

Intro Res. No. 1588-08

Laid on Table 6/24/08

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 #300

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>
BROOKHAVEN:				
0200-291.00-01.00-014.001 Item #8735740	2007/08	\$5,479.29	\$0.00	\$5,479.29
0200-217.00-01.00-068.000 Item #2003522	2007/08	\$3,829.55	\$0.00	\$3,829.55

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

ResolutionXXX

Local Law

Charter Law

2. Title of Proposed Legislation

To readjust, compromise and grant refunds and charge backs on Correction of Errors/County Treasurer By: County Treasurer

3. Purpose of Proposed Legislation

To cancel or adjust taxes and make refunds and charge backs due to erroneous or improper assessments.

4. Will the Proposed Legislation Have a Fiscal Impact?

YES XXX

NO

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

County

Town

Economic Impact

Village

School District

Other (Specify):

Library District

Fire District

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

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

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

Unknown

8. Proposed Source of Funding

To be refunded from the County General Fund

9. Timing of Impact

Variable

10. Typed Name & Title of Preparer

11. Signature of Preparer

12. Date

Angie M. Carpenter
County Treasurer

Angie M. Carpenter 6/4/08

Intro. Res. No. 1589-08

Laid on Table 6/24/08

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

**RESOLUTION NO. _____, APPROVING THE
REAPPOINTMENT OF DANIEL J. MEEHAN AS A MEMBER
OF THE SUFFOLK COUNTY PLUMBING LICENSING
BOARD.**

WHEREAS, the term of office of Daniel J. Meehan, expired on December 31, 2007,
now therefore be it

RESOLVED, that the reappointment of Daniel J. Meehan of 69 Bobann Drive,
Nesconset, New York 11767 as a member of the Suffolk County Plumbing Licensing Board, for
a term of office expiring December 31, 2010, is hereby approved; said reappointment having
been made by the County Executive pursuant to the provisions of Suffolk County Code Chapter
275 Section 275-6.A.(2).

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1589

Daniel J. Meehan
69 Bobann Drive, Nesconset, New York 11767
Tele. No. 631-724-3992

Date: January 22, 1938

Education: St. Bridget RC Grammar School, graduated 1952
Queens Vocation High School, gradated 1956
Attended Brooklyn College, 1956-57

Work: Western Electric Company, 1956-1960 mechanic
New York City Fire Department, 1960 - 1980
During that time was a member of New York National
Guard, served six months active duty and three years
in the reserve.
Created The Apollo Fire Sprinkler Company in 1968 and the
Apollo Fires Safety Company in 1970 while a member of the
New York City Fire Department. I am President of both companies
and over see there daily operations.
I joined the Department of Consumer Affairs in 1986 and designed
The testing for the sprinkler industry.

Personal: I am married for the last 43 years and have resided at 69 Bobann
Drive since 1968. We have four grown children and five grand children.

1589

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation APPROVING THE REAPPOINTMENT OF DANIEL J. MEEHAN AS A MEMBER OF THE SUFFOLK COUNTY PLUMBING LICENSING BOARD.		
3. Purpose of Resolution: Same as 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): Community College
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact NO IMPACT		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A.		
8. Proposed Source of Funding N/A		
9. Timing of Impact UPON APPROVAL		
10. Typed Name & Title of Preparer SUZANNE MARTIN ADMINISTRATOR I	11. Signature of Preparer <i>Suzanne Martin</i>	12. Date 6/4/08

SIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1589

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

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

Intro. Res. No. 1590-08
Introduced by the Presiding Officer at the request of the County Executive

Laid on Table 6/24/08

**RESOLUTION NO. _____, APPROVING THE
REAPPOINTMENT OF ANGELINA M. MARKETTA
AS A MEMBER OF THE SUFFOLK COUNTY HOME
IMPROVEMENT CONTRACTORS LICENSING BOARD.**

WHEREAS, the term of office of Angelina M. Marketta, expired on December 31, 2007,
now therefore be it

RESOLVED, that the reappointment of Angelina M. Marketta of 17 West Drive, Kings
Park, New York 11754 as a member of the Suffolk County Home Improvement Contractors
Licensing Board, for a term of office expiring December 31, 2010, is hereby approved; said
reappointment having been made by the County Executive pursuant to the provisions of Suffolk
County Code Chapter 345 Section 345-25.A.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Angie M. Marketta
Vista Building Concepts
MarkettaUSA.
17 West Drive
Kings Park, NY 11754
(631)544-4133
E:mail: Marketta@optonline.net

1590

RE: Angelina M. Marketta

She is owner of Vista Building Concepts a kitchen design business. She specializes in kitchen and bath designs under the name of Kitchens by AngelinaRose. While her company was formed in 1991, she has been in the construction industry for over twenty-five years. She was one of two women on Long Island which held a Certificate as a Certified Remodeler with the National Association of the Remodeling Industry (NARI). During that time she had attended many construction-related conventions, forums and conferences throughout the United States and Canada. She frequently attends educational and business-related programs to keep abreast of new developments and opportunities in the construction industry.

Besides her kitchen business she also has a company, MarkettaUSA. This is an Internet Marketing UnFranchise with Market America. This company specializes with one to one clients and mass customazation opportunities. The parent company is located in Greenboro, North Carolina. Currently, she is the Local Coordinator for Suffolk, Nassau and Queens Counties.

Ms. Marketta was the President of the **Long Island Chapter of the National Association of Women in Construction (NAWIC)** from 1992 to 1995. Was a Director with the **Suffolk County Women Business Enterprise Coalition** for ten years and is still a member. Other memberships include the **LIWA, NAFE, the Suffolk County Home Improvement Board, the Kings Park Chamber of Commerce, the Smithtown Business and Professional Women's Network**, was involved with a **BOCES Community Team for "Coordinated Support for Women and Girls in Nontraditional Training"**, and was a member of the **NYS Division of Women Regional Advisory Council for Suffolk County.**

Her objective is to contribute her compassionate and past history experiences to the construction industry and promote its recognition and professionalism.

Copy to: Charles A. Gardner, Director
Office of Consumer Affairs

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1590

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
APPROVING THE REAPPOINTMENT OF ANGELINA M. MARKETTA AS A MEMBER OF THE SUFFOLK COUNTY HOME IMPROVEMENT CONTRACTORS LICENSING BOARD.		
3. Purpose of Resolution: Same as 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): Community College
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
NO IMPACT		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A.		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
UPON APPROVAL		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
SUZANNE MARTIN ADMINISTRATOR I	<i>Suzanne Martin</i>	6/4/08

SIN FORM 175b (10/95)

**FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1590

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

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

Intro. Res. No. 1591-08
Introduced by the Presiding Officer at the request of the County Executive

Laid on Table 6/24/08

**RESOLUTION NO. _____, APPROVING THE
REAPPOINTMENT OF CHRISTIAN B. LISTER AS A MEMBER
OF THE SUFFOLK COUNTY PLUMBING LICENSING
BOARD.**

WHEREAS, the term of office of Christian B. Lister, expired on December 31, 2007,
now therefore be it

RESOLVED, that the reappointment of Christian B. Lister of 26 Bayview Lane,
Amityville, New York 11701 as a member of the Suffolk County Plumbing Licensing Board, for
a term of office expiring December 31, 2010, is hereby approved; said reappointment having
been made by the County Executive pursuant to the provisions of Suffolk County Code Chapter
275 Section 275-6.A.(2).

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

CHRISTIAN B. LISTER

1591

EXPERIENCE

- 1992 - PRESENT Suffolk County Consumer Affairs Licensing Board.
- 1995 - PRESENT 50 Year Member Plumbers Local Union 200.
- 1995 Retired as Business Manager, Financial Secretary-Treasurer of Plumbers Local Union 200.
- 1993 - 1995 Vice-President Nassau, Suffolk Building Trades Council.
- 1993 - 1995 Member Honorable Robert Gaffney Labor Advisory Council.
- 1993 - 1995 Financial Secretary -Treasurer Area Wide Business Manager's Association for Plumbers Local Unions 1, 2, 200, 371.
- 1993 - 1995 Member New York State Tri-Parte Committee (Albany).
- 1992 - 1995 Business Manager, Financial Secretary-Treasurer of Plumbers Local Union 200 (Nassau and Suffolk Counties).
- 1990 Member Honorable Thomas Gulotta Labor Advisory Council.
- 1984 - 1995 Vice-President New York State Pipe Trades Association.
- 1984 - 1992 Business Manager, Financial-Secretary-Treasurer of Plumbers Local Union 457 (Nassau County).
- 1973 - 1984 Installations Manager Johnson Controls Company, covering New York area from Kingston, south, including Long Island and Southern Connecticut.
- 1973 - 1975 Instructor, Apprentice Training Classes in Plumbers Local Union 457.
- 1961 - 1972 Area-wide Plumbing Superintendent Johnson Controls Company covering Nassau, Suffolk, Brooklyn and Queens Counties.
- 1960 Foreman on various projects throughout Nassau and Suffolk Counties.
- 1959 Return to plumbing in Plumbers Local Union 457.
- 1959 Honorable discharge United States Navy Construction Battalion.
- 1957 - 1959 Served in United States Navy Construction Battalion Plumbing Department.
- 1956 - 1992 Joined Plumbers Local Union 457.

CHRISTIAN B. LISTER

1591

EDUCATION

- 1985 Attended George Meany School of Labor.
- 1967 - 1973 Purdue University 5 Year Plumbing Instructor Training Program.
- 1972 Graduated Nassau Community College, Associates Degree in Business and Computers.
- 1961 Graduated Plumbers Local Union 457 Apprenticeship 5 Year Training Program.
- 1957 Attended United States Navy Plumbing School.
- 1956 Graduated Hempstead High School.

1591

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>X</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation APPROVING THE REAPPOINTMENT OF CHRISTIAN B. LISTER AS A MEMBER OF THE SUFFOLK COUNTY PLUMBING LICENSING BOARD.		
3. Purpose of Resolution: Same as 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): Community College
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact NO IMPACT		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A.		
8. Proposed Source of Funding N/A		
9. Timing of Impact UPON APPROVAL		
10. Typed Name & Title of Preparer SUZANNE MARTIN ADMINISTRATOR I	11. Signature of Preparer <i>Suzanne Martin</i>	12. Date 6/4/08

SIN FORM 175b (10/95)

**FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1591

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

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

Intro. Res. No. 1592-08

Laid on Table 6/24/08

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

RESOLUTION NO. _____, APPROVING THE REAPPOINTMENT OF EDWARD NIELSEN III AS A MEMBER OF THE SUFFOLK COUNTY HOME APPLIANCE REPAIR LICENSING BOARD.

WHEREAS, the term of office of Edward Nielsen III, expired on December 31, 2007, now therefore be it

RESOLVED, that the reappointment of Edward Nielsen III of 10 Ingram Court, Smithtown, New York 11787 as a member of the Suffolk County Home Appliance Repair Licensing Board, for a term of office expiring December 31, 2010, is hereby approved; said reappointment having been made by the County Executive pursuant to the provisions of Suffolk County Code Chapter 345 Section 345-27.A.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Edward H. Nielsen III
10 Ingram Court
Smithtown, NY 11787-2203
516-724-4199

1592

Objective Reappointment to the Suffolk County Home Appliance Repair Board

Education 1963 Graduated Island Trees High School. Plainedge, NY
1965 Farmingdale Technical College (Electrical Technology)
1969 US Naval Electronics School
1969-1971 Hofstra University (Electrical Engineering)

Gov't Service 1980-Present Appointed to Suffolk County Appliance Home Appliance Repair Board
2000-Present Chairman of Suffolk County Home Appliance Repair Board

Military Service 1966-1969 U.S. Navy. ETN-2, Vietnam Veteran. Honorable Discharge

Business 1970-Present Established Action Appliance Repair Service Co.
Duties: Repairs of Appliances
Customer Relations
Keeping of all business Records
Computer Skills MS-DOS, Networking, Microsoft Windows, Microsoft Word, Microsoft Publisher, Microsoft Access, Quicken, Quickbooks, Qbasic programming, Internet setup and usage. Server 2003.

Organizations 1973 Elected Secretary Association of Home Appliance Service Companies Inc.
1975 Elected Vice President Association of Home Appliance Service Companies Inc.
1977 Elected President Association of Home Appliance Service Companies Inc.
1987-1997 Editor of AHASC news Bulletin
1996-1998 Editor of New York State Dental Hygiene News
2002-present Treasurer, Vice Commodore, Commodore of Setauket Yacht Club

PERSONAL Married 38 years. Resided in Smithtown for 37 years. Two Sons (Married), both college graduates. 3 Grandchildren,. Enjoy Snow skiing, Sailing and other outdoor activities

References Furnished upon Request

1592

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>X</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation APPROVING THE REAPPOINTMENT OF EDWARD NIELSEN III AS A MEMBER OF THE SUFFOLK COUNTY HOME APPLIANCE REPAIR LICENSING BOARD.		
3. Purpose of Resolution: Same as 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): Community College
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact NO IMPACT		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A.		
8. Proposed Source of Funding N/A		
9. Timing of Impact UPON APPROVAL		
10. Typed Name & Title of Preparer SUZANNE MARTIN ADMINISTRATOR I	11. Signature of Preparer <i>Suzanne Martin</i>	12. Date 6/4/08

SIN FORM 175b (10/95)

**FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1592

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

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

Intro. Res. No. 1593-08 Laid on Table
Introduced by the Presiding Officer at the request of the County Executive

6/24/08

**RESOLUTION NO. _____, APPROVING THE
REAPPOINTMENT OF FRANK DI FAZIO AS A MEMBER
OF THE SUFFOLK COUNTY ELECTRICAL LICENSING
BOARD.**

WHEREAS, the term of office of Frank DiFazio, expired on December 31, 2007, now therefore be it

RESOLVED, that the reappointment of Frank DiFazio of 81 St. Marks Lane, Islip, New York 11751 as a member of the Suffolk County Electrical Licensing Board, for a term of office expiring December 31, 2010, is hereby approved; said reappointment having been made by the County Executive pursuant to the provisions of Suffolk County Code Chapter 275 Section 275-6.A.(1).

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1593

FRANK A. DIFAZIO

**81 St. Marks Lane
Islip, New York 11751**

(516) 666-8808

Personal: Date of Birth: November 24, 1934
Place: Bronx, New York
Marital Status: Married, 2 children
Military Experience: U.S. Army 1954 – 1957 w/
Honorable Discharge

Education: Florida Southern College
Dowling College

Experience: 1959 – Present DiFazio Electric, Inc.
Chief Executive Officer 711 Grand Blvd.
Deer Park, New York

DiFazio Electric, Inc. is a leading electrical contracting company,
performing all phases of electrical construction and electrical engineering.

Clubs &

Affiliations: St. Mary's Roman Catholic Church
Southward Ho Country Club, Member & Past Vice-President
Good Samaritan Hospital, Past Trustee
Media Institute, Past Trustee
Guardian Angel, Past Board Member
Past Trustee: Long Island Commercial Bank
Suffolk County Licensing Board (1983 – Present Chairman)

Interests: Golf, Hunting, Sailing, Tennis

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1593

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
APPROVING THE REAPPOINTMENT OF FRANK DI FAZIO AS A MEMBER OF THE SUFFOLK COUNTY ELECTRICAL LICENSING BOARD.		
3. Purpose of Resolution: Same as 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): Community College
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
NO IMPACT		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A.		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
UPON APPROVAL		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
SUZANNE MARTIN ADMINISTRATOR I	<i>Suzanne Martin</i>	6/4/08

SIN FORM 175b (10/95)

**FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1593

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

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

1594

6/24/08

Intro. Res. No. -2008

Laid on Table

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2008, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
316-2008**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 316-2008; and

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

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

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

Resolution No. 316-2008

In the 3rd RESOLVED paragraph change the Appropriation No.

FROM:

TO:

001-PRO-4980

001-PRO-3199

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1595

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

Laid on the Table 6/24/08

RESOLUTION NO. 2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STRENGTHENING AND IMPROVING COUNTY ROADS (CAPITAL PROGRAM NUMBER 5014)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Strengthening and Improving County Roads; and

WHEREAS, the professional engineering services associated with the planning, design and construction of this project have been and will be performed by the staff of the Department of Public Works; and

WHEREAS, sufficient funds are not included in the 2008 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$300,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, Resolution No. 758 of 1989 approved by the County Legislature issued a SEQRA Negative Declaration for the project, therefore, the provisions of SEQRA have been complied with and no further environmental review is necessary; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-one (51) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete the Strengthening and Improving County Roads, pursuant to Section C8-2 of the Suffolk County Charter; and be it further

4th RESOLVED, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5037
 Project Title: Application and Removal of Lane Markings

	<u>Total Est'd Cost</u>	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	<u>\$2,260,000</u>	<u>\$300,000G</u>	<u>\$ 0</u>
TOTAL	\$2,260,000	\$300,000	\$ 0

Project No.: 5014
 Project Title: Strengthening and Improving County Roads

	<u>Total Est'd Cost</u>	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
Construction	<u>\$60,315,000</u>	<u>\$6,500,000B</u>	<u>\$6,800,000B</u>
TOTAL	\$60,315,000	\$6,500,000	\$6,800,000

and be it further

5th RESOLVED, that the proceeds of \$300,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5014.345 (Fund 001 Debt Service)	50	Strengthening and Improving County Roads-Construction	\$300,000

Date:

APPROVED BY:

 County Executive of Suffolk County

Date of Approval:

1595

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. 2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STRENGTHENING AND IMPROVING COUNTY ROADS (CAPITAL PROGRAM NUMBER 5014)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2009		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		June 6th, 2008

SCIN FORM 175b (10/95)

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

1595

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$27,219	\$0.05		\$0.000

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$27,219	\$0.05		\$0.000

NOTES:

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

Suffolk County
 Project Name
 General Obligation Serial Bonds
 Level Debt

1595

Term of Bonds: 15
 Amount to Bond: \$300,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2007					
5/1/2008					
11/1/2008	4.125%	\$14,843.70	\$12,375.00	\$27,218.70	\$27,218.70
			\$5,881.35	\$5,881.35	
11/1/2009	4.125%	\$15,456.00	\$5,881.35	\$21,337.35	\$27,218.70
			\$5,562.57	\$5,562.57	
11/1/2010	4.125%	\$16,093.56	\$5,562.57	\$21,656.13	\$27,218.70
			\$5,230.64	\$5,230.64	
11/1/2011	4.125%	\$16,757.42	\$5,230.64	\$21,988.06	\$27,218.70
			\$4,885.02	\$4,885.02	
11/1/2012	4.125%	\$17,448.67	\$4,885.02	\$22,333.68	\$27,218.70
			\$4,525.14	\$4,525.14	
11/1/2013	4.125%	\$18,168.42	\$4,525.14	\$22,693.56	\$27,218.70
			\$4,150.41	\$4,150.41	
11/1/2014	4.125%	\$18,917.87	\$4,150.41	\$23,068.28	\$27,218.70
			\$3,760.23	\$3,760.23	
11/1/2015	4.125%	\$19,698.23	\$3,760.23	\$23,458.47	\$27,218.70
			\$3,353.96	\$3,353.96	
11/1/2016	4.125%	\$20,510.78	\$3,353.96	\$23,864.74	\$27,218.70
			\$2,930.92	\$2,930.92	
11/1/2017	4.125%	\$21,356.85	\$2,930.92	\$24,287.78	\$27,218.70
			\$2,490.44	\$2,490.44	
11/1/2018	4.125%	\$22,237.82	\$2,490.44	\$24,728.26	\$27,218.70
			\$2,031.78	\$2,031.78	
11/1/2019	4.125%	\$23,155.13	\$2,031.78	\$25,186.92	\$27,218.70
			\$1,554.21	\$1,554.21	
11/1/2020	4.125%	\$24,110.28	\$1,554.21	\$25,664.49	\$27,218.70
			\$1,056.93	\$1,056.93	
11/1/2021	4.125%	\$25,104.83	\$1,056.93	\$26,161.77	\$27,218.70
			\$539.15	\$539.15	
11/1/2022	4.125%	\$26,140.41	\$539.15	\$26,679.55	\$27,218.70
		\$300,000.00	\$108,280.49	\$408,280.49	\$408,280.49

COUNTY OF SUFFOLK



1595

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner
DATE: May 23, 2008
RE: C.P. 5014 – Strengthening and Improving County Roads

Attached are a draft resolution and duplicate copy to appropriate the sum of \$300,000 for construction in connection with the above referenced project. The Strengthening and Improving County Roads program includes the installation of pavement markings upon completion of roadway resurfacing. It is in the County's best interest to transfer the construction funding from C.P. 5037, Application and Removal of Lane Markings, into C.P. 5014.

This project is extremely important to improve motorist safety on the County road system by upgrading/modifying pavement markings at various LIRR crossings, pedestrian crosswalks and priority intersections. Studies have shown that pavement markings are one of the most cost effective means to improve traffic safety on our roadways. These studies have also shown that adherence to pavement markings is directly related to the quality of the markings. Highly visible, well defined pavement markings and markers provide a driving environment free from confusion and therefore reduce accidents.

Locations to be progressed under this project include, but are not limited to, the attached list. It may be necessary to add and/or substitute other roads and/or revise limits of work due to seasonal limitations, changes in priorities or other requirements to be determined by this Department.

The Suffolk County Council on Environmental Quality had previously reviewed projects of a similar nature and determined that they constitute Type II actions and would not have a significant effect on the environment. The Suffolk County Legislature concurred with this finding pursuant to Resolution 758-1989.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP 5014.doc".

TL:WH:er
attach.

- cc: Jim Morgo, Chief Deputy County Executive
- Brendan Chamberlain, County Executive Assistant
- Carmine Chiusano, Chief Financial Analyst
- Gilbert Anderson, P.E., Commissioner
- William Hillman, P.E., Chief Engineer
- William Chandler, Federal Construction Projects Coordinator
- Linda Brandolf, CPA, Capital Accounting
- James Bagg, Chief Environmental Analyst

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

cro. Res. No. 1736-89
introduced by Presiding Officer Blass

Laid on Table 8/15/89

1595

45 CP 50

RESOLUTION NO. 758 - 1989, MAKING A SEQRA
DETERMINATION IN CONNECTION WITH THE PROPOSED
THERMOPLASTIC PAVEMENT MARKING CONTRACT 1989
(CP #5037)

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as "The Proposed Thermoplastic Pavement Marking Contract 1989 (CP #5037)," pursuant to S6 of Local Law No. 22-1985 which project involves installation of thermoplastic pavement markings on Suffolk County roads; and

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

WHEREAS, at their May 17, 1989 meeting, the CEQ reviewed the EAF, and information submitted by the Department of Planning; and

WHEREAS, the CEQ recommended that the above activity constitutes a Type II Action pursuant to the provisions of NYCRR S617.13(d)(6), since it is the installation of traffic control devices on existing streets, roads or highways; and

WHEREAS, the CEQ has advised the County Legislature and County Executive by memo dated June 6, 1989 of said recommendation; and

WHEREAS, S279-5(H) of the Suffolk County Administrative Code requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

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

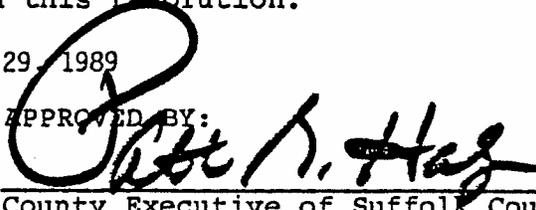
RESOLVED, that this Legislature hereby determines that the proposed thermoplastic pavement marking contract 1989 (CP #5037) constitutes a Type II Action pursuant to NYCRR S617.13(d)(6), since it is the installation of traffic control devices on existing streets, roads or highways; and be it further

RESOLVED, that a copy of this resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the Council on Environmental Quality; and be it further

RESOLVED, that in accordance with SC1-4, A(1)(d) of the County Charter and S279-5, C(4) of the County Administrative Code, CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this resolution.

DATED: August 29, 1989

APPROVED BY:


County Executive of Suffolk County

Date of Approval:

9-12-89

1596
Intro. Res. No. -2008
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 6/24/08

RESOLUTION NO. -2008, AMENDING THE ADOPTED 2008 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE PREPARATION OF STANDARD OPERATING PROCEDURES FOR PETROLEUM AND CHEMICAL STORAGE TANKS AND LEAK DETECTION SYSTEMS MANAGED BY SUFFOLK COUNTY (CP 8710)

WHEREAS, the Suffolk County Water Quality Protection and Restoration Program component of Local Law No. 35 of 1999 required that 11.25% of the total revenues generated be used for Water Quality Protection programs; and

WHEREAS, Suffolk County Water Quality Protection and Restoration Program component Local Law No. 35 of 1999 expired on November 30, 2007 and has been replaced by Local Law No. 24-2007, A Charter Law Extending and Accelerating the ¼% Drinking Water Protection Program for Environmental Protection, effective December 1, 2007; and

WHEREAS, the Suffolk County Water Quality Protection and Restoration Program component of Local Law No. 35 of 1999 still has sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection and Restoration, required to meet the 11.25% criteria established for this program; and

WHEREAS, the Suffolk County Water Quality Review Committee, pursuant to, Article XII of the SUFFOLK COUNTY CHARTER has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds; and

WHEREAS, the Suffolk County Department of Public Works has requested funding for a project that provides for the Preparation of Standard Operating Procedures for Petroleum and Chemical Storage Tanks and Leak Detection Systems Managed by Suffolk County in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, this project is recommended as part of the Long Island Estuary Programs; and

WHEREAS, this project is expected to result in the decreased probability of petroleum and chemical contamination in Suffolk County groundwater ;and

WHEREAS, funding is requested for this project through the Suffolk County Water Quality Protection and Restoration Program; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2008 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2008 Capital Budget and Program; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II Action, pursuant to Section 617.5 (c) (18), (20) and (27) of Title 6 of the NYCRR and within the meaning of Section 8-0109 (2) of the New York Environmental Conservation Law as promulgation of regulations, rules, administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy-six (76) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

4th RESOLVED, that the Adopted 2008 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Fund	\$70,000.00

and be it further

5th RESOLVED, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Water Quality Protection	\$70,000.00

(Ref. 525-CAP-IFTR-R477)

and be it further

6th RESOLVED, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8710
 Project Title: Water Quality Protection

	<u>Total Est. Cost</u>	<u>Current 2008 Capital Budget & Program</u>	<u>Revised 2008 Capital Budget & Program</u>
1. Planning	\$70,000.00	\$0	\$ 70,000.00
TOTAL	\$70,000.00	\$0	\$ 70,000.00

and be it further

7th RESOLVED, that the transfer in the amount of \$70,000.00 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.125	20	Preparation of Standard Operating Procedures for Petroleum and Chemical Storage Tanks and Leak Detection Systems Managed by Suffolk County	\$ 70,000.00

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATED:

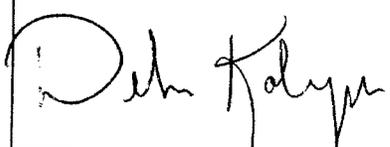
APPROVED BY:

 County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1596

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. -2008, AMENDING THE ADOPTED 2008 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE PREPARATION OF STANDARD OPERATING PROCEDURES FOR PETROLEUM AND CHEMICAL STORAGE TANKS AND LEAK DETECTION SYSTEMS MANAGED BY SUFFOLK COUNTY (CP 8710)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify): Fund 477 Water Quality
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
THIS RESOLUTION TRANSFERS FUNDS FROM FUND477, WATER QUALITY PROTECTION, TO FUND 525-THE CAPITAL FUND AND APPROPRIATES THESE FUNDS IN CAPITAL PROJECT 8710-WATER QUALITY		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Fund 477 Water Quality		
9. Timing of Impact		
UPON ADOPTION		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst		May 29, 2008

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1596

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

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

COUNTY OF SUFFOLK



1596

OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

DEPARTMENT OF ENVIRONMENT
AND ENERGY

May 12, 2008

Mr. Ben Zwirn
Deputy County Executive
H Lee Dennison Bldg. Fl. 12
Hauppauge, NY 11788-0099

Re: "Preparation of Standard Operating Procedures for Petroleum and Chemical Storage Tanks and Leak Detection Systems Managed by Suffolk County"

Dear Mr. Zwirn:

Enclosed for your approval are the original and one (1) copy of the proposed resolution appropriating the sum of \$70,000 from the Water Quality Protection and Restoration Program. There are sufficient funds included in the 2008 Operating Budget Fund 477 for this project.

The Suffolk County Water Quality Review Committee, at its April 24, 2008 meeting, approved "Preparation of Standard Operating Procedures for Petroleum and Chemical Storage Tanks and Leak Detection Systems Managed by Suffolk County" submitted by the Suffolk County Department of Public Works as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds, in an amount not to exceed \$70,000.

After your examination please place this on the Legislative Agenda as soon as possible.

Sincerely,

Carrie Meek Gallagher
Commissioner SC Department of Environment & Energy

Enc.

cc: Jim Morgo, Chief Deputy County Executive

1597

6/24/08

Intro. Res. No. -2008

Laid on Table

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

RESOLUTION NO. -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH RECONSTRUCTION OF SPILLWAYS (CP 7099)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for planning and reconstruction of spillways at Hubbard County Park, Blydenburgh County Park, Fuch's Pond, and other locations; and

WHEREAS, there are not sufficient funds within the 2008 Capital Budget and Program to cover the cost of planning for said work under Capital Program Number 7099; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$200,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being lead agency under the State Environmental Quality Review Act (SEQRA) Environmental Conservation Law, Article 8, hereby finds and determines that this law constitutes a Type II action under the provisions of Title 6 NYCRR Part 617.5 (c), (2), "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes," and the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-five (55), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No. 7099
Project Title: Reconstruction of Spillways

	Total Estimated Cost	Current 2008 Capital Program and Budget	Revised 2008 Capital Program and Budget
1. Planning	\$110,000	\$20,000B	\$60,000B
3. Construction	\$635,000	\$180,000B	\$140,000B
TOTAL	\$745,000	\$200,000	\$200,000

and be it further

4th RESOLVED, that the proceeds of \$200,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7099.112 (Fund 001 Debt Service)	26	Reconstruction of Spillways in County Parks -- Planning	\$60,000
525-CAP-7099.312 (Fund 001 Debt Service)	26	Reconstruction of Spillways in County Parks -- Construction	\$140,000

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1597

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH RECONSTRUCTION OF SPILLWAYS (CP 7099)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2009		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		June 6th, 2008

SCIN FORM 175b (10/95)

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

1597

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$18,146	\$0.03		\$0.000

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$18,146	\$0.03		\$0.000

NOTES:

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

Suffolk County
Project Name
General Obligation Serial Bonds
Level Debt

1597

Term of Bonds: 15
Amount to Bond: \$200,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2007					
5/1/2008					
11/1/2008	4.125%	\$9,895.80	\$8,250.00	\$18,145.80	\$18,145.80
			\$3,920.90	\$3,920.90	
11/1/2009	4.125%	\$10,304.00	\$3,920.90	\$14,224.90	\$18,145.80
			\$3,708.38	\$3,708.38	
11/1/2010	4.125%	\$10,729.04	\$3,708.38	\$14,437.42	\$18,145.80
			\$3,487.09	\$3,487.09	
11/1/2011	4.125%	\$11,171.61	\$3,487.09	\$14,658.71	\$18,145.80
			\$3,256.68	\$3,256.68	
11/1/2012	4.125%	\$11,632.44	\$3,256.68	\$14,889.12	\$18,145.80
			\$3,016.76	\$3,016.76	
11/1/2013	4.125%	\$12,112.28	\$3,016.76	\$15,129.04	\$18,145.80
			\$2,766.94	\$2,766.94	
11/1/2014	4.125%	\$12,611.91	\$2,766.94	\$15,378.86	\$18,145.80
			\$2,506.82	\$2,506.82	
11/1/2015	4.125%	\$13,132.15	\$2,506.82	\$15,638.98	\$18,145.80
			\$2,235.97	\$2,235.97	
11/1/2016	4.125%	\$13,673.86	\$2,235.97	\$15,909.83	\$18,145.80
			\$1,953.95	\$1,953.95	
11/1/2017	4.125%	\$14,237.90	\$1,953.95	\$16,191.85	\$18,145.80
			\$1,660.29	\$1,660.29	
11/1/2018	4.125%	\$14,825.22	\$1,660.29	\$16,485.51	\$18,145.80
			\$1,354.52	\$1,354.52	
11/1/2019	4.125%	\$15,436.76	\$1,354.52	\$16,791.28	\$18,145.80
			\$1,036.14	\$1,036.14	
11/1/2020	4.125%	\$16,073.52	\$1,036.14	\$17,109.66	\$18,145.80
			\$704.62	\$704.62	
11/1/2021	4.125%	\$16,736.56	\$704.62	\$17,441.18	\$18,145.80
			\$359.43	\$359.43	
11/1/2022	4.125%	\$17,426.94	\$359.43	\$17,786.37	\$18,145.80
		\$200,000.00	\$72,187.00	\$272,187.00	\$272,187.00

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

1597

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: BEN ZWIRN, Deputy County Executive

FROM: JOHN W. PAVACIC, Commissioner 

CC: JIM MORGO, Chief Deputy County Executive

DATE: May 9, 2008

RE: INTRODUCTORY RESOLUTION AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH RECONSTRUCTION OF SPILLWAYS (CP 7099)

Enclosed please find a draft resolution and supporting documentation related to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "Reso-PKS- Appropriating Funds for CP 7099 Reconstruction of Spillways.doc". This project will seek to reconstruct existing spillway structures primarily at three county parks: Hubbard County Park, Blydenburgh County Park, and Fuch's Pond.

Hubbard County Park, Flanders, has three such spillways in need of significant rehabilitation. Failure to take corrective actions on these structures could result in significant losses of wetland habitat and other ecologically sensitive habitats within the park.

Blydenburgh County Park, Hauppauge, features one of Long Island's most significant freshwater lakes. At approximately 120 acres in size, Stump Pond is the signature feature of the park and provides the water source for a historic mill. Stump Pond provides important recreational opportunities to Suffolk residents who enjoy fishing and paddling. This project will serve to renovate the spillway and ensure the integrity and safety of the entire impoundment.

Fuch's Pond, a freshwater impoundment located in Northport, Town of Huntington, is an important wetland community and an integral part of the larger Crab Meadow complex. The failed spillway and culvert at Fuch's have led to significant degradation of this sensitive ecological area. Replacement of the spillway is necessary to restore the integrity of the pond and adjacent parkland.

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

Enclosures



1598

Intro. Res. No. -2008

Laid on Table

6/24/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, APPROPRIATING FUNDS IN CONNECTION WITH RESTORATION OF WEST NECK FARM, HUNTINGTON (CP 7096)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for construction for restoration of West Neck Farm, Huntington; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of said improvements under Capital Program Number 7096; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$500,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8 (hereinafter "SEQRA"), Resolution Number 427-1997 determined that these actions constitute a Type I action pursuant to the provisions of Title 6 of the New York Code of Rules and Regulations (NYCRR), Part 617 and Suffolk County Local Law No. 22-1985 and 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 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment;
- 2.) Upgrades within the facility are necessary to bring it up to building and fire code standards;
- 3.) The proposed work is necessary for the restoration of the historic landmark Coindre Hall Boathouse and was approved by the Suffolk County Historic Trust; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty nine (59), is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution 461-2006; and be it further

3rd RESOLVED, that the proceeds of \$500,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7096.315 (Fund 001 Debt Service)	26	Restoration of West Neck Farm, Huntington Construction-Restoration of Boathouse and Maintenance of Dock	\$500,000

DATED:

APPROVED:

County Executive of Suffolk County

Date of Approval:

1598

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. -2008, APPROPRIATING FUNDS IN CONNECTION WITH RESTORATION OF WEST NECK FARM, HUNTINGTON (CP 7096)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u> County </u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2009		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		June 6th, 2008

SCIN FORM 175b (10/95)

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

1598

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$45,365	\$0.08		\$0.000

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$45,365	\$0.08		\$0.000

NOTES:

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

Suffolk County
Project Name
General Obligation Serial Bonds
Level Debt

1598

Term of Bonds: 15
Amount to Bond: \$500,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2007					
5/1/2008					
11/1/2008	4.125%	\$24,739.50	\$20,625.00	\$45,364.50	\$45,364.50
			\$9,802.25	\$9,802.25	
11/1/2009	4.125%	\$25,760.00	\$9,802.25	\$35,562.25	\$45,364.50
			\$9,270.95	\$9,270.95	
11/1/2010	4.125%	\$26,822.60	\$9,270.95	\$36,093.55	\$45,364.50
			\$8,717.73	\$8,717.73	
11/1/2011	4.125%	\$27,929.04	\$8,717.73	\$36,646.77	\$45,364.50
			\$8,141.70	\$8,141.70	
11/1/2012	4.125%	\$29,081.11	\$8,141.70	\$37,222.80	\$45,364.50
			\$7,541.90	\$7,541.90	
11/1/2013	4.125%	\$30,280.70	\$7,541.90	\$37,822.60	\$45,364.50
			\$6,917.36	\$6,917.36	
11/1/2014	4.125%	\$31,529.78	\$6,917.36	\$38,447.14	\$45,364.50
			\$6,267.06	\$6,267.06	
11/1/2015	4.125%	\$32,830.39	\$6,267.06	\$39,097.44	\$45,364.50
			\$5,589.93	\$5,589.93	
11/1/2016	4.125%	\$34,184.64	\$5,589.93	\$39,774.57	\$45,364.50
			\$4,884.87	\$4,884.87	
11/1/2017	4.125%	\$35,594.76	\$4,884.87	\$40,479.63	\$45,364.50
			\$4,150.73	\$4,150.73	
11/1/2018	4.125%	\$37,063.04	\$4,150.73	\$41,213.77	\$45,364.50
			\$3,386.30	\$3,386.30	
11/1/2019	4.125%	\$38,591.89	\$3,386.30	\$41,978.20	\$45,364.50
			\$2,590.35	\$2,590.35	
11/1/2020	4.125%	\$40,183.81	\$2,590.35	\$42,774.15	\$45,364.50
			\$1,761.56	\$1,761.56	
11/1/2021	4.125%	\$41,841.39	\$1,761.56	\$43,602.94	\$45,364.50
			\$898.58	\$898.58	
11/1/2022	4.125%	\$43,567.35	\$898.58	\$44,465.92	\$45,364.50
		\$500,000.00	\$180,467.49	\$680,467.49	\$680,467.49

COUNTY OF SUFFOLK



1598

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: BEN ZWIRN, Deputy County Executive

FROM: JOHN W. PAVACIC, Commissioner 

CC: JIM MORGO, Chief Deputy County Executive

DATE: May 12, 2008

RE: INTRODUCTORY RESOLUTION APPROPRIATING FUNDS IN
CONNECTION WITH RESTORATION OF WEST NECK FARM,
HUNTINGTON (CP 7096)

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS- Appropriating Funds for CP 7096 West Neck Farm.doc".

These funds are requested in order to complete restoration plans and implement construction of the restoration of the historic Boathouse and maintenance of the dock.

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

Enclosures

Intro. Res. No. 1599-08
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 6/24/08

**RESOLUTION No. – 2008, ENTERING INTO AN AGREEMENT
WITH THE COUNTY OF ONEIDA FOR SERVICES PROVIDED AT THE
CENTRAL NEW YORK PSYCHIATRIC CENTER FORENSIC UNIT**

WHEREAS, the Central New York Psychiatric Center Forensic Unit provides services at the Central New York Psychiatric Center in the County of Oneida; and

WHEREAS, said Forensic Unit has the capability of providing services for the Sheriff's Departments of surrounding counties which may have inadequate facilities for treating mentally ill inmates; and

WHEREAS, said Forensic Unit is located in Oneida County and the County of Suffolk has need, from time to time, to have prisoners treated at the Central New York Psychiatric Center; and

WHEREAS, the Oneida County Sheriff is able to provide security services at the Central New York Psychiatric Center; and

WHEREAS, the New York State Correction Law provides for the designation of substitute jails, and for the removal of prisoners from a jail to appropriate facilities for care and treatment; and

WHEREAS, the parties hereto wish to confirm their understanding and make an agreement pursuant to Section 504 of the Correction Law for security at the Central New York Psychiatric Center, in Marcy, New York for Contract County's prisoners who are in need of psychiatric care; and

WHEREAS, the parties acknowledge that Central New York Psychiatric Center will provide in-patient psychiatric services to Contract County's prisoners who meet the criteria of Section 508 of the New York State Correction Law conditioned upon available bed space and the recommendations of the examining psychiatrist at the Central New York Psychiatric Center; now therefore be it

1st RESOLVED, that, pursuant to **NEW YORK STATE CORRECTION LAW § 504**, the County Executive, or his designee, and the County Sheriff, or his designee, are authorized to execute an agreement with the County of Oneida, in substantially the form annexed; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution pertains to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; since this resolution is a Type II action, the Legislature has no further responsibilities under SEQRA;

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1599

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation ENTERING INTO AN AGREEMENT WITH THE COUNTY OF ONEIDA FOR SERVICES PROVIDED AT THE CENTRAL NEW YORK PSYCHIATRIC CENTER FORENSIC UNIT		
3. Purpose of Proposed Legislation See above.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County X	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact This contract formalizes an agreement between the Suffolk County Sheriff Department and Oneida County for services provided to mentally ill inmates. Currently this is paid on a fee for service basis using funds from the Suffolk County Sheriff Department Operating Budget.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding No additional funding required, funds included in 2008 operating budget.		
9. Timing of Impact Immediately		
10. Typed Name & Title of Preparer Tricia Saunders Assistant Executive Analyst	11. Signature of Preparer <i>T Saunders</i>	12. Date June 9, 2008

**FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1599

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

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

COUNTY OF SUFFOLK



1599

OFFICE OF THE SHERIFF

VINCENT F. DEMARCO
SHERIFF

To: Ben Zwirn, Deputy County Executive
From: Michael P. Sharkey, Chief of Staff *MJS*
Date: 05/13/2008
Re: Agreement with Oneida County for services provided at the Central N.Y.
Psychiatric Center Forensic Unit

As you are aware, pursuant to N.Y.S. Correction Law, from time to time Suffolk County needs to have some of its prisoners treated at the Central New York Psychiatric Center in Oneida County. During those times, the Oneida County Sheriff provides Correction Officers to maintain security services at that facility for us. The cost for these services is one hundred forty dollars (\$140.00) per day, per inmate.

The County Attorney's Office has requested that we formalize this agreement with the attached draft Resolution and Contract.

Thank you for your consideration in reviewing this draft resolution.

MPS/jfr

cc: Jim Morgo, Chief Deputy County Executive

Att.

AGREEMENT

1599

THIS AGREEMENT, made this **first** day of _____ **2008**, by and between the **County of Oneida**, a municipal corporation of the State of New York, with offices at 6075 Judd Road, Oriskany, New York 13424, hereinafter called "**Oneida**", through the offices of the Oneida County Sheriff, hereinafter called "**Sheriff**" and the **County of Suffolk**, a municipal corporation of the State of New York with offices at 100 Veterans Memorial Highway, Hauppauge, New York, 11788 hereinafter called "**Contract County**"

WITNESSETH

WHEREAS, the Central New York Psychiatric Center Forensic Unit provides services at the Central New York Psychiatric Center, located at P. O. Box 300, 9005 Old River Road, Marcy, New York, 13403, County of Oneida; and

WHEREAS, said Forensic Unit has the capability of providing services for the Sheriff's Departments of surrounding counties which may have inadequate facilities for treating mentally ill inmates; and

WHEREAS, such Forensic Unit is located in Oneida County and the Contract County has need, from time to time, to have prisoners treated at the Central New York Psychiatric Center; and

WHEREAS, the Oneida County Sheriff is able to provide security services at the Central New York Psychiatric Center Forensic Unit; and

WHEREAS, the New York State Correction Law provides for the designation of substitute jails, and for the removal of prisoners from a jail to appropriate facilities for care and treatment; and

WHEREAS, the parties hereto wish to confirm their understanding and make an agreement pursuant to Section 504 of the Correction Law for security at the Central New York Psychiatric Center, in Marcy, New York for Contract County's inmates who are in need of psychiatric care; and

WHEREAS, the parties acknowledge that Central New York Psychiatric Center will provide in-patient psychiatric services to Contract County's inmates who meet the criteria of Section 508 of the New York State Correction Law conditioned upon available bed space and the recommendations of the examining psychiatrist at the Central New York Psychiatric Center.

NOW, THEREFORE, the parties hereto do agree as follows:

1. The Contract County agrees to complete and obtain all applications and certificates required by Section 508 of the New York State Correction Law for the removal of its inmates to a psychiatric hospital to seek treatment. Upon completion of all required papers, the Contract County shall call the Oneida County Sheriff's Office during the business day to confirm availability of bed space. Contract County shall give as much information as possible concerning the potential admission. The psychiatrist at Central New York Psychiatric Center shall have the final decision whether to admit the Contract County's inmate.
2. The Contract County agrees to apply for and obtain, pursuant to Section 504 of the New York State Correction Law, any and all orders from the New York State Commission of Correction deemed necessary in order to designate the Oneida County Correctional Facility as a substitute jail for the confinement of the Contract County's inmates who are in need of forensic services provided herein.
3. The Contract County agrees that in the event an inmate is transferred to the custody of the Oneida County Sheriff's Office and admitted for treatment at the Central New York Psychiatric Center Forensic Unit, the Contract County will assume responsibility to:
 - (a) Notify the Director of Community Services at the Central New York Psychiatric Center. Notify the inmate's attorney. Notify the inmate's family, in the event that information on the family is available;
 - (b) Provide custody of the inmate until a body receipt is obtained from an Oneida County Sheriff's Correction Officer on duty at the Forensic Unit;
 - (c) Transport the inmate to the Central New York Psychiatric Center Forensic Unit;
 - (d) Complete and deliver with the inmate, all appropriate admission papers and other information relative to the inmate's psychiatric condition. Failure to ensure correctly completed papers will result in an inability to admit the inmate;
 - (e) Transport the inmate to and from any location outside Oneida County;
 - (f) Transport the inmate from the Central New York Psychiatric Center Forensic Unit back to the Contract County in the event that the inmate is discharged, released from custody via bail, adjudicated, or dismissed of all criminal charges.

4. Oneida County agrees to provide a Correction Officer at the Central New York Psychiatric Center Forensic Unit to guard said inmate(s) at all times after their admission into the Forensic Unit. The Contract County agrees to pay to Oneida the sum of One Hundred Forty Dollars(\$140.00) per day, per inmate for such security services.
5. Oneida County agrees to provide transportation for all inmates in need of medical care to and from local medical providers and hospitals. If an inmate committed to the Central New York Psychiatric Center Forensic Unit is subsequently treated by a medical provider, or admitted to a hospital, the Contract County shall pay for all medical expenses incurred. Within 48 hours of admission, the Contract County shall either assume custody of their inmate at the hospital or arrange for transfer of the inmate/patient to a hospital in the Contract County. In the event that an inmate is admitted into a hospital as an inpatient, said fee of \$140.00 per day shall be waived and Oneida County shall charge the Contract County the actual costs of transporting and guarding the inmate for up to 48 hours.
6. Such inmates shall be treated and housed at the Central New York Psychiatric Center Forensic Unit in Marcy, New York until such time as the Central New York Psychiatric Center's Director shall discharge said inmates in accordance with the provisions of Section 508 of the New York State Correction Law. All costs for the care and treatment of said inmates shall be defrayed in accordance with the applicable provisions of the Mental Hygiene Law and shall be the responsibility of either the Contract County or the State of New York.
7. Parties hereto agree the term of this agreement shall be for two (2) years, commencing on January 1, 2008 until December 31, 2009. With the understanding and mutual written consent of both parties, this agreement may be renewed for an additional term of one (1) year to include January 1, 2010 until December 31, 2010. Oneida County or the Contract County may cancel this agreement, with or without cause, by giving the other party a thirty (30) day written notice of its intent to terminate.
8. To the extent permitted by law, the Contract County shall indemnify and hold harmless the Oneida County Sheriff from and against all claims, costs, losses and liabilities of whatsoever nature arising out of the acts or omissions of the Contract County in connection with the Contract County's performance under this agreement, except that the Contract County shall not be liable for any claims, costs, losses and liabilities arising out of or attributable to negligence on the part of the Oneida County Sheriff or his/her correction officers, police officers and its other officers, employees or agents. In instances where the Contract County indemnifies the Oneida County Sheriff, no such claims shall be paid by

1599

the Oneida County Sheriff or Oneida County without the prior written consent of the Contract County.

