LAID ON THE TABLE AUGUST 5, 2008

LADS REPORT PREPARED BY:
Michele Gerardi

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1666. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 792-2008). (Co. Exec.) BUDGET & FINANCE

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1669. Adopting Local Law No. -2008, A Charter Law to increase Legislative oversight of RFP process. (Romaine) WAYS & MEANS

1670. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Reeves Bay property – Town of Southampton). (Schneiderman) ENVIRONMENT, PLANNING & AGRICULTURE

1671. Authorizing certain technical correction to Adopted Resolution No. 267-2008. (Co. Exec.) WAYS & MEANS

1672. Authorizing certain technical corrections to the 2008 Adopted Operating Budget for the Greater Bellport Civic Association. (Eddington) WAYS & MEANS

1673. Adopting Local Law No. -2008, A Local Law to establish a minimum altitude for operations of helicopters. (Romaine) PUBLIC WORKS & TRANSPORTATION

1674. Making a SEQRA determination in connection with the proposed highway and drainage improvements to CR 4 Commack Road, from Nichols Road to Julia Circle, Towns of Babylon and Huntington. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1675. Making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Overton Preserve-Beechwood Horseblock Building Corp. property, Town of Brookhaven. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1676. Making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Overton Preserve-Fairfield Coram 112, LLC property, Town of Brookhaven. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1677. Making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Overton Preserve-Fairfield Mill Estates, LLC as contract Vendee property, Town of Brookhaven. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1678. Making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Long Pond Greenbelt addition – Zebrowski and Mulvihill Estate property, Town of Southampton. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1679. Adding depository to list of designated depositories for Suffolk County (Empire National Bank). (Pres. Off.) BUDGET & FINANCE

1680. Extending the deadline for the Trap and Skeet Search Committee. (Browning) PARKS & RECREATION

1681. Sale of County-owned Real Estate pursuant to Local Law No. 13-1976 Walter B. Schutzenbach (SCTM No. 0500-194.00-02.00-075.000). (Co. Exec.) WAYS & MEANS

1682. Sale of County-owned Real Estate pursuant to Section 72-h of the General Municipal Law – Town of East Hampton (SCTM No. 0300-058.00-08.00-005.000 et al). (Co. Exec.) WAYS & MEANS

1683. Authorizing the Sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act the Estate of Bertha E. Tuttel a/k/a Bertha Tuttel a/k/a Bertha Tuttle a/k/a Bertha E. Tuttle a/k/a Bertha Bedell a/k/a Bertha Bedell Straus a/k/a Bertha Elonor Bedell Straus a/k/a Bertha Bedell Tuttle by Raymond Clark as Executor (SCTM No. 0300-100.00-01.00-009.000). (Co. Exec.) WAYS & MEANS

1684. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Patrick R. Dillon (SCTM No. 0200-206.00-02.00-015.000). (Co. Exec.) WAYS & MEANS

1685. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Edward S. Fusco and Patricia Fusco, husband and wife, (SCTM No. 0200-984.40-02.00-020.000). (Co. Exec.) WAYS & MEANS

1686. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Charles Junior Jackson and Betty Jean Hardy (SCTM No. 0500-181.00-01.00-036.000). (Co. Exec.) WAYS & MEANS

1687. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Lynda Edwards (SCTM No. 0206-017.00-02.00-019.001). (Co. Exec.) WAYS & MEANS

1688. Adopting Local Law No. -2008, A Local Law to strengthen competitive procurement procedures and maximize savings for taxpayers. (Eddington) WAYS & MEANS

1689. Amending the 2008 Capital Budget and Program and appropriating funds in connection with safety improvements at various intersections (CP 3301) for a traffic study on County Road 16. (Kennedy) PUBLIC WORKS & TRANSPORTATION

1690. A Resolution making certain findings and determinations in relation to the planning phase of proposal to increase ad improve facilities for Sewer District No. 3 – Southwest (Outfall) (CP 8108). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1691. Authorizing the purchase of up to 55 automated bus stop annunciators for Suffolk Transit and amending the 2008 Capital Budget and Program and accepting and appropriating Federal Aid and State Aid (CP 5648). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1692. Accepting and appropriating 100% State grant funds from the New York State Department of Health to the Suffolk County Department of Health Services for a Health Partnership Training Program – Minority Mini Grant. (Co. Exec.) HEALTH & HUMAN SERVICES

1693 Accepting and appropriating an amendment to the college budget for a grant award from the State University of New York for an Educational Opportunity Program 87% reimbursed by State funds at Suffolk County Community College. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION, & ENERGY

1694. Accepting and appropriating a grant in the amount of $30,000 from the New York State Division of Criminal Justice Services to allow the Suffolk County Police Department to purchase a vehicle for use by members of the 4th Precinct Police Auxiliary while in the performance of their duties with 100% support. (Co. Exec.) PUBLIC SAFETY

1695. Authorizing certain technical corrections to Adopted Resolution No. 1129-2007 authorizing acquisition of land under the Suffolk County Multifaceted Land Preservation Program – Open Space - for the Boys and Girls Harbor, Inc. property – Town of East Hampton – (SCTM Nos. 0300-092.00-01.00-011.001 and 0300-074.00-05.00-030.002). (Co. Exec.) WAYS & MEANS

1696. Accepting and appropriating a grant in the amount of $25,000 from the New York State Division of Criminal Justice Services to allow the Suffolk County Police Department to purchase a vehicle for use by members of the 1st Precinct Police Auxiliary while in the performance of their duties with 100% support. (Co. Exec.) PUBLIC SAFETY

1697. Accepting from New York State one (1) airboat, one (1) boat trailer, two (2) outboard engines and related accessories for use by the Suffolk County Police Department Marine Bureau. (Co. Exec.) PUBLIC SAFETY

1698. Approving the reappointment of Dr. Richard E. Dibble as a member of the Suffolk County Public Employment Relations Board. (Co. Exec.) LABOR, WORKFORCE, & AFFORDABLE HOUSING

1699. Authorizing a lease agreement with the Hertz Corporation for use of property at Francis S. Gabreski Airport. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION, & ENERGY

1700. Authorizing the disbursement of funds from the Suffolk County Living Wage Contingency Fund for Brightwaters Child Care and Development Center, Inc. DBA Kiddie Academy of Brightwaters, the Community Programs Center of Long Island, Inc., and Kids Place Early Childhood Day School, day care providers under contract with the Department of Social Services. (Co. Exec.) LABOR, WORKFORCE, & AFFORDABLE HOUSING

1701. Amending the 2008 Operating Budget, transferring Assessment Stabilization Reserve Funds to the Capital fund and appropriating funds for the engineering phase of improvements to Suffolk County Sewer District No. 22 – Hauppauge Municipal (CP 8171). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1702. Tax Anticipation Notes Resolution No. -2008, Resolution delegating to the County Comptroller the powers to authorize the issuance of not to exceed $105,000,000 tax anticipation notes of the County of Suffolk, New York, in anticipation of the collection of taxes levied for County purposes or returned to the County for collection for the fiscal years commencing January 1, 2005, 2006, 2007, and 2008 and to prescribe the terms, form and contents, and provide for the sale and credit enhancement of such notes. (Co. Exec.) BUDGET & FINANCE

1703. Authorizing planning steps for implementation of Suffolk County Workforce Housing Program. (Co. Exec.) LABOR, WORKFORCE, & AFFORDABLE HOUSING

1704. Authorizing transfer of four (4) surplus County computers and four (4) surplus County monitors to the Boys and Girls Club of Suffolk County. (Kennedy) PUBLIC WORKS & TRANSPORTATION

1705. Authorizing transfer of six (6) surplus County computers, monitors, mouses, keyboards and two (2) surplus County printers to RSVP. (Kennedy) PUBLIC WORKS & TRANSPORTATION

1706. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Bissett/Palumbo properties - Town of Huntington) (SCTM Nos. 0400-262.00-02.00-036.002 and 0400-262.00-02.00-038.000). (Stern) ENVIRONMENT, PLANNING & AGRICULTURE

1707. Authorizing use of Smith Point Park property by Mastic Knights of Columbus for 5K Race. (Browning) PARKS AND RECREATION

1708. Adopting Local Law No. -2008 A Local Law amending the Suffolk County Empire Zone Boundaries to include Nanz Custom Hardware, Inc., (SCTM No. 0100-067.00-01.00-024.091). (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1709. Adopting Local Law No. -2008 A Local Law to enhance personal privacy protection for recorded documents and authorizing the County Clerk to collect certain fees for recording, entering, indexing and endorsing a certificate on any instrument. (Co. Exec.) WAYS & MEANS

1710. To authorize a request for proposal (RFP) for the purchase and installation of GPS monitoring devices for all County vehicles. (Romaine) PUBLIC WORKS & TRANSPORTATION

1711. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Medford Gardens property – Town of Brookhaven) (SCTM No. 0200-631.00-03.00-002.001). (Eddington) ENVIRONMENT, PLANNING & AGRICULTURE

1712. Amending the 2008 Capital Budget and Program and appropriating funds in connection with the Charter Law extending and accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection for land acquisition. (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1713. Amending the 2008 Capital Budget and Program and appropriating funds in connection with Energy Conservation at various County facilities (CP 1664). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1714. Accepting and appropriating a grant in the amount of $25,000 in Federal pass-through funds from the New York State Division of Criminal Justice Services for the Suffolk County Police Department's Second Precinct Community Support 2008 Grant Program with 90% support. (Co. Exec.) PUBLIC SAFETY

1715. Accepting and appropriating a grant in the amount of $100,000 from the New York State Division of Criminal Justice Services for the Suffolk County Police Department's Bellport Task Force 2008 with 100% support. (Co. Exec.) PUBLIC SAFETY

1716. Authorizing the execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 3 – Southwest with Lexington Village Condominiums (IS 1263). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1717. Transferring Escrow Account Revenues and transferring Assessment Stabilization Reserve Funds to the Capital Fund, amending the 2008 Operating Budget, amending the 2008 Capital Budget and Program and appropriating additional funds for the improvement and rehabilitation of the existing facilities in Suffolk County Sewer District No. 6 – Kings Park (CP 8144). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1718. Authorizing acquisition of land under the Suffolk County Multifaceted Land Preservation Program – Open Space Preservation Program – for the Zebrowski and Mulvihill Estate property – Long Pond Greenbelt - Town of Southampton – (SCTM Nos. 0900-025.00-01.00-012.000 and 0900-025.00-01.00-045.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1719. Authorizing acquisition of land under the Suffolk County Environmental Legacy Fund for open space preservation – for the Beechwood Horseblock Building Corp. property – Overton Preserve – Town of Brookhaven – (SCTM No. 0200-544.00-01.00-008.002). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1720. Authorizing acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the Fairfield Coram 112, LLC property – Overton Preserve – Town of Brookhaven – (SCTM No. 0200-524.00-01.00-047.001). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1721. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the Fairfield Mill Estates, LLC as contract vendee for the P and F Mining Corp. property – Overton Preserve – Town of Brookhaven – (SCTM No. 0200-495.00-05.00-007.001). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1722. Authorizing acquisition of the residual fee under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(b)] for the Gazza property – Pine Barrens Core – Town of Southampton – (SCTM Nos. 0900-242.00-01.00-009.000, 0900-242.00-01.00-011.000, 0900-285.00-01.00-012.000, 0900-305.00-01.00-004.000, 0900-327.00-02.00-002.000, 0900-333.00-02.00-011.000, 0900-333.00-03.00-029.000, 0900-335.00-01.00-011.000, 0900-335.00-01.00-024.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1723. Approving the re-appointment of Janet DeMarzo as Commissioner of the Suffolk County Department of Social Services. (Co. Exec.) HEALTH & HUMAN SERVICES

1724. Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 7 – Medford with the owner of Amneal Pharmaceuticals, LLC. (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1725. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 R.I. Miller Place Corp. property – Town of Brookhaven - (SCTM No. 0200-013.00-01.00-002.001). (Losquadro) ENVIRONMENT, PLANNING & AGRICULTURE

1726. Reappoint Daniel R. Olivieri as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 1). (Pres. Off.) PARKS AND RECREATION

1727. Reappoint Michael B. DeLuise as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 8). (Pres. Off.) PARKS AND RECREATION

1728. Appointing Sarah S. Anker as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 14). (Pres. Off.) PARKS AND RECREATION

1729. Appointing Noel J. Gish as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 10). (Pres. Off.) PARKS AND RECREATION

1730. Appointing Elizabeth Kahn Kaplan as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 15). (Pres. Off.) PARKS AND RECREATION

1731. Authorizing Mastic Beach Ambulance Company to use Smith Point County Park property for an EMS Field Day. (Browning) PARKS AND RECREATION

1732. To waive fee for use of Smith Point County Park by the Mastic Beach Ambulance Company for an EMS Field Day. (Browning) PARKS AND RECREATION

1733. Adopting Local Law No. -2008, A Charter Law to protect taxpayers' interests by requiring individual legislative override votes on each budget amendment that is vetoed by the County Executive. (D'Amaro) WAYS & MEANS

1656

REVISED AS OF 7/7/2008

Intro. Res. No. -2008 Laid on Table 8/5/08

Introduced by Presiding Officer Lindsay

RESOLUTION NO. –2008, ADOPTING LOCAL LAW NO. -2008, A CHARTER LAW TO IMPROVE THE CAPITAL BUDGET PROCESS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2008 a proposed local law entitled, "**A CHARTER LAW TO IMPROVE THE CAPITAL BUDGET PROCESS**"; 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 IMPROVE THE CAPITAL BUDGET PROCESS

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 Article IV of the Suffolk County Charter describes the procedure for the adoption of a capital budget and program by the County of Suffolk.

This Legislature further finds that the 2008 capital budget process revealed a significant flaw in the current capital budget timeline; in order to complete the adoption of the capital budget and program in accordance with the Charter, the County Legislature had to hold two special meetings to consider the override of County Executive vetoes.

This Legislature also determines that the County of Suffolk should adopt a capital budget and program in an orderly fashion and within the framework of the County Legislature's regular meeting schedule.

This Legislature finds and determines that avoiding unnecessary special meetings will result in greater efficiency and cost savings.

Therefore, the purpose of this local law is to amend the timeline for the veto and override of capital budget amendments and, thereby, improve the county's capital budgeting process.

Section 2. Amendment.

Article IV of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

ARTICLE IV
County Budget and Capital Program

* * * *

C4-20. Approval of capital program by County Executive.

A. The County Executive may approve of the capital program, as submitted, or may disapprove of one or more amendments made by the County Legislature to the proposed capital program and otherwise approve the capital program. If he approves the capital program as submitted, it shall become effective immediately upon his approval. If he disapproves of one or more amendments and otherwise approves the capital program, he shall return the disapproved amendments to the County Legislature for reconsideration no later than 10 days after the submission of such budget amendment resolutions to the Office of the County Executive, and the capital program that he otherwise approves shall become effective immediately upon his approval.

* * * *

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

This law shall 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

Date:

s:\laws\cl-improve-capital-budget-process

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1656

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: JULY 29, 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 IMPROVE THE CAPITAL BUDGET PROCESS

SPONSOR: PRESIDING OFFICER LINDSAY

DATE OF RECEIPT BY COUNSEL: 7/3/08 **PUBLIC HEARING:** 8/19/08

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

This proposed charter law would reduce the time the County Executive has to veto capital budget amendments from 15 to 10 days.

This law is subject to a permissive referendum.

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-capital budget process

1657

Intro. Res. No. -2008 Laid on Table 8/5/08
Introduced by Presiding Officer Lindsay

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO REQUIRE THE LICENSING OF SIGN HANGERS IN SUFFOLK COUNTY

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2008, a proposed local law entitled, "**A LOCAL LAW TO REQUIRE THE LICENSING OF SIGN HANGERS IN SUFFOLK COUNTY**" now, therefore, be it

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

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

A LOCAL LAW TO REQUIRE THE LICENSING OF SIGN HANGERS IN SUFFOLK COUNTY

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that persons who erect and hang signs are presently not required to be licensed in the County of Suffolk.

This Legislature also finds that persons installing signs should possess certain qualifications including the ability to read plans and specifications relating to sign construction and hanging, including supports and framework, and should possess knowledge of the problems and practices of sign construction.

This Legislature also determines that sign hangers should be aware of the risks involved in their profession and capable of taking the precautions necessary to protect workers and the general public.

This Legislature also finds that the absence of minimum qualification standards for sign hangers compromises public safety and increases the risk of personal injury and property damage.

Therefore, the purpose of this local law is to require that persons erecting signs in Suffolk County be licensed by the Office of Consumer Affairs to protect and promote the public health and safety.

Section 2. Amendments.

Chapter 345 of the SUFFOLK COUNTY CODE is hereby amended by the addition of a new Article X, which shall read as follows:

ARTICLE X
SIGN HANGERS

§ 345-114. Definitions.

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

A. "DISPLAY SIGN" -- a sign, sign screen, billboard or advertising device of any kind that exceeds 75 square feet in area or 25 pounds in weight.

B. "SIGN HANGING" -- installing, building, erecting, hanging, suspending, hoisting, lowering, attaching, or removing any kind of display sign on, upon or from any structure or any exterior walls or roof of any structure.

C. "STRUCTURE" -- any stationary combination of materials built or erected including, but not limited to, a building, bridge, framework, billboard, railroad trestle, awning or other object that has been put together from different parts.

§ 345-115. License Required.

It is unlawful for any person to engage in any business as a sign hanging contractor without obtaining a license therefor from the Office in accordance with and subject to the provisions of this Article and Article I of this Chapter.

§ 345-116. Licensing Board.

A. Board. The County Executive, with the approval of the legislative body, shall appoint a five member Sign Hanging Licensing Board to serve for a three year term. Said Board shall determine the fitness of applicants for a sign hanging license and shall investigate and report on all proposed suspensions or revocations of licenses as hereinafter provided. Said Board shall be composed of individuals having a personal knowledge and interest in sign hanging, such as representatives of labor, management, trade or professional associations, and appropriate representatives of government. A Licensing Director shall be appointed by the Director and shall serve as secretary of the Board. The Director shall serve as a nonvoting ex-officio member of such Board.

B. For the initial appointment only, three members of the Board shall be appointed for three-year terms, one member for a two-year term, and one member for a one-year term. All appointments thereafter shall be for a three year term.

C. Compensation. Each member of the Board shall be compensated at the rate of $100 for each official meeting attended of said Board but not more than $1,500 in any calendar year.

D. Powers and duties. The Licensing Board shall have the following powers and duties:

1. To hold meetings at regular times and places for the efficient discharge of the responsibilities and duties of the Board.

2. To make rules for the conduct of its meetings and to keep a minute book of its proceedings, including a record of its examinations and other official actions.

3. To examine the qualifications and fitness of applicants applying or licenses under this article.

4. To develop oral, written and/or practical examinations in order to judge the qualifications of an applicant.

5. To authorize the Director to issue a Sign Hanging License.

6. To conduct meetings and, after a hearing at which all interested parties are afforded a sufficient opportunity to be heard, submit recommendations to the Director relating to the suspension or revocation of a Sign Hanging License for cause.

7. To keep records of licenses issued, suspended or revoked and to make such records available for public inspection.

8. To prepare a manual of rules and regulations for the conduct of examinations and to furnish copies thereof to persons desiring same.

9. To formulate and recommend to the Director a code of rules for adoption or amendment governing sign hanging, including the materials, workmanship and manner of executing such work. Before making such recommendation, the Board shall confer and meet with the representatives of the sign hanging industry and hold a hearing on the proposed rules. Reasonable prior notice of the time and place of such hearing shall be given by publication in the official newspapers of the County.

10. To formulate and recommend to the Director, for adoption or amendment, rules and standards for the issuance, suspension and revocation of licenses, including the conditions for the issuance of same, the type of examination required, the terms and fees and the conditions upon the circumstances under which the same may be revoked or suspended.

§345-117. Fees.

A.) An application fee of $200 shall accompany each application for a sign hanging license.

B.) The fee for a sign hanging license or renewal thereof shall be $200 per annum.

§345-118. Temporary license pending issuance of permanent license.

A.) The Office shall issue a temporary license to any applicant for a sign hanging license if the Office has not, within 30 days after receipt of the application for such license, approved or disapproved the application.

B.) The temporary license shall be for a period of 90 days. If within such ninety-day period, the Office shall have failed to approve or disapprove the application, the Office shall then issue a regular license to the applicant. If the application is approved during the term of the temporary license, the Office shall issue a regular license to the applicant.

C.) The fee for a temporary license shall be $50 per annum. The fee for a regular license issued to replace a temporary license shall be $150 for the first full year.

D.) A regular license issued pursuant to the provisions of Subsection B shall expire on the last day of the 24th month following the issuance of the temporary license.

§345-119. Exempted Operations.

No license shall be required of an employee who performs labor or services for a licensed sign hanging contractor for wages or salary.

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

(CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law shall take effect ninety (90) days immediately subsequent to filing in the Office of the Secretary of State.

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\laws\l-license-sign-hangers

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1657

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: July 30, 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 REQUIRE THE LICENSING OF SIGN HANGERS IN SUFFOLK COUNTY

SPONSOR: PRESIDING OFFICER LINDSAY

DATE OF RECEIPT BY COUNSEL: 7/30/08 **PUBLIC HEARING:** 8/19/08

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

This proposed local law would add a new Article X to Chapter 345 of the SUFFOLK COUNTY CODE to provide for the licensing of sign hanging contractors.

This law would create a Sign Hanging Licensing Board to determine the fitness of applicants for sign hanging licenses and to investigate and report on all proposed suspensions or revocations of licenses. The County Executive will appoint the five member board with the approval of the County Legislature. The board will be composed of individuals having a personal knowledge and interest in sign hanging, such as representatives of labor, management, trade or professional associations, and appropriate representatives of government. Board members will serve three year terms and be compensated at the rate of $100 for each official meeting attended, but no member shall be paid more than $1,500 in any calendar year.

An application fee of $200 shall accompany each application for a sign hanging license and the fee for the license or renewal thereof shall be $200 per year. The Office of Consumer Affairs is empowered to issue a temporary license pending a review of the application.

This law will take effect 90 days after its filing in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:mjk

s:\rule28\28-license-sign-hangers

1658

Intro. Res. No. -2008 Laid on Table 8/5/08

Introduced by Legislator Schneiderman

RESOLUTION NO. -2008, APPOINTING EDWARD W. WALTERS, JR., AS A MEMBER OF THE SUFFOLK COUNTY BOARD OF TRUSTEES OF PARKS, RECREATION, AND CONSERVATION

WHEREAS, **Aurelio A. Colina**, representing the Town of Southampton, has tendered his resignation as a member of the Suffolk County Board of Trustees of Parks, Recreation, and Conservation, effective November, 2007; and

WHEREAS, the Supervisor of the Town of Southampton has recommended the appointment of **Edward W. Walters, Jr.,** representing the Town of Southampton, to said Board; now, therefore be it

RESOLVED, that **Edward W. Walters, Jr.**, currently residing in Hampton Bays, New York, be and he hereby is appointed to fill the unexpired term of **Aurelio A. Colina**, pursuant to Section 28-1(C) of the SUFFOLK COUNTY CHARTER, as a member of the Suffolk County Board of Trustees of Parks, Recreation, and Conservation as the representative of the Town of Southampton for a term of office to expire on November 30, 2009.

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER

s:\res\r-appt-parks-walters

1658

2 Red Creek Circle
Hampton Bays, N.Y. 11946

PHONE (631) 728-7604
FAX (631) 728-7604 *51

Edward W. Walters, Jr.

Work History

2001 – Present | Dowling College | Oakdale, NY
Field Supervisor – Student Teachers

1991 - 2000 | Mount Sinai High School | Mount Sinai, NY
Principal

1986 - 1991 | Mount Sinai Junior High School | Mount Sinai, NY
Principal

1974 - 1986 | Rocky Point Jr/Sr High School | Rocky Point, NY
Associate Principal

1978 - 1980 | Rocky Point Jr/Sr High School | Rocky Point, NY
Athletic Director

1972 - 1974 | Rocky Point Jr/Sr High School | Rocky Point, NY
Social Studies Department Chairperson

1972 - 1974 | Rocky Point Jr/Sr High School | Rocky Point, NY
Social Studies Teacher

1968 - 1972 | Central Islip High School | Central Islip, NY
Social Studies Teacher

Education

1978 | Hofstra University | Hempstead, NY
Professional Diploma – Educational Administration

1970 | Adelphi University | Garden City, NY
MA – Education/History

1965 | Bowling Green S.U. | Bowling Green, OH
BS – History/Political Science

Certification

New York State

School Administrator and Supervisor – Permanent Certification
School District Administrator – Permanent Certification
Social Studies – Permanent Certification

Ohio State

Social Studies 7-12
English 7-12
Health and Physical Education 7-12

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Military Schools Attended	1968 **Joint United States Public Affairs School**		Republic of Vietnam (Saigon)
	1967 **Vietnam Advisor Course, Civil Affairs School**		Fort Gordon, GA
	1966 **Infantry Officer Basic Course**		Fort Benning, GA
Coaching Experience	1974 - 1985 **Swimming Assistant Coach**	Town of Islip Swim Club	Islip, NY
	1968 - 1972 **Track Varsity Coach**	Central Islip High School	Central Islip, NY
	1968 - 1972 **Cross Country Varsity Coach**	Central Islip High School	Central Islip, NY
	1966 **Basketball Coach**	Connetquot Jr High School	Connetquot, NY
Related Experience	1992 - Present **Chief Lifeguard Trainer**		Town of Southampton, NY
	1992 - Present **CPR/First Aid Instructor**		Town of Southampton, NY
	1997 - Present **Instructor of Coaching Certification Courses**		New York State
	1994 - 2000 **Section XI Eligibility Committee Chairperson**		Suffolk County, NY
	1986 - 1994 **Section XI Eligibility Committee Member**		Suffolk County, NY
	1975 - 1986 **Section XI Athletic Council Member**		Suffolk County, NY

Community Organizations

- **Hampton Bays Little League**
- **American Legion – Hampton Bays, NY**
- **Veterans of Foreign Wars – Quogue, NY**
- **Our Lady of the Hamptons – Volunteer Coach**

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Achievements and Awards

COLLEGE

- Outstanding ROTC Cadet Award
- Bowling Green State University Varsity Cross Country and Track Teams

SERVICE

- Bronze Star Medal
- Vietnamese Civic Action Medal
- New York State Conspicuous Service Medal

OTHER

- Suffolk County Police Department Civilian Citation

References

- References Available Upon Request

1658

LINDA A. KABOT
SUPERVISOR

Town of Southampton
116 HAMPTON ROAD
SOUTHAMPTON, NEW YORK 11968

Phone: 631-283-6055
Fax: 631-287-5708
www.southamptontownny.gov

June 24, 2008

Mr. John W. Pavacic
Commissioner
Suffolk County Department of
Parks, Recreation and Conservation
P.O. Box 144
West Sayville, NY 11796

Dear Commissioner Pavacic:

The Town of Southampton is pleased to recommend and nominate Mr. Edward W. Walters, Jr. as a County Parks Trustee on the Suffolk County Parks Board of Trustees.

Mr. Walters is a resident of Hampton Bays, and a member of the Hampton Bays Citizens Advisory Committee. His attached resume illustrates a lifetime of commitment to education and community service. I am proud to nominate him to represent Southampton Town on the Suffolk County Parks Board of Trustees.

Please do not hesitate to contact me if you have any questions or require further information.

Sincerely,

Linda A. Kabot
Supervisor

cc: Mr. Edward W. Walters, Jr.
Mr. Jay Schneiderman, Suffolk County Legislator
Town Board

COUNTY OF SUFFOLK

1658

MAY 1

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

April 29, 2008

The Honorable Linda A. Kabot, Town Supervisor
Town of Southampton
116 Hampton Road
Southampton, NY 11968

RE: Town of Southampton County Park Trustee

Dear Supervisor Kabot:

Last November, the position of Parks Trustee for the Town of Southampton was vacated when Aurelia Colina, the Parks Trustee at the time, resigned due to his moving out of state. Accordingly, I am writing to you to request that you nominate and recommend another Southampton Town resident to serve as County Parks Trustee on the Suffolk County Parks Board of Trustees.

The Suffolk County Parks Board of Trustees is comprised of citizens from throughout Suffolk who by dint of their expertise and interest advise and assist the County and its Parks Department in a number of capacities in regard to parks, recreation and open space. These duties include making recommendations concerning County park and recreation policy, assisting in development of long-range plans for County park and open space acquisition and facilities development, approving an annual County capital projects plan and approving all matters having to do with the regulation, use, fees and charges with regard to County parks and recreation facilities.

The Suffolk County Parks Board of Trustees consists of thirteen members. Of these, one member is appointed by the County Legislature from each of the ten towns of Suffolk County upon recommendation of the Supervisor of each town, one member is appointed at large by the County Executive subject to the approval of the County Legislature, one ex-officio member is designated from the County Executive's Office and one ex-officio member is designated by the Presiding Officer of the County Legislature.

Members serve in a voluntary, unpaid capacity. They attend Parks Board of Trustees meetings once per month. In addition, on occasion they may conduct field visits to various County parks and attend meetings on a specific parks-related issue. However, trustees are reimbursed for vehicle mileage incurred for any travel associated with official park trustee duties and are provided lunch at their monthly meetings.

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As I have outlined above, the County Parks Trustees serve a vital and important function within Suffolk County government. Your consideration of this request and expeditious response would be greatly appreciated. Upon receipt of the name of your nominee for this position, I will request that it be forwarded immediately to the County Legislature for appointment. If you have any questions regarding this matter, please feel free to contact me at 854-4984.

Thank you for your consideration.

Sincerely,

John W. Pavacic
Commissioner

JWP/jp

cc: Jeffrey Szabo, Chief Deputy County Executive and Chief of Staff

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

1659

Intro. Res. No. – 2008 Laid on Table 8/5/08
Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 434-2008, AUTHORIZING THE INCLUSION OF NEW PARCELS INTO EXISTING AGRICULTURAL DISTRICTS IN THE COUNTY OF SUFFOLK

WHEREAS, Resolution No. 434-2008, when adopted, contained technical errors; and

WHEREAS, the County Executive desires technical corrections to Resolution No. 434-2008; now, therefore, be it

1st **RESOLVED**, that the Clerk of the Legislature shall make the following technical correction of the last Whereas clause in Resolution No. 434-2008 as hereby amended to read as follows:

WHEREAS, three hundred sixty [three] two [(363)] (362) parcels totaling nine thousand fifty one [four and nine tenths (9,054.9)] (9,051) acres in the Towns of Brookhaven, Huntington, Islip, Riverhead, Southampton, and Southold have requested inclusion in existing Agricultural Districts (Exhibit "A"); now, therefore, be it

2nd **RESOLVED**, that the Clerk of the Legislature shall make the following technical correction of Exhibit "A" in Resolution No. 434-2008 as hereby amended to read as follows:

Exhibit A
Parcels for Inclusion in [Exixting] Existing Agricultural Districts as Recommended by the Suffolk County Agricultural and Farmland Protection Board

Tax Map Number	Name	Acres
0200 46000 0200 007000	Edda Dosiak	17.5
0200 46100 0200 004000	Edda Dosiak	1.0
0200 46100 0200 010002	Edda Dosiak	5.0
0200 46100 0200 011000	Edda Dosiak	1.0
0200 50700 0300 011000	Rassk Associates Inc	11.0
0200 50700 0400 005000	Edda Dosiak	4.6
0200 50700 0400 006000	Edda Dosiak	3.6
0200 50800 0100 002000	Edda Dosiak	32.1
0200 5[0]5800 0200 001000	Edda Dosiak	3.8
0200 55800 0200 002000	Edda Dosiak	9.0
0200 55800 0200 032000	Edda Dosiak	4.8
0200 55800 0200 033000	Edda Dosiak	1.5
0200 57800 0300 001001	S.N. Rodgers	28.0
0200 59100 0300 013000	Charles & Lori Spitzner	2.3

Tax Map Number	Name	Acres
0200 66500 0100 001002	Suffolk County Honor Farm	2.2
0200 66500 0100 001003	Suffolk County Honor Farm	5.0
0200 66500 0100 001004	Suffolk County Honor Farm	164.5
0200 75700 0100 006000	Ender & Theresa Kaya	7.8
0200 79600 0500 001000	Craig & Carol Kawasaki	2.3
0200 79600 0500 002000	Craig & Carol Kawasaki	5.8
0200 84900 0300 008000	H. Ronald Bush	1.3
0200 84900 0300 010003	H. Ronald Bush	1.2
0200 94600 0200 010001	Fingerhut & Schwartz	1.0
0200 94600 0200 010002	Fingerhut & Schwartz	1.0
0200 94600 0200 010003	Fingerhut & Schwartz	1.0
0200 94600 0200 010004	Fingerhut & Schwartz	0.9
0200 94600 0200 011001	Fingerhut & Schwartz	0.9
0200 94600 0200 011002	Fingerhut & Schwartz	0.9
0200 94600 0200 011003	Fingerhut & Schwartz	1.0
0200 94600 0200 011004	Fingerhut & Schwartz	0.9
0400 10700 0[3]400 002000	Tilden Realty LLC	2.1
0400 10700 0300 006001	Tilden Realty LLC	9.7
0400 10700 0300 006010	Tilden Realty LLC	1.3
0500 35700 0300 033000	Bernard Loughlin	10.3
0600 00700 0100 004001	Wells	9.0
0600 00700 0100 004002	Wells	2.0
0600 00700 0100 031000	LI House Wines	2.0
0600 00800 0200 012004	Reeve	13.1
0600 00800 0200 012005	Reeve	10.7
0600 00800 0200 013004	Luce	22.2
0600 00800 0300 010000	McCombe	20.0
0600 00800 0700 001000	Hallock	0.9
0600 00800 0700 003001	Hallock	3.6
0600 00800 0700 005000	Hallock	7.9
0600 00900 0100 006006	Caracciolo	10.6
0600 00900 0100 011004	Big E	3.1
0600 00900 0100 011005	Big E	19.3
0600 00900 0100 011006	Big E	63.1
0600 00900 0100 011007	Big E	52.4
0600 00900 0200 005006	Caracciolo, Jr.	24.3
0600 00900 0200 005007	Caracciolo, Jr.	0.9
0600 00900 0200 005008	Caracciolo, Jr.	1.5
0600 00900 0200 005009	Caracciolo, Jr.	1.8
0600 00900 0200 005010	Caracciolo, Jr.	2.0
0600 00900 0200 007003	Sydlowski	15.0
0600 00900 0200 008000	Ireland	17.9
0600 00900 0200 009000	Ireland	23.3
0600 00900 0200 010002	Wines	2.5
0600 00900 0200 011000	Van De Wetering	33.9
0600 01700 0100 007004	Schmitt	24.4

Tax Map Number	Name	Acres
0600 01700 0300 003000	Kapsalis	36.0
0600 01700 0400 003001	Yours Farm Assoc LLP	69.4
0600 01700 0500 001000	Schmitt	29.0
0600 01700 0500 002001	Schmitt	56.7
0600 01700 0500 004005	DeLea	109.3
0600 01700 0500 004006	Pisacano	2.5
0600 01700 0500 004007	Pisacano	7.5
0600 01800 0100 006006	Pratt Farm II LLC	21.0
0600 01800 0100 006007	Pratt Farm III LLC	35.0
0600 01800 0100 006008	Pratt Farm IV LLC	15.0
0600 01800 0100 006011	Pratt Farm III LLC	2.4
0600 01800 0100 006012	Pratt Farm IV LLC	7.0
0600 01800 0100 007002	Stars in the Forest WR	61.9
0600 01800 0100 007004	Stars in the Forest WR	0.7
0600 01800 0100 007005	PLT	6.7
0600 01800 0100 007006	PLT	20.3
0600 01800 0100 007007	Gallucio Est. Vineyard	2.1
0600 01800 0100 007008	Gallucio Est. Vineyard	1.8
0600 01800 0100 008001	Reeve	3.9
0600 01800 0100 008002	Reeve	8.4
0600 01800 0100 010001	Justin Purchasing Corp.	41.0
0600 01800 0200 009002	DeLalio Sod Farms	160.3
0600 02000 0100 002003	Young	66.7
0600 02000 0100 002005	Young	2.7
0600 02000 0100 002006	Young	2.6
0600 02000 0200 002000	Schmitt	37.1
0600 02000 0300 003000	Wells	27.1
0600 02000 0300 006002	Wells	2.1
0600 02000 0300 006003	Wells	50.9
0600 02000 0300 007002	Wells	33.4
0600 02000 0300 009002	LI House Wines	5.5
0600 02000 0300 009003	LI House Wines	1.4
0600 02000 0300 009004	LI House Wines	52.8
0600 02100 0200 018002	Young	59.5
0600 02100 0300 002000	Krudop	0.9
0600 02100 0300 003000	Krudop	0.9
0600 02200 0100 003002	Cichanowicz	40.5
0600 02200 0200 015000	Northwind Farm c/o Richard O'Deh	16.2
0600 02200 0300 004000	Caracciolo	19.5
0600 02200 0300 008000	Innamorato	12.5
0600 02200 0500 001000	Caracciolo, Jr.	0.9
0600 02300 0100 005002	Half Hollow Nursery Inc	159.3
0600 02300 0100 006000	Half Hollow Nursery Realty	63.5
0600 02300 0100 013000	Half Hollow Nursery Ctr Corp	12.1
0600 02300 0100 014000	Half Hollow Nursery Ctr Corp	12.3
0600 03900 0100 020000	Lewin	7.6

Tax Map Number	Name	Acres
0600 03900 0400 006001	Lewin, Wells, Scanlon	2.0
0600 03900 0400 006002	Lewin, Wells, Scanlon	9.1
0600 03900 0400 007002	Baiting Hollow Farms LLC	16.8
0600 04000 0200 010000	Wulforst	51.5
0600 04100 0100 010004	Friar's Head Farm	0.5
0600 04100 0200 005001	Talmage	5.1
0600 04100 0200 005005	Friars Head Farm	51.1
0600 04100 0200 005006	Friars Head Farm	80.6
0600 04100 0200 007000	Cornell (NY State Veg Research Farm)	50.6
0600 04100 0200 008001	Cornell U.	18.3
0600 04100 0200 010007	Zilnicki	70.6
0600 04200 0100 003000	Zilnicki	59.1
0600 04200 0100 017000	Zilnicki & ors	17.1
0600 04200 0100 020000	Zilnicki & ors	24.8
0600 04200 0100 022000	Schmitt	30.0
0600 04200 0100 02400[0]3	Zilnicki	47.8
0600 04200 0100 028008	Zilnicki	2.0
0600 04200 0100 028009	Zilnicki	34.6
0600 04200 0200 001001	Schneider Vineyards LLC	4.4
0600 04200 0200 001002	Schneider Vineyards LLC	17.0
0600 04200 0200 002002	Schmitt	14.1
0600 04200 0200 002003	Schmitt	10.0
0600 04200 0200 003001	Anderson	20.1
0600 04300 0100 00100[1]6	Kozak	19.6
0600 04300 0200 003010	Hartmann & ors	35.6
0600 04300 0300 001000	Papish	5.7
0600 04400 0200 008003	DeLalio Sod Farms	97.4
0600 04400 0200 012001	Hartmann	4.0
0600 04400 0200 012002	Hartmann	60.6
0600 04400 0300 002001	Barnet Holdings	1.1
0600 04400 0300 002002	Barnet Holdings	26.8
0600 04400 0300 003001	Hartmann	29.2
0600 04500 0100 003001	Hartmann	19.5
0600 04500 0100 004004	Wells	53.0
0600 04500 0100 013001	Lingerfelt	5.5
0600 04500 0100 013002	McBurnie	13.0
0600 04500 0100 013003	Haarmann	5.5
0600 04500 0200 002003	Wells	20.1
0600 04600 0100 037002	Zaweski & Zilniki	2.0
0600 04600 0100 037003	Zaweski & Zilniki	3.9
0600 04600 0100 037004	Zaweski & Zilniki	28.8
0600 04600 0200 044000	Massoud	1.1
0600 04600 0100 040004	Springer	2.1
0600 04600 0300 018001	Wineton Realty LLC	133.1
0600 04800 0100 001003	Zaleski	57.5
0600 04800 0100 001004	Zaleski	5.0

Tax Map Number	Name	Acres
0600 04800 0100 001005	Zaleski	5.0
0600 04800 0100 001006	Zaleski	5.0
0600 04800 0100 003009	Zaweski	26.4
0600 04800 0100 003010	Zaweski	1.8
0600 04800 0200 004000	Half Hollow Nursery Realty	15.9
0600 04800 0300 006000	Caracciolo Jr.	20.2
0600 04800 0300 009003	Zaweski	1.8
0600 04800 0300 009005	Manor Lanes Vineyards	10.5
0600 04800 0300 010000	Zaweski & Albin	11.5
0600 04800 0300 011000	Zaweski & Albin	10.7
0600 04800 0300 014001	Gajeski	9.5
0600 04800 0300 015000	Half Hollow Nursery Ctr Corp	21.0
0600 04800 0300 019000	Half Hollow Nursery Ctr Corp	18.2
0600 04800 0300 022000	Schmitt	6.8
0600 04800 0300 026000	Half Hollow Nursery Ctr Corp	16.6
0600 04800 0400 005000	Half Hollow Nursery Ctr Corp	1.3
0600 04800 0600 001000	Half Hollow Nursery Ctr Corp	0.5
0600 05700 0200 003000	Condzella	1.0
0600 05700 0200 005000	Condzella	5.2
0600 05700 0200 006001	Condzella	3.1
0600 05800 0100 002002	Davis	64.2
0600 05800 0100 004000	Lewin	33.7
0600 05800 0100 005000	Lewin	25.6
0600 05800 0200 012002	Andrews	24.8
0600 05800 0200 013001	Logan & Staufer	6.0
0600 05800 0500 001000	Howard Lewin	1.4
0600 05900 0100 001001	Howard Lewin	1.1
0600 05900 0100 001002	Howard Lewin	95.0
0600 05900 0100 003002	Green Hollow Inc	6.0
0600 05900 0100 003003	Green Hollow Inc	100.6
0600 05900 0200 003006	Lewin	112.5
0600 05900 0200 006002	Lewin	122.6
0600 06000 0100 001000	Lewin	218.3
0600 06000 0100 005002	Lewin	97.1
0600 06000 0100 009001	Lewin	7.4
0600 06000 0100 009002	Lewin	48.6
0600 06100 0100 007002	Martin	5.5
0600 06100 0200 007001	Rottkamp	21.3
0600 06100 0200 007002	Rottkamp	30.0
0600 06100 0200 007003	Martin	5.2
0600 06100 0200 008001	Rottkamp	11.3
0600 06100 0200 009000	RoselleBuilding Co., Inc.	58.3
0600 06100 0200 010000	RoselleBuilding Co., Inc.	36.0
0600 06100 0200 017002	Wulforst	187.5
0600 06200 0100 012003	Jarzombek	3.1
0600 06200 0100 012004	Jarzombek	1.9

Tax Map Number	Name	Acres
0600 06200 0200 002000	Warner	40.0
0600 06200 0200 003001	Jarzombek	2.0
0600 06200 0200 003002	Jarzombek	36.9
0600 06200 0200 004005	Reeves Ave. Storage Co LLC	3.2
0600 06200 0200 004006	Osborne Ave Tree Nursery Co. LLC	62.2
0600 06200 0200 005001	Osborne Ave Tree Nursery Co. LLC	25.4
0600 06200 0200 005002	Warner	32.9
0600 06300 0100 001000	Warner	23.3
0600 06300 0100 002003	Zilniki	23.5
0600 06300 0100 003000	Zilniki	19.1
0600 06300 0100 004000	42 Sound Ave Inc.	22.1
0600 06300 0100 008001	Raynor & ors	2.5
0600 06300 0100 008002	Raynor & ors	50.0
0600 06300 0100 009002	Anderson	22.9
0600 06300 0100 01300[0]1	Zilnicki	30.0
0600 06300 0200 002000	Tuccio	26.2
0600 06300 0200 003000	Muma	10.2
0600 06300 0200 005002	Muma	19.1
0600 06300 0200 007000	Zilniki & Raynor	113.9
0600 06300 0300 002002	Grodski	2.8
0600 06300 0300 003000	Zilniki	73.7
0600 06300 0300 005004	Zilniki	164.7
0600 06400 0100 006079	NF Development LLC	87.1
0600 06400 0100 006080	NF Development LLC	13.2
0600 06400 0100 007001	Anderson	66.8
0600 06400 0100 057000	Anderson	25.6
0600 06400 0200 001001	Papish	55.5
0600 06500 0100 009002	Hodun	81.9
0600 06500 0500 002001	DeLalio Sod Farms	61.5
0600 06500 0500 010000	Cichanowicz	15.9
0600 06500 0500 014001	Cichanowicz	42.3
0600 06500 0600 003001	Warner	18.7
0600 06500 0600 009001	Bellmark LLC	1.2
0600 06500 0600 009002	Bellmark LLC	1.2
0600 06600 0100 001001	McKay	18.1
0600 06600 0200 002004	Schaffner	35.6
0600 06600 0200 002005	Schaffner	27.7
0600 06600 0200 002006	Schaffner	5.8
0600 06600 0200 002007	Schaffner	12.5
0600 06600 0200 017000	Gassert	16.7
0600 06600 0400 001003	Schaffner	29.8
0600 06700 0200 026003	Gammon	3.0
0600 06700 0200 029001	Reeve	17.9
0600 06700 0300 001007	Janlewicz	8.7
0600 06700 0300 001008	Janlewicz	36.8
0600 06700 0300 029009	Massoud	33.6

