR THE COUNTY EXECUTIVE AND COUNTY LEGISLATORS**," and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

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

**A LOCAL LAW TO IMPOSE ONE-YEAR SALARY FREEZE FOR  
THE COUNTY EXECUTIVE AND COUNTY LEGISLATORS**

**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 since 2001, all County elected officials have received automatic annual salary increases equal to four percent (4%) or the rate of inflation, whichever is less.

This Legislature also finds that the County of Suffolk is facing a substantial budget shortfall in 2009 and that county employees and taxpayers may be asked to make substantial sacrifices to close this deficit.

This Legislature also determines that the County Executive and County Legislators who possess ultimate budget and policy making authority, must be willing to share in making sacrifices during these difficult economic times.

Therefore, the purpose of this local law is to eliminate the automatic salary increase for the County Executive and County Legislators in fiscal year 2009.

**Section 2. Salary Freeze.**

Annual salaries paid to the County Executive, County Legislators, the Presiding Officer of the County Legislature, and the Deputy Presiding Officer of the County Legislature shall be frozen at the 2008 level during fiscal year 2009 as calculated pursuant to Section 152-2(A) of the SUFFOLK COUNTY CODE, said freeze to expire on December 31, 2009, at which time the adjustments set forth in §152-2(A) shall once again commence to be applied against the frozen 2009 baseline salary.

**Section 3. Applicability.**

This law shall apply to salaries paid on or after January 1, 2009, and the Suffolk County Comptroller is hereby authorized, empowered, and directed to make such adjustments in biweekly paychecks of the County Executive, County Legislators, Presiding Officer of the County Legislature, and Deputy Presiding Officer of the County Legislature as shall be necessary to conform the annual salaries to the levels authorized by Section 2 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 (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 local law shall take effect immediately upon filing in the office of the Secretary of State.

DATED:

APPROVED BY:

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

Date of Approval:

S:\laws\l-salary-freeze-legislators-executive

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



1459

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: MAY 8, 2008  
TO: CLERK OF THE COUNTY LEGISLATURE  
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2008

TITLE: A LOCAL LAW TO IMPOSE ONE-YEAR SALARY FREEZE FOR THE COUNTY EXECUTIVE AND LEGISLATURE

SPONSOR: LEGISLATOR ROMAINE

DATE OF RECEIPT BY COUNSEL: 4/29/08 PUBLIC HEARING: 6/10/08

DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED:

This proposed local law would eliminate the automatic 2009 salary increase for County Legislators and the County Executive that would be provided pursuant to Section 152-2(A) of the Suffolk County Code.

The proposed salary freeze would expire on December 31, 2009 at which time the adjustments set forth in Section 152-2(A) shall once again go into effect and be applied against the frozen 2009 baseline salary.<sup>1</sup>

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

GEORGE NOLAN  
Counsel to the Legislature

GN:tm

s:\rule28\28-salary freeze

<sup>1</sup> The County Executive and County Legislators receive an annual increase equal to 4% or the amount of increase in the Consumer Price Index, whichever amount is lower.

1460

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

Laid on Table 5/13/08

**RESOLUTION NO. -2008, TO IMPLEMENT SUNDAY  
BUS SERVICE FOR S92 BUS ROUTE**

**WHEREAS**, the S92 Bus Route services the North and South Forks of Suffolk County from Orient Point through Riverhead to East Hampton; and

**WHEREAS**, this heavily utilized bus route, the county's second busiest, does not operate on a Sunday schedule, resulting in many East End residents having no access to public transportation; and

**WHEREAS**, with the price of gasoline greater than \$4.00 per gallon in some parts of the East End providing Sunday bus service will give residents an alternative means of transportation; and

**WHEREAS**, for the ninth time in a row, Suffolk County has received a grade of F for elevated ozone level and a grade of C for sooty, particulate forms of air pollution by the American Lung Association; and

**WHEREAS**, providing Sunday bus service will help reduce air pollution in Suffolk County by reducing the number of vehicles on our roadways, which will help reduce traffic congestion and idling vehicles that contribute to poor air quality. Now, therefore be it

**1st RESOLVED**, that the Commissioner of the Suffolk County Department of Public Works is hereby authorized, empowered, and directed, pursuant to §8-2(W) of the SUFFOLK COUNTY CHARTER, implement Sunday service on the S92 Bus Route servicing the North and South Forks of Suffolk County from Orient Point to East Hampton, said service shall follow the same schedule as Saturday service; and be it further

**2nd RESOLVED**, that this service shall commence 120 days subsequent to the effective date of this Resolution; and be it further

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

DATED:

APPROVED BY:

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

Date:

UPDATED VERSION AS OF 5/7/08

Intro. Res. No. 1461-2008

Laid on Table 5/13/2008

Introduced by Legislator Losquadro

**RESOLUTION NO.            -2008, ESTABLISHING COUNTY  
POLICY TO CONFIRM LEGAL STATUS OF PERSONS  
ENTERING THE PROBATION SYSTEM**

**WHEREAS**, according to a recent report by the Suffolk County Probation Department, over 950 persons currently in the probation system in Suffolk County had questionable status in terms of legal documentation; and

**WHEREAS**, a more in-depth survey subsequently determined that between 200-225 of those supervised by Probation are criminal aliens, which means that they are illegal aliens with a criminal conviction; and