IN WITNESS WHEREOF, the parties have executed this agreement on the day and year written below.

County of Suffolk

Print Name of Sheriff

Print Name of County Official

Signature of Sheriff

Signature of County Official

Approved as to legality:
Christine Malafi
Suffolk County Attorney

By: _____
Assistant County Attorney

County of Oneida

Daniel G. Middaugh
Oneida County Sheriff

Anthony J. Picente,
Oneida County Executive

**STATE OF NEW YORK
COUNTY OF SUFFOLK
(SHERIFF)**

On this _____ day of _____, _____, before me, the subscriber, personally came _____, to me known, who, being by me duly sworn, did depose and say that he resides in _____ **County** New York; that he is the **Sheriff** of the Contract County, the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that it was so affixed by virtue of the statutes of the State of New York in such case made and provided and that he signed his name thereto by virtue of such authority.

Notary Public

STATE OF NEW YORK
COUNTY OF SUFFOLK
(COUNTY EXECUTIVE)

1599

On the _____ day of _____, _____, before me, the subscriber personally appeared, _____, to me known and known to me to be the same person described in and who executed the within instrument and he duly acknowledged to me that he executed the same.

Notary Public

STATE OF NEW YORK
COUNTY OF ONEIDA

On this _____ day of _____, _____, before me, the subscriber, personally came **Daniel G. Middaugh** to me known, who, being by me duly sworn, did depose and say that he resides in the County of **Oneida**, New York; that he is the **SHERIFF** of the County of **Oneida**, the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that it was so affixed by virtue of the statutes of the State of New York in such case made and provided and that he signed his name thereto by virtue of such authority.

Notary Public

STATE OF NEW YORK
COUNTY OF ONEIDA

On the _____ day of _____, _____, before me, the subscriber personally appeared, **Anthony J. Picente, Jr**, who, being by me duly sworn, did depose and say that he resides in the County of **Oneida**, New York; that he is the **COUNTY EXECUTIVE** of the County of **Oneida**, the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that it was so affixed by virtue of the statutes of the State of New York in such case made and provided and that he signed his name thereto by virtue of such authority.

Notary Public

Intro. Res. No 1600-08

Laid on the Table 6/24/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. –2008, APPROPRIATING FUNDS IN CONNECTION WITH THE ACQUISITION AND IMPLEMENTATION OF A DISTRICT ATTORNEY CASE MANGEMENT SYSTEM (CP 1136)

WHEREAS, the Director of Information Technology has requested funds for the acquisition and implementation of a District Attorney Case Management System; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of said request; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$1,500,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) (25) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same, and the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is determined that this program with a priority ranking of forty-one (41) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the proceeds of \$1,500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1136.110 (Fund 001 Debt Service)	District Attorney Case Management System – Acquisition, Software, Design, Application Development and Implementation	\$1,200,000
525-CAP-1136.510 (Fund 001 Debt Service)	District Attorney Case Management System-	\$300,000

Equipment

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1600

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation RESOLUTION NO. -2008, APPROPRIATING FUNDS IN CONNECTION WITH THE ACQUISITION AND IMPLEMENTATION OF A DISTRICT ATTORNEY CASE MANGEMENT SYSTEM (CP 1136)		
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding SERIAL BONDS		
9. Timing of Impact 2009		
10. Typed Name & Title of Preparer Nicholas Paglia Executive Technician	11. Signature of Preparer 	12. Date June 5th , 2008

SCIN FORM 175b (10/95)

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

1600

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$300,000	\$0.56		\$0.001

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$300,000	\$0.56		\$0.001

NOTES:

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

Suffolk County

General Obligation Serial Bonds
50% Rule

1600

Term of Bonds: 5
Amount to Bonds: \$1,500,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2008					
5/1/2009			\$30,000.00	\$30,000.00	
11/1/2009	4.00%	\$ 240,000	30,000.00	270,000.00	\$300,000.00
5/1/2010			25,200.00	25,200.00	
11/1/2010	4.00%	288,000	25,200.00	313,200.00	338,400.00
5/1/2011			19,440.00	19,440.00	
11/1/2011	4.00%	312,000	19,440.00	331,440.00	350,880.00
5/1/2012			13,200.00	13,200.00	
11/1/2012	4.00%	336,000	13,200.00	349,200.00	362,400.00
5/1/2013			6,480.00	6,480.00	
11/1/2013	4.00%	324,000	6,480.00	330,480.00	336,960.00
5/1/2014			-	-	
11/1/2014	4.00%	-	-	-	-
5/1/2015			-	-	
11/1/2015	4.00%	-	-	-	-
5/1/2016			-	-	
11/1/2016	4.00%	-	-	-	-
5/1/2017			-	-	
11/1/2017	4.00%	-	-	-	-
5/1/2018			-	-	
11/1/2018	4.00%	-	-	-	-
5/1/2019			-	-	
11/1/2019	4.00%	-	-	-	-
5/1/2020			-	-	
11/1/2020	4.00%	-	-	-	-
5/1/2021			-	-	
11/1/2021	4.00%	-	-	-	-
5/1/2022			-	-	
11/1/2022	4.25%	-	-	-	-
5/1/2023			-	-	
11/1/2023	4.25%	-	-	-	-
5/1/2024			-	-	
11/1/2024	4.25%	-	-	-	-
5/1/2025			-	-	
11/1/2025	4.25%	-	-	-	-
5/1/2026			-	-	
11/1/2026	4.25%	-	-	-	-
5/1/2027			-	-	
11/1/2027	4.25%	-	-	-	-
5/1/2028			-	-	
11/1/2028	4.25%	-	-	-	-
		\$ 1,500,000	\$188,640.00	\$1,688,640.00	\$1,688,640.00

COUNTY OF SUFFOLK



MAY 20 2008

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

1600

DEPARTMENT OF INFORMATION TECHNOLOGY
NORTH COUNTY COMPLEX BLDG. 50
P.O. BOX 6100
HAUPPAUGE, NY 11788-0099
FAX (631) 853-4979

DOUGLAS A. MILLER
Director of Management Information
(631) 853-4758

TO: Ben Zwirn, Deputy County Executive
FROM:  Douglas A. Miller, Director of Management Information
DATE: May 19, 2008
SUBJECT: Capital Project #1136 – District Attorney Case Management System

We are forwarding a draft resolution requesting appropriation of \$1,500,000 for the year 2008. The resolution amount represents the monies that remain un-appropriated in Capital Project 1136. An email version of the resolution was sent to CE RESO saved under the title "Reso-ITS-CP1136-DA-CaseMangementSystem".

Program Description: This project will provide funding for a case management system to track defendants prosecuted from the time of arrest to sentencing. This all inclusive system will collect data on co-defendants, court events, the disposition of charges and sentencing information.

Funding for this project was previously included in the operating budget of the District Attorney. The project was not successfully completed and the responsibility for project implementation has been shifted to the Department of Information Technology. Information Technology's responsibilities include keeping the current system working and hiring a consultant to develop an RFP for the new system.

Operating Budget Impact: Additional staff, licensing, and maintenance costs, should be offset by an increase in productivity.

DAM/mp

Attachments: Draft Resolution
Statement Of Financial Impact
Request For Introduction of Suffolk Legislation

cc: Jim Morgo Chief Deputy County Executive

DA CASE MANAGEMENT SYSTEM ESTIMATED HARDWARE

<u>Quantity</u>	<u>Description</u>	<u>Price \$</u>
1	Dell 1855 Blade Center with 10 blades	90,000.00
2	Brocade FC Switch	30,000.00
1	Dell/EMC SAN AX\$-5F Switch	85,000.00
1	Dell 2950 Backup System Server	10,000.00
1	Dell PowerVault MD 3000	15,000.00
1	Dell Tape Management PowerVault TL 4000	10,000.00
TOTAL		240,000.00

1600

Rough Estimate

NICHOLAS E. PAGLIA JR.
EXECUTIVE TECHNICIAN



1601
Intro. Res. No. - 2008 Laid on the Table
Introduced by the Presiding Officer on request of the County Executive

6/24/08

**RESOLUTION NO. - 2008, AMENDING THE 2008
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR
PARTICIPATION IN THE TRANSPORTATION PLANNING
STUDY OF THE HAUPPAUGE INDUSTRIAL PARK (CAPITAL
PROGRAM NUMBER 5653)**

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with the Transportation Planning Study of the Hauppauge Industrial Park; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN 0758.92, with a share allocation of eighty (80%) percent Federal funds and twenty (20%) percent County funds; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal portion; and

WHEREAS, sufficient funds are not included in the 2008 Capital Budget and Program to cover the cost of said request under Capital Project 5653 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$385,262 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20) and (21) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-eight (58) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 of the Suffolk County Charter to complete the Transportation Planning Study of the Hauppauge Industrial Park; and be it further

4th **RESOLVED**, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5653
 Project Title: Transportation Planning Study of the Hauppauge Industrial Park

	<u>Total Est'd Cost</u>	<u>Current 2008 Capital Budget & Program</u>	<u>Revised 2008 Capital Budget & Program</u>
1. Planning	\$642,849	\$ 0 <u>\$ 0</u>	\$ 77,052B <u>\$308,210F</u>
TOTAL	\$642,849	\$ 0	\$385,262

and be it further

5th **RESOLVED**, that the proceeds of \$77,052 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5653.110 (Fund 001 Debt Service)	50	Transportation Planning Study of the Hauppauge Industrial Park	\$77,052

and be it further

6th **RESOLVED**, that Federal Aid in the amount of \$308,210 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5653.110	50	Transportation Planning Study of the Hauppauge Industrial Park	\$308,210

and be it further

7th **RESOLVED**, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$77,052; and be it further

8th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$308,210; and be it further

9th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$308,210; and be it further

10th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1601

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
<p>RESOLUTION NO. - 2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE TRANSPORTATION PLANNING STUDY OF THE HAUPPAUGE INDUSTRIAL PARK (CAPITAL PROGRAM NUMBER 5653)</p>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 20px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> <p>County</p> </div>	<p>Town</p>	<p>Economic Impact</p>
<p>Village</p>	<p>School District</p>	<p>Other (Specify):</p>
<p>Library District</p>	<p>Fire District</p>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED BY SUFFOLK COUNTY. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS. FEDERAL AID WILL BE 80%, COUNTY SHARE WILL BE 20%.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS FOR COUNTY SHARE \$77,052. FEDERAL AID SHARE WILL BE \$308,210.		
9. Timing of Impact		
2009		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		June 5, 2008

SCIN FORM 175b (10/95)

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

1601

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$17,369	\$0.03		\$0.000

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$17,369	\$0.03		\$0.000

NOTES:

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

Suffolk County
 Project Name
 General Obligation Serial Bonds
 Level Debt

1601

Term of Bonds: 5
 Amount to Bond: \$77,052

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2007					
5/1/2008					
11/1/2008	4.125%	\$14,190.40	\$3,178.40	\$17,368.79	\$17,368.79
			\$1,296.52	\$1,296.52	
11/1/2009	4.125%	\$14,775.75	\$1,296.52	\$16,072.27	\$17,368.79
			\$991.77	\$991.77	
11/1/2010	4.125%	\$15,385.25	\$991.77	\$16,377.02	\$17,368.79
			\$674.45	\$674.45	
11/1/2011	4.125%	\$16,019.89	\$674.45	\$16,694.34	\$17,368.79
			\$344.04	\$344.04	
11/1/2012	4.125%	\$16,680.71	\$344.04	\$17,024.75	\$17,368.79
		\$77,052.00	\$9,791.96	\$86,843.96	\$86,843.96

COUNTY OF SUFFOLK



MAY 30 2008

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

1601

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwim, Deputy County Executive
FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner
DATE: May 22, 2008
RE: C.P. 5653 – Transportation Planning Study of the Hauppauge Industrial Park

Attached is a draft resolution and duplicate copy to appropriate the sum of \$385,262 for engineering in connection with the above referenced project. There are no funds included in the 2008 Capital budget and program for this project. However, pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least 50% by Federal or State aid. This appropriation is 80% aided with Federal Highway Administration funds.

The Hauppauge Industrial Park Planning Study is funded with a federal earmark that is dispensed by the New York State Department of Transportation (NYS DOT) over a five-year program period. When the original scope of the planning study was developed, the scope of the work was confined to the available Federal aid at the time. Resolution No. 311 of 2007 appropriated \$257,587 for engineering for this project, with a share allocation of 80% Federal funding and 20% County funding. NYSDOT has now informed the County that additional federal aid is available, also with an 80/20 share allocation. Thus, the planning study scope can now be expanded to cover additional work that was originally omitted from the scope due to funding constraints.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP 5653.doc".

TL:WH:er
attach.

cc: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Chief Financial Analyst
William Hillman, P.E., Chief Engineer
William Chandler, Capital Program Manager
Linda Brandolf, CPA, Capital Accounting
James Bagg, Chief Environmental Analyst

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
FEDERAL-AID PROJECT AGREEMENT**

STATE: NEW YORK

PROJECT NO: 0758(923)

STATE PROJ. NO: 0758.92.121

THE STATE, THROUGH ITS HIGHWAY AGENCY, HAVING COMPLIED, OR HEREBY AGREEING TO COMPLY, WITH THE APPLICABLE TERMS AND CONDITIONS SET FORTH IN (1) TITLE 23, U.S. CODE, HIGHWAYS, (2) THE REGULATIONS ISSUED PURSUANT THERETO AND (3) THE POLICIES AND PROCEDURES PROMULGATED BY THE FEDERAL HIGHWAY ADMINISTRATION RELATIVE TO THE ABOVE DESIGNATED PROJECT, AND THE FEDERAL HIGHWAY ADMINISTRATION HAVING AUTHORIZED CERTAIN WORK TO PROCEED AS EVIDENCED BY THE DATE ENTERED OPPOSITE THE SPECIFIC ITEM OF WORK, FEDERAL FUNDS ARE OBLIGATED FOR THE PROJECT NOT TO EXCEED THE AMOUNT SHOWN HEREIN, THE BALANCE OF THE ESTIMATED TOTAL COST BEING AN OBLIGATION OF THE STATE. SUCH OBLIGATION OF FEDERAL FUNDS EXTENDS ONLY TO PROJECT COSTS INCURRED BY THE STATE AFTER THE FEDERAL HIGHWAY ADMINISTRATION AUTHORIZATION TO PROCEED WITH THE PROJECT INVOLVING SUCH COSTS. (R)

1601

PROJECT DESCRIPTION: HAUPPAUGE:HAUPPAUGE INDUSTRIAL PARK STUDY.

DUNS #: 83-542-2064

CLASSIFICATION OF PHASE OF WORK TO BE PUT UNDER AGREEMENT	EFFECTIVE DATE OF AUTHORIZATION
HIGHWAY PLANNING & RESEARCH	
PRELIMINARY ENGINEERING	
RIGHT-OF-WAY	
CONSTRUCTION	
MCSAP	
OTHER	12/05/2006

PROGRAM CODE	URBAN/ WITH	TOTAL COST	FEDERAL SHARE	FEDERAL FUNDS UNDER AGREEMENT	ADVANCED CONST. FUNDS
HY10		\$150,000.00	80.00%	\$102,657.00	\$17,343.00
LY10		\$597,500.00	80.00%	\$103,413.00	\$374,587.00
TOTAL		\$747,500.00		\$206,070.00	

ESTIMATED TOTAL COST: \$747,500.00
TOTAL AUTHORIZED FOR PROJECT: \$206,070.00

NEW YORK STATE DEPARTMENT OF TRANS

AVAILABLE FUNDS CERTIFIED BY:	JEFFREY ERICKSON	DATE:	12/05/2006
APPROVED AND AUTHORIZED BY:	JEFFREY ERICKSON	DATE:	12/05/2006
AGRMT/MODIFY REQUESTED BY:	PEG FARRELL	DATE:	12/06/2006

FEDERAL HIGHWAY ADMINISTRATION

PROJECT INFORMATION REVIEWED BY:	MICHAEL J. PIDGEON	DATE:	12/07/2006
APPROVAL RECOMMENDED BY:	MICHAEL J. PIDGEON	DATE:	12/07/2006
APPROVED AND AUTHORIZED BY:	MICHAEL J. FAZIOLI	DATE:	12/07/2006

STATE REMARKS: PROJECT IS PARTIALLY ADVANCE FUNDED. PROCESSING = 106C. DEMO ID = NY480. PINS ARE .121 = HY10 AND .122 = LY10. COMPLETION DATE = 12/2006.

DIVISION REMARKS:

NYSDOT/Local Agreement - Schedule A for PIN 0758.92

1601

OSC Municipal Contract #: D030270 Contract End Date: 12/31/2011 (mm/dd/yyyy)
 Check, if date changed from the last Schedule A

Purpose: Original Standard Agreement Supplemental Schedule A No. 1

Agreement Type: Locally Administered Municipality/Sponsor (Contract Payee): County of Suffolk
 Other Municipality/Sponsor (if applicable):

State Administered List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.
 Municipality: % of Cost share
 Municipality: % of Cost share
 Municipality: % of Cost share

Authorized Project Phase(s) to which this Schedule applies: PE/Design ROW Incidentals
 ROW Acquisition Construction/CI/CS

Work Type: MISC APPURTENANCES County (If different from Municipality):

Project Description (Check, if changed from last Schedule A): Hauppauge: Hauppauge Industrial Park Study
 Additional Project Description (if required):
 Marchiselli Eligible Yes No

Approved Marchiselli Allocations in Legislature's Comprehensive List FOR ALL PHASES To compute Total Costs in the last row and column, right click in each field and select "Update Field."

Check box to indicate change from last Schedule A	State Fiscal Year(s)	Project Phase			TOTAL
		PE/Design	ROW (RI & RA)	Construction/CI/CS	
<input type="checkbox"/>	Cumulative total for all prior SFYs	\$	\$	\$	\$ 0.00
<input type="checkbox"/>	Current SFY	\$	\$	\$	\$ 0.00
Authorized Allocations to Date		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

A. Summary of allocated MARCHISELLI Program Costs FOR ALL PHASES For each PIN Fiscal Share below, show current costs on the rows indicated as "Current." Show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in the last row, right click in each field and select "Update Field."

PIN Fiscal Share	"Current" or "Old" entry indicator	Federal Funding Program	Total Costs	FEDERAL Participating Share and Percentage	STATE MARCHISELLI Match	LOCAL Matching Share	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
TOTAL CURRENT COSTS:			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

NYS DOT/Local Agreement – Schedule A

B. Summary of Other (including Non-allocated MARCHISELLI) Participating Costs FOR ALL PHASES For each PIN Fiscal Share, show current costs on the rows indicated as "Current". Show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in last row, right click in each field and select "Update Field."

Other PIN Fiscal Shares	'Current' or 'Old' entry indicator	Funding Source	TOTAL	Other FEDERAL	Other STATE	Other LOCAL
0758.92.121	Current	HPP	\$129,000.00	\$103,200.00	\$0.00	\$25,800.00
	Old	HPP	\$128,621.25	\$102,657.00	\$0.00	\$25,654.25
0758.92.122	Current	HPP	\$513,850.00	\$411,080.00	\$0.00	\$102,770.00
	Old	HPP	\$128,286.25	\$103,413.00	\$0.00	\$25,653.25
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
TOTAL CURRENT COSTS:			\$642,850.00	\$514,280.00	\$ 0.00	\$128,570.00

C. Total Local Deposit(s) Required for State Administered Projects: \$0.00

D. Total Project Costs To compute Total Costs in the last column, right click in the field and select "Update Field."

Total FEDERAL Cost	Total STATE MARCHISELLI Cost	Total Other STATE Cost	Total LOCAL Cost	Total Costs (all sources)
\$514,280.00	\$0.00	\$0.00	\$128,570.00	\$642,850.00

E. Point of Contact for Questions Regarding this Schedule A (Must be completed) Name: Kevin S. Scott
Phone No: 631-952-6944

See Agreement (or Supplemental Agreement Cover) for required contract signatures.

1602

Introductory Resolution No. -2008

Laid on the Table

6/24/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2008, ACCEPTING AND APPROPRIATING A GRANT AWARD FROM THE UNITED STATES DEPARTMENT OF LABOR – EMPLOYMENT TRAINING ADMINISTRATION (DOL-ETA) FOR A COMMUNITY-BASED JOB TRAINING GRANTS INITIATIVE: TEAM 100% REIMBURSED BY FEDERAL FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, Suffolk County Community College has received a grant award from the United States Department of Labor – Employment Training Administration (DOL-ETA), in the amount of \$1,668,270, including indirect costs, for a Community-Based Job Training Grants Initiative -TEAM: Technical Education in Advanced Manufacturing, for the period of April 1, 2008 through March 31, 2011; and

WHEREAS, the program provides for training in job skills shortage areas such as welding and CNC machining skills, incorporating competencies such as communication and problem-solving, resulting in industry certification; and

WHEREAS, no matching funds are required; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the grant award on April 17, 2008 by Resolution No. 2008.25; and

WHEREAS, the College anticipates spending the \$1,668,270, including indirect costs, in accordance with the terms of said grant award by March 31, 2011; now therefore be it

1st RESOLVED, that said grant award, in the amount of \$1,668,270, including \$83,414 in indirect costs, from the United States Department of Labor – Employment Training Administration (DOL-ETA), for a three-year program, for a Community-Based Job Training Grants Initiative – TEAM: Technical Education in Advanced Manufacturing, be accepted and appropriated for the operation of the program as follows:

<u>REVENUES:</u>	<u>AMOUNT:</u>
Federal Aid: Community Based Job Training: TEAM: 818-GRT-4239-08	\$ 1,668,270
<u>APPROPRIATIONS:</u>	<u>AMOUNT:</u>
Community Based Job Training: TEAM: 818-GRT-GT45-08	\$ 1,584,856

Suffolk County Community College
Community Based Job Training: TEAM
818-GRT-GT45-08

<u>1000-Personal Services</u>	<u>\$ 947,645</u>
1100-Permanent Salaries	544,000
1130-Temporary Salaries	31,365
1170-Part-time Instructor - Evening	332,280
1560-Full-time Overload – Day	40,000

<u>2000-Equipment</u>	<u>\$ 162,624</u>
2440-Instructional Equipment	162,624
<u>3000-Supplies and Materials</u>	<u>\$ 105,736</u>
3010-Office Supplies	1,500
3040-Outside Printing	15,000
3100-Instructional Supplies	46,611
3500-Unclassified Supplies	42,625
<u>4300-Travel</u>	<u>\$ 41,400</u>
4330-Travel, Employee Contracts	2,400
4340-Travel, Other	39,000
<u>4500-Contracted Services</u>	<u>\$ 129,227</u>
4560-Fees for Services, Non-Employees	129,227
<u>8000-Employee Benefits</u>	<u>\$ 198,224</u>
8160-TIAA/CREF Retirement	73,302
8300-Workers' Comp	2,970
8330-Social Security	72,495
8350-Unemployment Insurance	2,641
8360-Health Insurance	32,401
8380-Benefit Fund Contribution	14,415

114,227

and be it further

2nd **RESOLVED**, that the following positions be created for the entire period of the grant:

Budget Line No.	Title	Spec No.	Job Classification	Bargaining Unit	Grade
2845-3001-0010	Project Director	9094	Exempt	21	33
2845-3001-0015	Training Coordinator	9179	Guild	4	Cat. IV
2845-3001-0020	Professional Assistant 1	9101	Faculty	3	Step 4

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:



1602

Office of the President

BOARD OF TRUSTEES

April 17, 2008

RESOLUTION NO. 2008.25 ACCEPTING A GRANT AWARD FOR A COMMUNITY-BASED JOB TRAINING GRANT: TECHNICAL EDUCATION IN ADVANCED MANUFACTURING (TEAM)

WHEREAS, Suffolk County Community College has received a grant award from the United States Department of Labor – Employment Training Administration (DOL-ETA), in the amount of \$1,668,270, for a Community-Based Job Training Grant, "TEAM: Technical Education in Advanced Manufacturing," for the period of April 1, 2008 through March 31, 2011, and

WHEREAS, the program provides funds for training in job skills shortage areas such as welding and CNC machining skills, incorporating competencies such as communication and problem-solving, resulting in industry certification, and

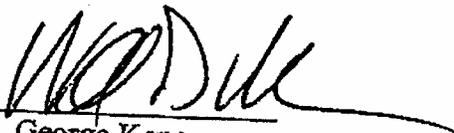
WHEREAS, matching funds are not required, be it therefore

RESOLVED, that a grant award, in the amount of \$1,668,270, including indirect costs, from the United States Department of Labor – Employment Training Administration (DOL-ETA), for a Community-Based Job Training Grant, "TEAM: Technical Education in Advanced Manufacturing," beginning during the 2007-2008 fiscal year, and completing during the 2010-2011 fiscal year, is hereby accepted, and the College President or her designee is authorized to execute a contract with the administering agency.

Project Director: John Lombardo

Note: 3 full-time positions for the entire grant period:

- Project Director
- Training Coordinator
- Professional Assistant


 George Kane
 Secretary

Central Administration
 533 College Road
 Selden, NY 11784-2899
 (631) 451-4112

Ammerman Campus
 533 College Road
 Selden, NY 11784-2899
 (631) 451-4110

Western Campus
 Crooked Hill Road
 Brentwood, NY 11717-1092
 (631) 251-8700

Eastern Campus
 121 Speonk-Riverhead Road
 Riverhead, NY 11901-3499

1602

Board of Trustees Meeting
Date: April 17, 2008

ABSTRACT

Subcontract ____ Grant X Proposal ____

Funding Source U. S. Department of Labor
Employment Training Administration (DOL-ETA)

Project Name: TEAM: Technical Education in Advanced Manufacturing
Project Director: John Lombardo

Project Period: April 1, 2008 through March 31, 2011
Campus: Corporate Training Center – Grant Campus

Amount of Award: \$1,668,270
Match/Fees: No Match Required
Total Program Budget: \$1,668,270
In-kind Contribution: none

Full-time Positions: 1 Project Director; 1 Training Coordinator;
1 Professional Assistant

Reassigned/Overload Time: Senior Technical Advisor: Overload
Office of Institutional Effectiveness: Overload

No. of Students to be Served: 225
Type of Student to be Served: Incumbent and displaced workers, HS students,
returning soldiers

Description of Project:
The TEAM project builds on a unique partnership initiated for advanced manufacturing training (Mechatronics) under SCCC's first CBJTG awarded in 2005, and will address welding and CNC machining skills shortages on Long Island. In addition, the training will incorporate competencies such as communication and problem-solving. Each distinct training track will consist of four modules using developed existing curricula, and each track will ultimately result in industry certification from either the American Welding Society or National Institute for Metalworking Skills. Training will be offered to incumbent and displaced workers, immigrants and returning soldiers, with 25 high school students engaged in training activities. Extensive outreach efforts will be undertaken with these target audiences, performed in conjunction with strategic partners from WIBs, industry associations, companies, and school districts, to ensure a continuous pipeline of qualified employees to Long Island's manufacturing industry.

1602

U.S. DEPARTMENT OF LABOR
EMPLOYMENT AND TRAINING ADMINISTRATION

GRANT / AGREEMENT
NOTIFICATION OF
AWARD/OBLIGATION

Under the authority of the *Workforce Investment Act*, this grant or agreement is entered into between the above named *Grantor Agency* and the following named *Awardee*, for a project entitled - *Community-Based Job Training Grants*.

Name & Address of Awardee:
SUFFOLK COUNTY Community College
533 College Road
Selden, NEW YORK 11784

Agreement #: CB-17330-08-60-A-36
CFDA #: 17.269
Accounting Code: A200-SBAK-4123-5CB00-000 Mod Amount: \$1,668,270.00
EIN: 116000464
DUNS #: 068017615

The Period of Performance shall be from **April 01, 2008 thru March 31, 2011**.
Total Government's Financial Obligation is **\$1,668,270.00** (unless other wise amended).
Payments will be made under the Payments Management System, and can be automatically drawn down by the awardee on an as needed basis covering a forty-eight (48) hour period.

In performing its responsibilities under this grant agreement, the awardee hereby certifies and assures that it will fully comply with the following regulations and cost principles, including any subsequent amendments:

Uniform Administrative Requirements:

29 CFR Part 97, for State/Local Governments and Indian Tribes; OR
29 CFR Part 95, for Institutions of Higher Education, Hospitals and other Non-Profit Organizations and Commercial Organizations.

Cost Principles:

OMB Circular A-87, for State/Local Governments and Indian Tribes;
OMB Circular A-21, for Institutions of Higher Education; OR
OMB Circular A-122, for Non-Profit Organizations.
48 CFR Part 31.

Other Requirements (As Applicable):

29 CFR Part 96 and 99, Single Audit Act
29 CFR Part 93, Lobbying Certification
29 CFR Part 37, Nondiscrimination and Equal Opportunity Requirements
29 CFR Part 98, Debarment and Suspension; Drug Free Workplace
20 CFR Part 652 et al., Workforce Investment Act
Wagner-Peyser Act
Grant Award Document, Parts I through IV, and attachments.

The awardee's signature below certifies full compliance with all terms and conditions as well as the above stated grant regulations and certifications, and that this document has not been altered.

Signature of Approving Official - **AWARDEE**

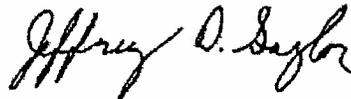
Signature of Approving Official - **DOL / ETA**

No Additional Signature Required

(Signature / Date)

See SF 424 for Signature

(Type Name and Title)



JEFF SAYLOR _____ April 24, 2008
Grant Officer

1602

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
ACCEPTING AND APPROPRIATING A GRANT AWARD AMENDMENT FROM THE UNITED STATES DEPARTMENT OF LABOR – EMPLOYMENT TRAINING ADMINISTRATION (DOL-ETA) FOR A COMMUNITY-BASED JOB TRAINING GRANTS INITIATIVE: TEAM 100% REIMBURSED BY FEDERAL FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes No <u>XX</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 5 is "yes", Provide Detailed Explanation of Impact		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
There is no fiscal impact.		
8. Proposed Source of Funding		
United States Department of Labor Employment Training Administration (DOL – ETA)		
9. Timing of Impact		
THE RESOLUTION IS EFFECTIVE UPON ADOPTION.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst		6-6-08

**FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1602

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

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

Gen A8



1602

To: Ben Zwirn, Assistant Deputy County Executive

From: Charles K. Stein, V. P. for Business & Financial Affairs *CS*

Date: May 13, 2008

Subject: Request for a Resolution Accepting and Appropriating a Grant Award for a Suffolk County Community College Program

Enclosed are the application and requisite forms to request acceptance and appropriation of a grant award for a program at Suffolk County Community College.

Proposal Grant Award Subcontract

Program Name: Community Based Job Training: TEAM

Funder: U. S. Department of Labor
Employment Training Administration (DOL-ETA)

Amount of Grant: \$1,668,270

Full Time Positions: Years 1-3: Project Director: Exempt Grade 33
Training Coordinator: Guild Category IV
Professional Assistant 1, 12 month

Please call me if there are questions regarding this request.
An e-mail version of the resolution was sent to CE RESO REVIEW:
File name: Co CBJTGI TEAM Award.doc

cc: J. Lombardo, Director, Corporate Training Center
J. B. Whitten, Vice President for Workforce & Economic Development
J. Bullard, Jr., Associate Dean for Financial Affairs
J. Canniff, Vice President for Academic and Campus Affairs
G. Gatta, Executive Vice President

1603

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

Laid on Table 6/24/08

**RESOLUTION NO. -2008, REPEALING HOME ENERGY
NUISANCE TAXES ON SUFFOLK COUNTY RESIDENTS**

WHEREAS, the New York Tax Law authorizes counties to reduce the sales and compensating use tax rate on residential energy sources and services; and

WHEREAS, the County Legislature wishes to lift an unfair nuisance tax from the backs of the residents of Suffolk County by repealing the sales and use taxes on residential energy sources and services, at a time when the cost of fuel oil and gasoline has skyrocketed all across Long Island; and

WHEREAS, such a tax cut will prevent residents of Suffolk County from being thrown out into the freezing cold by ensuring affordable residential energy sources and services and, by not forcing people to choose between buying food or heating their homes; and

WHEREAS, this Legislature wishes to completely eliminate the sales and use taxes on residential energy sources and services; now, therefore be it

1st RESOLVED, that Section 2-A of Resolution No. 745-1968, as amended by Resolution Nos. 813-1980, 1025-2001, and 1034-2005, is hereby repealed; and be it further

2nd RESOLVED, that Section 6 of Resolution No. 745-1968, as amended by Resolution No. 973-1999, is hereby amended by adding a new subdivision (i) to read as follows:

- (i)(1) Receipts from the retail sale or use of fuel oil and coal used for residential purposes, the retail sale or use of wood used for residential heating purposes, and the sale, other than for resale, of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes and the use of gas or electricity used for residential purposes shall be exempt from the taxes imposed by this Resolution. The provisions of this paragraph shall not apply to a sale or use of (i) diesel motor fuel which involves a delivery at a filling station or into a repository which is equipped with a hose or other apparatus by which such fuel can be dispensed into the fuel tank of a motor vehicle and (ii) enhanced diesel motor fuel except in the case of a sale or use of such enhanced diesel motor fuel used exclusively for residential purposes which is delivered into a storage tank which is not equipped with a hose or other apparatus by which such fuel can be dispensed into the fuel tank of a motor vehicle and such storage tank is attached to the heating unit burning such fuel, provided that each delivery of such fuel of over four thousand five hundred (4,500) gallons shall be evidenced by a certificate signed by the purchaser stating that the product will be used exclusively for residential purposes.
- (2) The exemption set forth in this subdivision shall apply to receipts from all retail sales and uses described in paragraph (1) of this subdivision made,

rendered or arising therefrom on or after December 1, 2008, although made on or rendered under a prior contract, if delivery or transfer of possession of such property or services is made after such date. Where such property or service is sold on a monthly, quarterly, or other term basis, and the bills for such property or service are based on meter readings, the amount received on each bill for such property or service for a month, quarter or other term shall be exempt, but such exemption shall be applicable to all bills based on meters read on or after December 1, 2008, only where more than one-half of the number of days included in the month or other period billed are days subsequent to November 30, 2008.

- (3) Where a residence is part of a multiple dwelling or other premises consisting of residential and nonresidential units, or where a portion of a residence is used for nondwelling purposes, including the conduct of a trade or business, the same rules and regulations shall be applicable that have been established by the Commissioner of Taxation and Finance in order to allocate to such residence the portion of the sale of energy sources or services attributable to the residential portion.
- (4) If the Commissioner of Taxation and Finance has prescribed a certificate to be taken by the vendor of the energy sources or services specified in paragraph (1) of this subdivision from the purchaser of such energy sources or services, such certificate shall be applicable for the purposes of this section. Where a certificate is required, unless such vendor shall have received such certificate in such form as the Commissioner may prescribe, signed by the purchaser and setting forth the purchaser's name and address, together with such other information as the Commissioner August require, stating that the premises, for which such energy sources or services are purchased, are used solely as a residence or identifying the residential portion of premises, for which such energy sources or services are purchased including instances where a multiple dwelling unit or other premises consists of residential and nonresidential units or where a portion of a residence is used for nondwelling purposes, such as the conduct of a trade or business, the provisions of this subdivision shall not apply and the tax shall be imposed at the rate provided for in Sections 2 and 4 of this Resolution. No further certificate need be furnished for any subsequent purchase for such premises if the information set forth in the certificate last furnished the vendor has not materially changed, except that in the case of exempt purchases of enhanced diesel motor fuel in amounts of over forty-five hundred (4,500) gallons, a separate certificate must be furnished for each purchase.

and be it further

3rd **RESOLVED**, that the Clerk of this Legislature is hereby directed to file a certified copy of this Resolution within five (5) days with the Commissioner of Taxation and Finance at the Commissioner's office in Albany (via certified mail return receipt requested), the Suffolk County Clerk, the New York State Secretary of State, and the New York State Comptroller; and be it further

4th **RESOLVED**, this Resolution shall take effect on December 1, 2008, except that all administrative procedures necessary to implement this Resolution may commence immediately.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-refile-repeal-home-energy-tax

1604
Intro. Res. No. -2008
Introduced by Legislator Alden

Laid on Table 6/24/08

**RESOLUTION NO. -2008, ESTABLISHING A PROGRAM
TO REDUCE UNFAIR HOME ENERGY NUISANCE TAXES ON
SUFFOLK COUNTY RESIDENTS**

WHEREAS, Resolution No. 1025-2001, imposed an energy conservation tax of one and one-half per cent (1-1/2%) on residential energy sources and services, in addition to the existing one per cent (1%) and compensating use tax on residential energy sources and services; and

WHEREAS, the New York Tax Law authorizes Counties to reduce the sales and compensating use tax rate on residential energy sources and services; and

WHEREAS, members of the Suffolk County Legislature now wish to reduce these unfair nuisance taxes from residents in the County of Suffolk by reducing a portion of the sales and use taxes on residential energy sources and services; and

WHEREAS, through the reduction of these taxes, members of the Legislature will take a major step in preventing residents of the County of Suffolk from being forced out of their homes, in addition to making certain that residents are not forced to choose between purchasing food or heating their homes; and

WHEREAS, this tax is regressive and places an undue burden on a majority of Suffolk County homeowners, particularly our senior citizen population which includes residents living on fixed incomes; and

WHEREAS, members of this Legislature wish to eliminate the sales and use taxes on residential energy sources and services over a two year period to afford residents the benefit of a much needed tax reduction while maintaining fiscal stability by a gradual reduction in this revenue; now, therefore be it

1st RESOLVED, that Section 2-A of Resolution No. 745-1968, as amended by Resolution Nos. 813-1980, 1025-2001, and 1034-2005, is hereby amended to read as follows:

* * * * *

2-A. TAX RATE ON CERTAIN ENERGY SOURCES AND RELATED SERVICES

- a.) Notwithstanding the rate of tax set forth in Section 2 of this resolution, the taxes imposed on the receipts from the retail sale of fuel oil and coal used for residential purposes; the receipts from the retail sale of wood used for residential heating purposes; and the receipts from every sale, other than for resale, of propane (except when sold in containers of less than one hundred pounds) natural gas, electricity, steam and gas, electric and steam services used for residential purposes (together, hereinafter referred to as "residential energy sources and services") shall be paid at the rate of one and one-half percent (1.5%) for the period beginning December 1, 2008 and ending November 30, 2009; and at the rate of one percent (1.0%) for the period beginning December 1, 2009 and continuing

thereafter. The provisions of this subdivision shall not apply to a sale of (i) diesel motor fuel which involves a delivery at a filling station or into a repository which is equipped with a hose or other apparatus by which such fuel can be dispensed into the fuel tank of a motor vehicle and (ii) enhanced diesel motor fuel except in the case of a sale of such enhanced diesel motor fuel used exclusively for residential purposes which is delivered into a storage tank which is not equipped with a hose or other apparatus by which such fuel can be dispensed into the fuel tank of a motor vehicle and such storage tank is attached to the heating unit burning such fuel, provided that each delivery of such fuel of over four thousand five hundred (4,500) gallons shall be evidenced by a certificate signed by the purchaser stating that the product will be used exclusively for residential purposes.

- b.) Notwithstanding the rate of tax set forth in Section 4 of this Resolution, the compensating use tax imposed by such section on the use of residential energy sources and services shall be at the rate of one and one-half percent (1.5%) for the period beginning December 1, 2008 and ending November 30, 2009; and at the rate of one percent (1.0%) for the period beginning December 1, 2009 of the consideration given or contracted to be given for such sources and services or for the use of such sources and services, plus the cost of transportation except where such cost is separately stated in the written contract, if any, and on the bill rendered to the purchaser. The provisions of this subdivision shall not apply to a use of (i) diesel motor fuel which involves a delivery at a filling station or into repository which is equipped with a hose or other apparatus by which such fuel can be dispensed into the fuel tank of a motor vehicle and (ii) enhanced diesel motor fuel except in the case of a use of such enhanced diesel motor fuel used exclusively for residential purposes which is delivered into a storage tank which is not equipped with a hose or other apparatus by which such fuel can be dispensed into the fuel tank of a motor vehicle and such storage tank is attached to the heating unit burning such fuel.
- c.)
 - (1) The rate set forth in this section for the period beginning December 1, 2008 and ending November 30, 2009, shall apply in accordance with applicable transitional provisions of the New York Tax Law.
 - (2) The rate set forth in this section effective for the period beginning on December 1, 2009 shall apply in accordance with applicable transition provisions of the New York Tax Law.
- d.) Where a residence is part of a multiple dwelling or other premises consisting of residential and nonresidential units, or where a portion of a residence is used for non-dwelling purposes, including the conduct of a trade or business, the same rules and regulations shall be applicable that have been established by the Commissioner of Taxation and Finance in order to allocate to such residence the portion of the sale of energy sources or services attributable to the residential portion.

- e.) If the Commissioner of Taxation and Finance has prescribed a certificate to be taken by the vendor of the energy sources or services specified in subdivision (a) of this section from the purchaser of such energy sources or services, such certificate shall be applicable for the purposes of this section. Where a certificate is required, unless such vendor shall have received such certificate in such form as the Commissioner may prescribe, signed by the purchaser and setting forth his name and address, together with such other information as the Commissioner may require, stating that the premises, for which such energy sources or services are purchased, are used solely as a residence or identifying the residential portion of premises, for which such energy sources or services are purchased, including instances where a multiple dwelling unit or other premises consist of residential and nonresidential units or where a portion of a residence is used for non-dwelling purposes, such as the conduct of a trade or business, the provisions of this section shall not apply and the tax shall be imposed at the rate provided for in sections 2 and 4 of this Resolution. No further certificate need be furnished for any subsequent purchase for such premises if the information set forth in the certificate last furnished the vendor has not materially changed, except that in the case of exempt purchases of enhanced diesel motor fuel in amounts of over forty-five hundred (4,500) gallons, a separate certificate must be furnished for each purchase;

and be it further

2nd **RESOLVED**, by the County Legislature of the County of Suffolk, that this Resolution shall take effect December 1, 2008; and be it further

3rd **RESOLVED**, that the Clerk of this Legislature is hereby directed to file a certified copy of this Resolution within five (5) days with the Commissioner of Taxation and Finance at the Commissioner's office in Albany (via certified mail RRR), the Suffolk County Clerk, the New York State Secretary of State, and the New York State Comptroller.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\re-file-reduce-home-energy-tax

1605
Intro. Res. No. -2008
Introduced by Legislator Losquadro

Laid on Table 6/24/08

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW
NO. -2008, A LOCAL LAW AMENDING COUNTY
LEGISLATURE ORGANIZATIONAL MEETING DATE
REQUIREMENT**

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 AMENDING COUNTY LEGISLATURE ORGANIZATIONAL MEETING DATE REQUIREMENT**" now, therefore, be it

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

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

**A LOCAL LAW AMENDING COUNTY LEGISLATURE ORGANIZATIONAL
MEETING DATE REQUIREMENT**

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 under current county law, the Suffolk County Legislature must hold its organizational meeting on the first business day of each year.

This Legislature further finds that when the first business day of a new year falls on a Friday, most schools do not resume their schedule on that day and many families continue on vacation or extend out-of-town visits. These circumstances make it difficult for legislators and legislative staff to organize and/or attend a meeting on that date.

This Legislature also determines that under NEW YORK COUNTY LAW, the Suffolk County Legislature may hold its annual organizational meeting as late as January 8.

Therefore, the purpose of this local law is to amend the SUFFOLK COUNTY ADMINISTRATIVE CODE to provide that when the first business day of a new year falls on a Friday, the Legislature's organization meeting will be held on the following Monday.

Section 2. Amendments.

Section A2-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

§ A2-2. Organization of County Legislature.

- A. The members of the County Legislature shall hold an organization meeting on the first business day in January of each year unless the first business day in January falls on a Friday, in which case the County Legislature shall hold its organizational meeting on the following Monday. At this meeting, the County Legislature shall elect from its own members a Presiding Officer and a Deputy Presiding Officer and shall adopt the rules of its own proceedings, in that order. In the event that the County Legislature is unable to select a Presiding Officer on or before January 15 of any given year, the County Clerk of the County of

Suffolk shall appoint a member of the County Legislature as Presiding Officer, who shall serve until the end of the calendar year in which he or she is appointed, anything to the contrary in the New York County Law notwithstanding.

* * * *

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE
COUNTY OF SUFFOLK

1605



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: JUNE 13, 2008
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2008

TITLE: A LOCAL LAW AMENDING COUNTY LEGISLATURE ORGANIZATIONAL MEETING DATE
REQUIREMENT

SPONSOR: LEGISLATOR LOSQUADRO

DATE OF RECEIPT BY COUNSEL: 6/4/08 PUBLIC HEARING: 8/5/08

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

Currently, the County Legislature must hold its organizational meeting on the first business day of January each year, pursuant to Section A2-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE. This local law would amend the Administrative Code to provide that when the first business day in the new year falls on a Friday, the County Legislature will hold its organizational meeting on the following Monday.

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

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-organizational meeting

1606

Intro. Res. No. - 2008

Laid on Table 6/24/08

Introduced by Presiding Officer on request of the County Executive

**RESOLUTION NO. -2008, AUTHORIZING THE
EXTENSION OF THE LEASE OF PREMISES LOCATED
AT 250 EXECUTIVE DRIVE, EDGEWOOD, NY FOR USE
BY THE DEPARTMENT OF PROBATION**

WHEREAS, the Department of Probation currently uses and occupies office space at 250 Executive Drive in Edgewood, NY pursuant to a Lease Agreement with the landlord, Heartland Rental Property Partners, which expired December 18, 2007; and

WHEREAS, the Department desires to continue the use of the leased premises for ten (10) years, with an annual rent of \$225,000 in the first year of the extension period and an annual escalation of three (3) percent thereafter; and

WHEREAS, the landlord has expressed its willingness to facilitate the uninterrupted and continued operation of this base of this Department location by agreeing to extend the lease through December 18, 2017; and

WHEREAS, the Space Management Steering Committee recommended the approval of this Lease at its meeting on November 21, 2007; and

WHEREAS, sufficient funds are included in the 2008 Operating Budget for lease payments to be made in connection with the premises; now, therefore, be it

1ST RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.59(c)(20) and (27) of Title 6 of the New York Code of Rules and Regulations (6 NYCRR) and within the meaning of Section 8-109 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. Furthermore, in accordance with Section 1-4(A)(1)(d) of the Suffolk County Charter and Section 279-5(C)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality is directed to prepare and circulate all appropriate notices of determination of non-applicability or non-significance in accordance with this law; and be it further

2ND RESOLVED, that the County Executive be and hereby is authorized to execute a ten (10) year Lease Extension, in accordance with the terms and conditions of this resolution and in substantial conformance with the form annexed.