Tax Map Number	Name	Acres
0600 06700 0300 029010	Massoud	3.5
0600 06700 0300 029011	Massoud	3.6
0600 06700 0400 033003	Massoud	30.2
0600 06800 0100 012002	Losquadro	55.2
0600 06800 0100 016001	Wineton Realty LLC	33.2
0600 06800 0100 016002	Wineton Realty LLC	20.5
0600 06800 0100 018002	Walter Gabrielsen Jr.	3.2
0600 06800 0100 020000	Walter Gabrielsen Jr.	9.2
0600 06800 0100 022000	Nixon	32.4
0600 06800 0100 024004	Nixon	125.0
0600 06800 0100 029002	Nixon	22.1
0600 06800 0200 020003	Gammon	1.1
0600 06800 0200 020004	Gammon	9.8
0600 06900 0200 016004	Sieminski	20.7
0600 06900 0200 018000	Sieminski	11.1
0600 06900 0200 023000	Jason Cellar LLC	19.7
0600 06900 0200 024000	Zaweski	2.1
0600 06900 0300 054000	Korpi	22.3
0600 06900 0300 056000	Zaweski	24.5
0600 06900 0300 057000	Zaweski	24.0
0600 06900 0300 058000	Half Hollow Nursery Realty	27.2
0600 07100 0100 002000	Schmitt	41.2
0600 07500 0100 001001	Condzella	0.1
0600 07500 0100 002000	Condzella	5.6
0600 07600 0100 018001	Howard Lewin	1.0
0600 07600 0100 018002	Howard Lewin	1.0
0600 07600 0200 011001	Howard Lewin	1.4
0600 07600 0200 011002	Howard Lewin	1.4
0600 07700 0100 004000	Lewin	97.6
0600 07700 0400 001000	Howard Lewin	1.1
0600 07800 0100 001000	Lewin, Yakaboski	169.4
0600 07900 0100 003000	Edwards	63.2
0600 07900 0100 012002	Sujecki	5.0
0600 07900 0100 012003	Sujecki	0.6
0600 07900 0100 012004	Sujecki	0.6
0600 07900 0100 012005	Sujecki	1.0
0600 07900 0100 012007	Sujecki	1.1
0600 07900 0100 012008	Sujecki	26.4
0600 07900 0100 016000	Farr	2.3
0600 08000 0100 003002	Farr	34.0
0600 08000 0100 003003	Farr	20.0
0600 08000 0300 010000	Osborne Ave Tree Nursery Co. LLC	14.4
0600 08100 0200 001000	Zilniki	13.4
0600 08100 0200 005000	Park	6.2
0600 08200 0100 011003	Tuccio	110.2
0600 08400 0100 004001	McBurnie	9.7

Tax Map Number	Name	Acres
0600 08500 0300 014000	Verderber	0.5
0600 08500 0300 067000	Verderber	19.8
0600 08500 0300 07200[4]5	Klein	54.7
0600 08500 0300 073002	406 Main Rd. LLC	26.2
0600 08800 0100 009002	Millar	35.4
0600 08800 0100 010000	Millar	28.8
0600 08800 0100 015001	Verderber	76.5
0600 09400 0100 005000	Sieminski	21.7
0600 09400 0100 006000	Sieminski	9.6
0600 09700 0300 001000	Howard Lewin	1.4
0600 09800 0100 005000	Meyer	49.8
0600 09800 0100 014000	North Shore Farms, Inc.	13.0
0600 09800 0100 020000	Green Meadows LLC	4.1
0600 09800 0100 021001	Green Meadows LLC	8.5
0600 09900 0100 004000	PF&E Associates Inc	22.0
0600 09900 0100 005000	Zeh	30.4
0600 09900 0100 017000	Zeh	10.6
0600 09900 0200 004046	Dowd	2.1
0600 10000 0200 019003	Hodun	6.3
0600 10000 0200 019010	Binder	5.1
0600 10000 0200 019011	Binder	5.1
0600 10000 0200 025007	Rottkamp	32.9
0600 10000 0300 010008	Funfgeld	4.4
0600 10000 0300 010009	Funfgeld	14.1
0600 10000 0300 010011	Funfgeld	8.6
0600 10000 0300 010012	Funfgeld	2.7
0600 10000 0300 010013	Funfgeld	8.6
0600 11600 0100 003001	Korus & ors	29.1
0600 11600 0100 007002	Green Meadows LLC	108.8
0600 11600 0200 001001	Green Meadows LLC	24.8
0600 11600 0200 002000	Marro & Petrocelli	25.5
0600 11600 0200 003000	Marro & Petrocelli	25.5
0600 11700 0100 003000	Zeh	41.7
0600 11700 0100 005001	Gibbs & Miloski	10.5
0600 11700 0100 005002	Gibbs & Miloski	1.7
0600 11700 0100 005003	Gibbs & Miloski	28.8
0600 11700 0100 006000	Ambrosini	24.1
0600 11700 0[1]200 008002	DeLalio Sod Farms	52.0
0600 13600 0100 004000	Dibernardi	14.9
0600 13700 0100 032000	DeLalio Sod Farms	52.0
0600 14400 0100 027006	Spindler	12.4
0600 14600 0100 027009	Martino	9.2
0900 11600 0300 002000	Harry S. Ludlow	2.7
0908 00200 0100 008000	Christian Wolffer	1.6
0908 00200 0200 001000	Sag Pond Properties LLC	12.4
0908 00200 0200 002000	Wolffer Estate Stables LLC	1.1

Tax Map Number	Name	Acres
0908 00200 0200 003000	Sag Pond Properties LLC	1.0
0908 00200 0200 006000	Wolffer Estate Vineyards LLC	16.9
0908 00200 0200 007000	Wolffer Estate Vineyards LLC	2.8
0908 00200 0200 008000	Wolffer Estate Vineyards LLC	0.9
0908 00200 0200 013000	Wolffer Estate Holding LLC	0.6
0908 00200 0200 014000	Wolffer Estate Holding LLC	19.6
0908 00200 0200 021000	Wolffer Farms LLC	2.2
0908 00200 0200 022000	Wolffer Estate Stables LLC	22.3
0908 00200 0200 023000	Wolffer Estate Stables LLC	2.9
0908 00200 0200 024000	Wolffer Estate Stables LLC	2.0
[0908 00200 0200 027000]	[Wolffer Estate Stables LLC]	[3.9]
0908 00200 0200 028000	Wolffer Estate Stables LLC	3.2
0908 00200 0200 029000	Sag Pond Properties LLC	13.2
0908 00200 0200 030000	Wolffer Estate Vineyards LLC	1.1
0908 00200 0200 031000	Christian Wolffer	27.4
0908 00200 0300 004000	NL Housing LLC	1.3
1000 03100 0100 005009	Patricia Sepenoski	7.9
1000 03100 0100 005010	Patricia Sepenoski	2.1
1000 03100 0600 028006	SCPDR	8.2
1000 03800 0100 001013	SCPDR	27.5
1000 05600 0300 009000	Ira & Kathy Haspel	4.5
1000 13300 0100 003003	Howard Pickerell	247.0
1000 13300 0100 00300[7]4	Bill Pell	28.0
1000 13300 0100 026000	Aeros Cultured Oyster Co.	30.0
1000 13300 0100 028002	Aeros Cultured Oyster Co.	37.0
1000 14000 0100 023001	LI Oyser LLC	0.8
	Total Acreage	**[9,054.9]** **9,051.0**

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

3rd **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this resolution is a Type II action pursuant to Title 6 NYCRR Part 617.5(c)(20) and (27) since it constitutes a local legislative decision in connection with routine agency administration and management in compliance with Article 25AA (Agricultural Districts) of the New York State Agricultural and Markets Law, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

Gen #1

COUNTY OF SUFFOLK

1659

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES, AICP
DIRECTOR OF PLANNING

July 2, 2008

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

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution that would authorize the technical corrections of adopted resolution no. 434-2008. The adopted resolution contains 8 typographical errors in tax map numbers in Exhibit "A". Exhibit "A" also includes one parcel that was disapproved by the Suffolk County Agricultural and Farmland Protection Board and therefore not approved for inclusion in an existing Agricultural District. The deletion of this parcel reduces the total acreage to be included in existing Agricultural Districts from 9,054.9 acres to 9,051.0 acres.

Please contact me if you require any additional information.

Sincerely,

Thomas A. Isles
Director of Planning

cc: Jim Morgo, Chief Deputy County Executive
Carrie Meek Gallagher, Commissioner, Department of Environment & Energy
Carol E. Walsh, Principal Research Analyst, Department of Planning
Jessica L. Kalmbacher, Research Technician, Department of Planning
Brendan Chamberlain, County Executive Assistant
CE Reso Review (e-mail copy only)

LOCATION
H. LEE DENNISON BLDG. - 4TH FLOOR

MAILING ADDRESS
P. O. BOX 6100

(631) 853-5191

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1659

1. Type of Legislation

Resolution __X____ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 434-2008, AUTHORIZING THE INCLUSION OF NEW PARCELS INTO EXISTING AGRICULTURAL DISTRICTS IN THE COUNTY OF SUFFOLK

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

N/A

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

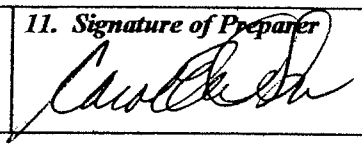
N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Carol E. Walsh Principal Research Analyst		July 2, 2008

SCIN FORM 175b (10/95)

REVISED COPY AS OF 7-30-08

Intro. Res. No. 1660-2008 Laid on Table 8/5/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT JOSEPH LICATA and LAURA LICATA, his wife (SCTM NO. 0400-100.00-03.00-007.000)

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 Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400, Section 100.00, Block 03.00, Lot 007.000, and acquired by tax deed on April 15, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 17, 2008, in Liber 12547, at Page 966, and otherwise known as and by Town of Huntington, Suffolk County Tax Map Number: District 0400, Section 100.00, Block 03.00, Lot 007.000; 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 April 15, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 17, 2008 in Liber 12547 at Page 966.

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, JOSEPH and LAURA LICATA have made application of said above described parcel and JOSEPH and LAURA LICATA have paid the application fee and $44,702.09, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; now, therefore be it

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 JOSEPH LICATA and LAURA LICATA, his wife, 36 Three Sisters Road, St. James, New York 11780, 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:

1660

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

June 9, 2008

Tax Map No.: 0400-100.00-03.00-007.000
Name of Last Legal Fee Owner: JOSEPH LICATA and LAURA LICATA, his wife

TREASURER'S COMPUTATION..... $44,702.09

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..... $44,702.09

Monies Received..... $44,702.09

RESOLUTION AMOUNT..... $44,702.09

APPROVED:

Karen A. Slater 6/18/08
Accounting
CO:sc

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

1660

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0400-100.00-03.00-007.000

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 6/10/08

COMPUTATI\ Y SUFFOLK COUNTY TRE . RER

DISTRICT	SECTION	BLOCK	1660	LOT
0400	100.00	03.00		007.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2003/04	10505.67
2004/05	10783.73
2005/06	10253.22
2006/07	9653.81

2007/08 PROPERTY TAXES $7940.41 NOT INCLUDED IN COMPUTATION

TOTAL:	41196.43
B. INTEREST DUE	1376.99
C. TOTAL	42573.42
D. 5% LINE C	2128.67
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$44,702.09

CERTIFICATION BY COUNTY TREASURER

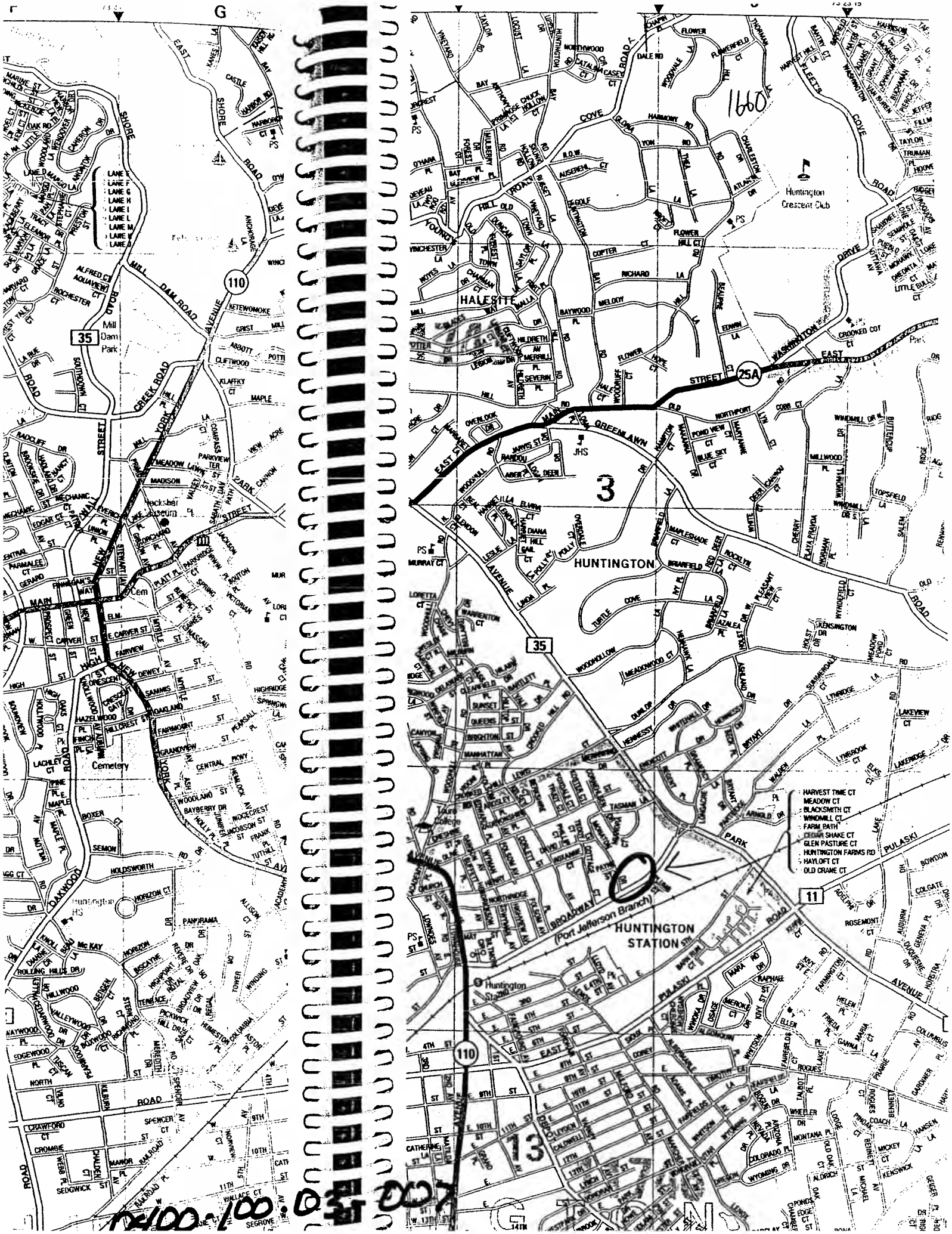
I, Douglas W. Sutherland, Chief Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 13-May-08

Douglas W. Sutherland
Chief Deputy County Treasurer

**Interest and penalty computed to and including 11/09/08

dz



1660
HALESITE
HUNTINGTON
HUNTINGTON STATION
Huntington Crescent Club
Mill Dam Park
Cemetery
Huntington HS
(Port Jefferson Branch)
HARVEST TIME CT
MEADOW CT
BLACKSMITH CT
WINDMILL CT
FARM PATH
CEDAR SHAKE CT
GLEN PASTURE CT
HUNTINGTON FARMS RD
HAYLOFT CT
OLD CRANE CT
3
13
35
110
25A
11

1660
OLIVE ST. (var. width)
TASMAN
MONATON
CORNELSEN
DR.
DAVID CT. (50')
COTTAGE
AMANDRA CT. (110')
PAYNE ST. (50')
BROADWAY
CT. (50')
DR. (50')
N 231,700 E 2,184,200
N 229,900
E 2,184,700
M.T.A
(L.I.R.R.)
R. D. 35
Revisions
07-12-96
06-13-96
06-21-97
10-24-97
07-26-99
07-27-00
08-14-00
06-21-00
05-01-01
07-23-01
08-03-01
01-29-02
04-06-02
04-22-02
12-20-05
03-20-06
0400 100 03 007

COUNTY OF SUFFOLK

1660

JUN 26 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 24, 2008

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

Re: Tax Map No. 0400-100.00-03.00-007.000
JOSEPH LICATA and LAURA LICATA, his wife

Dear Mr. Zwirn:

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

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

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

Very truly yours,

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

CEK:sc

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

Copy of Resolution to:
Ben Zwirn, Deputy County Executive (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. 1661-08 Laid on Table 8/5/08

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
MONICA DITURI
0400-206.00-02.00-098.000

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 Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400, Section 206.00, Block 02.00, Lot 098.000, and acquired by tax deed on April 15, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 17, 2008, in Liber 12547, at Page 966, and otherwise known as and by Town of Huntington, Suffolk County Tax Map Number: District 0400, Section 206.00, Block 02.00, Lot 098.000; 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 April 15, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 17, 2008 in Liber 12547 at Page 966.

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, MONICA DITURI has made application of said above described parcel and MONICA DITURI has paid the application fee and $33,983.12, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; and

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

2nd - **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to MONICA DITURI, 61 Evert Street, Huntington Station, New York 11746, 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

1661

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

June 6, 2008

Tax Map No.: 0400-206.00-02.00-098.000
Name of Last Legal Fee Owner: MONICA DITURI

TREASURER'S COMPUTATION..... $33,983.12

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..... $33,983.12

Monies Received..... $33,983.12

RESOLUTION AMOUNT..... $33,983.12

APPROVED:

Karen A Slater 6/18/08
Accounting
CO:sc

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

1661

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0400-206.00-02.00-098.000

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 | 6/6/08

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0400	206.00	02.00	098.000

1661

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2003/04	7963.99
2004/05	8169.24
2005/06	7799.51
2006/07	7341.26

2007/08 PROPERTY TAXES IN THE AMOUNT OF $6,066.02 NOT INCLUDED IN COMPUTATION

TOTAL:	31274.00
B. INTEREST DUE	1090.88
C. TOTAL	32364.88
D. 5% LINE C	1618.24
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$33,983.12

CERTIFICATION BY COUNTY TREASURER

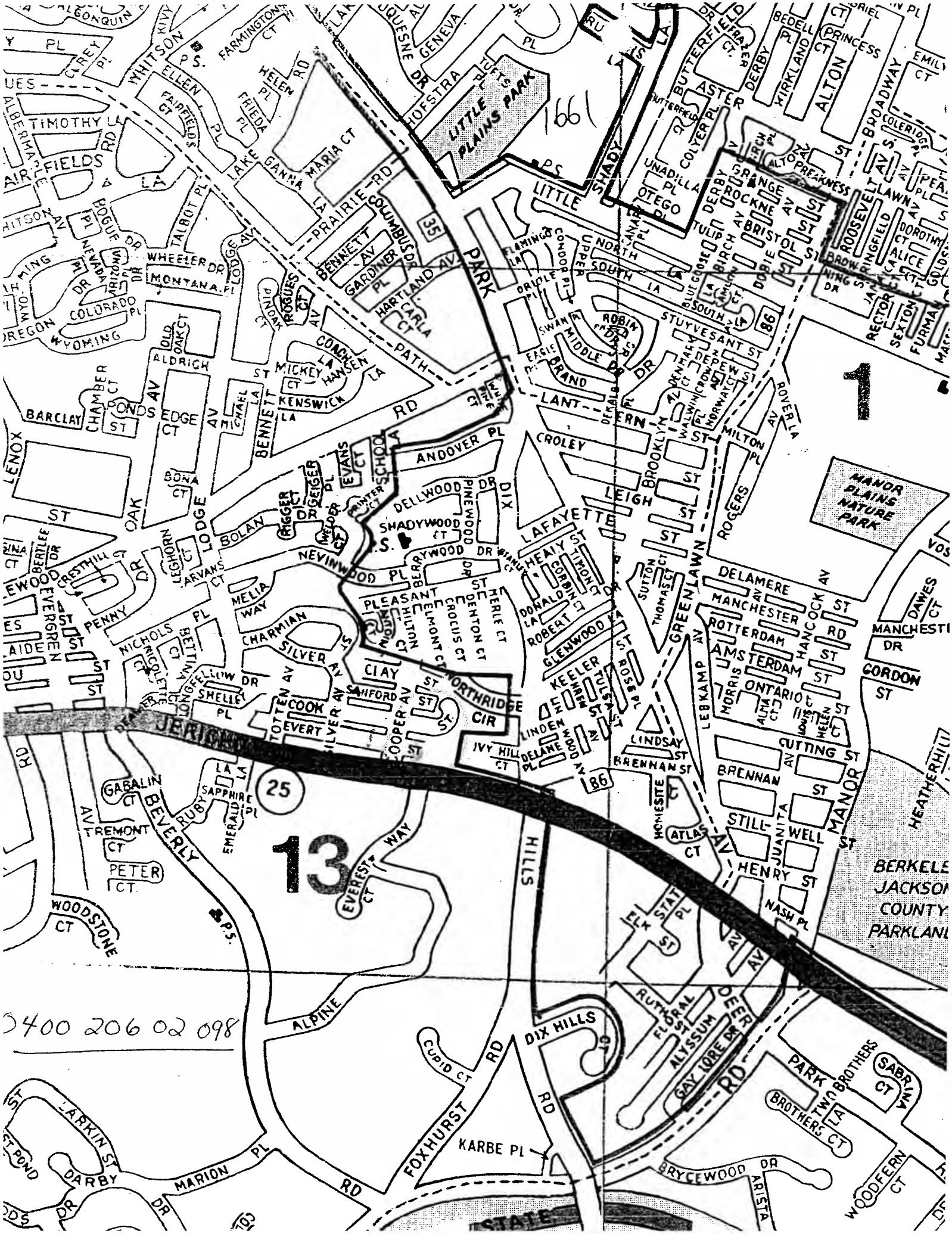
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

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

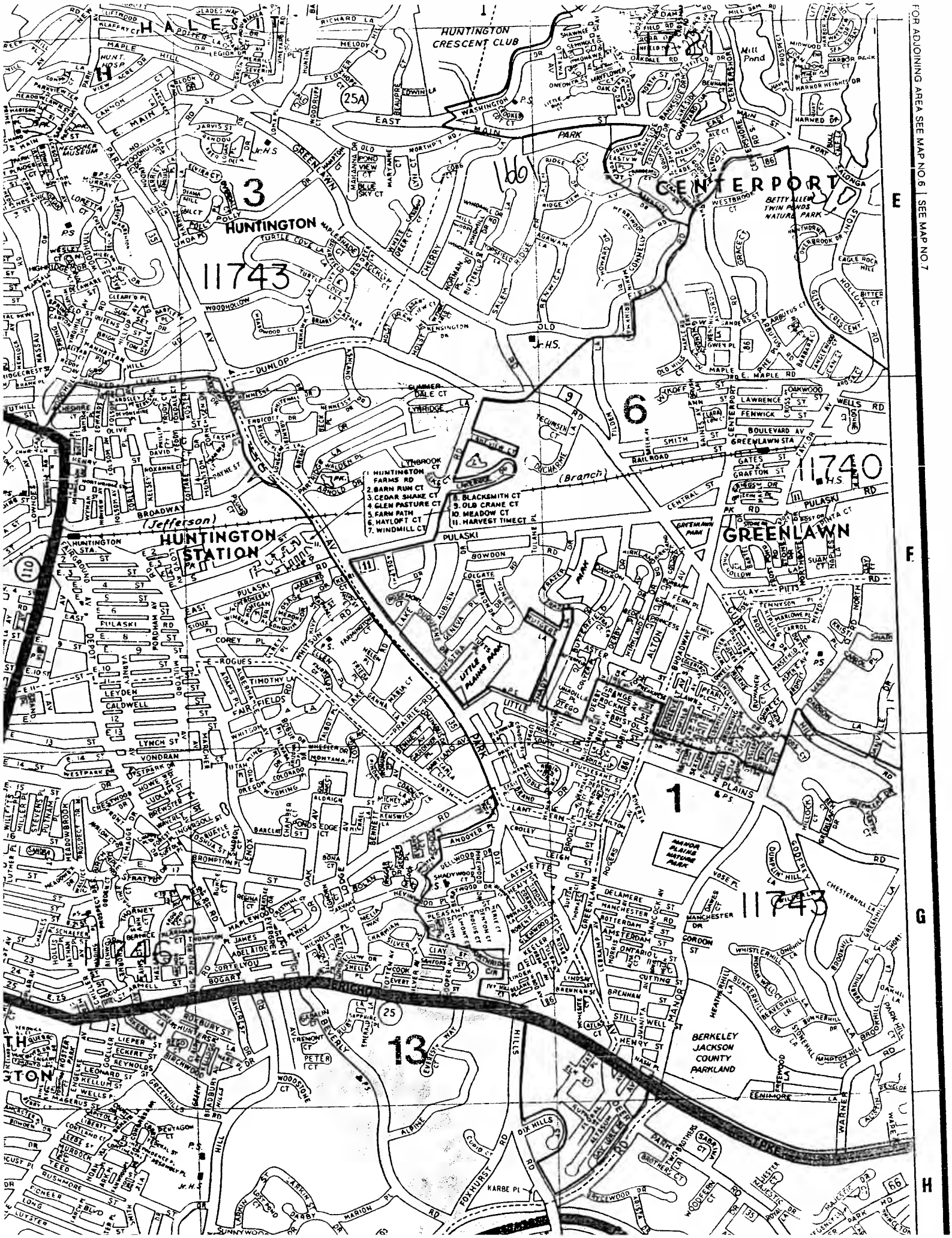
Diane M. Stuke
Deputy County Treasurer

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

TS



3400 206 02 098


HALESITE
HUNTINGTON CRESCENT CLUB
HUNTINGTON
11743
CENTERPORT
BETTY ALLEN TWIN PONDS NATURAL PARK
HUNTINGTON STATION
GREENLAWN
11740
H.S.
11743
BERKELEY JACKSON COUNTY PARKLAND
MAJOR PLAINS NATURE PARK
LITTLE PLAINS PARK
GREENHAVEN PARK
1. HUNTINGTON FARMS RD
2. BARN RUN CT
3. CEDAR SHAKE CT
4. GLEN PASTURE CT
5. FARM PATH
6. HAYLOFT CT
7. WINDMILL CT
8. BLACKSMITH CT
9. OLD CRANE CT
10. MEADOW CT
11. HARVEST TIME CT
FOR ADJOINING AREA SEE MAP NO.6 | SEE MAP NO.7
E
F
G
H

Gen A

COUNTY OF SUFFOLK

1661

JUN 26 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 24, 2008

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

Re: Tax Map No. 0400-206.00-02.00-098.000
MONICA DITURI

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. 1662-08 Laid on Table 8/5/08

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 RIVERHEAD)
(0600-126.00-01.00-002.003)

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 Riverhead, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0600 Section 126.00, Block 01.00 Lot 002.003 and acquired by Tax Deed on April 9, 2001 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on April 9, 2001 in Liber 12112 at Page 245 and described as follows, Town of Riverhead, known and designated as the "Map of Helen M. Stone", Map # 585, Lots 17 & 18, filed in the Office of the Clerk of Suffolk County on January 2, 1880; Exhibits 'A1' & 'A2' 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 Riverhead had requested that the County of Suffolk convey to the town the above and said parcel was transferred to the Town of Riverhead via Suffolk County Resolution 861-2004 for affordable housing (Exhibit 'B'), and

WHEREAS, the Suffolk County Quitclaim deed dated April 22, 2005 transferring title to the Town of Riverhead for said purpose has been returned to the County; and

WHEREAS, the Town of Riverhead has requested said property be transferred to the Town of Riverhead for Parking purposes rather than affordable housing; Exhibit 'C'; and

WHEREAS, the Town of Riverhead will abandon a portion of Hallett Avenue and transfer said parcel for County parking purposes, Exhibit "D', now therefore be it;

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 Riverhead, and be it further;

2nd **RESOLVED,** that the Town of Riverhead will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for Highway/Parking purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Riverhead, at any time, uses or attempts to use said subject parcel for other than Highway/Parking purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject

parcel without said parcel being used thereafter for Highway/Parking 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)

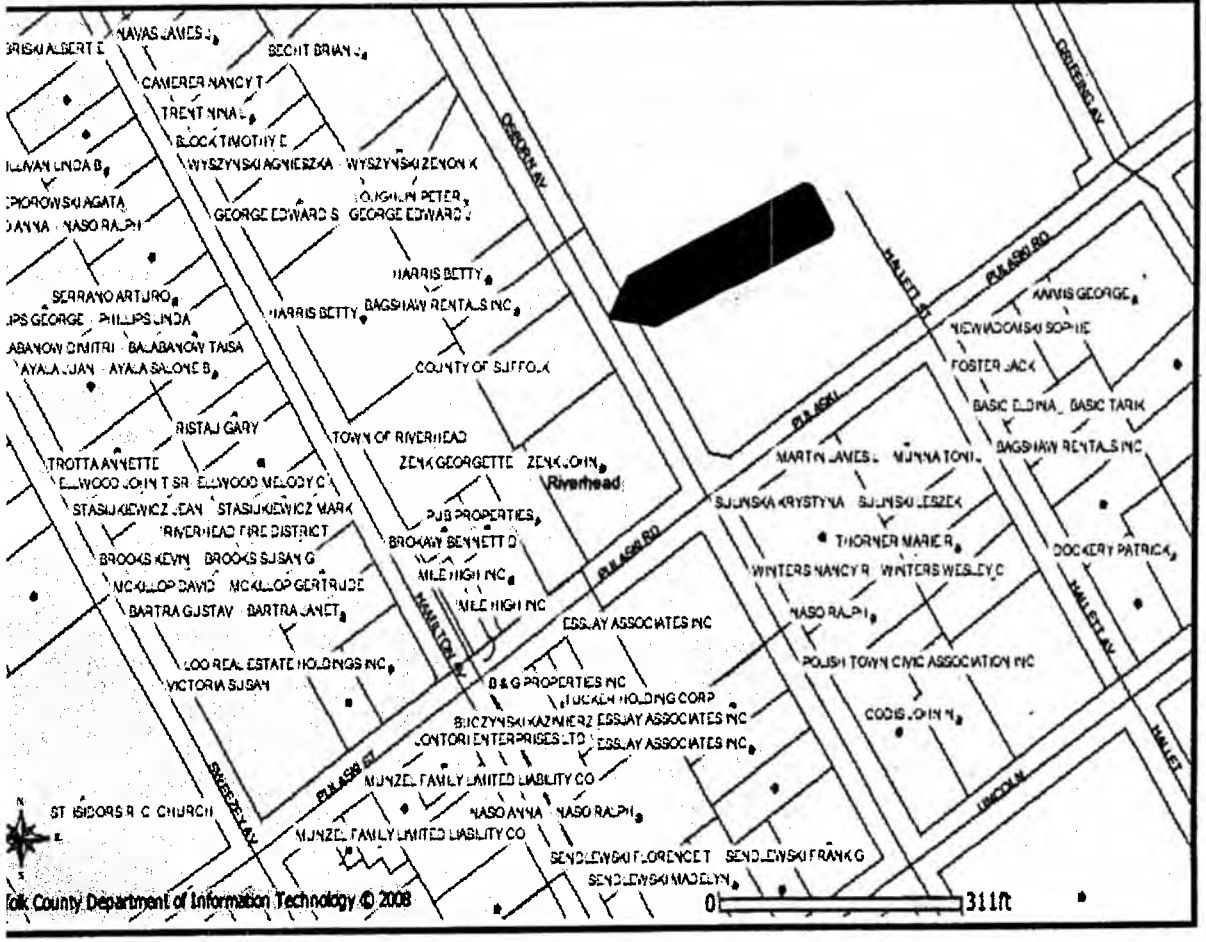
DATED: _____

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

0600 12600 0100 002003



1662

Exhibit 'A1'

Pictometry

NYSUFF029050NeighOrtho11_060323.pmi

Ortho

25 %

Exhibit 'A2'

Exhibit 'B'

1662

Intro. Res. No. 1731-2004
Introduced by Legislator Caracciolo

Laid on Table 8/10/2004

RESOLUTION NO. 861 -2004, AUTHORIZING CONVEYANCE OF PARCEL TO TOWN OF RIVERHEAD (TAX MAP NO. 0600-126.00-01.00-002.003) FOR USE AS AFFORDABLE HOUSING (SECTION 72-h, GENERAL MUNICIPAL LAW)

WHEREAS, the County of Suffolk is the owner of a parcel of vacant land; and

WHEREAS, the County of Suffolk has declared this parcel to be surplus County property; and

WHEREAS, the Town of Riverhead has requested that this property be obtained from the County of Suffolk via Town Board Resolution No. 632-2004 for affordable housing purposes; now, therefore, be it

1st **RESOLVED**, that the Director of the County Division of Real Estate, his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 16-4(E) of the SUFFOLK COUNTY CHARTER, to execute and deliver a quitclaim deed to the Town of Riverhead in consideration for back taxes and the sum of Ten Dollars ($10.00) for said property, more particularly described and designated as Suffolk County Tax Map No. District 0600, Section 126.00, Block 01.00, Lot 002.003, pursuant to Section 72-h of the NEW YORK GENERAL MUNICIPAL LAW, for the purpose of transferring the interest of Suffolk County in the above described property to the Town of Riverhead for use as affordable housing; and be it further

2nd **RESOLVED**, that said quitclaim deed issued by the Director of the County Division of Real Estate, his or her deputy, pursuant to this resolution, shall contain a reverter clause to the effect that title to the said above described parcel shall revert to the County of Suffolk in the event that the above-described property is not used for the above-described public governmental purposes within three (3) years after delivery of the Deed of transfer to the grantee; or in the event that the Town of Riverhead or the Town of Riverhead's Affordable Housing Program attempts to sell, transfer, or otherwise dispose of or does, in fact, sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes subsequent to delivery of said deed to the Town of Riverhead; or in the event that the Town of Riverhead 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 in the event that the Town violates Resolution No. 256-1998, whichever occurs first; 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/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

1662

DATED: AUG 2 4 2004

APPROVED BY:

Steve Levy

County Executive of Suffolk County

Date: 8/30/04

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY

COUNTY LEGISLATURE SUFFOLK COUNTY, N.Y.

This is to certify that I, HENRY L. BARTON, JR., 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 August 24, 2004 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

Henry L. Barton Jr.

Clerk of the County Legislature

Office of the Town Clerk
Barbara Grattan, Town Clerk

Registrar of Vital Statistics **Records Management Officer** **Marriage Officer**

RECEIVED
MAR 25 2008
DIV. REAL PROP. ACQ. & MGMT.
ADMINISTRATION

1662

March 20, 2008

County of Suffolk Dept. of Real Estate
PO Box 6100
Veterans Memorial Highway
Hauppauge, NY 11788

Dear Gentlemen:

ENCLOSED please find a certified copy of Resolution #250 which was adopted by the Riverhead Town Board at a Regular Town Board meeting on March 18, 2008.

Please find that this Resolution states:

#250- DISCONTINUANCE AND ABANDONMENT OF LESS THAN 1000' OF THE TERMINUS OF HALLETT AVENUE PURSUANT TO HIGHWAY LAW §207.

Sincerely,

Barbara Grattan
Town Clerk

BG:mf
cc: Supt. Of Highway
Dept. of Buildings and Grounds
Dept. of Planning
Town Attorney

Exhibit 'C'

200 Howell Avenue ~ Riverhead, New York 11901~ (631)727-3200 Ext. 260 ~ Fax (631)208-4034

3/18/08

Adopted

TOWN OF RIVERHEAD

Resolution # 250

1662

DISCONTINUANCE AND ABANDONMENT OF LESS THAN 1000' OF THE TERMINUS OF HALLETT AVENUE PURSUANT TO HIGHWAY LAW § 207

COUNCILMAN DUNLEAVY offered the following resolution, which was seconded by COUNCILMAN BUCKLEY:

WHEREAS, the County of Suffolk has expressed a willingness to transfer real property described as SCTM# 0600-126-1-2.3 acquired through a tax default to the Town for municipal parking purposes in exchange for property described as the southern portion of Hallett Avenue for County parking purposes; and

WHEREAS, the Town Superintendent of Highways received a request from the County of Suffolk to discontinue a portion of Hallett Avenue to accomplish the mutual transfer of properties for parking facilities; and

WHEREAS, by resolution 896 adopted on September 17, 2007, the Town Board authorized the Town to retain the services of a surveyor to prepare a survey and metes and bounds description of a portion of Hallett Avenue which is less than 1000' from the terminus of said roadway; and

WHEREAS, the Town Superintendent of Highways inspected said roadway and determined said portion of the roadway set forth in the metes and bounds description and more fully described in the Certificate of Discontinuance and Abandonment is unnecessary for highway purposes; and

WHEREAS, the Town Superintendent of Highways notified all interested property owners of the intention to discontinue and abandon a portion of Hallett Avenue pursuant to Highway Law §207; and

WHEREAS, no person or corporation notified filed objection to the discontinuance or abandonment of the portion of Hallett Avenue described in the Certificate of Discontinuance and Abandonment,

NOW, THEREFORE, BE IT RESOLVED that the portion of Hallett Avenue described in the Certificate of Discontinuance and Abandonment is declared to be and is hereby discontinued and abandoned

RESOLVED that the Town Clerk is hereby directed to file and record the Certificate of Discontinuance and Abandonment, together with the metes and bounds

description and survey prepared by John C. Ehlers, Land Surveyor, describing the portion of Hallett Avenue to be discontinued and abandoned, in the Office of the Town Clerk pursuant to Highway Law §208, and forward a copy of this resolution to Superintendent of Highways, County of Suffolk Department of Real Estate, PO Box 6100 Veterans Memorial Highway, Hauppauge, New York, Department of Buildings and Grounds; Department of Planning, and the Office of the Office of the Town Attorney.

1662

WOOTEN ✓ YES ___ NO BUCKLEY ✓ YES ___ NO

DUNLEAVY ✓ YES ___ NO BLASS ✓ YES ___ NO

CARDINALE ✓ YES ___ NO

THIS RESOLUTION ✓ IS ___ IS NOT DECLARED DULY ADOPTED

State of New York
County of Suffolk } ss.:
Town of Riverhead

This is to certify that I, the undersigned, Town Clerk of the Town of Riverhead, County of Suffolk, of New York, have compared the foregoing copy of a Resolution with the original now on file in this office and which was duly adopted on the 18th day of March, 2008, and that the same is a true and correct transcript of said Resolutionand of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the offical seal of the Town of Riverhead, this 19th day of March, 2008.

Town Clerk

Certificate of Discontinuance and Abandonment

1662

I, the undersigned, TOWN SUPERINTENDENT OF HIGHWAYS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, STATE OF NEW YORK, hereby certify that a portion of Hallett Avenue which is less than 1000' of the terminus is unnecessary for highway purposes;

That piece or parcel of property located in the Town of Riverhead, Suffolk County, New York, bounded and described as follows:

BEGINNING at a point on the Easterly side of Hallett Avenue at the Northwest corner of the land of the County of Suffolk; said point also being southerly from the corner formed by the Easterly line of Hallett Avenue and the Southerly line of Lincoln Street by bearing and distance South 33 degrees 19 minutes 40 seconds East a distance of 249.64 to the above said point or place of beginning;

RUNNING THENCE from said point or place of beginning along the land this day of the County of Suffolk and thence along the land of the Metropolitan Transit Authority South 33 degrees 18 minutes 00 seconds East, a distance of 214.36 feet to a point; thence still along the land of the Metropolitan Transit Authority the following three courses and distances:

South 66 degrees 48 minutes 00 seconds West, a distance of 37.53 feet to a point;
Thence North 84 degrees 19 minutes 17 seconds West, a distance of 16.15 feet to a point;
Thence North 33 degrees 18 minutes 00 seconds West, a distance of 197.61 feet to a point;

THENCE across Hallett Avenue North 56 degrees 41 minutes 10 seconds East, a distance of 49.50 feet to the Northwest corner of the land of the County of Suffolk and the point or place of BEGINNING.

Said parcel containing 10,342 square feet or 0.2374 acre.

Also, we the undersigned members of the Town constituting the whole or majority thereof, do hereby consent to the making and filing of this Certificate, and do hereby sign the same.

Therefore, pursuant to §207 of the Highway Law, the portion of the highway described above is declared to be, and hereby is, discontinued and abandoned.

Dated:

George Woodson, Superintendent
Town of Riverhead Highway Department

Supervisor, Phil Cardinale

Councilwoman Blass

Councilman Buckley

Councilman Dunleavy

Councilman Wooten

SURVEY OF A PORTION OF HALLETT AVENUE

SITUATE: RIVERHEAD
TOWN: RIVERHEAD
SUFFOLK COUNTY, NY

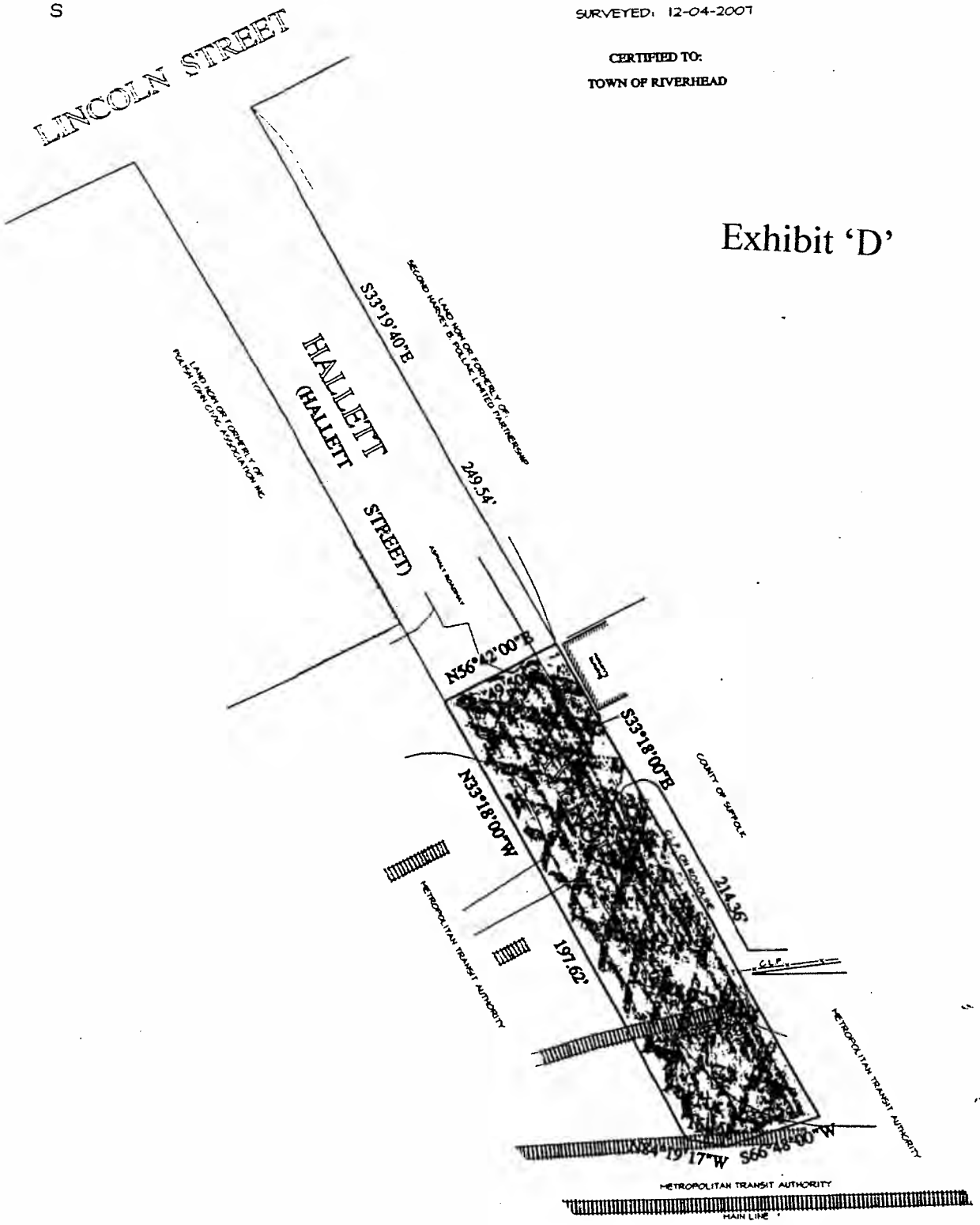
SURVEYED: 12-04-2007

CERTIFIED TO:

TOWN OF RIVERHEAD

1662

Exhibit 'D'



NOTES:

Area = 10,342 S. F.
Area = 0.2374 Acres

GRAPHIC SCALE 1" = 40'

JOHN C. EHLERS LAND SURVEYOR
6 EAST MAIN STREET
RIVERHEAD, N.Y. 11901
369-8288 Fax 369-8287
N.Y.S. LIC. NO. 50202

REF.\\Compaqserver\pros\07\07-211.pro

1662

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 Riverhead for highway/parking purposes

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?