**WHEREAS**, it was determined that at least 36 of those criminal aliens were sex offenders; and

**WHEREAS**, it is imperative that the Probation Department determine the legal status of all persons entering the probation system; now, therefore be it

**1st            RESOLVED**, that the Suffolk County Probation Department is hereby authorized, empowered, and directed to take all steps necessary and practicable to determine the legal status of all persons entering the probation system; and be it further

**2nd            RESOLVED**, that the Director of the Suffolk County Department of Probation shall develop policies and procedures to be followed in order to effectuate the terms this resolution; and be it further

**3rd            RESOLVED**, that the Suffolk County Department of Probation shall seek the cooperation of the Suffolk County Sheriff's Office, through the Immigration and Customs Enforcement (ICE) agents located at the Suffolk County Correctional Facility, to obtain the legal status of an individual prior to their entering the probation system; and be it further

**4th            RESOLVED**, that upon the determination by Probation that a person entering the probation system is an illegal or undocumented alien, Probation shall so advise ICE representatives; 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\probation-ice

1462  
Intro. Res. No. - 2008

Laid on Table 5/13/08

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 MANTEEN PROPERTY - CARLLS RIVER WATERSHED ADDITION (TOWN OF BABYLON - SCTM#0100-083.00-01.00-156.000 & 0100-083.00-01.00-157.000)**

**WHEREAS**, Article XII of the SUFFOLK COUNTY CHARTER established the Old Suffolk County Drinking Water Protection Program, as amended and effective as of November 30, 2000, the first priority of which being the acquisition of qualified lands to be funded by revenues generated by the quarter percent (1/4%) sales and compensating use tax; and

**WHEREAS**, in compliance with Sections C12-3(B) and (C) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, prior to the Division Director of the Division of Real Property Acquisition and Management entering into any negotiations for the acquisition of, and consummation of acquisition of any such parcel, the Board of Trustees of the Department of Parks, Recreation and Conservation shall review and recommend its acquisition; and

**WHEREAS**, adequate funding is provided for, under the Old Suffolk County Drinking Water Protection Program, pursuant to Section C12-5(E)(1)(a) of Article XII of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for the acquisition of such land; and

**WHEREAS**, Resolution No. 877-2005, authorized planning steps for the acquisition of the subject property; and

**WHEREAS**, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; and

**WHEREAS**, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution No. 1081-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 - Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and 877-2005 - Master Lists I and II Reports; respectively; and

**WHEREAS**, the following property(s), as described in the 1<sup>st</sup> Resolved, is listed in Resolution No. 625,2004 - Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 - Master Lists I and/or II Reports, respectively; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(a), as amended and effective as of November 30, 2000, for a total purchase price of One Hundred Fifty Thousand Dollars (\$150,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0100 Section 083.00 Block 01.00 Lot 156.000	8,000 s.f.	Sabir and Yvonee Manteen 128 North 24 <sup>th</sup> Street Wheatly Heights, NY 11798
No.2	District 0100 Section 083.00 Block 01.00 Lot 157.000	8,000 s.f	Same as above

; and, be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of One Hundred Fifty Thousand Dollars (\$150,000.00), subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$150,000.00, subject to a final survey, from previously appropriated funds in MY-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

**4<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

**5<sup>th</sup> RESOLVED**, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreation use; and, be it further

**6<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATE:

APPROVED BY:

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

Date of Approval:

Gen B1 101  
1462

COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

APR 17 2008

CARRIE MEEK GALLAGHER  
COMMISSIONER  
CHRISTOPHER E. KENT  
DIRECTOR

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

April 18, 2008

Mr. Ben Zwirn, Asst. Deputy County Executive  
H. Lee Dennison Building -11<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Manteen property (Carlls River Watershed Addition), in the Town of Babylon, under the Old Suffolk County Drinking Water Protection Program. The purchase price is \$150,000.00+ for 16,000+ square feet.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent  
Director

CEK:pd

Att.

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

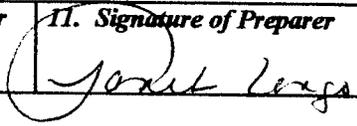
LOCATION  
H. LEE DENNISON BLDG. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

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

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

1462

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/>	Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>
2. Title of Proposed Legislation Authorizing the acquisition under the Old Suffolk County Drinking Water Protection Program, of the Manteen property (Carlls River Watershed Addition), SCTM#0100-083.00-01.00-156.000 & 157.000, (Town of Babylon).		
3. Purpose of Proposed Legislation  See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:  N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  N/A		
8. Proposed Source of Funding  Old Suffolk County Drinking Water Protection Program		
9. Timing of Impact  N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer 	12. Date April 18, 2008

Intro. Res. No. <sup>1463</sup> 2008  
 Introduced by the Presiding Officer on request of the County Executive and Legislator  
 Losquadro

Laid on Table

5/13/08

**RESOLUTION NO. -2008, AUTHORIZING  
 ACQUISITION OF LAND UNDER THE SUFFOLK  
 COUNTY OPEN SPACE PRESERVATION PROGRAM –  
 FOR THE ROVERSE ESTATE PROPERTY – MILLER  
 PLACE/YAPHANK ROAD NP ADDITION (TOWN OF  
 BROOKHAVEN – SCTM#0200-213.00-02.00-011.000)**

**WHEREAS**, Resolution No. 762-1986 established a Capital Budget and Program for the acquisition of land designated as the Open Space Preservation Program and appropriated sixty million dollars (\$60,000,000.00) in connection therewith; and