DATED:

County Executive of Suffolk County
Date of Approval:

1606

Suffolk County Form 22
Contractor's/Vendor's Public Disclosure Statement

Pursuant to Section A5-7 of the Suffolk County Administrative Code, this Public Disclosure Statement must be completed by all contractors/vendors that have a contract with Suffolk County. In the event contractor/vendor is exempt from completing paragraphs numbered 1 through 11 below, so indicate at paragraph number 12 below setting forth the reason for such exemption. Notwithstanding such exempt status, you must execute this form below before a notary public.

1. Contractor's/Vendor's Name HEARTLAND RENTAL PROPERTIES LLC
 Address 1 EXECUTIVE DRIVE
 City and State Edgewood, New York Zip Code 11717
2. Contracting Department's Name Suffolk County Department of Pasbation
 Address 250 EXECUTIVE DRIVE, Edgewood, New York 11717
3. Payee Identification or Social Security No. 11-2926594
4. Type of Business Corporation Partnership Sole Proprietorship X Other
- 5.a Is contractor/vendor entering into or has contractor/vendor entered into a contract with Suffolk County in excess of \$1,000? X Yes No.
- 5.b Has contractor/vendor entered into three or more contracts, including the one for which you are now completing this form, with Suffolk County, any three of which, when combined, exceed \$1,000? X Yes No.
6. Table of Organization. List names and addresses of all principals; that is, all individuals serving on the Board of Directors or comparable body, names and addresses of all partners, and names and addresses of all corporate officers. Conspicuously identify any person in this table of organization who is also an officer or an employee of Suffolk County. (Attach additional sheet if necessary.)
HEARTLAND RENTAL PROPERTIES Inc, 1 Executive Drive, Edgewood, New York 11717
TRUST f/b/o Adam Walkoff, 917 Eileen Terrace, Woodmere, New York
TRUST f/b/o David Walkoff, 917 Eileen Terrace, Woodmere, New York
7. List all names and addresses of those individual shareholders holding more than five percent (5%) interest in the contractor/vendor. Conspicuously identify any shareholder who is also an officer or an employee of Suffolk County. (Attach additional sheet if necessary).
Gerald Walkoff, 3 Seascape Lane, Quogue, New York 11959
8. Does contractor/vendor derive 50% or more of its total revenues from its contractual or vendor relationship with Suffolk County? Yes X No.
9. If you answered yes to 8 above, you must submit with this disclosure statement, a complete financial statement listing all assets and liabilities as well as a profit and loss statement. These statements must be certified by a Certified Public Accountant. (Strike this out if not applicable.)
10. The undersigned shall include this Contractor's/Vendor's Public Disclosure Statement with the contract. (Describe general nature of the contract.) lease for premises in the building known as 250 executive Drive, Edgewood, New York

- 11. **Remedies.** The failure to file a verified public disclosure statement as required under local law shall constitute a material breach of contract. Suffolk County may resort, use or employ any remedies contained in Article II of the Uniform Commercial Code of the State of New York. In addition to all legal remedies, Suffolk County shall be entitled, upon a determination that a breach has occurred, to damages equal to fifteen percent (15%) of the amount of the contract.
- 12. If you are one of the entities listed below at a) through c) or you qualify under d) below, you are exempt from completing paragraphs numbered 1 through 11 herein:
 - _____ a) Hospital
 - _____ b) Educational or governmental entities
 - _____ c) Not-for-profit corporations
 - _____ d) Contracts providing for foster care, family day-care providers or child protective services

Please check to the left side of the appropriate exemption.

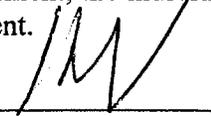
- 13. **Verification.** This section must be signed by an officer or principal of the contractor/vendor authorized to sign for the company for the purpose of executing contracts. The undersigned being sworn, affirms under the penalties of perjury, that he/she has read and understood the foregoing statements and that they are, to his/her own knowledge, true.

Dated: June 2, 2008 Signed: 
 Printed Name of Signer: Gerald Wolkoff
 Title of Signer: President of Heartland Rental Properties Inc
 Name of Contractor/Vendor: HEARTLAND RENTAL PROPERTIES INC

UNIFORM CERTIFICATE OF ACKNOWLEDGMENT
 (Within New York State)

STATE OF NEW YORK)
 COUNTY OF Suffolk) ss.:

On the 2nd day of June in the year 2008 before me, the undersigned, personally appeared Gerald Wolkoff personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


 (signature and office of individual taking acknowledgement)

HOWARD VINGAN
 Notary Public, State of New York
 4837503
 Qualified in Suffolk County
 Commission Expires March 30, 2011

COUNTY OF SUFFOLK



1606

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CHRISTINE MALAFI
COUNTY ATTORNEY

DEPARTMENT OF LAW
ADDRESS ALL COMMUNICATIONS
IN THIS MATTER TO:

May 9, 2008

Heartland Rental Properties LLC.
1 Executive Drive
Edgewood, New York 11717

Re: 250 Executive Drive, Unit Z, Edgewood, New York
Our Lease File R-0933

Gentlemen:

This "Letter Agreement" serves to confirm the agreement between Heartland Rental Properties LLC., as "Landlord" and the County of Suffolk, as "Tenant," to extend the Lease Agreement, dated August 14, 1997 ("Lease"), between the parties, for the premises located at 250 Executive Drive, Unit Z, Edgewood, New York, which lease expired December 18, 2007. In consideration of the mutual covenants contained herein and other valuable consideration, the Lease is hereby amended as follows, effective December 18, 2007:

Term: the lease term is hereby extended ten (10) years, from December 19, 2007 through and until December 18, 2017.

Rent: "Annual Base Rent" for the Premises for the first year of the Term shall be \$225,000.00.

Tenant acknowledges and agrees that since December 19, 2007 Tenant has been paying rent at the old rate of \$17,501.16 per month and that the rent from December 19, 2007 is actually \$18,750.00 per month. Tenant agrees to pay Landlord, in one lump sum, promptly after execution of this Lease Amendment, the total amount of rent due for the period from December 19, 2007 through the date of payment based upon the difference between the actual rent due of \$18,750.00 per month and the old rent of \$17,501.16, multiplied by the number of months from December 19, 2007 wherein the old rent was paid.

Escalation: Commencing on December 19, 2008, and on each anniversary date thereafter, Annual Base Rent shall increase by three percent (3%) over the Annual Base Rent in the preceding year. Total Annual Base Rent for the Term of this Lease extension shall be as follows:

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Total Annual Base Rent for the Premises

Year 1 \$225,000.00	Year 6 \$260,836.67
Year 2 \$231,750.00	Year 7 \$268,661.77
Year 3 \$238,702.50	Year 8 \$276,721.62
Year 4 \$245,863.58	Year 9 \$285,023.27
Year 5 \$253,239.48	Year 10 \$293,573.97

Taxes: Real Estate Taxes shall continue to be paid in accordance with Section IV of the Lease last dated August 14, 1997.

Renovations: Landlord and Tenant agree that, except as otherwise provided in this Letter Agreement, Tenant is renting the Premises in their "as is" physical condition except that Landlord hereby agrees to perform work described in Exhibit A, ("Landlord's Work"), attached here to and made a part hereof, and no other work.

Landlord agrees that the Premises and any construction, reconstruction, or renovation of the Premises shall comply with local and state codes.

Landlord-Tenant Responsibilities: Shall be as set forth in Exhibit B, attached hereto and made a part hereof. Notwithstanding anything contained in this Letter Agreement (including Exhibits "A" & "B" hereof) and/or anything contained in the Lease, Landlord shall have no obligation at any time to clean the duct work at the Premises.

Insurance: Liability insurance for the Tenant shall cover only the actual space leased by the County. In accordance with Local Law No. 10-1984 of Suffolk County, Landlord shall indemnify and hold harmless the Tenant, its employees, and designated representatives from any claims, costs, damages or injuries to person or property of whatsoever kind of nature occurring in the common areas or any other portion of the building not leased to Tenant, including the entire parking lot regardless of whether certain areas thereof are designated for Tenant use. Further, under such circumstances, Landlord shall provide liability insurance for all common areas or any other area of the building not leased to Tenant. In this regard, Landlord, at its own cost and expense, and throughout the term of this Lease, shall procure and keep in full force and effect Commercial General Liability insurance, including contractual coverage, in an amount not less than one Million Dollars (\$1,000,000.00) per occurrence for bodily injury and one Million Dollars (\$1,000,000.00) per occurrence for property damage, plus an umbrella above such commercial general liability such that the limit shall not be less than two million dollars (\$2,000,000.00) for bodily injury and property damage, and otherwise in accordance with the requirements of Lease.

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Suffolk County Laws: The parties agree to be bound by the terms of Suffolk County Legislative Requirements, annexed hereto as **Exhibit C** and made a part hereof.

No Broker: Tenant warrants and represents to Landlord that there was no broker instrumental in bringing about or consummating this Letter Agreement.

Conflict: If any terms of this Letter Agreement are in conflict with the Lease, the terms of this Letter Agreement shall control;

Survival: All other provisions of the Lease, as modified by this Letter Agreement, shall remain in full force and effect;

Interpretation: This Letter Agreement is to be construed and interpreted without regard to any presumption or other rule requiring construction or interpretation against the party causing this Letter Agreement to be drafted.

In the event the foregoing accurately sets forth the terms of our understanding, please counter-sign the enclosed seven (7) sets of this letter, and have the same notarized before a Notary Public. Kindly return six (6) executed originals to this office in the envelope provided, retaining one original for your files. A fully executed original will be provided once the County Legislature has approved the Letter Agreement

Thank you for your cooperation on this matter. Should you have any further questions or comments regarding this matter, please do not hesitate to contact me.

Very truly yours,


BASIA DEREN BRADDISH
Assistant County Attorney

APPROVED AND AGREED:

COUNTY OF SUFFOLK

HEARTLAND RENTAL
PROPERTIES LLC.
LANDLORD

TENANT

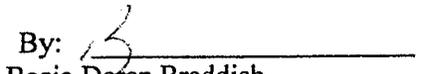
By: _____

By: 

Name:
Title: Deputy County Executive
Date:

Name: GERALD WOLKOFF
Title: President
Date:

APPROVED AS TO LEGALITY:
CHRISTINE MALAFI
Suffolk County Attorney

By: 
Basia Deren Braddish
Assistant County Attorney
Date:

1606

ACKNOWLEDGEMENT

STATE OF NEW YORK}

SS:

COUNTY OF SUFFOLK}

On the 5th day of June in the year 2008 before me, the undersigned, personally appeared Gerald Wolkoff, personally known to me or provided to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individuals(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



Notary Public

HOWARD VINGAN
Notary Public, State of New York
4837503
Qualified in Suffolk County
Commission Expires March 30, 20 11

ACKNOWLEDGEMENT

STATE OF NEW YORK}

SS:

COUNTY OF SUFFOLK}

On the ____ day of _____ in the year 2008 before me, the undersigned, personally appeared _____, Deputy County Executive, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individuals(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

Building Renovation Checklist – 250 Executive Drive, Hauppauge, NY – May 13, 2008

The following items are to be addressed as part of the lease renewal of this building:

1. About a dozen locations where ceiling tiles had been stained by water leaks were noted as well as a light fixture in the accessible staff men's room. Whether this was from roof leaks or HVAC systems could not be determined. The source needs to be investigated and the source of the problem repaired and the stained tiles replaced.
2. A few ceiling tiles are undersized and need to be replaced.
3. All exhaust fans are to be functional, to code and vented directly to the exterior.
4. Older toilets shall be upgraded with new inner workings or replaced.
5. The handle at the public drinking fountain is missing and should be replaced.
6. The drinking fountain at the staff bathroom is old and needs to be replaced, preferably with an accessible model.
7. Loose quarry tiles in the main lobby shall be repaired and/or replaced.
8. All carpeting needs to be replaced. Some areas may switch to vinyl tile.
9. The opening for the old loading door must be blocked up to prevent heat loss and leaks.
10. The exterior lighting is inadequate and another light should be added to the existing pole to cover the employee entrance.
11. An existing ground flood light (east) is obscuring the security cameras and should be adjusted or relocated.
12. A new storage area shall be added to the employee entrance vestibule. The two storage closets shall be reorganized for greater efficiency.
13. The roof has been repaired and is in good shape. The landlord accepts responsibility for the maintenance of this item.
14. There is black staining at many supply diffusers. All filters shall be replaced quarterly.
15. The landlord will clean or replace existing returns. Landlord will also balance the HVAC system.
16. Thermostats shall be relocated as required to avoid temperature extremes.
17. The landlord will paint all interiors (including secure wall covers). DPW will provide colors and specs.
18. A staging plan for all work will need to be developed by DPW with all departments.
19. Upgrade employee bathrooms where necessary, including sinks, vanities, partitions and toilet infrastructure.
20. The server room ceiling tiles are to be replaced with egg crate-style panels.

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EXHIBIT B
LANDLORD-TENANT RESPONSIBILITIES SHEET

ITEM	LANDLORD	COUNTY
1) UTILITIES – Usage		
A) OIL		X
B) GAS (If separately metered)		X
C) WATER (If separately metered)		X
D) ELECTRICITY (if separately metered)		X
E) SEWER CHARGES/TAXES		X
2) H.V.A.C. EQUIPMENT	X	
A) REPAIR & REPLACE	X	
B) ORDINARY PREVENTIVE MAINTENANCE	X	
C) CHANGE AIR FILTER:	X	
3) ELECTRIC EQUIPMENT	X	
A) REPAIR & REPLACE	X	
B) INTERIOR LAMP & BALLAST REPLACEMENT		X
C) EMERGENCY LIGHTING AND EXIT LIGHTING		X
D) PARKING FIELD & EXTERIOR BUILDING LIGHTING	X	
E) PARKING FIELD LAMP REPLACEMENT	X	
4) PLUMBING	X	
A) REPAIR & REPLACE	X	
B) ORDINARY PREVENTIVE MAINTENANCE		X
C) CLEAN OUT: DRAINAGE STRUCTURES & SYSTEMS		X
D) CLEAN OUT: SEWAGE STRUCTURES & SYSTEMS		X
5) STRUCTURAL REPAIRS * SEE PARAGRAPH ENTITLED “PREPARATION AND CARE OF PREMISES BY LANDLORD”	X	

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A) REPAIR: SIDEWALKS, CURBS, RAMPS, DRIVEWAYS, PARKING AREAS, ROOF & ROOFING, INTERIOR (DUE TO FAULTY CONSTRUCTION), DRAINAGE STRUCTURES & SYSTEMS, SEWAGE STRUCTURES & SYSTEMS	X	
ITEM	LANDLORD	COUNTY
B) Repair: BUILDING ENVELOPE	X	
6) CUSTODIAL		X
A) CLEAN WINDOWS - INTERIOR		X
B) CLEAN WINDOWS - EXTERIOR, 1X/year		X
C) TRASH REMOVAL - INTERIOR		X
7) CARTAGE		X
8) SNOW & ICE REMOVAL TO PARKING AREAS, DRIVES, RAMPS & WALKS	X	
9) INTERIOR		
A) PREVENTIVE MAINTENANCE *		X
B) PAINTING		X
10) GROUNDS MAINTENANCE	X	
A) GRASS & LANDSCAPING MAINTENANCE	X	
B) IRRIGATION OF GRASS & LANDSCAPING	X	
C) PARKING FIELD	X	
D) PARKING FIELD SWEEPING AND DEBRIS REMOVAL	X	
11) REPAIRS & MAINTENANCE OF COMMON USE AREAS	X	
11) GLAZING (NOT CAUSED BY TENANT DAMAGE)	X	
12) TAXES SEE PARAGRAPH IV ENTITLED "TAXES AND UTILITIES"		X
13) VERMIN AND RODENT EXTERMINATION		X
14) FIRE SPRINKLERS & RPZ - MAINTENANCE AND TESTING		X
15) SECURITY ALARM - CURRENT CHARGES		X

REMARKS: * INCLUDING CLEAN OUT OF INTERIOR SEWAGE LINES IN SINKS AND TOILETS, AND REPAIR AND REPAACEMENT OF FIXTURES DUE TO TENANT'S MISUSE.

EXHIBIT C
SUFFOLK COUNTY LEGISLATIVE REQUIREMENTS

1. Contractor's/Vendor's Public Disclosure Statement

The Contractor represents and warrants that it has filed with the Comptroller of Suffolk County the verified public disclosure statement required by Suffolk County Administrative Code Article V, Section A5-7 and shall file an update of such statement with the said Comptroller on or before the 31st day of January in each year of this Agreement's duration. The Contractor acknowledges that such filing is a material, contractual and statutory duty and that the failure to file such statement shall constitute a material breach of this Agreement, for which the County shall be entitled, upon a determination that such breach has occurred, to damages, in addition to all other legal remedies, of fifteen percent (15%) of the amount of the Agreement.

Required Form: Suffolk County Form SCEX 22; entitled "Contractor's/Vendor's Public Disclosure Statement"

2. Living Wage Law

This Agreement is subject to the Living Wage Law of the County of Suffolk. The law requires that, unless specific exemptions apply all employers (as defined) under service contracts and recipients of County financial assistance, (as defined) shall provide payment of a minimum wage to employees as set forth in the Living Wage Law. Such rate shall be adjusted annually pursuant to the terms of the Suffolk County Living Wage Law of the County of Suffolk. Under the provisions of the Living Wage Law, the County shall have the authority, under appropriate circumstances, to terminate this Agreement and to seek other remedies as set forth therein, for violations of this Law.

The Contractor represents and warrants that it has read and shall comply with the requirements of Suffolk County Code Chapter 347, Suffolk County Local Law No. 12-2001, the Living Wage Law.

Required Forms: Suffolk County Living Wage Form LW-1; entitled "Suffolk County Department of Labor – Living Wage Unit Notice of Application for County Compensation (Contract)"

Suffolk County Living Wage Form LW-38; entitled "Suffolk County Department of Labor – Living Wage Unit Living Wage Certification/Declaration – Subject To Audit"

**3. Use of County Resources to Interfere with Collective Bargaining Activities
Local Law No. 26-2003**

The Contractor represents and warrants that it has read and is familiar with the requirements of Chapter 466, Article 1 of the Suffolk County Local Laws, "Use of County Resources to Interfere with Collective Bargaining Activities". County Contractors (as defined) shall comply with all requirements of Local Law No. 26-2003 including the following prohibitions:

- a. The Contractor shall not use County funds to assist, promote, or deter union organizing.

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- b. No County funds shall be used to reimburse the Contractor for any costs incurred to assist, promote, or deter union organizing.
- c. The County of Suffolk shall not use County funds to assist, promote, or deter union organizing.
- d. No employer shall use County property to hold a meeting with employees or supervisors if the purpose of such meeting is to assist, promote, or deter union organizing.

If Contractor services are performed on County property the Contractor must adopt a reasonable access agreement, a neutrality agreement, fair communication agreement, nonintimidation agreement and a majority authorization card agreement.

If Contractor services are for the provision of human services and such services are not to be performed on County property, the Contractor must adopt, at the least, a neutrality agreement.

Under the provisions of Local Law No. 26-2003, the County shall have the authority, under appropriate circumstances, to terminate this Agreement and to seek other remedies as set forth therein, for violations of this Law.

Required Form: Suffolk County Labor Law Form DOL-LO1; entitled "Suffolk County Department of Labor – Labor Mediation Unit Union Organizing Certification/Declaration – Subject to Audit"

4. Lawful Hiring of Employees Law

This Agreement is subject to the Lawful Hiring of Employees Law of the County of Suffolk (Local Law 52-2006). It provides that all covered employers, (as defined), and the owners thereof, as the case may be, that are recipients of compensation from the County through any grant, loan, subsidy, funding, appropriation, payment, tax incentive, contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or an awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees (as defined) and with respect to the alien and nationality status of the owners thereof. The affidavit shall be executed by an authorized representative of the covered employer or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement with the County; and shall be made available to the public upon request.

All contractors and subcontractors (as defined) of covered employers, and the owners thereof, as the case may be, that are assigned to perform work in connection with a County contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit to the covered employer a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees and with respect to the alien and nationality status of the owners thereof, as the case may be. The affidavit shall be executed by an authorized representative of the

contractor, subcontractor, or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement between the covered employer and the County; and shall be made available to the public upon request.

An updated affidavit shall be submitted by each such employer, owner, contractor and subcontractor no later than January 1 of each year for the duration of any contract and upon the renewal or amendment of the contract, and whenever a new contractor or subcontractor is hired under the terms of the contract.

The Contractor acknowledges that such filings are a material, contractual and statutory duty and that the failure to file any such statement shall constitute a material breach of this agreement.

Under the provisions of the Lawful Hiring of Employees Law, the County shall have the authority to terminate this Agreement for violations of this Law and to seek other remedies available under the law.

The Contractor represents and warrants that it has read, is in compliance with, and shall comply with the requirements of Suffolk County Code Chapter 234, Suffolk County Local Law No. 52-2006, the Lawful Hiring of Employees Law.

Required Forms: Suffolk County Lawful Hiring of Employees Law Form LHE-1; entitled "Suffolk County Department of Labor --"Notice Of Application To Certify Compliance With Federal Law (8 U.S.C. SECTION 1324a) With Respect To Lawful Hiring of Employees"

"Affidavit Of Compliance With The Requirements Of 8 U.S.C. Section 1324a With Respect To Lawful Hiring Of Employees" Form LHE-2.

5. **Gratuities**

The Contractor represents and warrants that it has not offered or given any gratuity to any official, employee or agent of Suffolk County or New York State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement, and that the signer of this Agreement has read and is familiar with the provisions of Local Law No. 32-1980 of Suffolk County (Chapter 386 of the Suffolk County Code).

6. **Prohibition Against Contracting with Corporations that Reincorporate Overseas**

The Contractor represents that it is in compliance with Suffolk County Administrative Code Article IV, §§A4-13 and A4-14, found in Suffolk County Local Law No. 20-2004, entitled "A Local Law To Amend Local Law No. 5-1993, To Prohibit The County of Suffolk From Contracting With Corporations That Reincorporate Overseas." Such law provides that no contract for consulting services or goods and services shall be awarded by the County to a business previously incorporated within the U.S.A. that has reincorporated outside the U.S.A.

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7. Child Sexual Abuse Reporting Policy

The Contractor agrees to comply with Chapter 577, Article IV, of the Suffolk County Code, entitled "Child Sexual Abuse Reporting Policy", as now in effect or amended hereafter or of any other Suffolk County Local Law that may become applicable during the term of this Agreement with regard to child sexual abuse reporting policy.

8. Non Responsible Bidder

The Contractor represents and warrants that it has read and is familiar with the provisions of Suffolk County Code Chapter 143, Article II, §§143-5 through 143-9. Upon signing this Agreement the Contractor certifies that he, she, it, or they have not been convicted of a criminal offense within the last ten (10) years. The term "conviction" shall mean a finding of guilty after a trial or a plea of guilty to an offense covered under the provision of Section 143-5 of the Suffolk County Code under "Nonresponsible Bidder."

9. Use of Funds in Prosecution of Civil Actions Prohibited

Pursuant to the Suffolk County Code Section §590-3, the Contractor represents that it shall not use any of the moneys received under this Agreement, either directly or indirectly, in connection with the prosecution of any civil action against the County of Suffolk or any of its programs, funded by the County, in part or in whole, in any jurisdiction or any judicial or administrative forum.

10. Suffolk County Local Laws

Suffolk County Local Laws, Rules and Regulations can be found on the Suffolk County web site at [www.co.suffolk](http://www.co.suffolk.ny.us)<<http://www.co.suffolk.ny.us>>. Click on "Laws of Suffolk County" under "Suffolk County Links."

1607

Intro. Res. No. - 2008

Laid on Table

6/24/08

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

**RESOLUTION NO. -2008 AUTHORIZING
THE ACQUISITION OF LAND UNDER THE NEW
SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM (EFFECTIVE
DECEMBER 1, 2007) - OPEN SPACE
COMPONENT - FOR THE LEWIN ESTATE
PROPERTY - BROAD COVE (TOWN OF
RIVERHEAD - SCTM#0600-086.00-01.00-034.000)**

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

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

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition; 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 1st Resolved, is listed in Resolution No. 625-2004 - Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 - Master Lists I and/or II Reports, respectively; now, therefore, be it;

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Two Hundred Thirty Thousand Dollars (\$230,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u> No. 1	SUFFOLK COUNTY <u>TAX MAP NUMBER:</u> District 0600 Section 086.00 Block 01.00 Lot 034.000	<u>ACRES:</u> 0.61±	<u>REPUTED OWNER AND ADDRESS:</u> Estate of Richard C. Lewin c/o Richard H. Lewin, Executor 20 Montauk Avenue E. Moriches, NY 11940
--------------------------------	--	-------------------------------	--

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Two Hundred Thirty Thousand Dollars (\$230,000.00), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$230,000.00, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

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

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

a.) freshwater/tidal wetlands and buffer lands for same;

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Gen 02

COUNTY OF SUFFOLK



JUN 11 2008

1607

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

June 9, 2008

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

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Lewin Estate property (Broad Cove), in the Town of Riverhead, under the New Suffolk County Drinking Water Protection Program. The purchase price is \$230,000.00 for .61± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

CEK:pd

Att.

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

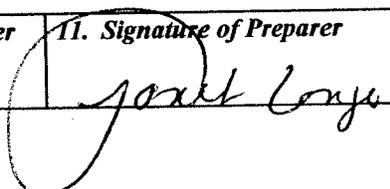
LOCATION
H. LEE DENNISON BLDG. - 2nd Floor
100 VETERANS MEMORIAL HIGHWAY

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

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

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

1607

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/>	Local Law
		Charter Law
2. Title of Proposed Legislation Authorizing the acquisition under the New Suffolk County Drinking Water Protection Program, of the Lewin Estate property (Broad Cove), SCTM#0600-086.00-01.00-034.000, (Town of Riverhad).		
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 New 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 June 9, 2008

1608

Intro. Res. No. -2008
Introduced by Legislators Beedenbender and Stern

Laid on Table 6/24/08

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO ADD HARDSHIP CAUSED BY MILITARY DEPLOYMENT AS A BASIS FOR A SECTION 215 CONVEYANCE

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 ADD HARDSHIP CAUSED BY MILITARY DEPLOYMENT AS A BASIS FOR A SECTION 215 CONVEYANCE**" 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 ADD HARDSHIP CAUSED BY MILITARY DEPLOYMENT AS A BASIS FOR A SECTION 215 CONVEYANCE

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 Chapter 27 of the SUFFOLK COUNTY CODE authorizes the conveyance of property obtained by the County of Suffolk due to nonpayment of taxes to the former property owner; these conveyances are often referred to as § 215 redemptions.

This Legislature further finds that in order to regain their property through the § 215 process, a prior owner must demonstrate that the nonpayment of taxes was caused by a personal illness, loss of employment or a government record keeping error.

This Legislature also determines that in recent years an increasing number of Suffolk County families have been impacted by military deployments. These deployments can cause a sharp drop in a family's income and, in some cases, lead to a tax delinquency.

This Legislature further finds that the County of Suffolk has traditionally done everything in its power to aid veterans and assist military families.

This Legislature also determines that a family in danger of losing their home as a result of financial hardship related to a military deployment should have the ability to make an application for a § 215 redemption.

Therefore, the purpose of this law is to add financial hardship caused by a military deployment as one of the acceptable justifications for a § 215 conveyance.

Section 2. Amendments.

Chapter 27 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 27, Conveyance of Real Property

* * * *

§ 27-3. Guidelines for conveyance procedure.

* * * *

- C. An explanation submitted by an applicant establishing one or more of the following conditions shall be required as an appropriate and sufficient basis before the Legislature may approve a conveyance to an applicant who is the immediate prior owner of record:

* * * *

- 4. Military deployment of the applicant or the applicant's spouse, which results in a loss of income, where written evidence of the deployment and the loss of income is provided.

* * * *

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\military hardship 215

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



1608

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: JUNE 19, 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 ADD HARDSHIP CAUSED BY MILITARY DEPLOYMENT AS A BASIS FOR A SECTION 215 CONVEYANCE

SPONSOR: LEGISLATORS BEEDENBENDER AND STERN

DATE OF RECEIPT BY COUNSEL: 6/16/2008 PUBLIC HEARING: 8/5/2008

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

This proposed local law would amend Chapter 27 of the SUFFOLK COUNTY CODE, which governs the process by which the County of Suffolk conveys properties obtained through the nonpayment of taxes to former property owners. These conveyances are generally known as § 215 redemptions.

Specifically, this law would establish financial hardship caused by military deployment as an acceptable justification for a § 215 redemption. Presently, an applicant for redemption must establish that the nonpayment of taxes was caused by an illness, loss of employment or a government error.

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

A handwritten signature in black ink, appearing to read "George Nolan", is written over the printed name and title.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-military-hardship-215

1609

Intro. Res. No. - 2008

Laid on Table

6/24/08

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

**RESOLUTION NO. -2008 AUTHORIZING
THE ACQUISITION OF LAND UNDER THE NEW
SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM (EFFECTIVE
DECEMBER 1, 2007) - OPEN SPACE
COMPONENT - FOR THE PODOLSKY
PROPERTY - MILLER PLACE/YAPHANK ROAD
NP ADDITION (TOWN OF BROOKHAVEN
- SCTM#0200-189.00-03.00-003.000)**

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

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

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, 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:

<u>PARCEL:</u> No. 1	SUFFOLK COUNTY <u>TAX MAP NUMBER:</u> District 0200 Section 189.00 Block 03.00 Lot 003.000	<u>ACRES:</u> 4,000+ s.f.	REPUTED OWNER <u>AND ADDRESS:</u> Stuart Podolsky 2 Andrew Street Pt. Jefferson Station, NY 11776
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; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Ten Thousand Dollars (\$10,000.00), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$10,000.00, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, 2000, for this acquisition; and, be it further

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

5th RESOLVED, pursuant to Section C12-2(A)(2)(c), that this property is not to be developed and Zero (0) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

- c.) any tract of land located fully or partially within the statutorily designated Special Groundwater Protection Area:

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 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 B4

COUNTY OF SUFFOLK



JUN 11 2008

1609

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

June 10, 2008

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

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Podolsky property (Miller Place/Yaphank Road NP Addition), in the Town of Brookhaven, under the New Suffolk County Drinking Water Protection Program. The purchase price is \$10,000.00 for 4,000+ s.f.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

CEK:pd

Att.

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

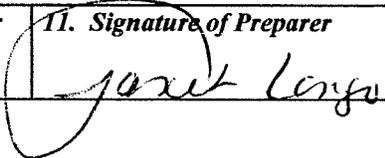
LOCATION
H. LEE DENNISON BLDG. - 2nd Floor
100 VETERANS MEMORIAL HIGHWAY

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

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

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

1609

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation Authorizing the acquisition under the New Suffolk County Drinking Water Protection Program, of the Podolsky property (Miller Place/Yaphank Road NP Addition), SCTM#0200-189.00-03.00-003.000, (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 New 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 June 10, 2008

Intro. Res. # 1610-08

Laid on Table 6/24/08

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 #791-2008)

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# 791-2008

KEY	EXPLANATION	RPTL SEC	LIMITATIONS
A	Clerical Error	556	3 years
B	Unlawful Entry	556	3 years
C	Error in Essential Fact	556a	3 years

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
A	BROOKHAVEN	07/08	N/A	203 19 1 6	41730.25	31039.88	10690.37
A	HUNTINGTON	07/08	N/A	400 146 2 50	10747.10	6038.16	4708.94
A	HUNTINGTON	07/08	N/A	400 177 2 51.17	48417.60	42139.88	6277.72
C	RIVERHEAD	07/08	N/A	600 99 1 10	8226.20	5150.60	3075.60
A	SMITHTOWN	07/08	N/A	800 117 4 28	4504.29	843.23	3661.06

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

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1610

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

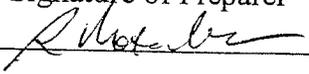
6. If the answer to item 5 is "yes," Provide Detailed Explanation of Impact
N/A

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

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

11. Signature of Preparer 

12. Date June 4, 2008,

**Additional back-up material regarding I.R. 1610 is on file in
the Legislative Clerk's Office, Hauppauge.**

Introductory Resolution No. 1611-08

Laid on Table 6/24/08

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
FOUR C's CUSTOM BUILDERS, INC.
0200-033.00-09.00-036.000**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 033.00, Block 09.00, Lot 036.000, and acquired by tax deed on August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007, in Liber 12520, at Page 725, and otherwise known as and by Town of Brookhaven, Lot No's. 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, as designated and delineated on the map entitled, "Map of North Shore Beach, Section 'B', Rocky Point, Suffolk County, Long Island, New York" and filed in the Suffolk County Clerk's Office, the 11th day of June, 1928, Map No. 1015; and

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

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

WHEREAS, FOUR C's CUSTOM BUILDERS, INC., by Richard V. Capito, as President, has made application of said above described parcel and FOUR C's CUSTOM BUILDERS, INC., by Richard V. Capito, as President, has paid the application fee and \$3,743.55, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2008; and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to FOUR C's CUSTOM BUILDERS, INC., 165 Crystal Brook Hollow Road, Mt. Sinai, New York 11766, 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: _____

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1611

May 21, 2008

Tax Map No.: 0200-033.00-09.00-036.000

Name of Last Legal Fee Owner: FOUR C's CUSTOM BUILDERS, INC.

TREASURER'S COMPUTATION..... \$2,699.68

Taxes.....2007/2008..... \$1,043.87

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

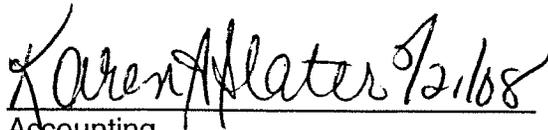
Miscellaneous Expenses..... N/A

TOTAL..... \$3,743.55

Monies Received..... \$3,743.55

RESOLUTION AMOUNT..... \$3,743.55

APPROVED:


Accounting

LB:sc

PREPARED BY:



Lori Bertone
Redemption Unit
(631) 853-5932

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1611

1. Type of Legislation

Resolution X
Tax Map Number 0200-033.00-09.00-036.000

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)

<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	

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

The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

8. Proposed Source of Funding

N/A

9. Timing of Impact

2008

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

Lori Bertone *L. Bertone* 5/2/08

COMPUTATION BY SUFFOLK COUNTY TREASURER

1611

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	033.00	09.00	036.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05	1184.16
2005/06	1236.37

2006/07 PAID BY FOUR Cs CUSTOM BUILDERS
 2007/08 PROPERTY TAXES \$1043.87 NOT INCLUDED IN COMPUTATION

TOTAL: 2420.53

B. INTEREST DUE	150.60
C. TOTAL	2571.13
D. 5% LINE C	128.56
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

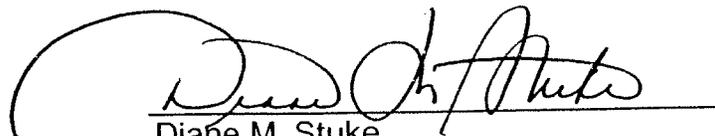
	\$2,699.68
07/08	1,043.87
	<u>3,743.55</u>

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.

14-Mar-08


 Diane M. Stuke
 Deputy County Treasurer

**Interest and penalty computed to and including 09/10/08



161

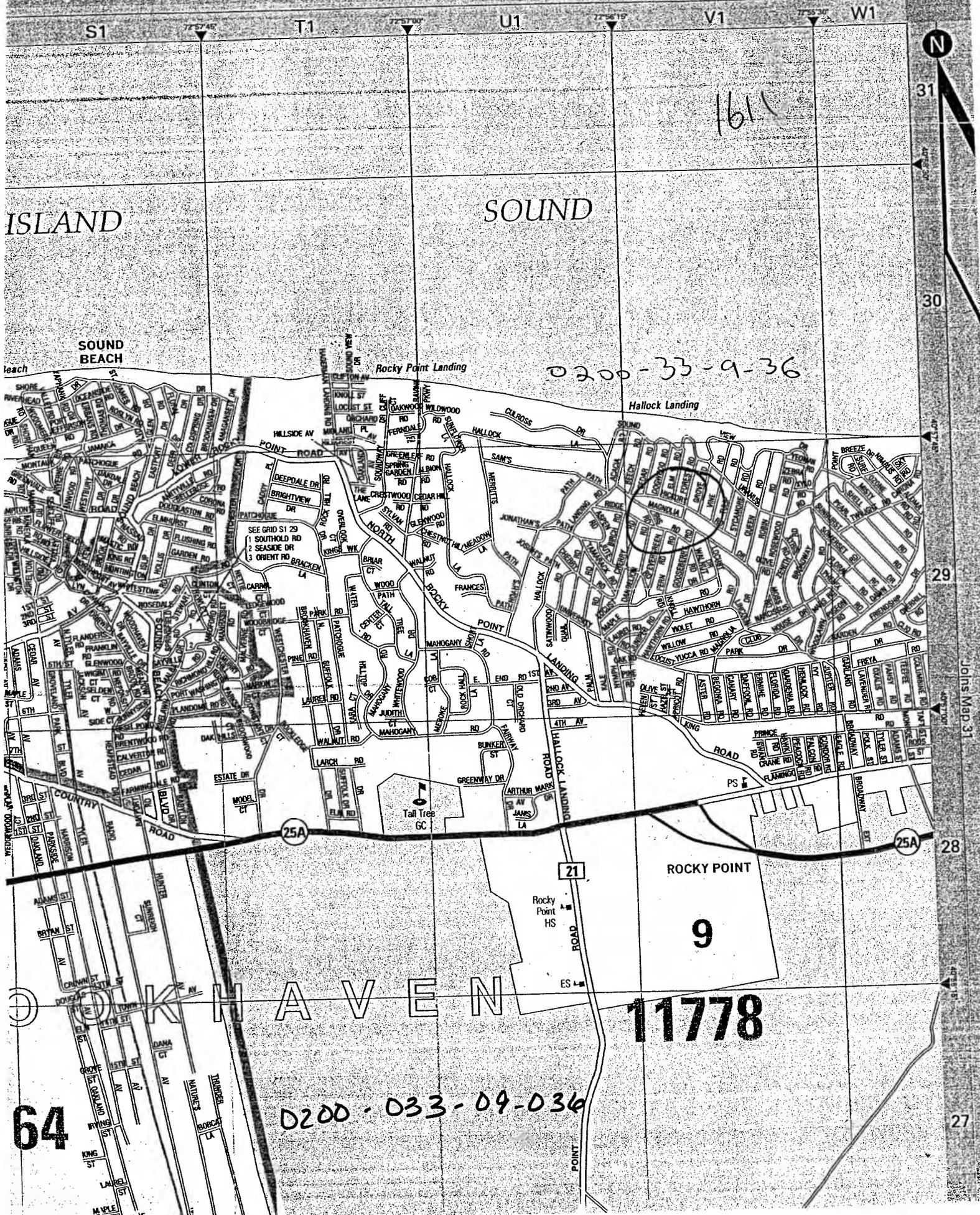
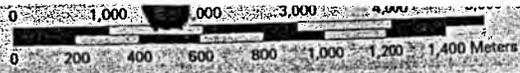
RESIGN
821-2040

0200-33-9-36

PROPERTIES DISTRICTS:	NOTICE MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION OF THE REAL PROPERTY TAX SERVICE AGENCY.		COUNTY OF SUFFOLK Real Property Tax Service Agency County Center Riverhead, N.Y. 11901 SCALE IN FEET: 1" = 200'	TOWN OF BROOKHAVEN VILLAGE OF DISTRICT NO 0200	SECTION NO 033 PROPERTY MAP
-----------------------	---	--	---	--	--

stance:
x-axis
y-axis

Scale 1:24,000



ISLAND

SOUND

SOUND BEACH

161

0200-33-9-36

9

64

0200-033-09-036

11778

Joins Map 31

COUNTY OF SUFFOLK

Gen B6

JUN 09 2008

1611



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

June 5, 2008

Ben Zwirn
Deputy County Executive
H. Lee Dennison Bldg. - 12th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0200-033.00-09.00-036.000
FOUR C's CUSTOM BUILDERS, INC.

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 (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. 1612-08

Laid on Table 6/24/08

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

**CARLTON M. SELLET, as to 50%, and ESTATE OF MAURICE L. SELLET, as to
50%, by Carlton M. Sellet, as Administrator
0100-069.00-02.00-037.000**

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 069.00, Block 02.00, Lot 037.000, and acquired by tax deed on May 14, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 15, 2007, in Liber 12505, at Page 268, and otherwise known as and by Town of Babylon, Filed Map 140, Block F, Lots 48-50 Inc.; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on May 14, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 15, 2007 in Liber 12505 at Page 268.

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, CARLTON M. SELLET, has made application of said above described parcel and CARLTON M. SELLET, has paid the application fee and will be paying \$36,548.14 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; and

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

2nd - RESOLVED, that 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 CARLTON M. SELLET, as to 50%, and ESTATE OF MAURICE L. SELLET, as to 50%, by Carlton M. Sellet, as Administrator, 184 Dixon Street, Amityville, New York 11701, 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: _____

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1612

May 28, 2008

Tax Map No.: 0100-069.00-02.00-037.000

Name of Last Legal Fee Owner: CARLTON M. SELLET, as to 50%, and ESTATE OF MAURICE L. SELLET, as to 50%, by Carlton M. Sellet, as Administrator

TREASURER'S COMPUTATION..... \$36,548.14

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

Recording Fees collected for County Clerk.. N/A

License Fee N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... \$36,548.14

Monies to be Received.....\$36,548.14

RESOLUTION AMOUNT.....\$36,548.14

APPROVED:

PREPARED BY:

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

Karen Slater 5/29/08
Accounting
CO:sc

1612

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0100-069.00-02.00-037.000

2. Title of Proposed Legislation

Authorizing the Director of the Division of Real Property Acquisition and Management and/or his designee to execute and acknowledge a Quitclaim Deed to transfer the interest of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2008

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

Cathy O'Neal Cathy O'Neal 5/28/08

COMPUTATION / SUFFOLK COUNTY TREASURY / RER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0100	069.00	02.00	1612 037.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2002/03	4084.09
2003/04	7435.39
2004/05	7257.47
2005/06	7118.72
2006/07	6084.83

2007/08 PROPERTY TAXES \$6407.98 NOT INCLUDED IN COMPUTATION

TOTAL: 31980.50

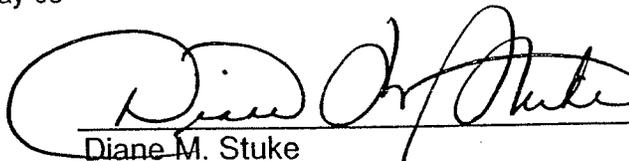
B. INTEREST DUE	2827.25
C. TOTAL	34807.75
D. 5% LINE C	1740.39
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$36,548.14

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 22-May-08



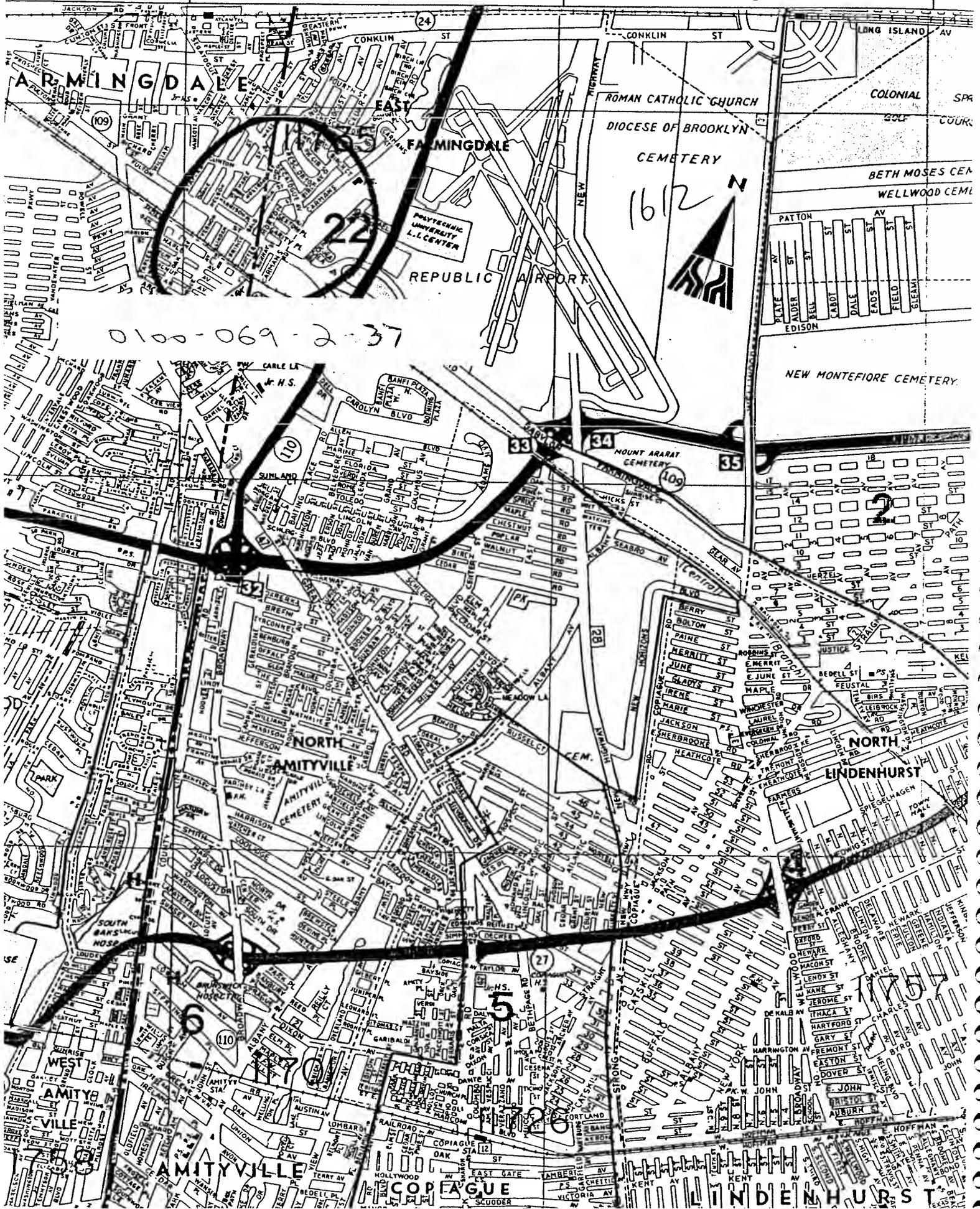
Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 11/18/08

1

2

3



0100-069-2-37



ARMINGDALE
EAST FALMINGDALE
POLYTECHNIC UNIVERSITY
L.C. CENTER
REPUBLIC AIRPORT
ROMAN CATHOLIC CHURCH
DIOCESE OF BROOKLYN
CEMETERY
1612
N
CONKLIN ST
LING ISLAND AV
COLONIAL SPR
COURT
BETH MOSES CEM
WELLWOOD CEM
PATTON AV
ALDER ST
BALL ST
CABOT ST
DALE ST
EADS ST
FIELD ST
BLEAH ST
EDISON
NEW MONTEFIORE CEMETERY
MOUNT ARARAT CEMETERY
NORTH AMITYVILLE
LINDENHURST
AMITYVILLE
COPIAGUE
LINDENHURST

COUNTY OF SUFFOLK

Gen B7

JUN 09 2008

1612



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

June 5, 2008

Ben Zwirn
Deputy County Executive
H. Lee Dennison Bldg. - 12th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0100-069.00-02.00-037.000
CARLTON M. SELLET, as to 50%, and ESTATE OF MAURICE L. SELLET, as to 50%,
by Carlton M. Sellet, 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 (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. 1613-08

Laid on Table 6/24/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO.
SALE OF COUNTY-OWNED REAL ESTATE
PURSUANT TO SECTION 72-h OF THE
GENERAL MUNICIPAL LAW
(TOWN OF BROOKHAVEN)
(0200-339.00-05.00-040.002)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 339.00, Block 05.00 Lot 040.002 and acquired by Tax Deed on August 16, 2004 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004 in Liber 12341 at Page 445 and described as follows, Town of Brookhaven, and otherwise known as and by Town of Brookhaven, as shown on a certain map entitled "Map of Strathmore", Section "1" and filed in the Suffolk County Clerk's Office on May 19, 1986 as Map No. 8113; and

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

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

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

1st RESOLVED, that Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said Town of Brookhaven for the sum of \$230.53 plus the pro rata share of the current tax adjustment due at closing; and be it further

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

3rd RESOLVED, that said quitclaim deed tendered by Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the property is not used for the above-described public governmental purposes within

three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

4th RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b)(2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d)(15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1)

DATED: _____

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Exhibit - "A"

1613

ADOPTED
BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 469-07
MEETING OF MAY 15, 2007

AUTHORIZATION TO ACQUIRE VACANT
PARCEL OF SUFFOLK COUNTY OWNED LAND
COLBY DRIVE, CORAM
SCTM NO. 0200-339-05-40.002 FOR DRAINAGE
PURPOSES PURSUANT TO SECTION 72-H OF
THE GENERAL MUNICIPAL LAW

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

WHEREAS, there is a vacant parcel of Suffolk County owned land located on Colby Drive, Coram (SCTM Nos. 0200-339-05-40.002) that is situated within the geographical boundaries of the Town of Brookhaven, Suffolk County, New York and are more particularly shown on the attached map; and

WHEREAS, the Town Board of the Town of Brookhaven, Suffolk County, New York is interested in acquiring said parcel of real property for drainage purposes for a consideration not to exceed Ten (\$10.00) Dollars plus pro-rata taxes at the time of closing; and

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

WHEREAS, the Town Board of the Town of Brookhaven, Suffolk County, New York, is aware that the restrictive covenants described above will run with the land and shall bind

1613

the heirs, successors, and assigns of the Town of Brookhaven and in the event of any violation of the restrictive covenants stated above, the Deed conveying said parcel shall be void ab initio and title to the realty shall revert to the County of Suffolk; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel located on Colby Drive, Coram, further identified as SCTM No. 0200-339-05-40.002, and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed Ten (\$10.00) Dollars plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above.