   ____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

9. Timing of Impact

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

    Wayne Thompson
    Property Manager

    Wayne R Thompson 6/12/08

1662

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 RIVERHEAD

Tax Map No.: 0600-126.00-01.00-002.003

Section 72-h, Gen'l Municipal Law

	Amount
County Investment	$ 52,716.09
Current Taxes	29.34
TOTAL	$ 52,745.43

PURPOSE:

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

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

WRT: slb

Gent

COUNTY OF SUFFOLK

JUN 2 3 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

1662

June 18, 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.: 0600-126.00-01.00-002.003
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the Town of Riverhead 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 Riverhead 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. 1663-08 Laid on Table 8/5/08

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 MARK BAKKER (SCTM NO. 0200-975.00-05.00-004.000)

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 975.00 Block 05.00 Lot 004.000 and acquired by Tax Deed on August 16, 2004 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004 in Liber 12341 at Page 445 and described as follows, Town of Brookhaven, known and designated as Lot No. 139 on a certain map entitled "Map of Mastic Acres, Unit 1", filed in the office of the Clerk of the County of Suffolk on August 22, 1945 as Map No. 1441 ; 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, MARK BAKKER, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $19,006.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at $19,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of $19,006.00, 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 MARK BAKKER, 46 Spar Drive, Mastic Beach, NY 11951.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

. 1663

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. 0200-975.00-05.00-004.000

ADJOINING OWNER	BID	BID	BID
Mark Bakker 46 Spar Drive Mastic Beach, NY 11951 0200-975-05-05	$19,006.00		
Marilyn Murray 47 Edgewater Dr. Mastic Beach, NY 11951 0200-975-05-43	$0		
Frank DiPalo 52 Spar Dr. Mastic Beach, NY 11951 0200-975-05-3.1	$0		

SIZE OF PARCEL: 50' x 125'
APPRAISED VALUE: $19,000.00
COMMENT: Direct Sale to Adjacent Owner

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

1663

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 5/21/08

1663

0200-975-05-04
N
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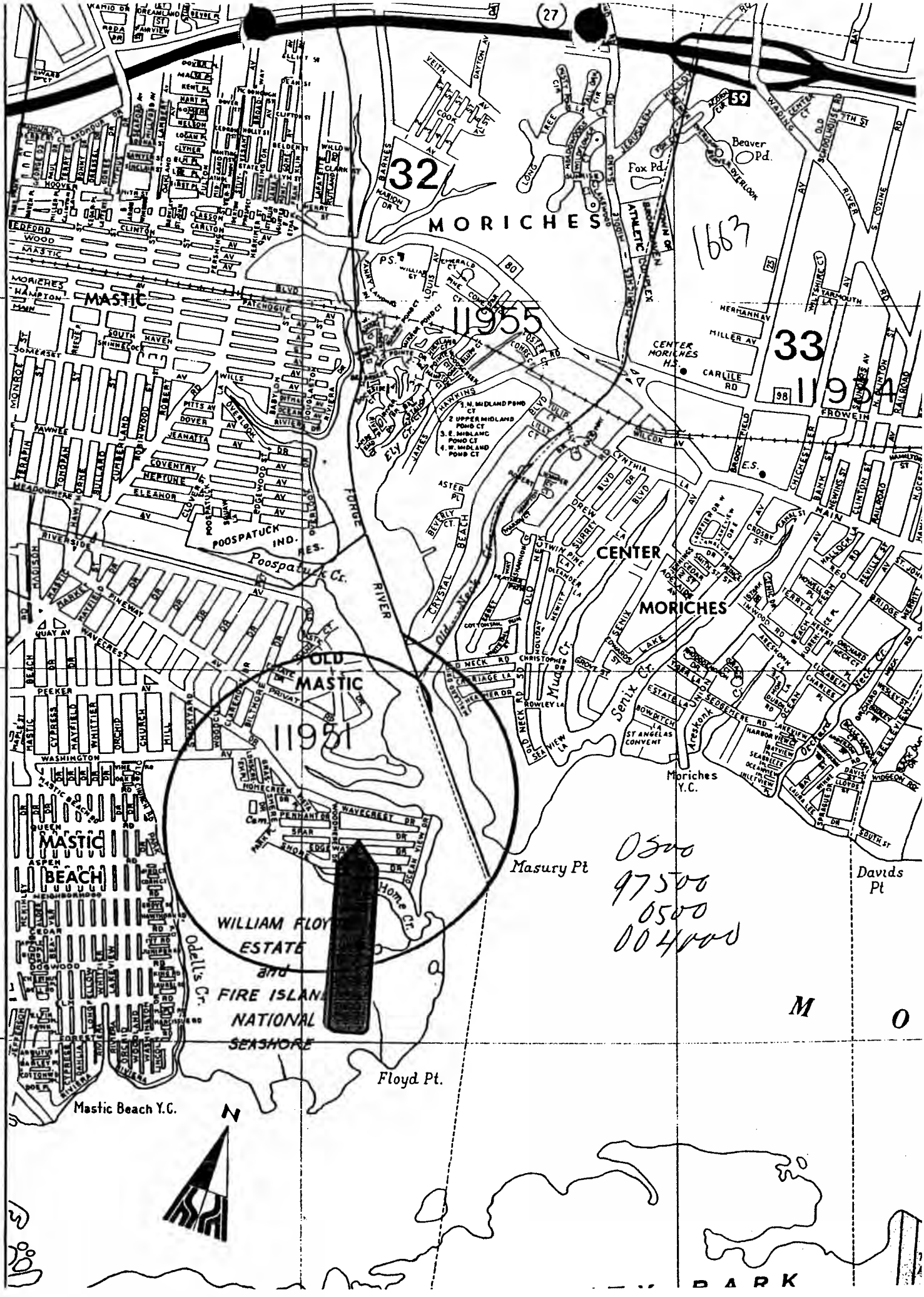
1663

FOR ADJOINING AREA SEE MAP NO.18 | SEE MAP NO.17



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JUN 2 4 2008

COUNTY OF SUFFOLK

CHRISTOPHER E. KENT
DIVISION DIRECTOR

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

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

1663

June 19, 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: 0200-975.00-05.00-004.000

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

1664

Intro. Res. No. -2008 Laid on Table 8/5/08
Introduced by Legislator Browning

RESOLUTION NO. -2008, AUTHORIZING USE OF SMITH POINT COUNTY PARK PROPERTY IN 2008 BY BUILDING HOMES FOR HEROES

WHEREAS, Building Homes for Heroes is a not-for-profit organization; and

WHEREAS, Building Homes for Heroes would like to use the Smith Point County Park in Shirley for the purpose of hosting a 5 Kilometer race, the proceeds of which would go to Building Homes for Heroes; and

WHEREAS, Building Homes for Heroes is planning to hold a 5 Kilometer race which would begin in the park and proceed up the William Floyd Parkway to Parkview Drive with a return to the park; and

WHEREAS, the parking lot will be used as a staging point and also for parking for participants; and

WHEREAS, the 5 Kilometer race will be held in the park itself; and

WHEREAS, this race would be held on Sunday, October 26, 2008 from 6:00 a.m. to 12:00 noon; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Three Hundred Fifty and 00/100 Dollars ($350.00), payment of which shall be guaranteed by Building Homes for Heroes; and

WHEREAS, a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured has been provided by Building Homes for Heroes; and

WHEREAS, the use of County property for such a fund drive for support of Building Homes for Heroes would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore be it

1st **RESOLVED**, that the use of County-owned property, i.e. the Smith Point County Park in Shirley, by Building Homes for Heroes, in consideration of the payment of Three Hundred Fifty and 00/100 Dollars ($350.00) for the purpose of holding a 5 Kilometer race on October 26, 2008, between the hours of 6:00 a.m. and 12:00 noon, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured by the County of Suffolk from the Department, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

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

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

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

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\res\r-use-smith-pt-build-homes-heroes

Intro Res. No. 1665-08 Laid on Table 8/5/08
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 #301

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

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

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

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

Description	Year	Original Tax	Corrected Tax	Chargeback or Refund, if paid
BROOKHAVEN:				
0200-982.70-03-011.002 (Item #8811887)	**2005/06**	**$4827.32**	**$321.02**	**$4506.30**
0200-982.70-03-011.003 (Item #8811888)	**2005/06**	**$5310.07**	**$321.03**	**$4989.04**
0200-982.70-03-011.004 (Item #8811881)	**2005/06**	**$2968.80**	**$188.26**	**$2780.54**
0200-982.70-03-011.005 (Item #8811882)	**2005/06**	**$5539.34**	**$678.23**	**$4861.11**

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

1665

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 6/25/08

Additional back-up material regarding I.R. 1665 is on file in the Legislative Clerk's Office, Hauppauge.

Intro. Res. # 1666-08 Laid on Table 8/5/08

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 # 792-2008)

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# 792-2008

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

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

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
C	BABYLON	05/06	N/A	100 164 3 61.1	17810.31	14218.67	3591.64
C	BABYLON	06/07	N/A	100 164 3 61.1	17625.66	14096.97	3528.69
C	BABYLON	07/08	N/A	100 164 3 61.1	17867.69	14285.83	3581.86
A	BABYLON	07/08	N/A	101 7 5 9.12	9932.95	7095.03	2837.92
A	HUNTINGTON	06/07	N/A	400 43 1 20	11559.74	7387.19	4172.55
A	HUNTINGTON	07/08	N/A	400 244 2 42	15176.44	11850.83	3325.61
A	HUNTINGTON	05/06	N/A	400 83 1 55	14426.65	11757.72	2668.93
A	HUNTINGTON	06/07	N/A	400 83 1 55	15116.43	12319.89	2796.54
A	HUNTINGTON	07/08	N/A	400 83 1 55	15405.60	12555.57	2850.03
A	SOUTHAMPTON	07/08	N/A	900 151 1 15.15	10953.42	8037.60	2915.82

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

APPROVED BY:

County Executive of Suffolk County Date of Approval:

1666

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X 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 **X**

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

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

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

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 11. Signature of Preparer 12. Date June 19, 2008,

R. Motschenbacher RPAT. I

Additional back-up material regarding I.R. 1666 is on file in the Legislative Clerk's Office, Hauppauge.

1667

Intro. Res. No. -2008 Laid on Table 8/5/08
Introduced by Legislator Romaine

RESOLUTION NO. –2008, TO REQUIRE VERIFICATION OF CERTIFICATES OF OCCUPANCY AND/OR RENTAL PERMITS FOR HOUSING USED BY THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the placement of public assistance recipients in substandard housing is a long-standing problem in our County; and

WHEREAS, the County of Suffolk has enacted several local laws designed to prevent the placement of Department of Social Services' clients in housing that is substandard, unsafe and/or non-compliant with local building and zoning codes; and

WHEREAS, despite these efforts, the unfortunate practice of placing public assistance recipients in substandard housing continues; and

WHEREAS, this Legislature wishes to establish that it shall be the policy of Suffolk County to verify that potential accommodations used by the Department of Social Services to house recipients of public assistance have the necessary certificate of occupancy and/or rental permit. Now, therefore, be it

1st **RESOLVED**, that no individual receiving public assistance shall be housed in any accommodation that does not have a valid certificate of occupancy and/or rental permit issued by the municipality in which the housing accommodation is located; and be it further

2nd **RESOLVED**, that the Commissioner of Social Services is authorized, empowered, and directed to obtain copies of certificates of occupancy and or/rental permits from potential landlords before an individual is placed in the subject housing accommodation and/or before any payment is paid to said landlord; and be it further

3rd **RESOLVED**, that the Commissioner of Social Services shall maintain records of certificates of occupancy and/or rental permits for accommodations used by the Department of Social Services to house recipients of public assistance and he or she shall obtain updated copies of said documents should they expire; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County
Date:

Revised 7/22/2008

Intro. Res. No. 1668-2008 Laid on Table 8/5/2008
Introduced by Legislator Kennedy

RESOLUTION NO. –2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH INTERSECTION IMPROVEMENTS ON CR 16, SMITHTOWN BLVD. AT CR 93, LAKELAND-ROSEVALE AVENUE (CP 5118)

WHEREAS, the operational deficiencies due to the layout of the existing intersection have contributed to erratic driver behavior; and

WHEREAS, this project will extend CR 93, Rosevale Avenue, north through the intersection with CR 16, Smithtown Boulevard, to make a direct connection with Gibbs Pond Road, resulting in a standard "four-way" intersection through which over 30,000 vehicles would pass each day; and

WHEREAS, the 2008 Adopted Capital Budget and Program does not include sufficient funds for construction costs, an offsetting authorization must be provided from another capital project; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of $350,000 in Suffolk County Serial Bonds for land acquisition; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 41 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd RESOLVED, that the 2008 Capital Budget and Program be and is hereby amended as follows:

Project No.: 1758
Project Title: GDB Migration & Implementation, AREIS Web Services

Cost Elements	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
1. Planning, Design & Supervision	$618,610	$250,000 B	$0
TOTAL	$1,467,210	$250,000	$0

Project No.: 5375
Project Title: Bulkheading at Various Locations

Cost Elements	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$2,385,000	$500,000 B	$400,000 B
TOTAL	$2,385,000	$500,000	$400,000

Project No.: 5118
Project Title: Intersection Improvements on CR 16, Smithtown Blvd. at CR 93, Lakeland-Rosevale Avenue

Cost Elements	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$1,550,000	$300,000 B	$650,000 B
TOTAL	$2,860,000	$510,000	$860,000

and be it further

3rd RESOLVED, that the proceeds of $350,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project No.	Project Title	Amount
525-CAP-5118.314	Intersection Improvements on CR 16, Smithtown Blvd. at CR 93, Lakeland-Rosevale Avenue	$350,000

and be it further

4th RESOLVED, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith; and be it further

5th RESOLVED, this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR"), the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

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1669

Intro. Res. No. -2008 Laid on Table 8/5/08

Introduced by Legislator Romaine

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A CHARTER LAW TO INCREASE LEGISLATIVE OVERSIGHT OF RFP PROCESS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2008 a proposed local law entitled, "**A CHARTER LAW TO INCREASE LEGISLATIVE OVERSIGHT OF RFP PROCESS**"; 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 INCREASE LEGISLATIVE OVERSIGHT OF RFP PROCESS

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 county departments are, increasingly, issuing Requests for Proposals (RFP) for consultant services.

This Legislature also determines that significant county manpower and resources are required to prepare a Request for Proposals.

This Legislature further finds that the issuance of a Request for Proposals and the subsequent hiring of a consultant often has the effect of advancing policy objectives that have not been embraced or endorsed by the County Legislature.

This Legislature finds and determines that county departments are presently required to notify the Clerk of the Suffolk County Legislature when they circulate a Request for Proposals involving a county contract in excess of $20,000.

This Legislature further finds that the County Legislature, as the policy making arm of Suffolk County government, must exercise stronger control of the RFP process.

Therefore, the purpose of this local law is to require legislative approval for any contract in excess of $20,000 which results from a RFP process.

Section 2. Amendment.

Article 38 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

ARTICLE XXXVIII RFP PROCESS

* * * *

C38-3. Legislative Approval.

A. Any county contract, contract amendment, contract extension or contract modification in excess of $20,000, resulting from the utilization of a Request for Proposals (RFP) shall require the approval of the County Legislature by duly enacted resolution.

[A.]B. Any county contract, contract amendment, contract extension or contract modification in excess of $20,000, resulting from the utilization of a[n] RFP process in which only one person responds to the RFP shall require the approval of at least two-thirds of the entire membership of the County Legislature by duly enacted resolution.

[B.]C. Any county contract, contract amendment, contract extension or contract modification that does not comply with Subsection A and B of this section shall be deemed null and void ab initio.

* * * *

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 not take effect immediately upon its filing in the Office of Secretary of State.

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\laws\cl-oversight-rfp-process

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1669

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: JULY 30, 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 INCREASE LEGISLATIVE OVERSIGHT OF RFP PROCESS

SPONSOR: LEGISLATOR ROMAINE

DATE OF RECEIPT BY COUNSEL: 7/16/2008 **PUBLIC HEARING:** 8/19/2008

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

This proposed charter law would amend the County's Request for Proposals (RFP) process to require that any County contract in excess of $20,000, resulting from the utilization of a RFP, receive the approval of the County Legislature by a duly enacted resolution. Presently, the County Legislature acts on contracts resulting from the RFP process only in those instances in which one person responds to a RFP.

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

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-oversight-rfp-process

1670

Intro. Res. No. -2008 Laid on Table 8/5/08
Introduced by Legislator Schneiderman

RESOLUTION NO. –2008, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW 24-2007 (REEVES BAY PROPERTY – TOWN OF SOUTHAMPTON)

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

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

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

1st **RESOLVED**, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 39.28 acres, are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

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

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

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

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

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

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

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-reeves-bay-open-space-drinking-water-plan-steps

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:	ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District 0900 Section 147.00 Block 01.00 Lot 005.000	4	Richard & Donna Landress 249 Sheer Pasture Road East Setauket, NY 11733
No. 2	District 0900 Section 147.00 Block 01.00 Lot 006.005	7.9	Norman Penny c/o Charles Penny 33 Bay Avenue Riverhead, NY 11901
No. 3	District 0900 Section 147.00 Block 02.00 Lot 023.000	1.5	Marcy Rubenstein PO Box 5032 Quogue, NY 11959
No. 4	District 0900 Section 147.00 Block 02.00 Lot 028.001	0.7	Fland Hampton Holdings, LLC c/o Robin Nedboy PO Box 338 Laurel, NY 11948
No. 5	District 0900 Section 147.00 Block 02.00 Lot 029.000	1.4	Joseph Grill 129 W. 27th Street, Suite 12 New York, NY 10001
No. 6	District 0900 Section 147.00 Block 02.00 Lot 032.000	1.5	Joseph Grill 129 W. 27th Street, PH New York, NY 10001
No. 7	District 0900 Section 147.00 Block 02.00 Lot 017.000	2.6	WHB Properties 7 Seafield Lane Westhampton, NY 11978
No. 8	District 0900 Section 147.00 Block 01.00 Lot 001.000	5.1	Alfred Berti 501 Riverdale Avenue, Apt. 5E Yonkers, NY 10705
No. 9	District 0900 Section 147.00 Block 02.00 Lot 031.000	0.94	Kenneth Ettlinger 1368 Flanders Road, Rt. 24 Flanders, NY 11901

No. 10	District	0900	3.7	Kenneth Ettlinger
	Section	148.00		Temple Avenue
	Block	01.00		Riverhead, NY 11901
	Lot	075.000		
No. 11	District	0900	9	Kenneth Ettlinger
	Section	148.00		Fanning Road
	Block	01.00		Riverhead, NY 11901
	Lot	076.000		
No. 12	District	0900	0.94	Kathleen Chisholm
	Section	148.00		16 Center Street
	Block	01.00		Yarmouth, ME 04096
	Lot	074.000		
Total Acreage			±39.28	

EXHIBIT "A"

1671

Intro. Res. No. -2008 Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 267-2008

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 267-2008; 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. 267-2008

In the 7th RESOLVED paragraph change the Project Title:

FROM:

Project Title
Storm Water Remediation to **Brown** Creek @ CR 85, Montauk Hwy
001-PRO-3199

TO:

Project Title
Storm Water Remediation to **Green** Creek @ CR 85 Montauk Hwy

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1672

Intro. Res. No. -2008 Laid on Table 8/5/2008

Introduced by Legislator Eddington

RESOLUTION NO. -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO THE 2008 ADOPTED OPERATING BUDGET FOR THE GREATER BELLPORT CIVIC ASSOCIATION

WHEREAS, the 2008 Operating Budget when adopted contained technical errors to certain contract agencies; and

WHEREAS, the Adopted 2008 Operating Budget included $10,000 for the Greater Bellport Coalition and the correct name of this contract agency is the Greater Bellport Civic Association; and

WHEREAS, the intent of this Legislature is to provide the Greater Bellport Civic Association with a total of $10,000 through the Department of Economic Development & Workforce Housing; and

WHEREAS, the County Legislature desires to make technical corrections to the 2008 Adopted Operating Budget to assist in funding the Greater Bellport Civic Association for programs that are offered to the public; now, therefore be it

1st RESOLVED, that the Clerk of the Legislature shall make the following technical corrections to the 2008 Adopted Operating Budget;

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	ECD	6410	JBW1	4980	Greater Bellport Coalition (Visioning)	-$10,000

TO:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	ECD	6410	JBW1	4980	Greater Bellport Civic Association	+$10,000

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Greater Bellport Civic Association.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

T:\BRO\IR 2008 OB Amendment Greater Bellport Civic Association.doc

UPDATED VERSION AS OF 7/28/2008

Intro. Res. No. 1673-2008 Laid on Table 8/5/2008
Introduced by Legislators Romaine and Viloria-Fisher

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO ESTABLISH A MINIMUM ALTITUDE FOR OPERATIONS OF HELICOPTERS

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 ESTABLISH A MINIMUM ALTITUDE FOR OPERATIONS OF HELICOPTERS** "; 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 ESTABLISH A MINIMUM ALTITUDE FOR OPERATIONS OF HELICOPTERS

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

Section 1. Legislative Intent.

This Legislature finds and determines that low flying helicopters have become a public nuisance in Suffolk County.

This Legislature further finds and determines that a recent agreement between public officials and helicopter operators have failed to alleviate the public nuisance.

This Legislature further finds and determines that the Federal Aviation Administration has failed to regulate the operations of helicopters.

This Legislature further finds and determines that the land area that comprises Suffolk County is a congested area and the operation of helicopters below the legal limit set forth in Section 245(2)(b) of NEW YORK GENERAL BUSINESS LAW are presumed to be a hazard to persons and property on the surface and constitute careless and reckless operation.

Therefore, the purpose of this law is to establish a minimum altitude for the operation of helicopters passing through the air boundaries of Suffolk County and to preserve and promote the health, safety and general welfare of the residents of Suffolk County without prohibiting the safe passage of helicopters.

Section 2. Definitions.

As used in this law, the following term shall have the meaning indicated:

HELICOPTER - an aircraft, the support of which in the air is normally derived from airfoils mechanically rotated about an approximately vertical axis.

Section 3. Prohibitions.

A.) It shall be unlawful to operate, or for the owner to permit the operation of, any type of helicopter in a careless or reckless manner so as to endanger the life or property of others.

B.) It shall be unlawful to operate, or for the owner to permit the operation of, any type of helicopter over the legal limits of the County of Suffolk, which is a congested area as that term is used in Article 14 of NEW YORK GENERAL BUSINESS LAW, below an altitude of two thousand, five hundred (2,500) feet above the highest obstacle within a horizontal radius of two thousand (2,000) feet from the helicopter except when necessary for a take-off or landing or as weather conditions may dictate.

Section 4. Exemptions.

This law shall not apply to:

A.) Helicopters used exclusively in the governmental service of the United States of America, the State of New York, or any municipal corporation of the State of New York; and

B.) Helicopters being used exclusively for agricultural operations.

Section 5. Penalties.

Any person who violates the provisions of this law shall be guilty of an unclassified misdemeanor, punishable by a fine of up to one thousand dollars ($1,000) and/or one year in prison per offense.

Section 6. Applicability.

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

Section 7. Severability.

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

Section 8. SEQRA Determination.

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

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

Section 9. Effective Date.

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1673

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

WILLIAM H. ROGERS BUILD
P.O. BOX 6
HAUPPAUGE, NY 11788-0
(631) 853-5494 (PHO
(631) 853-4415 (F

DATE: JULY 31, 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 ESTABLISH A MINIMUM ALTITUDE FOR OPERATIONS OF HELICOPTERS

SPONSOR: LEGISLATORS ROMAINE AND VILORIA-FISHER

DATE OF RECEIPT BY COUNSEL: 7/28/08 **PUBLIC HEARING:** 8/19/08

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

The proposed local law would make it unlawful to operate a helicopter over a congested area, as that term is used in Article 14 of NEW YORK GENERAL BUSINESS LAW, below an altitude of 2,500 feet above the highest obstacle within a horizontal radius of 2,000 feet above the helicopter except when necessary for a take-off or landing or as weather conditions may dictate. This law shall not apply to helicopters being used for agricultural operations or exclusively in the governmental service of the United States of America, the State of New York, or any municipal corporation of the State. It should be noted that the proposed local law is inconsistent with NEW YORK GENERAL BUSINESS LAW which prohibits the operation of a helicopter below 1,000 feet above the highest obstacle within a horizontal radius of 2,000 feet from the helicopter.

Persons violating this law shall be guilty of an unclassified misdemeanor, punishable by a fine of up to $1,000 and/or one year in prison.

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

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-helicopter operations

1674

Intro. Res. No. -2008 Laid on Table 8/5/08
Introduced by the Presiding Officer

RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED HIGHWAY AND DRAINAGE IMPROVEMENTS TO CR 4 COMMACK ROAD, FROM NICHOLS ROAD TO JULIA CIRCLE, TOWNS OF BABYLON AND HUNTINGTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Highway and Drainage Improvements to CR 4 Commack Road, From Nichols Road to Julia Circle, Towns of Babylon and Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project involves replacing the existing asphalt shoulders with a new full depth asphalt pavement section. The total pavement width will be 44 feet, to provide one eleven foot wide travel lane in each direction, one eleven foot wide striped median and a five and one-half foot wide shoulder area on each side. Existing drainage infrastructure will be cleaned and castings will be adjusted to new grades. Leaching pools will be installed to provide spot drainage improvements. A full width asphalt overlay will be provided for the full length of the project; and

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

WHEREAS, at its June 18, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

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

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

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Highway and Drainage Improvements to CR 4 Commack Road, from Nichols Road to Julia Circle, Towns of Babylon and Huntington constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons;

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

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

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

4.) Existing drainage problems will be alleviated; and

5.) Traffic safety will be improved and traffic congestion mitigated;

and be it further

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\s-julia-circle

Intro. Res. No. 1675 -2008
Introduced by the Presiding Officer

Laid on Table 8/5/08

RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE OVERTON PRESERVE – BEECHWOOD HORSEBLOCK BUILDING CORP. PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Overton Preserve – Beechwood Horseblock Building Corp. Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 16.0 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its June 18, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

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

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Overton Preserve – Beechwood Horseblock Building Corp. Property, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons;

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

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

and be it further

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\s-overton-preserve

Intro. Res. No. 1676 -2008
Introduced by the Presiding Officer

Laid on Table 8/5/08

RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE OVERTON PRESERVE – FAIRFIELD CORAM 112, LLC PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Overton Preserve – Fairfield Coram 112, LLC Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 23.0 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its June 18, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

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

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Overton Preserve – Fairfield Coram 112, LLC Property, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

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

and be it further

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\s-fairfield-coram

Intro. Res. No. 1677 -2008 Laid on Table 8/5/08
Introduced by the Presiding Officer

RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE OVERTON PRESERVE – FAIRFIELD MILL ESTATES, LLC AS CONTRACT VENDEE PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Overton Preserve – Fairfield Mill Estates, LLC as Contract Vendee Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 48.11 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its June 18, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

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

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Overton Preserve – Fairfield Mill Estates, LLC as Contract Vendee Property, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

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

and be it further

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\s-fairfield-mill-estates

Intro. Res. No. 1678-2008 Laid on Table 8/5/2008
Introduced by the Presiding Officer

RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE LONG POND GREENBELT ADDITION – ZEBROWSKI & MULVIHILL ESTATE PROPERTY, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Long Pond Greenbelt Addition – Zebrowski & Mulvihill Estate Property, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 10.3 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its June 18, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

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

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Long Pond Greenbelt Addition – Zebrowski & Mulvihill Estate Property, Town of Southampton constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, 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 is passive recreation;

and be it further

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

Intro. Res. No. 1679 - 2008 Laid on the Table 8/5/08
Introduced by Presiding Officer Lindsay

RESOLUTION NO. -2008, ADDING DEPOSITORY TO LIST OF DESIGNATED DEPOSITORIES FOR SUFFOLK COUNTY (EMPIRE NATIONAL BANK)

WHEREAS, the Suffolk County Legislature adopted Resolution No. 8-2008, "Designating Depositories Pursuant to Section 212 of the County Law", at its organizational meeting on January 2, 2008; and

WHEREAS, the Suffolk County Treasurer has requested that said Resolution be amended to include the Empire National Bank; now, therefore, be it

1st **RESOLVED**, that the first RESOLVED clause of Resolution No. 8-2008 be amended to read as follows:

RESOLVED, that each of the following banks having and maintaining a principal or branch office or offices in the County of Suffolk, namely, Bank of New York, 1401 Franklin Avenue, Garden City, New York; JP Morgan Chase Bank, 395 North Service Road, Melville, New York; Citibank, 730 Veterans Memorial Highway, Hauppauge, New York; Commerce Bank, 45 Melville Park Road, Melville, New York; Bank of America, 300 Broad Hollow Road, Melville, New York; North Fork Bank, 275 Broad Hollow Road, Melville, New York; State Bank of Long Island, 740 Veterans Memorial Highway, Hauppauge, New York; Suffolk County National Bank, 6 West Second Street, Riverhead, New York; New York Commercial Bank, 1601 Veterans Memorial Highway, Suite 120, Islandia, New York; HSBC Bank, 534 Broad Hollow Road, Melville, New York, Hamptons State Bank, North Sea Road and Windmill Lane, Box 5037, Southampton, New York, Wachovia Bank, 58 South Service Road, Melville, New York, Bridgehampton National Bank, 2200 Montauk Highway, Bridgehampton, New York, Bank of Smithtown, 1 East Main Street, Smithtown, NY 11787, [and] the Madison National Bank, 888 Veterans Memorial Highway, Suite 400, Hauppauge, NY, 11787, and Empire National Bank, 1707 Veterans Highway, Islandia, NY 11749 or any successor entity thereto, be and the same are hereby designated and appointed a depository for the deposit of moneys received or under the control of the County Treasurer, pursuant to Section 212 of the NEW YORK COUNTY LAW, provided, however, that the maximum amount to be kept on deposit in any such bank or branches shall not exceed $750,000,000.00 including interest bearing deposits in any one of said bank or branches, except that such limitation shall not apply to those depositories in which regular county working accounts (checking accounts) are maintained in whatever amounts are required for the regular and necessary conduct of the County's business; and be it further

and be it further

2nd **RESOLVED**, that all other terms and conditions of Resolution No. 8-2008 shall remain the same.

___Underlining shall mean addition of new language.

DATED:

Effective pursuant to Section 212 of the NEW YORK COUNTY LAW.

Intro. Res. No. 1680 -2008 Laid on Table 8/5/08
Introduced by Legislator Browning

RESOLUTION NO. -2008, EXTENDING THE DEADLINE FOR THE TRAP AND SKEET SEARCH COMMITTEE

WHEREAS, Resolution No. 1231-2006 established the Trap and Skeet Search Committee to conduct a search for an appropriate location for a new Suffolk County Trap and Skeet Range; and

WHEREAS, this Search Committee will require additional time in order to complete its search and issue its report; now, therefore be it

1st **RESOLVED**, that the 9th RESOLVED clause of Resolution No. 1231-2006 is hereby amended as follows:

> **9th** **RESOLVED**, that this special Committee shall submit a written report of its findings and determinations together with its recommendations to each member of the County Legislature and the County Executive no later than [one hundred twenty (120) days subsequent to the effective date of this Resolution] December 31, 2008 for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

and be it further

2nd **RESOLVED**, that all other terms and conditions of Resolution No. 1231-2006 shall remain in full force and effect; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\res\r-extend-trap-skeet-search-committee

Introductory Resolution No. 1681-08 Laid on Table 8/5/08

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 WALTER B. SCHUTZENBACH (SCTM NO. 0500-194.00-02.00-075.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 194.00 Block 02.00 Lot 075.000 and acquired by Tax Deed on December 14, 2000 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on December 21, 2000 in Liber 12092 at Page 201 and described as follows, Town of Islip, known and designated as being and intended to be that parcel of land carried on the tax rolls of the Town of Islip under SCTM # 0500-194.00-02.00-075.000; 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, Walter B. Schutzenbach, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $10,501.00. 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 $8,500.00, 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 $10,501.00, 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 Walter B. Schutzenbach, 680 Horseblock Road, Farmingville, New York 11738.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1681

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 7/2/08

FOR DIRECT SALE RESOLUTION

Diane Bishop

1681

NAME: Walter B. Schutzenbach
680 Horseblock Rd., Farmingville, NY 11738

TAX MAP NO: 0500-194.00-02.00-075.000

TOWN: Islip

ACQUIRED: 12/14/00 BY: John C. Cochrane, County Treasurer

RECORDED: 12/21/00 LIBER: 12092 PAGE: 201

DESCRIPTION:
Being and intended to be that parcel of land carried on the tax rolls of the Town of Islip under SCTM#0500-194.00-02.00-075.000

OFFER REC'D IN AMOUNT OF: $10,501.00 APPRAISED VALUE: $8,500.00 DEPOSITED: $10,501.00

ADJOINING OWNER(S):

(1) BID: $10,501.00
Walter Schutzenbach
680 Horseblock Rd., Farmingville, NY 11738

TM#0500-194.00-02.00-014.001

(2) BID: $0
Town of Islip
655 Main St., Islip, NY 11751

TM#0500-175.00-02.00-076.000

(3) BID: $0
Mario & Giovanni Contavalle
789 Madison St., Bohemia, NY 11716

TM#0500-194.00-02.00-015.001

(4) BID: $8,500.00
John & Joan Petrocelli
250 Manor Rd., Huntington, NY 11743

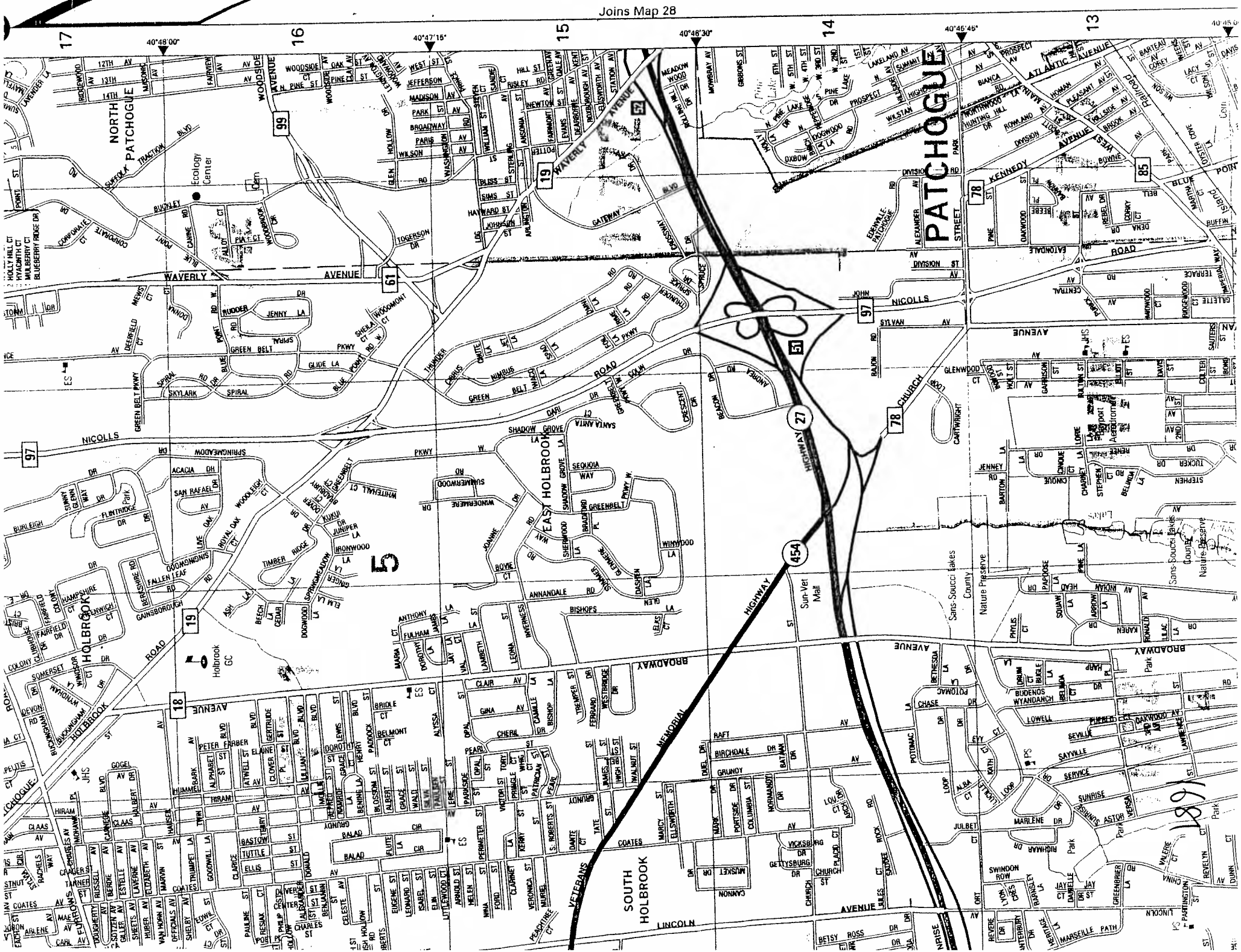
TM#0500-194.00-02.00-024.002

(5) BID: $0
John M. Petrocelli
250 Manor Rd., Huntington, NY 11743

TM#0500-194.00-02.00-025.002

(6)
James & Elizabeth Candemeres BID: $0
36 Ferrarto Drive., Holbrook, NY 11741

TM#0500-194.00-02.00-045.004


Joins Map 28
17
16
15
14
13
40°48'00"
40°47'15"
40°46'30"
40°45'45"
NORTH PATCHOGUE
PATCHOGUE
SOUTH HOLBROOK
EAST HOLBROOK
HOLBROOK
WAVERLY AVENUE
NICOLLS ROAD
BROADWAY AVENUE
LINCOLN AVENUE
VETERANS MEMORIAL HIGHWAY
HIGHWAY 27
454
51
97
99
19
61
78
85
18
Ecology Center
Holbrook GC
Sun-Vet Mall
Sans-Soucci Lakes County Nature Preserve
Lakes
Park
5

0500-194.00-02.00-075.000
N
W
E
(c) Copyright 2007, Pictometry International Corp.

1891

1681
N
CHERIL DR.
TREMPER ST.
TOWN OF ISLIP
DECATER AVE.
(FERRARO DR.)
WESTBRIDGE DR.
WESTBRIDGE DR.
BELL ST.
(var. width)
HIGH ST.
W ALNUT ST.
66
7.1A(c)
73.1
2.7A(c)
73.2
2.7A(c)

Gen R.

COUNTY OF SUFFOLK

1681

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

July 8, 2008

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

Re: Tax Map Number: 0500-194.00-02.00-075.000

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

1681

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

SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law 13-1976
Tax Map No. 0500-194.00-02.00-075.000

ADJOINING OWNER	BID	BID	BID
Walter Schutzenbach 680 Horseblock Road Farmingville, New York 11738 0500-194.00-02.00-014.001	$10,501.00		
Town of Islip 655 Main Street Islip, New York 11751 0500-175.00-02.00-076.000	$0		
Mario & Giovanni Contavalle 789 Madison Street Bohemia, New York 11716 0500-194.00-02.00-015.001	$8,750.00		
John & Joan Petrocelli 250 Manor Road Huntington, New York 11743 0500-194.00-02.00-024.002	$8,500.00		
John M. Petrocelli 250 Manor Road Huntington, New York 11743 0500-194.00-02.00-025.002	$0		

1681

SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law 13-1976
Tax Map No. 0500-194.00-02.00-075.000

James & Elizabeth Candemeres 36 Ferraro Drive Holbrook, New York 11741 0500-194.00-02.00-045.004	$0		
Joseph & Sandra Andrechuk 31 Westbridge Drive Holbrook, New York 11741 0500-194.00-02.00-046.000	$0		
Daniel & Amy Burns 35 Westbridge Drive Holbrook, New York 11741 0500-194.00-02.00-055.000	$0		
Dominic & Madeline Caturano 39 Westbridge Drive Holbrook, New York 11741 0500-194.00-02.00-056.000	$0		
Jebb Realty Co. 376 Fulton Street Farmingdale, New York 11735 0500-194.00-02.00-072.002	$0		
Michael & Alicia Gallagher 39 Ferraro Drive Holbrook, New York 11741 0500-194.00-02.00-076.001	$0		

SIZE OF PARCEL: 9' x 570'
APPRAISED VALUE: $8,500.00
COMMENT: Direct Sale to Adjacent Owner

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

Introductory Resolution No. 1182-08 Laid on Table 8/5/08

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 EAST HAMPTON)
(0300-058.00-08.00-005.000 et al)

WHEREAS, the COUNTY OF SUFFOLK is the fee owner of the following described parcels that are surplus to the needs of the County of Suffolk; and (see attached Exhibit "A"):

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 East Hampton has requested that the County of Suffolk convey these parcels to it (see annexed resolution - Exhibit "B"); and

WHEREAS, the Suffolk County Department of Planning has approved the proposed transfer and use of these parcels; and

1st **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management, or his Deputy, hereby is authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the properties as described in Exhibit "A" annexed hereto and on the terms and conditions as hereinafter described to said Town of East Hampton for the sum of $4,788.88; and be it further

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

3rd **RESOLVED,** that said quitclaim deed issued 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:

1682

EXHIBIT "A"

Tax Map No.	Location	Acre
0300-058.00-08.00-005.000	N/S/O Lincoln Avenue, 200' E/O Norfolk Street East Hampton	0.25
0300-058.00-08.00-006.001	N/S/O Lincoln Avenue, 140' E/O Norfolk Street East Hampton	0.137
0300-058.00-08.00-006.002	N/S/O Lincoln Avenue, 100' E/O Norfork Street East Hampton	0.091

Exhibit - B

East Hampton Town Board
159 Pantigo Road
East Hampton, NY 11937

Fred Overton
Town Clerk
(631) 324-4142
www.town.east-hampton.ny.us

Meeting: 02/15/08 10:00 AM
DOC ID: 5328 A

RESOLUTION 2008-237

Suffolk County Auction Lands Authorize Acquisition

1682

AUTHORIZE ACQUISITION

Property of: Suffolk County, Auction and Sales Unit
Address: Lincoln Ave.
SCTM #: 300-58-8-5, 6.1 & 6.2

WHEREAS, pursuant to § 247 of the General Municipal Law of the State of New York, the Town Board held a public hearing on **February 15, 2008** to consider the acquisition of approximately **.5 acres** of land located on **Lincoln Ave., Springs**, which land is identified on the Suffolk County Tax Map as **SCTM #300-58-8-5, 6.1 & 6.2;** and

WHEREAS, the title to the this property is currently owned by Suffolk County, and is being offered to the Town for the County's total investment; and

WHEREAS, the proposed purchase price for fee simple acquisition of the subject property is **$4,788.88**, plus survey, title, prorated tax, and recording charges; and

WHEREAS, the purpose of said acquisition is preservation of open space and community character; and

WHEREAS, the acquisition of the subject property is classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board finds, pursuant to § 64-e (8) of the New York Town Law, that acquisition of the subject property by purchase is the best alternative, of all reasonable alternatives available to the Town, for protection of the community character of the Town of East Hampton, and that such acquisition would be in the best interests of the Town;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized and directed to enter into a contract of sale with the record owner of the subject property, reputedly **Suffolk County,** for the purpose of acquiring said property at a cost to the Town of East Hampton not to exceed **$4,788.88**, plus reasonable survey, title, prorated tax, and recording charges; and be it further

RESOLVED, that pursuant to contract the Supervisor is authorized and directed to execute any documents and the Town Budget Officer is directed to pay the purchase price and any and all reasonable survey, title, prorated tax, and recording charges, as may be necessary to effect the transfer of title; and be it further

RESOLVED, the monies to be expended for purchase of the foregoing property shall be drawn from the Town of East Hampton **Community Preservation Fund** Budget Account.

FISCAL IMPACT:

1682

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

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES
TOWN OF East Hampton

Tax Map No.: 0300-058.00-08.00-005.000 et al.

Section 72-h, Gen'l Municipal Law

	Amount
County Investment	$ 4,788.88

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

NORFOLK ST.
BROADWAY
LINCOLN
AVE.
CRANDALL
TOWN OF EAST HAMPTON
TOWN OF EAST HAMPTON
8
6.2
6.1
5
7
9.1
15.2
11
17.1
13.5
13.4
7.3
7.4
6.2
3.1
(48)
(49)
2.3A(C)
2.1A(C)

1682

TM# 0300-058.00-08.00-005, 006.1 & 006.2
Suffolk County Department of Information Technology © 2008
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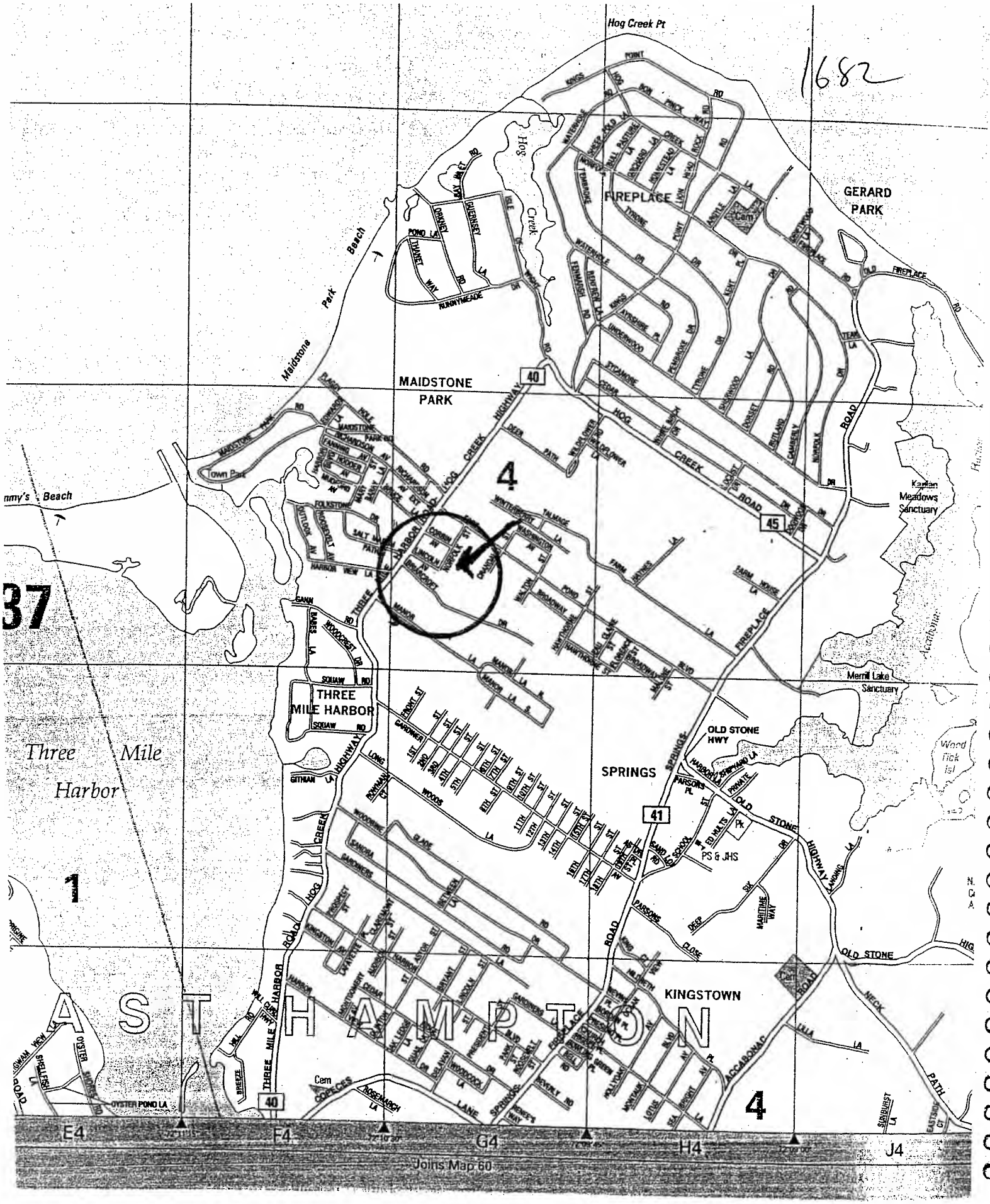
227ft

1682



TM # 0300-058.00-08.00-005.0061 & 006.2

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1682

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to the Town of Islip for Municipal 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

2008

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

R.J. Bhatt, LMS III | RJ Bhatt | 7/3/08

COUNTY OF SUFFOLK

JUL 15 2008

G2 - B2

1682

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

July 11, 2008

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

Re: Tax Map No.: 0300-058.00-08.00-005.000 et al.
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the Town of East Hampton 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 East Hampton 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. 1683-08 Laid on Table 8/5/08

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
THE ESTATE OF BERTHA E. TUTTEL a/k/a BERTHA TUTTEL a/k/a BERTHA TUTTLE a/k/a BERTHA E. TUTTLE a/k/a BERTHA BEDELL a/k/a BERTHA BEDELL STRAUS a/k/a BERTHA ELONOR BEDELL STRAUS a/k/a BERTHA BEDELL TUTTLE by Raymond Clark as Executor
0300-100.00-01.00-009.000

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 East Hampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0300, Section 100.00, Block 01.00, Lot 009.000, and acquired by tax deed on September 30, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 6, 2003, in Liber 12276, at Page 226, and otherwise known as and by Town of East Hampton, Map of Hampton Terrace, Lots 17, 18, 19, 20, 21 & 22, Block 3, filed in the Office of the Suffolk County Clerk on November 21, 1911, as Map No. 473; 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 September 30, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 6, 2003 in Liber 12276 at Page 226.