**WHEREAS**, subsequent resolutions have been adopted to increase funding for the Open Space Preservation Program; and

**WHEREAS**, any of these proposed acquisitions shall be consummated in accordance with and subject to the provisions of Resolution 762-1986 establishing and outlining the role of the Board of Trustees of the Department of Parks, Recreation and Conservation in connection with such Open Space acquisitions; and

**WHEREAS**, Resolution No. 877-2005 authorized planning steps for acquisition of the subject property; and

**WHEREAS**, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; and

**WHEREAS**, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution No. 1081-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and 877-2005 – Master Lists I and II Reports; respectively; and

**WHEREAS**, the following property(s), as described in the 1<sup>st</sup> Resolved, is listed in Resolution No. 625,2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; now, therefore, be it

**1<sup>ST</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below for acquisition under the Suffolk County Open Space Preservation Program for a total purchase price of Ten Thousand Dollars (\$10,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title report and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200	0.9+	Estate of Eugene Roverse
	Section 213.00		Sole Heirs
	Block 02.00		Eugene Roverse
	Lot 011.000		Robert Roverse
			Charles Gambino
			Linda Kazmier
			Christopher Gambino
			Robert Gambino
			3208 Cunningham Drive
			Alexandria, VA 22309

; and be it further

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

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$10,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7144.213, Suffolk County Open Space Preservation Program, for this acquisition; and, be it further

**4<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such other actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports, and environmental audits, making tax adjustments, and executing such other documents as are required to acquire such County interest in said lands; and, be it further

**5<sup>th</sup> RESOLVED**, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

**6<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

---

County Executive of Suffolk County  
Date of Approval:

Gen 1062

1463

# COUNTY OF SUFFOLK



APR 17 2008

**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

April 18, 2008

Mr. Ben Zwirn, Asst. Deputy County Executive  
H. Lee Dennison Building -11<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Rovers Estate property (Miller Place/Yaphank Road NP Addition), in the Town of Brookhaven, under the Suffolk County Open Space Preservation Program. The purchase price is \$10,000.00 for 0.9± acres.

Please contact me if you require any additional information.

Sincerely,  
  
Christopher E. Kent  
Director

CEK:pd  
Att.

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

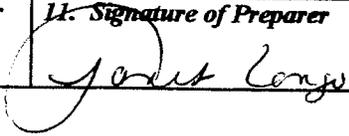
LOCATION  
H. LEE DENNISON BLDG. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

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

1463

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

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/>	Local Law <input type="checkbox"/>	Charter Law <input type="checkbox"/>
2. Title of Proposed Legislation Authorizing the acquisition under the Suffolk County Open Space Preservation Program, of the Reverse Estate property (Miller Place/Yaphank Road NP Addition), SCTM#0200-213.00-02.00-011.000, (Town of Brookhaven).		
3. Purpose of Proposed Legislation  See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:  N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  N/A		
8. Proposed Source of Funding  Suffolk County Open Space Preservation Program		
9. Timing of Impact  N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer 	12. Date April 18, 2008

Intro. Res. No. <sup>1464</sup> 2008

Laid on Table

5/13/08

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

**RESOLUTION NO. -2008, AUTHORIZING  
ACQUISITION OF LAND UNDER THE SUFFOLK  
COUNTY OPEN SPACE PRESERVATION PROGRAM –  
FOR THE - KLEIN PROPERTY – MILLER  
PLACE/YAPHANK ROAD NP ADDITION (TOWN OF  
BROOKHAVEN – SCTM#0200-188.00-05.00-010.000)**

**WHEREAS**, Resolution No. 762-1986 established a Capital Budget and Program for the acquisition of land designated as the Open Space Preservation Program and appropriated sixty million dollars (\$60,000,000.00) in connection therewith; and

**WHEREAS**, subsequent resolutions have been adopted to increase funding for the Open Space Preservation Program; and

**WHEREAS**, any of these proposed acquisitions shall be consummated in accordance with and subject to the provisions of Resolution 762-1986 establishing and outlining the role of the Board of Trustees of the Department of Parks, Recreation and Conservation in connection with such Open Space acquisitions; and

**WHEREAS**, Resolution No. 877-2005 authorized planning steps for acquisition of the subject property; and

**WHEREAS**, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; and

**WHEREAS**, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and II Reports, respectively; and

**WHEREAS**, the following property(s), as described in the 1<sup>st</sup> Resolved, is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; now, therefore, be it;

**1<sup>ST</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below for acquisition under the Suffolk County Open Space Preservation Program for a total purchase price of Eighteen Thousand Dollars (\$18,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title report and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200	0.137±	Anthony Klein
	Section 188.00		P.O. Box 323
	Block 05.00		Miller Place, NY 11764
	Lot 010.000		

; and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Open Space Preservation Program, for a purchase price of Eighteen Thousand Dollars (\$18,000.00), subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$18,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7144.213, Suffolk County Open Space Preservation Program, for this acquisition; and, be it further

**4<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such other actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports, and environmental audits, making tax adjustments, and executing such other documents as are required to acquire such County interest in said lands; and, be it further

**5<sup>th</sup> RESOLVED**, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

**6<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

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

Date of Approval:

COUNTY OF SUFFOLK

Gen B10

1464



APR 17 2008

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

April 18, 2008

Mr. Ben Zwirn, Asst. Deputy County Executive  
H. Lee Dennison Building -11<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Klein property (Miller Place/Yaphank Road NP Addition), in the Town of Brookhaven, under the Suffolk County Open Space Preservation Program. The purchase price is \$18,000.00 for 0.137± acres.