1613

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

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES
TOWN OF BROOKHAVEN

Tax Map No.: 0200-339.00-05.00-040.002

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$ 220.60

PURPOSE:

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

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

WRT: slb



1613

2

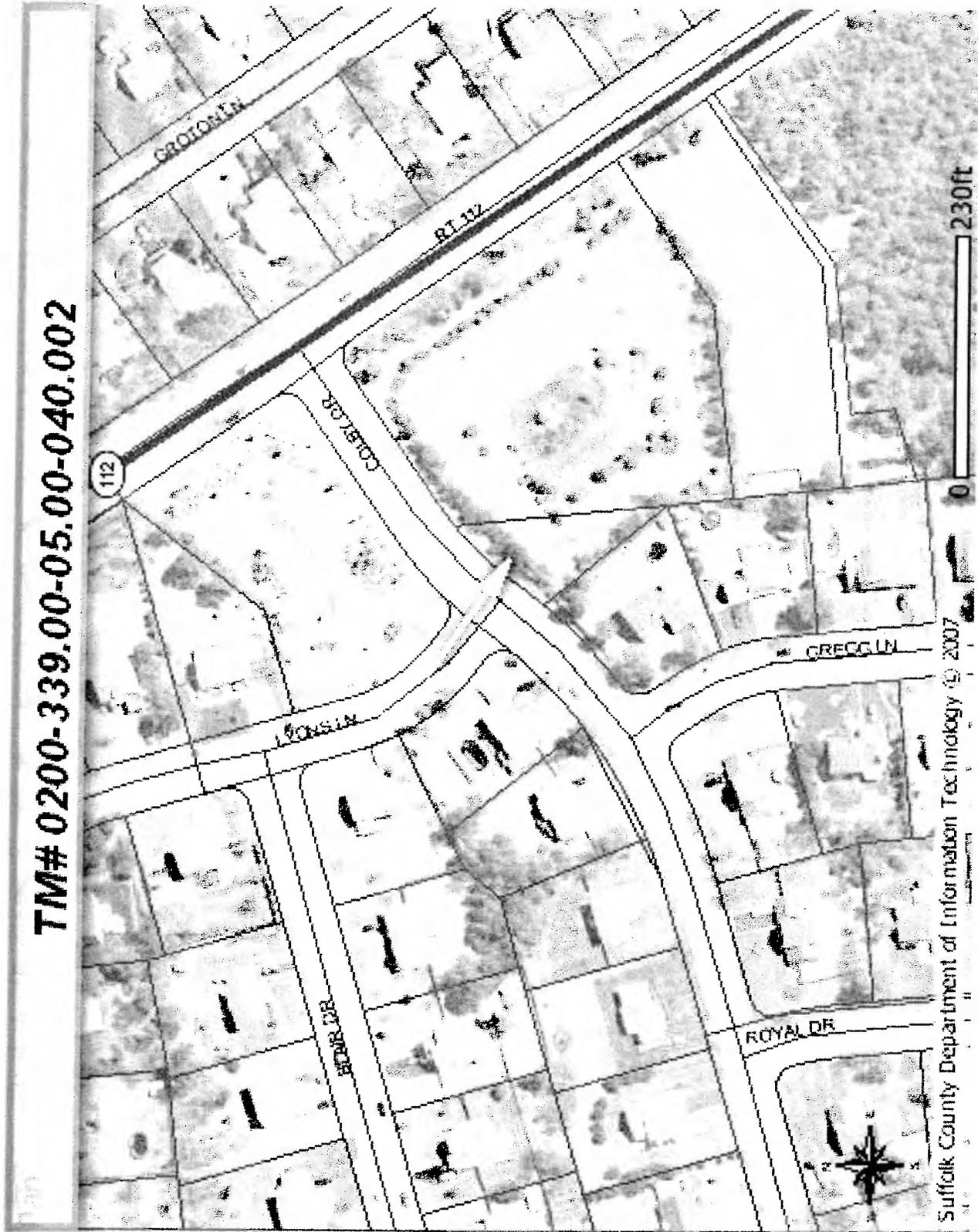
6

N 245,400

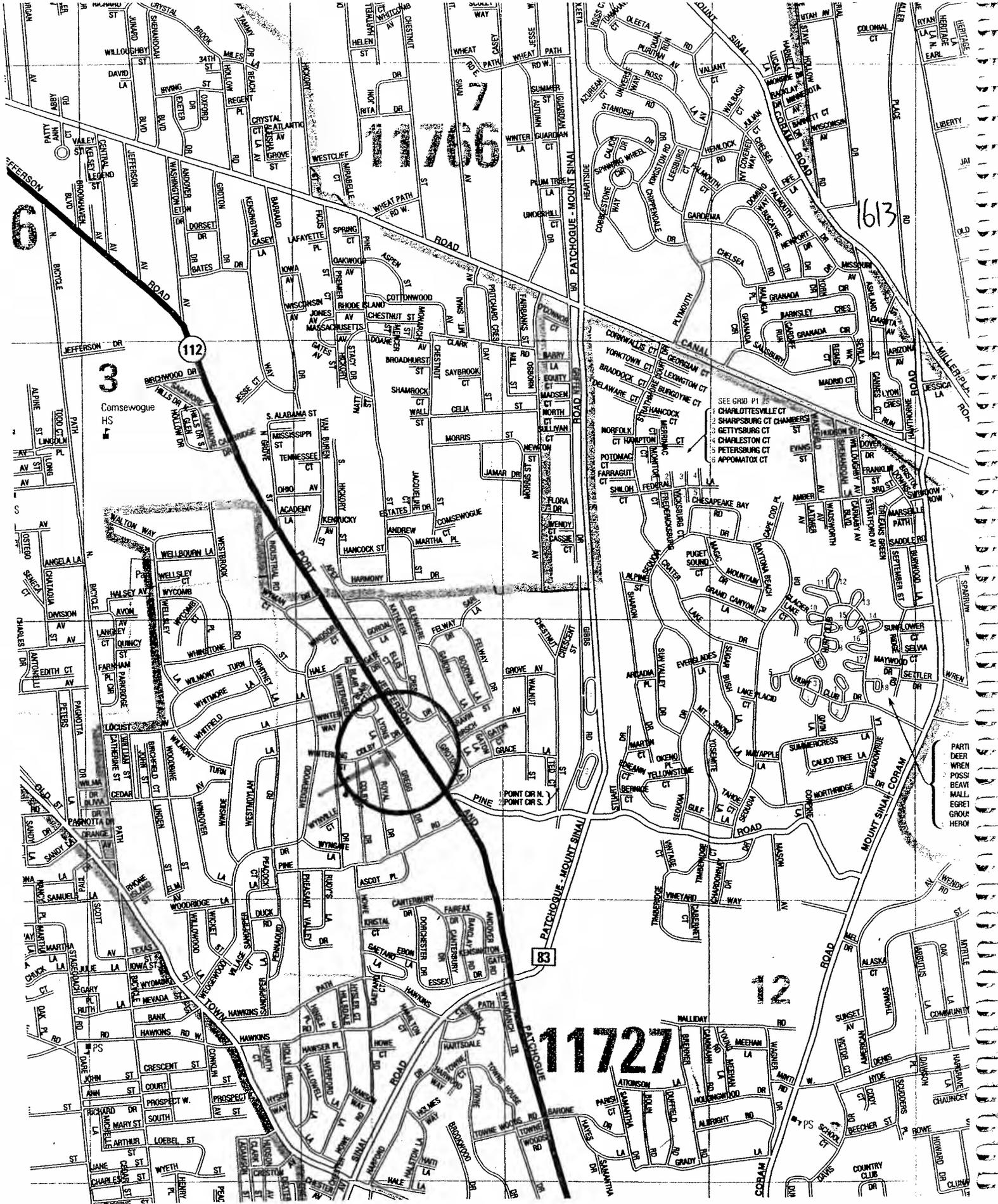
TIN# 0200 - 339.00 - 05.00 - 040.002

1613

TM# 0200-339.00-05.00-040.002



Suffolk County Department of Information Technology © 2007



TM # 0200 - 339.00 - 05.00 - 040.002

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1613

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 Drainage purposes

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

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

X County _____ Town _____ Economic Impact

_____ Village _____ School District _____ Other (Specify):

_____ Library District _____ Fire District

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

Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

Current year 2008

10. Name & Title of Preparer

R.J. Bhatt
LMS-III

Signature of Preparer

R.J. Bhatt

Date

5/28/08

COUNTY OF SUFFOLK

Gen B8
JUN 09 2008



1613

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

June 5, 2008

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

Re: Tax Map No.: 0200-339.00-05.00-040.002
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the Town of Brookhaven for General Municipal Purposes.

Dear Mr. Zwirn:

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

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

I would appreciate your placing this on the legislative agenda.

Yours truly,

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

CEK:WRT: slb

Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

Copy w/ Resolution to:
Connie Corso, Budget Director
Thomas A. Isles, Director of Planning
CE Reso Review via e-mail

Introductory Resolution No. 1614-08

Laid on Table 6/24/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2008, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976
JOSEPH J. DONLON AND SIMONE M. DONLON F/K/A SIMONE
M. BIEGEL, as Joint Tenants with Rights of Survivorship, 87
Johnson Ave., Ronkonkoma, NY 11779
(SCTM NO. 0200-798.00-02.00-040.000)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 798.00 Block 02.00 Lot 039.000 and acquired by Tax Deed on August 8, 2005 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 15, 2005 in Liber 12403 at Page 637 and described as follows, Town of Brookhaven, known and designated as Lots 14 & 15 in Block 2 on a certain map entitled "8th Map of Lake Ronkonkoma Estates", filed in the office of the Clerk of the County of Suffolk on September 29, 1911 as Map No. 40 and,

WHEREAS, in accordance with Local Law 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Joseph J. Donlon and Simone M. Donlon F/K/A Simone M. Biegel, as Joint Tenants with Rights of Survivorship, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$6,500.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$6,500.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of \$6,500.00, pursuant to said purchase offer; and

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

1st RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b)(2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6

N.Y.C.R.R. Section 617.13(d)(15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further,

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

3rd RESOLVED, that the Director, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Joseph J. Donlon and Simone M. Donlon F/K/A Simone M. Biegel, 87 Johnson Ave., Ronkonkoma, NY 11779.

DATED:

APPROVED BY

County Executive of Suffolk County

Date of Approval:

1614

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

SUMMARY STATEMENT

DIRECT SALE:

Suffolk County Local Law 13-1976

Tax Map No. 0200-798.00-02.00-040.000

ADJOINING OWNER	BID	BID	BID
Joseph J. Donlon and Simone M. Donlon 87 Johnson Ave. Ronkonkoma, NY 11779 0200-798.00-02.00-040.000	\$6,500.00		
Carol Ann Martin & Eileen Hempstead 91 Johnson Ave. Ronkonkoma, NY 11779 0200-798.00-02.00-043.001	\$0		
Arthur & Marianne Hill 90 First Street Ronkonkoma, NY 11779 0200-798.00-02.00-031.000	\$0		

SIZE OF PARCEL: 40' x 100'

APPRAISED VALUE: \$6,500.00

COMMENT: Direct Sale to Adjacent Owner

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

1614

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law X Charter Law _____

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to adjacent owner

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

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

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

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

Income from sale

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

Unknown

8. Proposed Source of Funding

None

9. Timing of Impact

2008

10. Name & Title of Preparer

Signature of Preparer

Date

Diane Bishop- LMS III

Diane Bishop

5/28/08

1614



0200-798-02-40

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COUNTY OF SUFFOLK

Gen 39
JUN 09 2008



1614

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

June 4, 2008

Ben Zwirn
Deputy County Executive
Intergovernmental Relations
H. Lee Dennison Bldg. 11th Flr.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 0200-798.00-02.00-040.000

Dear Mr. Zwirn:

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

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

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

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

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

Introductory Resolution No. 1615-08

Laid on Table 6/24/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO.
SALE OF COUNTY-OWNED REAL ESTATE
PURSUANT TO SECTION 72-h OF THE
GENERAL MUNICIPAL LAW
TOWN OF BROOKHAVEN
(0200-930.00-06.00-011.000)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 930.00, Block 06.00 Lot 011.000 and acquired by Tax Deed on April 21, 1982 from Jean H Tuthill, the County Treasurer of Suffolk County, New York, and recorded on April 21, 1982 in Liber 9171 at Page 219 and described as follows, Town of Brookhaven, known and designated as Lots 11 & 12 in Block 13 as shown on a certain map entitled "Map of New York and Brooklyn Suburban Investment Company, map 1, and filed in the Suffolk County Clerk's Office on June 28, 1889 as Map No. 436; and

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

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

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

1st RESOLVED, that the Director of the Division of Real Property Acquisition and Management, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said Town of Brookhaven for the sum of \$1,196.52 plus the pro rata share of the current tax adjustment due at closing; and be it further

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

3rd RESOLVED, that said quitclaim deed tendered by the Director of the Division of Real Property Acquisition and Management, pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the

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

4th RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b)(2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d)(15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1)

DATED: _____

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Exhibit "A"

1615

ADOPTED
BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 693-07
MEETING OF JULY 24, 2007

AUTHORIZATION TO ACQUIRE VACANT
PARCEL ON BAY SHORE AVENUE,
BELLPORT, FROM SUFFOLK COUNTY (SCTM
NO. 0200-930-06-11) FOR LANDFILL
PURPOSES PURSUANT TO SECTION 72-H OF
THE GENERAL MUNICIPAL LAW

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

WHEREAS, there is a vacant parcel of Suffolk County owned land located on Bay Shore Avenue, Bellport, (SCTM No. 0200-930-06-11) near the Town's landfill; and

WHEREAS, the Town Board is interested in acquiring said parcel of real property for landfill purposes; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel located on Bay Shore Avenue, Bellport, (SCTM No. 0200-930-06-11), and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed Ten (\$10.00) Dollars plus pro-rata taxes at the time of closing.

1615

RESOLUTION SUBMISSION

MEETING OF: JULY 24, 2007

RESOLUTION NO. 693-07

MOVED BY COUNCILMEMBER: CONNIE KEPERT

REVISION

SHORT TITLE: AUTHORIZATION TO ACQUIRE VACANT PARCEL ON BAY SHORE AVENUE, BELLPORT, FROM SUFFOLK COUNTY (SCTM NO. 0200-930-06-11) FOR LANDFILL PURPOSES PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW

DEPARTMENT: Law Department

REASON: To acquire vacant parcel from Suffolk County

PUBLIC HEARING REQUIRED: No

DEPARTMENT OF FINANCE APPROVAL: YES NO

DOLLARS INVOLVED: None

SEQRA REQUIRED:

DETERMINATION MADE: POSITIVE NEGATIVE

FEIS/FINDINGS FILED:

EXECUTION OF DOCUMENT REQUIRED: Yes

AE:pd

Present	Absent		Motion	Aye	No	Abstain	Not Voting
		Councilmember Fiore-Rosenfeld					
		Councilmember McCarrick					
		Councilmember Walsh					
		Councilmember Kepert	1				
		Councilmember Mazzei	2				
		Councilmember Bissonette					
		Supervisor Foley					

1615

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

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES
TOWN OF BROOKHAVEN

Tax Map No.: 0200-930.00-06.00-011.000

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$ 1,160.08
Current Taxes	<u>\$ 36.44</u>
Total County Investment	\$ 1,196.52

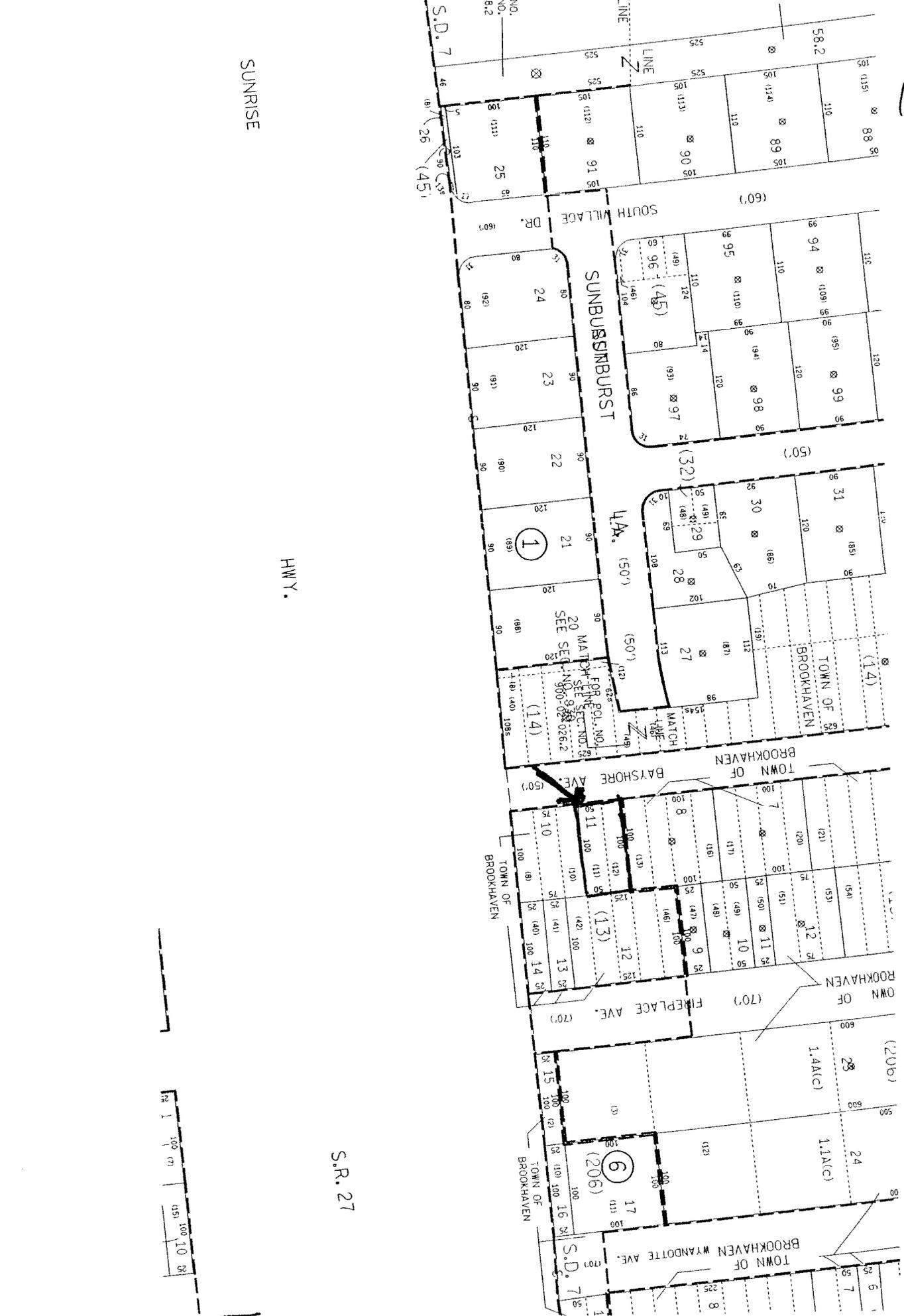
PURPOSE:

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

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

WRT: slb

1615

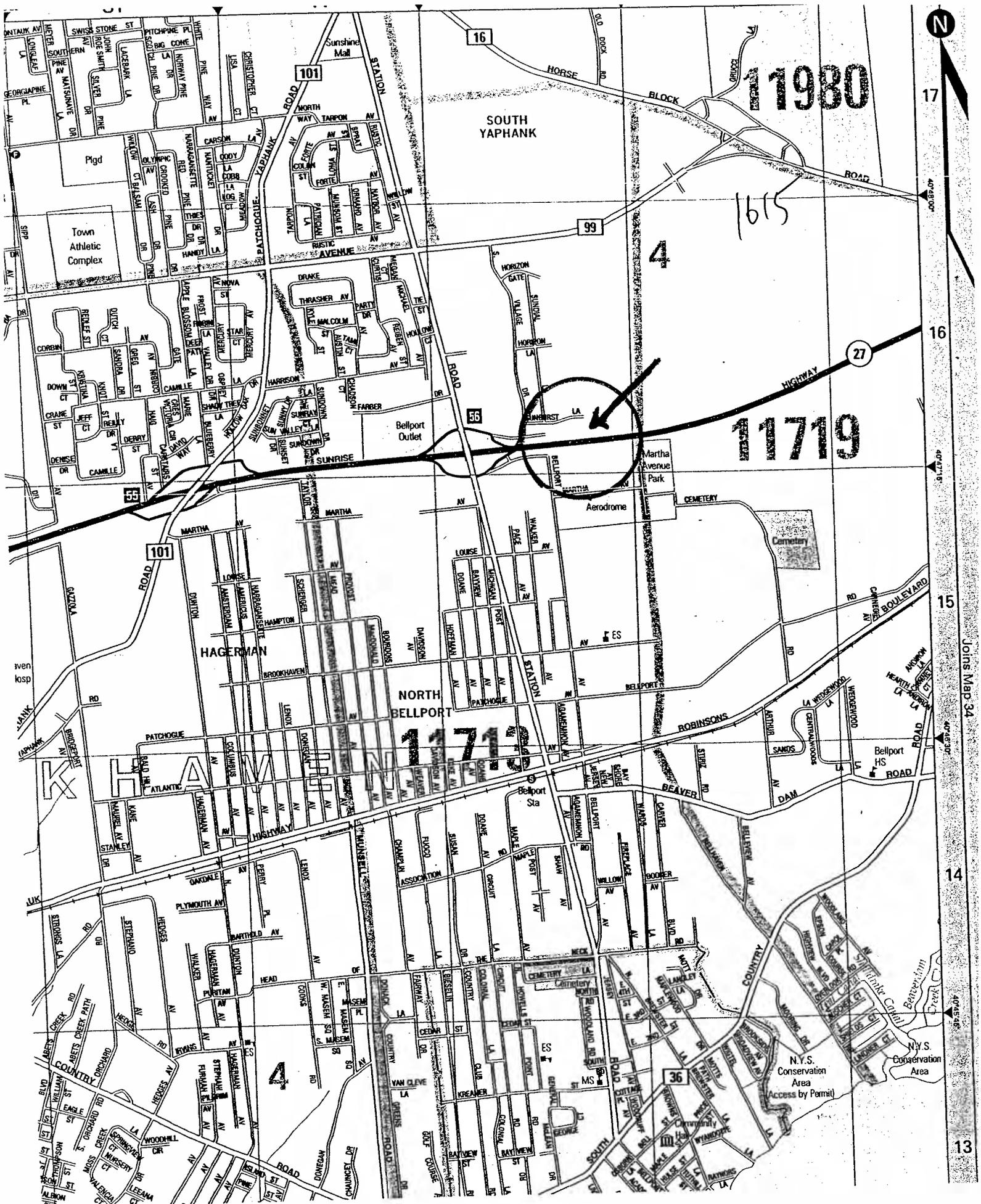


1615

TM# 0200-930.00-06.00-011.000



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17
 16
 15
 14
 13

-/M# 0200-930.00-06.00-011.000

1615

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 Landfill purposes

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

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

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

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

Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

Current year 2008

10. Name & Title of Preparer

R.J. Bhatt
LMS III

Signature of Preparer

R.J. Bhatt

Date

5/29/08

Gen B10

COUNTY OF SUFFOLK



1615 JUN 09 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

June 5, 2008

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

Re: Tax Map No.: 0200-930.00-06.00-011.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the Town of Brookhaven for General Municipal Purposes.

Dear Mr. Zwirn:

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

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

I would appreciate your placing this on the legislative agenda.

Yours truly,

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

CEK:WRT: slb

Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo

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

Introductory Resolution No. 1616-08 Laid on Table 6/24/08

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
BARBARA SUKOWA
0500-497.00-03.00-047.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 497.00, Block 03.00, Lot 047.000, and acquired by tax deed on July 2, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 13, 2007, in Liber 12513, at Page 418, and otherwise known as and by Town of Islip, Suffolk County Tax Map Number: District 0500, Section 497.00, Block 03.00, Lot 047.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 2, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 13, 2007 in Liber 12513 at Page 418.

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

WHEREAS, BARBARA SUKOWA has made application of said above described parcel and BARBARA SUKOWA has paid the application fee, and ROBERTO LONGO for Barbara Sukowa has paid \$6,739.05, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2008; and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to BARBARA SUKOWA, 205 Rugby Road, Brooklyn, New York 11226, 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

1616

May 22, 2008

Tax Map No.: 0500-497.00-03.00-047.000
Name of Last Legal Fee Owner: BARBARA SUKOWA

TREASURER'S COMPUTATION..... \$6,739.05

Taxes.....2007/2008..... PAID

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... \$6,739.05

Monies Received..... \$6,739.05

RESOLUTION AMOUNT..... \$6,739.05

APPROVED:

Karen A. Plater 6/4/08
Accounting
CO:sc

PREPARED BY:

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

1666

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0500-497.00-03.00-047.000

2. Title of Proposed Legislation

Authorizing the Director of the Division of Real Property Acquisition and Management and/or his designee, to execute and acknowledge a Quitclaim Deed to transfer the interest of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2008

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

Cathy O'Neal Cathy O'Neal 5/22/08

COMPUTATION OF SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0500	497.00	03.00	047.000

1616

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2002/03 5953.75

2003/04, 2004/05, 2005/06, 2006/07, AND 2007/08 PROPERTY TAXES PAID BY CHASE.

TOTAL: 5953.75

B. INTEREST DUE

464.39

C. TOTAL

6418.14

D. 5% LINE C

320.91

E. FEE

F. MISC

G. MISC

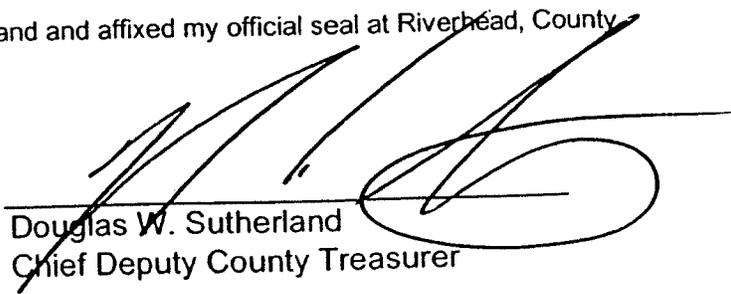
\$6,739.05

H. TOTAL DUE

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. 23-Apr-08



Douglas W. Sutherland
Chief Deputy County Treasurer

**Interest and penalty computed to
and including 10/20/08

dz

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

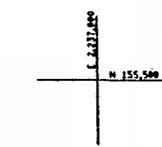
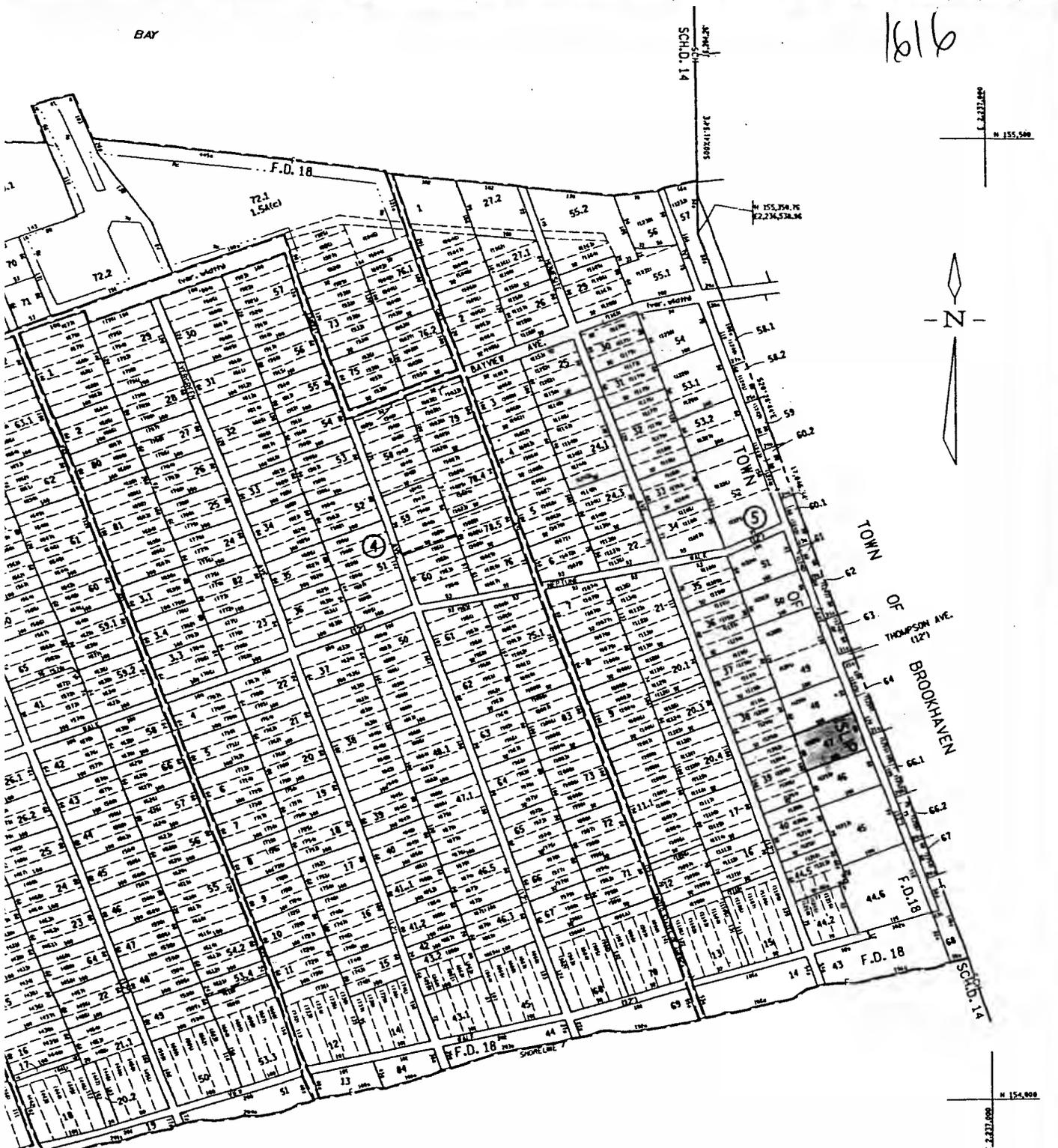


Red Property Tax Service Agency
 County Center Riverhead, N.Y. 11901
 SCALE IN FEET: 1" = 100'

KEY MAP
 495 496 497 498
 0502-001
 0502-002

ISLIP
 0500

496



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



COUNTY OF SUFFOLK
 Red Property Tax Service Agency
 County Center Riverhead, N.Y. 11901
 SCALE IN FEET: 1" = 100'

KEY MAP
 495 497 498
 0502-001
 0502-002

TOWN OF BROOKHAVEN	TOWN OF ISLIP	SECTION NO
VILLAGE OF		497
DISTRICT NO	0500	PROPERTY MAP

CONVERSION DATE: Apr. 15, 1997

N

40°30'00"

6

40°30'00"

5

40°30'00"

4

40°30'00"

3

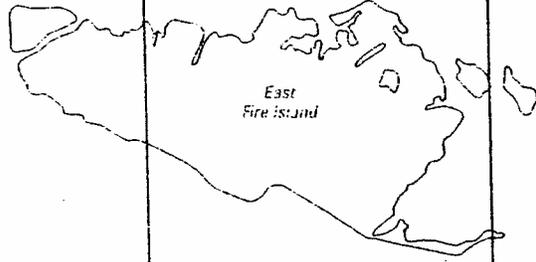
40°30'00"

2

Johns Map 24

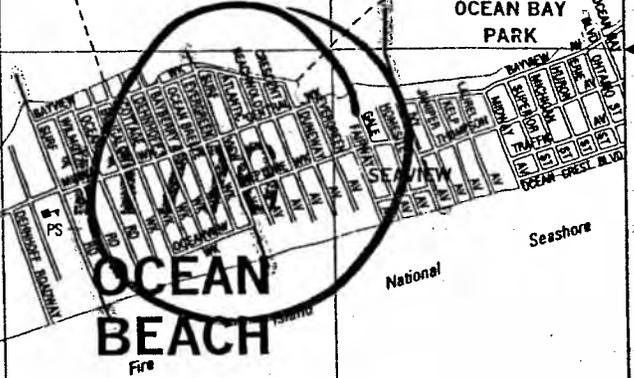
1616

(Summer Only) Fair N



East Fire Island

OCEAN BAY PARK



OCEAN BEACH

Fire

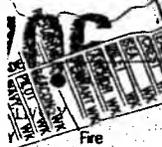
CORNEILLE ESTATES
SUMMER CLUB

ROBINS REST

OLD LONELYVILLE

DUNEWOOD

Saltire Harbor



FAIR HARBOR

FAIRE

OCEAN

0500 497 03 047

ATLANTIQUE

Town Park

National

Seashore

Fair N

COUNTY OF SUFFOLK



Gen Bill

JUN 09 2008

1616

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

June 6, 2008

Ben Zwirn
Deputy County Executive
H. Lee Dennison Bldg. - 12th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0500-497.00-03.00-047.000
BARBARA SUKOWA

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 (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. 1617-08 Laid on Table 6/24/08

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
JERRY KAPPATOS
0200-983.40-09.00-042.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 983.40, Block 09.00, Lot 042.000, and acquired by tax deed on August 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 18, 2006, in Liber 12465, at Page 374, and otherwise known as and by Town of Brookhaven, Lot Nos. 11575 to 11579 Inc. on a certain map entitled, "Fourth Map of Mastic Beach, Suffolk County, Long Island, New York" and filed in the Suffolk County Clerk's Office on July 26th, 1927, File No. 653; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on August 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 18, 2006 in Liber 12465 at Page 374.

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, JERRY KAPPATOS has made application of said above described parcel and JERRY KAPPATOS has paid the application fee and \$1,811.70, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2008; and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to JERRY KAPPATOS, 15 Doone Drive, Syosset, New York 11791, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

50.I

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1617

May 30, 2008

Tax Map No.: 0200-983.40-09.00-042.000
Name of Last Legal Fee Owner: JERRY KAPPATOS

TREASURER'S COMPUTATION..... \$1,369.18
Taxes.....2007/2008..... \$ 442.52
Recording Fees collected for County Clerk. . N/A
License Fee..... N/A
Repairs..... N/A
Interest..... N/A
Miscellaneous Expenses..... N/A

TOTAL..... \$1,811.70

Monies Received..... \$1,811.70

RESOLUTION AMOUNT..... \$1,811.70

APPROVED:

Karen Alator 6/4/08
Accounting
LB:sc

PREPARED BY:

Lori Bertone

Lori Bertone
Redemption Unit
(631) 853-5932

1617

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0200-983.40-09.00-042.000

2. Title of Proposed Legislation

Authorizing the Director of the Division of Real Property Acquisition and Management and/or his designee, to execute and acknowledge a Quitclaim Deed to transfer the interest of Suffolk County acquired under Section 46 of the Suffolk County Tax Act

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

N/A

8. Proposed Source of Funding

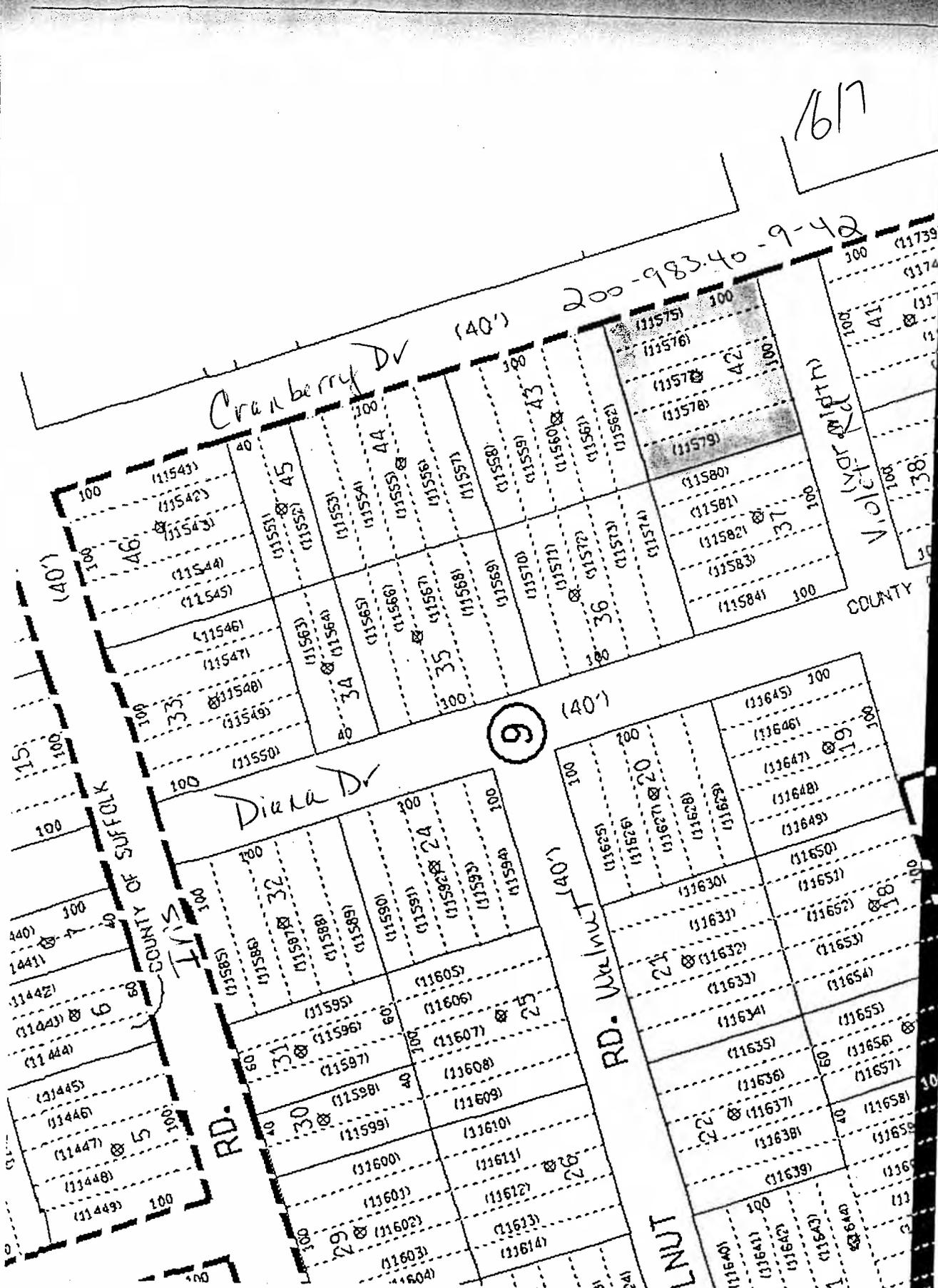
N/A

9. Timing of Impact

2008

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

Lori Bertone Lori Bertone 5/30/08



200-98340-9-42

11/16/2005 10:11:08 AM
 \\SR4\p\Draft\mgs\0200\prod\2098340x.dgn
 x = 2318399.95 y = 192838.35
 DSBL: 0200 98340 0900 091000

27

1617



FOR ADJOINING AREA SEE MAP NO. 21

D200-983.40-9-42

Gen B12

COUNTY OF SUFFOLK



JUN 09 2008

1617

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

June 6, 2008

Ben Zwirn
Deputy County Executive
H. Lee Dennison Bldg. - 12th Floor
Hauppauge, New York 11788-0099

Re: Tax Map No. 0200-983.40-09.00-042.000
JERRY KAPPATOS

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 (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. 1618-08 Laid on Table 6/24/08

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
ARSILIO DONOFRIO a/k/a ERSILIO DONOFRIO and VELIA DONOFRIO, his wife
0200-402.00-01.00-017.001

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 402.00, Block 01.00, Lot 017.001, and acquired by tax deed on October 18, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 30, 2007, in Liber 12528, at Page 281, and otherwise known as and by Town of Brookhaven, Suffolk County Tax Map Number: District 0200, Section 402.00, Block 01.00, Lot 017.001; 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 October 18, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 30, 2007 in Liber 12528 at Page 281.

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

WHEREAS, ARSILIO DONOFRIO a/k/a ERSILIO DONOFRIO and VELIA DONOFRIO, his wife, have made application of said above described parcel and ARSILIO DONOFRIO a/k/a ERSILIO DONOFRIO and VELIA DONOFRIO, his wife, have paid the application fee and \$86,078.53, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2008; and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ARSILIO DONOFRIO a/k/a ERSILIO DONOFRIO and VELIA DONOFRIO, his wife, 586 Middle Country Road, Middle Island, New York 11953, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

50.1

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1618

June 3, 2008

Tax Map No.: 0200-402.00-01.00-017.001

Name of Last Legal Fee Owner: ARSILIO DONOFRIO a/k/a ERSILIO DONOFRIO and
VELIA DONOFRIO, his wife

TREASURER'S COMPUTATION..... \$67,057.59

Taxes.....2007/2008..... \$19,020.94

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... \$86,078.53

Monies Received..... \$86,078.53

RESOLUTION AMOUNT..... \$86,078.53

APPROVED:

Karen Slater 6/4/08
Accounting
LB:sc

PREPARED BY:

Lori Bertone

Lori Bertone
Redemption Unit
(631) 853-5932

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1618

1. Type of Legislation

Resolution X
Tax Map Number 0200-402.00-01.00-017.001

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)

- | | | |
|------------------|-----------------|------------------|
| <u>County</u> | Town | Economic Impact |
| Village | School District | Other (Specify): |
| Library District | Fire District | |

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

The County will recoup the amount of taxes paid on the property taken by the tax deed.

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2008

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

Lori Bertone Lori Bertone 6/3/08

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	402.00	01.00	017.001

1618

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05	20966.58
2005/06	22139.22
2006/07	18130.93

2007/08 PROPERTY TAXES \$19,020.94, NOT INCLUDED IN COMPUTATION

TOTAL: 61236.73

B. INTEREST DUE	2627.64
C. TOTAL	63864.37
D. 5% LINE C	3193.22
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

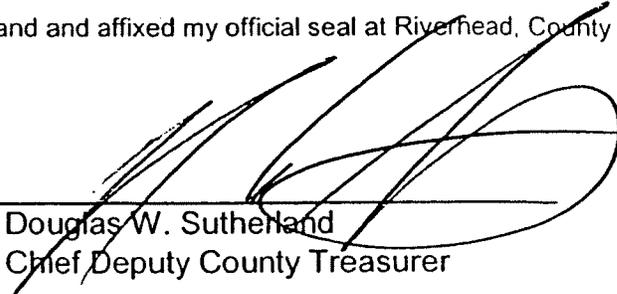
	\$67,057.59
2007/2008	19,020.94
	<u>\$ 86,078.53</u>

11/18/08 ef

CERTIFICATION BY COUNTY TREASURER

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

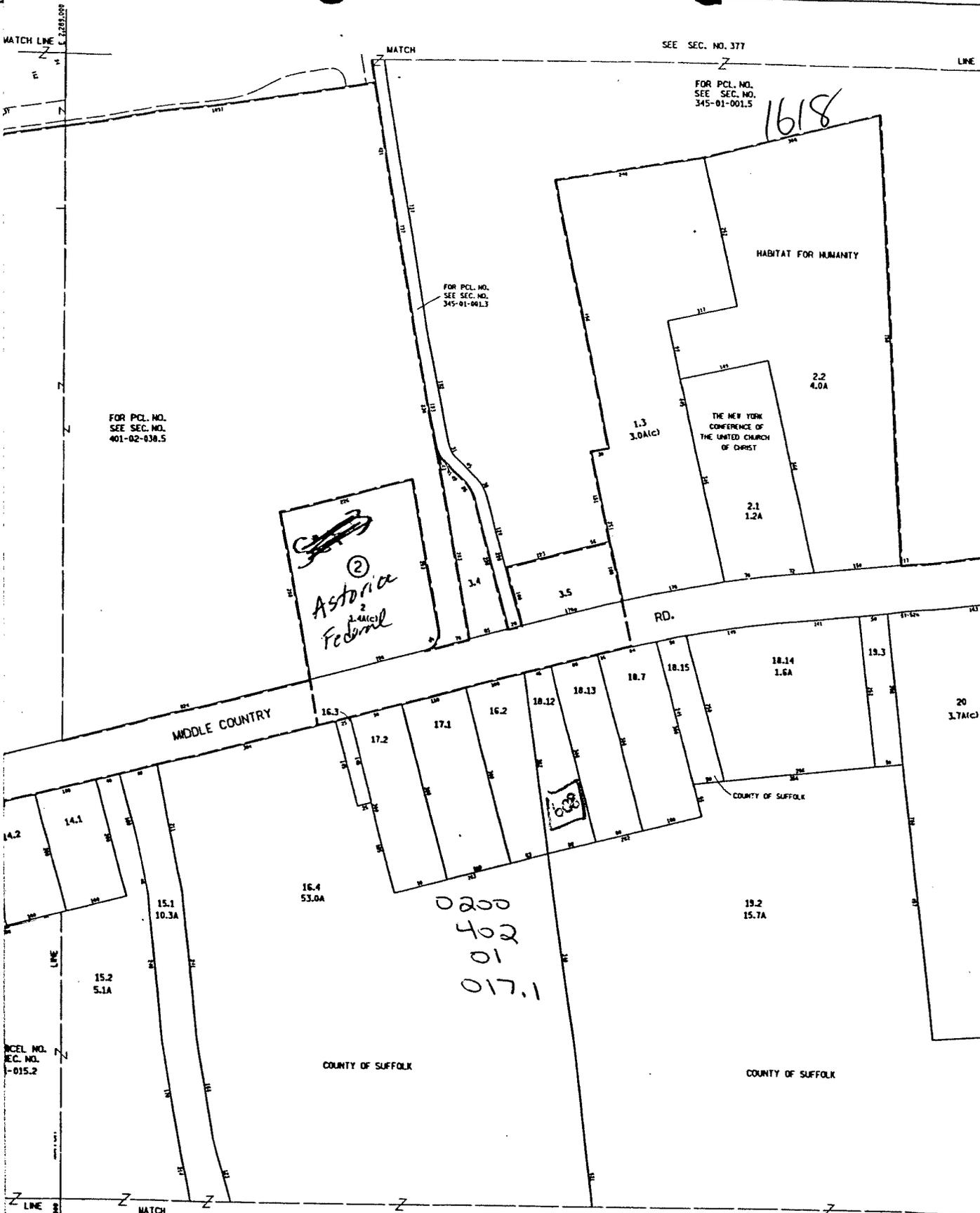
IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 16-Jan-08



 Douglas W. Sutherland
 Chief Deputy County Treasurer

**Interest and penalty computed to and including 07/14/08

dz



WITIN 11.