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

WHEREAS, RAYMOND CLARK as Executor for the Estate of Bertha E. Tuttel a/k/a Bertha Tuttel a/k/a Bertha Tuttle a/k/a Bertha E. Tuttle a/k/a Bertha Bedell a/k/a Bertha Bedell Straus a/k/a Bertha Elonor Bedell Straus a/k/a Bertha Bedell Tuttle, has made application of said above described parcel and RAYMOND CLARK as Executor for the Estate of Bertha E. Tuttel a/k/a Bertha Tuttel a/k/a Bertha Tuttle a/k/a Bertha E. Tuttle a/k/a Bertha Bedell a/k/a Bertha Bedell Straus a/k/a Bertha Elonor Bedell Straus a/k/a Bertha Bedell Tuttle, has paid the application fee and $2,273.40, 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 THE ESTATE OF BERTHA E. TUTTEL a/k/a BERTHA TUTTEL a/k/a BERTHA TUTTLE a/k/a BERTHA E. TUTTLE a/k/a BERTHA BEDELL a/k/a BERTHA BEDELL STRAUS a/k/a BERTHA ELONOR BEDELL STRAUS a/k/a BERTHA BEDELL TUTTLE by Raymond Clark as Executor, c/o Marie Corliss, Esq., Covey, Roberts, Corliss & Carmody-Roberts, LLP, 200 Katonah Avenue, Village Commons, Katonah, New York 10536, 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

1683

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

July 2, 2008

Tax Map No.: 0300-100.00-01.00-009.000
Name of Last Legal Fee Owner: THE ESTATE OF BERTHA E. TUTTEL a/k/a BERTHA TUTTEL a/k/a BERTHA TUTTLE a/k/a BERTHA E. TUTTLE a/k/a BERTHA BEDELL a/k/a BERTHA BEDELL STRAUS a/k/a BERTHA ELONOR BEDELL STRAUS a/k/a BERTHA BEDELL TUTTLE by Raymond Clark as Executor

TREASURER'S COMPUTATION..... $1,977.56

Taxes.....2007/2008..... $ 295.84

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $2,273.40

Monies Received..... $2,273.40

RESOLUTION AMOUNT..... $2,273.40

APPROVED:

Karen A Slater 7/3/08
Accounting
LB:sc

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

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1683

1. Type of Legislation

Resolution X
Tax Map Number 0300-100.00-01.00-009.000

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 | 7/3/08

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK		LOT
0300	100.00	01.00	1683	009.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2000/01	311.88
2001/02	307.97
2002/03	217.30
2003/04	226.44
2005/06	184.98
2006/07	281.60

2004/05 TAXES EXEMPT. WHEN OWNERSHIP CHANGED TO SUFFOLK COUNTY, TOWN OF EAST HAMPTON EXEMPTED THE PROPERTY. UPON LEARNING THAT THE PROPERTY WAS TAKEN FOR TAX DEED, THEY CHANGED THE ASSESSMENT THE FOLLOWING YEAR.

2007/08 PROPERTY TAXES $295.84 NOT INCLUDED IN COMPUTATION

TOTAL:	1530.17
B. INTEREST DUE	353.22
C. TOTAL	1883.39
D. 5% LINE C	94.17
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$1,977.56
07/08	295.84
	2,273.40

4/2/08 ep

CERTIFICATION BY COUNTY TREASURER

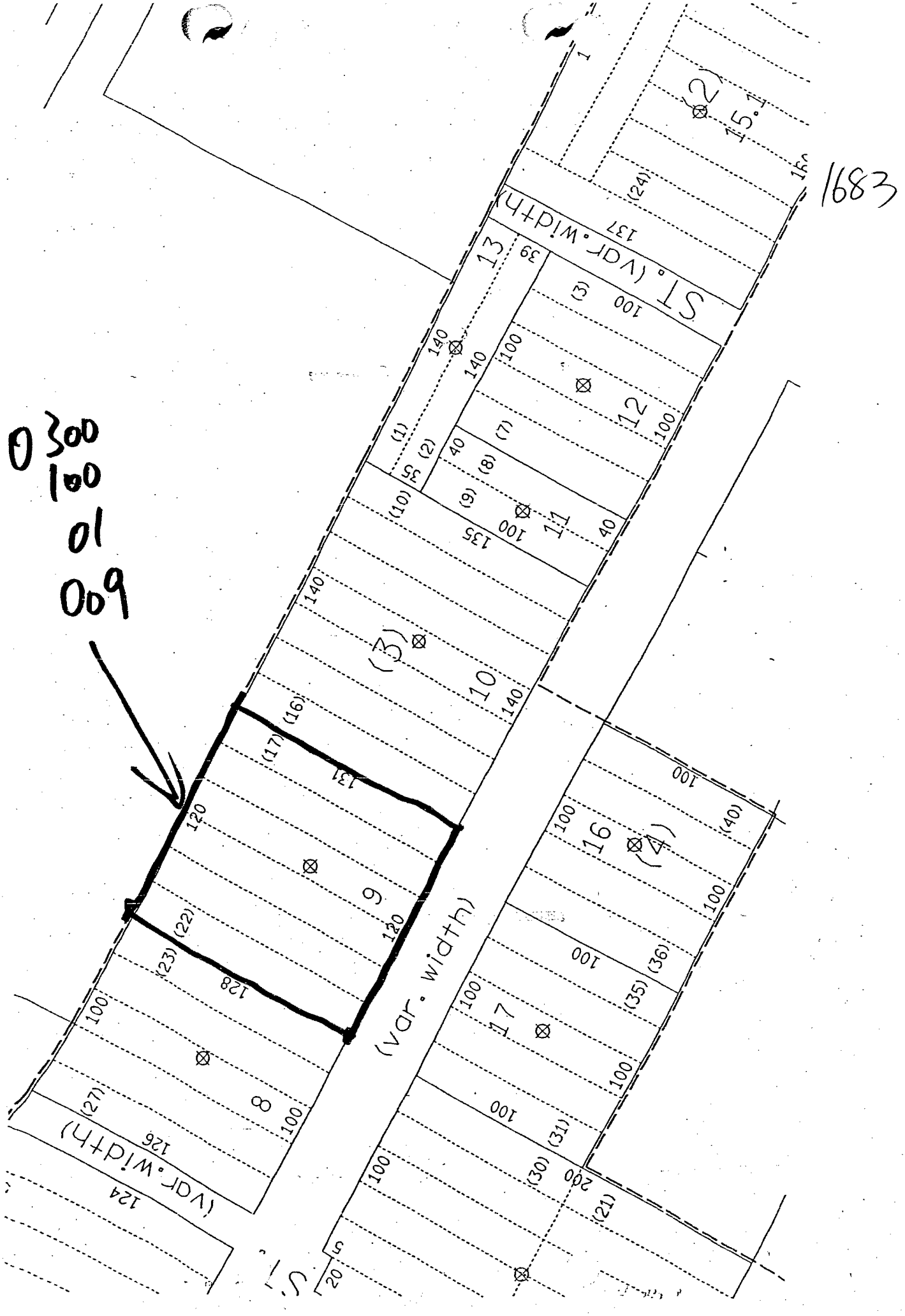
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 31-Mar-08

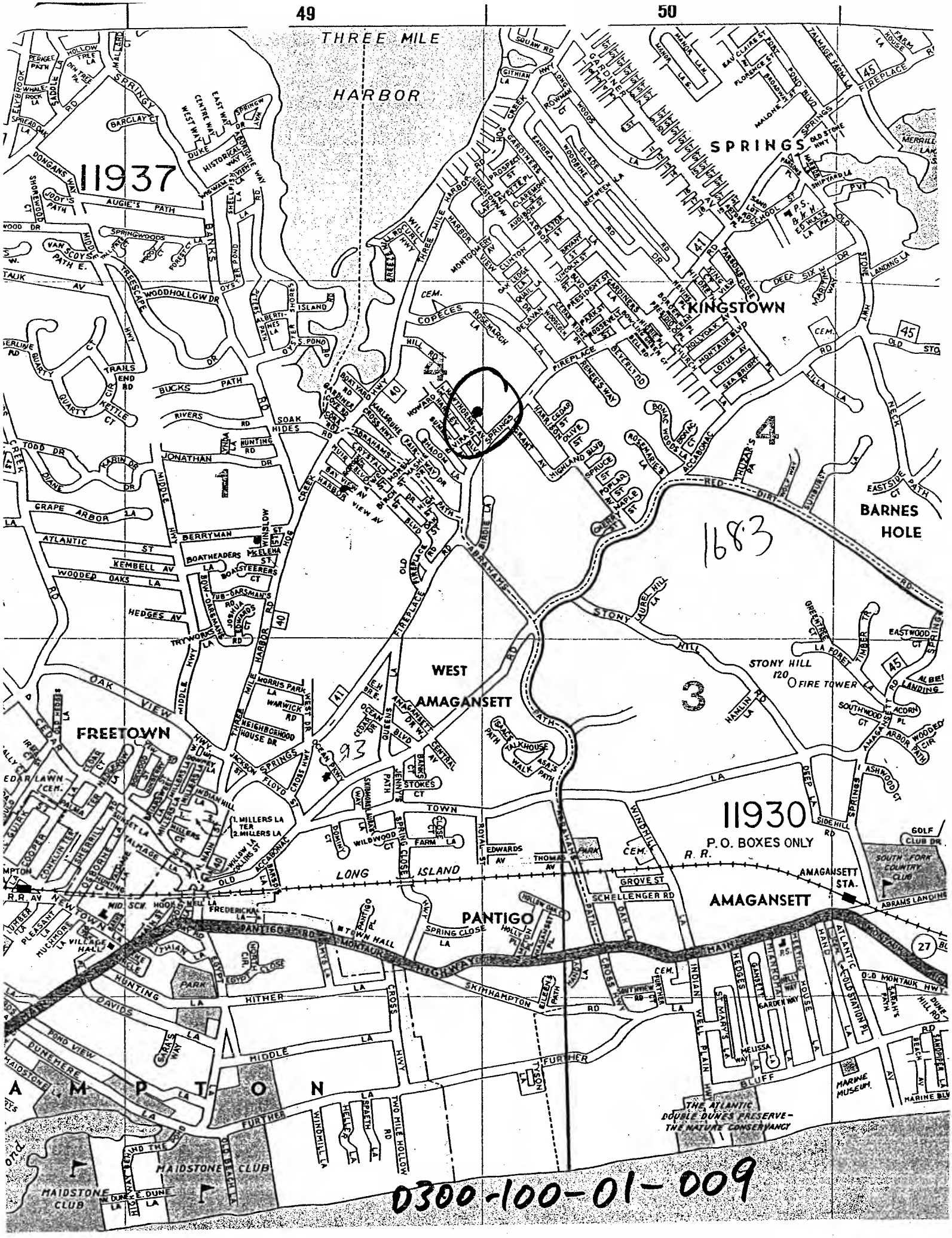
Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 09/27/08

dz



0300
100
01
009
1683
ST. (var. width)
(var. width)
(var. width)


49
50
THREE MILE HARBOR
11937
SPRINGS
KINGSTOWN
BARNES HOLE
1683
WEST AMAGANSETT
FREETOWN
STONY HILL
120
FIRE TOWER
11930
P.O. BOXES ONLY
AMAGANSETT
AMAGANSETT STA.
PANTIGO
LONG ISLAND R.R.
SOUTH FORK COUNTRY CLUB
MAIDSTONE CLUB
THE ATLANTIC DOUBLE DUNES PRESERVE - THE NATURE CONSERVANCY
0300-100-01-009

Gen B3

JUL 22 2008

COUNTY OF SUFFOLK

1683

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

July 21, 2008

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

Re: Tax Map No. 0300-100.00-01.00-009.000
THE ESTATE OF BERTHA E. TUTTEL a/k/a BERTHA TUTTEL a/k/a BERTHA TUTTLE a/k/a BERTHA E. TUTTLE a/k/a BERTHA BEDELL a/k/a BERTHA BEDELL STRAUS a/k/a BERTHA ELONOR BEDELL STRAUS a/k/a BERTHA BEDELL TUTTLE by Raymond Clark as Executor

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

Revised Version 7-29-08

Intro. Res. No. 1684-2008 Laid on Table 8/5/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2008, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 PATRICK R. DILLON (SCTM NO. 0200-206.00-02.00-015.000)

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; 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 206.00 Block 02.00 Lot 015.000 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 Lot Nos. 148 & 149 on a certain map entitled "Map of Port Jefferson Plaza", filed in the Office of the Clerk of the County of Suffolk on November 26, 1906; 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, Patrick R. Dillon, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $13,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at $8,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of $13,000.00, pursuant to said purchase offer; and

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

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

2nd **RESOLVED**, that the deed shall include the following language: AND the premises

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

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 Patrick R. Dillon, 2 Cully Street, Port Jefferson Station, New York 11776.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1684

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. 0200-206.00-02.00-015.000

ADJOINING OWNER	BID	BID	BID
Patrick R. Dillon 2 Cully Street Port Jefferson Station, New York 11776 0200-206.00-02.00-003.000	$13,000.00		
Romane & Michele Daniel 110 Wyoming Avenue Port Jefferson Station, New York 11776 0200-206.00-02.00-014.001	$8,151.00		
	$		

SIZE OF PARCEL: 80' x 136'
APPRAISED VALUE: $8,000.00
COMMENT: Direct Sale to Adjacent Owner

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

1684

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

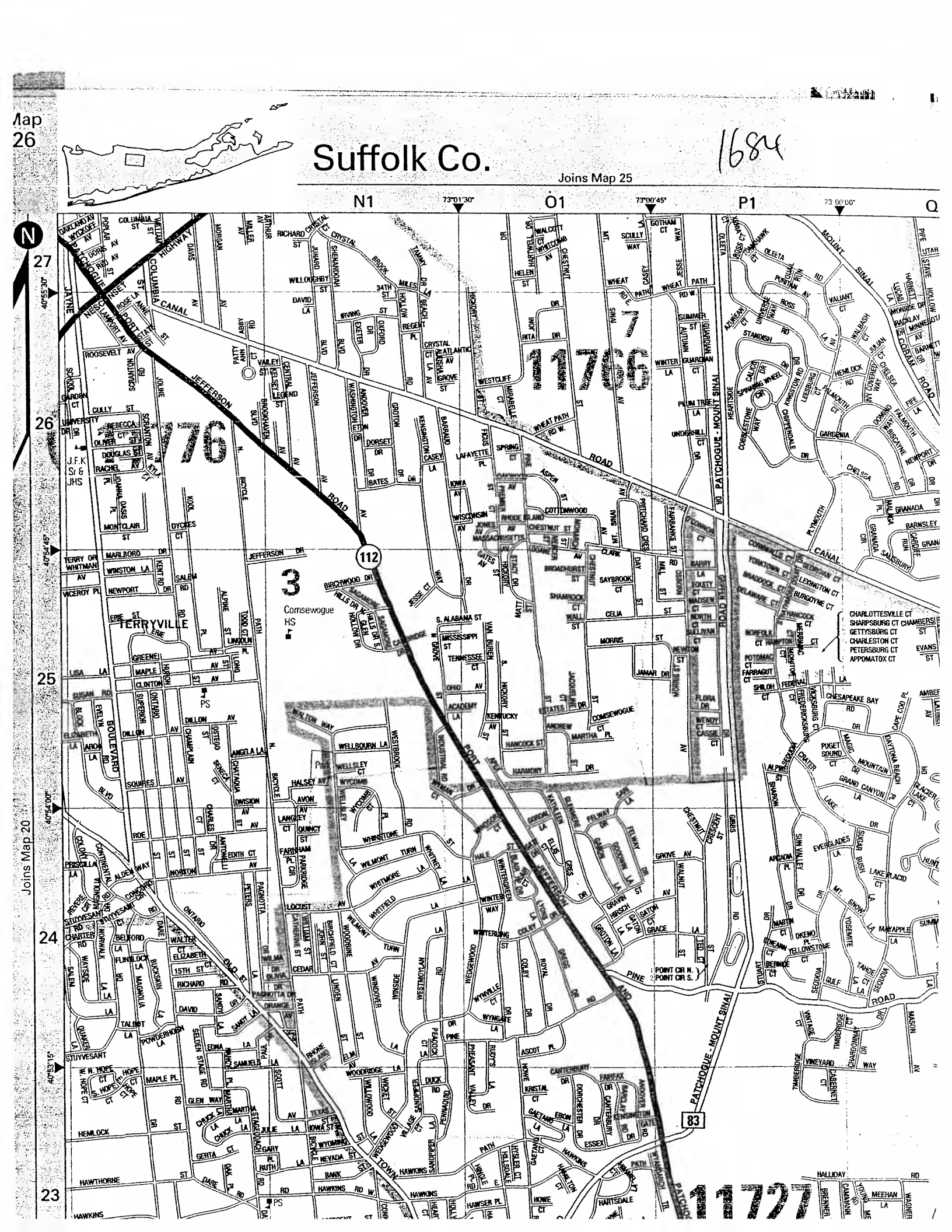
    Diane Bishop | Diane Bishop | 7-11-08

1684

0200-206.00-02.00-015.00
N
E
S
(c) Copyright 2006, Pictometry International Corp.

1684

LINDEN ST. (50')
CULLY (LINDEN ST.)
AVE. (50')
SCHOOL
JAYNE
DR.
WYOMING
AVE
RDEN CT. (50')
16.2
1.1A(c)
29.2
1.4A
29.3
1.4A
37.9
37.8
37.7
37.3
37.2
14.1
2


Map 26
Suffolk Co.
1684
Joins Map 25
N1
O1
P1
Q
73°01'30"
73°00'45"
73°00'00"
40°55'30"
40°54'45"
40°54'00"
40°53'15"
27
26
25
24
23
Joins Map 20
TERRYVILLE
Comsewogue HS
J.F.K Sr & JHS
112
83
11766
11776
11727
PATCHOGUE - MOUNT SINAI ROAD
JEFFERSON ROAD
PINE ROAD
CANAL
CHARLOTTESVILLE CT
SHARPSBURG CT
GETTYSBURG CT
CHARLESTON CT
PETERSBURG CT
APPOMATOX CT
POINT CIR N.
POINT CIR S.

COUNTY OF SUFFOLK

1684

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK-GALLAGHER
COMMISSIONER
CHRISTOPHER E. KENT
DIVISION DIRECTOR

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

June 04, 2008

Patrick Dillon
141 Jayne Blvd.
Mt. Sinai NY 11766
0200-20600-0200-003000

VIA CERTIFIED MAIL #

RE: Proposed Direct Sale of County-Owned-Real Estate

Tax Map Number: 0200 206.00 02.00 015.000

Minimum Bid Amount: $8,000.00

Dear Patrick Dillon

Interest has been shown in the above parcel of land which is indicated on the enclosed tax map. This property is owned by Suffolk County. Prior to placing this parcel for sale at public auction, adjoining property owners are often given an opportunity to purchase such realty under Local Law 13-1976.

If you are interested in purchasing this property please submit a written bid on the enclosed form within ten (10) days of the date of this letter, and mail it to the following address:

ATTN: Direct Sales Unit
Suffolk County Division of Real Property Acquisition and Management
H. Lee Dennison Building, 2nd Floor
PO Box 6100
Hauppauge, NY 11788-0099

PLEASE NOTE THAT ALL BIDDING STARTS AT THE MINIMUM BID AMOUNT STATED ABOVE. BIDS BELOW THIS AMOUNT WILL NOT BE ACCEPTED

Please be advised that the following restrictive covenant will be included in the deed when sold:

The premises described herein shall not be independently improved by the erection of any structure, and must be merged with grantee's adjoining parcel, so as to form one single building 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.

The restrictive covenant(s) 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 other agency thereof to enforce this covenant, shall not be deemed to impose any liabilty whatsoever upon the County of Suffolk or any office employee or agent thereof.

(Continued on the Following Page)

Subject to the following Covenant & Restriction: No habitable struc tures may be built on subject parcel.

LOCATION
H. LEE DENNISON BUILDING
100 VETERANS MEMORIAL HIGHWAY

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

(631) 853-5900
FAX (631) 853-5906

Bob Shaw

SC Dep't of Environment & Energy

Division of Real Property Acquisition & Management

Title # 2008-154

RECEIVED
MAR 20 2008
DIV. REAL PROP. ACQ. & MGMT.
AUCTION

District: 0200 Section: 206.00 Block: 02.00 Lot: 015.000

1684

Description of Property

Name of Map Port Jefferson Plaza

Lots No. 148 & 149

Block No.

Map No. 469 Sec. Filed 11/26/1906

North x

East x

South x

West x

Also shown on map # 10350 Suffolk Farms Sec 3 abst 13849 also adj.

see ref Ctf of abandonment # 3972

S.C. Source of Title: L. 12403 cp. 637 of 500144
(Copy attached) D: 08-08-2005
R: 08-15-2005

Prior Owner: Sylvia Ackerman (deceased- rel of Est ltr L 11958 cp 470, Date of death 12-30-97- Queens Note abst reflects 6-30-98-Nassau)
L. 5644 cp. 60
(Copy attached) D: 10-28-64
R: 11-2-64
ARTHUR Miller as atty in fact for Jonas Miller devisee of Sylvia Ackerman NO Proof of death found in SC surr-court Power of Atty L 11870 cp 700

Lis Pendens: None: ✓
See Attached:

S.C. Proof of Service Attached: Received:
Not Received: ✓

County Investment printout attached. Contact town re current 2007/2008 payments

Mortgages ~~1977~~ 1964 to date: L 4517 cp 297 Sat 4570 cp 519

Ref. L 19510 cp 148 - DNA PUE SCWA easement - Streets L 12015 pg

Reference deed L 11958 cp 471 - DNA PUE

REMARKS: PUE is shown as North west Parcel not to be developed on Map # 10350 Proposed map of Suffolk Farms Sec 3.

epared by: @ Dated: 8-18-08 V-3-4-08

C+R's recorded as L 11956 cp 890 & L 11983 cp 277 note that shall be either dedicated to the County of Suffolk or sferred to adjoining property owners subject to covenant no habitable structures may be built on the parcels parcels to be merged into one lot

JUL 2 2 2008

Gen 34

COUNTY OF SUFFOLK

1684

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

July 21, 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: 0200-206.00-02.00-015.000

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

Revised Version 7-29-08

Intro. Res. No. 1685-2008 Laid on Table 8/5/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2008, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 EDWARD S. FUSCO and PATRICIA FUSCO, Husband and wife, 45 Kent Drive, Shirley, New York 11967 (SCTM NO. 0200-984.40-02.00-020.000)

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; 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 984.40 Block 002.00 Lot 020.000 and acquired by Tax Deed on January 30, 2001 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on February 13, 2001 in Liber 12102 at Page 255 and described as follows, Town of Brookhaven, known and designate as Lot No. 251 on a certain map entitled "Map of Mastic Acres, Section 21" filed in the Office of the Clerk of the County of Suffolk on February 13, 1948 as Map No. 1608; and

WHEREAS, in accordance with Local Law No. 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, Edward S. Fusco and Patricia Fusco, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $10,100.00. 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 $8,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of $10,100.00, 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; and be it further

3rd **RESOLVED**, that the Director, hereby is authorized to execute and acknowledge a Quitclaim Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Edward S. Fusco and Patricia Fusco, 45 Kent Drive, Shirley, New York 11967.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date:

1685

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. 0200-984.40-002.00-020.000

ADJOINING OWNER	BID	BID	BID
Edward & Patricia Fusco 45 Kent Drive Shirley, New York 11967 0200-984.40-02.00-019.000	$10,100.00		
Sandy Krieger 41 Kent Drive Shirley, New York 11967 0200-984.40-02.00-021.000	$0		
Adrian & Daniela Higueros 44 Seymour Drive Shirley, New York 11967 0200-984.40-02.00-012.000	$0		

SIZE OF PARCEL: 125' x 50'
APPRAISED VALUE: $8,000.00
COMMENT: Direct Sale to Adjacent Owner

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

1685

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

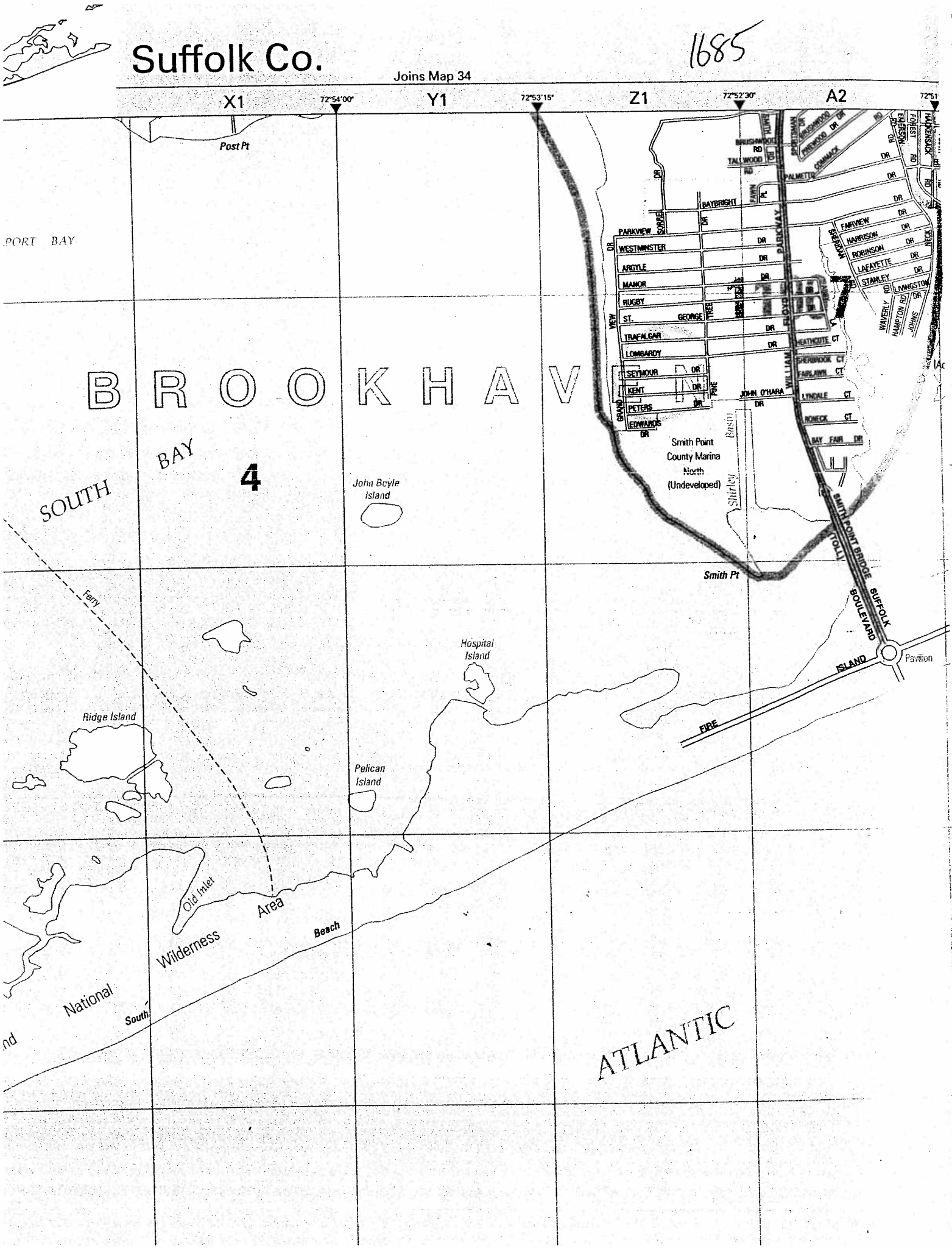
   None

9. Timing of Impact

   2008

10. Name & Title of Preparer Signature of Preparer Date

    Diane Bishop Diane Bishop 7/11/08



Suffolk Co.
1685
Joins Map 34
X1
Y1
Z1
A2
72°54'00"
72°53'15"
72°52'30"
Post Pt
PORT BAY
BROOKHAV
SOUTH BAY
4
John Boyle Island
Smith Point County Marina North (Undeveloped)
Shirley Basin
Smith Pt
SMITH POINT BRIDGE (TOLL)
SUFFOLK BOULEVARD
Pavilion
FIRE ISLAND
Hospital Island
Ferry
Ridge Island
Pelican Island
Old Inlet
National Wilderness Area
South Beach
ATLANTIC
PARKWAY
WILLIAM FLOYD
PARKVIEW
WESTMINSTER
ARGYLE
MANOR
RUGBY
ST. GEORGE
TRAFALGAR
LOMBARDY
SEYMOUR
KENT
PETERS
EDWARDS
BAYBRIGHT
PALMETTO
FAIRVIEW
HARRISON
ROBINSON
LAFAYETTE
STANLEY
LIVINGSTON
HEATHCOTE CT
SHERBROOK CT
FAIRLAWN CT
LYNDALE CT
RONECK CT
BAY FAIR DR
JOHN O'HARA DR

1685

4

N

W.D. 20
SEYMOUR
DR.
(50')
KENT
DR.
(50')
PETERS
DR.
(50')
W.D. 20
DR.
(50')
SEYMOUR
KENT
JOHN O'HARA

0200-984.40-02.00-020.000
N
(c) Copyright 2006, Pictometry International Corp.

1685

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JUL 22 2008

COUNTY OF SUFFOLK

1685

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

July 21, 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: 0200-984.40-002.00-020.000

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. 1686-08 Laid on Table 8/5/08

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
CHARLES JUNIOR JACKSON and BETTY JEAN HARDY
0500-181.00-01.00-036.000

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 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 181.00, Block 01.00, Lot 036.000, and acquired by tax deed on April 28, 2008, from Angie M. Carpenter, the County Treasurer of Suffoik County, New York, and recorded on May 9, 2008, in Liber 12550, at Page 472, and otherwise known as and by Town of Islip, Suffolk County Tax Map Number: District 0500, Section 181.00, Block 01.00, Lot 036.000; 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 April 28, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 9, 2008 in Liber 12550 at Page 472.

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

WHEREAS, CHARLES JUNIOR JACKSON has made application of said above described parcel and CHARLES JUNIOR JACKSON has paid the application fee and $9,756.40, 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 CHARLES JUNIOR JACKSON and BETTY JEAN HARDY, 1691 Manatuck Blvd., Bay Shore, New York 11706, 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

1686

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

July 9, 2008

Tax Map No.: 0500-181.00-01.00-036.000
Name of Last Legal Fee Owner: CHARLES JUNIOR JACKSON and BETTY JEAN HARDY

TREASURER'S COMPUTATION..... $7,298.28

Taxes.....2007/2008..... $2,458.12 – 2nd half only

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $9,756.40

Monies Received..... $9,756.40

RESOLUTION AMOUNT..... $9,756.40

PREPARED BY:
Cathy O'Neal

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

APPROVED:

Karen A Slater 7/16/08
Accounting
CO:sc

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1686

1. Type of Legislation

Resolution X
Tax Map Number 0500-181.00-01.00-036.000

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)

(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 | 7/10/08

COMPUTATI Y SUFFOLK COUNTY TR JRER

DISTRICT	SECTION	BLOCK	LOT
0500	181.00	01.00	036.000

1686

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2003/04 6726.55

2004/05, 2005/06, AND 2006/07 TAXES PAID BY INDIVIDUAL
2007/08 TAXES (SECOND HALF ONLY)$2458.12 NOT INCLUDED IN COMPUTATION

TOTAL: 6726.55

B. INTEREST DUE 224.20
C. TOTAL 6950.75
D. 5% LINE C 347.54
E. FEE
F. MISC
G. MISC

H. TOTAL DUE $7,298.28

CERTIFICATION BY COUNTY TREASURER

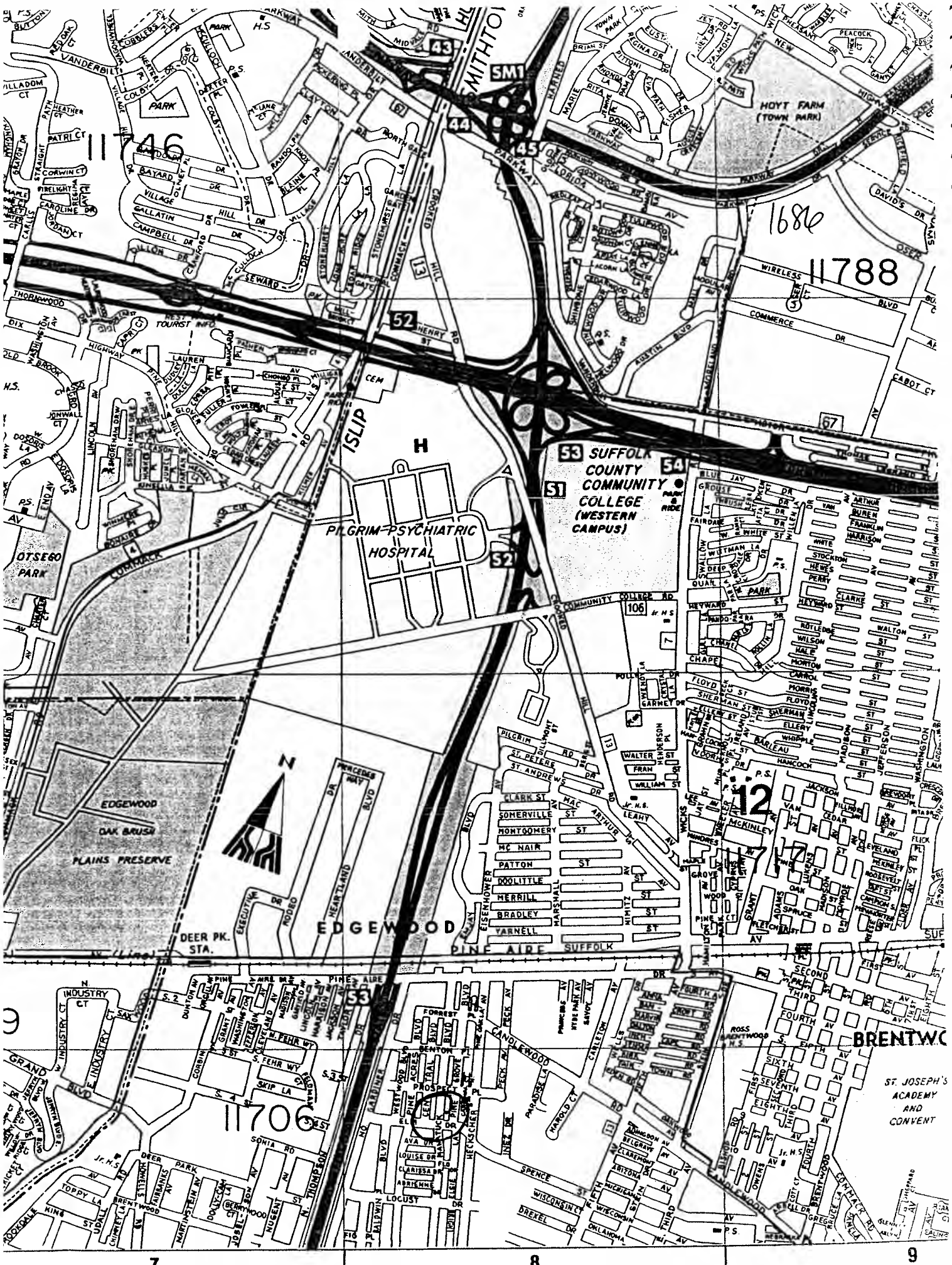
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 21-May-08

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 11/17/08

dz



FOR ADJOINING AREA SEE MAP NO.9

LEGEND	Property or RW Line	Subdivision Lot No.	Block Limit	School District Line	Hydrant District Line	UNLESS ARE	DRAWN WITHIN
	Deposits Common Owner	Subdivision Block/Bldg. No. (21)	Block No. ②	Fire District Line	Refuse District Line	SCHOOL	12
	Subdivision Lot Line	Deed Dimension	County Line	Water District Line	Historical District Line	FIRE	4
	Stream / Shore	Scaled Dimension	Town Line	Light District Line	Ambulance District Line	LIGHT	
	Parcel No. 23	Deed Area 12.1 A(d) or 12.1A	Village Line	Park District Line	Wastewater District Line	PARK	5
		Calculated Area 12.1 A(c)		Sewer District Line		AMBULANCE	

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JUL 22 2008

COUNTY OF SUFFOLK

1686

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

July 21, 2008

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

Re: Tax Map No. 0500-181.00-01.00-036.000
CHARLES JUNIOR JACKSON and BETTY JEAN HARDY

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

LOCATION
H. LEE DENNISON BLDG. - 2ND FLOOR
100 VETERANS MEMORIAL HIGHWAY

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

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

Introductory Resolution No. 1687-08 Laid on Table 8/5/08

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
LYNDA EDWARDS
0206-017.00-02.00-019.001

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 Incorporated Village of Port Jefferson, 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 0206, Section 017.00, Block 02.00, Lot 019.001, and acquired by tax deed on June 2, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 9, 2008, in Liber 12553, at Page 960, and otherwise known as and by Incorporated Village of Port Jefferson, Town of Brookhaven, County of Suffolk and State of New York, known and described as Lot Number 13 and the northwesterly part of Westview Avenue as abandoned on a certain map entitled "Westview" filed in the Office of Suffolk County as Map Number 533; 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 June 2, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 9, 2008 in Liber 12553 at Page 960.

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

WHEREAS, LYNDA EDWARDS has made application of said above described parcel and LYNDA EDWARDS has paid the application fee and $2,033.34, 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 LYNDA EDWARDS, 667 High Street, Port Jefferson, New York 11777, 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

1687

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

July 9, 2008

Tax Map No.: 0206-017.00-02.00-019.001
Name of Last Legal Fee Owner: LYNDA EDWARDS

TREASURER'S COMPUTATION..... $2,033.34

Taxes.....2007/2008..... Paid by Lynda Edwards

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $2,033.34

Monies Received..... $2,033.34

RESOLUTION AMOUNT..... $2,033.34

APPROVED:

Karen A Slater 7/16/08
Accounting
CO:sc

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0206	017.00	02.00	019.001

1687

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES: .

2003/04 1874.34

2004/05 THRU 2007/08 PAID BY LYNDA EDWARDS

TOTAL: 1874.34

B. INTEREST DUE 62.17
C. TOTAL 1936.51
D. 5% LINE C 96.83
E. FEE
F. MISC
G. MISC

H. TOTAL DUE $2,033.34

CÉRTIFICATION BY COUNTY TREASURER

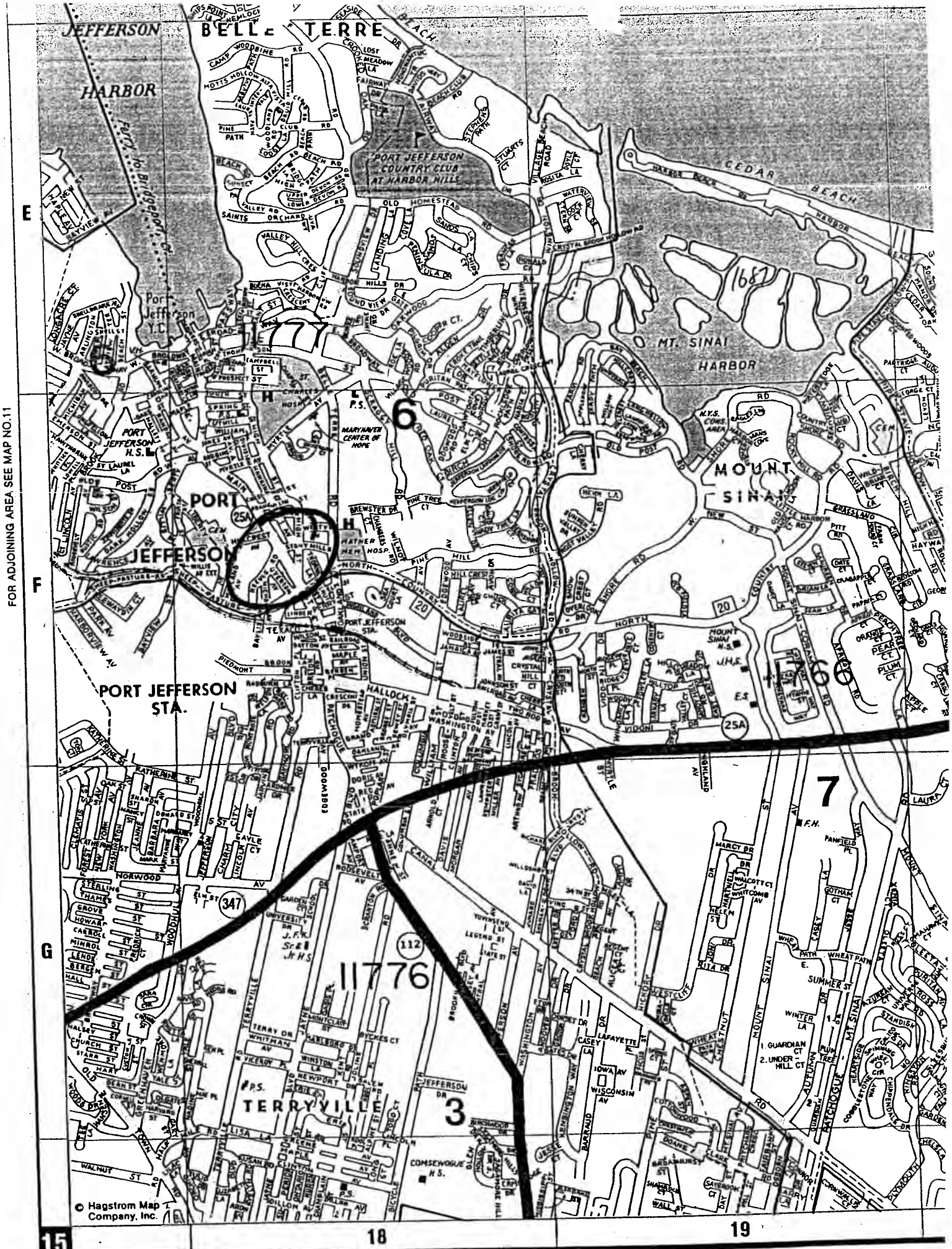
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 24-Jun-08

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 12/21/08

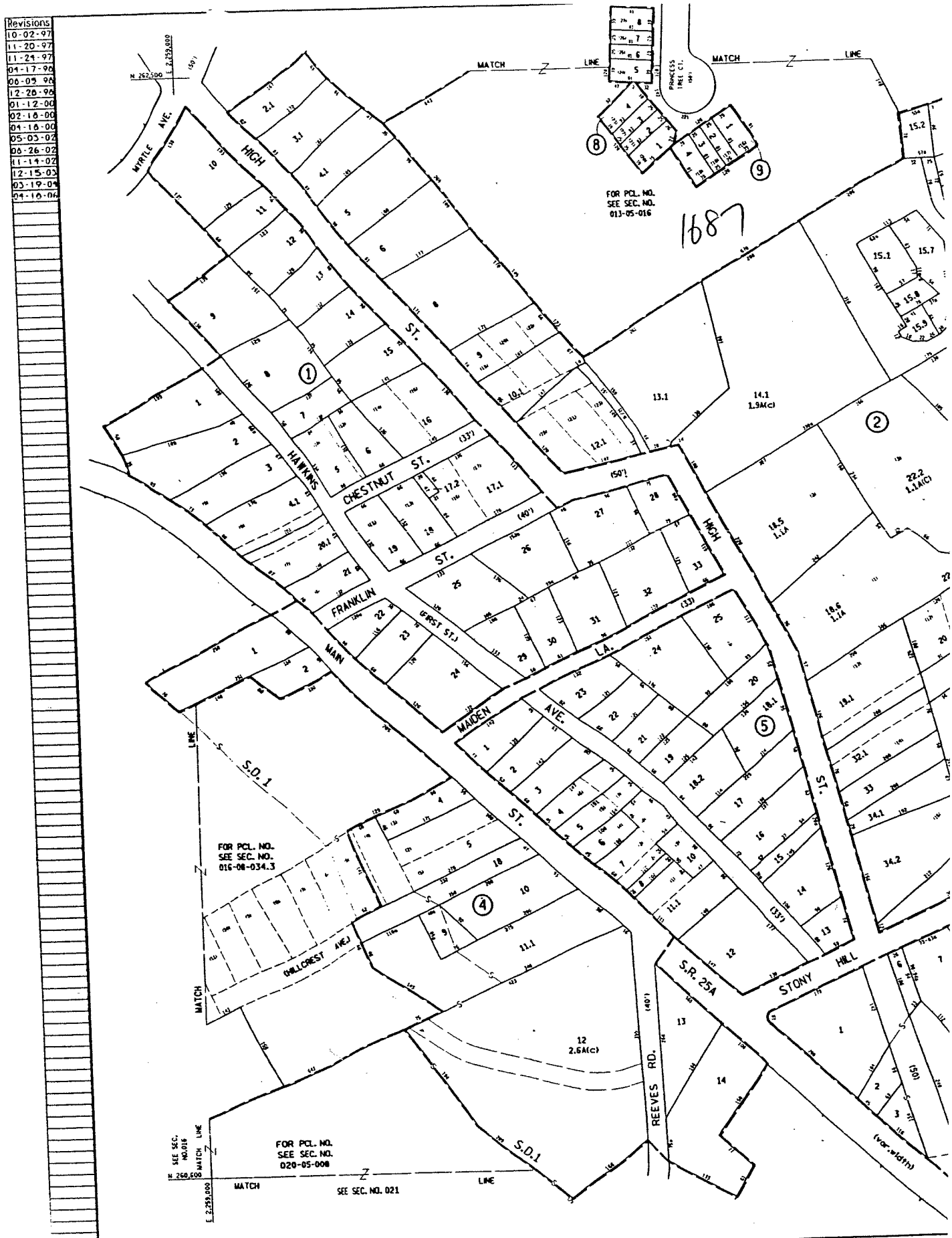
TS



FOR ADJOINING AREA SEE MAP NO.11

FOR ADJOINING AREA SEE MAP NO.16

0206 017 02 019.001



0206 017 02 019.009

Gen 87

COUNTY OF SUFFOLK

JUL 2 2 2008

1687

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

July 21, 2008

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

Re: Tax Map No. 0206-017.00-02.00-019.001
LYNDA EDWARDS

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

1688

Intro. Res. No. -2008 Laid on Table 8/5/08
Introduced by Legislator Eddington

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO STRENGTHEN COMPETITIVE PROCUREMENT PROCEDURES AND MAXIMIZE SAVINGS FOR TAXPAYERS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , a proposed local law entitled, "**A LOCAL LAW TO STRENGTHEN COMPETITIVE PROCUREMENT PROCEDURES AND MAXIMIZE SAVINGS FOR TAXPAYERS**;" 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 STRENGTHEN COMPETITIVE PROCUREMENT PROCEDURES AND MAXIMIZE SAVINGS FOR TAXPAYERS

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County of Suffolk enacted Local Law No. 4-1993 and Local Law No. 5-1993, generally known as the "local preference" laws to give businesses located in Suffolk County and Nassau County a better chance to win contracts for consulting services, construction of public works, and provision of supplies, materials and equipment.