Please contact me if you require any additional information.

Sincerely,

*Christopher E. Kent*  
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)

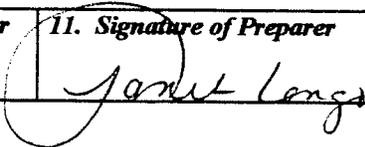
LOCATION  
LEE DENNISON BLDG. - 2<sup>nd</sup> Floor  
VETERANS MEMORIAL HIGHWAY

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

(631) 853-5900 H.  
Fax (631) 853-5906 100  
Fax (631) 853-5905

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

1464

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/>	Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>
2. Title of Proposed Legislation Authorizing the acquisition under the Suffolk County Open Space Preservation Program, of the Klein property, SCTM#0200-188.00-05.00-010.000, (Town of Brookhaven).		
3. Purpose of Proposed Legislation  See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:  N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  N/A		
8. Proposed Source of Funding  Suffolk County Open Space Preservation Program		
9. Timing of Impact  N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer 	12. Date April 18, 2008

1465

Intro. Res. No. - 2008

Laid on Table 5/13/08

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

**RESOLUTION NO. -2008 AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12- 5(E)(1)(a)] FOR THE CASAGA BUILDERS, INC. AS CONTRACT VENDEE OF THE STRUM STREET, CORP. PROPERTY - LAKE RONKONKOMA ADDITION (TOWN OF SMITHTOWN - SCTM#0800-171.00-04.00-043.000)**

**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. 1331-2006, authorized planning steps for the acquisition of the subject property; and

**WHEREAS**, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; now, therefore, be it

**1<sup>st</sup> 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 Two Hundred Eighty Thousand Seven Hundred Twenty Eight Dollars (\$280,728.00+), at Eighteen Dollars (\$18.00) per square foot for 15,596± square feet, subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0800	15,596± s.f.	Casaga Builders, Inc.
	Section 171.00		as Contract Vendee of
	Block 0400		Strum Street, Corp.
	Lot 043.000		Anthony Caldara, President

142 Roosevelt Blvd.  
Hauppauge, NY 11788

; and, be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the 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 Two Hundred Eighty Thousand Seven Hundred Twenty Eight Dollars (\$280,728.00+), subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$280,728.00+, subject to a final survey, from previously appropriated funds in MY-176-LAW-GEH2 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

**4<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

**5<sup>th</sup> RESOLVED**, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreation use; and, be it further

**6<sup>th</sup> RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

**7<sup>th</sup> 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

**8<sup>th</sup> 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:

COUNTY OF SUFFOLK

Gen 115  
B7



1465

APR 17 2008

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

April 18, 2008

Mr. Ben Zwirn, Asst. Deputy County Executive  
H. Lee Dennison Building - 11<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Casaga Builders, Inc. as Contract Vendee property (Lake Ronkonkoma Addition), in the Town of Smithtown, under the Old Suffolk County Drinking Water Protection Program. The purchase price is \$280,728.00± for 15,596± square feet.

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)

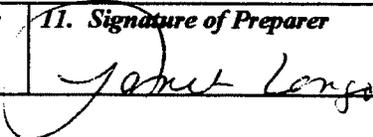
LOCATION  
H. LEE DENNISON BLDG. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

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

1465

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

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation Authorizing the acquisition under the Old Suffolk County Drinking Water Protection Program, of the Casaga Builders, Inc. as Contract Vendee property (Lake Ronkonkoma Addition), SCTM#0800-171.00-04.00-043.000, (Town of Smithtown).		
3. Purpose of Proposed Legislation  See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES ___    NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:  N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  N/A		
8. Proposed Source of Funding  Old Suffolk County Drinking Water Protection Program		
9. Timing of Impact  N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer 	12. Date April 18, 2008

1466  
Intro. Res. No. - 2008

Laid on Table

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

5/13/08

**RESOLUTION NO. -2008 AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12- 5(E)(1)(a)] FOR THE MANTEEN PROPERTY - CARLLS RIVER WATERSHED (TOWN OF BABYLON - SCTM#0100-083.00-02.00-004.000)**

**WHEREAS**, Article XII of the SUFFOLK COUNTY CHARTER established the Old Suffolk County Drinking Water Protection Program, as amended and effective as of November 30, 2000, the first priority of which being the acquisition of qualified lands to be funded by revenues generated by the quarter percent (1/4%) sales and compensating use tax; and

**WHEREAS**, in compliance with Sections C12-3(B) and (C) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, prior to the Division Director of the Division of Real Property Acquisition and Management entering into any negotiations for the acquisition of, and consummation of acquisition of any such parcel, the Board of Trustees of the Department of Parks, Recreation and Conservation shall review and recommend its acquisition; and

**WHEREAS**, adequate funding is provided for, under the Old Suffolk County Drinking Water Protection Program, pursuant to Section C12-5(E)(1)(a) of Article XII of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for the acquisition of such land; and

**WHEREAS**, Resolution No. 877-2005, authorized planning steps for the acquisition of the subject property; and

**WHEREAS**, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; and

**WHEREAS**, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution No. 1081-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and 877-2005 – Master Lists I and II Reports; respectively; and