SEE SEC. NO. 377

FOR PCL. NO. SEE SEC. NO. 345-01-001.5

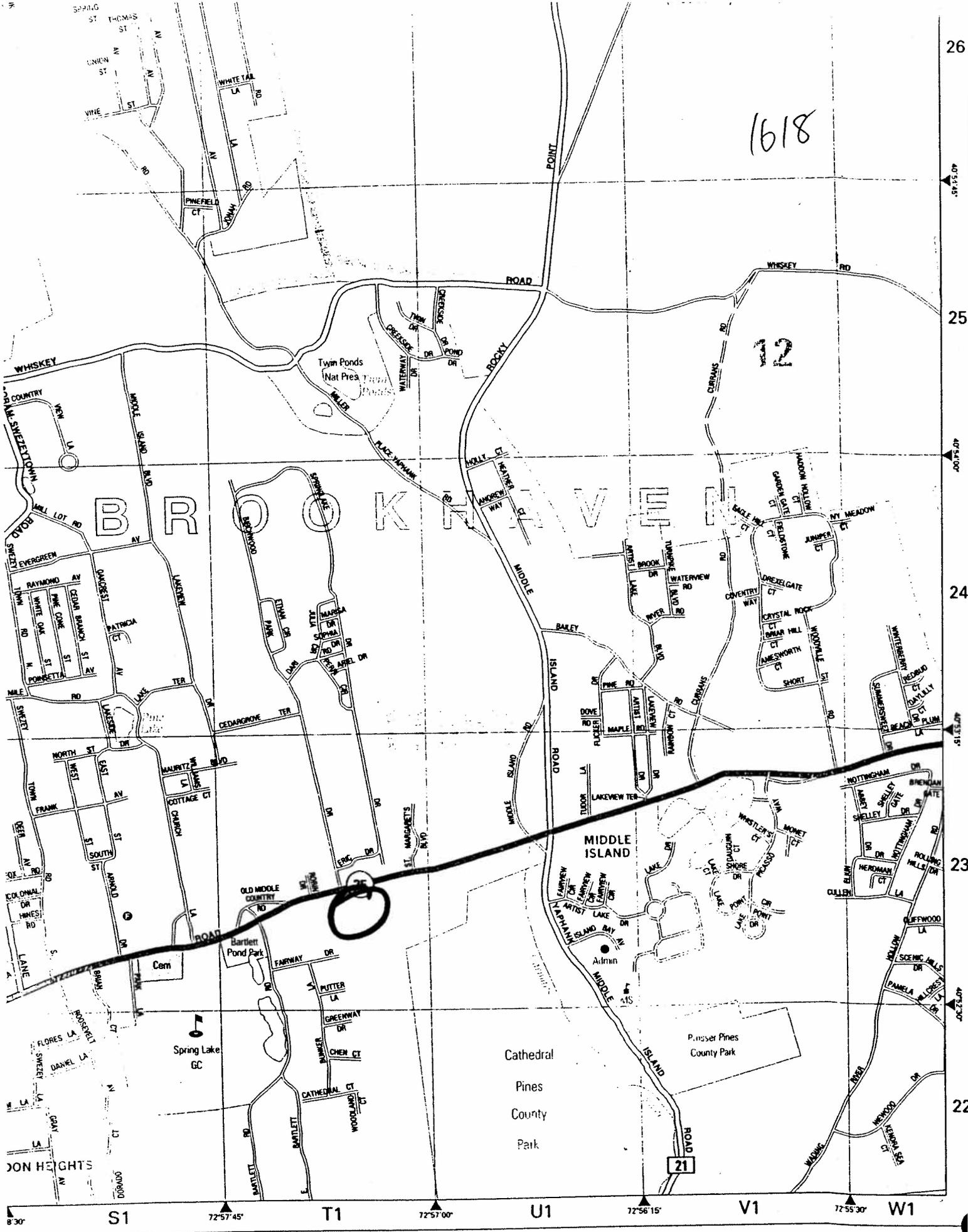
FOR PCL. NO. SEE SEC. NO. 401-02-030.5

FOR PCL. NO. SEE SEC. NO. 345-01-001.3

FOR PCL. NO. SEE SEC. NO. 1-015.2

SEE SEC. NO. 433

SECT Z 4	Sub-Block Lot No. (21) Sub-Block Block/Blk. No. Block Dimension Sched Dimension Bed Area 12.1 Acre or 12.1A Calculated Area 12.1 Acre	Block List Block No. (2) County Line Town Line Village Line	School District Line — SCH — Fire District Line — F — Water District Line — W — Light District Line — L — Park District Line — P — Sewer District Line — S —	Hydrant District Line — H — Refuse District Line — R — Water District Line — WST — Ambulance District Line — A — Sanitary District Line — SW —	UNLESS DRAWN OTHERWISE, ALL PROPERTIES ARE WITHIN THE FOLLOWING DISTRICTS: SCHOOL 12 FIRE 14 LIGHT 121 PARK AMBULANCE SEWER HYDRANT WATER REFUSE WASTEWATER
PROPE					



26
40°51'45"
25
40°51'00"
24
40°50'15"
23
40°49'30"
22
40°48'45"

8°30' S1 72°57'45" T1 72°57'00" U1 72°56'15" V1 72°55'30" W1

Joins Map 27

Orange Map Company, Inc.

0200-402-01-17.1

Intro. Res. No 1619-08
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 6/24/08

**RESOLUTION NO. _____, APPROVING THE
APPOINTMENT OF ROBERT J. RITTER AS A
MEMBER OF THE SUFFOLK COUNTY HOME IMPROVEMENT
CONTRACTORS LICENSING BOARD**

WHEREAS, the term of office of Gary Lobato, expired upon retirement, now therefore be it

RESOLVED, that the appointment of Robert J. Ritter, of 911 Court North Drive, Melville, New York 11747, as a member of the Suffolk County Home Improvement Contractors Licensing Board, for a term of office expiring June 4, 2011, be and the same hereby is approved; said reappointment having been made by the County Executive pursuant to the provisions of Local Law No. 25 of 1982.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1619

Robert J. Ritter
911 Court North Drive
Melville, NY 11747
(631) 270-4280

PROFILE

Strong background in business and leadership.

Hard-working business owner with great communication and organizational skills.

EXPERIENCE

Wendel Home Center, Inc.
Mineola & Deer Park, New York
President/ Owner **1996 - Present**
Salesman//Office Manager **1987 - 1996**

Oversee operations and manage staff of 20 employees for family home improvement company established in 1953.

A solid background in sales and product experience including siding, windows, roofing, sunrooms, awnings and doors.

Interact regularly with customers and oversee installations of products, purchases and inventory control.

Coopers & Lybrand Accounting Firm **1984 - 1987**
Staff Accountant

Performed auditing procedures for large corporations to substantiate the reliability of accounting records.

MEMBERSHIP

Better Business Bureau
Long Island Business Institute
National Association of the Remodeling Industry

EDUCATION

Long Island University, C. W. Post Center **1984**
B.S. in Accounting
Vice President – Accounting Society
Member – Dean’s Advisory Council for School of Professional Accountancy

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1619

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
APPROVING THE APPOINTMENT OF ROBERT J. RITTER AS A MEMBER OF THE SUFFOLK COUNTY HOME IMPROVEMENT CONTRACTORS LICENSING BOARD.		
3. Purpose of Resolution: Same as 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): Community College
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
NO IMPACT		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A.		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
UPON APPROVAL		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
SUZANNE MARTIN ADMINISTRATOR I	<i>Suzanne Martin</i>	6/4/08

SIN FORM 175b (10/95)

**FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1619

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

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

Intro Res. No. 1620-08
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 6/24/08

**RESOLUTION NO. - 2008, APPROVING THE
APPOINTMENT OF PHILIP PETER GARYPIE, JR., AS A
MEMBER OF THE SUFFOLK COUNTY FIRE, RESCUE
AND EMERGENCY SERVICES COMMISSION**

RESOLVED, that the appointment of Philip Peter Garypie, Jr., 83 Harrison Street, Sag Harbor, NY 11963, as a representative of the East Hampton Town Chiefs' Association, on the Suffolk County Fire, Rescue and Emergency Services Commission, for the term of office beginning immediately and expiring December 31, 2010, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provision of C-11.4 of the Suffolk County Charter, Article XI.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1620

Philip Peter Garypie, Jr.
83 Harrison Street, Sag Harbor, New York 11963

631-899-3694

631-445-5871-cell

petegap13@yahoo.com

Mechanic

Dependable professional with over eight years of experience in fleet management, repair and DOT regulations. Extensive knowledge in operating diagnostic equipment, preventive maintenance and advanced skills in diesel repair. Possess the highest integrity as a supervisor and thrives for the opportunity for growth and expansion in the field of mechanics.

PROFESSIONAL EXPERIENCE

EAST HAMPTON SCHOOL DISTRICT, East Hampton, New York February 2008 to present
Mechanic II

- Performs and oversees any and all repairs and maintenance to all vehicles
- Vehicle Inspections
- Equipment, parts ordering and pricing
- Coordinates road repairs and vehicle recoveries
- Maintains vehicle records and service files

SCHENCK FUEL, East Hampton, New York August 2005 to February 2008
Chief Mechanic

- Manage a fleet of 60 various types of vehicles
- Performs and oversees any and all repairs and maintenance to all vehicles
- Vehicle Inspections
- Equipment, parts ordering and pricing
- Coordinates road repairs and vehicle recoveries
- Maintains vehicle records and service files

HAMPTON JITNEY, INC., Southampton, New York May 1997 to August 2005
Senior Mechanic

- Managed a fleet of 65 full-size and mini coaches
- Managed assignments for all maintenance personnel
- Performed DOT vehicle inspections
- Equipment ordering
- Attended advanced training seminars
- Implemented new training procedures in the workplace
- Vehicle Recovery and road assistance

HARBOR HEIGHTS SERVICE STATION, Sag Harbor, New York March 1993 to May 1997
Mechanic Helper

- Repair and service work on all types of consumer vehicles and commercial trucks

EDUCATION

1620

DIESEL INSTITUTE OF AMERICA, Grantsville, Maryland
Diesel Technician

October 1998 to June 1999

SUFFOLK COMMUNITY COLLEGE, Riverhead, New York
Criminal Justice Credits

September 1996 to June 1997

PIERSON HIGH SCHOOL, Sag Harbor, New York
General Diploma

June 1996

ADDITIONAL EXPERIENCE

SAG HARBOR VOLUNTEER FIRE DEPARTMENT

Chief
1st Assistant Chief
2nd Assistant Chief
Captain, Montauk Hose Company 2
Assistant Captain, Montauk Hose Company 2
Assistant Crew Chief
Member

April 2006 to May 2008
May 2004 to April 2006
May 2003 to April 2004
May 2000 to April 2002
May 1999 to April 2000
May 1998 to April 1999
October 1996 to present

TOWN OF SOUTHAMPTON CHIEFS COUNCIL

President
Vice President

April 2006 to April 2007
April 2005 to April 2006

TOWN OF EAST HAMPTON CHIEFS COUNCIL

President
Vice President

April 2007 to April 2008
April 2006 to April 2007

SAG HARBOR VILLAGE EMERGENCY MANAGEMENT PLAN

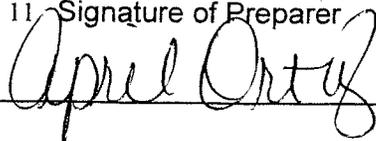
Committee Member

July 2006 to present

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1620

1. Type of Legislation		
Local Law: _____ Charter Law: _____ Resolution: <u> X </u>		
2. Title of Proposed Legislation Appointment of Philip Peter Garypie, Jr., as a member of the Suffolk County Fire, Rescue and Emergency Services Commission.		
3. Purpose of Proposed Legislation Appointment of Philip Peter Garypie, Jr., 83 Harrison Street, Sag Harbor, NY 11963, as a representative of the East Hampton Town Chiefs' Association, on the Suffolk County Fire, Rescue & Emergency Services Commission for the term ending December 31, 2010.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No <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.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision N/A		
8. Proposed Source of Funding N/A		
9. Timing of Impact Immediately – December 31, 2010		

10. Typed Name & Title of Preparer April N. Ortiz County Executive	11. Signature of Preparer 	12. Date June 16, 2008
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1621
Intro. Res. No. -2008
Introduced by Legislator Horsley

Laid on Table 6/24/08

**RESOLUTION NO. -2008, DIRECTING THE COUNTY
ATTORNEY TO DETERMINE THE FEASIBILITY OF TAKING
LEGAL ACTION AGAINST SUB-PRIME MORTGAGE LENDERS**

WHEREAS, over the course of several years, financial institutions routinely made money available to unqualified borrowers who had no realistic means of keeping up with their loan payments over the long term; and

WHEREAS, a rash of defaults inevitably followed, and the ensuing foreclosures have left homes abandoned, and boarded up, transforming them into eyesores, possible fire hazards, targets for both looters and criminals, and thereby directly affecting the surrounding properties, deeply depleting the Suffolk County tax base and resulting in tangible costs such as increased fire and police expenditures associated with vacant properties, and/or potential demolition costs; and

WHEREAS, falling home values have resulted in property tax delinquencies and real property tax deficits: a 2.3% or \$1.2 million real property tax decline in 2005, a 5.9% or \$3 million real property tax decline in 2006, and most recently a 35.7% or \$18 million real property tax decline; and

WHEREAS, the number of homes on the path to foreclosure, or in lis pendens, increased 34.9% up to 5,819 in 2006, and most recently dramatically increased 51.8% up to 8,832 in 2007; and

WHEREAS, the number of homes in foreclosure increased 16.5% in 2006 up to 1,175, and most recently increased 26.7% in 2007 with up to 1,489 homes now in foreclosure; and

WHEREAS, the responsibility for the financial detriment inflicted upon Suffolk County and resident tax payers rests chiefly with sub prime's "securitizers" - investment banking firms from Wall Street and elsewhere that actually provided the cash used to make loans, regardless of the lender or broker nominally involved in the transactions; and

WHEREAS, the "securitizers" accomplished this largely by buying the sub prime mortgages procured from borrowers - lenders would make sub prime loans with proceeds received from the sale of mortgages from earlier deals and through this cycle, Wall Street financed the sub prime boom that took place in Suffolk County and around the country; and

WHEREAS, it is in the best interests of the taxpayers and residents of Suffolk County that the County of Suffolk determine whether legal action may be feasible to recover such costs incurred by the County as a result of the sub-prime mortgage crisis; and

WHEREAS, several municipalities around the country, Cleveland, Ohio, Baltimore Maryland, Buffalo, New York, have filed lawsuits against lenders for damages resulting from the foreclosure of sub-prime mortgages; now, therefore be it

1st RESOLVED, that the Suffolk County Department of Law is hereby authorized, empowered, and directed to study the feasibility of instituting legal action in any judicial and/or

administrative forum to recover taxpayer funds that have been expended as a result of the sub prime mortgage failure; and be it further

2nd **RESOLVED**, that the County Attorney is directed to report his/her findings regarding the feasibility of such legal action to this Legislature within 60 days of 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:

s:\res\r-sub-prime-mortgage-lenders

1622

Introductory Resolution No. -2008
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 6/24/08

RESOLUTION NO. - 2008, ACCEPTING AND APPROPRIATING A GRANT AWARD FROM THE STATE UNIVERSITY OF NEW YORK FOR A COMMUNITY COLLEGE WORKFORCE DEVELOPMENT TRAINING GRANTS PROGRAM FOR NANA'S HOUSE, INC. 91% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, Suffolk County Community College has received a grant award from the State University of New York, in the amount of \$4,800, including indirect costs, for a Community College Workforce Development Training Grants Program for NANA's House, Inc. for the period of April 29, 2008 through August 22, 2008; and

WHEREAS, a cash match in the amount of \$480 provided by NANA's House, Inc. will increase the program total to \$5,280, including indirect costs; and

WHEREAS, the program will provide funds for the Case Management staff of NANA's House, Inc. with improved Communication Skills, Stress Management, and Diversity Awareness training which would better enable them to respond to the needs of families residing at their shelters; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the grant on May 15, 2008 by Resolution No. 2008.36; and

WHEREAS, the College anticipates spending the \$5,280, including indirect costs, in accordance with the terms of said grant award before August 22, 2008; now therefore be it

1st RESOLVED, that said grant award from the State University of New York, for a Community College Workforce Development Training Grants Program for NANA's House, Inc., in the amount of \$4,800, including \$480 in indirect costs, be accepted; and be it further

2nd RESOLVED, that a cash match from NANA's House, Inc. in the amount of \$480 be accepted for the operation of the Community College Workforce Development Training Grants Program for NANA's House, Inc.; and be it further

3rd RESOLVED, that said program, in the amount of \$5,280, including \$480 in indirect costs, be appropriated for the operation of the project as follows:

REVENUES:

State Aid: WDT-NANA's House, Inc.: 818-GRT-3299-08
Private Aid: WDT: NANA's House, Inc.: 818-GRT-2564-08

AMOUNT:

\$ 4,800
\$ 480

APPROPRIATIONS:

WDT: NANA's House, Inc.: 818-GRT-GT46-08

AMOUNT:

\$ 4,800

Suffolk County Community College
Workforce Development Training: NANA's House, Inc.
818-GRT-GT46-08

<u>1000-Personal Services</u>	<u>\$ 4,434</u>
1160-Part-time Instructors-Day	4,434
<u>8000-Employee Benefits</u>	<u>\$ 366</u>
8330-Social Security	339
8350-Unemployment Insurance	27

DATED: .

APPROVED BY:

County Executive of Suffolk County

1622

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
ACCEPTING AND APPROPRIATING A GRANT AWARD AMENDMENT FROM THE STATE UNIVERSITY OF NEW YORK FOR A COMMUNITY COLLEGE WORKFORCE DEVELOPMENT TRAINING GRANTS PROGRAM FOR NANA'S HOUSE, INC. 91% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes No <u>XX</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 5 is "yes", Provide Detailed Explanation of Impact		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding		
9. Timing of Impact		
THE RESOLUTION IS EFFECTIVE UPON ADOPTION.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst	<i>T. Saunders</i>	6-16-08

**FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1622

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

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

Suffolk

COUNTY COMMUNITY COLLEGE

1627
JUN 03 2008

To: Ben Zwirn, Assistant Deputy County Executive

From: Charles K. Stein, V. P. for Business and Financial Affairs

Date: May 28, 2008

Subject: Request for a Resolution Accepting and Appropriating a Grant Award for a Suffolk County Community College Program

Enclosed are the application and requisite forms to request acceptance and appropriation of the grant award for a program at Suffolk County Community College.

Proposal Grant Award Subcontract _____

Project Name: WDT: NANA's House, Inc.

Funders: State University of New York,
Comm. College Workforce Dev. Training
Grants Program
NANA's House, Inc.

Amount of Grant: \$ 4,800
NANA's House, Inc.: \$ 480

Full Time Positions: None

Please call me if there are questions regarding this request.
An e-mail version of the resolution was sent to CE RESO REVIEW:
File name: Reso-SCCC-WDT NANA's House Award.doc

cc: J. Canniff, Vice President for Academic and Campus Affairs
J. Lombardo, Director of Corporate Training
J. B. Whitten, Vice President for Workforce & Economic Development
J. Bullard, Jr., Associate Dean for Financial Affairs
M. David Arma, Professional Assistant 2



Office of the President

BOARD OF TRUSTEES
May 15, 2008

**RESOLUTION NO. 2008.36 ACCEPTING A GRANT AWARD FOR A
WORKFORCE DEVELOPMENT TRAINING GRANT FOR NANA'S HOUSE, INC.**

WHEREAS, Suffolk County Community College has received a grant award from the State University of New York, in the amount of \$4,800, including indirect costs, for a Community College Workforce Development Training Grants Program for NANA's House, Inc. for the period of April 29, 2008 through August 22, 2008, and

WHEREAS, the program provides for the Case Management staff of NANA's House, Inc. with improved Communication Skills, Stress Management, and Diversity Awareness training which would better enable them to respond to the needs of families residing at their shelters, and

WHEREAS, matching funds, in the amount of \$480, provided by NANA's House, Inc., will increase the program total to \$5,280, including indirect costs, be it therefore

RESOLVED, that matching funds, in the amount of \$480, provided by NANA's House, Inc., be accepted for the operation of the Community College Workforce Development Training Grants Program, and be it further

RESOLVED, that a grant award, in the amount of \$4,800, including indirect costs, from the State University of New York, for a Community College Workforce Development Training Grants Program for NANA's House, Inc. during the 2007-2008 fiscal year, is hereby accepted, and the College president or her designee is authorized to execute a contract with the administering agency.

Project Director: Maureen David Arma

Note: No full-time personnel

George Kane
Secretary

1622

Board of Trustees Meeting
Date: May 15, 2008

ABSTRACT

Grant Proposal _____ Grant Award X

Funding Source State University of New York
Comm. College Workforce Development Training Grants Program

Project Title: NANA's House, Inc.

Project Director: Maureen David Arma

Project Period: April 29, 2008 to August 22, 2008

Campus: Corporate Training Center

Amount of Award: \$ 4,800
Match/Fees: \$ 480 Match: NANA's House, Inc.
Total Program Budget: \$ 5,280
In-kind Contribution: \$ 9,900 NANA's House, Inc.

Full-Time Positions/Reassigned Time: none

No. of Students to be Served: N/A

Type of Student to be Served: Non-traditional, adult incumbent workers of
NANA's House, Inc.

Description of Project:

NANA's House, Inc. is a not-for-profit organization founded in 1999 as a grassroots response to the problem of homelessness and underemployment among a growing number of families in Suffolk County. NANA's House operates three shelters and a food pantry in the Shirley, Mastic and Center Moriches communities of Suffolk County. These shelters provide temporary housing and short term solutions to the immediate problem of these families in obtaining nutrition, shelter and clothing. The shelters are staffed 24 hours per day by Case Managers. NANA's House staff also guide these families through the process of upgrading job skills and securing permanent housing. The training program would provide the Case Management staff of NANA's House with improved Communication Skills, Stress Management and Diversity Awareness training which would better enable them to respond to the needs of families residing at their shelters. The management of NANA's House would also be trained to repeat this training program in-house for future employees.

1622



THE STATE UNIVERSITY OF NEW YORK

Memorandum

Dennis Golladay Ph.D.
Vice Chancellor for
Community Colleges

To: President Shirley Pippins

State University Plaza
Albany, New York
12246

From: Dennis Golladay *D Golladay*

Date: April 29, 2008

518 443 5174
fax: 518 443 5250

Re: Workforce Development Training Grant

dennis.golladay@sunysd.edu
dgolladay@sunysd.edu

From: Suffolk County Community College
Company: NANA's House, Inc.
Amount: \$ 4,800

I am pleased to inform you that your contract training proposal named above has been approved for funding. The program may commence immediately.

Please note that this award is from de-obligated FY 2008 funding and therefore the program must be concluded and all funds expended and vouchered no later than August 22 of this year. A final report should be submitted with your final voucher. (The report format is included with this year's program guidelines sent previously.)

You may request 50% of the approved funding in advance to support project startup and operation by submitting an invoice according to your own standard format. (Please make the invoice to SUNY and include an invoice number for reference, the name of the company, the date, your college name and authorized signature.) Send it to Dennis Golladay, Vice Chancellor for Community Colleges, State University of New York, SUNY Plaza, Albany, New York 12246. The balance of the approved project funding will be paid at the conclusion of the project upon submittal of a final voucher and the final project report.

If you need any additional assistance, please contact Denise Bukovan at 518.443.5143.

Best wishes for the success of your project and thank you for your ongoing efforts to serve the employers of your region.

Cc: Maureen Arma
Joy Branahl

"NANA'S HOUSE"**Never Alone, Never Afraid Inc.**

14 Herkimer Street

Mastic, New York 11950

Main Office: 631 874-9100

Fax: 631 874-5434

1622

May 7, 2008

Dennis Golladay
Vice Chancellor for Community Colleges
SUNY System Administration
SUNY Plaza N 110
Albany, NY 12246

Re: SUNY Workforce Development Grant Application for NANA's House, Inc.

Dear Vice Chancellor Golladay:

For over a decade NANA's House, Inc. has been committed to providing a community based resource to the growing problem of hunger and homelessness in Suffolk County. NANA's House operates three Emergency Housing Shelters and a Food Pantry serving the Shirley, Mastic and Center Moriches communities.

As an emergency shelter and food pantry, NANA's serves over 100 individuals per month. Each shelter houses approximately 5 to 7 families of varying sizes and needs. Each shelter is manned 24 hours by Case Management staff. Increasingly, our staff experiences on-the-job burnout and would benefit from improved communication, stress management and diversity awareness skills.

The Corporate Training Center of Suffolk County Community College has agreed to supply our training under this project and we have pledged a 10% cash match.

Thank you for your consideration,

Paula Gilroy, MSW
Assistant Operations Manager

"Empowering families through Love, Support and Education"

1623

6/24/08

Intro. Res. No. - 2008

Laid on Table

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

**RESOLUTION NO. -2008 AUTHORIZING
THE ACQUISITION OF LAND UNDER THE NEW
SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM (EFFECTIVE
DECEMBER 1, 2007) - OPEN SPACE
COMPONENT - FOR THE MEADOW
PROPERTY - FORGE RIVER WATERSHED
(TOWN OF BROOKHAVEN - SCTM#0200-787.00-
08.00-024.000 & 0200-787.00-08.00-025.000)**

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 621-2004, authorized planning steps for the acquisition of said property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition; 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 1st Resolved, is listed in Resolution No. 625-2004 - Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 - Master Lists I and/or II Reports, respectively; now, therefore, be it;

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Seventy Five Thousand Dollars (\$75,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 787.00 Block 08.00 Lot 024.000	0.183±	Cindy Berman Meadow 43 Adam Road West Massapequa, NY 11758
No. 2	District 0200 Section 787.00 Block 08.00 Lot 025.000		

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) 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 New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Seventy Five Thousand Dollars (\$75,000.00), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$75,000.00, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

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

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

- b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study; and, be it further

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 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 D1

COUNTY OF SUFFOLK



1623

JUN 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

June 16, 2008

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

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Meadow property (Forge River Watershed), in the Town of Brookhaven, under the New Suffolk County Drinking Water Protection Program. The purchase price is \$75,000.00 for 0.183± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

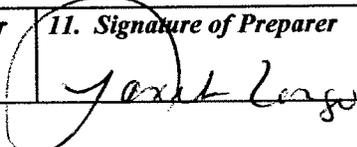
CEK:pd

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-Condensation
- Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
- ✓ Tom Vaughn, County Executive Assistant
- Brendan Chamberlain, County Executive Assistant
- Lori Sklar, Acquisition Agent
- CE Reso Review (e-mail copy only)

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

1623

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/>	Local Law
		<input type="checkbox"/> Charter Law
2. Title of Proposed Legislation Authorizing the acquisition under the New Suffolk County Drinking Water Protection Program, of the Meadow property (Forge River Watershed), SCTM#0200-787.00-08.00-024.000 & 0200-787.00-08.00-025.000, (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 New 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 June 16, 2008

1624

6/24/08

Intro. Res. No. - 2008

Laid on Table

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

RESOLUTION NO. -2008 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) - OPEN SPACE COMPONENT - FOR THE DECARMINE PROPERTY - NISSEQUOGUE RIVER ADDITION (TOWN OF SMITHTOWN - SCTM#0800-075.00-05.00-038.000 & 0800-075.00-05.00-039.000)

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 944-2006, authorized planning steps for the acquisition of said property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Eight Hundred Thousand Dollars (\$800,000.00), 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 0800 Section 075.00 Block 05.00 Lot 038.000	4.92+	Jayne Tyler DeCarmine and India DeCarmine D'Addezio 170 Route 111-Box 281 Smithtown, NY 11787
No. 2	District 0800 Section 075.00 Block 05.00 Lot 039.00		

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Eight Hundred Thousand Dollars (\$800,000.00), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$800,000.00, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

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

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and One (1) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

a.) freshwater/tidal wetlands and buffer lands for same; and, be it further

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

9th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant

effect on the environment, as demonstrated in the Environmental Assessment Form; and

- 2.) the proposed use of the subject parcel(s) is passive recreation; and
- 3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and, be it further

10th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Gen 02

COUNTY OF SUFFOLK



JUN 17 2008

1624

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

June 16, 2008

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

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the DeCarmine property (Nissequogue River Addition), in the Town of Smithtown, under the New Suffolk County Drinking Water Protection Program. The purchase price is \$800,000.00 for 4.92± acres.

Please contact me if you require any additional information.

Sincerely,

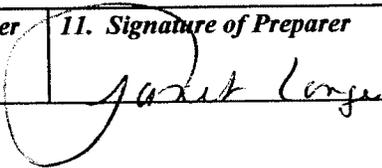
Christopher E. Kent
Director

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-Condensation
- Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
- Tom Vaughn, County Executive Assistant
- Brendan Chamberlain, County Executive Assistant
- Lori Sklar,, Acquisition Agent
- CE Reso Review (e-mail copy only)

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

1624

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/>	Local Law
		Charter Law
2. Title of Proposed Legislation Authorizing the acquisition under the New Suffolk County Drinking Water Protection Program, of the DeCarmine property (Nissequogue River Addition), SCTM#0800-075.00-05.00-038.000 & 0800-075.00-05.00-039.000, (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 New 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 June 16, 2008

1625

Intro. Res. No. - 2008

Laid on Table

6/24/08

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

**RESOLUTION NO. -2008 AUTHORIZING
THE ACQUISITION OF LAND UNDER THE NEW
SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM (EFFECTIVE
DECEMBER 1, 2007) - OPEN SPACE
COMPONENT - FOR THE SCHNAARS
PROPERTY - MASTIC/SHIRLEY
CONSERVATION AREA II (TOWN OF
BROOKHAVEN - SCTM#0200-983.50-01.00-
027.000)**

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

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

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition; 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 1st Resolved, is listed in Resolution No. 625-2004 - Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 - Master Lists I and/or II Reports, respectively; now, therefore, be it;

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Thirteen Thousand Dollars (\$13,000.00), 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>	SUFFOLK COUNTY	<u>ACRES:</u>	REPUTED OWNER
No. 1	<u>TAX MAP NUMBER:</u>	.139±	<u>AND ADDRESS:</u>
	District 0200		Gerard Schnaars
	Section 983.50		532 Serernity Place
	Block 01.00		Lake Mary, FL 32746
	Lot 027.000		

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) 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 New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Thirteen Thousand Dollars (\$13,000.00), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$13,000.00, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

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

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

a.) freshwater/tidal wetlands and buffer lands for same; and, be it further

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 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 03

JUN 17 2008



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

1625

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

CARRIE MEEK GALLAGHER
COMMISSIONER
CHRISTOPHER E. KENT
DIRECTOR

June 16, 2008

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

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Schnaars property (Mastic/Shirley Conservation Area II), in the Town of Brookhaven, under the New Suffolk County Drinking Water Protection Program. The purchase price is \$13,000.00 for 0.139± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

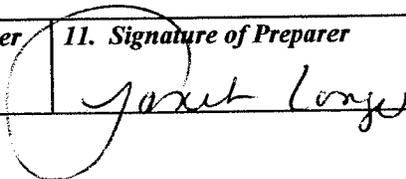
CEK:pd

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-Condensation
- Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
- Brendan Chamberlain, County Executive Assistant
- Michael Brown, Acquisition Agent
- CE Reso Review (e-mail copy only)

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

1625

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 New Suffolk County Drinking Water Protection Program, of the Schnaars property (Mastic/Shirley Conservation Area II), SCTM#0200-983.50-01.00-027.000, (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 New 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 June 16, 2008

1626

6/24/08

Intro. Res. No. - 2008

Laid on Table

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

**RESOLUTION NO. -2008 AUTHORIZING
THE ACQUISITION OF LAND UNDER THE NEW
SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM (EFFECTIVE
DECEMBER 1, 2007) - OPEN SPACE
COMPONENT - FOR THE EMERY
PROPERTY - TUTHILLS CREEK/PINE LAKE
(TOWN OF BROOKHAVEN - SCTM#0204-003.00-
01.00-020.000)**

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

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

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition; 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 1st Resolved, is listed in Resolution No. 625-2004 - Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 - Master Lists I and/or II Reports, respectively; now, therefore, be it;

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Five Thousand Four Hundred Dollars (\$5,400.00), 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>	SUFFOLK COUNTY	<u>ACRES:</u>	REPUTED OWNER
No. 1	<u>TAX MAP NUMBER:</u>	.10±	<u>AND ADDRESS:</u>
	District 0204		Christopher Emery
	Section 003.00		6 Shen Court
	Block 01.00		Poquott, NY 11733
	Lot 020.000		

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) 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 New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Five Thousand Four Hundred Dollars (\$5,400.00), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$5,400.00, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

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

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

a.) freshwater/tidal wetlands and buffer lands for same; and, be it further

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Gen 04

COUNTY OF SUFFOLK



JUN 17 2008

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

1626

CARRIE MEEK GALLAGHER
COMMISSIONER
CHRISTOPHER E. KENT
DIRECTOR

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

June 16, 2008

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

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Emery property (Tuthills Creek/Pine Lake), in the Town of Brookhaven, under the New Suffolk County Drinking Water Protection Program. The purchase price is \$5,400.00 for .10± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

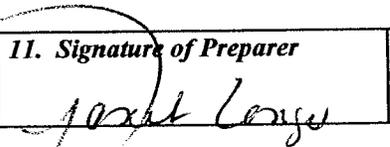
CEK:pd

Att.

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

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

1626

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/>	Local Law
		Charter Law
2. Title of Proposed Legislation		
Authorizing the acquisition under the New Suffolk County Drinking Water Protection Program, of the Emery property (Mastic/Shirley Conservation Area II), SCTM#0204-003.00-01.00-020.000, (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		
New Suffolk County Drinking Water Protection Program		
9. Timing of Impact		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Janet M. Longo Acquisition Supervisor		June 16, 2008

1627

6/24/08

Intro Res. No. -2008

Laid on Table

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, APPROVING A CONSTRUCTION
AGREEMENT BETWEEN SUFFOLK COUNTY SEWER DISTRICT NO. 13
- WINDWATCH AND MOTOR PARKWAY ASSOCIATES FOR THE
EXPANSION OF THE SEWAGE TREATMENT PLANT BY
350,000 GPD

WHEREAS, the Motor Parkway Associates is the owner of a proposed development known as Islandia Hotel, located in the vicinity of Suffolk County Sewer District No. 13 – Windwatch, has proposed to connect to the District’s sewage treatment plant; and

WHEREAS, Motor Parkway Associates has offered to enter upon the sewage treatment plant site and enlarge the plant by 350,000 gallons per day at its cost and therefore, at no expense to the ratepayers of the district; and

WHEREAS, the proposed work at the District’s sewage treatment plant will accommodate the flow needs of Spring Meadow and Townhouse Village, two homeowners’ associations whose existing sewage treatment plants are in need of costly improvements to bring their sewage treatment plants into compliance; and

WHEREAS, all work is to be performed through Motor Parkway Associates with the understanding that permission is granted to perform this work on District property; and

WHEREAS, the proposed construction has been approved by the Suffolk County Sewer Agency (Resolution No. 9-2008); now, therefore, be it

RESOLVED, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into a contract with Motor Parkway Associates to construct the necessary improvements to the Suffolk County Sewer District No. 13 – Windwatch Sewage Treatment Plant and that Motor Parkway Associates be required to post letters of credit, or other securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

DATED:

APPROVED BY:

County Executive of Suffolk County
Date of Approval:

**FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1627

GENERAL FUND

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

1627

SUFFOLK COUNTY SEWER AGENCY
RESOLUTION No. - 9 2008
AUTHORIZING THE EXPANSION OF THE SUFFOLK COUNTY SEWER
DISTRICT NO. 13 - WINDWATCH SEWAGE TREATMENT PLANT BY MOTOR
PARKWAY ASSOCIATES

WHEREAS, this Agency has previously approved the expansion of the facilities of Suffolk County Sewer District No. 13 - Windwatch (the "District") by 350,000 gallons per day to meet the then known needs of projects in the vicinity (SC Sewer Agency Resolution No. 41-2005), and

WHEREAS, the District's sewage treatment plant (the "Plant") lacks sufficient capacity in excess of the needs of the District to accept the sewage which is expected to emanate from various projects, and

WHEREAS, Motor Parkway Associates, in contract with the various projects has offered to do so at its sole cost, expense and effort, and at no cost to the ratepayers of the District, to expand the Plant in order to provide sewage treatment capacity for the projects, and

WHEREAS, the agreement to expand the facility by 350,000 gallons per day was not executed within one year of the adoption of the Sewer Agency resolution 41-2005, and

WHEREAS, the connection of the various projects to the Plant will be financially beneficial to the District and environmentally beneficial to all of Suffolk County,

NOW, THEREFORE, IT IS

1st RESOLVED, that Motor Parkway Associates is hereby authorized to enter into and upon the site of the District's sewage treatment plant for the purpose of expanding the said plant by three hundred fifty thousand gallons per day (350,000 GPD) in order to provide sewage treatment capacity for the various projects, and it is further

2nd RESOLVED, that the said expansion of the Plant shall be performed by Motor Parkway Associates at no cost to the ratepayers of the District, and it is further

3rd RESOLVED, the said expansion to the Plant by Motor Parkway Associates shall be performed in accordance with the requirements, and to the satisfaction, of the Suffolk County Department of Public Works, and it is further

1627

4th RESOLVED, that in consideration of the expansion of the Plant by Motor Parkway Associates, each of the various projects shall receive a credit against the connection fee payable to the District for the connection of each of the projects to the sanitary sewerage facilities of the District, and it is further

5th RESOLVED, that the Administrative Head of the District is hereby authorized to enter into an agreement with Motor Parkway Associates, the District, the Suffolk County Department of Public Works, the Suffolk County Department of Health Services the County of Suffolk and this Agency for the expansion of the District's sewage treatment plant in order to provide sewage treatment capacity for the various projects, said agreement to contain such terms as the Administrative Head of the District shall determine, and it is further

6th RESOLVED, that Motor Parkway Associates shall post a surety bond and deposit cash or security with the Suffolk County Treasurer as the Administrative Head deems necessary, as security for Motor Parkway Associates' expansion of the Plant as well as for all of Motor Parkway Associates' obligations under the aforesaid agreement and it is further

7th RESOLVED, that, upon the completion of the expansion of the Plant by Motor Parkway Associates, the connection of each of the projects to the sanitary sewerage facilities of the District shall be subject to the approval of this Agency the Suffolk County legislature and the New York State Department of Environmental Conservation and it is further

8th RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to Motor Parkway Associates if within one (1) year from the date of the adoption hereof an agreement in furtherance of the authorization granted herein (the Construction Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

(Suffolk County Sewer Agency Meeting 5/19/08)

1628
Intro Res. No. -2008 Laid on Table 6/24/08
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, AUTHORIZING
EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD
OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST WITH THE
OWNER OF 110 SAND COMPANY (HU-1040)

WHEREAS, 110 Sand Company is located outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS by Resolution No. 1592-2004, 110 Sand Company had previously petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 3; and had been approved to discharge 70,000 gallons per day; and

WHEREAS, it is now requesting to increase the daily discharge by 30,000 gallons per day for a total discharge of 100,000 gallons per day; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the proposed connection has received the approval of the Suffolk County Sewer Agency (Resolution No. 10-2008) with a connection fee of \$30.00 per gallon per day of sewage capacity; with a daily flow of 30,000 gallons, for an additional connection fee of \$900,000; and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 3 and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; and

WHEREAS, pursuant to Section 617.9 of the SEQRA regulations, a Negative Declaration has been issued by the Lead Agency; now, therefore, be it

RESOLVED, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 3 - Southwest and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

DATED:

APPROVED BY:

County Executive of Suffolk County
Date of Approval:

SUFFOLK COUNTY SEWER AGENCY

1628

RESOLUTION NO. 10 - 2008

AUTHORIZING AN INCREASE IN FLOW FROM 110 SAND CO. (HU_1040)
TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST

WHEREAS, **110 Sand Co.** is an existing NYSDEC licensed landfill located on Park Drive in Melville, New York, on property identified on the Suffolk County Tax Map as District 0400, Section 254.00, Block 02.00, Lots 044.000, 047.001 & 048.001 and Section 265.00, Block 01.00, Lots 001.000, 009.004 & 009.008 (the "Premises"), and

WHEREAS, the Premises are not located within the boundaries of Suffolk County Sewer District No. 3-Southwest (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, **110 Sand Co.** is authorized to discharge seventy thousand gallons per day (70,000 GPD) to the Districts facilities, and

WHEREAS, **110 Sand Co.**, due to the proposed expansion of the landfill service, will generate an additional sewage flow of thirty thousand gallons per day (30,000 GPD) (the "additional flow"), and

WHEREAS, the owner of **110 Sand Co.** has applied to this Agency for permission to connect the additional flow from **110 Sand Co.** to the sanitary sewerage facilities of the District, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the additional flow which is expected to emanate from **110 Sand Co.**, and

WHEREAS, the connection of the additional flow of **110 Sand Co.** to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County,

NOW, THEREFORE, IT IS

RESOLVED, that **110 Sand Co.** be permitted to connect the additional flow to the sanitary sewerage facilities of the District, upon such terms and conditions as the Administrative Head of the District may impose, subject to the terms and conditions hereof, and it is further

RESOLVED, that a total of one hundred thousand gallons per day (100,000 GPD) of capacity in the District's sewage treatment plant be allocated to **110 Sand Co.**, and it is further

1628

RESOLVED, that the additional flow authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further

RESOLVED, that the additional flow authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the developer of **110 Sand Co.**, the District, the Suffolk County Department of Public Works ("DPW"), the Suffolk County Department of Health Services, the County of Suffolk and this Agency, which agreement shall contain such terms and conditions as the Administrative Head of the District shall determine, and it is further

RESOLVED, that the connection fee of \$30.00 per gallon per day (a total of \$900,000) to be paid for **110 Sand Co.** shall be paid upon the execution of the Connection Agreement, and it is further

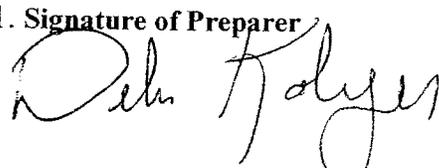
RESOLVED, that **110 Sand Co.** shall use its existing collection system which was previously built by **110 Sand Co.**, and has previously offered to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to the developer of **110 Sand Co.** if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

(Sewer Agency Meeting May 19, 2008)

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1628

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____											
2. Title of Proposed Legislation RESOLUTION NO. ___-2008, AUTHORIZING EXECUTION OF AGREEMENY BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST WITH THE OWNER OF 110 SAND COMPANY(HU-1040)											
3. Purpose of Proposed Legislation To authorize execution of an agreement by the administrative head of Suffolk County Sewer District No. 3 - Southwest with 110 Sand Company (HU-1040) for the additional discharge of 30,0000 gpd for a total discharge of 100,000 gpd to the S.C. Sewer District No.3- Southwest.											
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No _____											
5. If the answer to Item 4 is "yes," on what will it impact? (circle appropriate category) <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">County <input checked="" type="checkbox"/></td> <td style="width: 33%;">Town _____</td> <td style="width: 33%;">Economic Impact _____</td> </tr> <tr> <td>Village _____</td> <td>School District _____</td> <td>Other (Specify): _____</td> </tr> <tr> <td>Library District _____</td> <td>Fire District _____</td> <td></td> </tr> </table>			County <input checked="" type="checkbox"/>	Town _____	Economic Impact _____	Village _____	School District _____	Other (Specify): _____	Library District _____	Fire District _____	
County <input checked="" type="checkbox"/>	Town _____	Economic Impact _____									
Village _____	School District _____	Other (Specify): _____									
Library District _____	Fire District _____										
6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact This resolution will generate a total additional connection fee of \$900,000 to be place in Escrow for future improvements to the Sewer District.											
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A											
8. Proposed Source of Funding Connection Fees											
9. Timing of Impact 2008											
10. Typed Name & Title of Preparer Debra Kolyer Principal Financial Analyst	11. Signature of Preparer 	12. Date 6/16/08									

**FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1628

GENERAL FUND

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

JUN 06 2008

1628

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
FROM: Thomas Laguardia, P.E., Chief Deputy Commissioner, SCDPW
DATE: May 29, 2008
SUBJECT: **Introductory Resolution Calling for Approval of the Connection of 110 Sand & Gravel (HU-1040) to the Suffolk County Sewer District No. 3 - Southwest**

Attached is a draft resolution filed as Resolution DPW-SA10-2008 110 Sand & Gravel Co. (HU-1040) and appropriate forms with the backup filed as Resolution -Backup DPW-SA 10-2008 1040-HU 110 Sand & Gravel Co.

This is a resolution authorizing the execution of a connection agreement by the Administrative Head of Suffolk County Sewer District No. 3 – Southwest with 10 Sand & Gravel Co.