This Legislature further finds that in the case of public works and procurement contracts, Local Law No. 5-1993 (codified in § A4-14 of the SUFFOLK COUNTY ADMINISTRATIVE CODE) authorizes county officials to award a contract to a local business as long as their bid does not exceed the lowest bid by more than 10%. Local Law No. 4-1993 (codified in § A4-13 of the SUFFOLK COUNTY ADMINISTRATIVE CODE) states that all consulting contracts shall be awarded to a local consultant unless there is no local consultant with the requisite expertise or credentials.

This Legislature also determines that the County of Suffolk enacted these laws to assist Long Island businesses and protect local jobs during an economic downturn. While these goals were and are worthy, Local Law Nos. 4 and 5 of 1993 have had the unintended effect of disqualifying some businesses that have a substantial local presence from competing for County contracts.

This Legislature also finds and determines that the County's local preference laws should be amended to encourage broader competition and obtain greater cost savings for Suffolk County taxpayers.

Therefore, the purpose of this law is to update the County's local preference laws in order to achieve greater cost savings from fuller competition while continuing to promote the use of local businesses and strengthen the local economy.

Section 2. Amendments.

I. Section 2 of Local Law 4-1993 is hereby amended to read as follows:

Section 2. Definitions.

As used in this section the following definitions shall have the meanings indicated:

"CONTRACT" shall mean any claim, account, or demand against or agreement, other than a collective bargaining agreement, upon sufficient consideration, with Suffolk County or any divisions, departments, agencies, or entity thereof, express or implied for the rendering or performance of personal or professional services and shall include extensions, modifications, renewals, or amendments.

"CONSULTING SERVICES" shall mean the expertise, advice, professional services, or any other personal services provided by any individual, association, proprietorship, partnership, corporation, or joint venture by contract with Suffolk County including, but not limited to, design work, planning work, medical, legal, engineering, computer, accounting, or educational services.

"CONSULTANT" shall mean any individual, association, proprietorship, partnership, corporation, or joint venture to be contracted by Suffolk County to provide expertise, advice, professional services, or any other personal services, including, but not limited to, design work, planning work, medical, legal, engineering, computer, accounting, or educational services.

"LOCATED AND DOING BUSINESS WITHIN SUFFOLK COUNTY OR NASSAU COUNTY" shall mean maintaining a place of business and a staffed, operational office at an address within the geographical boundaries of Suffolk County or Nassau County for a period of at least one year, with the majority of the work associated with the contracted consulting services performed at or from the office in Suffolk or Nassau County. In the case of a joint venture, this term shall be construed to require at least one entity, in the case of a two-party venture, to maintain a place of business within Suffolk or Nassau County for a period of at least one year, and in the case of a multi-party venture, require a majority of the entities to maintain a place of business within Suffolk or Nassau County.

II. Section 2 of Local Law 5-1993 is hereby amended to read as follows:

Section 2. Definitions.

As used in this section, the following definitions shall have the meanings indicated:

"CONTRACT" shall mean any claim, account, or demand against or agreement, other than a collective bargaining agreement, upon sufficient consideration, with Suffolk County or any divisions, departments, agencies, or entity thereof, express or implied for the rendering or performance of personal or professional services and shall include extensions, modifications, renewals, or amendments.

"LOCATED AND DOING BUSINESS WITHIN SUFFOLK COUNTY OR NASSAU COUNTY" in the case of a contract for the provision of services or the construction of public works, shall mean maintaining a place of business and a staffed, operational office at an address within the geographical boundaries of Suffolk County or Nassau County for a period of at least one year, from which a majority of the employees performing the contracted for services are assigned. In the case of a contract for the purchase of supplies, materials or equipment, means maintaining a place of business and a staffed, operational office at an address within the geographical boundaries of Suffolk County or Nassau County and either i) manufacturing or producing supplies, materials or equipment in Nassau or Suffolk, or ii) keeping a representative inventory of its supplies, materials or equipment within Suffolk County or Nassau County.

III. Section A4-13(A) of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to read as follows:

A.) All contracts for consulting services shall be awarded by the appropriate officer, board or agency of the County of Suffolk to a consultant that is located and doing business within Suffolk County or Nassau County, anything in Article 5-A of the General Municipal Law to the contrary notwithstanding; except that where there is no local consultant who has the necessary professional expertise or credentials to provide the needed service, or where a local consultant's response to a Request for Proposals (RFP) exceeds the otherwise lowest response by more than 10% the contract may be awarded to a consultant not located and doing business within Suffolk County or Nassau County in accordance with Article 5-A of the General Municipal Law and Chapter 708 of the Suffolk County Code, subject to approval by the County Legislature.

IV. Section A4-14(A) of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to read as follows:

A.) Prior to making any purchase of supplies, materials or equipment or entering into a contract for the provision of services or the construction of public works, the Commissioner of the procuring department, the Purchasing Agent, or the Commissioner of the Department of Public Works, as the case may be, shall provide an opportunity for competition under the applicable state and county laws, rules and regulations. Contracts that are subject to competitive bidding shall be awarded to the lowest responsible bidder, who shall give security for the performance of the contract if so required by the awarding officer. However, the Commissioner of the procuring department, the Purchasing Agent or the Commissioner of the Department of Public Works, as the case may be, may award such contract to a bidder other than the lowest responsible bidder where such other bidder is located and doing business within Suffolk County or Nassau County and submits a bid not exceeding the otherwise lowest bid by more than ten percent (10%), except as follows:

1.) In those instances in which the supply being purchased by Suffolk County, either directly or through third-party intermediaries, is a medicine, a prescription drug, an over-the-counter drug, a generic drug, a brand-name drug, a pharmaceutical, or any other drug, in which case the contract shall be awarded to the lowest responsible bidder. The County shall, to the maximum extent feasible, join together with public institutions, state or local agencies, other agencies, the Suffolk County Labor/Management Committee for the administration of the Employee Medical Health Plan (EMHP), other municipalities, private for-profit entities, and/or private not-for-profit entities for the purchase of bidding

on a large-volume basis for such medicines, prescription drugs, over-the-counter drugs, generic drugs, brand-name drugs, pharmaceuticals, or any other drugs in order to qualify for volume discounts or other favorable price concessions associated with joint purchasing.

Section 3. Applicability.

This law shall apply to all contracts awarded 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 on the thirtieth (30th) day immediately subsequent to filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

S:\laws\2008\I-competitive-procurement-refile

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1688

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

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

DATE: JULY 31, 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 STRENGTHEN COMPETITIVE PROCUREMENT PROCEDURES AND MAXIMIZE SAVINGS FOR TAXPAYERS

SPONSOR: LEGISLATOR EDDINGTON

DATE OF RECEIPT BY COUNSEL: 7/28/2008 **PUBLIC HEARING:** 8/19/2008

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

This proposed local law would amend the County's local preference statutes in order to clarify the requirements to qualify for the local business preference and to place tighter fiscal parameters on the preference.

A. Contracts for Consulting Services (Local Law 4-1993 codified at Section A4-13 of the SUFFOLK COUNTY ADMINISTRATIVE CODE)

For consulting contracts, the proposed local law would redefine the term "located and doing business within Suffolk and Nassau County" to mean maintaining a place of business and a staffed, operational office within Suffolk/Nassau, with the majority of the contracted consulting services performed locally.[1]

Additionally, the proposed local law would allow the County to award a contract to a non-local consultant if the local consultant's response to a Request for Proposal (RFP) exceeds the otherwise lowest response by more than 10% or $100,000. Presently, the County must award consultant contracts to a qualified local consultant, notwithstanding any price differential.

B. Contracts for the Purchase of Goods, the Provision of Services and the Construction of Public Works (Local Law 5-1993, codified at Section A4-14 of the SUFFOLK COUNTY ADMINISTRATIVE CODE)

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[1] The current definition's requirements that an entity maintain its principal place of business in Suffolk/Nassau, that a majority of its employees work locally and, in the case of a corporation, that the President or Chief Executive Officer operate on a regular basis from the local office, are eliminated.

1688

For the provision of services and public works contracts, the proposed local law would redefine the term "located and doing business within Suffolk County or Nassau County" to mean maintaining a place of business and a staffed, operational office at an address within the geographical boundaries of Suffolk County or Nassau County, from which a majority of the employees performing the contracted for services are assigned. In the case of a contract for the purchase of supplies, materials or equipment, the law would define "located and doing business within Suffolk County or Nassau County" to mean maintaining a place of business and a staffed, operational office at an address within Suffolk/Nassau County and either i) manufacturing or producing supplies, materials or equipment in Suffolk or Nassau, or ii) keeping a representative inventory of its supplies, materials or equipment within Suffolk or Nassau County.[2]

The proposed law continues to authorize the County to award contracts for public works and the purchase of equipment goods or supplies to a non-local bidder where bids by local entities exceed the otherwise lowest bid by more than 10%.

This law will take effect 30 days subsequent to its filing in the Office of the Secretary of State. This law will apply to all contracts awarded on or after the effective date of this law.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-procurement-procedures-refile

[2] The current definition's requirements that an entity maintain its principal place of business in Suffolk/Nassau and that a majority of its employees work locally, are eliminated.

1689

Intro. Res. No. -2008 Laid on Table 8/5/2008
Introduced by Legislator Kennedy

RESOLUTION NO. –2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH SAFETY IMPROVEMENTS AT VARIOUS INTERSECTIONS (CP 3301) FOR A TRAFFIC STUDY ON COUNTY ROAD 16

WHEREAS, a traffic study on County Road 16 at the intersection with Sheppard Lane and Gilbert Avenue is required: and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of $100,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 53 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd RESOLVED, that the 2008 Capital Budget and Program be and is hereby amended as follows:

Project Number: 1755
Project Title: Infrastructure Improvements for Traffic & Public Safety & Public Health

Cost Elements	Total Estimated Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$1,785,000	$1,885,000 B	$1,785,000 B
TOTAL	$1,785,000	$1,885,000	$1,785,000

Project Number: 3301
Project Title: Safety Improvements at Various Intersections

Cost Elements	Total Estimated Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
1. Planning	$1,292,000	$350,000 B	$450,000 B
TOTAL	$13,967,000	$2,360,000	$2,460,000

and be it further

3rd RESOLVED, that the proceeds of $100,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project Number	JC	Project Title	Amount
525-CAP-3301.125	50	Safety Improvements on CR 16, Intersection with Sheppard Lane and Gilbert Avenue	$100,000

and be it further

4th RESOLVED, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith; and be it further

5th RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (18), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

T:\BRO\CR 16 Traffic Study.doc

1690 8/5/08

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

RESOLUTION NO. , 2008 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE PLANNING PHASE OF PROPOSAL TO INCREASE AND IMPROVE FACILITIES FOR SEWER DISTRICT NO. 3 - SOUTHWEST (OUTFALL) (CP 8108)

WHEREAS, a map and plan together with an estimate of cost has be prepared and filed with the County Legislature resulting in a public hearing on June 10, 2008 in relation to the proposed purchase of approximately 4-6 sections of piping, 72" in diameter and 20' long, for use in the proposed increase and improvement of facilities at Suffolk County Sewer District No. 3 – Southwest (Outfall), and in relation to the retention of engineering services for the design and issuance of a response plan for the increase and improvement of facilities for said district; and

WHEREAS, pursuant to Resolution No. 405-2008, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Hauppauge, New York in said County on June 10, 2008 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map and plan and estimate of cost for the planning phase to increase and improvement of facilities for Suffolk County Sewer District No. 3 – Southwest (Outfall) submitted and evidence given at the public hearing held on June 10, 2008; now therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is hereby found and determined that it is in the public interest to perform the planning phase of the increase and improve the facilities at Suffolk County Sewer District No. 3 – Southwest (Outfall), that the proposed work is adequate and appropriate, and will not constitute an undue burden on the property which will bear the cost thereof;

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, the Legislature further finds and determines that it is in the public interest to expend $5,400,000 on the planning phase of the increase and improvement of facilities at Suffolk County Sewer District No. 3 – Southwest (Outfall).

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, and recommendations, and data filed with the County Legislature, it further finds and determines that it is in the public interest to provide the planning for the increase and improve the facilities at Suffolk County Sewer

District No. 3 – Southwest (Outfall) at a maximum cost of $5,400,000 which represents the planning phase portion of the aforementioned project which will be attributable to the increase and improvement of facilities of said sewer district, substantially in accordance with the revised map and plan;

Section 4. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the existing Suffolk County Sewer District No. 3 – Southwest (Outfall) will be benefited by such planning of the increase and improvement of facilities and that no benefited property has been excluded;

2nd RESOLVED, this Legislature, being the lead agency under the State Environmental Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York State Code of Rules and Regulations ("NYCRR"), the Legislature has no further responsibilities under SEQRA, and be it further

3rd RESOLVED, that this resolution shall take effect immediately.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1690

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

A Resolution making certain findings and determinations in relation to the planning phase of proposal to increase and improve facilities for Sewer District No. 3 – Southwest (Outfall) (CP8108).

3. Purpose of Proposed Legislation

To make certain findings and determinations for the planning and response plan for SCSD No. 3 – Southwest (Outfall).

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): Sewer District**
Library District	**Fire District**	

6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact

An appropriations resolution is to be forwarded for this phase of the project.

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

To be included in a forthcoming appropriations resolution.

8. Proposed Source of Funding N/A

9. Timing of Impact N/A

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Ben Wright, P.E. Chief Engineer Sanitation	Ben Wright	6-19-08

SCIN FORM 175B (10/95) tl-bw5-13-08 Backup-DPW 175B sd3 outfall improvement planning phase CP8108

Deputy County Attorney 7/21/08

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1690

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1690

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: Tom LaGuardia, P.E., Chief Deputy Commissioner

SUBJECT: **A Resolution Making Certain Findings and Determinations in Relation to the Planning Phase of Proposal to Increase and Improve Facilities for Sewer District No. 3 - Southwest (Outfall) (CP 8108)**

DATE: June 17, 2008

Attached is a draft resolution filed as tl-bw5-13-08 Reso-DPW sd3 outfall improvement planning phase CP 8108 and appropriate forms with backup (filed as tl-bw5-13-08 Backup-DPW 175A sd3 outfall improvement planning phase CP 8108 and tl-bw5-13-08 Backup-DPW 175B sd3 outfall improvement planning phase CP 8108) for the findings resolution of the planning phase to increase and improve Sewer District 3 – Southwest (Outfall). The public hearing was held on for June 10th. The planning phase involves alternative analysis, environmental approval and final design of the outfall system. We appreciate the resolution being laid on the table at your convenience.

TL:BW:ni
Attachment
cc: Jim Morgo, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, County Executive Assistant
Laura Conway, CPA, Chief Accountant
Ben Wright, P.E., Chief Engineer, Sanitation
CE Reso Review
tl-bw5-13-08 Reso-DPW sd 3 outfall improvement planning phase CP 8108 memo to BZwirn

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4010 FAX (631) 852-4150

Intro Res. No. 1691-08 Laid on Table 8/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO - 2008, AUTHORIZING THE PURCHASE OF UP TO 55 AUTOMATED BUS STOP ANNUNCIATORS FOR SUFFOLK TRANSIT AND AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND ACCEPTING AND APPROPRIATING FEDERAL AID AND STATE AID (CP 5648)

WHEREAS, the Federal Transit Administration (FTA) and the New York State Department of Transportation (NYSDOT) provide funds for mass transportation projects which include the purchase and installation of up to fifty-five (55) automated bus stop annunciators on Suffolk Transit buses; and

WHEREAS, Grant No. NY-90-X558 was awarded to Suffolk County by the FTA on May 15, 2007; and

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

WHEREAS, Federal reimbursement to the County will be 80% and State reimbursement to the County will be up to 50% of the non-federal share of federally funded projects, but not to exceed 10% of federally funded total project costs and the County will provide the remaining10% local share of project costs; and;

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

WHEREAS, it is estimated that the total cost of the purchase and installation of automated bus stop annunciators on Suffolk Transit buses will be $430,000 with the Federal and State shares amounting to 90% of the total cost; and

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

WHEREAS, that the County Legislature, by resolution of even date herewith, has authorized the issuance of $43,000 in Suffolk County Serial Bonds to cover the County share of this purchase; now, therefore, be it

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

2nd RESOLVED, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

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

	Total Est'd. Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
5. Furniture and Equipment	$2,820,000	119,500B 119,500S 956,000F	162,500B 162,500S 1,300,000F
6. TOTAL	$2,820,000	1,195,000	1,625,000

and be it further

3rd 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

4th RESOLVED, that the Purchasing Division is authorized to receive bids for the purchase and installation of up to fifty-five (55) automated bus stop annunciators on Suffolk Transit buses pursuant to applicable Federal and State regulations; and be it further

5th RESOLVED, that the proceeds of $43,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	Project Title	Amount
525-CAP-5648.519 (Fund 001-Debt Service)	Purchase and installation of automated bus stop annunciators on Suffolk Transit buses	$43,000

and be it further

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

Project No.	Project Title	Amount
525-CAP-5648.519	Purchase and installation of automated bus stop annunciators on Suffolk Transit buses	$43,000

and be it further

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

Project No.	Project Title	Amount
525-CAP-5648.519	Purchase and installation of automated bus stop annunciators on Suffolk Transit buses	$344,000

and be it further

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

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1691

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO - 2008, AUTHORIZING THE PURCHASE OF UP TO 55 AUTOMATED BUS STOP ANNUNCIATORS FOR SUFFOLK TRANSIT AND AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND ACCEPTING AND APPROPRIATING FEDERAL AID AND STATE AID (CP 5648)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS. TOTAL COST WILL BE $430,000. FEDERAL AND STATE SHARE OF THE COST WILL BE 90%, SUFFOLK COUNTY SHARE IS 10% ($43,000).

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 FOR SUFFOLK COUNTY SHARE (10% OF COST, $43,000 TOTAL).

9. Timing of Impact

2009

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		July 16th, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1691

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$9,693**	**$0.02**		$0.000

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$9,693**	**$0.02**		$0.000

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

To be completed by the Executive Budget Office

Suffolk County
Project Name
General Obligation Serial Bonds
Level Debt

1691

Term of Bonds [redacted]
Amount to Bond: [redacted]

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
[redacted]					
5/1/2008					
11/1/2008	[redacted]	$7,919.16	$1,773.75	$9,692.91	$9,692.91
			$723.54	$723.54	
11/1/2009	[redacted]	$8,245.82	$723.54	$8,969.37	$9,692.91
			$553.47	$553.47	
11/1/2010	[redacted]	$8,585.96	$553.47	$9,139.44	$9,692.91
			$376.39	$376.39	
11/1/2011	[redacted]	$8,940.14	$376.39	$9,316.52	$9,692.91
			$192.00	$192.00	
11/1/2012	[redacted]	$9,308.92	$192.00	$9,500.91	$9,692.91
		$43,000.00	$5,464.55	$48,464.55	$48,464.55

COUNTY OF SUFFOLK

1691

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: Thomas LaGuardia, P.E, Chief Deputy Commissioner
Department of Public Works

DATE: June 24, 2008

RE: C.P. 5648 – Equipment for Public Transit Vehicles
Resolution authorizing the purchase and installation of automated bus stop annunciators on Suffolk Transit buses and amending the 2008 capital budget and program and accepting and appropriating federal aid and state aid.

Under the Americans with Disabilities Act of 1990 (ADA), announcements of upcoming bus stops are required in order to accommodate those Suffolk Transit bus patrons who are sight impaired. Through normal bus replacements, automated bus stop annunciators are being included in the purchase of the new transit buses. For those transit buses not yet scheduled for replacement under the federal criteria of mileage and age, the purchase and installation of up to 55 automated bus stop annunciators will serve to put the Suffolk Transit fleet in compliance with the ADA.

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

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

This proposed resolution, with backup, will be forwarded electronically titled: "Reso-DPW-Purchase and Installation of Automated Bus Stop Annunciators"

Please initiate the process to have this resolution introduced at the next Suffolk County Legislature meeting. If you have any questions, please do not hesitate to contact Robert W. Shinnick, Director of Transportation Operations, at 24880.

TL:RWS:cfn
Enclosures
cc: Jim Morgo, Chief Deputy County Executive, w/enc.
Brendan Chamberlain, County Executive Assistant
Kathy LaGuardia, DPW Finance, w/enc.
Carmine Chiusano, Budget Office, Budget Office, w/enc.
Don Fahey, Federal & State Aid Office, w/enc
CE Reso Review List, e-mail

1692

Intro. Res. No. - 2008 Laid on the Table 8/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2008, ACCEPTING AND APPROPRIATING 100% STATE GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR A HEALTH PARTNERSHIP TRAINING PROGRAM – MINORITY MINI GRANT

WHEREAS, the New York State Department of Health has awarded 100% State grant funds to the Department of Health Services for a Health Partnership Training Program – Minority Mini Grant in the amount of $14,500 for the period 04/01/08-03/31/09; and

WHEREAS, the purpose of this grant funding is to provide health education to minorities in the Wyandanch and Amityville areas through training to selected barbers and beauticians on a variety of health issues who will pass this information onto their clients; and

WHEREAS, a portion of this funding is already included in the 2008 Suffolk County Operating Budget and $11,714 needs to be appropriated; and

WHEREAS, these funds are 100% State funded; now therefore, be it

1ST RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate $11,714 grant funds as follows:

REVENUES

001-3401 Public Health $11,714

APPROPRIATIONS

Department of Health Services (HSV)
General Administration
Health Partnership Training Program – Minority Mini Grant
001-HSV-4004

Supplies, Materials & Other	$11,666
3100 Instructional Supplies	$4,202
3500 Other: Unclassified	$7,464
Travel	$48
4340 Travel: Other	$48

and be it further

2nd RESOLVED, that the funding and the expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

3rd **RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

HSV # 33-2008

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION 1692

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation
Accepting and Appropriating 100% State grant funds from the New York State Department of Health to the Suffolk County Department of Health Services for a Health Partnership Training Program – Minority Mini Grant

3. Purpose of Proposed Legislation
To accept and appropriate 100% State grant funds from the New York State Department of Health to provide health education to minorities in the Wyandanch and Amityville areas through training to selected barbers and beauticians on a variety of health issues who will pass this information onto their clients.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

Not applicable

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

None

8. Proposed Source of Funding

100% State grant funds from the New York State Department of Health

9. Timing of Impact

2008

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Diane E. Weyer *Principal Financial Analyst*		6/13/08
BETH A. REYNOLDS PRINCIPAL EXECUTIVE ANALYST		7/25/08

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1692

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

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

To be completed by the Executive Budget Office

JUN 2 4 2008

COUNTY OF SUFFOLK

1692

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.
Commissioner

June 13, 2008

Ben Zwirn, Deputy County Executive
Office of the County Executive, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution accepting and appropriating 100% State grant funds from the New York State Department of Health to the Suffolk County Department of Health Services for a Health Partnership Training Program – Minority Mini Grant. The purpose of this grant funding is to provide health education to minorities in the Wyandanch and Amityville areas through training to selected barbers and beauticians on a variety of health issues who will pass this information onto their clients.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Carolyn Kagan at 2-2814. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-Minority mini-grant.doc".

Sincerely yours,

Humayun J. Chaudhry, D.O., M.S.
Commissioner of Health Services

Enclosures

HJC/lw

C: Jim Morgo, Chief Deputy County Executive
Margaret B. Bermel, M.B.A, Director of Health Administrative Services
Matthew Miner, Deputy Commissioner
K. Aletha Maybank, M.D., Medical Program Administrator
Donald Fahey, Federal & State Aid Claims Coordinator
Carolyn Kagan, Principal Contracts Examiner
Diane E. Weyer, Principal Financial Analyst

1692

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk	DATE June 9, 2008
Submitting Department/Agency Department of Health Services	Location 225 Rabro Drive East, Hauppauge, NY 11788
Contact Person In Department/Agency Dr. Aletha Maybank	Telephone Number 853-3007
	Grant Application Due Date

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title HEALTH PARTNERSHIP TRAINING PROGRAM – MINORITY MINI GRANT - "SHOPS"

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)

3. Grant/Contract Status (Check One Box)
   - ___ A. New Program Application
   - __X_ B. Renewal Application
   - ____ C. Supplemental (Specify) _____
   - ____ D. Extension of Funding Period
   - ____ E. Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)

This program will provide health education to minorities in the Wyandanch and Amityville areas through training on a variety of health issues to selected barbers and beauticians who will pass this information onto their clients.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

NONE

II. BUDGET INFORMATION

1. Term of Contract From: 04 /01 /08 To: 03 /31 /09

2. Financial Assistance Requested

SOURCE	*FIRST FUNDING CYCLE*		*SECOND FUNDING CYCLE*		*THIRD FUNDING CYCLE*	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$	%	$	%	$	%
State	$ 14,500	36.2 %	$	%	$	%
Private	$ 1,000	2.5 %	$	%	$	%
County	$ 24,559	61.3 %	$	%	$	%
Total	$ 40,059	100.0 %	$	%	$	%

1692

3. Explanation of Requested County Financial Assistance

Category	*Total Requested*	*Personnel Costs Requested*	*Non-Personnel Costs Requested*
TOTAL COUNTY SHARE:	$ 24,559	$ 23,196	$ 1,363
A. Cash Contribution	$	$	$
B. In-Kind Contribution	$ 24,559	$ 23,196	$ 1,363

4. Total Number of New Positions Requested
NONE

5. Can This Program Be Refunded by the Proposed Non-County Sources?

X YES NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

NONE

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?

This program is eligible for 36% NYSDOH aid.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:	Approved / Disapproved	2. Signature of Coordinator	3. Date
4. Comments			
5. Budget Office Review:	Approved / Disapproved	6. Signature of Budget Director	7. Date
8. Comments			

SCIN FORM 164

GRANT BUDGET ANALYSIS COUNTY BUDGET YEAR 2008__ PAGE 1 OF 3

Category	*Appropriation Number Grantor Funds*	*Appropriation Number County Funds*	*Appropriation Number In-Kind Contribution*	*Remarks*
PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries			17,182 17,182	
EQUIPMENT: 2010 Furniture 2440 Instructional Equipment	800 800			
SUPPLIES, MATERIALS & OTHER: 3010 Office Supplies 3020 Postage 3030 Photostat,Photograph,Blueprint 3040 Printing 3100 Instructional Supplies 3500 Other Unclassified	13,652 200 4,701 8,751		50 50	
UTILITIES: 4010 Telephone & Telegraph				692
TRAVEL: 4330 Travel Employee Contracts 4340 Travel Other Contracts	48 48		1,313 1,313	

Category	*Appropriation Number Grantor Funds*	*Appropriation Number County Funds*	*Appropriation Number In-Kind Contribution*	*Remarks*
FEES FOR SERVICES 4560 Fees for Services, Non-Employees				
CONTRACTED SERVICES (List)				
EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker's Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance			6,014	
OTHER (List Source & Brief Explanation) American Heart Assoc Contribution				1,000 1692

I certify that the above in-kind contributions are not currently being used to support other Grants. _____

Signature of Project Director

DETAIL LISTING OF PERSONAL SERVICES

TITLE OF POSITION	GRADE/ STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %			REMARKS
				GRANTOR	COUNTY	IN-KIND	
Medical Program Admin	*38/11*	*143,702*	*K. Aletha Maybank*			*5%*	
Coord of Comm Based Programs	*26/8*	*77,662*	*Saba Mchunguzi*			*10%*	
Sr. Clerk Typist	*12/10*	*44,616*	*Gladys Lopez*			*5%*	

1692

STATE OF NEW YORK
DEPARTMENT OF HEALTH
Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Richard F. Daines, M.D.
Commissioner

Wendy E. Saunders
Chief of Staff

1692

April 29, 2008

K. Aletha Maybank, MD, MPH
Director
Suffolk County Department of Health Services
Office of Minority Health
225 Rabro Drive East
Hauppauge, New York 11788-4290

Dear Dr. Maybank:

I am pleased to inform you that your contract (T-022276) with the New York State Department of Health, Office of Minority Health Mini-Grant Program has been approved for continued funding in an amount not to exceed $14,500.

Listed below are the requirements for the legal paperwork necessary to renew your contract for the period April 1, 2008 through March 31, 2009:

- Appendix X – Renewal Contract
- Appendix B – Budget and Justification
- Appendix D – Year Two Workplan

Please have the appropriate official sign, date and notarize Appendix X.

Attached for your guidance and use are (a) Year 02 contract renewal checklist and (b) Centers for Disease Control and Prevention Brief regarding SMART Objectives.

New submissions will be reviewed by your Contract Manager and are subject to modification.

1692

Submit two (2) originals along with the four (4) copies of the entire renewal packet by **May 28, 2008** to the following:

Kristen M. Van Amburgh, Statewide Coordinator
Mini-Grant Program
New York State Department of Health
Office of Minority Health
ESP, Corning Tower, Rm. 780
Albany, New York 12237

Please contact Ms. Van Amburgh with any questions on this matter. She can be reached at 518-474-2180.

Sincerely,

Wilma E. Waithe, RD, CDN, PhD
Director, Office of Minority Health

Enclosures

cc (w/o enclosures): K. Van Amburgh

1692

RFA Number: T-022276

OFFICE OF MINORITY HEALTH

MINORITY HEAKTH MINI-GRANT PROGRAM 2008 (not to exceed $14,500)

Application Budget Form

April 1, 2008 - March 31, 2009

Applicant Suffolk County Dept. of Health Services Date June 9, 2008

Budget Line Items	Requested from NYS Department of Health	Other Funds Committed to Project	In-Kind Project Support	Total Budget
I. Personnel Salaries (list positions)				
1. Project Coordinator	$0	$0	$7,185	$7,185
2. Community Relations Coord	$0	$0	$7,766	$7,766
3. Clerical Support	$0	$0	$2,231	$2,231
Fringe Benefits	$0	$0	$6,014	$6,014
Total Personnel	$0	$0	$23,196	$23,196
II. Non-Personnel				
Project Evaluation	$680	$0	$50	$730
Consultants	$0	$1,000	$0	$1,000
Travel	$48	$0	$1,313	$1,361
Supplies	$6,098	$0	$0	$6,098
Equipment	$800	$0	$0	$800
Other	$6,874	$0	$0	$6,874
Total Non-Personnel	$14,500	$1,000	$1,363	$16,863
TOTAL	$14,500	$1,000	$24,559	$40,059

Note: Budget requests must not exceed $14,500 in New York State Department of Health Funds. Applications exceeding the $14,500 limit will be disqualified, not scored, and returned to the applicant.

1692

RFA Number: T-022276

OFFICE OF MINORITY HEALTH

MINORITY HEAKTH MINI-GRANT PROGRAM 2008 (not to exceed $14,500)

Budget Justification Form

April 1, 2008 - March 31, 2009

This form is provided for applicants to provide a detailed budget justification. For each line item provide a full description of the item, justification of the need for the item as it relates to the goals and objectives of the project and computation explanation of how costs were determined.

Applicant Suffolk County Dept. of Health Services Date June 9, 2008

PERSONNEL - $ 17,182 - In-Kind

Name	Position	Salary	% Effort	NYS Share
K. Aletha Maybank, MD	Project Coordinator. Will manage and oversee this project. She will search for and decide on the program participants. She will create the training curriculum for the barbers and beauticians and will schedule the training sessions with the instructors. She will develop a survey to measure program outcomes. She will complete all reporting requirements.	$143,702	5%	$0
Saba Mchunguzi	Community Relations Coordinator. Will assist with the search for program participants and will followup with feed back from the shops on training sessions. He will order all needed supplies and equipment and will assist with developing a survey to measure program outcomes.	$77,662	10%	$0
Gladys Lopez	Clerical Support. Will provide clerical support for the program by typing reports, correspondance with participants and keeping data on survey results.	$44,616	5%	$0

FRINGE BENEFITS - $6,014 - In-Kind

A fringe rate of 35% includes FICA, Health Insurance, Retirement rate and a union Benefit Fund that covers dental services, eye glasses, legal fund, etc.

PROJECT EVALUATION - $ 730 ($680 reimbursable and $50 In-Kind)

Materials for the pre and post surveys and the Photovoice project include inkind photocopying costs for the surveys and reimbursable costs for the cameras, film developing costs and picture enlargement and printing costs.

40 disposable cameras @ $10 each = $ 400
Film development for 40 cameras @ $5 each = $200
Photo enlargement and printing, 40 @ $2 each = $80

CONSULTANTS - $1,000 - American Heart Association contribution

American Heart Association (AHA) will contribute information and services which include the "Power to End Stroke Program", the "Search Your Heart Program" and "Family and Friends CPR Training".

TRAVEL - $1,361 ($48 reimbursable and $1,313 In-Kind)

Out of Town Travel:

Two program staff to attend a one day NYS conference in Albany. Staff will use a county car, county gas card and county EZ Pass. Only meals will be reimbursable.
2 meals per employee: $12 / meal X 2 meals X 2 employees = $48.

Local Travel:

Travel for Dr. Maybank and S. Mchunguzi to visit the program participants for training and oversight. 26 sites X 5 visits per site X 20 miles round trip per visit = 2,600 miles
2,600 miles X $0.505 per mile = $1,313.

1692

SUPPLIES - $6,098

QUANTITY	PRODUCT DESCRIPTION	UNIT COST	TOTAL COST
Various	Office and training supplies such as folders, notebooks and pens will be supplied to all participants.		$200
Various	Educational materials for training participants. This includes DVDs, health education literature, CPR training kits and dummies.		$4,686
300	Soul food recipe	$3.99	$1,197
1	PTES Poster	$15.00	$15
Total			$6,098

EQUIPMENT - $800

8	Literature display racks will be purchased for the shops to use to promote health issues.	$100.00	$800

OTHER - $6,874

12	Shops will receive a framed certificate for program completion	$5.00	$60
12	Shop owners will receive a gift card for program completion	$75.00	$900
30	End of the year Ceremony Lunch for 30 people	$5.00	$150
300	Promotional item - Health snacks for customers	$1.67	$500
300	Promotional item - T-shirts for customers	$7.65	$2,297
300	Promotional item - Sport towels for customers	$2.00	$600
300	Promotional item - Pedometers for customers	$2.89	$867
300	Promotional item - Gift cards for customers	$5.00	$1,500
Total			$6,874

TOTAL BUDGET REQUEST - $14,500

1693

Introductory Resolution No. -2008 Laid on the Table 8/5/08
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2008 ACCEPTING AND APPROPRIATING AN AMENDMENT TO THE COLLEGE BUDGET FOR A GRANT AWARD FROM THE STATE UNIVERSITY OF NEW YORK FOR AN EDUCATIONAL OPPORTUNITY PROGRAM 87% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, the 2007-2008 College operating budget provides $150,875 for an Educational Opportunity Program (EOP) grant from the State University of New York, for the period of September 1, 200 7 through August 31, 2008; and

WHEREAS, the grant award has been increased by $25,000, to support additional tutoring services for the 2007-2008 fiscal year, bringing the total amount of the grant award to $ 127,000; and

WHEREAS, the grant award has been further increased by $76,471 for the 2008 EOP Summer Program, bringing the final total amount of the grant award to $203,471; and

WHEREAS, it is necessary to amend the College budget in the amount of $ 52,596 to provide for the increase in the grant award; and

WHEREAS, matching funds in the amount of $ 30,039 are provided for in the College operating budget; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the amendment to the 2007-2008 College budget for the increase in the grant award in the amount of $ 52,596 on June 26, 2008 by Resolution No. 2008. ; and

WHEREAS, the College anticipates spending the increase in the grant award in the amount of $52,596 in accordance with the terms of said grant before August 31, 200 8; now therefore, be it

1st **RESOLVED**, that said 2007-2008 College budget be amended to reflect the increase in the grant award from the State University of New York, for a n Educational Opportunity Program grant in the amount of $ 52,596, and said amount be accepted and appropriated for the operation of the program as follows:

REVENUES:	AMOUNT:
State Aid: EOP: 818-GRT-3203-08	$52,596

APPROPRIATIONS:	AMOUNT:
EOP: 818-GRT-GC07-08	$52,596

Suffolk County Community College
Educational Opportunity Program (EOP)
818-GRT-GC07-08

1000-Personal Services	$ 30,000
1130-Temporary Salaries	10,000
1180-Part-time Instructors - Summer	20,000
3000-Supplies & Materials	$ 20,121
3100-Instructional Supplies	2,000
3500-Unclassified Supplies	18,121
8000-Employee Benefits	$ 2,475
8330-Social Security	2,295
8350-Unemployment Insurance	180

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1693

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution XX Local Law ____ Charter Law

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING AN AMENDMENT TO THE COLLEGE BUDGET FOR A GRANT AWARD FROM THE STATE UNIVERSITY OF NEW YORK FOR AN EDUCATIONAL OPPORTUNITY PROGRAM 87% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

There is a 13% match included in the 2007-2008 college operating budget.

8. Proposed Source of Funding

State University of New York

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	P Saunders	7-21-08

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1693

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

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

To be completed by the Executive Budget Office

JUL 0 1 2008

1693

Suffolk
COUNTY COMMUNITY COLLEGE

To: Ben Zwirn, Assistant Deputy County Executive

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

Date: June 25, 2008

Subject: Request for a Resolution Accepting and Appropriating an Amendment to the 2007-2008 College budget for a Grant Award

Enclosed are the application and requisite forms to request acceptance and appropriation of an amendment to the 2007-2008 College budget for an increase in a grant award at Suffolk County Community College.

Proposal _____ Grant Award X Subcontract _____

Project Name: Educational Opportunity Program (EOP)

Funding Source:	State University of New York
Amount of Grant:	$203,471
Amount of Amendment:	$ 52,596
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-EOP 08 Amend.doc

cc: S. Stewart, Assistant Director of EOP
M. Green, Director of EOP
J. Bullard, Jr., Associate Dean for Financial Affairs
M. Bright, Associate Vice President for Student Affairs
M. L. Araneo, Vice President for Institutional Advancement
J. Canniff, Vice President for Academic and Campus Affairs

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

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

Grant Campus
Crooked Hill Road
Brentwood, NY 11717-1092
(631) 851-6700

Eastern Campus
121 Speonk-Riverhead Road
Riverhead, NY 11901-3499
(631) 548-2500

1693

RESOLUTION NO. 2008. AMENDING THE COLLEGE BUDGET FOR AN EDUCATIONAL OPPORTUNITY PROGRAM GRANT

WHEREAS, the 2007-2008 College operating budget provides $150,875 from the State University of New York for an Educational Opportunity Program (EOP) grant, and

WHEREAS, the grant award has been increased by $25,000 to support additional tutoring services for the 2007-2008 fiscal year, bringing the total amount of the grant award to $127,000, and

WHEREAS, the grant award has been further increased by $76,471 for the 2008 EOP Summer Program, bringing the final total amount of the grant award to $203,471, and

WHEREAS, matching funds are provided for in the College operating budget, be it therefore

RESOLVED, that the 2007-2008 College budget be amended to reflect the award increase in the amount of $52,596, from the State University of New York for an Educational Opportunity Program, and the College president or her designee is authorized to execute a contract with the administering agency.

Project Director: Michele Green

Note: Institutional Support required

* * * * * * * * * *

1693

Board of Trustees Meeting
Date: June 26, 2008

ABSTRACT

Grant Proposal ___ Grant Award _X_

Funding Source:	State University of New York
Project Title:	Educational Opportunity Program (EOP)
Project Director:	Michele Green, EOP Director
Project Period:	September 1, 2007 through August 31, 2008
Campus:	College-wide
Prior Award:	$ 102,000
Tutoring Services:	$ 25,000
Summer Program:	$ 76,471
Total Award:	$203,471
Match/In-kind Contribution/Fees:	$57,289: Institutional Support, Summer Program Includes $30,039 cash match.
Full-Time Positions/Reassigned Time:	none
No. of Students to be Served:	60 for the 2008 EOP Summer Program

Type of Student to be Served: Financially and academically disadvantaged students

Description of Project:
SCCC is a tri-campus commuter college and EOP students must learn to balance home, work, and school while addressing transportation and family issues. The 2008 EOP Summer Program will allow students to begin this "balancing act". Students will attend a 5-week program at a campus closest to their home, to work on their math, reading and writing skills as well as computer literacy. In addition, EOP staff will assist students with navigating the various programs and services offered at each campus. The goal then of the 2008 EOP Summer Program is to improve EOP students' academic skills and computer literacy, develop good study habits, learn how to manage their time effectively, and make a smoother transition to college.

THE STATE UNIVERSITY of NEW YORK

1693

Office of the Provost and Vice Chancellor for Academic Affairs

Opportunity Programs

State University Plaza
Albany, New York
12246

518 443 5369
518 443 5371
fax - 518 443 5182

www.suny.edu

~~MEMORANDUM~~

TO: Michele Green, EOP Director,
Suffolk County Community College

FROM: Deidre Clark, Assistant Provost dlc

RE: Funding Summer 2008

DATE: June 17, 2008

Your proposal for programming during summer 2008 has been approved as shown below:

Program Type: Full Program
Number of Students: 60
Funding Amount: $76,471

As you know, the five-year contract allows us to process payment within the overall five-year funding amount for the duration of the agreement. Unlike previous years, we will not need to issue an amended contract to transmit funds to your campus. We will, however, issue your campus an amended 2007-08 expenditure plan reflecting the increase to fund summer.

We expect that you will work with your campus business officer to ensure funds are deposited in an account solely for Educational Opportunity Program summer program costs.

c. Mr. James
Mr. Belcher
Business Officer
Supervisor

THE STATE UNIVERSITY of NEW YORK

1693

Office of the Provost and Vice Chancellor for Academic Affairs

Opportunity Program

State University Plaza
Albany, New York
12246

518 443 5369
518 449 5371
fax - 518 [illegible]

[illegible]

Memorandum

To: Michele Green, Educational Opportunity Program Director
Suffolk County Community College

From: Robert D. James, Associate Provost

Re: 2007-08 Additional Tutoring Funds Request

Date: March 17, 2008

We have approved your request for $25,000 to support additional tutoring services for the 2007-08 fiscal year. The decision to provide supplementary tutoring dollars was based upon your submission justifying need in this category.

Please note that the approved amount is separate from your annual allocation and does not reflect as a permanent increase in future budgets.

Payment has been processed and your campus should be receipt of the full amount. If you have any questions in this regard, please do not hesitate to contact the office at (518) 443-5369.

c. Ms. Clark
Ms. Hamler-Cadet

UNIVERSITY CENTERS AND DOCTORAL DEGREE GRANTING INSTITUTIONS University at Albany • Binghamton University • University at Buffalo • Stony Brook University • SUNY Downstate Medical Center • Upstate Medical University • College of Environmental Science and Forestry • Ceiling of Optometry • NYS College of Agriculture/Life Sciences at Cornell University • NYS College of Human Ecology at Cornell University • NYS College of Industrial/Labor Relations at Cornell University • NYS College of Veterinary Medicine at Cornell University UNIVERSITY COLLEGES SUNY Brockport • Buffalo State College • SUNY Cortland • Empire State College • SUNY Geneseo • SUNY New Paltz • SUNY Oil Westbury • College at Oneonta • SUNY Oswego • SUNY Plattsburgh • SUNY Potsdam • Purchase College TECHNOLOGY COLLEGES Alfred State College • SUNY Canton • SUNY Cobleskill • SUNY Delhi • Farmingdale State College • Maritime College • Mohawk State College • SUNY Morrisville • SUNY Wilson College COMMUNITY COLLEGES Adirondack • Broome • Cayuga County • Clinton • Columbia-Greene • Corning • Dutchess • Erie • Fashion Institute of Technology • Hudson Valley • Jamestown • Jefferson • Kingsborough • Lehigh Valley • Monroe • Nassau • Niagara County • North Hampton • Onondaga • Orange County • Oswego • Rockland • Schenectady County • Suffolk County • Sullivan County • Tompkins Cortland • Ulster County • Westchester

1693

Fiscal Year 2007-08

EOP Expenditure Plan
Community Colleges
Exhibit C

Sponsoring Institution: ***Suffolk County Community College***

Budgeted Enrollment ***170*** **Total EOP Funding** ***$102,000***

I. Total amount planned for direct aid expenditure ***$ 0***
Average award per student NA

II. Total annualized cost of counseling salaries ***$51,073***

III. Total amount planned for tutoring expenditure ***$50,927***

IV. Total amount planned for summer expenditure ***$ 0***
(Included in current contract amount)

V. Institutional support ***$209,464***

Do not include institutional support in the Total EOP funding above

EOP Director

EOP Supervisor

Business Officer

UNY System Administration Opportunity Programs Use:

[ ] Approved as submitted _____ Date: 12/5/07

[ ] Approved with changes attached _____ Date: _____

[ ] Returned for clarification/correction/other changes: _____ Date: _____

Intro. Reso. No. 1694-08 Laid on Table 8/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, ACCEPTING & APPROPRIATING A GRANT IN THE AMOUNT OF $30,000 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ALLOW THE SUFFOLK COUNTY POLICE DEPARTMENT TO PURCHASE A VEHICLE FOR USE BY MEMBERS OF THE 4th PRECINCT POLICE AUXILIARY WHILE IN THE PERFORMANCE OF THEIR DUTIES WITH 100% SUPPORT.