**WHEREAS**, the following property(s), as described in the 1<sup>st</sup> Resolved, is listed in Resolution No. 625,2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under 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 Ten Thousand Dollars (\$10,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<b>SUFFOLK COUNTY</b>		<b>REPUTED OWNER</b>	
<b><u>PARCEL:</u></b>	<b><u>TAX MAP NUMBER:</u></b>	<b><u>ACRES:</u></b>	<b><u>AND ADDRESS:</u></b>
No. 1	District 0100	4,000 s.f.	Sabir Malik Manteen
	Section 083.00		138 North 24 <sup>th</sup> Street
	Block 02.00		Wheatly Heights, NY 11798
	Lot 004.000		

; and, be it further

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

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$10,000.00, subject to a final survey, from previously appropriated funds in MY-176-LAW-GDH1, under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and, be it further

**4<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

**5<sup>th</sup> RESOLVED**, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreation use; and, be it further

**6<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATE:

APPROVED BY:

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

Date of Approval:

COUNTY OF SUFFOLK

Gen 119  
BS

1466



APR 17 2008

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

April 18, 2008

Mr. Ben Zwirn, Asst. Deputy County Executive  
H. Lee Dennison Building -11<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Manteen property (Carlls River Watershed Addition), in the Town of Babylon, under the Old Suffolk County Drinking Water Protection Program. The purchase price is \$10,000.00 for 4,000± square feet.

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)

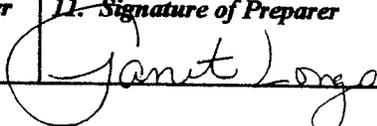
LOCATION  
H. LEE DENNISON BLDG. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

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

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

1466

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/>	Local Law
		Charter Law
2. Title of Proposed Legislation		
Authorizing the acquisition under the Old Suffolk County Drinking Water Protection Program, of the Manteen property (Carlls River Watershed Addition), SCTM#0100-083.00-02.00-004.000, (Town of Brookhaven).		
3. Purpose of Proposed Legislation		
See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Old Suffolk County Drinking Water Protection Program		
9. Timing of Impact		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Janet M. Longo Acquisition Supervisor		April 18, 2008

1467

Intro. Res. No. - 2008

Laid on Table

5/13/08

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 AUDIRSCH PROPERTY – CARLLS RIVER WATERSHED (TOWN OF BABYLON - SCTM#0100-083.00-01.00-074.000 & 0100-083.00-01.00-075.000)**

**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 and Resolution No. 435-2007 authorized planning steps for the acquisition of the subject property; and

**WHEREAS**, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; and

**WHEREAS**, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and II Reports, respectively; and

**WHEREAS**, the following property(s), as described in the 1<sup>st</sup> Resolved, is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; now, therefore, be it;

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under 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 Ninety Five Thousand Dollars (\$95,000.00), subject to a final survey; and hereby authorizes

additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0100 Section 083.00 Block 01.00 Lot 074.000	0.18±	Robert Audirsch P.O. Box 20531 55 Tulip Building 4 Floral Park, NY 11001
No. 2	District 0100 Section 083.00 Block 01.00 Lot 075.000		

; and, be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the 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 Ninety Five Thousand Dollars (\$95,000.00), subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$95,000.00, subject to a final survey, from previously appropriated funds in MY-176-LAW-GDH1 under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and, be it further

**4<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

**5<sup>th</sup> RESOLVED**, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreation use; and, be it further

**6<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATE:

APPROVED BY:

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

Date of Approval:

COUNTY OF SUFFOLK

1467

Gen 124  
36



APR 17 2008

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

April 18, 2008

Mr. Ben Zwirn, Asst. Deputy County Executive  
H. Lee Dennison Building -11<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Audrisch property (Carlls River Watershed), in the Town of Babylon, under the Old Suffolk County Drinking Water Protection Program. The purchase price is \$95,000.00 for 0.18± 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)

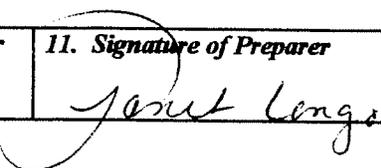
LOCATION  
H. LEE DENNISON BLDG. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

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

1467

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

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation Authorizing the acquisition under the Old Suffolk County Drinking Water Protection Program, of the Audrisch property (Carlls River Watershed), SCTM#0100-083.00-01.00-074.000 & 075.000, (Town of Brookhaven).		
3. Purpose of Proposed Legislation  See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:  N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  N/A		
8. Proposed Source of Funding  Old Suffolk County Drinking Water Protection Program		
9. Timing of Impact  N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer 	12. Date April 18, 2008

Intro. Res. No. 1468-08  
 Introduced by the Presiding Officer on request of the County Executive

Laid on Table 5/13/08

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

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

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

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

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

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

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

**I.) ENVIRONMENTAL LEGACY PROGRAM**

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

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

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

;and, be it further

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

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

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

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

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

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

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

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

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

;and, be it further

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

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

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

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

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

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

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

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

;and, be it further

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

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

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

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

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

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

APPENDIX A

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 01	District 0200 Section 589.00 Block 03.00 Lot 008.002	10.4	Luanne Gregor 185 Dayton Ave. Manorville, NY 11949
No. 02	District 0900 Section 050.00 Block 01.00 Lot 005.000	23.8	VW Enterprises, LLC 240 West End Ave. New York, NY 10023
No. 03	District 0908 Section 001.00 Block 04.00 Lot 011.000	7.6	82 Sagaponack Main LP P.O. Box 810 Bridgehampton, NY 11932
No. 04	District 1000 Section 102.00 Block 06.00 Lot 020.002 p/o	approx. 3.0	Wickhams Fruit Farm P.O. Box 928 Cutchogue, NY 11935
No. 05	District 1000 Section 103.00 Block 11.00 Lot 022.000	6.0	Jonathan Wickham Attn: Wickhams Fruit Farm P.O. Box 928 Cutchogue, NY 11935