<u>Project Facts:</u>	
Type/units:	Landfill
Acreage:	69.8 acres
Current Flow:	70,000 GPD (30,000 GPD additional)
Sewer District:	SCSD No. 3-Southwest
Groundwater Zone:	I
Legislative District:	15

TL:BW:cap
cc: Gilbert Anderson, P.E. Commissioner, SCDPW
Ben Wright, P.E.
John Donovan, P.E.
Laura Conway
Linda Spahr, Esq.
E-mail to CE Reso Review

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Intro Res. No. 1629-08

Laid on Table 6/24/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2008, AUTHORIZING
THE EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD
OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST
WITH DURYEА RESIDENTIAL DEVELOPMENT (HU-1521)**

WHEREAS, Duryea Residential Development is located outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, Duryea Residential Development has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 3; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the proposed connection has received the approval of the Suffolk County Sewer Agency (Resolution No. 7-2007 and Resolution No. 11-2008) with a connection fee of \$15.00 per gallon per day of sewage capacity with a daily flow of 5,463 gallons, for a total connection fee of \$81,945.00; and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 3 and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; and

WHEREAS, pursuant to Section 617.9 of the SEQRA regulations, a Negative Declaration has been issued by the Lead Agency; now, therefore, be it

^{1st} RESOLVED, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 3 - Southwest and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

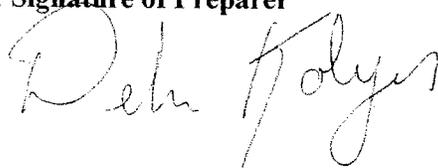
DATED:

APPROVED BY:

County Executive of Suffolk County
Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1629

1. Type of Legislation Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>											
2. Title of Proposed Legislation RESOLUTION NO. <u> </u>-2008, AUTHORIZING THE EXECUTION OF AN AGREEMENY BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST WITH DURYEА RESIDENTIAL DEVELOPMENT (HU-1521)											
3. Purpose of Proposed Legislation To authorize execution of an agreement by the administrative head of Suffolk County Sewer District No. 3 - Southwest with Duryea Residential Development (HU-1521) for the discharge of 5,463 gpd to the S.C. Sewer District No.3- Southwest.											
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>											
5. If the answer to Item 4 is "yes," on what will it impact? (circle appropriate category) <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">County X</td> <td style="width: 33%;">Town</td> <td style="width: 33%;">Economic Impact</td> </tr> <tr> <td>Village</td> <td>School District</td> <td>Other (Specify):</td> </tr> <tr> <td>Library District</td> <td>Fire District</td> <td></td> </tr> </table>			County X	Town	Economic Impact	Village	School District	Other (Specify):	Library District	Fire District	
County X	Town	Economic Impact									
Village	School District	Other (Specify):									
Library District	Fire District										
6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact This resolution will generate a total connection fee of \$81,945 to be place in Escrow for future improvements to the Sewer District.											
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A											
8. Proposed Source of Funding Connection Fees											
9. Timing of Impact 2008											
10. Typed Name & Title of Preparer Debra Kolyer Principal Financial Analyst	11. Signature of Preparer 	12. Date 6/16/08									

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1629

GENERAL FUND

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK

JUN 06 2008



1629

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
FROM: Thomas Laguardia, P.E., Chief Deputy Commissioner, SCDPW
DATE: May 29, 2008

SUBJECT: **Introductory Resolution Calling for Approval of the Connection of Duryea Residential Development (HU-1521) to the Suffolk County Sewer District No. 3 - Southwest**

Attached is a draft resolution filed as Reso DPW-SA 1521-HU Duryea Residential Development and appropriate forms with the backup filed as Reso-Backup DPW-SA 1521-HU Duryea Residential Development.

This is a resolution authorizing the execution of a connection agreement by the Administrative Head of Suffolk County Sewer District No. 3 – Southwest with the Duryea Residential Development (Melville RH Associates, LLC).

<u>Project Facts:</u>	
Type/Units	PRC/36 units and a clubhouse
Acreage:	5.61 acres
Flow:	5,463 GPD
Sewer District:	SCSD No. 3 – Southwest
Groundwater Zone:	I
SEQRA:	Completed
SC Tax Map:	0400-268.00-01.00-024.000 & 025.000
Legislative District:	17

TL:BW:cap

cc: Gilbert Anderson, P.E. Commissioner, SCDPW
Ben Wright, P.E.
John Donovan, P.E.
Laura Conway
Linda Spahr, Esq.
E-mail to CE Reso Review

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

SUFFOLK COUNTY SEWER AGENCY

1629

RESOLUTION NO. 11 - 2008

AUTHORIZING AN EXTENSION OF TIME FOR THE COMPLETION OF THE CONNECTION AGREEMENT TO SCSD #3 – SOUTHWEST FOR DURYEA RESIDENTIAL DEVELOPMENT (HU-1521)

WHEREAS, on April 16, 2007, this Agency adopted Resolution No. 7-2007, authorizing the connection to SCDS #3 - Southwest by **Duryea Residential Development**, and

WHEREAS, Resolution 7-2007, granted a one year time for completion of the Agreement, but the year has passed without the completion of the Agreement, and

WHEREAS, negotiations concerning such an agreement are complete, and a proposed agreement has been prepared and is in final form, and

WHEREAS, the developer of **Duryea Residential Development** has requested an extension of the authorization granted in Resolution No. 7-2007,

NOW, THEREFORE, IT IS

1st RESOLVED, that Resolution No. 7-2007, adopted by this Agency on April 16, 2007 is hereby renewed, and it is further

2nd RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to the developer, if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein, in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto, and it is further

3rd RESOLVED, that the additional flow authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation.

(Suffolk County Sewer Agency Meeting 5/19/08)

1629

**SUFFOLK COUNTY SEWER AGENCY
RESOLUTION NO. 7-2007
AUTHORIZING THE CONNECTION OF
DURYEA RESIDENTIAL DEVELOPMENT (HU-1521) TO
SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST**

WHEREAS, Duryea Residential Development is a proposed 36-unit PRC with a clubhouse, located in Melville, New York, situated on property identified on the Suffolk County Tax Map as District 0400, Section 268, Block 01.00, Lots 024.000 and 0025.000, and

WHEREAS, the sewage flow from the Duryea Residential Development is expected to be five thousand four hundred sixty three gallons per day (5,463 gpd) when the Duryea Residential Development is fully developed, and

WHEREAS, Duryea Residential Development is not located within the boundaries of Suffolk County Sewer District No. 3 - Southwest (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, Duryea Residential Development has applied to this Agency for permission to connect its five thousand four hundred sixty three gallons per day (5,463 gpd) flow to the sanitary sewerage facilities of the District, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the sewage which is expected to emanate from the Duryea Residential Development, and

WHEREAS, the connection of the Duryea Residential Development to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County,

NOW, THEREFORE, IT IS

1st RESOLVED, that Duryea Residential Development be permitted to connect to the sanitary sewerage facilities of the District, upon such terms and conditions as the Administrative Head of the District may impose, subject to the terms and conditions hereof, and it is further

2nd RESOLVED, that five thousand four hundred sixty three gallons per day (5,463 gpd) of capacity in the District's sewage treatment plant be allocated to Duryea Residential Development, and it is further

3rd RESOLVED, that the connection authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further

1629

4th RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the developer of Duryea Residential Development, the District, the Suffolk County Department of Public Works ("DPW"), the Suffolk County Department of Health Services, the County of Suffolk and this Agency, which agreement shall contain such terms and conditions as the Administrative Head of the District shall determine, and it is further

5th RESOLVED, that the connection fee to be paid for Duryea Residential Development shall be paid upon the execution of the Connection Agreement at the rate of \$15.00 (or the existing rate at the time of connection agreement signing) per gallon of sewage per day for five thousand four hundred sixty three gallons per day (5,463 gpd) for a total of \$81,945, and it is further

6th RESOLVED, that Duryea Residential Development shall, at its sole cost, expense and effort, construct a sewage collection facility for Duryea Residential Development, including a mainline sewer extension, if required, and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

7th RESOLVED, that no Certificate of Occupancy shall be issued for any portion of Duryea Residential Development until the sewage collection facility for Duryea Residential Development has been completed and Duryea Residential Development has been connected to the sanitary sewerage facilities of the District, all to the satisfaction of DPW, and it is further

8th RESOLVED, that the developer of Duryea Residential Development shall furnish a Letter of Credit, in form, wording and amount, and on such terms and conditions, as determined by this Agency's staff, as security for the construction of the sewage collection facility for Duryea Residential Development, as well as for all of the developer's obligations under the Connection Agreement, and it is further

9th RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to the developer of Duryea Residential Development if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

(Suffolk County Sewer Agency meeting 04/16/07)

6/24/08

RESOLUTION NO. -2008 ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$99,000.00 IN FEDERAL PASS-THROUGH FUNDS, AND \$100,000.00 IN STATE FUNDING, FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S FIRST PRECINCT GANG TASK FORCE 2008 WITH 95% SUPPORT.

WHEREAS, the New York State Department of Criminal Justice Services has made \$99,000.00 in Federal pass-through monies from the 2006 Edward Byrne Memorial Formula Grant Program and \$100,000.00 in State funds available to Suffolk County to continue an integrated program to prevent, deter and reduce gang-related crime in the area served by the Suffolk County Police Department's First Precinct; and

WHEREAS, the operational period of the Program will be from September 1, 2008, through August 31, 2009; and

WHEREAS, the monies for the permanent salaries and fringe benefit match are included in the 2008 Suffolk County Operating Budget; and

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

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
115-4335 – Federal Aid: 1 st Precinct Gang Task Force 2008	\$99,000
115-3366 – State Aid: 1 st Precinct Gang Task Force 2008	\$100,000

ORGANIZATIONS:

**Police Department (POL)
1st Precinct Gang Task Force 2008
115-POL-3273**

<u>1000 – Personal Services</u>	<u>\$159,544</u>
1120 – Overtime Salaries	159,544

<u>4300 – Travel</u>	<u>\$2,647</u>
4310 - Employee Miscellaneous Expense	2015
4330 – Travel Employee Contracts	632
<u>4500 – Fees for Services</u>	<u>\$8,800</u>
4560 – Fees for Services, Non-Employees	8,800

**Employee Benefits
Retirement
115-EMP-9010**

<u>8000-Employee Benefits</u>	<u>\$25,692</u>
8280 – Employee Retirement System	25,692

**Employee Benefits
Social Security
115-EMP-9030**

<u>8000 – Employee Benefits</u>	<u>\$ 2,317</u>
8330 – Social Security	2,317

and be it further

2nd RESOLVED, County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the New York State Division of Criminal Justice Services.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1630

3. Explanation of Requested County Financial Assistance			
Category	Total Requested	Personnel Costs Requested	Non-Personnel Costs Requested
TOTAL COUNTY SHARE:	\$11,000	\$0	\$11,000
A. Cash Contribution	\$11,000	\$	\$
B. In-Kind Contribution	\$	\$	\$
4. Total Number of New Positions Requested 0		5. Can This Program Be Refunded by the Proposed Non-County Sources?	
		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.) Some additional indirect costs resulting from administrative oversight may be incurred.			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)? In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Department.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet).			
III. COUNTY EXECUTIVE'S OFFICE REVIEW			
1. Intergovernmental Relations Division Review:	Approved	2. Signature of Coordinator	3. Date
	Disapproved		
4. Comments			
5. Budget Office Review:	Approved 6/13/08	6. Signature of Budget Director	7. Date
	<i>K. J. Branda</i>		
	Disapproved		
8. Comments			

GRANT BUDGET ANALYSIS

COUNTY BUDGET YEAR 2008

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries	159,544 159,544	8,124 8,124		
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2070 Cameras & Photographic 2090 Radio and Communication 2500 Other Equip Not Otherwise				
3000 SUPPLIES MATERIALS & OTHERS: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3160 Computer Software 3500 Other Unclassified 3680 Repairs: Special Equipment				
4000 UTILITIES: 4010 Telephone & Telegraph 4210 Computer Services				
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts	2,647 2,015 632			

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CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees 4770 Special Services	8,800 8,800			
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement	28,009 25,692	2,876 1,308		
8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Benefit Fund Contribution	2,317	538 903 127		
OTHER (List Source & Brief Explanation)				

I certify that the above in-kind contribution are not currently being used to support other grants

DETAIL LISTING OF 1000 ACCOUNT

PERSONAL SERVICES

TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %		
				GRANTOR	COUNTY	IN-KIND
Various Police Officers on Overtime Sergeant @3.323% salary & fringes Police Officer @ 3.323% salary & fringes	6 6	79.17/hr OT 178,832 152,168	To be determined To be determined To be determined	100%	100% 100%	
1630						

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

1. Type of Legislation
Resolution X Local Law Charter Law

2. Title of Proposed Resolution

ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$99,000.00 IN FEDERAL PASS-THROUGH FUNDS, AND \$100,000.00 IN STATE FUNDING, FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S FIRST PRECINCT GANG TASK FORCE 2008 WITH 95% SUPPORT.

3. Purpose of Proposed Legislation

To accept \$199,000.00 from the New York State Division of Criminal Justice Services to continue to fund an integrated approach to prevent, deter and reduce gang-related crime in the area served by the Suffolk County Police Department's First Precinct.

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

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

County	Town	Economic Impact
Village	School District	Other (specify):
Library District	Fire District:	

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:
The County will have \$199,000.00 available to continue to fund the integrated approach to prevent, deter and reduce gang-related crime in the area served by the Suffolk County Police Department's First District.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:

The 5% match consists of a portion of the salaries and fringe benefits of one Sergeant and one Police Officer dedicated to this program.

8. Proposed Source of Funding

New York State Division of Criminal Justice Services Federal Pass-through Byrne/JAG program and State Legislative member funding.

9. Timing of Impact
Immediate

10. Typed Name & Title of Preparer 11. Signature of Preparer 12. Date
Sarah Furey
Senior Grants Analyst

[Handwritten Signature]

5/28/2008
6/13/08

**FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1630

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

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

COUNTY OF SUFFOLK

Gen D 8



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STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
Suffolk County Executive's Office

FROM: Edward Webber, Chief of Support Services *EW*
Suffolk County Police Department

DATE: May 28, 2008

SUBJECT: Resolution Packet & SCIN Forms for
The First Precinct Gang Task Force Grant Program 2008
DCJS Project # LG07-1365-D00 and BJ07-1066-D00

Attached please find two copies of the following for the Division of Criminal Justice Services pass-through grant funded 1st Precinct Gang Task Force 2008 Grant Program:

1. Grant Resolution
2. Grant SCIN Forms
3. Request for Introduction of Legislation
4. Financial Impact Statement
5. Copy of the Award Letters from the New York State Division of Criminal Justice Services
6. Copy of the Grant Contracts between the New York State Division of Criminal Justice Services and Suffolk County (due to the limitations of the GMS system two applications had to be filed for this funding, which in turn generated two contracts)

Although this grant has two project numbers and two applications were submitted, the funding is being applied to the same program and only one resolution and set of SCIN forms have been prepared.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW. The original grant contract will be submitted for signature upon approval of the resolution.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, at 852-6601.

Thank you for your assistance with this project.

EW/sck

cc: Don Fahey, Federal & State Aid Claims Coordinator
Jim Morgo, Chief Deputy County Executive

ACCREDITED LAW ENFORCEMENT AGENCY

www.joinscpd.com

30 YAPHANK AVENUE, YAPHANK, NEW YORK 11980 – (631) 852-6000



6/12/2007

Project ID: LG07-1365-D00

DCJS Numbers(s): LG07078553

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Award Recipient: Suffolk County

Mailing Address: Suffolk County Police Department
30 Yaphank Avenue
Yaphank NY 11980

Contact Person: Sarah Furey

Award Amount: \$ 100,000

Award Purpose: Funds will provide enhanced policing services and to reduce gang activity.

DCJS Contact: Larry Signer, Program Specialist
Division of Criminal Justice Services
Bureau of Justice Funding
4 Tower Place
Albany, NY 12203-3702
(518) 485-9905
(518) 485-2728 Fax

Application Return Date: Within two weeks of receipt of this application

Technical Assistance to Complete
Applications Available Upon Request
Larry Signer/Kathleen Stack
at (518) 485-9905

Byrne Justice Assistance Grant (JAG) Award
Grant Award Information Sheet

Grantee: Suffolk County
Implementing Agency: Police Department
GMS Project ID Number: BJ07-1066-D00
DCJS #: BJ06828135
Award Amount: \$ 99,000
Local Match Required: \$ 11,000
Project Total: \$110,000

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Project Description: 1st Precinct Gang Task Force 2008 Supplemental

**Important JAG regulations to remember when
completing your application budget:**

- γ local match of one-ninth must be reflected in budget plan; and
- γ JAG funds cannot supplant existing expenses.

DCJS Contact: Paul Chesley
NYS Division of Criminal Justice Services
Bureau of Justice Funding
Byrne JAG Formula Grant Unit
4 Tower Place
Albany, NY 12203-3762
(518) 457-8425
Fax: (518) 485-2728

Federal Award Identification Information

Federal Fiscal Year of Funds: 2006

Catalog of Federal Domestic Assistance (CFDA) Title: Byrne Justice Assistance Grant (JAG)

CFDA Number: 16.738

Federal Agency: U.S. Department of Justice, Bureau of Justice Assistance

**Additional back-up material regarding I.R. 1630 is on file in
the Legislative Clerk's Office, Hauppauge.**

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6/24/08

Intro. Res. No. -2008

Laid on Table

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, AUTHORIZING EXECUTION OF A MEMORANDUM OF AGREEMENT WITH THE SUFFOLK COUNTY WATER AUTHORITY IN CONNECTION WITH THE HOMELAND SECURITY BUFFER ZONE PROTECTION PROGRAM

WHEREAS, Resolution No. 1084-2007 accepted and appropriated a grant from the New York State Office of Homeland Security in the amount of \$189,000 in federal pass-through funds under the Buffer Zone Protection Program, to be administered by the Suffolk County Police Department for improvements to be made to a critical infrastructure/key resource site owned and operated by the Suffolk County Water Authority; and

WHEREAS, the Buffer Zone Protection Program is designed to reduce vulnerabilities of critical infrastructure/key resource sites by extending the protected area around a site into the surrounding community and supporting the prevention and preparedness efforts of local first responders; and

WHEREAS, it is in the interest of both Suffolk County and the Suffolk County Water Authority to protect the public health, safety and welfare by improving security in and around critical infrastructure sites; and

WHEREAS, it is necessary and appropriate for Suffolk County and the Suffolk County Water Authority to enter into an agreement to formalize their respective rights and obligations relative to the activities to be undertaken with the funds provided under the grant; now, therefore be it

1st RESOLVED, that the County Executive or his designee is hereby authorized to enter into a Memorandum of Agreement with the Suffolk County Water Authority, in substantially the form annexed hereto; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Section 617.5 (c) (20) of Title 6 of the New York Code of Rules and Regulations ("NYCRR"), in that the resolution pertains to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; since this resolution is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

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AGREEMENT

AGREEMENT by and between the **County of Suffolk**, a municipal corporation, having its principal office and place of business at H. Lee Dennison Building, 100 Veterans Memorial Highway, Hauppauge, NY 11788 (hereinafter also referred to as "County"), acting through its duly constituted **Department of Police** (hereinafter also referred to as "Department"), and the **Suffolk County Water Authority**, a public benefit corporation, having its principal office and place of business at 4060 Sunrise Highway, Oakdale, New York (hereinafter also referred to as "SCWA").

WITNESSETH:

WHEREAS, SCWA facilities located at 180 5th Avenue, Bay Shore, New York (hereinafter referred to as the "property") have been identified as a critical infrastructure/key resource site by the United States Department of Homeland Security as part of the Infrastructure Protection Program; and

WHEREAS, the Department has been designated to develop an appropriate buffer zone in the vicinity of the property and the County has accepted a grant from the New York State Office of Homeland Security in the amount of \$189,000.00 in Federal pass-through funds from the U.S. Department of Homeland Security under the Buffer Zone Protection Program (BZPP), for the BZPP FY 2006 Program, to be administered by the Department in accordance with Suffolk County Resolution No. 1084-2007, a copy of which is attached hereto as Exhibit A; and

WHEREAS, this grant provides funding for the Department to purchase and install certain equipment on the property of the SCWA to enhance existing infrastructure; and

WHEREAS, both of the parties desire to insure the integrity and security of the Property and the surrounding community; and

WHEREAS, each of the parties represents that it has the power and authority pursuant to law to bind itself to the provisions hereof;

NOW THEREFORE, it is mutually agreed as follows:

1. SCWA will accept and allow the installation of the equipment purchased under the grant at its Property and SCWA shall maintain and repair as necessary, and operate such equipment in accordance with the BZPP and the agreement between the New York State Office of Homeland Security and the County, a copy of which agreement is attached hereto as Exhibit B (hereinafter referred to as "State Contract").

2. Upon completion of all of the contractual requirements of the State Contract, the parties will make a request to New York State for release of its ownership

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of the equipment purchased with the grant funds, and upon approval of New York State, the County will transfer ownership to the SCWA of all equipment installed under this agreement in accordance with paragraph 12 of Appendix A-1 of the State Contract. A list of the equipment and services to be provided under the grant is included in Exhibit B.

3. SCWA will provide to the Department the names and addresses of contractors that are acceptable to the SCWA and that are capable of installing the equipment on the property.

4. To the extent permitted by law, each party hereto shall defend, indemnify and save harmless the other party, its respective officers, agents, servants, employees and representatives against and from all suits, losses, demands, payments, actions, recoveries, judgments and costs of every kind and description, including reasonable attorneys' fees resulting from the intentional acts (within the scope of an employee's duties) or negligent acts or omissions relating to or in any way resulting from its performance under this Agreement. The aforesaid indemnification shall not be applicable to any liability caused by the acts, omissions, faults or negligence of the party seeking indemnification. Nothing herein shall impair any right of contribution or indemnification that the County may have against any subcontractor or other third party.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed and to be effective as of the day and year last below executed.

Suffolk County Water Authority

County Of Suffolk

By: _____

By: _____

Title: _____

Jeffrey W. Szabo
Deputy County Executive and
Chief of Staff

Date: _____

Date: _____

Approved as to Legality:

Approved:

**Christine Malafi,
Suffolk County Attorney**

Suffolk County Police Department

By: _____
Jacqueline Caputi
Assistant County Attorney

By: _____
Richard Dormer, Commissioner

Date: _____

Date: _____

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On the _____ day of _____, in the year 2008, before me, the undersigned, a Notary Public in and for said state, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____, Notary Public

STATE OF NEW YORK COUNTY OF SUFFOLK ss.:

On the _____ day of _____, in the year 2008, before me, the undersigned, a Notary Public in and for said state, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____, Notary Public

EXHIBIT A

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Intro. Res. No. 2008-2007

Laid on Table 10/16/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1084 -2007, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$189,000.00 FROM THE NEW YORK STATE OFFICE OF HOMELAND SECURITY FOR THE BUFFER ZONE PROTECTION PROGRAM (BZPP) 06 WITH 100% SUPPORT

WHEREAS, the New York State Office of Homeland Security has made \$189,000.00 in Federal pass-through funds from the U.S. Department of Homeland Security available to Suffolk County for the BZPP FY2006 Program to be administered by the Suffolk County Police Department; and

WHEREAS, this program is designed to reduce vulnerabilities of Critical Infrastructure/Key Resources sites by extending the protected area around a site into the surrounding community and supporting the prevention and preparedness efforts of local first responders; and

WHEREAS, the operational period of the Program will be from October 1, 2006 through September 30, 2008; and

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

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

REVENUE:	<u>AMOUNT</u>
115-4395-Federal Aid: BZPP 06	\$189,000.00
ORGANIZATIONS:	
Police Department (POL)	
BZPP 06	
115-POL-3228	
<u>2000-Equipment</u>	<u>\$189,000.00</u>
2090-Radio & Communication	\$ 31,730.00
2500-Other Equip Not Otherwise	\$157,270.00

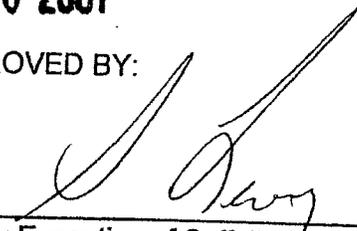
and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the New York State Office of Homeland Security.

DATED: **NOV 20 2007**

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APPROVED BY:



County Executive of Suffolk County

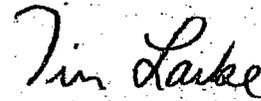
Date: 11/30/07

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on November 20, 2007 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.



Clerk of the County Legislature

EXHIBIT B

STATE OF NEW YORK AGREEMENT

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This AGREEMENT is hereby made by and between the State of New York agency (STATE) and the public or private agency (CONTRACTOR) identified on the face page hereof.

WITNESSETH:

WHEREAS, the STATE has the authority to regulate and provide funding for the establishment and operation of program services and desires to contract with skilled parties possessing the necessary resources to provide such services; and

WHEREAS, the CONTRACTOR is ready, willing and able to provide such program services and possesses or can make available all necessary qualified personnel, licenses, facilities and expertise to perform or have performed the services required pursuant to the terms of this AGREEMENT;

NOW THEREFORE, in consideration of the promises, responsibilities and covenants herein, the STATE and the CONTRACTOR agree as follows:

I. Conditions of Agreement

- A. This AGREEMENT may consist of successive periods (PERIOD), as specified within the AGREEMENT or within a subsequent Modification Agreement(s) (Appendix X). Each additional or superseding PERIOD shall be on the forms specified by the particular State agency, and shall be incorporated into this AGREEMENT.
- B. Funding for the first PERIOD shall not exceed the funding amount specified on the face page hereof. Funding for each subsequent PERIOD, if any, shall not exceed the amount specified in the appropriate appendix for that PERIOD.
- C. This AGREEMENT incorporates the face pages attached and all of the marked appendices identified on the face page hereof.
- D. For each succeeding PERIOD of this AGREEMENT, the parties shall prepare new appendices, to the extent that any require modification, and a Modification Agreement (the attached Appendix X is the blank form to be used). Any terms of this AGREEMENT not modified shall remain in effect for each PERIOD of the AGREEMENT.

To modify the AGREEMENT within an existing PERIOD, the parties shall revise or complete the appropriate appendix form(s). Any change in the amount of consideration to be paid, or change in the term, is subject to the approval of the Office of the State Comptroller. Any other modifications shall be processed in accordance with agency guidelines as stated in Appendix A-1.

- E. The CONTRACTOR shall perform all services to the satisfaction of the STATE. The CONTRACTOR shall provide services and meet the program objectives summarized in the Program Workplan (Appendix D) in accordance with: provisions of the AGREEMENT; relevant laws, rules and regulations, administrative and fiscal guidelines; and where applicable, operating certificates for facilities or licenses for an activity or program.
- F. If the CONTRACTOR enters into subcontracts for the performance of work pursuant to this AGREEMENT, the CONTRACTOR shall take full responsibility for the acts and omissions of its subcontractors. Nothing in the subcontract shall impair the rights of the STATE under this AGREEMENT. No contractual relationship shall be deemed to exist between the subcontractor and the STATE.
- G. Appendix A (Standard Clauses as required by the Attorney General for all State contracts) takes precedence over all other parts of the AGREEMENT.

II. Payment and Reporting

- A. The CONTRACTOR, to be eligible for payment, shall submit to the STATE=s designated payment office (identified in Appendix C) any appropriate documentation as required by the Payment and Reporting Schedule (Appendix C) and by agency fiscal guidelines, in a manner acceptable to the STATE.
- B. The STATE shall make payments and any reconciliations in accordance with the Payment and Reporting Schedule (Appendix C). The STATE shall pay the CONTRACTOR, in consideration of contract services for a given PERIOD, a sum not to exceed the amount noted on the face page hereof or in the respective Appendix designating the payment amount for that given PERIOD. This sum shall not duplicate reimbursement from other sources for CONTRACTOR costs and services provided pursuant to this AGREEMENT.
- C. The CONTRACTOR shall meet the audit requirements specified by the STATE.

III. Terminations

- A. This AGREEMENT may be terminated at any time upon mutual written consent of the STATE and the CONTRACTOR.
- B. The STATE may terminate the AGREEMENT immediately, upon written notice of termination to the CONTRACTOR, if the CONTRACTOR fails to comply with the terms and conditions of this AGREEMENT and/or with any laws, rules, regulations, policies or procedures affecting this AGREEMENT.
- C. The STATE may also terminate this AGREEMENT for any reason in accordance with provisions set forth in Appendix A-1.

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- D. Written notice of termination, where required, shall be sent by personal messenger service or by certified mail, return receipt requested. The termination shall be effective in accordance with the terms of the notice.
- E. Upon receipt of notice of termination, the CONTRACTOR agrees to cancel, prior to the effective date of any prospective termination, as many outstanding obligations as possible, and agrees not to incur any new obligations after receipt of the notice without approval by the STATE.
- F. The STATE shall be responsible for payment on claims pursuant to services provided and costs incurred pursuant to terms of the AGREEMENT. In no event shall the STATE be liable for expenses and obligations arising from the program(s) in this AGREEMENT after the termination date.

IV. Indemnification

- A. The CONTRACTOR shall be solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property arising out of or related to the services to be rendered by the CONTRACTOR or its subcontractors pursuant to this AGREEMENT. The CONTRACTOR shall indemnify and hold harmless the STATE and its officers and employees from claims, suits, actions, damages and costs of every nature arising out of the provision of services pursuant to this AGREEMENT.
- B. The CONTRACTOR is an independent contractor and may neither hold itself out nor claim to be an officer, employee or subdivision of the STATE nor make any claim, demand or application to or for any right based upon any different status.

V. Property

Any equipment, furniture, supplies or other property purchased pursuant to this AGREEMENT is deemed to be the property of the STATE except as may otherwise be governed by Federal or State laws, rules or regulations, or a stated in Appendix A-1.

VI Safeguards for Services and Confidentiality

- A. Services performed pursuant to this AGREEMENT are secular in nature and shall be performed in a manner that does not discriminate on the basis of religious belief, or promote or discourage adherence to religion in general or particular religious beliefs.
- B. Funds provided pursuant to this AGREEMENT shall not be used for any partisan political activity, or for activities that may influence legislation or the election or defeat of any candidate for public office.

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- C. Information relating to individuals who may receive services pursuant to this AGREEMENT shall be maintained and used only for the purposes intended under the contract an in conformity with applicable provisions of the laws and regulations, or specified in Appendix A-1.

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APPENDIX A

STANDARD CLAUSES FOR NEW YORK STATE CONTRACTS

**PLEASE RETAIN THIS DOCUMENT
FOR FUTURE REFERENCE.**

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1. Executory Clause
2. Non-Assignment Clause
3. Comptroller's Approval
4. Workers' Compensation Benefits
5. Non-Discrimination Requirements
6. Wage and Hours Provisions
7. Non-Collusive Bidding Certification
8. International Boycott Prohibition
9. Set-Off Rights
10. Records
11. Identifying Information and Privacy Notification
12. Equal Employment Opportunities For Minorities and Women
13. Conflicting Terms
14. Governing Law
15. Late Payment
16. No Arbitration
17. Service of Process
18. Prohibition on Purchase of Tropical Hardwoods
19. MacBride Fair Employment Principles
20. Omnibus Procurement Act of 1992
21. Reciprocity and Sanctions Provisions
22. Purchases of Apparel

STANDARD CLAUSES FOR NYS CONTRACTS

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, "the contract" or "this contract") agree to be bound by the following clauses which are hereby made a part of the contract (the word "Contractor" herein refers to any party other than the State, whether a contractor, licenser, licensee, lessor, lessee or any other party):

1. **EXECUTORY CLAUSE.** In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.
2. **NON-ASSIGNMENT CLAUSE.** In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the previous consent, in writing, of the State and any attempts to assign the contract without the State's written consent are null and void. The Contractor may, however, assign its right to receive payment without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.
3. **COMPTROLLER'S APPROVAL.** In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds \$50,000 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds \$10,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller's approval of contracts let by the Office of General Services is required when such contracts exceed \$85,000 (State Finance Law Section 163.6.a).
4. **WORKERS' COMPENSATION BENEFITS.** In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.
5. **NON-DISCRIMINATION REQUIREMENTS.** To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, age, disability, genetic predisposition or carrier status, or marital status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the

performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

6. **WAGE AND HOURS PROVISIONS.** If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law.
7. **NON-COLLUSIVE BIDDING CERTIFICATION.** In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.
8. **INTERNATIONAL BOYCOTT PROHIBITION.** In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2NYCRR 105.4).
9. **SET-OFF RIGHTS.** The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.
10. **RECORDS.** The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, "the Records"). The Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor

within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION. (a) **FEDERAL EMPLOYER IDENTIFICATION NUMBER and/or FEDERAL SOCIAL SECURITY NUMBER.** All invoices or New York State standard vouchers submitted for payment for the sale of goods or services or the lease of real or personal property to a New York State agency must include the payee's identification number, i.e., the seller's or lessor's identification number. The number is either the payee's Federal employer identification number or Federal social security number, or both such numbers when the payee has both such numbers. Failure to include this number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or New York State standard voucher, must give the reason or reasons why the payee does not have such number or numbers.

(b) **PRIVACY NOTIFICATION.** (1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law.

(2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in New York State's Central Accounting System by the Director of Accounting Operations, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN. In accordance with Section 312 of the Executive Law, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment,

employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;

(b) at the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the contractor's obligations herein; and

(c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "a", "b", and "c" above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State; or (iii) banking services, insurance policies or the sale of securities. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Governor's Office of Minority and Women's Business Development pertaining hereto.

13. CONFLICTING TERMS. In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

14. GOVERNING LAW. This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

15. LATE PAYMENT. Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

16. NO ARBITRATION. Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

17. SERVICE OF PROCESS. In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

18. PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS. The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of State Finance Law §165. (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in §165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

19. MACBRIDE FAIR EMPLOYMENT PRINCIPLES. In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

20. OMNIBUS PROCUREMENT ACT OF 1992. It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development
Division for Small Business
30 South Pearl St – 7th Floor
Albany, New York 12245
Telephone: 518-292-5220
Fax: 518-292-5884
<http://www.empire.state.ny.us>

A directory of certified minority and women-owned business enterprises is available from:

NYS Department of Economic Development
Division of Minority and Women's Business Development
30 South Pearl St – 2nd Floor
Albany, New York 12245
Telephone: 518-292-5250
Fax: 518-292-5803
<http://www.empire.state.ny.us>

The Omnibus Procurement Act of 1992 requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than \$1 million:

(a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;

(b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;

(c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and

(d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

21. RECIPROCITY AND SANCTIONS PROVISIONS. Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 15, 2002, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii. Contact NYS Department of Economic Development for a current list of jurisdictions subject to this provision.

22. PURCHASES OF APPAREL. In accordance with State Finance Law 162 (4-a), the State shall not purchase any apparel from any vendor unable or unwilling to certify that: (i) such apparel was manufactured in compliance with all applicable labor and occupational safety laws, including, but not limited to, child labor laws, wage and hours laws and workplace safety laws, and (ii) vendor will supply, with its bid (or, if not a bid situation, prior to or at the time of signing a contract with the State), if known, the names and addresses of each subcontractor and a list of all manufacturing plants to be utilized by the bidder.

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APPENDIX A-1
AGENCY-SPECIFIC CLAUSES

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General Terms and Conditions:

1. If this Agreement exceeds \$50,000, it shall not take effect until it is executed by the parties hereto and approved by the Attorney General and the Comptroller of the State of New York. If this Agreement is \$15,000 or less, it shall not take effect until it is executed by both parties.

If this Agreement ranges in dollar amount from \$15,000.01 to \$50,000, execution is contingent upon the appropriation. If the Agreement utilizes funds appropriated *prior to* April 1, 2006, it shall not take effect until it is executed by the parties hereto and approved by the Attorney General and the Comptroller of the State of New York. If the Agreement utilizes funds appropriated *on or after* April 1, 2006, it shall not take effect until it is executed by both parties.

2. The failure of a party to enforce a contractual obligation shall not eliminate the other party's obligation to perform such contractual obligation.
3. In the event that any provision of this Agreement is determined to be null and void, all remaining provisions shall continue to be in full force and effect.
4. If applicable, the Grantee agrees to obtain not-for-profit status, a federal identification number, and a charitable registration number (or a declaration of exemption) and to furnish OHS with this information as soon as it is available.
5. The Grantee agrees, as a material condition of the Agreement, to comply with all applicable provisions of the Hatch Act (5 U.S.C. 1501 et seq.) as amended.
6. The Grantee shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 889-aa; State Technology Law Section 208). The Grantee shall be liable for the costs associated with such breach if caused by the Grantee's negligent or willful acts or omissions, or the negligent or willful actions or omissions of Grantee's agents, officers, employees or sub-grantees.
7. Consistent with the NYS Office of the State Comptroller's Bulletin No. G-221, all non-governmental (non-profit and commercial) organizations scheduled to receive grant funding from OHS must comply with Vendor Responsibility requirements.

Budget Requirements:

8. The Grantee is not permitted to make any changes to the contract budget without the written approval of OHS.
9. Space rental provided by this Agreement must be supported by a written lease, maintained on file and made available by the Grantee upon request.

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10. The Grantee's request for travel, meals or lodging reimbursement shall be in accordance with Appendix B, Budget, and, unless written authorization has been received from OHS, shall not exceed rates authorized by the NYS Office of the State Comptroller (Audit and Control). Rates may be viewed online at: <http://www.osc.state.ny.us/agencies/travel/travel.htm>
 11. The Grantee's employment of a consultant must be supported by a written agreement executed by the Grantee and the consultant. A consultant is defined as an individual or organization hired by the Grantee for the stated purpose of accomplishing a specific task relative to the funded project. All consultant services must be obtained in a manner that provides for fair and open competition. The Grantee shall retain copies of all solicitations seeking a consultant, written agreements and documentation justifying the cost and selection of the consultant, and make them available to OHS upon request. The Grantee further agrees that it shall assume sole and complete responsibility for fulfilling all the obligations set forth in the Agreement and the Grantee must guarantee the work of the consultant as if it were its own.
 - A. Unless a special condition applies to this contract, the rate for consultant services shall be reasonable and consistent with the amount paid for similar services in the marketplace. Time and effort reports are required for consultants.
 - B. In addition to the above requirements, a Grantee that is a local government or a not-for-profit must adhere to the following guidelines at a minimum when obtaining consultant services:
 - i. Consultant services that cost up to \$999 under this grant agreement can be obtained at the Grantee's discretion.
 - ii. Consultant services that cost between \$1,000 and \$4,999 under this grant agreement must be supported by at least three telephone quotes and a record created of such quotes.
 - iii. Consultant services that cost between \$5,000 and \$9,999 under this grant agreement must be supported by at least three written quotes on a vendor's stationery and a record maintained of the competitive procurement process utilized.
 - iv. A Grantee obtaining consultant services that cost in excess of \$10,000 must use a formal competitive bidding process. Guidance may be obtained from OHS. At a minimum, the competitive bidding process must incorporate the following: open, fair advertisement of the opportunity to provide services; equal provision of information to all interested parties; reasonable deadlines; sealed bids opened at one time before a committee who will certify the process; establishment of the methodology for evaluating bids before the bids are opened; and maintenance of a record of the competitive procurement process.

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- C. A Grantee who proposes to obtain consultant services from a particular vendor without competitive bidding must obtain the prior written approval of OHS. The request for approval must be in writing and set forth, at a minimum, a detailed justification for selection and the basis upon which the price was determined to be reasonable. Further, such consultant services must be in accordance with the guidelines, bulletins and regulations of the NYS Office of the State Comptroller, State Procurement Council, and the U.S. Department of Homeland Security. A copy of OHS' approval must also be submitted with the voucher for payment.
12. Applicable equipment purchased with funds provided by this Agreement as listed in the Appendix B, Budget, and costing \$5,000 or more per unit, shall be assigned a unique inventory number. The grantee must conduct and document an inventory of all applicable equipment purchased with grant funds as the equipment is received. A copy of the inventory records with relevant purchasing and supporting documentation must be made available to OHS upon request. Upon completion of all contractual requirements by the Grantee, OHS will consider a request for continued use and possession of the equipment purchased with grant funds provided the equipment continues to be used in connection with a public security program. When disposing of equipment purchased with homeland security grant funding a state agency must dispose of equipment in accordance with State Laws and procedures. All other grantees shall dispose of equipment as follows:
- A. Items of equipment with a current per unit market value of less than \$5,000 may be retained, sold or otherwise disposed of with no further obligation to the awarding agency.
- B. Items of equipment with a current per unit fair market value of \$5,000 or more may be retained or sold. If sold, the awarding agency shall have a right to an amount calculated by multiplying the proceeds from the sale by the awarding agency's share of the equipment. If retained, the current market value is to be used in the calculation. To remit payments, award recipients should contact OHS at 1-866-837-9133 for guidance.

The Grantee further agrees that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows:

"Purchased with funds provided by the U.S. Department of Homeland Security."

13. Written justification and documentation for all procurements must be maintained on file, and made available to OHS upon request. All procurements must be made in a fair and open manner and in accordance with the pre-determined methodology established for evaluating bids (e.g., lowest responsible bidder or best value).
- A. A Grantee that is a state entity must make all procurements in accordance with State Finance Law Article 11, and any other applicable regulations.
- B. A Grantee that is a local government must make procurements in accordance with General Municipal Law Article 5-A and any other applicable regulations.

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- C. A Grantee that is a not-for-profit must also make all procurements as noted below:
- i. If the Grantee is eligible to purchase an item or service from a government contract or is able to purchase such item or service elsewhere at a lower than or equal price, then such purchase may be made immediately.
 - ii. A Grantee may purchase any single piece of equipment, single service or multiples of each that cost up to \$999 at its discretion.
 - iii. Before purchasing any piece of equipment, service or multiples of each that have an aggregate cost between \$1,000 and \$4,999, a Grantee must secure at least three telephone quotes and create a record for audit of such quotes.
 - iv. Before purchasing any piece of equipment, service or multiples of each that have an aggregate cost between \$5,000 and \$9,999, the Grantee must secure at least three written quotes on a vendor's stationery and maintain a record of the competitive procurement process for audit purposes.
 - v. A Grantee spending in aggregate of \$10,000 and above must use a formal competitive bidding process. Guidance may be obtained from OHS. At a minimum, the competitive bidding process must incorporate the following: open, fair advertisement of the opportunity to provide services; equal provision of information to all interested parties; reasonable deadlines; sealed bids opened at one time before a committee who will certify the process; establishment of the methodology for evaluating bids before the bids are opened; and maintenance of a record of competitive procurement process.
 - vi. A Grantee who proposes to purchase from a particular vendor without competitive bidding must obtain the prior written approval of OHS. The request for approval must be in writing and set forth, at a minimum, a detailed justification for selection and the basis upon which the price was determined to be reasonable. Further, such procurement must be in accordance with the guidelines, bulletins and regulations of the NYS Office of the State Comptroller, State Procurement Council, and the U.S. Department of Homeland Security. A copy of OHS' approval must also be submitted with the voucher for payment.

Reimbursement and Reporting Requirements – Fiscal and Programmatic (See Appendix C for additional details):

14. The Grantee shall submit detailed itemization forms or a form deemed acceptable to OHS for personal service, fringe benefit and non-personal service expenditures with any voucher and fiscal cost reports requesting reimbursement. Grant-related expenditures shall be reported on Fiscal Cost Reports approved by OHS. These reports must be prepared periodically and as defined in Appendix C of this Agreement. All reported expenditures must reconcile to the program accounting records and the approved budget. Prior period adjustments shall be reported in the same accounting period that the correction is made.

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15. The Grantee shall submit program progress reports and a final report as specified in Appendix C.
16. Where advance payments are approved by OHS, the Grantee agrees to expend the advance payments in accordance with the purposes set forth in Appendix D and consistent with Appendix B. The advanced funds must be placed in an interest-bearing account and are subject to the rules outlined in the Uniform Rule 28 CFR Part 66, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, which requires grantees to promptly remit back to the federal government, through New York State, any interest earned on these advanced funds. The grantee may keep interest earned up to \$100 per federal fiscal year if a local unit of government and \$250 per federal fiscal year if a not-for-profit for administrative expenses. This maximum limit is not per award; it is inclusive of all interest earned as the result of all federal grant program funds received per year.

Interest must be reported on Fiscal Cost Reports and remitted quarterly.

Accounting for Grant Expenditures:

17. Grant funds may be expended only for purposes and activities set forth in this Agreement. Accordingly, the most important single requirement of accounting for this grant is the complete and accurate documentation of grant expenditures. If the Grantee receives funding from two or more sources, all necessary steps must be taken to ensure that grant-related transactions are not commingled. This includes, but is not limited to, the establishment of unique budget codes, a separate cost center, or a separate chart of accounts. Expenditures must be cross-referenced to supporting source documents (purchase orders, contracts, real estate leases, invoices, vouchers, timesheets, mileage logs, etc.). Grantee agrees it shall maintain adequate internal controls and adhere to Generally Accepted Accounting Principles for Government or Generally Accepted Accounting Principles for Not-for-Profit Organizations.

This Agreement may be subject to fiscal audits by OHS, the State Comptroller's Office, pertinent federal agencies, and other designated entities to ascertain financial compliance with Federal and/or State laws, regulations, and guidelines applicable to this Agreement. Such audits may include review of the Grantee's accounting, financial, and reporting practices to determine compliance with the Agreement and reporting requirements; maintenance of accurate and reliable original accounting records in accordance with governmental accounting standards as well as generally accepted accounting principles; and specific compliance with allowable cost and expenditure documentation standards prescribed by applicable Federal, State, and OHS guidelines.

18. None of the goals, objectives or tasks set forth in Appendix D shall be subawarded to another organization without specific prior written approval by OHS. Where the intention to make subawards is clearly indicated in the application, OHS approval is deemed given, if these activities are funded as proposed.

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 If this Agreement makes provisions for the Grantee to subgrant funds to other recipients, the Grantee agrees that all subgrantees shall be held accountable by the Grantee for all terms and conditions set forth in this Agreement. The Grantee further agrees that it shall assume sole and complete responsibility for fulfilling all the obligations set forth in the Agreement and the Grantee must guarantee the work of any subgrantee as if it were its own.

The Grantee agrees that all subgrantee arrangements shall be formalized in writing between the parties involved. The writing must, at a minimum, include the following information:

- ❖ Activities to be performed;
- ❖ Time schedule;
- ❖ Project policies;
- ❖ Other policies and procedures to be followed;
- ❖ Dollar limitation of the Agreement;
- ❖ Appendix A, Appendix A-1, Appendix C, Certified Assurances for Federally Supported Projects, Certification Regarding Lobbying, Debarment and Suspension and any special conditions set forth in the Agreement; and
- ❖ Applicable Federal and/or State cost principles to be used in determining allowable costs.

The Grantee will not be reimbursed for subgranted funds unless all expenditures by a subgrantee are listed on detailed itemization forms or a form deemed acceptable to OHS. Backup documentation for such expenditures must be made available to OHS upon request. All expenditures must be programmatically consistent with the goals and objectives of this Agreement and with the Budget set forth in Appendix B.

Federal Requirements:

19. The Grantee must maintain specific documentation as support for project related personal service expenditures as this contract is supported by federal funds. Depending upon the nature or extent of personal service provided under this Agreement, the Grantee shall maintain semi-annual (or more frequent) personal service certifications and/or an after-the-fact personnel activity reporting system (or equivalent) which complies with the requirements of the Federal Office of Management and Budget (OMB) Circulars A-21, A-87 or A-122, as applicable.
20. In accordance with federal requirements, a Grantee which receives during its fiscal year \$500,000 or more of Federal funds from all sources, including this Agreement, must agree to have an independent audit of such Federal funds conducted in accordance with the Federal Office of Management and Budget (OMB) Circular A-133. OMB Circular A-133 further requires that the final report for such audit be completed within nine months of the end of the Grantee's fiscal year. The Grantee further agrees to provide one copy of such audit report(s) to OHS within nine months of the end of its fiscal year(s).

For the convenience of the Grantee, the following OMB circulars are noted as the most common applicable to federal funds passed through OHS:

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- ❖ OMB Circular A-21, Cost Principles for Educational Institutions;
 - ❖ OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments;
 - ❖ OMB Circular A-102, Grants and Cooperative Agreements With State and Local Governments;
 - ❖ OMB Circular A-110, Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations;
 - ❖ OMB Circular A-122, Cost Principles for Non-Profit Organizations;
 - ❖ OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations.