WHEREAS, the New York State Division of Criminal Justice Services has made $30,000 available to the Suffolk County Police Department for the purchase of a vehicle for use by members of the 4th Precinct Police Auxiliary during the performance of their duties; and

WHEREAS, the operational period of the Program will be from April 1, 2007 through March 31, 2009; and

WHEREAS, said grant funds have not been included in the 2008 Suffolk County Operating Budget; and

WHEREAS, the 4th Precinct Police Auxiliary Vehicle grant program includes funding for the purchase of a standard police vehicle for use by the members of the 4th Precinct Auxiliary while in the performance of their duties; and

WHEREAS, the purchase of said Vehicle will increase the fleet of the Suffolk County Police Department by one (1) vehicle; and

WHEREAS, Chapter 186 of the Suffolk County Code requires that no vehicle shall be purchased or leased unless explicit approval for the acquisition of such vehicle, via lease or purchase, has been granted via duly enacted Resolution of the Suffolk County Legislature; and 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:	**AMOUNT**
115-3368 – State Aid: 4th Precinct Police Auxiliary Vehicle	$30,000

ORGANIZATIONS:

Police Department (POL)
4th Precinct Police Auxiliary Vehicle
115-POL-3280

2000 – Equipment	**$30,000**
2030 – Automobiles and Motorcycles	25,700
2090– Radio and Communication	4,300

And be it further

2nd RESOLVED, that the Suffolk County Legislature hereby authorizes the fleet of the Suffolk County Police Department be increased by one (1) Police Auxiliary vehicle, hereby approved pursuant to Chapter 186-2 (b) (6) of the SUFFOLK COUNTY CODE, and in accordance with or exceeding the county vehicle standard, for use by the 4th Precinct Suffolk County Police Department Auxiliary; and be it further

3rd RESOLVED, that the 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:

1694

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution XX Local Law _____ Charter Law

2. Title of Proposed Legislation

ACCEPTING & APPROPRIATING A GRANT IN THE AMOUNT OF $30,000 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ALLOW THE SUFFOLK COUNTY POLICE DEPARTMENT TO PURCHASE A VEHICLE FOR USE BY MEMBERS OF THE 4TH PRECINCT POLICE AUXILIARY WHILE IN THE PERFORMANCE OF THEIR DUTIES WITH 100% SUPPORT.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

8. Proposed Source of Funding

New York State Division of Criminal Justice Services

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	P Saunders	7-21-08

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1694

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1694

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

TO: **Ben Zwirn, Deputy County Executive**
Suffolk County Executive's Office

FROM: **Dennis Caine, Deputy Chief of Support Services**
Suffolk County Police Department

DATE: **July 7, 2008**

SUBJECT: **Resolution Packets & SCIN Forms for**
The 4th[st] Precinct Police Auxiliary Vehicle Grant Program
DCJS # LG04048586

Attached please find two copies of the following for the New York State Division of Criminal Justice Services sponsored program:

1. Grant Resolution.
2. Grant SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the proposed contract between Suffolk County and the New York State Division of Criminal Justice Services

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 to your office 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
Att.

cc: Jim Morgo, Chief Deputy County Executive
Don Fahey, Federal & State Aid Claims Coordinator

1694

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk	DATE 6/17/08 REV 7/3/2008

Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank	
Contact Person In Department/Agency Sarah Furey Sr. Grants Analyst	Telephone Number 852-6042	Grant Application Due Date N/A

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title **4th Precinct Police Auxiliary Vehicle**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) FY2004-2005 NYS Budget, Administered by NYS Division of Criminal Justice Services

3. Grant/Contract Status (Check One Box)
A. __X_New Program Application
B. ___Renewal Application
C. ___Supplemental (Specify) _____
D. ___Extension of Funding Period
E. ___Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.).
Grant funding will allow the Suffolk County Police Department to purchase a vehicle for use by members of the 4th Precinct Police Auxiliary while in the performance of their duties.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

II. BUDGET INFORMATION

1. Term of Contract From: 4/1/07 To: 3/31/09

2. Financial Assistance Requested

SOURCE	*FIRST FUNDING CYCLE*		*SECOND FUNDING CYCLE*		*THIRD FUNDING CYCLE*	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$	%	$	%	$	%
State	$30,000	100%	$	%	$	%
Private	$	%	$	%	$	%
County	$	%	$	%	$	%
Total	$30,000	100%	$	%	$	%

3. Explanation of Requested County Financial Assistance

Category	*Total Requested*	*Personnel Costs Requested*	*Non-Personnel Costs Requested*
TOTAL COUNTY SHARE:	$0	$	$
A. Cash Contribution	$	$	$
B. In-Kind Contribution	$	$	$

4. Total Number of New Positions Requested 0

5. Can This Program Be Refunded by the Proposed Non-County Sources?

X YES NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

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 Police 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 ½" X 11" sheet).

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:	Approved Disapproved	2. Signature of Coordinator	3. Date

4. Comments

5. Budget Office Review:	Approved Disapproved	6. Signature of Budget Director	7. Date

8. Comments

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2008			Page 1 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries				
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2030 Automobiles and Motorcycles 2090 Radio and Communication 2500 Other Equip Not Otherwise	**30,000** 25,700 4,300			
3000 SUPPLIES MATERIALS & OTHERS: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3160 Computer Software 3310 Clothing and Accessories 3500 Other Unclassified 3680 Repairs: Special Equipment 3770 Advertising				
4000 UTILITIES: 4010 Telephone & Telegraph 4210 Computer Services				
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts				

1694

SCIN Form 164D (10-80)

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2008			Page 2 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees 4770 Special Services				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance				
OTHER (List Source & Brief Explanation)				

I certify that the above in-kind contribution are not currently being used to support other grants

SCIN Form 164D (10-80)

DETAIL LISTING OF 1000 ACCOUNT		PERSONAL SERVICES					Page 3 of 3
TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %			
				GRANTOR	COUNTY	IN-KIND	
NONE							

1694

SCIN Form 164D (10-80)

Additional back-up material regarding I.R. 1694 is on file in the Legislative Clerk's Office, Hauppauge.

1695

Intro. Res. No. 2008 Laid on Table 8/5/08

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

RESOLUTION NO. -2008 AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 1129-2007 AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE - FOR THE BOYS AND GIRLS HARBOR, INC. PROPERTY – TOWN OF EAST HAMPTON – SCTM#0300-092.00-01.00-011.001 & 0300-074.00-05.00-030.002

WHEREAS, Resolution No. 1129-2007, when adopted, contained a technical error; and

WHEREAS, it is the desire of the County to Amend Resolution No. 1129-2007 to correct these errors; now, therefore, be it

RESOLVED, that the 5th WHEREAS clause of Resolution No. 1129-2007 is hereby amended as follows:

WHEREAS, the Town of East Hampton ("Town") has approved Resolution No. 2008-898 [2007-1098 and 2007-1520] on July 17, 20008 [July 23, 2007 and November 2, 2007], authorizing the acquisition of the subject property in partnership with the County of Suffolk; and, be it further;

RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds an 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:

East Hampton Town Board
159 Pantigo Road
East Hampton, NY 11937

Fred Overton
Telephone: (631) 324-4142

1695

July 18, 2008

Janet Longo
Address Not On File

Dear Janet Longo:

Please be advised that the Town Board, at a meeting held on July 17, 2008 7:00 PM, considered the following legislative document(s):

Resolution RES-2008-898 **Adopted [Unanimous]**
Boys Harbor Authorize Acquisition Re-Hearing 2

CC: Ted Hults, Budget Officer
Beth Baldwin, Assistant Town Attorney
Sosne, Esq. Alan
Tiffany Scarlato, Asst. Town Attorney

Sincerely Yours,

Fred Overton
Town Clerk

RESOLUTION 2008-898 1695 Item #

ADOPTED DOC ID: 5281

Boys Harbor Authorize Acquisition Re-Hearing 2

AUTHORIZE ACQUISITION
Property of: Boys Harbor Inc.
Address: Springy Banks Rd.
SCTM #: 300-92-1-11.1 & 74-5-30.2

WHEREAS, pursuant to § 247 of the General Municipal Law of the State of New York, the Town Board held a public hearing on **February 15, 2008** to consider the acquisition of approximately **28 acres** of land located at **Springy Banks Rd., East Hampton**, which land is identified on the Suffolk County Tax Map as **SCTM #300-92-1-11.1 & 74-5-30.2**; and

WHEREAS, the Town will be participating in a 50/50 partnership with the County of Suffolk for the acquisition for said lands; and

WHEREAS, the proposed purchase price is **$7,349,125.00**, 50% of which will be attributable to the Town, **$3,674,562.50** plus 50% of survey, title, prorated tax, and recording charges; and

WHEREAS, with respect to the aforementioned property, the County of Suffolk will grant to the Town of East Hampton sole management rights, as per a management agreement created and agreed upon by both agencies; and

WHEREAS, the purpose of said acquisition is the preservation of Open Space and Community Character through the establishment of a park; and

WHEREAS, use of the subject premises will be open to all Suffolk County residents for the purpose of recreational activities such as picnicking, softball, horse shoes, walking and jogging trails; and

WHEREAS, there are existing buildings on the subject property that were used by the pre-existing camp; and

WHEREAS, the Town plans to retain three existing buildings on site for activities that will be open to Suffolk County residents that may include recreational, educational or environmental activities or events; and

WHEREAS, the Town reserves the right to construct an additional open air structure (i.e. gazebo/pavilion) for shade and shelter; and

WHEREAS, all other existing buildings will be removed from the property at the sole expense of the Town of East Hampton; and

WHEREAS, it is the understanding of both the Town of East Hampton and County of

Suffolk, that the Town will be responsible for all maintenance, compliance with any applicable County codes and/or guidelines, stewardship, and fees associated with the subject property and its structures; and

WHEREAS, it is further the understanding of both the Town of East Hampton and County of Suffolk, that any employees necessary to monitor, enforce, steward, maintain the property, the associated activities, and structures and/or buildings will be employees of the Town of East Hampton or its agents; and

WHEREAS, the property does not currently have an access drive, and therefore, the Town of East Hampton, at its sole expense, will create an access road to connect Springy Banks Road to the existing roadways on site for ingress and egress for all Suffolk County residents; and

WHEREAS, the Town of East Hampton has granted Lead Agent status to the County of Suffolk by letter to Thomas Isles, Director of Suffolk County Planning Department dated October 5, 2007 to satisfy New York State Environmental Quality Review Act (SEQRA) and Chapter 128 (Environmental Quality Review) of the East Hampton Town Code; and

WHEREAS, Suffolk County, by resolution # 1129-2007, has determined that the acquisition of said land constitutes a Type I Action pursuant to the provisions of Title 6 NYCRR, Part 617.4; and

WHEREAS, that the project will not have a significant effect on the environment for the following reasons:

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

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

3) the parcels do not appear to suffer from any severe environmental development constraints (no limiting soils properties, no high groundwater, and no unmanageable slopes); and

4) the proposed use of the subject parcel(s) will be for park purposes as stated in the 5th WHEREAS clause above; and

5) 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

WHEREAS, due to the Suffolk County Legislature's negative declaration as it relates to the New York State Environmental Quality Review Act (SEQRA), the Town Board finds, pursuant to § 64-e (8) of the New York Town Law, that acquisition of the subject property by purchase is the best alternative, of all reasonable alternatives available to the Town, for protection of the community character of the Town of East Hampton; and

WHEREAS, as a result of public comment regarding this acquisition, the Board has

determined that the use of the property shall be limited in certain respects to benefit the County and the Town of East Hampton as a whole;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized and directed to enter into a contract of sale with the record owner of the subject property, reputedly **Boys Harbor Inc.,** for the purpose of acquiring said property at a cost to the Town of East Hampton of approximately **$3,674,562.50**, which may be subject to change upon final survey, plus 50% of reasonable survey, title, prorated tax, and recording charges; and be it further

RESOLVED, the Town Board authorizes the purchase of the property, subject to the following conditions:

1. The park will open no earlier than 9:00 a.m.;
2. The park will close at dusk but closing will not preclude educational events within structures after dusk;
3. Franchises or other sources of food service from trucks, vans, etc. will be prohibited at the park site;
4. No bleacher seating shall be installed at the park site,
5. No irrigation system shall be installed at the park site;
6. The establishment of concessions for the purpose of selling food or other items shall be prohibited;
7. Alcohol shall be prohibited from the park site;
8. Open fires shall be prohibited at the park site;
9. Hunting shall be prohibited at the park site;
10. The establishment of basketball courts, volleyball courts and soccer facilities shall be prohibited;
11. There shall be no league games permitted at the park site;
12. Camping shall be prohibited from the park site;
13. Mobile homes are prohibited from the park site; and
14. There shall be no lighting other than for security reasons for the park; and be it further

RESOLVED, that the foregoing conditions shall be incorporated into the management agreement which shall be promulgated and approved by the Town of East Hampton and the County of Suffolk; and be it further

RESOLVED, that pursuant to contract the Supervisor is authorized and directed to execute any documents and the Town Budget Officer is directed to pay the purchase price and any and all reasonable survey, title, prorated tax, and recording charges, as may be necessary to affect the transfer of title; and be it further

RESOLVED, the monies to be expended for purchase of the foregoing property shall be drawn from the Town of East Hampton **Community Preservation Fund** Budget Account;

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	William McGintee, Supervisor
SECONDER:	Pete Hammerle, Councilman
AYES:	Prince, Hammerle, Mansir, Loewen, McGintee

Ben C6

COUNTY OF SUFFOLK

1695

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

July 21, 2008

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

Dear Mr. Zwirn:

Attached for your review is a technical correction to Resolution 1129-2007. The Town of East Hampton has revised Resolution 2007-1098. Revised resolution is attached.

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
Peter Belyea, 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

Intro. Reso. No. 1696-08 Laid on Table 8/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, ACCEPTING & APPROPRIATING A GRANT IN THE AMOUNT OF $25,000 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ALLOW THE SUFFOLK COUNTY POLICE DEPARTMENT TO PURCHASE A VEHICLE FOR USE BY MEMBERS OF THE 1ST PRECINCT POLICE AUXILIARY WHILE IN THE PERFORMANCE OF THEIR DUTIES WITH 100% SUPPORT.

WHEREAS, the New York State Division of Criminal Justice Services has made $25,000 available to the Suffolk County Police Department for the purchase of a vehicle for use by members of the 1st Precinct Police Auxiliary during the performance of their duties; and

WHEREAS, the operational period of the Program will be from April 1, 2007 through March 31, 2009; and

WHEREAS, said grant funds have not been included in the 2008 Suffolk County Operating Budget; and

WHEREAS, the Suffolk County Police Department will be decommissioning one of the vehicles currently in use by the 1st Precinct Police Auxiliary; and

WHEREAS, the vehicle purchased with herein referenced grant funds will replace said decommissioned vehicle and, therefore, will not result in an increase to the fleet; 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:	**AMOUNT**
115-3367– State Aid: 1st Precinct Police Auxiliary Vehicle	$25,000

ORGANIZATIONS:

Police Department (POL)
1st Precinct Police Auxiliary Vehicle
115-POL-3275

2000 – Equipment	**$25,000**
2030 – Automobiles and Motorcycles	25,000

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 Division of Criminal Justice Services.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1696

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution XX Local Law ____ Charter Law

2. Title of Proposed Legislation

ACCEPTING & APPROPRIATING A GRANT IN THE AMOUNT OF $25,000 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ALLOW THE SUFFOLK COUNTY POLICE DEPARTMENT TO PURCHASE A VEHICLE FOR USE BY MEMBERS OF THE 1ST PRECINCT POLICE AUXILIARY WHILE IN THE PERFORMANCE OF THEIR DUTIES WITH 100% SUPPORT.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

8. Proposed Source of Funding

New York State Division of Criminal Justice Services

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	P Saunders	7-21-08

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1696

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1696

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

TO: **Ben Zwirn, Deputy County Executive**
Suffolk County Executive's Office

FROM: **Dennis Caine, Deputy Chief of Support Services**
Suffolk County Police Department

DATE: **July 3, 2008**

SUBJECT: **Resolution Packets & SCIN Forms for**
The 1st Precinct Police Auxiliary Vehicle Grant Program
DCJS # LG07-1617-D00

Attached please find two copies of the following for the New York State Division of Criminal Justice Services sponsored program:

1. Grant Resolution.
2. Grant SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the proposed contract between Suffolk County and the New York State Division of Criminal Justice Services

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 to your office 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.

DC/sck
Att.

cc: Jim Morgo, Chief Deputy County Executive
Don Fahey, Federal & State Aid Claims Coordinator

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk	DATE 6/16/08 REV 7/3/08
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank 1696

Contact Person In Department/Agency	Telephone Number	Grant Application Due Date
Sarah Furey Sr. Grants Analyst	852-6042	N/A

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title **1st Precinct Police Auxiliary Vehicle**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) FY2004-2005 NYS Budget, Administered by NYS Division of Criminal Justice Services

3. Grant/Contract Status (Check One Box)
A. __X_New Program Application
B. ___Renewal Application
C. ___Supplemental (Specify) _____
D. ___Extension of Funding Period
E. ___Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.).
Grant funding will allow the Suffolk County Police Department to purchase a vehicle for use by members of the 1st Precinct Police Auxiliary while in the performance of their duties.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

II. BUDGET INFORMATION

1. Term of Contract From: 4/1/07 To: 3/31/09

2. Financial Assistance Requested

SOURCE	*FIRST FUNDING CYCLE*		*SECOND FUNDING CYCLE*		*THIRD FUNDING CYCLE*	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$	%	$	%	$	%
State	$25,000	100%	$	%	$	%
Private	$	%	$	%	$	%
County	$	%	$	%	$	%
Total	$25,000	100%	$	%	$	%

1696

3. Explanation of Requested County Financial Assistance

Category	*Total Requested*	*Personnel Costs Requested*	*Non-Personnel Costs Requested*
TOTAL COUNTY SHARE:	$0	$	$
A. Cash Contribution	$	$	$
B. In-Kind Contribution	$	$	$

4. Total Number of New Positions Requested 0

5. Can This Program Be Refunded by the Proposed Non-County Sources?

X YES NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

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 Police 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 ½" X 11" sheet).

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:	Approved Disapproved	2. Signature of Coordinator	3. Date
4. Comments			
5. Budget Office Review:	Approved Disapproved	6. Signature of Budget Director	7. Date
8. Comments			

SCIN FORM 164

GRANT BUDGET ANALYSIS COUNTY BUDGET YEAR 2008				Page 1 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries				
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2030 Automobiles & Motorcycles 2040 Trucks,Trailers & Jeeps 2090 Radio and Communication 2500 Other Equip Not Otherwise	**25,000** 25,000			
3000 SUPPLIES MATERIALS & OTHERS: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3130 Automotive Maintenance Supplies 3500 Other Unclassified 3680 Repairs: Special Equipment				
4000 UTILITIES: 4010 Telephone & Telegraph				1696
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts				

SCIN Form 164D (10-80)

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2008			Page 2 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance				
OTHER (List Source & Brief Explanation) Vehicle use reimbursement				1676

I certify that the above in-kind contribution are not currently being used to support other grants

SCIN Form 164D (10-80)

DETAIL LISTING OF 1000 ACCOUNT		PERSONAL SERVICES					Page 3 of 3
TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %			
				GRANTOR	COUNTY	IN-KIND	
None							

1691

SCIN Form 164D (10-80)

Additional back-up material regarding I.R. 1696 is on file in the Legislative Clerk's Office, Hauppauge.

1697

Intro. Res. No. -2008 **Laid on Table** 8/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. –2008, ACCEPTING FROM NEW YORK STATE ONE (1) AIRBOAT, ONE (1) BOAT TRAILER , TWO (2) OUTBOARD ENGINES AND RELATED ACCESSORIES FOR USE BY THE SUFFOLK COUNTY POLICE DEPARTMENT MARINE BUREAU

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation wishes to assist Suffolk County in its marine law enforcement and boating safety functions and to that end has provided and made available to the County, for as long as the items are needed, one airboat, one boat trailer, two outboard engines and related accessories for the Police Department's law enforcement purposes; and

WHEREAS, the Suffolk County Police Department has a need for this equipment for the purposes of law enforcement; now, therefore, be it

1st RESOLVED, that the donation of one (1) airboat and accompanying trailer with a value of approximately $135,000.00, and two (2) outboard engines and related equipment with a value of approximately $24,000.00 for use by the Suffolk County Police Department is hereby accepted and the items are to be returned to New York State at the end of their service life.

DATED: , 2008

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1697

INTERGOVERNMENTAL AGREEMENT

This Agreement is entered by and between the County of Suffolk, having its principal address at 100 Veterans Memorial Highway, Hauppauge, New York 11788 (hereinafter, the "County") acting on the behalf of the Suffolk County Police Department, having an office at 30 Yaphank Avenue, Yaphank, New York 11980 (hereinafter, the "Department"), and New York State Office of Parks, Recreation, and Historic Preservation, having an office at Empire State Plaza – Agency Building 1, Albany, New York 12238 (hereinafter, the "State"). The County, the Department and the State shall also be known each individually as a "Party" or collectively as the "Parties."

W I T N E S S E T H :

WHEREAS, the State wishes to allow the Department to use, and the Department wishes to use, a State-owned motorized boat and trailer, and one pair of Honda outboard engines for maritime law enforcement purposes; and

WHEREAS, the County and the State wish to enter into an Intergovernmental Agreement to set forth the terms and conditions under which the above arrangement is to be conducted.

NOW, THEREFORE, the parties to this Agreement agree as follows:

1. Provision of Equipment.

   a) The State agrees to allow the Department to use one 1000 Island Airboat (HIN QYXAB0107005), one boat trailer (VIN 2C9TBSBDX7T028453), and one pair of Honda outboard engines (serial number BAPJ-1300414 and BANJ-1301547) and accessories (hereinafter, the "Equipment") for maritime law enforcement patrol purposes. Such Equipment shall at all times remain the property of the State and shall at no time be or become the property of the Department or the County.

   b) The provision of the Equipment under this Agreement shall continue only until such time as the Department ceases to use the Equipment for maritime law enforcement patrol purposes. The Department shall notify the State when the Department has ceased using the Equipment for maritime purposes. When such cessation occurs, the Equipment shall be returned to the State. The terms of this subsection shall survive the termination of this Agreement.

2. Term.

This Agreement shall commence upon execution of this Agreement by all parties and shall terminate at such time as the Department ceases to use the Equipment for maritime law enforcement purposes, unless sooner terminated as provided herein.

3. Responsibilities of the Parties.

a) The County shall maintain the Equipment such that it remains in good working order, ordinary wear and tear excepted.

b) The State does not make any representations as to the condition of the Equipment as of the time it is delivered to the County. The Department agrees to defend, indemnify and hold harmless the State for any injuries to persons or property which results from the acts, omissions or negligence of the County in its use of the Equipment.

4. Cost.

The Parties agree that the County shall receive the Equipment at no cost to the County.

5. Termination.

This Agreement may be terminated by either party upon at least thirty (30) days written notice to the other party. Upon the termination of this Agreement, the County shall return the Equipment to the State at a location within Suffolk County designated by the State. Notice of termination shall be given to the State at the address set forth on the first page of this Agreement, attn: Brian Kempf, Director, Marine Services and to the County at Suffolk County Police Department, Office of the Commissioner, Attn: Lieutenant Harold Armet, 30 Yaphank Avenue, Yaphank, New York 11980.

6. Amendments.

This Agreement may be modified or amended by written agreement between the Parties.

1697

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution XX Local Law _____ Charter Law

2. Title of Proposed Legislation

ACCEPTING FROM NEW YORK STATE ONE (1) AIRBOAT, ONE (1) BOAT TRAILER, TWO (2) OUTBOARD ENGINES AND RELATED ACCESSORIES FOR USE BY THE SUFFOLK COUNTY POLICE DEPARTMENT MARINE BUREAU.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

8. Proposed Source of Funding

New York State Office of Parks, Recreation and Historic Preservation

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	P Saunders	7-21-08

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1697

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

JUL 0 8 2008
1697

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

July 1, 2008

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

Re: Legislative Proposal
Accepting from New York State one airboat, one trailer, two outboard engines and related accessories for use by SCPD Marine Bureau

Dear Deputy County Executive Zwirn:

I am requesting that the County Executive propose the attached legislative resolution for purposes of accepting from New York State one airboat, one trailer, two outboard engines and related accessories for use by SCPD Marine Bureau.

The new equipment is will replace items that have been taken out of service.

Enclosed is the hard copy request for a resolution (SCIN 175a) along with the draft resolution and fiscal impact statement (SCIN 175b). A copy of the proposed Intergovernmental Agreement is attached.

Both the Intergovernmental Agreement and the Resolution were reviewed by Assistant County Attorney Jacqueline Caputi of the Law Department.

An e-mail version was sent on July 1, 2008 to CE RESO REVIEW under the tile Reso-SCPD-Acceptence of conditional gift from NYSOPRHP.

Very truly yours,

Richard Dormer
Police Commissioner

Intro. Res No. 1698 - 08 Laid on the Table 8/5/08

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

RESOLUTION NO. 2008, APPROVING THE REAPPOINTMENT OF DR. RICHARD E. DIBBLE AS A MEMBER OF THE SUFFOLK COUNTY PUBLIC EMPLOYMENT RELATIONS BOARD

WHEREAS, Dr. Richard E. Dibble was re-appointed a member of the Suffolk County Public Employment Relations Board by Resolution No. 1064-2002 for a term which expired April 20, 2008 and it is the intent of the resolution to extend a third term to Richard Dibble; now therefore be it

RESOLVED, that the re-appointment of Dr. Richard E. Dibble of 31 Flagstone Lane, Westbury, New York 11590, as a member of the Suffolk County Public Employment Relations Board be and the same hereby is approved for a term of office expiring on April 23, 2012, said appointment having been made by the Suffolk County Executive pursuant to the provisions of Section 44-6 of the Suffolk County Administration Code; and be it further

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 Article 8 of the New York Environmental Conservation Law and Section 617, 13(D) (15) (21) of Title 6 of the New York Code of Rules and Regulations (NYCRR) since such law constitutes routine or continuing agency administration and management and promulgation of the regulations, policies, procedures and legislative decision in connection with such action.

1698

Richard E. Dibble

31 Flagstone Lane
Westbury, NY 11590
(H) 516.686.7722
(O) 516-686-7722
email: rdibble@nyit.edu

Education

Ph.D and **M.A.**, Graduate School of Public Affairs, State University of New York at Albany. Major: Political science; Minors: Public Administration and Communications.

M.B.A., New York Institute of Technology.

B.A., English. State University of New York at Buffalo.

Professional Experience

New York Institute of Technology, School of Management, Center for Labor and Industrial Relations (CLIR), 1980-present. CLIR offers an M.S. in Human Resources Management and Labor Relations, and provides consulting and training services to the business and labor community.

Positions held: Research and Training Director, Associate Director, Dean, and Director (current position).

Serve as academic and administrative officer of a two-campus M.S. program, which enrolls 100+ students; develop and manage relationship with business, labor and professional community.

Established NYIT as one of eight University Centers for Transit Research and Management Development, under grants from U.S. Department of Transportation. Provided training in labor relations, occupational safety and health, and management skills to public and private transit agencies nationally. (1982-86)

Develop and deliver training programs and conferences on human resources and labor-management relations topics to employers, unions, and professional organizations.

Develop and manage School of Management professional development programs in the areas of human resources management, finance and accounting. These programs are conducted in partnership with the Society for Human Resource Management, Association of Financial Professionals, Institute of Management Accountants, and the American Payroll Association.

Directed research studies on the regional labor market, employee training, human resource practices, employee benefits, and labor relations.

Professor (tenured)

Teach graduate and undergraduate courses in human resources management, employee benefits, labor economics, research methods, organizational behavior, alternative dispute resolution, quantitative methods, labor and employee relations; thesis and field project advisor. Awarded two AAUP research grants. Received President's Award for Excellence In Full-Time Teaching (2006).

Service

Advisor to NYIT Student Chapter Society for Human Resource Management (2001-present); School Personnel Committees; Search Committees; Academic Senate; Faculty Appeals Board (AAUP); self-study committees for Middle States Review (1988, 1998, 2008). Received President's Service Award (1991).

Department of Employment and Training. Albany County (NY), 1977-1980.

Positions held: Researcher, Planning Supervisor, Director of Research and Evaluation.
Responsible for labor market analysis, training needs analysis, grant applications, program evaluation.

Graduate School of Public Affairs, State University of New York at Albany, 1972-1977.

Positions held: Teaching Assistant, Research Assistant, Assistant Director of an environmental policy research project. Conducted research on immigration and migration patterns in the U.S. and Latin America.

Other Professional Activities

Suffolk County Public Employment Relations Board (1998-present). This three-member panel is responsible for resolving collective bargaining issues and disputes between Suffolk County and its employee unions.

Adults and Children with Learning and Developmental Disabilities, Chair Human Resources Committee of the Board of Trustees (1991-1997, 2001-present)

Town of Hempstead, Workforce Investment Board, Chair Youth Advisory Council (2001-present)

Editorial Board, Journal of Individual Rights (1994-2002)

Dissertation Committee for a doctoral candidate at Dowling College (2007)

Arbitrator and mediator have served on panels of the American Arbitration Association, Equal Employment Opportunity Commission, and NYS Employment Relations Board.

Certifications

Senior Professional in Human Resources (SPHR), 2001-present.
Global Professional in Human Resources (GPHR), 2006-present.

Recognition and Honors

New York Institute of Technology, President's Award for Excellence in Full-Time Teaching, 2006.

Industrial Relation Research Association, LI Chapter, MacGregor Award for Exceptional Contribution to Labor-Management Relations, 1998.

Adults and Children with Learning and Developmental Disabilities, Inc. Volunteer of the Year Award, 1997.

Town of Hempstead, Private Industry Council, Quality Improvement Award, 1996.

New York Institute of Technology, President's Service Award, 1991.

Industrial Relations Research Association, LI Chapter, Presidential Recognition Award, 1989, 1995.

Suffolk County, Executive, Citation for Contribution to Education in the Dispute Resolution Field,1989.

Town of Hempstead, Private Industry Council, Citation for Distinguished Service, 1986.

Listed in various editions of Marquis Who's Who, including Who's Who in the East, Who's Who in America, Who's Who in American Education, and Who's Who in the World.

Publications

"Alternative Dispute Resolution in Employment: Recent Developments," ***Journal of Collective Bargaining in the Public Sector***, v. 29, n. 3 (2000).

"ADR of Employment Disputes: The Search for Standards," ***Journal of Public Sector Collective Bargaining***, v. 26, n. 1 (1997).

"Collective Bargaining Considerations, " Chapter 9, ***Employee Benefits Handbook***, 2nd. Ed. Warren Gorham Lamont, 1995 and 1998.

"Labor-Management Relations," Chapter 46, ***Human Resources Management and Development Handbook***, 2nd ed. American Management Association, 1994.

"Ethics Education in IR Programs: Patterns and Trends," published in ***Proceedings of the 45th Annual Meeting of the Industrial Relations Research Association, January 4-7, 1993, Anaheim, CA***. Madison, WI: Industrial Relations Research Association, 1993.

"Graduate/Professional Industrial Relations Curricula: Trends and Issues," Industrial Relations Research Association, ***Proceedings of the Fortieth Annual Meeting, December 28-30, 1987, Chicago***. Madison, WI: Industrial Relations Research Association, 1988.

Also, various book reviews in the ***Labor Studies Journal***.

Presentations (partial listing)

"The Impact and Costs of Employee Turnover." Adults and Children with Learning and Development Disabilities, Bethpage, NY, 2005.

"The Human Resource Challenge." LI Philanthropy Day Conference, Uniondale, NY, 2002.

The Long Island Job Market in the Post 9/11 Era." Nassau Placement Network Conference, Moving Forward in a Changing World, Westbury, NY, 2002.

"Alternative Dispute Resolution in the United States: Recent Developments." Tranatlantic Perspectives on Labour and Employment Law Conference, University College Faculty of Law, Dublin, Ireland, 2000.

"Reasonable Accommodation in the Workplace." Law in the Workplace Conference, Suffolk Academy of Law, Hauppauge, NY,1999.

"The Costs of Turnover." LI Compensation Association, Melville, NY, 1998.

"Finding Your Way Out of the Disability Maze: The Americans With Disabilities Act." Law in the Workplace Conference, Hauppauge, NY, 1996.

"How Effective is the ADA?" The Challenge of Disability Law Seminar, Winston & Strawn, New York, NY, 1996.

"ADR of Employment Disputes." Labor Law Conference, Nassau County Bar Association, Academy of Law, Mineola, NY, 1996.

"It's a Whole New World: Diversity in the Workplace." U.S. Customs Service, New York, NY 1995.

"Conflict Resolution Skills Workshop." United Industry Workers Union, D.C, 424, Long Island, NY, 1995.

"The Changing Workforce: Skills, Economy, Diversity." Business Advisory Council, National Center for Disability Services, Albertson, NY, 1994.

Americans With Disabilities Act." Long Island Council of Personnel Administrators Conference, Rockville Center, NY, 1993.

"Ethics Education in IR Programs: Patterns and Trends." Industrial Relations Research Association Annual Meeting, Anaheim CA, 1993.

'Training in the 1990s: What's It Worth?" American Society for Training and Development, Long Island Chapter, Plainview, NY, 1992.

"Alternative Dispute Resolution," Law in the Workplace Conference, Suffolk County Bar Association, Hauppauge, NY, 1992.

"Performance Appraisal: Process and Issues." Adults and Children With Learning and Developmental Disabilities, Westbury, NY. 1992.

"Sexual Harassment." Summer Institute on Sexual Harassment, New York Institute of Technology, Old Westbury, NY, 1992.

"Opportunities in the New Business Environment," Executive Advisory Council, School of Management, New York Institute of Technology, Old Westbury, NY, 1991.

"Training in the 1990s: What's It Worth?" Workshop on Measuring the Costs and Benefits of Training. American Society for Training and Development, Long Island Chapter, Old Westbury, NY, 1991.

Professional Service and Memberships

Addictions Advisory Board of Long Island, 1993-95.

American Arbitration Association, Commercial Panel of Arbitrators, 1988-95.

Association of Municipal Employees (Suffolk County), Scholarship Committee, 1998-2002.

Center for Labor and Industrial Relations Advisory Council, 1982-2001.

Delta Mu Delta Business Honor Society, New York Institute of Technology, inducted 1990.

Labor and Employment Relations Association (formerly, Industrial Relations Research Association), National and Long Island Chapter. Local Chapter positions held: President (1993-94), President-elect (1991-92), First Vice President (1989-1990), Second Vice President (1987-88); member of the Board of Directors (1985-2002); chair and co-chair of the Conference Committee (1985-1998).

Adults and Children With Learning and Developmental Disabilities. This non-profit organization ($58 million budget) provides educational, medical, residential and recreational services to disabled individuals throughout Long Island. Member of the board of trustees since 1991; positions held: President (1998-2000), First Vice President (1995-97), Chairman of the Human Resources Committee (1991-1997, 2001-present), also served on the Finance and Audit Committee, Trusteeship Committee, Health Services Committee, Program Committee, Business Affairs Committee, and Business Advisory Council at various times.

Long Island Health Care Coalition, 1985-91. Founding member and member of Board of Directors.

Nassau County Human Rights Commission, Diversity Conference Planning Committee, 1995.

National Center for Disability Services, Provide assistance to Building Local Partnerships Program, 1995-96.

New York College of Podiatric Medicine, Facilitated strategic planning retreat, 1993.

New York of Technology: Academic Senate (1982-1987, 2000-01); Occupational Therapy Advisory Council (2000-2003); Transportation Advisory Board (1982-87).

New York State Division of Substance Abuse Services, Task Force on Chemical Dependency in the Workplace: Legal and Legislative Committee, 1983-84.

New York State Governor's Office for Voluntary Services, Working Group on the Physically Challenged, 1990.

New York State Senate Transportation Advisory Council, 1993.

Occupational Education Citizen's Advisory Council, Nassau County BOCES, 1990-97.

Society for Human Resource Management, Member of national, Long Island and New York City chapters. Member of the Models of Excellence selection committee, 1994.

Society of Professionals in Dispute Resolution. Member of national and Long Island Chapter. Local chapter President (1992) and member of board of directors (1987-1994).

Suffolk Academy of Law (Bar Association). Member of faculty and co-chair of annual law in the workplace conference (1987-2006).

Town of Hempstead, Private Industry Council, 1983-1999. Chair of Training Committee.

Town of Hempstead, Workforce Investment Board, Chair of Youth Advisory Board, 2000-present.

University Council of Industrial Relations and Human Resource Programs. Secretary-Treasure and newsletter editor, 1988-90.

1698

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

APPROVING THE REAPPOINTMENT OF DR. RICHARD E. DIBBLE AS A MEMBER OF THE SUFFOLK COUNTY PUBLIC RELATIONS EMPLOYMENT BOARD.

3. Purpose of Resolution: Same as above

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

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

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

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

Library District **Fire District**

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

NO IMPACT

.

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

N/A.

8. Proposed Source of Funding

N/A

9. Timing of Impact

UPON APPROVAL

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Allen M. Kovesdy Director of Management and Research		July 17, 2008

SIN FORM 175b (10/95)

1698

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Intro. Res. No. 1699 - 2008 Laid on Table 8/5/08
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2008 AUTHORIZING A LEASE AGREEMENT WITH THE HERTZ CORPORATION FOR USE OF PROPERTY AT FRANCIS S. GABRESKI AIRPORT

WHEREAS, Suffolk County owns and operates Francis S. Gabreski Airport in Westhampton Beach; and

WHEREAS, The Hertz Corporation has submitted an application requesting a lease to operate a car rental service; and

WHEREAS, the Department of Economic Development and Workforce Housing has negotiated a lease with The Hertz Corporation for counter space and a parking area as further defined in Exhibit A, for a term of three (3) years, at an annual rental rate of $993.00 for the first year of the lease term and an annual escalation of two and one-half percent (2.5%); and

WHEREAS, this project is in compliance with the adopted 1990 Airport Master Plan Update, the 2008 Airport Master Plan Draft Update, the 1995 Central Pine Barrens Comprehensive Land Use Plan, the 1992 Long Island Comprehensive Special Groundwater Protection Area Plan, the 1999 Town of Southampton Comprehensive Plan Update and the Town of Southampton Aquifer Protection Overlay District requirements; and

WHEREAS, through Executive Order 26-2006 the County Executive created the Airport Conservation and Assessment Panel (ACAP) comprised mostly of local community group representatives, to evaluate applications for proposed leases, lease renewals, lease extensions, lease modifications and licenses and to issue formal recommendations to the County Executive, the CEQ and the County Legislature; and

WHEREAS, on May 2, 2007, the Airport Conservation and Assessment Panel reviewed the proposed development and, as noted in the panels written recommendation attached as Exhibit B, recommends that the lease be approved; and

WHEREAS, through Resolution 793-2007 the Suffolk County Legislature has determined that proposed development as reflect in the attached lease agreement constitutes a Type II action and no further review is required under SEQRA; now, therefore be it

1st RESOLVED, that the County Executive or his designee, be and hereby is authorized to execute a lease agreement for the use of the above described property between The Hertz Corporation and the County of Suffolk, in substantial accordance with the agreement annexed as Exhibit A.

APPROVED BY:

_____
/s/ Steve Levy
County Executive of Suffolk County

Date:

"EXHIBIT A"

1699

LEASE

THIS AGREEMENT OF LEASE ("**Lease**") made as of the 1st day of April, 2008, between The Hertz Corporation with an address of 225 Brae Boulevard, Park Ridge, New Jersey 07656, a corporation organized under the laws of the State of Delaware ("**TENANT**"), and the COUNTY OF SUFFOLK, a municipal corporation with an address at County Center, Riverhead, New York 11901 ("**LANDLORD**").

WITNESSETH:

1. DESCRIPTION

Section 1.01 In consideration of and subject to the terms, covenants, agreements, provision, conditions and limitations set forth in this Lease, LANDLORD hereby agrees to lease to TENANT approximately 2,000 square feet of property for ten (10) parking spots ("**Parking Area**") at Francis Gabreski Airport, Westhampton, New York, as indicated by airport management and approved by TENANT, for TENANT's use as a parking area for rental vehicles.

Section 1.02 LANDLORD further agrees to lease to TENANT, approximately 40 square feet of space to construct a counter in the Francis S. Gabreski Terminal Building ("**Counter Space**"). Tenant shall submit plans to Airport Management for approval of the counter and signage in accordance with Section 9 and 15. Construction of counter and signage shall be performed within 3 months of lease execution. The Parking Area and the Counter Space collectively shall be known as the "**Premises**".

Section 1.03 In the event the Parking Area is required in connection with the expansion or improvement of the Airport, LANDLORD may, upon fifteen (15) days written notice to TENANT, relocate TENANT's business operation at the Airport to another location within the Airport which shall be substantially similar to the Parking Area, including access, configuration and amount of square footage. In the event the new site is not acceptable to TENANT, TENANT's may provide written notice to LANDLORD that the new site is not accepted and the Term and estate hereby granted shall expire and terminate upon the day so specified in the Termination Notice, said date not to be more than thirty (30) days from the date of the notice, as fully and completely and with the same force and effect as if the day so specified were the Expiration Date.

2. TERM

Section 2.01 The "**Term**" of this Lease and TENANT's obligation to pay rent for the Premises shall be deemed to have commenced on April 1, 2008 and shall terminate three (3) years later, on March 31, 2011 ("**Expiration Date**") or on such earlier date as this Lease may terminate as hereinafter; provided, however, that if such date does not fall on a "**Business Day**," then this Lease shall end on the next Business Day.

For the purposes of this Lease and all agreements supplemented to this Lease, the term "**Business Days**" shall mean any day except a Saturday, a Sunday or any day on which commercial banks are required or authorized to close.

Section 2.02 TENANT's obligation to pay rent for the Counter Space designated by LANDLORD in the Terminal Building shall commence one day after the LANDLORD has given

written notice to TENANT that the space is available for TENANT's use and shall expire on the same day provided in *Section 2.01* above.

Section 2.03 TENANT, provided it is not in default of any of the terms of this Lease, shall have the option to renew this Lease for one additional three (3) year period commencing upon the expiration of the previous term ("**Option**"), subject to approval by the FAA of the continued non-aviation use of the Premises. Said Option shall be exercised upon TENANT notifying the LANDLORD, in writing, by registered or certified mail, return receipt requested no less than one hundred and eighty (180) days prior to the expiration of the then current term of its intention to exercise the Option. All of the terms and conditions of this Lease, other than Annual Rent, shall apply to the Option. If TENANT fails to notify LANDLORD of its intent in accordance herewith, the Option shall be thereupon terminated. LANDLORD shall be under no obligation to send any notice to the TENANT regarding its obligation to notify the LANDLORD of its intent to exercise said Option.

Section 2.04 Rental rates for the Option period shall be established in accordance with an appraisal conducted by the Suffolk County Department of Planning, Division of Real Estate and escalations thereof, which amounts shall be agreed to by TENANT prior to commencement of the Option term.

Section 2.05 TENANT may terminate this Lease at any time upon not less than three (3) months advance written notice to LANDLORD.

3. PURPOSE

Section 3.01 The parties hereto acknowledge that the LANDLORD is a municipal corporation and is entering into and executing this Lease by virtue of the authority of Resolution No. _____-2008 of the Suffolk County Legislature, a copy of which is attached hereto as **Exhibit A**, for the purpose and intent expressed in that resolution, that the same is incorporated herein by reference, and further that the TENANT has examined the same is fully aware of the intended purpose thereof, and that the TENANT'S occupancy shall be for the sole purpose of using the Premises for a car rental business and for no other purpose.

4. RENT

Section 4.01 "**Annual Rent**" for the Premises for the first year of the Term shall be $993.00 payable in equal quarterly installments, in advance on the first day of each quarter during the Term. Annual Rent shall increase annually, on the anniversary of the Commencement Date, by 2.5% over the Annual Rent in the preceding year.

Section 4.02 A. In addition to the Annual Rent, as herein set forth, TENANT agrees to pay LANDLORD the sum of 5% of its "Gross Sales" from its retail car rental business originating on-site at Gabreski Airport. The term "Gross Sales" shall mean all revenue received or realized by or accruing to the TENANT from all sales, for cash or credit, made pursuant to the car rental business at the Premises. "Gross Sales" shall not include: replacement referrals, which is defined as any referral from insurance companies, body shops, or dealerships to temporarily replace another vehicle, nor shall Gross Sales include revenues received from the sale of collision damage waiver or loss damage waiver; any sums received as insurance proceeds, supplemental liability protection, personal accident insurance/personal effects coverage or otherwise for damages to automobiles or other property of TENANT, or for loss, conversion, or abandonment of such automobiles; revenues collected from TENANT's customers as reimbursement for

refueling an automobile rented pursuant to a rental agreement under which such customer is obligated to return the automobile with a full tank of gasoline; and, revenue from the sale of surplus vehicles. Any taxes imposed by law which are separately stated and paid for by the customer, and which are directly payable to the taxing authority by the TENANT, shall be excluded from the receipts of the TENANT for the computation of the percentage assessment. Payment of any amounts due under this section shall be paid quarterly, at the same time as the quarterly installment of Annual Rent. With the payment of the quarterly percentage rentals as hereinabove provided, TENANT shall submit to LANDLORD a detailed statement showing gross sales from the operation of the business hereunder for the preceding quarter.

Section 4.03 TENANT shall pay all rent without set-off, abatement, deductions, defense or claims, except as specifically set forth herein, to LANDLORD at LANDLORD's address set forth herein or at such other place as LANDLORD may designate in writing in lawful currency of the United States of America.

Section 4.04 Any sums, charges, fees, expenses or amounts to be paid by TENANT pursuant to the provisions of this Lease other than Annual Rent, shall be designated as and deemed to be "**Additional Rent**" and shall be payable by TENANT to LANDLORD within thirty (30) days after LANDLORD gives TENANT written notice that such payment is due. LANDLORD shall have the same rights against TENANT for default in the payment of Additional Rent as for default in the payment of Annual Rent.

Section 4.05 If TENANT shall fail to make payment of any installment of Annual Rent or any Additional Rent within fifteen (15) days after the date when such payment is due, TENANT shall pay to LANDLORD, in addition to such installment of Annual Rent or such Additional Rent, as the case may be, a sum $35.

5. Audit

Section 5.01 TENANT shall maintain full and complete records, books, documents, papers, accounting records and other evidence pertaining to the services provided by TENANT in connections with its operations at the Premises for every year under this Lease and for a period of three (3) years thereafter, including the last effective year of the Term, which records shall be available for reasonable audit and inspection by the Department and the Suffolk County Comptroller or his duly designated representative, including, but not limited to, specific, detailed records necessary to establish Gross Sales owing hereunder, in accordance with generally accepted accounting principles. Such access is granted notwithstanding any exemption from disclosure that may be claimed for those records which are subject to nondisclosure agreements, trade secrets and commercial information or financial information that is privileged or confidential

Section 5.02 LANDLORD shall have the further right to authorize an audit of TENANT's records pertaining to its operation at the Airport, not more than once during each calendar year of this Lease. Such audit shall be undertaken by a reputable firm of independent Certified Accountants, satisfactory to the LANDLORD, or by LANDLORD personnel so authorized. The cost of such audit shall be borne by LANDLORD unless the results of such audit reveal a discrepancy of more that five percent (5%) between the Gross Sales reported in accordance with *Section 4.02* and the Gross Sales as determined by audit for any twelve month period. In case of any such discrepancy, the full cost of the audit, and other amount found owing, shall be borne by TENANT.