TOTAL ACRES

50.8

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

1468

1. Type of Legislation Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>		
2. Title of Proposed Legislation  APPROVING PLANNING STEPS FOR THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS – APRIL 2008		
3. Purpose of Proposed Legislation  See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES <u>   </u> NO <u>  X  </u>		
5. If the answer to item 4 is “yes”, on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is “yes”, Provide Detailed Explanation of Impact:  N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  N/A		
8. Proposed Source of Funding  N/A		
9. Timing of Impact  N/A		
10. <i>Typed Name &amp; Title of Preparer</i> Jessica L. Kalmbacher Planner	11. <i>Signature of Preparer</i> 	12. <i>Date</i> April 28, 2008

COUNTY OF SUFFOLK

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1468



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES, AICP  
DIRECTOR OF PLANNING

April 28, 2008

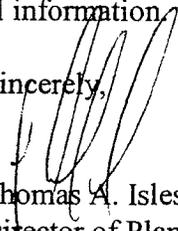
Mr. Ben Zwirn, Deputy County Executive  
H. Lee Dennison Building  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is a proposed Introductory Resolution that would authorize planning steps for the purchase of farmland development rights within the towns of Brookhaven, Southampton, and Southold and within the village of Sagaponack totaling 50.8 acres. These have all been approved by the Farmland Committee.

Please contact me if you require any additional information.

Sincerely,

  
Thomas A. Isles  
Director of Planning

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

Intro. Res. No. <sup>1469</sup> -2008  
Introduced by the Presiding Officer on Request of the County Executive

Laid on the Table 5/13/2008

**RESOLUTION NO. -2007, TO REAPPOINT  
MEMBER OF COUNTY PLANNING  
COMMISSION (ROBERT A. BRAUN, ESQ.)**

**WHEREAS**, Section 14-2 of the SUFFOLK COUNTY CHARTER provides for the appointment of fifteen (15) members of the Suffolk County Planning Commission, one member from each of the ten (10) towns in Suffolk County, one member from an incorporated village of under 5,000 population, one member from an incorporated village of over 5,000 population, and three members from the County at large; and

**WHEREAS**, the term of the Suffolk County Planning Commission member representing the Town of Smithtown expired on December 31, 2007; and

**WHEREAS**, Steve Levy, the County Executive of Suffolk has reappointed **Robert A. Braun**, currently residing at 14 Rutherford Street, St. James, New York 11780, as a member of the County Planning Commission; now, therefore be it

**1st RESOLVED**, that **Robert A. Braun**, currently residing at 14 Rutherford Street, St. James, New York 11780 is hereby reappointed as a member of the Suffolk County Planning Commission to represent the Town of Smithtown for a term of office expiring December 31, 2011.

DATED:

APPROVED BY:

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

Date of Approval:

**ROBERT A. BRAUN,  
ESQ.**

350 Veterans Memorial Highway  
Commack, NY 11725  
631-543-7667

1469

EMPLOYMENT

Present	<b>PARTNER</b>  <i>Sarisohn Law Partners, LLP</i> rated "A.V." (highest rating) by Martindale-Hubbell  Partner in charge of financial matters. Practice areas: Business, Commercial, Real Estate, and Litigation  Assistant District Attorney Kings County District Attorney's Office	January, 1982-  Commack, New York  1977-1980 Brooklyn, New York
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EXPERIENCE

- Representation in negotiation and drafting of contracts, resolution of contract disputes and litigation with government agencies and private parties
- Representation in sales and purchases of business and commercial properties, as well as residential real estate and representation of several leaders, for example, CTX Mortgage, Wells Fargo, Washington Mutual, Countrywide and Money Store at mortgage closings, both residential and commercial

INDIVIDUALACTIVITIES

- Suffolk County Bar Association
  - Real Estate, Commercial/Corporation Law Committees
  - Professional Ethics, Grievance and Fee Dispute Committees
- New York State Bar Association and American Bar Association
- American Bar Association
- Past President-Temple Beth Sholom-Smithtown, New York
- Secretary-Smithtown Rotary Club
- Past President-The Society of American Magicians
- Listed in Who's Who in American Law

1469

EDUCATION

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Juris Doctor  
*St. John's University*

May, 1976  
Jamaica, New York

Bachelor of Arts  
*Queens College, CUNY*

May, 1972  
Flushing, New York

ADMITTED TO PRACTICE

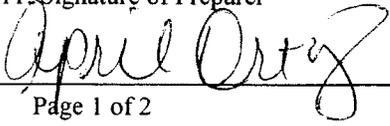
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- New York State Courts
- USDC EDNY
- USDC SDNY
- USCA 2<sup>nd</sup> Circuit
- United States Supreme Court