Additional circulars may be applicable; it is incumbent upon the Grantee to become familiar with and comply with the terms and conditions of all applicable circulars. The Grantee must ensure full compliance with all cost documentation requirements, including specific personal service documentation, as applicable directly to the grantee, sub-recipient or collaborative agency/organization. Failure to do so may result in disallowance of costs upon audit.

The most current version of all Federal OMB Circulars may be viewed on-line at: www.whitehouse.gov/omb/circulars.

21. Program income earned by the Grantee during the grant funding period must be reported in writing to OHS, in addition to any other statutory reporting requirements. Program income consists of income earned by the grant recipient that is directly generated by a supported activity or earned as a result of the grant program. Program income includes, but is not limited to, income from fees for services performed, the use of rental or real or personal property acquired under Federal funded projects, the sale of commodities or items fabricated under an award, license fees and royalties on patents and copyrights and interest on loans made with Federal award funds. For example, if the purpose of a grant is to conduct conferences, any training fees that are generated would be considered program income. Interest earned on grant funds is not considered program income unless specified in Appendix D. The Grantee agrees to report the receipt and expenditures of grant program income to OHS. Program income (not to include interest earned), generated by the use of these grant funds will be used to enhance the grant project.
22. Any creative or literary work developed or commissioned by the Grantee with grant support provided by OHS shall become the property of OHS, entitling OHS to assert a copyright therein, unless the parties have expressly agreed otherwise in a written instrument signed by them.
 - A. If OHS shares its right to copyright such work with the Grantee, OHS reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use: (a) the copyright in any work developed under a grant, subgrant, or contract under a grant or subgrant; and (b) any rights of copyright to which a Grantee, Subgrantee, or a Contractor purchases ownership with grant support.

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B. If the grant support provided by OHS is federally sponsored, the federal awarding agency also reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use: (a) the copyright in any work developed under a grant, subgrant or contract under a grant or subgrant; and (b) any rights of copyright to which a Grantee, Subgrantee, or a Contractor purchases ownership with such grant support.

C. The Grantee shall submit one copy of all reports and publications resulting from this Agreement to OHS. Any document generated pursuant to this grant must contain the following language:

“This project was supported by a grant administered by the New York State Office of Homeland Security and the U.S. Department of Homeland Security. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the New York State Office of Homeland Security or the U.S. Department of Homeland Security.”

Amendment, Suspension, Termination of Contract:

23. The Grantee agrees that if the project is not operational within 60 days of the original starting date of the grant period, it will report by letter to OHS the steps taken to initiate the project, the reasons for delay, and the expected starting date. If the project is not operational within 90 days of the original starting date of the grant period, the grantee will submit a second statement to OHS explaining the delay. The State may either cancel the project and redistribute the funds or extend the implementation date of the project beyond the 90-day period when warranted by extenuating circumstances.
24. OHS will be allowed to extend, renew, increase, amend, decrease or terminate this contract, upon appropriate approval of the Attorney General and the Office of the State Comptroller as follows:
- A. The term of this contract may be automatically renewed or extended in conjunction with the renewal or extension of the federal grant award from which this contract is funded, not to exceed a term of five years from the initial start date.
- B. The amount of this contract may be increased provided the funds are used in accordance with the guidelines associated with this contract grant application kit, as outlined in Appendix D, and the scope of work has not substantially changed.
- C. This contract may be terminated for convenience upon thirty (30) days' notice to the Grantee. OHS may terminate this contract for cause or decrease its funded amounts, pursuant to the provisions in Section 25 or 26 of this Appendix.
25. OHS reserves the right to suspend program funds if the Grantee is found to be in noncompliance with the provisions of this Agreement or other grant agreements between the Grantee and OHS or, if the Grantee or principals of the Grantee are under investigation

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by a New York State or local law enforcement agency for noncompliance with State or Federal laws or regulatory provisions or, if in OHS' judgment, the services provided by the Grantee under the Agreement are unsatisfactory or untimely. OHS shall provide the Grantee with written notice of noncompliance. Upon the Grantee's failure to correct or comply with the written notice by OHS, OHS reserves the right to terminate this Agreement, recoup funds and recover any assets purchased with the proceeds of this Agreement. OHS reserves the right to use approved grant related expenditures to offset disallowed expenditures from any grant funded through its offices upon issuance of a final audit report and appropriate notification to the Grantee, or upon reasonable assurance that the Grantee is not in compliance with Agreement terms.

Availability of Funds:

26. If for any reason the State of New York or the federal government terminates its appropriation through OHS or fails to pay the full amount of the allocation for the operation of this program, this Agreement may be terminated or reduced at the discretion of OHS, provided that no such reduction or termination shall apply to allowable costs already incurred by the Grantee where funds are available to OHS for payment of such costs. Upon termination or reduction of the Agreement, all remaining funds paid to the Grantee that are not subject to allowable costs already incurred by the Grantee shall be returned to OHS. In any event, no liability shall be incurred by OHS or by the State of New York beyond monies available for the purposes of this Agreement. The Grantee acknowledges that any funds due to OHS because of disallowed expenditures after audit shall be its responsibility.
27. Unless otherwise specified, in accordance with the State Finance Law, the availability of Federal and State funds budgeted as local assistance shall cease on September 15th of the year following the fiscal year in which the funds were appropriated, unless such funds are reappropriated in the State Budget by the New York State Legislature. When local assistance funds are not reappropriated, vouchers must be received by OHS by August 1st of the year following the fiscal year in which the funds were appropriated to ensure reimbursement.

Retention of Records:

28. Original records must be retained for six years following the submission of the final claim against this Agreement or the end of the contract period, if later. In cases where litigation, a claim, or an audit is ongoing, the records must be retained until formal completion of the action and resolution of issues or the end of the six year period, whichever is later. In the event of an audit, the project manager or a designated responsible party must be prepared to produce source documents that substantiate claimed expenditures. OHS requires that all documentation materials be organized, readily accessible, and cross-referenced to the Fiscal Cost Reports previously submitted. If fiscal records, such as purchase orders, vouchers, payroll registers, payroll tax records, etc., are to be kept in a fiscal office which is separate and apart from the program office, the project manager must have access to these original records. Such fiscal records must readily identify the associated project. In addition, a separate set of records must be retained for each project year.

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Appendix B - Project Budget

<u>DESCRIPTION</u>	<u>GRANT AMOUNT</u>	<u>MATCH AMOUNT</u>
Suffolk County Equipment		
EQ 12-01 Purchase equipment as per approved VRPP	\$189,000	\$0
	\$189,000	\$0
	Grant Total:	\$189,000
		\$0

UNITED STATES DEPARTMENT OF HOMELAND SECURITY

Office of Grants and Training

&

Office of Infrastructure Protection

Risk Management Division

Buffer Zone Protection Program

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VULNERABILITY REDUCTION PURCHASING PLAN

VRPP NO.		DATE	1/24/07
RJO REQUEST		AGENCY/ORGANIZATION NAME	Suffolk County Police Department
		NAME/TITLE	Mark White, D/Chief
		PHONE NUMBER & E-MAIL ADDRESS	(631) 852-6381
		DATE	1/24/07
State HSA CONCURRENCE		AGENCY/ORGANIZATION NAME	
		NAME/TITLE	
		PHONE NUMBER & E-MAIL ADDRESS	
		DATE	
SAA CONCURRENCE		AGENCY/ORGANIZATION NAME	
		NAME/TITLE	
		PHONE NUMBER & E-MAIL ADDRESS	
		DATE	
IP/RMD VERIFICATION		NAME/TITLE	
		PHONE NUMBER & E-MAIL ADDRESS	
		DATE	
G&T APPROVAL		NAME/TITLE	
		PHONE NUMBER & E-MAIL ADDRESS	
		DATE	

UNITED STATES DEPARTMENT OF HOMELAND SECURITY

Office of Grants and Training
&
Office of Infrastructure Protection
Risk Management Division

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Buffer Zone Protection Program

VULNERABILITY REDUCTION PURCHASING PLAN

VRPP NO.		DATE	1/24/07
BZPP SITE	Suffolk County Water Authority	ADDRESS	180 5th Avenue, Bay Shore, NY 11706
ADDITIONAL BZPP SITE(S)	N/A	ADDITIONAL ADDRESS(ES)	N/A
RESPONSIBLE JURISDICTION ORGANIZATION (RJO)	Suffolk County Police Department	ADDRESS	30 Yaphank Avenue, Yaphank, NY 11980
RJO POC NAME	Albert J. Hugyak P.O.2884/2210	PHONE	(631) 852-6355
E-MAIL	hugyaalb@co.suffolk.ny.us	CELL	

PLANNING ACTIVITIES

ITEM NO.	TCL Category*	DESCRIPTION	UNIT COST	QTY.	TOTAL COST
					\$0.00

EQUIPMENT AND RELATED ITEMS

ITEM NO.	AEL NO.*	TCL Category*	DESCRIPTION	UNIT COST	QTY.	TOTAL COST
1	6.1.4	2,7,8,9,12,14,18,19,22,23,24,27,30,32,33,34	Radio, Portable	\$1,329.00	15	\$19,935.00
2	6.1.4	2,7,8,9,12,14,18,19,22,23,24,27,30,32,33,34	Single unit rapid rate smart charger	\$123.75	15	\$1,856.25
3	6.1.4	2,7,8,9,12,14,18,19,22,23,24,27,30,32,33,34	Leather carry case	\$45.00	15	\$675.00
4	6.1.4	2,7,8,9,12,14,18,19,22,23,24,27,30,32,33,34	Spare ultra high capacity battery	\$75.00	15	\$1,125.00
5	6.1.4	2,7,8,9,12,14,18,19,22,23,24,27,30,32,33,34	Vehicular charger	\$292.50	15	\$4,387.50
6	6.1.4	2,7,8,9,12,14,18,19,22,23,24,27,30,32,33,34	Installation charge for vehicular charger	\$250.00	15	\$3,750.00
7	14.1.1.2	4,8,10,16,17,19,26	Bollards	\$762.22	20	\$15,244.40
8	14.1.1.2	4,8,10,16,17,19,26	Installation cost for bollards	\$39,000.00	1	\$39,000.00
9	14.1.1.2	4,8,10,16,17,19,26	Fencing	\$6,394.95	1	\$6,394.95
10	14.1.1.2	4,8,10,16,17,19,26	Installation cost for fencing	\$1,656.00	1	\$1,656.00
11	14.1.1.4	10	Digital physical access control system - equipment	\$13,395.00	1	\$13,395.00
12	14.1.1.4	10	Digital physical access control system - installation	\$6,369.00	1	\$6,369.00
13	14.1.1.7	5,8,10,19	Vicon Autodome Digital Camera Network	\$2,547.57	7	\$17,832.99
14	14.1.1.7	5,8,10,19	PE-QF5CA Vari-Focul Color Camera	\$723.50	2	\$1,447.00
15	14.1.1.7	5,8,10,19	Wall mounts for cameras	\$182.29	7	\$1,276.03
16	14.1.1.7	5,8,10,19	Dedicated Micros DS2 Series DVR 1TB storage	\$7,053.00	1	\$7,053.00
17	14.1.1.7	5,8,10,19	42" Flat Panel Monitor	\$3,526.00	1	\$3,526.00
18	14.1.1.7	5,8,10,19	PC Work Station	\$1,459.00	1	\$1,459.00
19	14.1.1.7	5,8,10,19	UPS Backup Power Supply	\$152.00	1	\$152.00
20	14.1.1.7	5,8,10,19	DT-900 Wireless Antenna	\$1,580.86	7	\$11,066.02
21	14.1.1.7	5,8,10,19	TCO 5808Q9 Wireless PTZ controller	\$1,702.43	7	\$11,917.01
22	14.1.1.7	5,8,10,19	Wire, cable and connectors	\$2,303.00	1	\$2,303.00
23	14.1.1.7	5,8,10,19	Installation Labor	\$15,000.00	1	\$15,000.00
						\$0.00

*Note: Corresponding AEL Numbers and TCL Categories can be found at <http://www.rkb.mipt.org/hspd8.cfm?expand=1>

VRPP GRANT TOTAL	\$186,820.15
GRAND TOTAL	\$189,000.00

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APPENDIX C
PAYMENT AND REPORTING SCHEDULE

For All Grantees:

1. The Grantee agrees that this is a reimbursement-based contract; an advance may be provided as specified in Appendix D. All requests for reimbursement must reflect actual costs that have been disbursed by the Grantee. Items or services not received are not eligible for reimbursement.

Reimbursement requests need to include the following documents:

- Signed Voucher and Fiscal Cost Report
 - Detailed Itemization Forms or other forms deemed acceptable by OHS of any budgeted category for which reimbursement is requested
 - Written documentation of all required OHS approvals, as appropriate
2. Grantees must submit all required fiscal reports, supporting documentation and program progress reports. Failure to meet these requirements will result in the rejection of associated vouchers. Final vouchers, reimbursement requests and reports must be submitted within 30 days of the end of the grant contract period. Failure to voucher within this period may result in the loss of grant funds. The Grantee must also refund all unexpended advances and any interest earned on the advanced funds.
 3. If at the end of this contract there remain any monies (advanced or interest earned on the advanced funds) associated with this contract in the possession of the Grantee, the Grantee shall submit a check or money order for that amount payable to the order of the **New York State Office of Homeland Security**. Remit the check along with the final fiscal cost report within 30 days of termination of this grant contract to:

NYS Office of Homeland Security
Federal Fiscal Unit – 7th Floor
State Campus - Building 7A
1220 Washington Avenue
Albany, NY 12242

4. Vouchers shall be submitted in a format acceptable to OHS and the Office of the State Comptroller. Vouchers submitted for payment shall be deemed to be a certification that the payments requested are for project expenditures made in accordance with the items as contained in the Project Budget (Appendix B) and during the contract period. Such voucher shall also be deemed to certify that: a) the payments requested do not duplicate reimbursement from other sources of funding; and b) the funds provided herein do not replace funds that, in the absence of this grant, would have been made available by the Grantee for this program.

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5. Fiscal cost reports must be submitted showing grant expenditures and/or obligations for each quarter of the grant within 30 days after the last day of the quarter for the reporting period. They must also show the amount of interest earned to date on any advanced funds.

All submitted vouchers will reflect the Grantee's actual expenditures and will be accompanied by supporting detailed itemization forms or a form deemed acceptable to OHS for personal service, fringe benefit and non-personal service expenditures or other documentation as required, and by a fiscal cost report for the reporting period. In the event that any expenditure for which the Grantee has been reimbursed by grant funds is subsequently disallowed, OHS, in its sole discretion, may reduce the voucher payment by the amount disallowed. If necessary, the Grantee may be required to submit a final budget reallocation.

OHS reserves the right not to release subsequent grant awards pending Grantee compliance with this Agreement.

6. For purposes of prompt payment provisions, the Designated Payment Office for the processing of all vouchers is the Contract Unit of OHS. Payment of grant vouchers shall be made in accordance with the provisions of Article XI-A of the State Finance Law. Payment shall be preceded by an inspection period of 15 business days which shall be excluded from calculations of the payment due date for purposes of determining eligibility for interest payments. The Grantee must notify the Federal Fiscal Unit in writing of a change of address in order to benefit from the prompt payment provision of the State Finance Law. When progress reports are overdue, vouchers will not be eligible for prompt payment.
7. Timely and properly completed New York State vouchers, with supporting documentation when required, shall be submitted to:

*NYS Office of Homeland Security
Attention: Contracts Unit
State Office Building Campus – Bldg. 7A
1220 Washington Avenue, Suite 610
Albany, NY 12242*

8. The Grantee will submit program progress reports and one final report to OHS on a prescribed form provided by OHS as well as any additional information or amended data as required.

Progress reports will be due within 30 days of the last day of each calendar quarter or on an alternate schedule as prescribed in Appendix D. Progress reports will be due within 30 days of the last day of the calendar quarter from the start date of the program and the final report will be due upon completion of the project or termination of this Agreement. Calendar quarters, for the purposes of making program progress reports, shall be as follows:

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Calendar Quarter	Report Due
January 1 - March 31	April 30
April 1 - June 30	July 30
July 1 - September 30	October 30
October 1 - December 31	January 30

The final report, or where applicable interim progress reports, will summarize the project's achievements as well as describe activities for that quarter.

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Appendix D - Program Workplan

This Program will be implemented by: **Suffolk County Police Department**

Project Goal: Prevent terrorist attacks; respond to terrorist attacks; minimize the danger and recover from terrorist attacks.

Objective # 1

12 Assess vulnerability and/or harden/protect critical infrastructure and key assets.

Task # 1

Purchase equipment as outlined in approved VRPP.

Performance Measure

Identify equipment ordered and received; provide brief narrative on the status of installation, and training of personnel. Equipment accountability records are properly maintained.

Special Conditions

Upon approval of this grant by the Office of the State Comptroller, or OHS for a "T" contract only, the Grantee is authorized to initially voucher for advance payment of those prospective expenses previously approved by OHS. The grantee will be required to submit adequate justification for the advance payment; OHS reserves the right to deny any request, particularly if the grantee has unexpended cash from OHS or is delinquent in reporting or providing required documentation. Consistent with Appendix A-1 of this grant contract, vouchers for advance payments for the purchase of equipment and supplies must be supported by a copy of the approved purchase order. Advanced funds must be accounted for within 120 days.

Grantee agrees that if the project is not operational within 60 days of the original starting date of the grant period, it will report by letter to OHS the steps taken to initiate the project, the reasons for delay, and the expected starting date. If the project is not operational within 90 days of the original starting date of the grant period, the grantee will submit a second statement to OHS explaining the delay. The State may either cancel the project and redistribute the funds or extend the implementation date of the project beyond the 90-day period when warranted by extenuating circumstances.

This contract may be extended, increased, decreased, terminated, renewed, amended or renegotiated at the discretion of the Director of the Office of Homeland Security.

Unless otherwise specified in the workplan, the grantee will submit all required reports on a quarterly basis. Reports must be completed and submitted within 30 days of the end of the quarter. Failure to submit reports in a timely manner may jeopardize future funding for this grant program.

An agenda and meeting minutes will be kept on file for all meetings conducted. Any documents produced as a result of these meetings, such as plans, schedules, or procedures, will also be kept on file and be made available to OHS upon request. For every training event or exercise performed, an After Action Report will be conducted and an Improvement Plan will be developed.

Funds must be used in accordance with the guidelines set forth in the FY 2006 Buffer Zone Protection Program application kit. All planning, training and CBRNE exercises and/or equipment purchased with FY06 awards must support the prevention, response and/or recovery goals set forth in New York State's Homeland Security Strategy represented by the list of priorities included in the grant applications and approved investment justifications.

Equipment purchased with grant funds must fall within the Department of Homeland Security (DHS) eligible equipment categories. It is the responsibility of the grantee to request a determination of eligibility from DHS, through the WMD Task Force for any item in question. Any communications equipment purchased with FY06 awards should be APCO 25 compliant. The grantee is required to complete a Communications Plan consistent with the DHS standards. All communications equipment purchases must support implementation of the plan.

Any non-DHS approved training courses to be supported by this award must be submitted to DHS through the WMD Task Force for certification. Any exercises conducted must be managed and executed in accordance with DHS's Homeland Security Exercise and Evaluation Program.

Law enforcement agencies that receive grant funding from OHS must agree to participate in the New York State Intelligence Center (NYSIC) or the New York/New Jersey Regional Intelligence Center (NY/NJ RIC), as appropriate.

Intro Res. No. 1632
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 6/24/2008

RESOLUTION NO. -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM TO REFLECT THE ESTABLISHMENT OF NEW CAPITAL PROJECT NUMBER 1604 "EAST END VETERANS CLINIC" – RIVERHEAD COUNTY CENTER AND ACCEPTING AND APPROPRIATING STATE FUNDED COMMUNITY ENHANCEMENT FACILITIES ASSISTANCE PROGRAM GRANT FUNDING

WHEREAS, the Dormitory Authority of the State of New York has awarded a grant in the amount of \$500,000 to the County of Suffolk to provide one-half (50%) of the funding required for the establishment of a "East End Veterans Clinic" at the Riverhead County Center, and

WHEREAS, this grant is funded by the Community Enhancement Facilities Assistance Program (CEFAP) for the express purpose of the establishment of a "East End Veterans Clinic" at the Riverhead County Center, and

WHEREAS, the United States Department of Veterans Affairs, Northport Veterans Administration Medical Center, both supports and endorses the establishment of this "East End Veterans Clinic" and will supply the necessary professional staff to both administer and run this "Clinic"; and

WHEREAS, the Office of the County Executive – Veterans Services, Department of Health Services and the Department of Public Works are and will be working together to ensure that the "East End Veterans Clinic" – Riverhead County Center meets the needs of both the Department of Veterans Affairs and those veterans who will utilize the center; and

WHEREAS, this is a reimbursable grant and the Grant Disbursement Agreement for CEFAP requires that the County establish a segregated account for all expenses associated with this project; and

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

WHEREAS, a new Capital Project Number 1604 "East End Veterans Clinic – Riverhead County Center" is created to accept and appropriate this funding; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$500,000 in Suffolk County Serial Bonds; now, therefore be it

1stRESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) (1), (2), (20), (21), and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of 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

3rd RESOLVED, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No. 1604

Project Title: "EAST END VETERANS CLINIC – RIVERHEAD COUNTY CENTER

	<u>Total Estimated Cost</u>	<u>Current 2008 Capital Program and Budget</u>	<u>Revised 2008 Capital Program and Budget</u>
3. Construction	\$1,000,000	\$ 0	\$ 500,000S \$ 500,000B
TOTAL	<u>\$1,000,000</u>	<u>\$ 0</u>	<u>\$ 1,000,000</u>

and be it further

4th RESOLVED, that the proceeds of \$500,000 in New York State Aid be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1604.310	20	East End Veterans Clinic – Riverhead County Center Construction	\$500,000

and be it further

5th RESOLVED, that the proceeds of \$500,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1604.310 (Fund 001 Debt Service)	20	East End Veterans Clinic – Riverhead County Center Construction	\$500,000

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STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND TO REFLECT THE ESTABLISHMENT OF NEW CAPITAL PROJECT NUMBER 1604 "EAST END VETERANS CLINIC—RIVERHEAD COUNTY CENTER AND ACCEPTING AND APPROPRIATING STATE FUNDED COMMUNITY ENHANCEMENT FACILITIES ASSISTANCE PROGRAM GRANT FUNDING		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 20px; display: flex; align-items: center; justify-content: center; margin: 0 auto;"> County </div>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED BY SUFFOLK COUNTY TO COVER 50% OF THE PROJECT COST. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS. NYS DORMITORY AUTHORITY WILL PROVIDE 50% OF THE COST THROUGH A GRANT. ESTIMATED PROJECT COST IS \$1,000,000.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS 50% (\$500,000) AND NYS GRANT 50% (\$500,000)		
9. Timing of Impact		
2009		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		June 6th, 2008

SCIN FORM 175b (10/95)

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

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GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$45,365	\$0.08		\$0.000

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$45,365	\$0.08		\$0.000

NOTES:

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

Suffolk County
Project Name
General Obligation Serial Bonds
Level Debt

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Term of Bonds: 15
Amount to Bond: \$500,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2008					
11/1/2008	4.125%	\$24,739.50	\$20,625.00	\$45,364.50	\$45,364.50
11/1/2009	4.125%	\$25,760.00	\$9,802.25	\$35,562.25	\$45,364.50
11/1/2010	4.125%	\$26,822.60	\$9,270.95	\$36,093.55	\$45,364.50
11/1/2011	4.125%	\$27,929.04	\$8,717.73	\$36,646.77	\$45,364.50
11/1/2012	4.125%	\$29,081.11	\$8,141.70	\$37,222.80	\$45,364.50
11/1/2013	4.125%	\$30,280.70	\$7,541.90	\$37,822.60	\$45,364.50
11/1/2014	4.125%	\$31,529.78	\$6,917.36	\$38,447.14	\$45,364.50
11/1/2015	4.125%	\$32,830.39	\$6,267.06	\$39,097.44	\$45,364.50
11/1/2016	4.125%	\$34,184.64	\$5,589.93	\$39,774.57	\$45,364.50
11/1/2017	4.125%	\$35,594.76	\$4,884.87	\$40,479.63	\$45,364.50
11/1/2018	4.125%	\$37,063.04	\$4,150.73	\$41,213.77	\$45,364.50
11/1/2019	4.125%	\$38,591.89	\$3,386.30	\$41,978.20	\$45,364.50
11/1/2020	4.125%	\$40,183.81	\$2,590.35	\$42,774.15	\$45,364.50
11/1/2021	4.125%	\$41,841.39	\$1,761.56	\$43,602.94	\$45,364.50
11/1/2022	4.125%	\$43,567.35	\$898.58	\$44,465.92	\$45,364.50
		\$500,000.00	\$180,467.49	\$680,467.49	\$680,467.49



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May 29, 2008

VIA OVERNIGHT MAIL

Mr. Allen Kovesdy
Director of Management & Research
County of Suffolk
100 Veterans Memorial Highway
Hauppauge, NY 11788

*Re: Community Enhancement Facilities Assistance Program ("CEFAP")
Renovation of the East End VA Clinic*

Dear Mr. Kovesdy:

As you are aware, the County of Suffolk has been selected in accordance with the procedures required by Chapter 432 of the Laws of 1997 to receive a Community Enhancement Facilities Assistance Program Grant ("CEFAP") in the amount of \$500,000. The project for which the grant will be utilized is the renovation of the East End VA Clinic.

On February 1, 2008, the required environmental reviews necessary to fund the grant were obtained, and on May 21, 2008, the Public Authorities Control Board granted its approval of the project. Once the funds necessary to fund the grant are made available to the Dormitory Authority, payments may then be made in accordance with the Grant Disbursement Agreement.

Enclosed please find five (5) execution copies of the Grant Disbursement Agreement. Please execute all five (5) copies and return them to me at:

J. Matthew Moore, Esq.
Dormitory Authority of the State of New York
515 Broadway
Albany, New York 12207

Please note that certain exhibits to the Grant Disbursement Agreement must be completed prior to the disbursement of any grant funds, including Exhibits A, B, and an Opinion of Counsel in the form of Exhibit C to the Agreement. The purpose and use of

CORPORATE HEADQUARTERS
515 Broadway
Albany, New York 12207-2964

Tel: 518-257-3000
Fax: 518-257-3100

NEW YORK OFFICE
One Penn Plaza, 52nd Floor
New York, New York 10119-0098

Tel: 212-273-5000
Fax: 212-273-5121

BUFFALO OFFICE
539 Franklin Street
Buffalo, New York 14202-1109

Tel: 716-884-9780
Fax: 716-884-9787

WEB
www.dasny.org



Dormitory Authority
State of New York

Mr. Allen Kovesdy
May 29, 2008
Page 2

1632

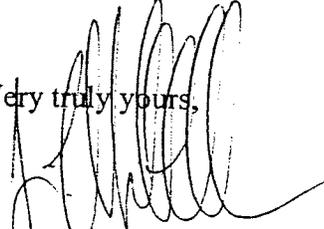
the Grant funds as described in Exhibit A must substantially comply with the description provided by the County of Suffolk in its preliminary application. Any deviation in purpose or use must be separately indicated and explained. Failure to do so may delay the processing of the Grant Disbursement Agreement.

Once the execution copies and the completed exhibits are returned to the Dormitory Authority, we will sign and return a fully executed copy to you and we can begin the requisition process.

Should you or your attorney have any questions concerning the enclosed document, please call (518) 257-3177.

Thank you.

Very truly yours,



J. Matthew Moore
Associate Counsel

Enc.

cc (w/out enc.): Stephen M. August, Assembly Ways & Means
Michael Corrigan, Dormitory Authority
Debra Pulenskey Drescher, Esq., Dormitory Authority
Sara Richards, Esq., Dormitory Authority
Kelly Ray, Dormitory Authority

1632

This **GRANT DISBURSEMENT AGREEMENT** includes all exhibits and attachments hereto and is made on the terms and by the parties listed below and relates to the Project described below:

DORMITORY AUTHORITY OF THE STATE OF NEW YORK (the "Authority"): 515 Broadway
Albany, New York 12207
Contact: J. Matthew Moore, Esq.
Phone: (518) 257-3120
Fax: (518) 257-3101

THE GRANTEE: County of Suffolk
100 Veterans Memorial Highway
Hauppauge, NY 11788
Contact: Mr. Allen Kovesdy

Phone: (631) 853-4739
Fax: (631) 853-4546

THE PROJECT: Renovation of the East End VA Clinic

GRANT AMOUNT: \$500,000

FUNDING SOURCE: Community Enhancement Facilities Assistance Program (CEFAP)

PRELIMINARY APPLICATION DATE: 10/10/07

PACB APPROVAL DATE: 05/21/08

DATE AGREEMENT SIGNED BY THE AUTHORITY:

DATE AGREEMENT SIGNED BY GRANTEE:

For Office Use Only

FMS#: 149396/149397
GranteeID: 2104
GrantID: 3303



DEPARTMENT OF VETERANS AFFAIRS
Medical Center
79 Middleville Rd
Northport, NY 11768

RECEIVED
08 MAY 23 AM 10:43
OFFICE OF THE
SUFFOLK COUNTY
EXECUTIVE
HAUPPAUGE NY

#662

1632

In Reply Refer To: 632/00

MAY 20 2008

Honorable Steve Levy
Suffolk County Executive
H.Lee Dennison Bldg.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788-0099

Dear County Executive Levy:

Thank you for your letter of May 13, 2008 regarding the new VA clinic in Riverhead. I am very grateful for you and your staff's efforts to make the new East End clinic a reality.

With regard to the County's need for a letter of intent, please know that on May 16, Northport VA Medical Center's contracting officer Joanna Koven e-mailed a proposed lease agreement for the new clinic to Mr. Thomas Ronayne, Suffolk County Veteran Service Agency Director. A hard copy of the lease agreement was sent via Federal Express on May 19. It should be noted that Mr. Ronayne has been extraordinarily helpful in moving this project along and should be commended.

Again, thank you for your tremendous support of Suffolk County veterans and VA by providing an East End clinic we can all be proud of.

Sincerely yours,

GERALD F. CULLITON
Director

Intro. Res. No. 1633 -2008
Introduced by Legislator Romaine

Laid on Table 6/24/08

**RESOLUTION NO. -2008, REQUIRING
LEGISLATIVE APPROVAL TO CONSIDER THE SALE OF
THE JOHN J. FOLEY SKILLED NURSING FACILITY**

WHEREAS, the sale of the John J. Foley Skilled Nursing Facility has been discussed as a possible way to close the County's budget deficit; and

WHEREAS, the County Legislature recently approved the sale of the Suffolk Health Plan, which was reported to net \$17.9 million. However, proceeds from the sale were included in the 2008 Adopted Operating Budget before the sale was approved and a Request for Proposal (RFP) was issued for the sale of the Suffolk Health Plan without the approval of the County Legislature; and

WHEREAS, §A9-6 of SUFFOLK COUNTY CODE requires that before any proposal or plan to provide services at the John J. Foley Skilled Nursing Facility through entities other than Suffolk County government and/or the County Department of Health Services, using employees other than employees of the County of Suffolk, a written proposal or plan must be submitted to the County Executive and to the County Legislature; and

WHEREAS, said plan or proposal must emanate from a competitive RFP process pursuant to §104-b of the NEW YORK GENERAL MUNICIPAL LAW and Chapter 708 of the SUFFOLK COUNTY CODE to "guard against favoritism, improvidence, extravagance, fraud and corruption"; and

WHEREAS, Two (2) Executive public hearings must be held regarding the plan, one on west end and one on east end and Two (2) Legislative public hearings must be held regarding the plan, one on west end and one on east end; and

WHEREAS, said plan must be accompanied by a detailed written report evaluating and analyzing the cost of providing the service by the county versus the cost of doing the same via the plan, together with a comparison of the quality of services both ways; written documentation from the pertinent state department or agency approving the plan and outlining projected state aid for the plan; a written report identifying expenditures for services under the plan and the precise level of services to be provided by the plan, as compared to the county; a written certification by the Office of Budget Review that the plan will result in a cost savings to the county, in at least each of the first five (5) years, of at least 10% per year, as measured by net county expenditures; and

WHEREAS, said plan must be approved and ratified by the County Legislature explicitly adopting the specifics of the plan or proposal; and

WHEREAS, said plan or proposal cannot first be made part of any recommended county operating or capital budget nor be approved by adopting it as part of the annual operating or capital budget; and

WHEREAS, the County wishes to avoid a repeat of the circumvention of §9-6 of the County Administrative Code that recently occurred with respect to the sale of the Suffolk Health Plan. Now, therefore, be it

1st RESOLVED, that, pursuant to §A9-6 of SUFFOLK COUNTY CODE, the Suffolk County Executive, the Suffolk County Department of Health Services, the Suffolk County Attorney, and all other County departments and/or agencies involved in the process of seeking a buyer for the John J. Foley Skilled Nursing Facility are hereby prohibited from issuing any Request for Proposal (RFP), Request for Qualifications (RFQ), Request for Expressions of Interest (RFEI) or any other document expressing the County's interest or intent to sell or in anyway divest itself from the John J. Foley Skilling Nursing without securing approval via duly enacted resolution of the County of Suffolk; and be it further

2nd RESOLVED, that no waiver of formal bid solicitations, RFP's, RFQ's, or RFEI's shall be granted by the Suffolk County Executive or any duly authorized representative in connection with the proposed sale or divestiture of the John J. Foley Nursing Facility, anything in the provisions of §708-6 of the SUFFOLK COUNTY CODE to the contrary notwithstanding; 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:

1634

Intro. Res. No. 2008
Introduced by Legislator Montano

Laid on Table 6/24/2008

**RESOLUTION NO. -2008, TO AMEND ADOPTED
RESOLUTION NO. 732-2007, TO EXTEND THE DEADLINE FOR
THE SUFFOLK COUNTY BUDGET REFORM COMMISSION**

WHEREAS, Resolution No. 732-2007 established the Suffolk County Budget Reform Commission for the purposes of identifying policy options to be incorporated into a plan for joint consideration by the Executive and Legislative branches to decrease the County's dependency on fund balance; and

WHEREAS, this Commission will require additional time in order to complete its work; now, therefore be it

1st RESOLVED, that the 14th RESOLVED clause of Resolution No. 732-2007 is hereby amended to read as follows:

* * * *

14th RESOLVED, that this Commission shall submit a written report of its findings and determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive [no later than one year subsequent to the effective date of this Resolution] August 31, 2009 for consideration, review, and appropriate action, if necessary, by the entire County Legislature

* * * *

and be it further

2nd RESOLVED, that all other terms and conditions of Resolution No. 732-2007 shall remain in full force and effect; and be it further

3rd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) 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.

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

DATED:

APPROVED BY:

1635

Intro. Res. No. -2008

Laid on Table 6/10/2008

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2008, AUTHORIZING
PUBLIC HEARINGS ON A PROPOSAL TO
PROVIDE SERVICES AT JOHN J. FOLEY
SKILLED NURSING FACILITY THROUGH AN
ENTITY OTHER THAN SUFFOLK COUNTY
GOVERNMENT**

WHEREAS, Section A9-6 of the Suffolk County Administrative Code requires that, in the event a proposal or plan to provide services at the County's skilled nursing facility is submitted to the County Executive for the purpose of providing these services through entities other than Suffolk County government and/or the Suffolk County Department of Health Services, using employees other than employees of the County of Suffolk, then at least two public hearings shall be held by the County Executive and two public hearings shall be held by the County Legislature on the particular proposal or plan; and

WHEREAS, the County Executive and the County Legislature shall each hold hearings on such proposal or plan in both the western portion of Suffolk County and the eastern portion of Suffolk County; and

WHEREAS, before such hearings are held, the County Executive shall comply with all requirements of Sections A9-6 (C) through (F) of the Suffolk County Administrative Code regarding supporting documentation and reports for such proposal or plan; now therefore be it

1st RESOLVED, that upon compliance with Sections A9-6 (C) through (F) of the Suffolk County Administrative Code, the County Executive and the County Legislature shall each hold public hearings in both the western portion of Suffolk County and the eastern portion of Suffolk County for consideration of said proposal or plan for an entity other than the Suffolk County government and/or the County Department of Health Services to provide skilled nursing services at the John J. Foley Skilled Nursing Facility using employees other than employees of the County of Suffolk; and be it further

2nd RESOLVED, that the County Executive and the County Legislature shall have completed the four (4) required public hearings by August 8, 2008.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: _____, 2008

1636

Intro Res. No. -2008

Laid on Table 6/24/08

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION -2008 TO AMEND RESOLUTION NO. 539 -2007, AMENDING THE ADOPTED 2008 CAPITAL BUDGET IN CONNECTION WITH SUFFOLK COUNTY FARM NITROGEN LEACHING REDUCTION/IRRIGATION UPGRADE (CP8710)

WHEREAS, Resolution 539-2007 was duly adopted and signed by the County Executive; and

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Department of Public Works has requested transferring funds from engineering services to equipment and construction costs; now, therefore be it

1st RESOLVED, that the 6th Resolved of Resolution 539-2007 is hereby amended as follows:

Project: 8710
Project Title: Water Quality Protection-Suffolk County Farm Nitrogen Leaching Reduction/Irrigation Upgrade

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
1. Planning & Design	\$1,227,000[\$1,237,000]	\$0	\$0 [\$10,000]
5. Equipment	<u>\$87,000</u> [\$77,000]	\$0	<u>\$87,000</u> W [\$77,000]
Total	\$6,283,160	\$0	\$87,000

and be it further

2nd RESOLVED, that the 7th Resolved of Resolution 539-2007 is hereby amended as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.115	50	Engineering for Suffolk County Farm Nitrogen Leaching Reduction/Irrigation Upgrade	<u>\$0</u> [\$10,000]
525-CAP-8710.510	50	Suffolk County Farm Nitrogen Leaching Reduction/Irrigation Upgrade	<u>\$87,000</u> [\$77,000]

3rd RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to amend this capital project and effectuate the transfer between the capital project lines, including the associated cash transfers to finance this capital project

[] Brackets denote deletion of existing language

___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1636

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. - 2008, TO AMEND RESOLUTION NO. 539-2007, AMENDING THE ADOPTED 2008 CAPITAL BUDGET IN CONNECTION WITH SUFFOLK COUNTY FARM NITROGEN LEACHING REDUCTION/IRRIGATION UPGRADE		
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 5 is "yes", Provide Detailed Explanation of Impact		
Amending Resolution No. 539-2007. No additional impact.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Fund477-1/4 Drinking Water Protection Program		
9. Timing of Impact		
Upon Adoption		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
CARMINE CHIUSANO ASSISTANT BUDGET DIRECTOR		June 13, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1636

GENERAL FUND

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

1636
ORIGINAL

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

DEPARTMENT OF ENVIRONMENT AND ENERGY

CARRIE MEEK GALLAGHER
COMMISSIONER

March 19, 2008

Ben Zwirn
Deputy County Executive
H. Lee Dennison Bldg. Fl. 12
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

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

Amending Resolution No. 539-2007, Amending the Adopted 2008 Capital Budget in Connection with Suffolk County Farm Nitrogen Leaching Reduction/Irrigation Upgrade (CP8710)

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

Sincerely,

Carrie Meek Gallagher, Commissioner

Enc.
CMG:gkr

cc: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, CE Reso Review

1636

Intro. Res. No. 1486-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 539 -2007, AMENDING THE ADOPTED 2007 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH SUFFOLK COUNTY FARM NITROGEN LEACHING REDUCTION/IRRIGATION UPGRADE (CP 8710)

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Suffolk County Water Quality Review Committee, pursuant to Resolution No. 659 of 2002, has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2007 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2007 Capital Budget and Program; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Section 617.5 (c) (3), (20), (21) and (27) of Title 6 of the 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 farming practices, continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty nine (59) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

4th RESOLVED, that the Adopted 2007 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Fund	\$87,000

and be it further

5th RESOLVED, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Water Quality Protection	\$87,000

1636

and be it further

6th RESOLVED, that the 2007 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8710
 Project Title: Water Quality Protection- Suffolk County Farm Nitrogen Leaching Reduction/Irrigation Upgrade

	Total Est'd Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
1. Planning	\$1,237,000	\$0	\$10,000
5. Equipment	\$ 77,000	\$0	\$77,000
TOTAL	\$6,283,160	\$0	\$87,000

and be it further

7th RESOLVED, that the transfer in the amount of \$87,000 be and hereby is appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.115	50	Engineering for Suffolk County Farm Nitrogen Leaching Reduction/Irrigation Upgrade	\$10,000
525-CAP-8710.510	50	Suffolk County Farm Nitrogen Leaching Reduction/Irrigation Upgrade	\$77,000

and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: June 25, 2007

RESOLUTION NO. - 2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM BY ACCEPTING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$25,000 FROM KEYSpan CORP. IN CONNECTION WITH THE DESIGN AND INSTALLATION OF A SOLAR PHOTOVOLTAIC SYSTEM AT SUFFOLK COUNTY ENVIRONMENTAL AND INTERPRETIVE CENTER AT THE HISTORIC SCULLY ESTATE (CP 7512)

WHEREAS, the Commissioner of Public Works has requested the acceptance and appropriation of grant funds, to partially offset the costs of a solar photovoltaic system at the Suffolk County Environmental and Interpretive Center which is to be installed as part of the Renovations to Historic Scully Estate in Islip; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of said request; and

WHEREAS, KeySpan, an investor-held utility, has awarded the County a grant for it's use of innovative technology at the Suffolk County Environmental and Interpretive Center which is to be installed as part of the Renovations to Historic Scully Estate in Islip; and

WHEREAS, the KeySpan funds are provided for in accordance with the attached award letter between KeySpan and the County of Suffolk; and

WHEREAS, KeySpan will make available to the County a maximum of \$25,000, in grant funds for this project; and

WHEREAS, the County must in the first instance fund the cost of the project and will subsequently be reimbursed by KeySpan in accordance with the schedule set forth in the contract; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the acceptance of \$25,000 of KeySpan, an investor-held utility, grant funds; now, therefore be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), hereby finds and determines that this resolution constitutes a Type II action pursuant to 6 NYCRR Sections 617.5 (c) (20), (25), and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions regarding the design, purchase and installation of equipment in an existing County facility which will mainly result in a beneficial impact. Since this resolution is a Type II Action, the Legislature has no further responsibilities; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty-eight (38) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

4th RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept the KeySpan funds in connection with this project; and be it further

5th RESOLVED, that the County Executive and/or the his designee are authorized to accept the grant on behalf of the County of Suffolk, and to take all necessary actions, and to execute all necessary agreements to effectuate this grant.

6th RESOLVED, the 2008 Capital Budget and Program be amended as follows:

Project No.: CP 7512
 Project Title: Renovations to Historic Scully Estate

	<u>Total Est'd. Cost</u>	<u>Current 2008 Capital Budget & Program</u>	<u>Revised 2008 Capital Budget & Program</u>
3. Construction	\$1,525,000	\$100,000B	\$75,000B \$25,000O
TOTAL	\$1,525,000	\$100,000	\$100,000

and be it further

7th RESOLVED, that the proceeds of \$25,000 in a grant from KeySpan be and is hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP- 7512.311	20	Renovations to Historic Scully Estate - Keyspan Grant	\$25,000

Dated:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1637

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

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

COUNTY OF SUFFOLK



1637

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Assistant Deputy County Executive (2 copies)
FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner
DATE: February 14, 2008
RE: CP 7512 – Renovations to the Historic Scully Estate

Attached for your review is a draft resolution for accepting and appropriating grant funds from KeySpan in the amount of \$25,000 to partially offset the costs for the design and installation of a solar photovoltaic system at the Suffolk County Environmental and Interpretive Center which is to be installed as part of the Renovations to Historic Scully Estate in Islip. A copy of the grant letter from KeySpan is attached.

An email copy of this letter has been sent to CE RESO Review saved under the title Reso-DPW-CP7512 Resolution KeySpan Grant.doc.

TL/GTA/dk
attachments

cc: Jim Morgo, Chief Deputy County Executive
Gilbert Anderson, P.E., Commissioner
Louis Calderone, Deputy Commissioner
Tedd Godek, R.A., County Architect
Laura Conway, CPA, Chief Auditor
Craig Rhodes, Assistant Director, Buildings O&M
Read Vail, Chief Budget Examiner
Linda Brandolf, CPA, Capital Accounting
CE RESO Review (e-mail)



1637

One MetroTech Center
Brooklyn, New York 11201
Tel 718 403-2000

December 5, 2007

Javed Ashraf
Suffolk County Department of Public Works
335 Yaphank Ave
Yaphank, NY 11980

Dear Javed:

Congratulations! We are pleased to inform you that we have selected your Green Cinderella as a recipient of our Cinderella program. KeySpan will award your organization \$25,000.00 for your project.

It is important to KeySpan that the integrity of the program be maintained. The commitment of an award is made based on your assurance that your building will use innovative technology, as specified in your documentation, when completed.

The grant will be paid to you upon the completion of the project and after our inspection. Within a few weeks after inspection a check will be mailed to you for the grant amount. The acceptance of this grant avails a mutual agreement in assisting to promote the innovative technology by:

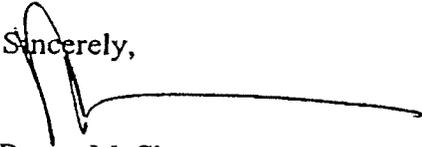
- Maintaining a KeySpan Cinderella sign on the project for [1 or 2] years
- Working with KeySpan to develop various media opportunities
- Mentioning KeySpan's Cinderella sponsorship in any media initiatives
- Participating in press events in celebration of this initiative
- Providing periodic access to your building in order to showcase the technology

Our commitment for a Cinderella project will expire six months after the completion date noted on the application. Therefore it is important that you keep us informed of the progress of the project, especially if it is not on schedule. As your project manager, please refer all inquiries to me at rmcclure@keyspanenergy.com or 718-403-2663.

Please note, this grant is not transferable to any other party.

On behalf of KeySpan, congratulations for being a recognized as a recipient of our Cinderella Program.