6. TAXES.

Section 6.01 In the event "**Real Estate Taxes**" or other payments in lieu of taxes "PILOTS" are assessed against the Premises, TENANT agrees to pay, as Additional Rent, within ten (10) days of receipt of notice from LANDLORD, said Real Estate Taxes or PILOTS levied against TENANT'S occupancy or use of the Premises or any improvements placed thereon as a result of TENANT'S occupancy or use for other than public purposes.

Section 6.02 Any challenge to any assessment or tax shall be the obligation of TENANT and LANDLORD'S responsibility shall be limited to sending to TENANT copies of any notice of assessment or tax bill actually received by LANDLORD. In the event any tax paid by TENANT shall be refunded to LANDLORD, the same shall be credited against Annual Rent installment next due.

The term "**Real Estate Taxes**" shall mean and be deemed to include all real estate taxes, assessments, county taxes, transit taxes or any other governmental charge of a similar nature whether general, special, ordinary or extraordinary, foreseen or unforeseen, of any kind or nature whatsoever including without limitation assessments for public improvements or benefits. If, due to a change in the method of taxation, any franchise, income, profit, sales, rental, use and occupancy or other tax shall be substituted for or levied against the LANDLORD or any owner of the building and/or the land in lieu of Real Estate Taxes hereinabove defined, upon or with respect to the building or the land, such tax shall be included in the term "Real Estate Taxes". Nothing contained herein shall be construed to include as "Real Estate Taxes" any inheritance, estate, succession, transfer, gift franchise, corporation, income or profit tax or capital levy that is or may be imposed upon LANDLORD.

7. CARE AND REPAIR OF PREMISES

Section 7.01 TENANT is renting the Premises in their "as is" condition and it shall be TENANT'S sole obligation to take good care of the Premises and make and be responsible for any repairs, maintenance, replacements or renovations required. Any and all work is to be conducted in a good and workmanlike manner, at TENANT's sole cost and expense.

Section 7.02 The Premises shall only be used and occupied by the TENANT in accordance with the purposes set forth in **Section 3**. TENANT agrees not to use or permit the Premises to be used for any purpose not expressly permitted under this Article without the prior written consent of LANDLORD.

8. LIENS

Section 8.01 TENANT shall not and will not suffer or permit during the term hereby granted, or any renewals thereof, any mechanics' liens or other liens for work, labor, services or materials, to attach to the premises hereby demised or to any portion thereof or any improvements to be erected upon the same or any portion thereof, or to any repairs to be made thereon, and whenever and as often, if ever, as within 30 days after written notice of the filing of any such lien, shall either pay the same or procure the discharge thereof, by giving security or in such other manner as is or may be required by law.

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9. ALTERATIONS

Section 9.01 TENANT shall not make any renovations or "**Alterations**," meaning any alterations, installations, improvements, additions, renovations or physical changes made by TENANT to the Premises or any part or portion thereof of the Premises, without the prior written consent of LANDLORD. TENANT shall, before making any Alterations, at its expense, obtain all permits, approvals and certificates required by any "**Legal Requirement**" or "**Governmental Authority**" any (upon completion) certificates of final approval thereof and shall promptly deliver to LANDLORD duplicates of all such permits, approvals and certificates. TENANT agrees to carry, and to cause TENANT's contractors and sub-contractors to carry such insurance as set forth under *Section 16.04* hereunder.

For the purposes of this Lease, the term "**Legal Requirements**" shall mean laws, statutes and ordinances (including building codes and zoning regulations and ordinances) and the orders, rules, regulations, directives and requirements of all federal, state, county, city and borough departments, bureaus, boards, agencies, offices, commissions and other subdivisions thereof, or of any official thereof, or of any other governmental, public or quasi-public authority, whether now or hereafter in force, and all requirements, obligations and conditions of all instruments of record which may be applicable to the Premises or any part thereof or the sidewalks, curbs, or areas adjacent thereto. Any work previously done by TENANT during their occupancy of the Premises was done in conformity with all Legal Requirements.

For purposes of the Lease, "**Governmental Authority**" shall mean, the United States of America, the State of New York, the County of Suffolk, and any other city, state, municipality, village, county, town, department, board or instrumentality of any and/or all of the foregoing, or any quasi-governmental authority, now existing or hereafter created, and any officer thereof, having jurisdiction over the Building.

Section 9.02 Any Alterations performed in accordance with *Section 9.01* shall be made and performed in a good and workman like manner, and shall be in compliance with all Legal Requirements. TENANT agrees that all Alterations shall be promptly commenced and completed and shall be performed so as not to unreasonably delay, hinder or interfere with LANDLORD's management, or operations of Gabreski Airport or the proposed Industrial Park at Gabreski Airport.

Section 9.03 All Alterations made by the TENANT to the Premises which are so attached to the Premises that they cannot be removed without material injury to the Premises, shall become the property of the LANDLORD upon installation, as part of the Premises and shall remain upon and be surrendered with the Premises upon the expiration or earlier termination of this Lease, in which event, the same shall be removed from the Premises by TENANT at TENANT's cost and expense. Nothing in this section shall be construed to give LANDLORD title to or to prevent TENANT's removal of trade fixtures, moveable office furniture, equipment and other personal property. TENANT shall, at TENANT's sole cost and expense, remove all of the TENANT's personal property and those improvements made by the TENANT which have not become the property of the LANDLORD and surrender the Premises in a broom-clean condition, reasonable wear and damage by fire, the elements, casualty, or other cause not due to the misuse of neglect by TENANT or TENANT'S agents, servants, visitors or licensees, excepted. LANDLORD is under no obligation to repair, rebuild or replace any real and/or personal property in the event of loss.

10. NEGATIVE COVENANTS

Section 10.01 TENANT shall not use, occupy, maintain or operate the Premises, nor suffer or permit the Premises or any part thereof to be used, occupied, maintained or operated, nor bring into or keep at the Premises, nor suffer or permit anything to be brought into or kept therein, which would in any way (a) violate any term, covenant or condition of this Lease, (b) violate any restrictive covenant, operating covenant, encumbrance or easement affecting the Premises, (c) violate any Legal Requirements, (d) make void or voidable any insurance policy then in force with respect to the Premises or make any such insurance unobtainable or increase the rate of any insurance with respect to the Premises, (e) cause physical damage to the Premises or any part thereof, (f) permit the excess accumulation of waste or refuse matter above that accumulated in the permitted use of the premises (g) constitute a public or private nuisance, (h) conform to all applicable federal, state and local laws and regulations regulating toxic waste and discharge, including, but not limited to, Articles VII and XII of the Suffolk County Sanitary Code.

Section 10.02 TENANT shall commit no act of waste and shall take good care of the Premises and the fixtures and appurtenances therein.

11. EMINENT DOMAIN

Section 11.01 If the Premises or any part of thereof or any estate therein, or any other part of the building materially affecting TENANT'S use of the Premises, including the Parking Area, be taken by virtue of eminent domain, this Lease shall terminate on the date when title vests pursuant to such taking, the Annual Rent and any Additional Rent shall be apportioned as of said date and any rent paid for any period beyond said date shall be repaid to TENANT. TENANT shall not be entitled to any part of the award or any payment in lieu thereof, but TENANT may file a claim for any taking of fixtures and improvements owned by TENANT, and for moving expenses.

12. NOTICES

Section 12.01 Any notice by either party to the other shall be in writing and shall be deemed to be duly given only if delivered (i) personally (personal service on TENANT must be pursuant to New York Civil Practice Law and Rules Section 311), or (ii) by nationally recognized overnight courier, or (iii) mailed by registered or certified mail in a postpaid envelope addressed: (a) if to TENANT, at TENANT'S address first above set forth, Attention: Staff Vice President, Real Estate & Concessions, and (b) if to LANDLORD, Suffolk County Department of Economic Development, Aviation Division, Attention Airport Manager, Francis S. Gabreski Airport, Westhampton Beach, NY 11978 with a copy to the Suffolk County Department of Law, Attention Suffolk County Attorney, 100 Veteran's Memorial Highway, P.O. Box 6100, Hauppauge, NY 11788-0099, or at such other addresses as TENANT or LANDLORD, respectively, may designate in writing. Notice shall be deemed to have been duly given (1) if delivered personally, upon delivery thereof on a Business Day or if not a Business Day, then the next succeeding Business Day, or (2) if by nationally recognized overnight courier, the first Business Day subsequent to transmittal and (3) if mailed by registered or certified mail, upon the seventh Business Day after the mailing thereof. Any notice by either party to the other with respect to the commencement of any law suit or legal proceeding shall be effected pursuant to and governed by the New York Civil Practice Law and Rules or the Federal Rules of Civil Procedure, as applicable.

13. LANDLORD'S RIGHT TO INSPECT AND REPAIR

Section 13.01 LANDLORD may, but shall not be obligated to, enter the Premises at any reasonable time, on reasonable written notice to TENANT (except that no notice need be given in case of emergency) for the purposes of inspection or the making of such repairs, replacements, and additions in, to, or about the Premises, as necessary or desirable, or to perform any covenant, obligation or service contemplated in this Lease; provided however, that LANDLORD shall use reasonable efforts in its access of the Premises to cause a minimal amount of interference with TENANT's use of the Premises.

14. UTILITIES

Section 14.01 TENANT shall assume and be responsible to pay for any utilities services, including the connections thereto, used by it with respect to its operations granted by this agreement, where TENANT's use is separately metered or which are installed by TENANT. TENANT agrees that that the installation of any utility for its use shall be at TENANT'S sole cost and expense.

Section 14.02 LANDLORD shall have no liability to TENANT for any loss, damage or expense sustained or incurred by reason of any change, failure, inadequacy, unsuitability or defect in the supply or character of the utilities furnished to the Premises or if the quantity or character of the utilities are no longer available or suitable for TENANT's requirements. The provisions of this section shall survive the expiration of this Lease.

15. SIGNS

Section 15.01 TENANT shall not, without the prior written approval of the LANDLORD, which shall not unreasonably be withheld, erect, maintain or display any advertising, signs, posters or similar devices at or on the Premises or elsewhere at the facility; provided, however, that on those interior portions of the Premises which are not visible from outside, TENANT may install necessary directional and identification signs.

16. IDEMNITY AND INSURANCE

Section 16.01 TENANT shall indemnify and hold harmless the COUNTY OF SUFFOLK, the County's consultant (if any), its agents, employees or any other person against all claims, expenses (including attorney's fees), losses and liabilities of whatsoever nature by reason of the liability imposed by law upon the County, except in cases of its sole negligence, for damage because of bodily injury, including death at any time resulting there from or sustained by any person or persons, or on account of damage to property arising out of or in consequence of this agreement, whether such injuries to persons or damage to property are due or claim to be due to any passive negligence of the County, its employees or agents or any other person.

Section 16.02 The risk of loss or destruction from any peril to the furniture, fixtures, equipment of other personal property of TENANT while on the Premises shall be borne by the TENANT. It is further understood that the TENANT waives any right to subrogation against the LANDLORD for loss or destruction or from any period to the furniture, fixtures, equipment or other personal property of the TENANT while on the said Premises except in cases due to any active or passive negligence of the County, its employees, officers and agents.

Section 16.03 TENANT further agrees to procure, pay the entire premium for and maintain throughout the term of this Lease insurance in amounts and types specified by the COUNTY. Unless otherwise required by the COUNTY, in writing, such insurance will be as follows:

i. Commercial General Liability insurance in an amount not less than Two Million Dollars ($2,000,000.00) per occurrence for bodily injury and Two Million Dollars ($2,000,000.00) per occurrence for property damage.

ii. Workers Compensation and Employer's Liability Insurance in compliance with all applicable New York State laws and regulations and Disability Benefits Insurance if required by law and shall have furnished to LANDLORD prior to its execution of this Lease the documentation required by the State of New York Workers' Compensation Board of coverage or exemption from coverage pursuant to sections 57 and 220 of the Workers' Compensation Law. In accordance with General Municipal Law, section 108, this Lease shall be void and of no effect unless TENANT shall provide and maintain coverage during the term of this Lease for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

iii. Automobile Liability Insurance (if any vehicles are used by the TENANT in the performance of this Lease) in an amount not less than Five Hundred Thousand Dollars ($500,000) per person, per accident for bodily injury and not less than One Hundred Thousand Dollars ($100,000) for property damage per occurrence.

Section 16.04 Any contractors and subcontractors who may at any time be involved with construction or reconstruction of the Premises on behalf of TENANT shall be required to procure and maintain throughout the term of construction insurance in the amounts and types specified in *Section 16.03.*

Section 16.05 All insurance required by this Lease shall be maintained with insurance underwriters authorized to do business in the State of New York with an A.M. Best Rating of A- or better.

Section 16.06 TENANT shall furnish LANDLORD Declaration Pages for each such policy of insurance, and, upon request, a true and certified original copy of each such policy, evidencing compliance with the aforesaid insurance requirements. In the case of commercial general liability insurance, the County of Suffolk shall be named as an additional insured and TENANT shall furnish a Declaration Page and endorsement page evidencing the County's status as an additional insured on said policy.

Section 16.07 All such Declaration Pages, certificate, and other evidence of insurance shall provide for the County of Suffolk to be notified in writing thirty (30) days prior to any cancellation, nonrenewal, or material change in said policy.

Section 16.08 Notwithstanding the foregoing, however, TENANT, at its sole option, subject to TENANT being in full compliance with all applicable New York State, local and federal regulations regarding TENANT's self-insurance program and subject to TENANT's satisfying the Self-Insurance Standard, may elect to be either partially or totally self-insured and thereby assume responsibility for that portion of the liability insurance for which it is insured. In this case, TENANT must notify LANDLORD of its self-insured status by a signed writing.

Section 16.09 In the event that any of the insurance required by this Lease ceases to be in full force and effect, TENANT agrees to cease all operations covered by the terms of this Lease.

Section 16.10 LANDLORD shall not be obligated to maintain insurance for loss from fire or other peril causing damage or destruction to the real property of the LANDLORD or to rebuild in the event of a partial or complete loss at the Premises. In the event of such a loss, this Lease shall terminate unless TENANT shall promptly restore the Premises. Rent shall in any event abate for the period the Premises are uninhabitable. TENANT may at its option obtain fire and other peril insurance for said Premises. Such insurance shall name LANDLORD as an additional insured and shall contain a waiver of subrogation against LANDLORD.

17. DEFAULT REMEDIES/DAMAGES

Section 17.01 Upon the occurrence, at any time prior to or during the Term, of any one or more of the following events (referred to as "**Events of Default**"):

(i) if TENANT shall default in the payment when due of any installment of Total Annual, and any such default continues for ten (10) Business Days after LANDLORD has given TENANT a written notice specifying such default; or

(ii) if TENANT defaults in the keeping, observance or performance of any covenant or agreement (other than a default of the character referred to in (i) above), and if such default continues and is not cured within fifteen (15) days after LANDLORD gives TENANT written notice specifying same, or, in the case of a default which for causes beyond TENANT's reasonable control cannot, with reasonable diligence be cured within such period of 15 days, if TENANT shall not immediately upon the giving of such written notice, (a) advise LANDLORD of TENANT's intention duly to institute all steps necessary to cure such default and (b) institute and thereafter diligently prosecute to completion all steps necessary to cure the same, or

1. Filing by or the final adjudication against TENANT of any petition in bankruptcy, or in the final adjudication of any petition for the appointment of a receiver or trustee for the assets or business of TENANT; or
2. The making by the TENANT of any general assignment for the benefit of creditors; or
3. The occurrence of any act which operates to deprive TENANT permanently of the rights, powers and privileges necessary for the proper conduct and operation of its business granted herein; or
4. The abandonment and discontinuance of the operation of TENANT; or
5. The failure of TENANT to maintain all required insurance and to furnish evidence of same within ten (10) days of written demand by LANDLORD; or
6. In the event of partial or complete loss to the Premises rendering it uninhabitable and, at the discretion of LANDLORD, the Premises will not be restored;

then, in any such case or upon such occurrence, in addition to any other remedy available to LANDLORD at law or in equity, LANDLORD may give to TENANT a notice (the "**Termination Notice**") of intention of LANDLORD to end the Term of this Lease specifying a day not less than seven (7) Business Days thereafter and, upon the giving of the Termination Notice, this Lease and the Term and estate hereby granted shall expire and terminate upon the day

so specified in the Termination Notice as fully and completely and with the same force and effect as if the day so specified were the Expiration Date and all rights of TENANT shall terminate and TENANT shall remain liable for damages as hereinafter provided.

Section 17.02 From and after any date upon which LANDLORD gives a Termination Notice, LANDLORD, without further notice, may enter upon, re-enter, possess and repossess itself of the Premises, by force, summary proceedings, ejectment or otherwise, and may dispossess and remove TENANT and all other persons and property from the Premises and may have, hold and enjoy the Premises and the right to receive all rental and other income of and from the same. As used in this Lease the words "enter" and "re-enter" are not restricted to their technical legal meanings. Upon and after such entry into possession LANDLORD may, but shall have no obligation to re-let the Premises, or any part thereof, for the account of TENANT.

Section 17.03 If this Lease and the Term shall expire and come to an end as provided in *Section 17.01*, or by or under any summary proceeding or any other action or proceeding, TENANT shall pay to LANDLORD Total Annual Rent and Expenses payable under this Lease by TENANT to LANDLORD to the date upon which this Lease and the Term shall have expired and come to an end or to the date of re-entry by the LANDLORD, as the case may be. Nothing herein contained shall be construed as limiting or precluding the recovery by LANDLORD against TENANT of any damages to which LANDLORD may lawfully be entitled in any case other than those particularly provided for above.

Section 17.04 Except for the monetary obligations of either party, LANDLORD and TENANT shall not be in default of this Lease because of such party's inability to perform the covenants and obligations set forth herein during the continuance of any period of Force Majeure, except as may otherwise be expressly specified in this Lease.

Section 17.05 Notwithstanding anything to the contrary hereinabove or hereafter set forth, in the event that LANDLORD, by other act sells, assigns, transfers, conveys, leases or by any other act for agreement grants occupancy, management or control of the Premises or a portion thereof, in which this leasehold is located to an entity other than a unit of Federal, State or Local Government, or wishes to demolish the Premises, then LANDLORD or its successor/assignee shall have the right to terminate this Lease, upon ninety (90) days written notice to TENANT, such 90 days to mean three (3) entire months under the Lease, not including the portion of the month in which the notice is given.

Section 17.06 The exercise of any remedies herein provided shall be cumulative and shall in no way affect any other remedy available to LANDLORD at law or in equity.

18. SURRENDER OF PREMISES; HOLDOVER

Section 18.01 On the Expiration Date or upon the sooner termination of this Lease or upon any re-entry by LANDLORD, TENANT shall at its expense, quit, surrender, vacate and deliver the Premises to LANDLORD in good order, condition and repair, ordinary wear, tear and damage by the elements, fire or other casualty beyond TENANT's reasonable control excepted, together with all improvements and fixtures therein. TENANT shall, at its expense, remove from the Premises all of TENANT's personal property and any personal property of persons claiming by, through or under TENANT and all non- LANDLORD approved Alterations, and shall repair or pay the cost of repairing all damage to the Premises occasioned by such removal. Any of TENANT's personal property or Alterations of TENANT, with the exception of TENANT's motor vehicles, remaining in the Premises after the termination of this Lease shall be deemed to have been

abandoned and either may be retained by LANDLORD as its property or may be stored or disposed of as LANDLORD may see fit, without insurance or liability for any damage which may occur. If such property no so removed shall be sold, LANDLORD may receive and retain the proceeds of such sale and apply the same, at LANDLORD's option, against the reasonable expenses of the sale, moving and storage, arrears of rent and any damages to which LANDLORD may be entitled. Any excess proceeds shall be the property of LANDLORD.

Section 18.02 If TENANT shall remain in possession of the Premises after the termination of this Lease without the execution of a new lease, TENANT, subject to all of the other terms of this Lease insofar as the same are applicable to a month-to-month tenancy, and without waiving TENANT's default or preventing LANDLORD from suing to obtain possession, shall be deemed to be occupying the Premises as a TENANT from month to month, at a monthly rental equal to 110% the total monthly installment of Annual Rent last payable by TENANT under the Lease.

Section 18.03 The provisions of this **Section 18** shall survive the expiration or earlier termination of this Lease.

19. WAIVER OF JURY TRIAL

Section 19.01 To the extent permitted by law, TENANT waives: any notice of re-entry or of the institution of legal proceedings to that end; any right of redemption, re-entry or repossession; any right to trial by jury in any action or proceeding or in any matter in any way connected with this Lease or the Premises; and the benefit of any laws now or hereafter in force exempting property for rent or for debt.

20. WAIVERS

Section 20.01 No failure by LANDLORD or TENANT to insist upon strict performance of and compliance with any term, covenant or condition hereof or to exercise or enforce any right, power or remedy consequent upon a breach thereof, and no submission by TENANT or acceptance by LANDLORD of full or partial rent during the continuance of any such breach, shall constitute a waiver of any such breach or of any such term, covenant or condition, as to either party. No waiver of any breach of any term, covenant or condition of this Lease shall affect or alter this Lease, which shall continue in full force and effect, or the respective rights, powers or remedies of LANDLORD or TENANT with respect to any other then existing or subsequent breach.

21. ENVIRONMENTAL RESPONSIBILITIES

Section 21.01 TENANT shall not use or suffer the use of all or any part of the Premises to treat, generate, store, dispose of, transfer, release, convey or recover any "**Hazardous Substances**," as that term is defined below. TENANT shall immediately notify LANDLORD of the presence or suspected presence of any Hazardous Substance on or about the Premises and shall deliver to LANDLORD any notice received by TENANT with respect to any Hazardous Substance relating thereto. TENANT shall, to the extent permitted by law, indemnify LANDLORD against and pay all costs, expenses, fines, penalties or damages which may be imposed upon LANDLORD by reason of TENANT's failure to comply with the provisions of this Section.

For purposes of this Lease the term "**Hazardous Substance**" shall mean (i) asbestos and any asbestos containing material and any substance that is listed in, or otherwise classified pursuant to any "**Environmental Laws**," as that term is defined below, or any applicable laws or regulations as "hazardous substance", "hazardous material", "hazardous waste", "infectious

waste", toxic substance", "toxic pollutant", or any other formulation intended to define, list or classify substances by reason of deleterious properties such as ignitability, corrosivity, reactivity, carcinogenicity, toxicity, reproductive toxicity, or "EP toxicity", (ii) any petroleum and drilling fluids, produced waters, and other wastes associated with the exploration, development or production of crude oil, natural gas, or geothermal resources and (iii) petroleum product, polychlorinated biphenyls, urea formaldehyde, radon gas, radioactive matter, and medical waste. "Hazardous Substance" shall not include normal cleaning and personal household products being used in their intended manner and otherwise in a manner that is in compliance with Environmental Laws.

"**Environmental Laws**" shall mean any and all present and future federal, state, and local laws, ordinances, rules, regulations, decisions, and standards relating to protection of human health and the environment, including, but not limited to, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. 9601 et.seq. ("CERCLA"); the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. 6901 et.seq. ("RCRA"); the Occupational Safety and Health Act) 29 U.S.C. 651 et.seq. ("OSHA"). Environmental Laws shall also include, but are not limited to, any requirements relating to underground storage tanks, the storage and use of gasoline (diesel fuel) waste oil or other petroleum products.

Section 21.02 Subject to the provisions of *Section 21.01* above, TENANT, at its sole cost and expense, shall comply with all Environmental Laws applicable to the Premises required as a result of any use of the Premises by TENANT and shall give LANDLORD prompt written notice of any lack of compliance with any of the foregoing and of any notice it receives of the alleged violation of any Environmental Laws. LANDLORD shall cooperate with TENANT's efforts hereunder; provided, however, that LANDLORD shall not be required to incur any out of pocket costs in so doing. TENANT shall, to the extent permitted by law, indemnify LANDLORD against all claims, losses, costs, expenses, fines, penalties and damages which may be imposed upon LANDLORD by reason of or arising out of TENANT's failure fully and promptly to comply with the provisions of this **Section 21.**

Section 21.03 In addition to the specific provisions of this Lease concerning indemnification and without prejudice to any rights and remedies of the parties hereunder, the parties further grant to each other the following Hazardous Materials indemnification:

A. TENANT shall be solely responsible for and shall, to the extent permitted by law, indemnify, and hold harmless LANDLORD, its officers, employees and their respective successors and assigns arising out of or in any way relating to the existence of any Hazardous Material placed on, in or under the Premises by TENANT or any party acting for, by or through TENANT or with TENANT's permission or acquiescence from and against all judgments, suits, proceedings, liabilities, losses, costs, judgments, orders, obligations, damages, expenses or claims (whether by third parties or governmental authorities) arising out of or in connection with TENANT's storage, management, treatment, use and/or disposal of any Hazardous Substance in, on or about the Premises, or arising out of or in connection with any "**Environmental Condition**," defined below, caused by TENANT, or the removal, cleanup and restoration work and materials necessary to return the Premises to the condition existing prior to the appearance of the Hazardous Substance.

For purposes of this Lease the term "**Environmental Condition**" shall mean any condition involving any substance regulated pursuant to any Environmental Law with respect to

surface or sub-surface soil, ambient air, surface waters, ground waters, leachate, run-off, stream or other sediments or similar environmental medium, whether on, or going off of the Premises, which condition has caused injury or damage or requires investigation or remedial or corrective action or compliance with requirements, standards, rules, regulations, ordinances or other laws, as required interpreted or applied by governmental entities pursuant to Environmental Law.

B. LANDLORD and its successors, assigns, trustees, beneficiaries and legal representatives will indemnify, and hold harmless TENANT, its officers, directors, shareholders, representatives, and their respective successors and assigns from and against all judgments, suits, proceedings, liabilities, losses, costs, judgments, orders, obligations, damages, expenses or claims (whether by third parties or governmental authorities) arising out of or in any way relating to the existence of any Hazardous Materials placed on, in or under the Premises by any person or entity other than TENANT or any person or entity acting for, by or through TENANT or with TENANT's permission or acquiescence.

C. Nothing contained in this indemnification will prevent or in any way diminish or interfere with any rights and remedies, including without limitation, the right of contribution, which either party may have against the other party or against any of its predecessors or successors in interest, or any other party under the Federal Comprehensive Environmental Response, Compensation, and Liability Act, as it may be amended from time to time, or of other applicable federal, state or local laws.

Section 21.04 LANDLORD represents and warrants that, to the best of LANDLORD's knowledge, all material Environmental Conditions at the Premises of which LANDLORD is aware have been disclosed to TENANT.

Section 21.05 The provisions of this Article shall survive the expiration or earlier termination of this Lease.

22. LANDLORD LIABILITY FOR TENANT'S FAILURE.

Section 22.01 Failure of TENANT to perform any or all of its obligations hereunder shall not give rise to any liability on the part of LANDLORD or any County departments, officers, officials, bureaus, agencies, employees, agents or representatives.

23. ASSIGNMENT OF LEASE OR SUBLEASE

Section 23.01 TENANT shall not at any time, assign, sublease, or transfer this Lease, or any part thereof, or any right, power or privilege hereunder. An assignment shall be deemed to include any consolidation, merger, or transfer of controlling interest of TENANT'S business entity under this Lease.

24. SUSPENSION OF LEASE

Section 24.01 During a time of war, national emergency, or other public necessity, LANDLORD shall have the right to lease the premises or any part thereof to the United States or the State of New York for military or other public purposes. If any such lease is executed, any provision of this instrument which is inconsistent with the provisions of a lease with the United States or the State of New York shall be suspended and this Lease shall immediately terminate. In the event LANDLORD requires the use of the Premises or any part thereof for governmental purposes and

such use is in the best interests of LANDLORD, LANDLORD may terminate this Lease in whole or in part on thirty (30) days written notice to TENANT.

25. WAIVER OF LANDLORD'S LIEN

Section 25.01 LANDLORD will not claim or have a lien of any kind, be it contractual or statutory, on or against TENANT's motor vehicles for non-payment of Rent, default by TENANT or any other reason, and LANDLORD hereby waives all such liens available to LANDLORD.

26. GENERAL PROVISIONS.

Section 26.01 Attorney's Fees. In any action brought by LANDLORD for the enforcement of the obligations of TENANT, LANDLORD shall be entitled to recover interest at the statutory rate and reasonable attorney's fees.

Section 26.02 Subordination of Lease. This Lease shall be subordinate to the provisions of any existing or future agreement between LANDLORD and the United States or the State of New York relative to the operation and maintenance of the Airport, the execution of which has been or may be required as a condition precedent to the expenditure of federal or state funds for the development of the Airport. Should the effect of any such agreement be to take so much of the premises under this Lease or substantially destroy the commercial value of such improvements, LANDLORD shall terminate this lease. Nothing hereunder shall impair the rights of TENANT to seek compensation from the United States or the State of New York, in the event of a taking pursuant to the preceding sentence.

Section 26.03 Federal, State and Local Law. TENANT shall comply at its own cost and expense, with all federal, state, county and town statutes, local laws, ordinances, rules or regulations, now or hereinafter in force, which may be applicable to the operation of its business at the Airport, including obtaining and paying for all licenses and charges and taxes (whether real property or otherwise) assessed under state, federal, county or local statutes or ordinances, insofar as they are applicable thereto.

Section 26.04 Common Usage. TENANT shall have the right, in common with others authorized so to do, subject to and in accordance with the laws of the United States of America, the State of New York, and the County of Suffolk, and airport regulations, to use the common areas of the Airport, including roadways, floodlights, signals and other conveniences of LANDLORD.

Section 26.05 Future Acts of Legislature. TENANT agrees to be bound by any and all future recommendations, policies, local laws, resolutions and requirements as demanded, passed and promulgated by the Suffolk County Legislature or any municipal or federal authorities which provide for the growth of the Airport in general, advance the progress of the County and Airport and would reasonably better the interests of the County of Suffolk, provided that if such action shall materially interfere for a period of more than 30 consecutive days with the operation of the TENANT, TENANT'S only recourse shall be an appropriate adjustment in the rent and if no agreement can be reached on such adjustment , the same shall be determined by a court of competent jurisdiction.

Section 26.06 General Event Use. LANDLORD, or any successor thereto, reserves the right to hold or to approve the holding of special events at the Airport by the LANDLORD or other

entities. The holding or the approval to hold such events shall not be deemed to be adverse to the rights of TENANT as a leaseholder and shall be at the sole discretion of LANDLORD.

27. ARREARS TO COUNTY

TENANT warrants that, except as may otherwise be authorized by agreement, they are not in arrears to the COUNTY upon debt or contract and are not in default as surety, contractor or otherwise on any obligation to or contract with the COUNTY.

28. LIMITATION OF RIGHTS AND PRIVILEGES GRANTED

No exclusive rights at the Airport are granted by this Lease and no greater rights or privileges with respect to the use of the Premises or any part thereof are granted or intended to be granted to the User by this Lease, or by any provision thereof, than the rights and privileges expressly and specifically granted hereby.

29. CERTIFICATION

The parties to this Lease hereby certify that, other than the funds provided in this Lease, there is no known personal, business, commercial, professional, economic, or financial relationship between the parties, the signatories to this Lease, and any partners, members, directors, or shareholders of more than five per cent (5%) of any party to this Lease.

30. BROKER

LANDLORD and TENANT, each to the other, represent and warrant that no broker brought about this Lease and LANDLORD and TENANT hereby agree to indemnify and hold the other party harmless against any claim, demand and judgment which may be made or obtained against the other party by any broker claiming a commission for representing LANDLORD or TENANT, respectively, for bringing about this Lease. LANDLORD or TENANT shall forthwith notify the other of any such claim, demand or legal action and the indemnifying party shall be entitled to defend the other party against any such claim, demand or legal action.

31. NO REPRESENTATIONS

Neither party has made any representations or promises, except as contained herein, or in some further writing signed by the parties, making such representation or promise.

32. QUIET ENJOYMENT

LANDLORD covenants that if, and so long as TENANT pays the rent and any additional amounts owed pursuant to the terms of this Lease, and performs the covenants hereof, TENANT shall peaceably and quietly have, hold and enjoy the Premises for the term herein mentioned, subject to the provisions of this Lease.

33. CAPACITY TO CONTRACT

TENANT warrants that its entry into this Lease was duly considered and authorized by its organizational body and pursuant to its by-laws and/or internal procedures.

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35. **FIRE, FLOOD OR STRIKE**

Neither party shall be liable for failure to perform its part of this Lease when such failure is due to fire, flood, strikes or similar labor disturbances, industrial disturbances, wars, riots, insurrection, Acts of God and/or other causes beyond the control of the parties.

36. **LAWFUL HIRING OF EMPLOYEES LAW IN CONNECTION WITH CONTRACTS FOR CONSTRUCTION OR FUTURE CONSTRUCTION.**

This Lease is subject to the Lawful Hiring of Employees Law of the County of Suffolk, Suffolk County Code Chapter 234, as more fully set forth in the Exhibit entitled "Suffolk County Legislative Requirements." In accordance with this law, Contractor or employer, as the case may be, and any subcontractor or owner, as the case may be, agree to maintain the documentation mandated to be kept by this law on the Construction Site at all times. Contractor or employer, as the case may be, and any subcontractor or owner, as the case may be, further agree that employee sign-in sheets and register/log books shall be kept on the Construction Site at all times during working hours and all covered employees, as defined in the law, shall be required to sign such sign in sheets/register/log books to indicate their presence on the Construction Site during such working hours.

37. **NOT A CO-PARTNERSHIP OR JOINT VENTURE**

Nothing herein contained shall create or be construed as creating a co-partnership between LANDLORD and TENANT or to constitute TENANT or TENANT's employees as agents or employees of the County.

38. **COUNTY REPRESENTATIVES.**

It is expressly understood and agreed by and between the parties hereto that the officers, officials, employees and agents of LANDLORD and Airport Management are acting in a representative capacity for the County of Suffolk and not for their own benefit, and that neither TENANT nor any of its guests or invitees shall have any claim against them or any of them as individuals in any event whatsoever.

39. **NO IMPLIED WAIVER**

No waiver shall be inferred from any failure or forbearance of the County to enforce any provision of this Lease in any particular instance or instances, but the same shall otherwise remain in full force and effect notwithstanding any such failure or forbearance.

40. **SUFFOLK COUNTY LEGISLATIVE REQUIREMENTS**

The Parties agree to be bound by the terms of the Suffolk County Legislative Requirements, annexed hereto as "Appendix A," and made a part hereof.

41. **NO CREDIT**

TENANT agrees that this Lease shall not be pledged, hypothecated, or put up as security for a loan, credit or for any reason whatsoever.

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42. ORAL MODIFICATIONS

This Lease cannot be modified or terminated orally but only by an agreement in writing signed by TENANT and LANDLORD.

43. PARAGRAPH HEADINGS

The paragraph headings in this Lease are included for convenience only and shall not be taken into considerations in any construction or interpretation of this Lease or any of its provisions.

44. GOVERNING LAW

Section 44.01 This Lease shall be governed by and construed in accordance with the laws of the State of New York, without regard to conflict of laws. Venues shall be designated in Suffolk County, New York or the United States District Court for the Eastern District of New York.

Section 44.02 Notwithstanding anything herein contained to the contrary, any summary proceedings against TENANT may be instituted in accordance with Article 7 of the New York Real Property Actions and Proceedings Law.

45. SEVERABILITY

It is expressly agreed that if any term or provision of this Lease, or the application thereof to any person or circumstance, shall be held invalid or unenforceable to any extent, the remainder of this Lease, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and every other term and provision of this Lease shall be valid and shall be enforced to the fullest extent permitted by law.

- Balance of page intentionally left blank -

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IN WITNESS WHEREOF, the parties hereto have caused this Lease to be executed and delivered as of the date first set forth above.

COUNTY OF SUFFOLK

By: _____
Name:
Title:

Date: _____

THE HERTZ CORPORATION

By: _____
Name: Simon Ellis
Title: Staff Vice President,
Real Estate & Concessions
Date: 5/16, 2008

DEPARTMENT OF ECONOMIC DEVELOPMENT
AND WORKFORCE HOUSING
AVIATION DIVISION

By: _____
ANTHONY CEGLIO
Airport Manager
Date: _____

APPROVED AS TO LEGALITY
CHRISTINE MALAFI
Suffolk County Attorney

By: _____
BASIA DEREN BRADDISH
Asst. County Attorney
Date: _____

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ACKNOWLEDGEMENT

STATE OF NEW YORK}
SS:
COUNTY OF SUFFOLK}

On the ____ day of _____ in the year 2008 before me, the undersigned, personally appeared _____ 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

STATE OF NEW JERSEY}
SS:
COUNTY OF BERGEN}

On the 16th day of May in the year 2008 before me, the undersigned, personally appeared Simon Ellis, Staff Vice President, Real Estate & Concessions of The Hertz Corporation, 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 individuals, or the person upon behalf of which the individual acted, executed the instrument.

Linda Dravin
Notary Public

LINDA DRAVIN
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES JAN. 24, 2009

Appendix A

1699

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.

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.

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 Lease 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>. Click on "Laws of Suffolk County" under "Suffolk County Links."

End of Text for Appendix A

EXHIBIT B

1699

The Hertz Corporation:

Background:

On May 9, 2006, Suffolk County Executive Order No. 26-2006 created the Airport Conservation and Assessment Panel (ACAP) The panel is charged with evaluating applications for leases, lease renewals, extensions and modifications, licenses, and issuing recommendations to the County Legislature, the CEQ and County Executive on the environmental, economic and community impacts of a lease or license application at Gabreski Airport and to report it's advisory findings and recommendations to the above parties.

The scope of the ACAP review shall be limited to assessing applications and proposals for the environmental compatibility and economic benefit to the people of the County of Suffolk and are in the public interest as a support, advance, or enhancement of a specifically articulated public policy objective.

A meeting of ACAP was held at 3:30 PM on May 2, 2007 to review the Hertz Corporation application submitted on April 2, 2007.

Summary of SEQRA Recommendations/ACAP Findings:

Based on our assessment of the rules governing the implementation of SEQRA, we find the subject application to be an unlisted action.

A Negative Declaration is recommended.

Recommendations:

There is no objection to the approval of this application contingent on the following conditions:

A maximum of 10 (ten) parking spots are permitted.

No on-site maintenance activities are permitted including washing of cars. Vacuuming cars is permitted.

Any significant construction other than a customer service counter must be presented to ACAP for prior review.

1699

May 14, 2007

Suffolk County Council on Environmental Quality
Hauppauge, New York

Re: ACAP report on The Hertz Corp.

Dear Council Members:

Following please find the Airport Conservation and Assessment Panel's report on the Hertz Corp. lease application. The majority opinion of the panel is reflected within.

Respectfully submitted:

Beecher Halsey
Chairman

Carrie Meek-Gallagher
Vice Chairman

Jaime Siegel
Secretary

RECEIVED
MAY 16 2007
SC Dept. of Economic Dev.
Aviation Division

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1699

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2008, AUTHORIZING A LEASE AGREEMENT WITH THE HERTZ CORPORATION FOR USE OF PROPERTY AT FRANCIS S. GABRESKI AIRPORT

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

County 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

Three year lease of approximately 40 square feet of space at Francis S. Gabreski Airport. Additional revenue to Fund 625 for three years is $3,054 plus 5% of gross sales.

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

N/A

8. Proposed Source of Funding

Revenue

9. Timing of Impact

Upon commencement of lease agreement.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst		July 21, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1699

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

1699

MEMORANDUM

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

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

DATE: July 1, 2008

SUBJECT: **RESOLUTION AUTHORIZING A LEASE OF AIRPORT PROPERTY TO THE HERTZ CORPORATION**

****

The Department of Economic Development and Workforce Housing, requests the submittal of the attached resolution authorizing the lease of airport property to The Hertz Corporation for the purpose of operating a car rental service.

Attached please find the draft resolution, signed lease agreement, written comments from the Airport Conservation and Assessment Panel (ACAP) and the required SCIN 175a and 175b. Electronic copies have been filed as required.

Thank you.

CEF/kmb
Attachments

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

Steve Levy
Suffolk County Executive

Jim M. Morgo
Commissioner

Intro. Res. No. 1700-08 Laid on Table 8/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2008, AUTHORIZING THE DISBURSEMENT OF FUNDS FROM THE SUFFOLK COUNTY LIVING WAGE CONTINGENCY FUND FOR BRIGHTWATERS CHILD CARE & DEVELOPMENT CENTER, INC. DBA KIDDIE ACADEMY OF BRIGHTWATERS, THE COMMUNITY PROGRAMS CENTER OF LONG ISLAND, INC., AND KIDS PLACE EARLY CHILDHOOD DAY SCHOOL, DAY CARE PROVIDERS UNDER CONTRACT WITH THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, in accordance with Section 347-15, County Transitional Financial Assistance was added to the Suffolk County Code wherein child care providers shall be eligible for upfront financial assistance from the Suffolk County Living Wage Contingency Fund, or any successor fund thereto, in order to meet increased payroll expenses; and

WHEREAS, Brightwaters Child Care & Development Center, Inc. dba Kiddie Academy of Brightwaters, The Community Programs Center of Long Island, Inc., and Kids Place Early Childhood Day School, day care providers, have submitted an application for Hardship Assistance and other prescribed forms to document the need for financial assistance, and

WHEREAS, the providers have concerns about their ability to comply with the Living Wage Law without a financial subsidy, and

WHEREAS, the centers provide a needed service to the community; and

WHEREAS, the Department of Labor has authorized Hardship Assistance in the amount up to a maximum of $206,685 be awarded for the period January 1, 2008 to December 31, 2008 and,

WHEREAS, the Living Wage Hardship funding will be provided to Brightwaters Child Care & Development Center, Inc. dba Kiddie Academy of Brightwaters ($62,285), The Community Programs Center of Long Island, Inc. ($84,950), and Kids Place Early Childhood Day School ($59,450) up to a maximum total of $206,685; now, be it

1. RESOLVED, that the County Comptroller be and hereby is authorized, empowered and directed to disburse funds as follows:

FROM:

001-MSC-1998-4770	Suffolk County Living Wage Contingency Fund	$206,685.00

TO:

001-DSS-6015-4770	Client Benefits Special Services	$206,685.00

and be it further

2. RESOLVED, that the Commissioner of Social Services is hereby authorized, empowered and directed to disburse the funds to Brightwaters Child Care & Development Center, Inc. dba Kiddie Academy of Brightwaters, The Community Programs Center of Long Island, Inc., and Kids Place Early Childhood Day School.

DATED:_____

APPROVED BY:_____
County Executive of Suffolk County

Date of Approval:_____

1700

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

AUTHORIZING THE DISBURSEMENT FROM THE SUFFOLK COUNTY LIVING WAGE CONTINGENCY FUND FOR BRIGHTWATERS CHILD CARE & DEVELOPMENT CENTER, INC. DBA KIDDIE ACADEMY OF BRIGHTWATERS, THE COMMUNITY PROGRAMS CENTER OF LONG ISLAND, INC., AND KIDS PLACE EARLY CHILDHOOD DAY SCHOOL, DAY CARE PROVIDERS UNDER CONTRACT WITH THE DEPARTMENT OF SOCIAL SERVICES.

3. Purpose of Proposed Legislation

Disburse funds from the Suffolk County Living Wage Contingency Fund to provide a subsidy to Brightwaters Child Care & Development Center, Inc. dba Kiddie Academy of Brightwaters ($62,285), The Community Programs Center of Long Island, Inc. ($84,950), and Kids Place Early Childhood Day School ($59,450). The subsidy is for the purpose of providing financial assistance to meet the wage standards required by the law for the period 1/1-12/31/08.

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

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

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

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact. See item 7.

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

This resolution requests the disbursement of up to a maximum of $206,685 from the Suffolk County Living Wage Contingency Fund for the period 1/1-12/31/08.

8. Proposed Source of Funding.

The Suffolk County Living Wage Contingency Fund (001 – MSC – 1998 – 4770)

9. Timing of Impact.

Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Patricia A. Clark Director of Management and Research	Patricia A. Clark Theresa Lollo	7-9-08 7/15/08

SCIN FORM 175b (10/95)

Theresa Lollo
Principal Financial Analyst

1700

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1700

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF SOCIAL SERVICES

Janet DeMarzo
Commissioner

Memorandum

TO: Ben Zwirn
Assistant Deputy County Executive

✓Brendan Chamberlain
County Executive Assistant

FROM: Janet DeMarzo
Commissioner of the Department of Social Services

DATE: July 9, 2008

SUBJECT: **REQUEST FOR A LEGISLATIVE RESOLUTION –**
Authorizing the Disbursement of Funds from the Suffolk County Living Wage Contingency Fund

AUTHORIZING THE DISBURSEMENT OF FUNDS FROM THE SUFFOLK COUNTY LIVING WAGE CONTINGENCY FUND FOR BRIGHTWATERS CHILD CARE & DEVELOPMENT CENTER, INC. DBA KIDDIE ACADEMY OF BRIGHTWATERS, THE COMMUNITY PROGRAMS CENTER OF LONG ISLAND, INC., AND KIDS PLACE EARLY CHILDHOOD DAY SCHOOL, DAY CARE PROVIDERS UNDER CONTRACT WITH THE DEPARTMENT OF SOCIAL SERVICES

In accordance with the Living Wage Law, child care providers are eligible for assistance from the Suffolk County Living Wage Contingency Fund in order to enable them to meet the increased payroll expenses which result from paying employees the hourly rate required by the law. The aforementioned day care centers have applied to the County for such assistance and the Department of Labor has approved the applications in accordance with established procedures.

Attached please find the above referenced resolution, the introduction form (SCIN Form 175a), the fiscal impact statement (SCIN Form 175b), and related backup material. The e-copies relating to this resolution are entitled "Reso-DSS-Living Wage Contingency Fund 2008-1." If you have any questions, please contact Patricia Clark at X 49939.

Enc.
ec: CE Reso. Review Distribution List

BOX 18100 HAUPPAUGE, N.Y. 11788 – 8900 (631)854-9935

1700

SUFFOLK COUNTY DEPARTMENT OF LABOR – *LIVING WAGE* UNIT

NOTICE OF DECISION ON HARDSHIP ASSISTANCE

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

TO BE COMPLETED BY *LIVING WAGE* UNIT

DATE: July 2, 2008

TO: Robert T. Zielinski
Suffolk County Dept. of Social Services
3085 Veterans Memorial Highway
Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on May 29, 2008 from **Child Care and Development Center, Inc. dba Kiddie Academy of Brightwaters.** has been received and examined by the *Living Wage* Unit for the amount of $$62,285.