March, 1977  
December, 1977  
December, 1977  
January, 1978  
June, 1982

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1469

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>TO REAPPOINT MEMBER OF COUNTY PLANNING COMMISSION (ROBERT A. BRAUN)</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes</b> <b>No XX</b>		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
THE PLANNING COMMISSION IS A NON-PAYING COMMISSION.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
THERE IS NO FISCAL IMPACT, THE SUFFOLK COUNTY PLANNING COMMISSION IS NOT A PAYING COMMISSION.		
8. Proposed Source of Funding		
THERE IS NO PROPOSED FUNDING SOURCE		
9. Timing of Impact		
THERE IS NO TIMING OF IMPACT; HOWEVER THE RESOLUTION IS EFFECTIVE UPON ADOPTION.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
April N. Ortiz		5/6/08

**HOME RULE MESSAGE REQUESTING STATE OF  
NEW YORK TO AMEND THE CIVIL SERVICE LAW,  
IN RELATION TO RESOLUTION OF DISPUTES  
BETWEEN A PUBLIC EMPLOYER AND SUFFOLK  
COUNTY PARK POLICE OFFICERS (SENATE BILL  
S.4690-A)**

**WHEREAS**, Section 209(4)(c) of the New York Civil Service Law provides for mandatory arbitration in the event that an impasse is reached in collective bargaining negotiations between a municipality, such as the County of Suffolk, and employee organizations representing members of any organized fire department, police force, or police department; and

**WHEREAS**, binding arbitration for firefighters and police was initially adopted in 1974 to provide a fair and timely method for resolving contractual disputes involving police and firefighters and in turn to avoid strikes by employees who provide critical public safety services; and

**WHEREAS**, binding arbitration for compensatory issues was thereafter extended to State Police and State Correction Officers and deputy sheriffs; and

**WHEREAS**, binding arbitration was extended to Suffolk County Correction Officers in 2005; and

**WHEREAS**, similar to State Police, local police officers, deputy sheriffs, and correction officers, Park Police Officers face inherent dangers on a daily basis while performing analogous public safety services; and

**WHEREAS**, it is logical to extend the binding arbitration law to include Suffolk County Park Police Officers in order to ensure orderly continuous protection of the public during protracted county contract negotiations; now, therefore, be it

**1st RESOLVED**, that this Legislature hereby requests the State of New York to enact Senate Bill S.4690-A amend the Civil Service Law by extending the Binding Arbitration Law provisions to Suffolk County Park Police Officers; and be it further

**2nd RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor Eliot Spitzer; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:

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Thursday, April 17, 2008

**Bill Text - S04690**[Back](#) | [New York State Bill Search](#) | [Assembly Home](#)[See Bill Summary](#)

## S T A T E   O F   N E W   Y O R K

4690--A

Cal. No. 652

2007-2008 Regular Sessions

I N   S E N A T E

April 20, 2007

Introduced by Sen. TRUNZO -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, amended on second report, ordered to a third reading, and to be reprinted as amended, retaining its place in the order of third reading

AN ACT to amend the civil service law, in relation to resolution of disputes between a public employer and Suffolk county park police officers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Subdivision 2 of section 209 of the civil service law, as
- 2 amended by chapter 190 of the laws of 2007, is amended to read as
- 3 follows:
- 4 2. Public employers are hereby empowered to enter into written agree-
- 5 ments with recognized or certified employee organizations setting forth
- 6 procedures to be invoked in the event of disputes which reach an impasse
- 7 in the course of collective negotiations. Such agreements may include
- 8 the undertaking by each party to submit unresolved issues to impartial
- 9 arbitration. In the absence or upon the failure of such procedures,
- 10 public employers and employee organizations may request the board to
- 11 render assistance as provided in this section, or the board may render
- 12 such assistance on its own motion, as provided in subdivision three of
- 13 this section, or, in regard to officers or members of any organized fire
- 14 department, or any unit of the public employer which previously was a
- 15 part of an organized fire department whose primary mission includes the
- 16 prevention and control of aircraft fires, police force or police depart-
- 17 ment of any county, city, town, village or fire or police district, or
- 18 detective-investigators, or rackets investigators employed in the office

HR 14

19 of a district attorney of a county, or in regard to any organized unit

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
{ } is old law to be omitted.

LBD10252-02-8

S. 4690--A

2

1 of troopers, commissioned or noncommissioned officers of the division of  
2 state police, or in regard to investigators, senior investigators and  
3 investigator specialists of the division of state police, or in regard  
4 to members of collective negotiating units designated as security  
5 services and security supervisors who are police officers, who are  
6 forest ranger captains or who are employed by the state department of  
7 correctional services and are designated as peace officers pursuant to  
8 subdivision twenty-five of section 2.10 of the criminal procedure law,  
9 or in regard to members of the collective negotiating unit designated as  
10 the agency law enforcement services unit who are police officers pursu-  
11 ant to subdivision thirty-four of section 1.20 of the criminal procedure  
12 law or who are forest rangers, or in regard to organized units of deputy  
13 sheriffs who are engaged directly in criminal law enforcement activities  
14 that aggregate more than fifty per centum of their service as certified  
15 by the county sheriff and are police officers pursuant to subdivision  
16 thirty-four of section 1.20 of the criminal procedure law as certified  
17 by the municipal police training council or Suffolk county correction  
18 officers OR SUFFOLK COUNTY PARK POLICE, as provided in subdivision four  
19 of this section.