Sincerely,


Renee McClure
Program Manager

RECEIVED

DEC 10 2007

DEPARTMENT OF PUBLIC WORKS
PLANNING & CONSTRUCTION

NOV 29 2007
DEPARTMENT OF PUBLIC WORKS
PLANNING & CONSTRUCTION

1638

Intro. Res. No. - 08

Laid on the Table 6/24/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2008, APPROVING THE PURCHASE OF VEHICLES AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF HEAVY DUTY EQUIPMENT FOR COUNTY PARKS (CP 7011)

WHEREAS, the Commissioner of Parks has requested funds for the Purchase of Heavy Duty Equipment for County Parks; and

WHEREAS, Local Law 20-2003 requires that no vehicle shall be purchased or leased unless "explicit approval for the acquisition of such vehicles, via lease or purchase, has been granted via duly enacted Resolution of the Suffolk County Legislature"; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of purchasing heavy duty equipment under Capital Project 7011; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$350,000 in Suffolk County Serial Bonds; and now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") Section 617.5(25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA ; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty eight (38) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution 461-2006; and be it further

3rd RESOLVED, that the purchase of three (3) 4WD landscape dump trucks, one (1) 4WD lifeguard specialty truck, one (1) front end loader/tractor, one (1) boom trailer, and one (1) large rotary mower as cost detailed on attached Addendum 1 is hereby approved, pursuant to Section 186-2(B)(6) of the SUFFOLK COUNTY CODE, and in accordance with County vehicle standard; and be it further

4th RESOLVED, that the proceeds of the \$350,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7011.525 (Fund 001 Debt Service)	60	Heavy Duty Equipment for County Parks	\$350,000

Date:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1638

ADDENDUM 1

HEAVY EQUIPMENT FOR COUNTY PARKS (CP 7011)

ADOPTED 2008 CAPITAL BUDGET

VEHICLE TYPE	QUANTITY	PRICE PER UNIT	TOTAL ESTIMATED COST
4WD Landscape Dump Trucks	3	\$50,000	\$150,000
4WD Speciality Truck (Lifeguards)	1	\$35,000	\$35,000
4WD Front End Loader / Tractor	1	\$90,000	\$90,000
Large Rotary Mower	1	\$40,000	\$40,000
Boom Trailer	1	\$35,000	\$35,000
TOTAL:			\$350,000

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1638

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. - 2008, APPROVING THE PURCHASE OF VEHICLES AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF HEAVY DUTY EQUIPMENT FOR COUNTY PARKS (CP 7011)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2009		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		June 13th, 2008

SCIN FORM 175b (10/95)

Suffolk County
 Project Name
 General Obligation Serial Bonds
 Level Debt

1638

Term of Bonds: 5
 Amount to Bond: \$350,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2007					
5/1/2008					
11/1/2008	4.125%	\$64,458.27	\$14,437.50	\$78,895.77	\$78,895.77
			\$5,889.30	\$5,889.30	
11/1/2009	4.125%	\$67,117.18	\$5,889.30	\$73,006.47	\$78,895.77
			\$4,505.01	\$4,505.01	
11/1/2010	4.125%	\$69,885.76	\$4,505.01	\$74,390.77	\$78,895.77
			\$3,063.61	\$3,063.61	
11/1/2011	4.125%	\$72,768.55	\$3,063.61	\$75,832.16	\$78,895.77
			\$1,562.76	\$1,562.76	
11/1/2012	4.125%	\$75,770.25	\$1,562.76	\$77,333.01	\$78,895.77
		\$350,000.00	\$44,478.86	\$394,478.86	\$394,478.86

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

1638

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$78,896	\$0.15		\$0.000

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$78,896	\$0.15		\$0.000

NOTES:

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

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

1638

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: BEN ZWIRN, Deputy County Executive

FROM: JOHN W. PAVACIC, Commissioner 

CC: JIM MORGO, Chief Deputy County Executive

DATE: May 9, 2008

RE: INTRODUCTORY RESOLUTION APPROVING THE PURCHASE OF VEHICLES AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF HEAVY DUTY EQUIPMENT FOR COUNTY PARKS (CP 7011)

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "Reso-PKS- Approving Purchase and Appropriating Funds for CP 7011.doc".

The Parks Department has determined that we need three (3) four-wheel drive landscape dump trucks, one (1) four-wheel drive specialty truck (for lifeguards), one (1) large four-wheel drive front end loader/tractor, one (1) boom trailer, and one (1) large rotary mower in order to fulfill our duty to properly maintain County Parks.

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

Enclosures



1639

Intro. Res. No. -2008

Laid on Table

6/24/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, APPROPRIATING FUNDS IN CONNECTION WITH RESTORATION OF SMITH POINT COUNTY PARK (CP 7162)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for construction as per the Master Plan at Smith Point County Park; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of construction under Capital Program Number 7162; and

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

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

1st RESOLVED, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8 (hereinafter "SEQRA"), Resolution Number 656-1997 determined that these actions constitute a Type I action pursuant to the provisions of Title 6 of the New York Code of Rules and Regulations (NYCRR), Part 617.4 (b) (1), (6), and (10) and Chapter 279 of the Suffolk County Code, since it involves adoption of a municipality's Comprehensive Resource Management Plan for Smith Point County Park, which involves activities other than construction of residential facilities that include the physical alteration of more than 2.5 acres within publicly operated park land 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 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment;
- 2.) All significant habitats including wetlands, dunes and bird breeding areas within the park will be protected;
- 3.) All necessary DEC permits will be obtained; and
- 4.) The Master Plan will enhance recreational activities; and be if further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty-eight (38) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution 461-2006; and be it further

3rd RESOLVED, that the proceeds of \$1,000,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7162.318 (Fund 001 Debt Service)	Restoration of Smith Point County Park - Construction	\$1,000,000

Date:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

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

1639

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$90,729	\$0.17		\$0.000

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$90,729	\$0.17		\$0.000

NOTES:

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

Suffolk County
Project Name
General Obligation Serial Bonds
Level Debt

1639

Term of Bonds: 15
Amount to Bond: \$1,000,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2008					
11/1/2008	4.125%	\$49,479.00	\$41,250.00	\$90,729.00	\$90,729.00
11/1/2009	4.125%	\$51,520.01	\$19,604.50	\$71,124.50	\$90,729.00
11/1/2010	4.125%	\$53,645.21	\$18,541.90	\$72,187.10	\$90,729.00
11/1/2011	4.125%	\$55,858.07	\$17,435.46	\$73,293.54	\$90,729.00
11/1/2012	4.125%	\$58,162.22	\$16,283.39	\$74,445.61	\$90,729.00
11/1/2013	4.125%	\$60,561.41	\$15,083.79	\$75,645.20	\$90,729.00
11/1/2014	4.125%	\$63,059.57	\$13,834.72	\$76,894.28	\$90,729.00
11/1/2015	4.125%	\$65,660.77	\$12,534.11	\$78,194.89	\$90,729.00
11/1/2016	4.125%	\$68,369.28	\$11,179.86	\$79,549.14	\$90,729.00
11/1/2017	4.125%	\$71,189.51	\$9,769.74	\$80,959.26	\$90,729.00
11/1/2018	4.125%	\$74,126.08	\$8,301.46	\$82,427.54	\$90,729.00
11/1/2019	4.125%	\$77,183.78	\$6,772.61	\$83,956.39	\$90,729.00
11/1/2020	4.125%	\$80,367.61	\$5,180.69	\$85,548.31	\$90,729.00
11/1/2021	4.125%	\$83,682.78	\$3,523.11	\$87,205.89	\$90,729.00
11/1/2022	4.125%	\$87,134.69	\$1,797.15	\$88,931.85	\$90,729.00
		\$1,000,000.00	\$360,934.98	\$1,360,934.98	\$1,360,934.98

COUNTY OF SUFFOLK



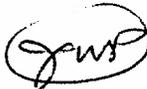
1639

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: BEN ZWIRN, Deputy County Executive
FROM: JOHN W. PAVACIC, Commissioner 
CC: JIM MORGO, Chief Deputy County Executive
DATE: May 9, 2008
RE: INTRODUCTORY RESOLUTION APPROPRIATING FUNDS IN
CONNECTION WITH RESTORATION OF SMITH POINT
COUNTY PARK (CP 7162)

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS-Appropriating Funds for CP 7162 Smith Point.doc."

The 2008 Adopted Capital Budget includes construction funding for Smith Point County Park. This resolution requests funds under CP 7162, "Restoration of Smith Point County Park," for general improvements in accordance with the adopted master plan for the site. SEQRA requirements have been satisfied.

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

Enclosures



1640

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

Laid on the Table 6/24/08

RESOLUTION NO. - 2008, AMENDING RESOLUTION NO. 859 OF 2007 WHICH APPROPRIATED FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE RECONSTRUCTION OF CR 57, BAY SHORE ROAD, FROM NYS RTE. 27 TO NYS RTE. 231, TOWNS OF BABYLON AND ISLIP (CAPITAL PROGRAM NUMBER 5523)

WHEREAS, Resolution No. 859 of 2007 appropriated \$2,200,000 for land acquisition under Capital Project No. 5523.211 and stated that federal funds were available from the Federal Highway Administration for this project with a share allocation of eighty percent (80%) Federal funds and twenty percent (20%) County funds; and

WHEREAS, Resolution No. 859 of 2007 apportioned the \$2,200,000 appropriated at \$1,760,000 Federal funds and \$440,000 County funds;

WHEREAS, the total Grant amount should have been \$1,800,000 with \$1,440,000 in Federal Aid and \$360,000 in County funds; and

WHEREAS, Resolution No. 859-2007 needs to be amended to reflect the correct amounts; now, therefore be it

(1st) RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 410 of 2005 classified the action contemplated by this as an Unlisted Action which will not have a significant effect on the environment; and be it further

(2nd) RESOLVED, that the 6th WHEREAS clause of Resolution No. 859 of 2007 is hereby amended as follows:

WHEREAS, the County Legislature, by resolution of even dated herewith, has authorized the issuance of \$1,800,000 [\$2,200,000] in Suffolk County Serial Bonds;

and be it further

(3rd) RESOLVED, that the 4th RESOLVED clause of Resolution No. 859 of 2007 is hereby amended as follows:

4th RESOLVED, that the 2007 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5523
Project Title: Reconstruction of CR 57, Bay Shore Road

	Total Est'd Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
2. Land Acquisition	\$1,850,000 [\$2,250,000]	\$360,000B \$1,440,000B	\$ 360,000B [\$440,000B] \$1,440,000F [\$1,760,000F]
TOTAL	\$20,850,000 [\$21,250,000]	\$1,800,000	\$1,800,000 [\$2,200,000]

and be it further

(4th) RESOLVED, that the 5th RESOLVED clause of Resolution No. 859 of 2007 is hereby amended as follows:

5th RESOLVED, that the proceeds of \$360,000 [\$440,000] in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5523.211 (Fund 001 Debt Service)	50	Reconstruction of CR 57, Bay Shore Road—Land Acquisition	<u>\$360,000</u> [\$440,000]

and be it further

(5TH) RESOLVED, that the 6th RESOLVED clause of Resolution No. 859 of 2007 is hereby amended as follows:

6th RESOLVED, that Federal Aid in the amount of \$1,440,000 [\$1,760,000] be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
Ref-525-5523.211	50	Reconstruction of CR 57, Bay Shore Road	<u>\$1,440,000</u> [\$1,760,000]

and be it further

(6TH) RESOLVED, that the 7th, 8th and 9th RESOLVED clauses of Resolution No. 859 of 2007 are hereby amended as follows:

7th RESOLVED, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$360,000 [\$440,000]; and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$1,440,000 [\$1,760,000]; and be it further

9th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$1,440,000 [\$1,760,000]; and be it further

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1640

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
<p>RESOLUTION NO. - 2008, AMENDING RESOLUTION NO. 859 OF 2007 WHICH APPROPRIATED FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE RECONSTRUCTION OF CR 57, BAY SHORE ROAD, FROM NYS RTE. 27 TO NYS RTE. 231, TOWNS OF BABYLON AND ISLIP (CAPITAL PROGRAM NUMBER 5523)</p>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 20px; display: flex; align-items: center; justify-content: center; margin: 0 auto;"> County </div>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Resolution has amended the serial bond borrowing from \$440,000 to \$360,000 due to a change in federal funding. Federal funding has been amended from \$1,760,000 to \$1,440,000.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS AND FEDERAL FUNDING		
9. Timing of Impact		
Immediate		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		June 17th, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
 2008 PROPERTY TAX LEVY
 COST TO THE AVERAGE TAXPAYER

1640

GENERAL FUND

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK

1640

MAY 30 2008



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner

DATE: May 23, 2008

RE: C.P. 5523 – Reconstruction of CR 57, Bay Shore Road, from NYS Route 27 to NYS Route 231, Towns of Babylon and Islip

*Gilbert Anderson P.E.
Commissioner*

Attached are a draft resolution and duplicate copy amending Resolution No. 859 of 2007 which appropriated \$2,200,000 in land acquisition funds for the above referenced project in Capital Project No. 5523.211 and apportioned a share allocation of 80% Federal funds (\$1,760,000) and 20% County funds (\$440,000). We were subsequently notified by the Federal Highway Administration that only \$1,440,000 was available in Federal funding for this project.

Therefore, we are amending the appropriated amount from \$2,200,000 to \$1,800,000, with a share allocation of 80% Federal funds (\$1,440,000) and 20% County funds (\$360,000).

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP 5523 Reappropriation.doc".

TL:WH:er
attach.

cc: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Chief Financial Analyst
William Hillman, P.E., Chief Engineer
William Chandler, Capital Program Manager
Linda Brandolf, CPA, Capital Accounting

1640

ATTN: Bill Chandler

Run Date: 06/04/2007
Run Time: 08:27:54

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
FEDERAL-AID PROJECT AGREEMENT

Report: FMISD05A
Page 2

852-4005

STATE: NEW YORK

PROJECT NO: 0756(692)

STATE PROJ. NO: 0756.69.221

ROW

THE STATE, THROUGH ITS HIGHWAY AGENCY, HAVING COMPLIED, OR HEREBY AGREEING TO COMPLY, WITH THE APPLICABLE TERMS AND CONDITIONS SET FORTH IN (1) TITLE 23, U.S. CODE, HIGHWAYS, (2) THE REGULATIONS ISSUED PURSUANT THERETO AND (3) THE POLICIES AND PROCEDURES PROMULGATED BY THE FEDERAL HIGHWAY ADMINISTRATION RELATIVE TO THE ABOVE DESIGNATED PROJECT, AND THE FEDERAL HIGHWAY ADMINISTRATION HAVING AUTHORIZED CERTAIN WORK TO PROCEED AS EVIDENCED BY THE DATE ENTERED OPPOSITE THE SPECIFIC ITEM OF WORK, FEDERAL FUNDS ARE OBLIGATED FOR THE PROJECT NOT TO EXCEED THE AMOUNT SHOWN HEREIN, THE BALANCE OF THE ESTIMATED TOTAL COST BEING AN OBLIGATION OF THE STATE. SUCH OBLIGATION OF FEDERAL FUNDS EXTENDS ONLY TO PROJECT COSTS INCURRED BY THE STATE AFTER THE FEDERAL HIGHWAY ADMINISTRATION AUTHORIZATION TO PROCEED WITH THE PROJECT INVOLVING SUCH COSTS. (R)

PROJECT DESCRIPTION: SUFFOLK COUNTY: COUNTY ROUTE 57 FROM ROUTE 27 TO ROUTE 231.
ROW FOR RECONSTRUCTION (ACQUISITION).

DUNS #: 83-542-2064

CLASSIFICATION OF PHASE OF WORK TO BE PUT UNDER AGREEMENT	EFFECTIVE DATE OF AUTHORIZATION
HIGHWAY PLANNING & RESEARCH PRELIMINARY ENGINEERING RIGHT-OF-WAY CONSTRUCTION MCSAP OTHER	DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION FEDERAL-AID PROJECT AGREEMENT 05/23/2007

PROGRAM CODE	URBAN/ WITH	TOTAL COST	FEDERAL SHARE	FEDERAL FUNDS UNDER AGREEMENT	ADVANCED CONST. FUNDS
Q820		\$1,800,000.00	80.00%	\$1,440,000.00	\$0.00
TOTAL		\$1,800,000.00		\$1,440,000.00	
		ESTIMATED TOTAL COST:		\$1,800,000.00	
		TOTAL AUTHORIZED FOR PROJECT:		\$1,440,000.00	

NEW YORK STATE DEPARTMENT OF TRANS

AVAILABLE FUNDS CERTIFIED BY:	XIAOQIN TAN	DATE:	05/24/2007
APPROVED AND AUTHORIZED BY:	XIAOQIN TAN	DATE:	05/24/2007
AGRMT/MODIFY REQUESTED BY:	JEFFREY ERICKSON	DATE:	05/31/2007

FEDERAL HIGHWAY ADMINISTRATION

PROJECT INFORMATION REVIEWED BY:	MICHAEL J. PIDGEON	DATE:	05/31/2007
APPROVAL RECOMMENDED BY:	MICHAEL J. PIDGEON	DATE:	05/31/2007
APPROVED AND AUTHORIZED BY:	MICHAEL J. FAZIOLI	DATE:	06/01/2007

STATE REMARKS: PROCESSING=106C. FEDERAL %=80%. DEMO=NY135.

DIVISION REMARKS: Authorization limited to Description in Authorizing Legislation and FHWA Guidance.

**DEPARTMENT OF PUBLIC WORKS
REQUEST FOR COUNTY EXECUTIVE APPROVAL OF FEDERAL/STATE AID AGREEMENT**

DATE: April 29, 2008

TO: **CARMINE CHIUSANO, BUDGET OFFICE**

FROM: FRANK MESSINA
CONSULTANT MANAGEMENT UNIT

1640

PROJECT: CP 5523 – Reconstruction of CR57 Bay Shore Road, Town of Islip

Includes Resolution No.(s): 859-2007

PURPOSE: To process Supplemental Agreement#4 with NYS DOT to amend an existing Federal Aid Agreement to extend the date and add funding for ROW Phase.

Notes: 1. Resolution SA#4 adds \$1.8M for ROW at 80:20

County Attorney Approval: _____

Budget Office Approval:

Date: _____ Initials: _____

**PLEASE OBTAIN COUNTY EXECUTIVE /DESIGNEE'S SIGNATURE AND NOTARIZATION,
THEN RETURN ALL THREE SIGNED AGREEMENTS &
THREE ADDITIONAL SIGNATURE PAGES TO:**

DEPARTMENT OF PUBLIC WORKS
CONSULTANT MANAGEMENT, ROOM 109
YAPHANK, NY 11980
Attn: FRANK MESSINA

Any questions or problems, please call me at extension 2-5327.

RECEIVED

DEPARTMENT OF PUBLIC WORKS
COUNTY EXECUTIVE
SUPPORT OFFICE

1640

Press F1 for instructions in the blank fields:

SUPPLEMENTAL AGREEMENT No. 4 to D010856 (Comptroller's Contract No.)

This Supplemental Agreement is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at 50 Wolf Road, Albany, NY 12232, on behalf of New York State ("State");

and

the County of Suffolk (the Municipality/Sponsor)

Acting by and through the **County Executive**

with its office at **County Center, Riverhead, NY 11901.**

This amends the existing Agreement between the parties in the following respects only (*check applicable categories*):

Amends a previously adopted Schedule A by (*check as applicable*):

amending a project description

amending the contract end date

amending the scheduled funding by:

adding additional funding (*check and enter the # phase(s) as applicable*):

adding phase which covers eligible costs incurred on/after / /

adding phase which covers eligible costs incurred on/after / /

increasing funding for a project phase(s)

adding a pin extension

change from Non-Marchiselli to Marchiselli

deleting/reducing funding for a project phase(s)

other (Amending the Funding Source)

Amends a previously adopted Schedule "B" (Phases, Sub-phase/Tasks, and Allocation of Responsibility)

Amends the text of the Agreement as follows (*insert text below*):

(640)
NYSDOT/Local Agreement - Schedule A for PIN 0756.69

OSC Municipal Contract #: **D010856** Contract End Date: **7/31/2012**(mm/dd/yyyy)
 Check, if date changed from the last Schedule A

Purpose: Original Standard Agreement Supplemental Schedule A No. 4

Agreement Type: Locally Administered Municipality/Sponsor (Contract Payee): Suffolk County
 Other Municipality/Sponsor (if applicable):

State Administered List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.

Municipality: % of Cost share
 Municipality: % of Cost share
 Municipality: % of Cost share

Authorized Project Phase(s) to which this Schedule applies: PE/Design ROW Incidentals
 ROW Acquisition Construction/CI/CS

Work Type: HWY NEW CONST County (If different from Municipality): Suffolk

Project Description (Check, if changed from last Schedule A): CR 57 (Bay Shore) Reconstruction SSP to NY231
 Additional Project Description (if required):
 Marchiselli Eligible Yes No

Approved Marchiselli Allocations in Legislature's Comprehensive List FOR ALL PHASES To compute Total Costs in the last row and column, right click in each field and select "Update Field."

Check box to indicate change from last Schedule A	State Fiscal Year(s)	Project Phase			TOTAL
		PE/Design	ROW (RI & RA)	Construction/CI/CS	
<input type="checkbox"/>	Cumulative total for all prior SFYs	\$435,000.00	\$	\$	\$435,000.00
<input type="checkbox"/>	Current SFY	\$	\$	\$	\$ 0.00
Authorized Allocations to Date		\$435,000.00	\$ 0.00	\$ 0.00	\$ 0.00

A. Summary of allocated MARCHISELLI Program Costs FOR ALL PHASES For each PIN Fiscal Share below, show current costs on the rows indicated as "Current." Show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in the last row, right click in each field and select "Update Field."

PIN Fiscal Share	"Current" or "Old" entry indicator	Federal Funding Program	Total Costs	FEDERAL Participating Share and Percentage	STATE MARCHISELLI Match	LOCAL Matching Share	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
0756.69.121	Current	STP	\$1,650,000.00	\$1,320,000.00 (80%)	\$247,500.00	\$82,500.00	\$
	Old	STP	\$1,650,000.00	\$1,320,000.00 (80%)	\$247,500.00	\$82,500.00	\$
0756.69.122	Current	STP	\$1,450,000.00	\$1,160,000.00 (80%)	\$187,500.00	\$102,500.00	\$
	Old	STP	\$1,450,000.00	\$1,160,000.00 (80%)	\$187,500.00	\$102,500.00	\$
.	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
.	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
.	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
.	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
TOTAL CURRENT COSTS:			\$3,100,000.00	\$2,480,000.00	\$435,000.00	\$185,000.00	\$ 0.00

1640

B. Summary of Other (including Non-allocated MARCHISELLI) Participating Costs FOR ALL PHASES For each PIN Fiscal Share, show current costs on the rows indicated as "Current.". Show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in last row, right click in each field and select "Update Field."

Other PIN Fiscal Shares	'Current' or 'Old' entry indicator	Funding Source	TOTAL	Other FEDERAL	Other STATE	Other LOCAL
0759.69.221	Current	Other (see footnote)	\$1,800,000.00	\$1,440,000.00	\$	\$360,000.00
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
TOTAL CURRENT COSTS:			\$1,800,000.00	\$1,440,000.00	\$ 0.00	\$360,000.00

C. Total Local Deposit(s) Required for State Administered Projects: \$

D. Total Project Costs To compute Total Costs in the last column, right click in the field and select "Update Field."

Total FEDERAL Cost	Total STATE MARCHISELLI Cost	Total Other STATE Cost	Total LOCAL Cost	Total Costs (all sources)
\$3,920,000.00	\$435,000.00	\$0.00	\$545,000.00	\$4,900,000.00

E. Point of Contact for Questions Regarding this Schedule A (Must be completed) Name: Kevin S. Scott
Phone No: 631-952-6944

See Agreement (or Supplemental Agreement Cover) for required contract signatures.

NYS DOT/Local Agreement – Schedule A

1640

Footnotes: (See CADB Website for link to sample footnotes)

- TEA-21, Federal Demo Trust Fund
- Marchiselli funding hereunder is limited by the amount authorized on the Comprehensive List. Additional Marchiselli funding is contingent on appropriate increase(s) to the Comprehensive List and the execution of a Supplemental Schedule A providing such additional funds.
- This Schedule A represents a change in the phase completion date from 12/31/04 to 07/31/2012
-
-
-
-
-
-
-
-
-

1641

6/24/08

Intro. Res. No. -2008

Laid on Table

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$6,000 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE (GTSC FFY2008) CHILD PASSENGER SAFETY PROGRAM TO SUPPORT A PARK POLICE TRAFFIC SAFETY INITIATIVE

WHEREAS, the New York State Governor's Traffic Safety Committee has made \$6,000 in funds available to Suffolk County for the Child Passenger Safety program (GTSC FFY2008) to be administered by the Suffolk County Park Police; and

WHEREAS, child safety seats reduce the risk of fatal injury by 71% when used correctly, however, misuse reduces effectiveness and more than 90% of child safety seats are used improperly; and

WHEREAS, the Park Police will address this issue by participating in the New York State Child Passenger Safety Program; and

WHEREAS, the operational period of the program is from October 1, 2007 through September 30, 2008; and

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

1ST RESOLVED, that the County Executive and Park Police are authorized to execute any Agreement with the State of New York, as necessary, to secure said grant funds; and be it further

2ND RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of \$6,000 as follows:

REVENUE:

001-7310-3820 – Youth Programs

AMOUNT

\$6,000

APPROPRIATION:

Suffolk County Park Police
Child Passenger Safety Program
001-PKS-7310-3500

3000-Supplies, Materials & Other Expenses

3500-Other: Unclassified

\$6,000

DATED:

APPROVED BY:

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

1641

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: BEN ZWIRN, Deputy County Executive

FROM: JOHN W. PAVACIC, Commissioner

CC: JIM MORGO, Chief Deputy County Executive

DATE: June 16, 2008

**RE: INTRODUCTORY RESOLUTION ACCEPTING AND APPROPRIATING A
GRANT IN THE AMOUNT OF \$6,000 FROM THE NEW YORK STATE
GOVERNOR'S TRAFFIC SAFETY COMMITTEE (GTSC FFY2008)
CHILD PASSENGER SAFETY PROGRAM TO SUPPORT A PARK
POLICE TRAFFIC SAFETY INTIATIVE**

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS-Accepting and Appropriating Grant for Child Passenger Safety Program.doc."

Child safety seats reduce the risk of fatal injury by 71% when used correctly, however, misuse reduces effectiveness. More than 90% of child safety seats are used improperly. This resolution will address this issue by allowing the Park Police to participate in the state's Child Passenger Safety grant program.

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

Enclosures

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation 1641 Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation INTRODUCTORY RESOLUTION ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$6,000 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE (GTSC FFY2008) CHILD PASSENGER SAFETY PROGRAM TO SUPPORT A PARK POLICE TRAFFIC SAFETY INTIATIVE		
3. Purpose of Proposed Legislation See # 2 above.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<input checked="" type="checkbox"/> County Village Library District	<input type="checkbox"/> Town School District Fire District	<input type="checkbox"/> Economic Impact Other (Specify):
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact The County will receive Federal and State aid totaling \$6,000.00.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding		
9. Timing Impact		
10. Typed Name & Title of Preparer Tom Hroncich Parks Foundation Director Dept. of Parks, Recreation & Conservation	11. Signature of Preparer	12. Date

1642

Intro. Res. No. -2008

Laid on Table

6/24/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, AMENDING THE ADOPTED 2008 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH MANAGING GRASSLAND ON SUFFOLK COUNTY PARKLAND (THEODORE ROOSEVELT, PINE MEADOWS, FOX LAIR, AND POXABOGUE POND PRESERVE) (CP 8713)

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Suffolk County Water Quality Review Committee, pursuant to Article XII of the SUFFOLK COUNTY CHARTER, has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiatives funds; and

WHEREAS, the Suffolk County Department of Parks, Recreation and Conservation has requested funding for a project that restores and maintains critically endangered habitats in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, grassland habitats are the most rapidly declining habitat in the northeast of the United States; and

WHEREAS, the Suffolk County Department of Parks, Recreation and Conservation is responsible for the management of a significant amount of grassland acreage; and

WHEREAS, the project is in accordance with the recommendations of several management plans, including the Restoration and Management of Maritime Grassland and Savanna in T. Roosevelt County Park and Montauk Point State Park: A Plan for 2002 - 2012, and the 2001 USDA Wildlife Habitat Incentives Program Plan for Pine Meadows, among others; and

WHEREAS, this project is expected to result in environmental stewardship of 120 acres of grassland habitats within four (4) different County parks: Theodore Roosevelt County Park, Pine Meadows County Park, Fox Lair County Park, and Poxabogue Pond Reserve; and

WHEREAS, funding is requested for this project through the Suffolk County Water Quality Protection and Restoration Program; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2008 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2008 Capital Budget and Program; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II Action, pursuant to Section 617.5 (c) (6),(20) and (27) of Title 6 of the NYCRR and within the meaning of Section 8-0109 (2) of the New York Environmental Conservation Law as promulgation of regulations, rules, administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy-two (72) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

4th RESOLVED, that the Adopted 2008 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Fund	\$264,000

and be it further

5th RESOLVED, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT (Ref. 525 -CAP-IFTR-R477)	525	R477	E525	Transfer from Water Quality Protection	\$264,000

and be it further

6th RESOLVED, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8713
 Project Title: LAND STEWARDSHIP-MANAGING GRASSLAND ON SUFFOLK COUNTY
 PARKLAND

	Total Est.	Current 2008 Capital Budget	Revised 2008 Capital Budget
	<u>Cost</u>	<u>& Program</u>	<u>& Program</u>
4. Site Improvements	\$264,000	\$0	\$ 264,000 W
TOTAL	\$264,000	\$0	\$ 264,000

and be it further

7th RESOLVED, that the transfer in the amount of \$264,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8713.410	50	Managing Grassland on Suffolk County Parkland	\$264,000

and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATED:

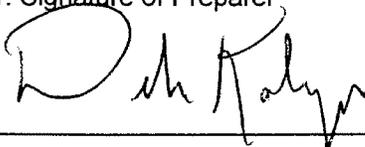
APPROVED BY:

 County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1642

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. -2008, AMENDING THE ADOPTED 2008 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH MANAGING GRASSLAND ON SUFFOLK COUNTY PARKLAND (THEODORE ROOSEVELT, PINE MEADOWS, FOX LAIR, AND POXABOGUE POND PRESERVE) (CP 8713)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<input checked="" type="checkbox"/> County	<input type="checkbox"/> Town	<input type="checkbox"/> Economic Impact
<input type="checkbox"/> Village	<input type="checkbox"/> School District	<input type="checkbox"/> Other (Specify):
<input type="checkbox"/> Library District	<input type="checkbox"/> Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
THIS RESOLUTION TRANSFERS FUNDS FROM FUND477, WATER QUALITY PROTECTION, TO FUND 525-THE CAPITAL FUND AND APPROPRIATES THESE FUNDS IN CAPITAL PROJECT 8713-LAND STEWARDSHIP		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Fund 477 Water Quality		
9. Timing of Impact		
UPON ADOPTION		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
DEBRA KOLYER PRINCIPAL FINANCIAL ANALYST		May 29, 2008

**FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1642

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

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

COUNTY OF SUFFOLK



1642

OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

DEPARTMENT OF ENVIRONMENT
AND ENERGY

May 12, 2008

Mr. Ben Zwirn
Deputy County Executive
H Lee Dennison Bldg. Fl. 12
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Enclosed for your approval are the original and one (1) copy of the proposed resolution pursuant to:

"Managing Grassland on Suffolk County Parkland (Theodore Roosevelt, Pine Meadows, Fox Lair, and Poxabogue Pond Preserve)"

The Suffolk County Water Quality Review Committee, at its April 24, 2008 meeting, approved "Managing Grassland on Suffolk County Parkland (Theodore Roosevelt, Pine Meadows, Fox Lair and Poxabogue Pond Preserve)" submitted by the Suffolk County Department of Parks, Recreation and Conservation as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship funds, in the amount of \$264,000.

After your examination please place this on the Legislative Agenda as soon as possible.

Sincerely,

Carrie Meek Gallagher
Commissioner SC Department of Environment & Energy

Enc.

cc: Jim Morgo, Chief Deputy County Executive

1643

Intro. Res. No. -2008

Laid on Table

6/24/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO RESOLUTION NO. 238-2008 AUTHORIZING THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM - FOR THE WETZEL PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA PHASE I (TOWN OF BROOKHAVEN – SCTM#0200-982.10-06.00-005.000)

WHEREAS, Resolution No. 238-2008, when, adopted, contained technical errors; and

WHEREAS, it is the desire of the County to amend Resolution No. 238-2008 to correct these errors; now therefore be it

RESOLVED, that the 5th WHEREAS clause of Resolution No. 238-2008 is hereby amended as follows:

WHEREAS, Resolution No. 277-2007 [83-2008] appropriated \$11,833,000.00 [\$8,833,000.00] for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

and be it further

RESOLVED, that the 3rd RESOLVED clause of Resolution No. 238-2008 is hereby amended as follows:

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$35,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525CAP-7177.227 [525-CAP-7177], Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

and be it further

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 Section 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.

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

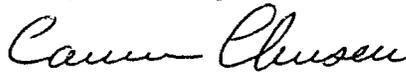
DATED:

APPROVED BY:

County Executive of Suffolk County
Date of Approval:

1643

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
<p>RESOLUTION NO. -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO RESOLUTION 238-2008 AUTHORIZING THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM - FOR THE WETZEL PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA PHASE I (TOWN OF BROOKHAVEN – SCTM#0200-982.10-06.00-005.000)</p>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> x </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify): Fund 477
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Amending Resolution No. 238-2008 to make certain technical correction.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Multi Faceted		
9. Timing of Impact		
Upon Adoption		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Carmine Chiusano Assistant Budget Director		June 17, 2008

SCIN FORM 175b (10/95)

1643

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

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

1644

6/24/08

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

RESOLUTION NO. -2008, A LOCAL LAW AUTHORIZING THE SALE OF THE COUNTY OF SUFFOLK'S RIGHTS TO RECEIVE PAYMENTS UNDER THE MASTER SETTLEMENT AGREEMENT WITH VARIOUS TOBACCO COMPANIES AND THE RELATED CONSENT DECREE AND FINAL JUDGMENT TO THE SUFFOLK TOBACCO ASSET SECURITIZATION CORPORATION.

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 AUTHORIZING THE SALE OF THE COUNTY OF SUFFOLK'S RIGHTS TO RECEIVE PAYMENTS UNDER THE MASTER SETTLEMENT AGREEMENT WITH VARIOUS TOBACCO COMPANIES AND THE RELATED CONSENT DECREE AND FINAL JUDGMENT TO THE SUFFOLK TOBACCO ASSET SECURITIZATION CORPORATION," 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 AUTHORIZING THE SALE OF THE COUNTY OF SUFFOLK'S RIGHTS TO RECEIVE PAYMENTS UNDER THE MASTER SETTLEMENT AGREEMENT WITH VARIOUS TOBACCO COMPANIES AND THE RELATED CONSENT DECREE AND FINAL JUDGMENT TO THE SUFFOLK TOBACCO ASSET SECURITIZATION CORPORATION

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

Section 1. Legislative Intent.

This Legislature finds and determines that the County of Suffolk is entitled to receive payments under the Master Settlement Agreement entered into on November 23, 1998 among the attorneys general of forty-six states and six other United States jurisdictions and the four largest United States tobacco manufacturers (hereinafter the "MSA") and the Consent Decree and Final Judgment of the Supreme Court of the State of New York, County of New York, dated December 23, 1998 (hereinafter, as the same may be amended or modified, the "Decree") in the class action entitled State of New York et al. v. Philip Morris Incorporated, et.al. (Index Number 400361/97).

This Legislature further finds and determines that in order to secure to present generations a portion of the benefits intended to be conferred by the MSA and the Decree, and thereby provide certain financial benefits to the County and to further certain other County purposes, it is necessary or desirable for the County to sell its rights, title and interest in and to

all or part of the monies to become payable to the County under the MSA and the Decree (the "Tobacco Asset") in order to facilitate the securitization of the Tobacco Asset.

This Legislature further finds and determines that in order to provide the financing structure for such securitization and other present and future County purposes, while protecting the County's existing credit ratings, it is necessary or desirable for the County to sell such rights, title and interest to a local development corporation that has been heretofore created by the County pursuant to the New York Not-For-Profit Corporation Law (the "Suffolk Tobacco Asset Securitization Corporation" or "STASC"), with the powers to acquire such rights, title and interest, to issue bonds, notes and other evidence of indebtedness and incur other obligations, to create a business trust under the laws of the State of Delaware to be named the "Suffolk County Health Care Residual Trust" (the "Residual Trust") and assign and deliver to the Residual Trust the monies to become payable to the County under the MSA and the Decree in excess of the amounts necessary to pay debt service on such bonds, notes and other evidence of indebtedness, the expenses of STASC, the expenses of the trustee, which is a party to the indenture of trust with STASC authorizing the issuance of such bonds, notes and other evidence of indebtedness (the "Indenture"), any amounts necessary to maintain the reserve funds required by the Indenture to be maintained, and certain other ancillary pecuniary obligations, and to take all other actions as may be necessary, convenient or desirable in furtherance of its powers, in exchange for the net proceeds of the securitization of the Tobacco Asset.

Therefore, the purpose of this law is to approve a sale agreement of the Tobacco Asset by the County to STASC.

Section 2. Sale of Tobacco Asset.

The sale by the County to the STASC of the County's rights, title and interest in and to all the Tobacco Asset, without recourse, is hereby authorized in exchange for the delivery, to or upon the order of the County, of (i) the net proceeds of the initial issuance of bonds by STASC in conjunction with such sale (the "STASC bonds") after (a) payment of all costs, fees, credit and liquidity enhancements, costs of issuance, and other expenses of STASC and (b) the funding of all reserve funds, debt service accounts for the payment of capitalized interest, and other pledged funds which may be necessary or desirable in connection with the issuance of the STASC bonds and (ii) the undivided beneficial interest in the residual trust, and upon such other terms and conditions as are set forth in the proposed purchase and sale agreement between STASC, as purchaser, and the County, as seller, in substantially the form presented to the Legislature (the "Sale Agreement").

Section 3. Approval of Sale Agreement.

The form and substance of the Sale Agreement, substantially in the form presented to the members of the Legislature at this meeting, is hereby approved.

Section 4. Execution and delivery of Sale Agreement.

The execution and delivery on behalf of and in the name of the County by the County Executive and/or his designee(s) of the Sale Agreement, substantially in the form presented to the members of the Legislature at this meeting, is hereby authorized and directed, with such ministerial and non-substantive changes therein as the County Executive and/or his designee(s) may approve, and the execution and delivery of such agreement shall be conclusive evidence of his approval of any such changes and of the authorization and direction thereof by this Legislature.

Section 5. Approval of MSA and Decree.

The County hereby approves the terms and conditions of the “MSA” and the “Decree.”

Section 6. Further actions.

The County Executive and/or his designee(s) are further authorized to execute and deliver, on behalf of the County, such acts including agreements, instruments or authorizations as may be contemplated by, or necessary or advisable to consummate or otherwise give full effect to, the Sale Agreement and this local law, and which are deemed necessary or desirable to effectuate the transactions contemplated by the Sale Agreement and this local law, and to perform all acts and do all things required or contemplated to be performed or done by the Sale Agreement or by this local law or by any agreement, instrument or authorization approved, contemplated or authorized hereby.

Section 7. County pledge.

The County hereby pledges to and agrees with STASC and the holders of any bonds, notes and other obligations of STASC (hereinafter the “Obligations”), including, without limitation, the STASC bonds, that the County will not alter, limit or impair the rights of STASC to fulfill the terms of its agreements with such holders, or in any way impair the rights and remedies of such holders or the security for the Obligations, until the Obligations, together with the interest thereon, and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged and such agreements are fully performed on the part of STASC. The Legislature hereby further delegates to the County Executive and/or his designee(s) the power to make, ratify and confirm such pledge to, and agreement with, STASC and the holders of its obligations and to take any and all actions necessary or desirable to cause such pledge to, and agreement with, STASC and the holders of the Obligations to be made or enforced. STASC is hereby authorized to include in any agreement with or for the benefit of the holders of the Obligations the pledges and agreements made by the Legislature and by the County Executive and/or his designee(s) on behalf of the County pursuant to this section. The County agrees that, as a member of the class of releasing parties under the Decree, it is bound by the terms and conditions of the MSA and the Decree and will not take any action inconsistent therewith.

Section 8. Applicability.

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

Section 9. 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 10. 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 11. Effective Date.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

OFFICE OF THE COUNTY LEGISLATURE
COUNTY OF SUFFOLK

1644



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: June 19, 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 AUTHORIZING THE SALE OF THE COUNTY OF SUFFOLK'S RIGHTS TO RECEIVE PAYMENTS UNDER THE MASTER SETTLEMENT AGREEMENT WITH VARIOUS TOBACCO COMPANIES AND THE RELATED CONSENT DECREE AND FINAL JUDGMENT TO THE SUFFOLK TOBACCO ASSET SECURITIZATION CORPORATION

SPONSOR: PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 6/10/2008 PUBLIC HEARING: 8/5/2008

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

Local Law 3-2008 authorized the creation of the Suffolk Tobacco Asset Securitization Corporation ("STASC") for the purpose of securitizing monies the County is entitled to receive in the future under the Master Settlement Agreement entered into on November 23, 1998, among the attorneys general of forty-six states and the four largest United States tobacco manufacturers, and the Consent Decree and Final Judgment of the Supreme Court of the State of New York, dated December 23, 1998, in the class action entitled State of New York et al. v. Philip Morris Incorporated, et al.

Local Law 3-2008 authorized the sale to STASC of the County's rights in the "Tobacco Asset" in exchange for the net proceeds of an initial issuance of bonds by STASC after the payment of all costs, fees and other expenses, and upon such other terms and conditions as set forth in a purchase and sale agreement to be approved by the County Legislature at a future date.

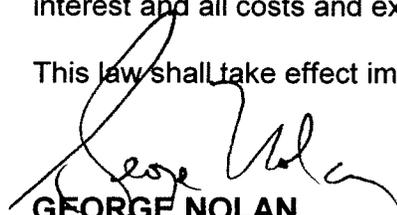
This proposed local law reiterates the approval of the sale of the County's Tobacco Asset and further approves "the form and substance of the Sale Agreement, substantially in the form presented to the members of the Legislature at this meeting." At the time of this writing, no sale agreement has been submitted to the Legislature nor is an agreement attached to the proposed local law as an exhibit.

The proposed local law further authorizes the County Executive or his designee to execute the sale agreement on behalf of the County, with such ministerial and non-substantial changes as the County Executive may approve. The local law also includes provisions whereby the County approves the terms and conditions of the aforementioned Master Settlement Agreement and Consent Decree and Final Judgment.

1644

This local law includes a provision whereby the County pledges that it will not alter, limit or impair the rights of STASC to fulfill the terms of its agreements with the holders of any bonds, notes and other obligations of STASC ("the Obligations") until the Obligations, together with the interest and all costs and expenses, are fully met and discharged.

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



GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-tobacco-asset-securitization

1645
Intro Res. No. -2008

Laid on Table

6/24/08

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A CHARTER LAW TO IMPLEMENT TWO-YEAR ROLLING DEBT POLICY UNDER 5-25-5 LAW TO MITIGATE BUDGETARY SHORTFALL

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on 2008, a proposed Charter law entitled, "**A CHARTER LAW TO IMPLEMENT TWO-YEAR ROLLING DEBT POLICY UNDER 5-25-5 LAW TO MITIGATE BUDGETARY SHORTFALL**," and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

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

A CHARTER LAW TO IMPLEMENT TWO-YEAR ROLLING DEBT POLICY UNDER 5-25-5 LAW TO MITIGATE BUDGETARY SHORTFALL

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Local Law 23-1994, "A Charter Law to Establish 5-25-5 Debt Policy," was adopted for the purpose of making the Capital Program and Budget approval and appropriation process more meaningful and more responsive to the needs of the public and to accommodate increased future debt service payments by prohibiting the issuance of debt to pay for the following County operating expenses:

- 1.) repair and maintenance not significantly extending the useful life of an asset;
- 2.) dredging projects - \$100,000. or less;
- 3.) road and equipment repairs;
- 4.) roof replacement;
- 5.) equipment purchases that may not occur in the same location or department if:
 - a.) costs are incurred on annual basis;
 - b.) item price is \$5,000 or less;
 - c.) aggregate cost is less than \$25,000.00; and
 - d.) useful life is five (5) years or less;
- 6.) 9 mm guns; and
- 7.) soft body armor vests.

This Legislature further finds that the County of Suffolk has waived the application of the 5-25-5 during periods of significant economic downturns.

This Legislature also finds that the County of Suffolk faces the prospect of a budget deficit between \$130 and \$150 million in 2009.

This Legislature further determines that interest rates are still low by historical standards, thereby permitting substitution of low cost debt for a limited number of recurring expenses during 2008 and 2009 in order to deal with the impact of the anticipated budget shortfall.

Therefore, the purpose of this law is to waive the application of the 5-25-5 Law for a two-year period of time and to permit traditional normal bonding for items that would otherwise be required to be paid for under the 5-25-5 law in order to deal with the anticipated budget shortfall.

Section 2. Amendment.

§ C4-19 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

§4-19. Adoption of capital program.

- A.) Not less than two weeks after the public hearing required by § C4-18 and not later than the 30th day of June, the County Legislature shall adopt the proposed capital program, with or without amendments.
- B.) If the County Legislature does not adopt a capital program on or before the 30th day of June, the proposed capital program shall be deemed adopted as submitted.
 - 1.) Commencing in fiscal year 1996, funding for recurring expenses shall be paid by a transfer from the General Fund rather than through the issuance of debt.
 - 2.) The requirement of subsection (1) of this paragraph shall not apply to recurring expenses incurred, or necessary to be paid, during fiscal years ~~[2006 and 2007]~~ 2008 and 2009.

Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law only during fiscal years 2008 and 2009.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

This law shall not take effect until at least sixty (60) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if within sixty (60) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW and upon filing in the office of the Secretary of State.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

S:\laws\2008\l-5-25-5-2008

OFFICE OF THE COUNTY LEGISLATURE
COUNTY OF SUFFOLK

1645



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: June 18, 2008
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

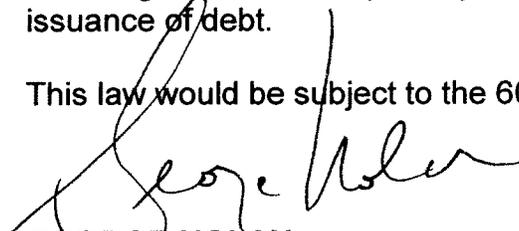
PROPOSED LOCAL LAW YEAR 2008

TITLE: A CHARTER LAW TO IMPLEMENT TWO-YEAR ROLLING DEBT POLICY UNDER 5-25-5 LAW TO MITIGATE BUDGETARY SHORTFALL
SPONSOR: PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 6/18/2008 PUBLIC HEARING: 8/5/2008
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

Enactment of this proposed Charter Law would suspend the application of the "5-25-5 Law" for a two (2) year period including fiscal years 2008 and 2009. The 5-25-5 law, codified in Section C4-19(B)(1) of the SUFFOLK COUNTY CHARTER, requires that recurring expenses be paid by a transfer from the General Fund rather than through the issuance of debt.

This law would be subject to the 60-day permissive referendum requirement.


GEORGE NOLAN
Counsel to the Legislature

GN:mjk

s:\r28\28-5-25-5-rolling-debt-2008

1645

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
ADOPTING LOCAL LAW NO. -2008, ADOPTING LOCAL LAW NO. 2008, A CHARTER LAW TO IMPLEMENT TWO-YEAR ROLLING DEBT POLICY UNDER 5-25-5 LAW TO MITIGATE BUDGETARY SHORTFALL		
3. Purpose of Proposed Legislation		
SEE #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 5 is "yes", Provide Detailed Explanation of Impact		
The purpose of this resolution waives the application of the 5-25-5 Law for a two-year period, permitting normal bonding of projects that are now classified as "G" funded projects. This will help deal with the anticipated operating budget shortfall in 2009. This local law has no immediate fiscal impact on debt service. The impact will be incurred as "G" funded projects are appropriated and adopted with a change in the method of financing.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N.A.		
8. Proposed Source of Funding		
Allow for the conversion of "G" funded projects, funded from the Operating Budget, to "B" Funded projects, allowing Serial Bonds to be authorized for these projects.		
9. Timing of Impact		
Shall not take effect until at least sixty (60) days after its adoption and upon filing in the Office of the Secretary of State.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Carmine Chiusano Assistant Budget Director	<i>Carmine G. Chiusano</i>	6/17/08

**FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

1645

GENERAL FUND

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

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