20 S 2. Subdivision 2 of section 209 of the civil service law, as amended  
21 by chapter 737 of the laws of 2005, is amended to read as follows:

22 2. Public employers are hereby empowered to enter into written agree-  
23 ments with recognized or certified employee organizations setting forth  
24 procedures to be invoked in the event of disputes which reach an impasse  
25 in the course of collective negotiations. Such agreements may include  
26 the undertaking by each party to submit unresolved issues to impartial  
27 arbitration. In the absence or upon the failure of such procedures,  
28 public employers and employee organizations may request the board to  
29 render assistance as provided in this section, or the board may render  
30 such assistance on its own motion, as provided in subdivision three of  
31 this section, or, in regard to officers or members of any organized fire  
32 department, or any unit of the public employer which previously was a  
33 part of an organized fire department whose primary mission includes the  
34 prevention and control of aircraft fires, police force or police depart-  
35 ment of any county, city, except the city of New York, town, village or  
36 fire or police district, or in regard to organized units of deputy sher-  
37 iffs who are engaged directly in criminal law enforcement activities  
38 that aggregate more than fifty per centum of their service as certified  
39 by the county sheriff and are police officers pursuant to subdivision  
40 thirty-four of section 1.20 of the criminal procedure law as certified  
41 by the municipal police training council or Suffolk county correction  
42 officers OR SUFFOLK COUNTY PARK POLICE, as provided in subdivision four  
43 of this section.

44 S 3. The opening paragraph of subdivision 4 of section 209 of the  
45 civil service law, as amended by chapter 190 of the laws of 2007, is  
46 amended to read as follows:

47 4. On request of either party or upon its own motion, as provided in  
48 subdivision two of this section, and in the event the board determines  
49 that an impasse exists in collective negotiations between such employee  
50 organization and a public employer as to the conditions of employment of  
51 officers or members of any organized fire department, or any other unit

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52 of the public employer which previously was a part of an organized fire  
53 department whose primary mission includes the prevention and control of  
54 aircraft fires, police force or police department of any county, city,  
55 town, village or fire or police district, and detective-investigators,  
56 criminal investigators or rackets investigators employed in the office

S. 4690--A

3

1 of a district attorney, or as to the conditions of employment of members  
2 of any organized unit of troopers, commissioned or noncommissioned offi-  
3 cers of the division of state police or as to the conditions of employ-  
4 ment of members of any organized unit of investigators, senior investi-  
5 gators and investigator specialists of the division of state police, or  
6 as to the terms and conditions of employment of members of collective  
7 negotiating units designated as security services and security supervi-  
8 sors, who are police officers, who are forest ranger captains or who are  
9 employed by the state department of correctional services and are desig-  
10 nated as peace officers pursuant to subdivision twenty-five of section  
11 2.10 of the criminal procedure law, or in regard to members of the  
12 collective negotiating unit designated as the agency law enforcement  
13 services unit who are police officers pursuant to subdivision thirty-  
14 four of section 1.20 of the criminal procedure law or who are forest  
15 rangers, or as to the conditions of employment of any organized unit of  
16 deputy sheriffs who are engaged directly in criminal law enforcement  
17 activities that aggregate more than fifty per centum of their service as  
18 certified by the county sheriff and are police officers pursuant to  
19 subdivision thirty-four of section 1.20 of the criminal procedure law as  
20 certified by the municipal police training council or Suffolk county  
21 correction officers OR SUFFOLK COUNTY PARK POLICE, the board shall  
22 render assistance as follows:

23 S 4. Subdivision 4 of section 209 of the civil service law is amended  
24 by adding a new paragraph (i) to read as follows:

25 (I) WITH REGARD TO SUFFOLK COUNTY PARK POLICE OFFICERS THE PROVISIONS  
26 OF THIS SECTION SHALL NOT APPLY TO ISSUES RELATING TO DISCIPLINARY  
27 PROCEDURES AND INVESTIGATIONS OR ELIGIBILITY AND ASSIGNMENT TO DETAILS  
28 AND POSITIONS, WHICH SHALL BE GOVERNED BY OTHER PROVISIONS PRESCRIBED BY  
29 LAW.

30 S 5. This act shall take effect immediately, provided, however, that  
31 the amendments to subdivision 2 of section 209 of the civil service law  
32 made by section one of this act shall be subject to the expiration and  
33 reversion of such subdivision pursuant to section 3 of chapter 485 of  
34 the laws of 1990, as amended, when upon such date the provisions of  
35 section two of this act shall take effect; and provided further that the  
36 amendments to subdivision 4 of section 209 of the civil service law,  
37 made by sections three and four of this act, shall not affect the expi-  
38 ration of such subdivision and shall be deemed to expire therewith.

Contact Webmaster

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Thursday, April 17, 2008

**Bill Summary - S04690**[Back](#) | [New York State Bill Search](#) | [Assembly Home](#)[See Bill Text](#)**S04690 Summary:**

BILL NO S04690A

SAME AS No same as

SPONSOR

COSPNSR

MLTSPNSR

Amd S209, Civ Serv L

Provides procedures for resolution of disputes between a public employer and Suffolk county park police.

**S04690 Actions:**

BILL NO S04690A

04/20/2007 REFERRED TO CIVIL SERVICE AND PENSIONS  
01/09/2008 REFERRED TO CIVIL SERVICE AND PENSIONS  
03/27/2008 1ST REPORT CAL.652  
03/28/2008 2ND REPORT CAL.  
03/31/2008 AMENDED 4690A  
03/31/2008 ADVANCED TO THIRD READING

**S04690 Votes:****S04690 Memo:**

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