The **Request for Hardship Assistance** has been:

☒ Accepted, and the *Living Wage* Unit authorizes the submission of the accompanying resolution to the County Legislature.

☐ Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage* Unit at (631) 853-3808.

Robert W. Dow, Jr.
Commissioner
Suffolk County Department of Labor

LW-31
Revised 4/04

1700

SUFFOLK COUNTY DEPARTMENT OF LABOR – *LIVING WAGE* UNIT

NOTICE OF DECISION ON HARDSHIP ASSISTANCE

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

TO BE COMPLETED BY *LIVING WAGE* UNIT

DATE: July 2, 2008

TO: Robert T. Zielinski
Suffolk County Dept. of Social Services
3085 Veterans Memorial Highway
Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on May 29, 2008 from **The Community Programs Center of Long Island, Inc.** has been received and examined by the *Living Wage* Unit for the amount of $84,950.

The **Request for Hardship Assistance** has been:

☒ Accepted, and the *Living Wage* Unit authorizes the submission of the accompanying resolution to the County Legislature.

☐ Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage* Unit at (631) 853-3808.

Robert W. Dow, Jr.
Commissioner
Suffolk County Department of Labor

LW-31
Revised 4/04

1700

SUFFOLK COUNTY DEPARTMENT OF LABOR – *LIVING WAGE* UNIT

NOTICE OF DECISION ON HARDSHIP ASSISTANCE

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

TO BE COMPLETED BY *LIVING WAGE* UNIT

DATE: July 2, 2008

TO: Robert T. Zielinski
Suffolk County Dept. of Social Services
3085 Veterans Memorial Highway
Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on May 29, 2008 from **Kids Place Early Childhood Day School** has been received and examined by the *Living Wage* Unit for the amount of $59,450.

The **Request for Hardship Assistance** has been:

☒ Accepted, and the *Living Wage* Unit authorizes the submission of the accompanying resolution to the County Legislature.

☐ Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage* Unit at (631) 853-3808.

Robert W. Dow, Jr.
Commissioner
Suffolk County Department of Labor

LW-31
Revised 4/04

1701

Intro. Res. No. 2008 Laid on Table 8/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, AMENDING THE 2008 OPERATING BUDGET, TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND AND APPROPRIATING FUNDS FOR THE ENGINEERING PHASE OF IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 22 - HAUPPAUGE MUNICIPAL (CP 8171)

WHEREAS, the Hauppauge Municipal Wastewater Treatment Plant requires recharge facility improvements; and

WHEREAS, planning and environmental assistance is required, in connection with the proposed improvements; and

WHEREAS, there are sufficient funds in the 2008 Capital Budget and Program for assistance in improving Suffolk County Sewer District No. 22 – Hauppauge Municipal; and

WHEREAS, the Administrative Head of Sewer District No. 22 - Hauppauge Municipal has requested that planning and environmental funds be appropriated to cover costs associated with the improvement 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, it is proposed that $200,000 of the Assessment Stabilization Reserve Fund be appropriated for the purpose of implementing the planning and environmental phase of the project; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty six (66), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006 ; and be it further

2nd **RESOLVED,** that the Assessment Stabilization Reserve Fund shall provide the sum of $200,000 for the purpose of implementing the planning and environmental phase of the project; and be it further

3rd **RESOLVED,** that the 2008 Adopted Operating Budget be and hereby is amended as follows:

Interfunds	**Amount**
404-IFT-E527-Transfer to Fund 527	$200,000

And be it further

4th **RESOLVED,** that the County Comptroller and County Treasurer be and they are hereby authorized, empowered and directed to accept the interfund transfer, including the cash transfer, and accept the interfund proceeds as follows:

Revenues	
527-IFT-R404-Transfer from Fund 404 (Ref.527-CAP-IFTR-R404)	$200,000

and be it further

5th **RESOLVED,** that funds in the amount of $200,000 from the Assessment Stabilization Reserve Fund be and they are hereby are appropriated as follows:

PROJECT NO.	PROJECT TITLE	AMOUNT
527-CAP-8171.111	Improvements to Sewer District 22 - Hauppauge Municipal, Planning, Design and Supervision	$200,000

and be it further

6th **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the planning and environmental phase of the recharge facility improvements to SD 22 - Hauppauge Municipal; and be it further

7th **RESOLVED,** that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (18), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1701

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

AMENDING THE 2008 OPERATING BUDGET, TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND AND APPROPRIATING FUNDS FOR THE ENGINEERING PHASE OF IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 22-HAUPPAUGE MUNICIPAL (CP 8171)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

County	**Town**	**Economic Impact**
Village	**School District**	**Other (Specify):** SEWER DISTRICT
Library District	**Fire District**	

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

ASSESSMENT STABILIZATION RESERVE FUNDS IN THE AMOUNT OF $200,000 WILL BE APPROPRIATED FOR THE PURPOSE OF IMPLEMENTING THIS PROJECT.

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

2008 - $200,000 FROM THE ASSESSMENT STABILIZATION RESERVE FUND.

8. Proposed Source of Funding

ASSESSMENT STABILIZATION RESERVE FUND

9. Timing of Impact

UPON ADOPTION

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst	Debra Kolyer	June 30, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1701

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1701

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

M E M O R A N D U M

TO: Ben Zwirn, Deputy County Executive

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner

SUBJECT: **Transferring Assessment Stabilization Funds to the Capital Fund and Appropriating Funds for the Engineering Phase of Improvements to Suffolk County Sewer District No. 22 – Hauppauge Municipal (CP 8171)**

DATE: May 2, 2008

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW-bw CP 8171 – Sewer District No.22 – Hauppauge Municipal 5-2-08 and backup filed as Reso-Backup DPW-bw CP 8171 – Sewer District No. 22 – Hauppauge Municipal 5-2-08. The resolution transfers from the 2008 Operating Budget (Assessment Stabilization Fund), $200,000 to implement the design and environmental phase associated with the recharge facility improvement to this district. The project will eliminate current and future recharge problems at the site. We request this resolution be laid on the table at your convenience.

TL:BW:ni
Attachment
cc: Jim Morgo, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, County Executive Assistant
Laura Conway, CPA, Chief Accountant
Ben Wright, P.E., Chief Engineer, Sanitation
CE RESO REVIEW
ResoBackup DPW-bw design, recharge, improvement CP8171 memo 5-2-08

Intro. Res. No. 1702 – 08 Laid on the Table: 8/5/08
Introduced by Presiding Officer on request of County Executive

TAX ANTICIPATION NOTE RESOLUTION NO. _____ -2008

RESOLUTION DELEGATING TO THE COUNTY COMPTROLLER THE POWERS TO AUTHORIZE THE ISSUANCE OF NOT TO EXCEED $105,000,000 TAX ANTICIPATION NOTES OF THE COUNTY OF SUFFOLK, NEW YORK, IN ANTICIPATION OF THE COLLECTION OF TAXES LEVIED FOR COUNTY PURPOSES OR RETURNED TO THE COUNTY FOR COLLECTION FOR THE FISCAL YEARS COMMENCING JANUARY 1, 2005, 2006, 2007 AND 2008, AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT OF SUCH NOTES

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), the power to authorize the issuance of Tax Anticipation Notes (herein called the "Notes") of the County of Suffolk, in the State of New York (the "County" and "State", respectively), in the aggregate principal amount of not to exceed $105,000,000, and any notes in renewal thereof, is hereby delegated to the County Comptroller, as chief fiscal officer of the County.

Section 2. The following matters are hereby determined and declared:

(a) The Notes shall be issued in anticipation of the collection of real estate taxes levied for County purposes or returned to the County for collection for the fiscal years commencing January 1, 2005, 2006, 2007 and 2008.

(b) No notes have heretofore been authorized or issued in anticipation of the collection of said taxes, other than the $300,000,000 Tax Anticipation Notes-2008 (Series I), dated and issued on January 3, 2008.

(c) Said Notes shall mature within the period of one year from the date of their issuance, and may be renewed from time to time in accordance with the provisions of the Law.

Section 3. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the County, and the faith and credit of the County shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the County and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this resolution and the Law, and pursuant to Sections 50.00, 56.00, 60.00, and 168.00 of the Law, inclusive, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, including the powers to enter into one or more letter of credit agreements or liquidity facility agreements for the Notes, are hereby delegated to the County Comptroller, as chief fiscal officer of the County.

Section 5. This resolution shall take effect immediately.

APPROVED: _____
County Executive, Suffolk County

Date of Approval: August __, 2008

***

1702

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution x Local Law ____ Charter Law ____

2. Title of Proposed Legislation

Delegating to the County Comptroller of the County of Suffolk, New York, the power to authorize the issuance of and to sell not exceeding $105,000,000 Tax Anticipation Notes of said County in anticipation of the collection of real estate taxes levied for County purposes or returned to the County for collection for the fiscal years commencing January 1, 2005, 2006, 2007 and 2008 and to prescribe the terms, form and contents, and provide for the sale and credit enhancement of such notes

3. Purpose of Proposed Legislation

To issue delinquent tax anticipation notes for cash flow purposes, as we have done for the past number of years. The current 2008 cash flow anticipates revenue of $85,000,000 in such tax anticipation notes. The resolution has been written to provide sufficient latitude in principal should the cash flow require a larger infusion of funds based on an unforeseen event that might occur between the submission of the request for resolution and the borrowing itself.

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

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

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

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

Since these notes will be issued to mature in July 2009 impact would be to the County's 2009 operating budget. TANs will be issued during November 2008 for the four most current fiscal tax years. The estimated "gross" interest cost for the maturing note is estimated to be approximately $1,912,500. ($85,000,000 x 2.70% gross coupon for 10 months.)

It is anticipated that a premium may be bid by the underwriters. Thus, it is currently expected that the net interest cost for the notes could be approximately 2.05%.

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

Gross Interest cost in 2009 for the notes = $1,912,500.

8. Proposed Source of Funding

Tax Anticipation Notes

9. Timing of Impact

10 months September 2009

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Geraldine Olson Asst. Municipal Finance Administrator	Geraldine Olson	July 11, 2008

SCIN FORM 175b (10/95)

JUL 1 1 2008
Ben C15

COUNTY OF SUFFOLK

JUL 1 5 2008

1702

OFFICE OF THE COUNTY COMPTROLLER

JOSEPH SAWICKI, JR.
Comptroller

July 11, 2008

HAND DELIVERED

Mr. Benjamin Zwirn
Assistant Deputy County Executive
H. Lee Dennison Office Building – 11th Floor
100 Veterans Memorial Highway
Hauppauge, New York 11788

Dear Ben:

SUBJECT: TAX ANTICIPATION NOTE RESOLUTION - $105,000,000

Attached please find the above referenced resolution and fiscal impact statement. Same has been circulated to all parties via e-mail (CE RESO REVIEW) and hand delivered this date so the resolution may be laid on the table on August 5, 2008 and eligible for consideration for adoption on August 19, 2008. Titles of the electronic files are *Reso-A&C-2008 DTAN, Backup-A&C-2008 DTAN-175a* and *Backup-A&C-2008 DTAN-175b.*

The resolution authorizes me to issue delinquent tax anticipation notes, as I do each year to fulfill our operating cash flow requirements. Details relative to the issue are recited in the fiscal impact statement that is attached herewith. Bond Counsel has reviewed and approved the format of the resolution for presentation to the County Legislature.

Sincerely,

Joseph Sawicki, Jr.
County Comptroller
Enclosures
cc: Jim Morgo, Chief Deputy County Executive
Christina Capobianco, Chief Deputy Comptroller
Connie Corso, Budget Director
Patricia Grimes, Assistant Municipal Finance Administrator
Geraldine Olson, Assistant Municipal Finance Administrator

Intro. Res. No. 1703, 2008
Introduced by Presiding Officer on request of the County Executive

Laid on Table 8/5/08

RESOLUTION NO. _____ -2008, AUTHORIZING PLANNING STEPS FOR IMPLEMENTATION OF SUFFOLK COUNTY WORKFORCE HOUSING PROGRAM

WHEREAS, Article XXXVI of the SUFFOLK COUNTY ADMINISTRATIVE CODE establishes the County's Workforce Housing Program; and

WHEREAS, Section 36-2(C) of said Article authorizes land to be acquired and infrastructure improvements to be made by the County through the use of Capital Bond proceeds (CP 8704 and/or CP 7177 and CP 6411, as applicable); and

WHEREAS, the County Department of Economic Development and Workforce Housing and the Town of Huntington have identified two sites known as Suffolk County Tax Map Numbers 0400-140.00-03.00-072.000 (4 and 6 Columbia Street, Huntington Station) and 0400-140.00-03.00-073.000 (14 Columbia Street, Huntington Station) which would be appropriate for development as workforce housing; and

WHEREAS, the Town of Huntington has expressed an interest in partnering with the County of Suffolk to provide workforce housing at this location; 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 constitutes a Type II action pursuant to Section 617.5(c)(18), (20), (21) and (27) of the NEW YORK CODE OF RULES AND REGULATIONS (NYCRR) in that the resolution authorizes information collection and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action and because the resolution constitutes routine or continuing agency administration; since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that this Legislature hereby finds that the parcels known as 0400-140.00-03.00-072.000 (4 and 6 Columbia Street, Huntington Station, New York 11746) and 0400-140.00-03.00-073.000 (14 Columbia Street, Huntington Station, New York 11746) meets the acquisition and infrastructure funding requirements of the County Workforce Housing Program and the need to fill the critical shortage of workforce housing in Suffolk County; and be it further

3rd **RESOLVED**, that the Director of Affordable Housing within the Suffolk County Department of Economic Development and Workforce Housing, is hereby authorized, empowered and directed, pursuant to Section 14-10(B) of the SUFFOLK COUNTY CHARTER, to plan for the acquisition of and/or infrastructure improvements for the parcels listed herein below:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:	ACRES:	REPUTED OWNER:
No. 1	District 0400 Section 140.00 Block 03.00 Lot 072.000 4 and 6 Columbia Street Huntington Station, New York 11746	10,500 SF	Community Properties (LLC)

No. 2	District 0400 Section 140.00 Block 03.00 Lot 073.000		7500 SF	Community Property (LLC)

14 Columbia Street
Huntington Station, NY 11746

and be it further

4th **RESOLVED**, that the County Department of Economic Development and Workforce Housing, the Division of Real Property Acquisition and Management, and the County Department of Law are hereby authorized, empowered and directed to take such other actions as may be necessary and appropriate to accomplish such planning purposes, including, but not limited to, securing appraisals, surveys, engineering reports, environmental audits, title searches and to utilize such valid appraisals for the subject parcels as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

5th **RESOLVED**, that the Director of Affordable Housing within the Suffolk County Department of Economic Development and Workforce Housing is hereby authorized, empowered and directed to take such other actions as may be necessary and appropriate to process such application; and be it further

6th **RESOLVED**, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel; and be it further

7th **RESOLVED**, that any unencumbered, unallocated funds available upon the execution of a binding Development Agreement and/or Infrastructure Development Agreement between the County of Suffolk and the Town of Huntington, shall be appropriated to future and subsequent Workforce Housing Program projects.

DATED:_____, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: _____, 2008

1703

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT & WORKFORCE HOUSING

JILL ROSEN-NIKOLOFF
DIRECTOR OF AFFORDABLE HOUSING

July 23, 2008

Ben Zwirn, Deputy County Executive
Office of the County Executive
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, NY 11788

Re: Resolution Authorizing Planning Steps for the Acquisition of
SCTM#S 0400-140.00-03.00-072.000 and 0400-140.00-03.00-073.000
For Workforce Housing (4, 6, and 14 Columbia Street, Town of Huntington)

Dear Mr. Zwirn:

The Department of Economic Development and Workforce Housing requests the submittal of the attached resolution (Reso–Dept. of Econ. Dev. - Columbia Street, Huntington Station Workforce Housing), authorizing planning steps for the acquisition of the above referenced sites for workforce housing in Huntington Township.

Attached please find the draft resolution, the required maps indicating the site location, a letter of support from the Huntington Town Supervisor, Board Resolutions and SCIN Forms 175A and 175B. Electronic copies are being transmitted concurrently herewith.

Thank you.

Sincerely,

Jill Rosen-Nikoloff
Director of Affordable Housing

Enc.
Cc: Jim Morgo, Chief Deputy County Executive
Patrick Heaney, Commissioner, Department of Economic Development and Workforce Housing
Chris Kent, Director of Division of Real Property Acquisition and Management
Brendan Chamberlain, County Executive Assistant
CE Reso Review, via email

JRN/mkc

LOCATION
H. LEE DENNISON BLDG. – 2nd FLOOR
100 VETERANS MEMORIAL HIGHWAY
4888

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

(631) 853-6420
fax (631) 853-

1703

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

Authorizing planning steps for implementation of Suffolk County Workforce Housing Program at SCTM#s 0400-140.00-03.00-072.000 and 0400-140.00-03.00-073.000

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

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

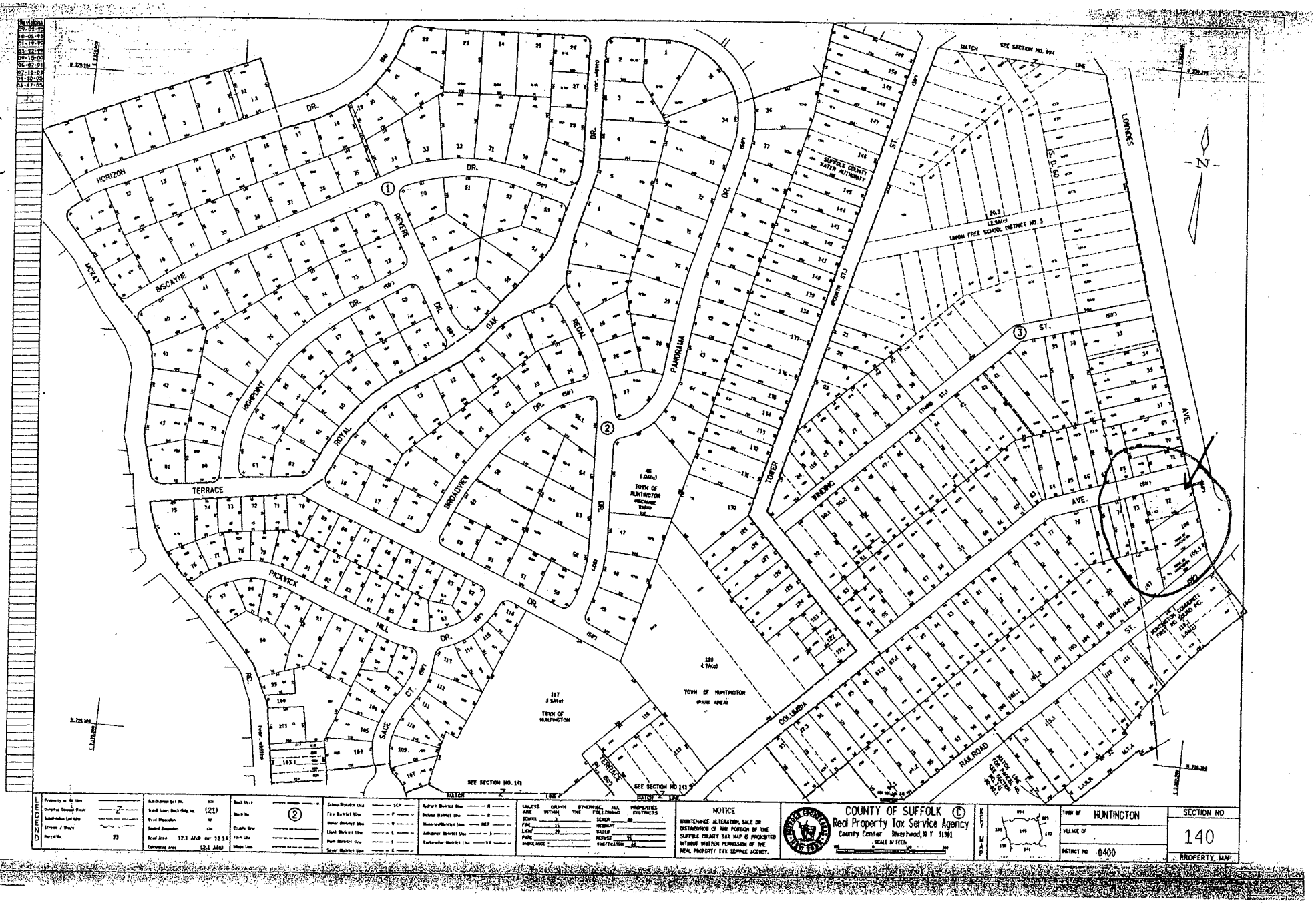
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.

8. Proposed Source of Funding

9. Timing of Impact

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Jill Rosen-Nikoloff	Jill Rosen-Nikoloff	7/23/08

SCIN FORM 175b (10/95)



LEGEND

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

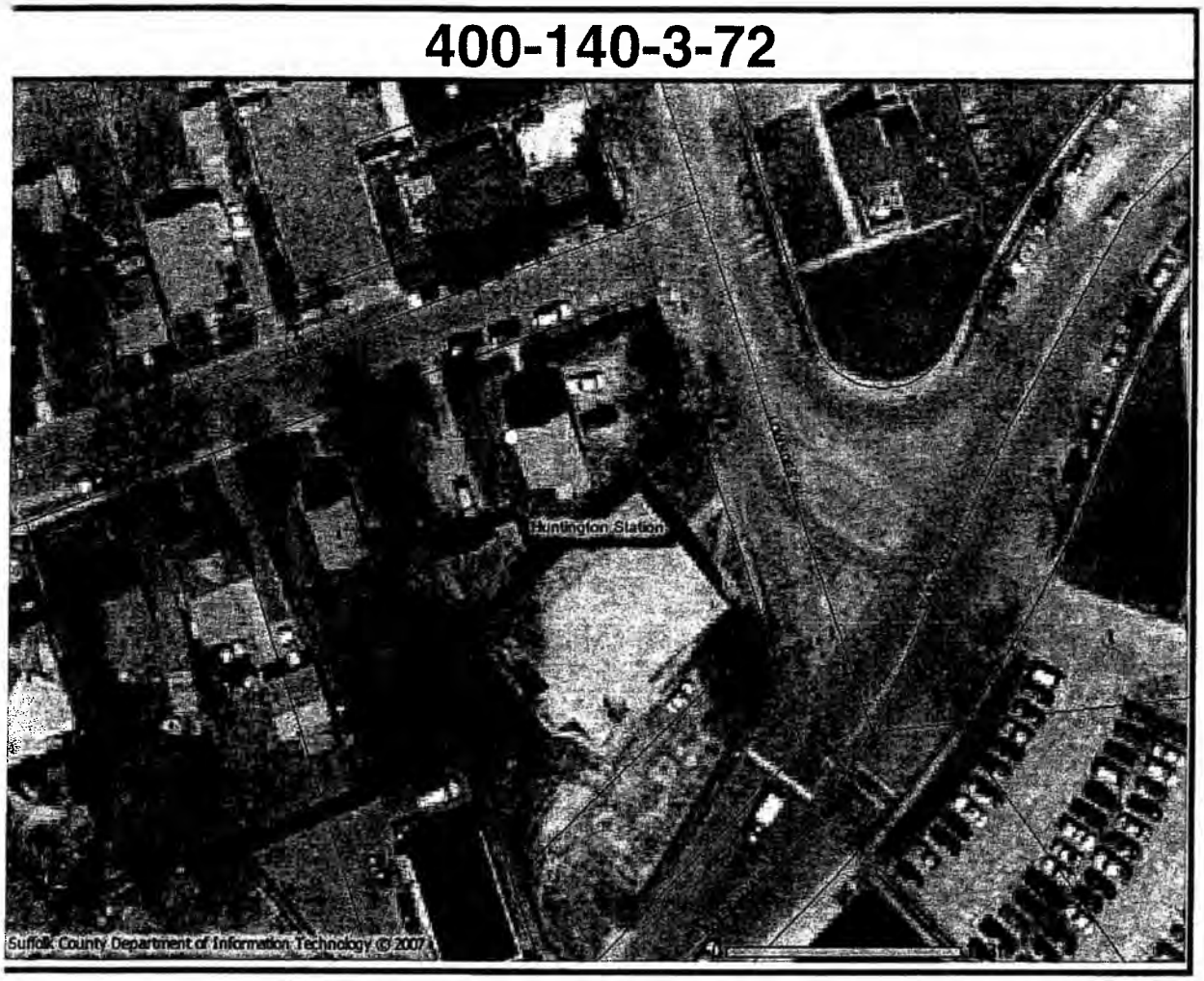
TOWN OF HUNTINGTON
VILLAGE OF
DISTRICT NO 0400

SECTION NO
140
PROPERTY MAP

103

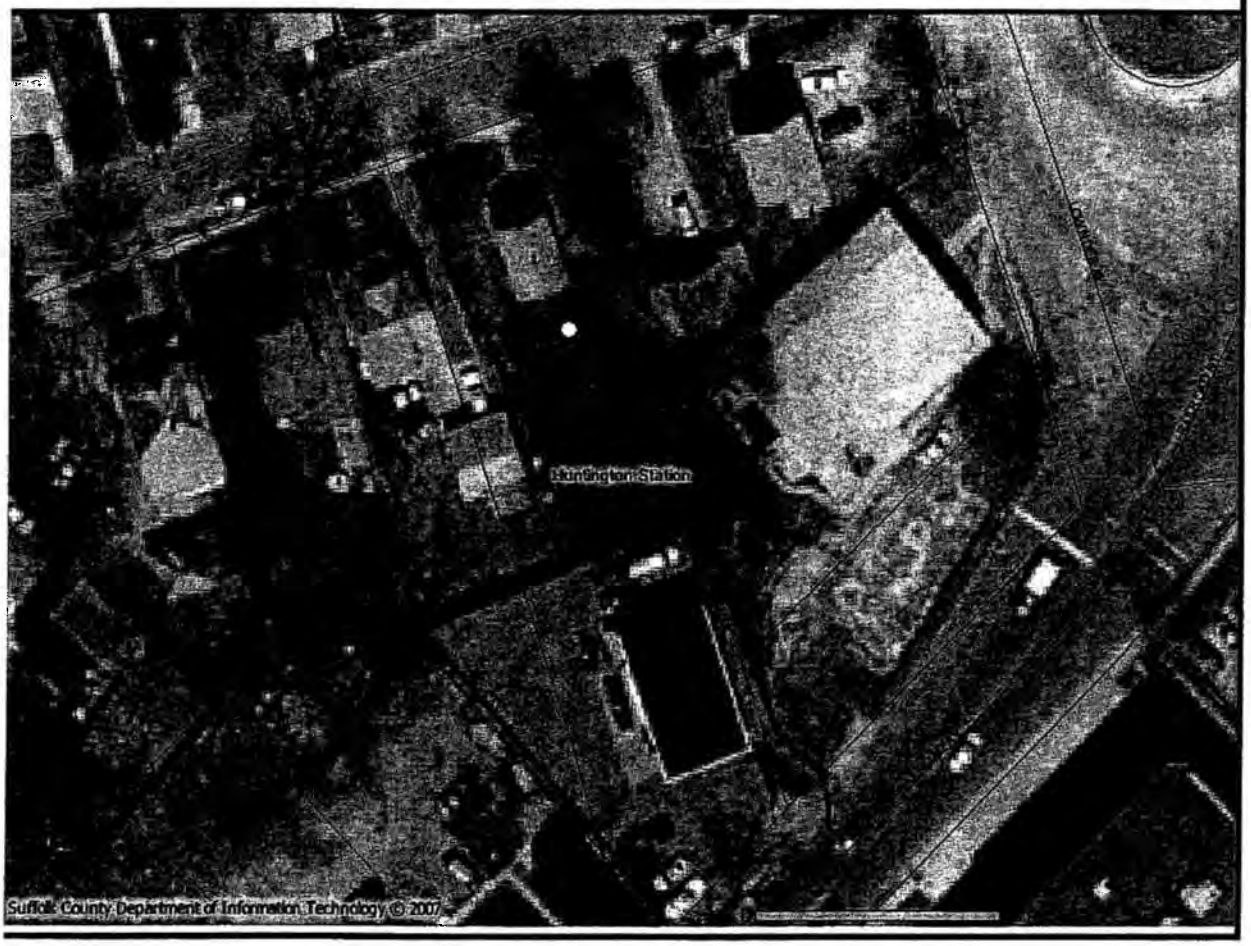
1703
COLD SPRING HARBOR ROAD
TURNPIKE
NASSAU
SUFFOLK
COUNTY
HARBOR ROAD
LAWRENCE
WOODBURY
ROAD
OAKWOOD ROAD
WEST
PATH

1703


400-140-3-72
Huntington Station
Suffolk County Department of Information Technology © 2007

1703

400-140-3-73



2007-528.

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE A RESTORE NY GRANT FROM THE EMPIRE STATE DEVELOPMENT CORPORATION

Resolution for Town Board meeting dated: September 25, 2007 1703

The following resolution was offered by Supervisor Petrone

and seconded by: **COUNCILMAN BESEN**

WHEREAS, pursuant to Resolution 2005-116, the Town Board adopted criteria and a process for a program known as the "Take Back the Blocks"; and

WHEREAS, "Take Back the Blocks" is designed to improve neighborhoods by transforming dilapidated properties primarily owned by absentee landlords into aesthetically pleasing, owner-occupied affordable homes with safe affordable rental units that will help meet mortgage obligations; and

WHEREAS, the Town has the opportunity to apply for a Restore NY Grant from the Empire State Development Corporation to help implement the "Take Back the Blocks" Program; and

WHEREAS, the Town in cooperation with the Huntington Community Development Agency have identified five specific properties located in Huntington Station as properties in need of restoration and, or reconstruction under the "Take Back the Blocks" Program, as follows:

4/6 Columbia Street, Huntington Station, N.Y. 11746 (S.C.T.M. No. 0400-140.00-03.00-072.000)

14 Columbia Street, Huntington Station, N.Y. 11746 (S.C.T.M. No. 0400-140.00-03.00-073.000)

215 Lowndes Avenue, Huntington Station, N.Y. 11746 (S.C.T.M. No. 0400-140.00-03.00-108.000)

Railroad Street, Huntington Station, N.Y. 11746 (S.C.T.M. No. 0400-140.00-03.00-109.003)

1 Tower Street, Huntington Station, N.Y. 11746 (S.C.T.M. No. 0400-094.00-03.00-026.002); and

WHEREAS, the inclusion of the aforesaid properties in the " Take Back the Blocks" Program is in compliance with the Town's Master Plan and with the Town of Huntington's Consolidated Plan as approved by the United States Department of Housing

2007- 528

and Urban Development, and will promote economic development, preserve community resources, and improve neighborhood conditions; and

WHEREAS, the Huntington Community Development Agency, as the Town's Urban Renewal Agency, held a public hearing on September 25, 2007 to consider the implementation of the "Take Back the Blocks" Program as described in this resolution; and

WHEREAS, the authorization of a grant application for the implementation of an adopted revitalization program is not an action as defined in 6 NYCRR §617.2(b), therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to apply for, and receive, a Restore NY Grant in the amount of ONE MILLION FIVE HUNDRED SIXTY THOUSAND AND NO/100) ($1,560,000.00) DOLLARS from the Empire State Development Corporation for the "Take Back the Blocks" Program and to execute any documents in connection therewith.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	**AYE**
Councilwoman Susan A. Berland	**AYE**
Councilman Stuart P. Besen	**AYE**
Councilman Mark A. Cuthbertson	**AYE**
Councilwoman Glenda A. Jackson	**AYE**

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2007-

1703

SCHEDULE A

4/6 Columbia Street, Huntington Station, N.Y. 11746 (S.C.T.M. No. 0400-140.00-03.00-072.000)

14 Columbia Street, Huntington Station, N.Y. 11746 (S.C.T.M. No. 0400-140.00-03.00-073 000)

215 Lowndes Avenue, Huntington Station, N.Y. 11746 (S.C.T.M. No. 0400-140.00-03.00-108.000)

Railroad Street, Huntington Station, N.Y. 11746 (S.C.T.M. No. 0400-140.00-03.00-109.003)

1 Tower Street, Huntington Station, N.Y. 11746 (S.C.T.M. No. 0400-094.00-03.00-026.002)

1703

Town of Huntington
Long Island, New York

FRANK P. PETRONE
Supervisor

July 24, 2007

Ms Jill Rosen-Nikoloff
Director of Affordable Housing
Suffolk County Department of Economic Development
& Workforce Housing
100 Veterans Memorial Highway 2nd Floor
Hauppauge, N.Y 11788

Dear Jill:

I am writing to formally request your Department's support of my "Take Back the Blocks" program by way of a 50/50 partnership using Suffolk County Workforce Housing funds together with Town of Huntington Affordable Housing Trust Fund dollars for acquisition and rehabilitation of dilapidated housing in Huntington.

Your support and partnership would assist the Town of Huntington in piloting an affordable housing/neighborhood revitalization program intended as one component of our larger comprehensive plan to revitalize Huntington Station.

Take Back the Blocks has been in development since August of 2004 and we are now anxious to implement the program with your help The Town of Huntington, its Community Development Agency and the Long Island Housing Partnership together developed the blueprint for Take Back the Blocks and a citizen steering committee was appointed to develop criteria by which the program could be administered. The steering committee was responsible for facilitating the adoption of amendments to the Huntington Town Code to accommodate the program.

Using any affordable housing dollars we can tap, starting with those from Huntington's own Affordable Housing Trust Fund, Take Back the Blocks seeks to purchase dilapidated rental housing, primarily owned by absentee landlords, rehabilitate it, and turn it back over to affordable, owner-occupied housing with an accessory apartment to help the new homeowner meet mortgage obligations. Purchasing dilapidated homes from absentee landlords, which in many cases, are in chronic violation of housing and zoning codes, is a creative way to address the need for affordable housing using existing substandard

1703

housing stock. By doing so, we can instantly make-over or revitalize a block while at the same time integrate affordable units into single-family home neighborhoods in need of revitalization.

The first phase of this program includes 1 Tower Street as well as 4, 6 and 14 Columbia Street. The Columbia Street parcels are contiguous to a Town-owned parcel which shall be included to develop 14 units of affordable housing, equity and rental. You should also know that Housing Help, Inc is partnering with the Town to develop a Take Back the Block model at 32 East 6th Street in Huntington Station. All new homeowners will be required to attend homeownership counseling. Restrictive covenants will eliminate flipping of homes. We would like to serve residents who earn 80% of the median income.

At this time I would like to thank you for the interest and support your Department has shown in my Take Back the Blocks program and look forward to a continuing partnership As the Town of Huntington and Suffolk County have successfully worked together to benefit communities as partners in the acquisition of open and recreational space, here too, is another example of intergovernmental cooperation in the affordable housing arena With the Town of Huntington virtually built out rehabilitation revitalization is a must if we wish to continue cultivating affordable neighbors and communities.

If you require any additional information please feel free to contact Doug Aloise or myself.

Very truly yours,

FRANK P. PETRONE
Supervisor

cc: Doug Aloise, Director of CDA
Joan Cergol, Special Assistant to the Supervisor

Encl: Town Board Resolutions re: Take Back the Blocks

1703

493

2005- 116

RESOLUTION ADOPTING CRITERIA AND PROCESS FOR THE TAKE BACK THE BLOCKS PROGRAM AND AUTHORIZING IMPLEMENTATION OF SAME

Resolution for Town Board Meeting Dated: February 15, 2005

The following resolution was offered by: Supervisor Petrone

and seconded by: COUNCILWOMAN BERLAND
COUNCILMAN CAPODANNO

WHEREAS, by Resolution No. 2004-CD #3 the Huntington Town Board authorized the Community Development Agency to engage the services of the Long Island Housing Partnership, Inc. to assist in the administration of a program known as "Take Back the Blocks Program;" and,

WHEREAS, Take Back the Blocks is designed to improve neighborhoods by transforming dilapidated properties primarily owned by absentee landlords into aesthetically pleasing, owner-occupied affordable homes with safe affordable rental units that will help meet mortgage obligations; and

WHEREAS, the Town Supervisor has appointed citizens to a volunteer steering committee that serve at his discretion under the guidance of the Huntington Community Development Agency and The Long Island Housing Partnership, Inc. to develop criteria and a process by which the Program will be administered; and

WHEREAS, the Town Board is in receipt of and has reviewed the criteria and process recommended by the volunteer steering committee, Huntington Community Development Agency and The Long Island Housing Partnership, Inc.; and

WHEREAS, the criteria and process herein adopted by the Town Board may be amended, from time to time, as the Board deems necessary and proper; and

WHEREAS, the adoption of criteria and process for the implementation of a revitalization program is not an action as defined in 6 N.Y.C.R.R. 617.2(b), and therefore, no further SEQRA review is required.

NOW THEREFORE, THE TOWN BOARD

HEREBY ADOPTS the criteria and process set forth in Schedule "A" for the Take Back the Blocks Program, which is attached hereto and made a part of this Resolution, and authorizes the implementation of same.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilwoman Marlene L. Budd	AYE
Councilman Mark A. Capodanno	AYE
Councilman Mark A. Cuthbertson	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

TakeBackTheBlocksReso.doc
Supervisor's Office/jc
2/10/2005 9:53 AM

2-15-05

2005-116
1703

SCHEDULE "A"

CRITERIA & PROCESS: TAKE BACK THE BLOCKS PROGRAM

MISSION STATEMENT:

To acquire and/or rehabilitate dilapidated properties in order to provide aesthetically pleasing owner-occupied affordable homes in their place. The goal of the TBTB Program is to improve housing and neighborhood conditions while at the same time provide ownership opportunities for existing tenants/residents.

QUALIFIED PROPERTIES:

Prospective properties shall be considered by the Take Back the Blocks Steering Committee with guidance from the Town of Huntington Community Development Agency and The Long Island Housing Partnership, Inc. If the property is deemed appropriate for participation in the program, the Steering Committee shall seek formal approval from the Town Board of the Town of Huntington for its purchase by a qualified not for profit under the TBTB Program. All properties must meet the following minimum requirements to be eligible for purchase under the program:

(1) Priority shall be given to properties that have already been converted into multi-family residences (have an apartment), or to those whose design and layout make them amenable to the establishment of an accessory apartment.

(2) Initial purchase price of property by a qualified not for profit shall not be more than $350,000 per dwelling unit, exclusive of necessary closing costs and fees. Such maximum price shall be adjusted, from time to time, based upon any subsequent increase in the consumer price index.

QUALIFICATIONS OF NOT-FOR-PROFIT AGENCY (INITIAL PURCHASER):

Under the guidance of the Town of Huntington Community Development Agency and The Long Island Housing Partnership, Inc., the Take Back the Blocks Steering Committee shall screen, evaluate, and reject or accept not-for-profit agencies interested in participating in the TBTB Program. These agencies shall, at all times during their participation in the Program, meet the following minimum requirements:

(1) The initial purchaser of qualified properties must be organized under §501(c)(3) of the United States Code and must have been issued a §501(c) certificate from the United States Internal Revenue Service.

(2) The agency must be a private, not-for-profit, certified Community Housing Development Organization (hereinafter "CHDO" - a community-based service

organization) whose primary purpose is to develop and provide affordable housing for the community it serves.

(3) The CHDO shall be evaluated based upon its knowledge and experience in housing rehabilitation, affordable housing management and home ownership procedures. Prior endeavors involving the rehabilitation of sites and/or affordable property management activities shall be disclosed to and reviewed by the steering committee.

(4) Audited financials must reflect sound accounting practices that the CHDO is in good standing with the United States Internal Revenue Service and New York State Department of Taxation and Finance.

(5) The Board of Directors of the CHDO shall be comprised of at least five (5) unrelated members.

(6) The CHDO must recognize that its primary function as initial purchaser of one or more qualifying properties under the program is to rehabilitate same with a goal to place existing tenant/s, to the extent possible, on a track to home ownership. This shall be accomplished by the CHDO, in conjunction with the Town of Huntington Community Development Agency and The Long Island Housing Partnership, Inc. providing existing tenants with ongoing education, resources and guidance with respect to home ownership and applicable financing programs for a period not to exceed five years. If, during those five years, said tenant/s either voluntarily or involuntarily forfeits placement on homeownership track, CHDO will make best effort to relocate tenant and secure either new tenant/s or a homeowner in order to fulfill mission of TBTB program. The Town Board, at its discretion, may extend the five year period of ownership by the not for profit

REHABILITATION OF QUALIFIED PROPERTIES:

Under the guidance of the Town of Huntington Community Development Agency and The Long Island Housing Partnership, Inc., the Take Back the Blocks Steering Committee shall review and approve project and design criteria, as follows:

(1) Property must be rehabilitated and shall fully comply with all applicable provisions of the New York State Building Codes and the Code of the Town of Huntington, including its zoning ordinance.

(2) In evaluating the project design, the Committee shall consider whether the project is aesthetically pleasing and compatible with the surrounding community; whether the design layout is amenable to the establishment of an accessory apartment; and whether the building materials to be utilized are "equal to or better" than the minimum acceptable standards in the industry.

2005-116
1703

FUNDING SOURCES:

The Take Back the Blocks Program shall take full advantage of all public and private grants and subsidies available for housing acquisition and rehabilitation, including but not limited to Community Development Block Grant (CDBG) funds, The HOME Program, The Suffolk County Affordable Housing Program, The Town of Huntington Affordable Housing Trust Fund, The New York State Affordable Housing Corporation and the New York State Division of Housing and Community Renewal (DHCR).

SALE OF PROPERTY BY A NOT-FOR-PROFIT AGENCY TO A QUALIFIED PURCHASER:

A CHDO qualified under the TBTB Program shall review and approve prospective purchasers in conjunction with the Huntington Community Development Agency and the Long Island Housing Partnership, Inc. The following guidelines shall be followed and each such purchaser shall meet the following minimum requirements:

(1) Preference shall be given to candidates already residing in the home.

(2) Preference shall also be given to residents of jurisdictions providing public funds, tax abatements or other subsidies for the purchase and/or rehabilitation of the property.

(3) Prospective purchasers shall be income qualified under the United States Department of Housing and Urban Development (HUD) funding standards applicable at the time of review.

(4) Prospective purchasers must agree that all public funds, grants and subsidies of any kind initially utilized to reduce the purchase price of the property shall be fully reimbursed, with interest, and any costs or administrative fees due and payable shall be paid in full if they sell the property to another purchaser for market value. These obligations may be secured by promissory notes, mortgages or liens, by deed restrictions, and by any other means deemed advisable. In the event the property is sold at market value it ceases to be eligible under the Take Back the Blocks Program and therefore, any exemption or waiver provided under the Accessory Apartment Law shall automatically terminate. Any accessory apartment established under the Program shall be immediately removed.

(5) Prospective purchasers must agree to live in the home and use the property as their primary residence (their domicile) throughout the entire period of their ownership. They must also agree to execute a covenant and restriction at closing requiring that the property remain owner-occupied. Their failure to abide by this covenant or to sell to anyone other than a qualified purchaser under the Take Back the Blocks Program shall result in: a) a right of first refusal arising in favor of the initial CHDO purchaser; and, b) an acceleration of their obligation to reimburse the amount of all public funds, grants and

2-15-05

subsidies received, together with all costs, penalties and administration fees as may be applicable.

(6) If the property has an established accessory apartment and bears an accessory apartment permit issued by the Town, the prospective purchasers must agree to sign an application to transfer the accessory apartment permit to their name at time of purchase from the qualified not for profit. Candidates for purchase shall be encouraged at all times to make use of the Town of Huntington's Accessory Apartment Law as a means of providing quality affordable housing and as a way of generating money to be used toward the payment of their monthly mortgage obligation.

(7) CHDOs may establish such other guidelines and restrictions as they deem necessary or proper for the administration of the Program as long as they are consistent with the criteria adopted by the Town Board, Fair Housing Laws and all other applicable laws and rules.

LEASE OF PROPERTY BY A NOT-FOR-PROFIT AGENCY TO QUALIFIED CANDIDATES:

A CHDO qualified under the Program shall review and approve prospective candidates wishing to lease a housing unit. The following guidelines shall be followed and each candidate shall meet the following minimum requirements:

(1) Preference shall be given to candidates already residing in the home.

(2) Preference shall also be given to residents of jurisdictions providing public funds, tax abatements or other subsidies for the purchase and/or rehabilitation of the property.

(3) Prospective tenants shall be income qualified under such HUD funding standards as are applicable as of the date of the lease and upon the date of each subsequent renewal thereof.

(4) The CHDO must accept Section 8 Certificates.

(5) The proposed rental unit must comply with the minimum Section 8 Housing Quality Standards and the requirements of the Town of Huntington Code.

(6) Any rent payable pursuant to the lease, and any renewal thereof, must be consistent with HUD funding standards.

1703 1248

2005 - 284

ENACTMENT: ADOPT
LOCAL LAW INTRODUCTORY NO. 11-2005 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE XX (ACCESSORY APARTMENTS)

Resolution for Town Board Meeting Dated: April 19, 2005

The following Resolution was offered by: Supervisor Petrone
Councilman Capodanno

and seconded by: COUNCILWOMAN BERLAND

THE TOWN BOARD having held a public hearing on the 22nd day of March, 2005 at 7:00 p.m. to consider adopting Local Law Introductory No. 11-2005, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XX (Accessory Apartments), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 11-2005, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XX (Accessory Apartments), as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW NO 14 - 2005
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)
ARTICLE XX (ACCESSORY APARTMENTS)

Section 1. Amendment to Chapter 198 (Zoning), Article XX (Accessory Apartments), as follows

CHAPTER 198
ZONING

* * *

ARTICLE XX
Accessory Apartments

* * *

§198-134. [Issuance of an accessory] Accessory apartment permit; conditions.

A. An accessory apartment permit shall be issued only after a public hearing held pursuant to

2005-284 1249
1703

§198-137 and upon a finding by the hearing officer that the following conditions are satisfied. [Such permit shall not be issued unless the Hearing Officer shall find that the following conditions are satisfied:]

[(1)] [Is the principal residence of the owner, who shall be a natural person, provided that such principal residence shall have a minimum lot size of 7,500 square feet with such lot having no less than 75 linear feet of frontage and width; unless such principal residence is located on a cul-de-sac where said widths shall be measured at the front building line of the single-family dwelling. A homeowner shall be permitted one accessory apartment only, and only one accessory apartment per dwelling and per lot shall be permitted.]

(1) Unless otherwise provided in this Article, the single-family dwelling is the principal residence (domicile) of the owner. The owner shall be a natural person.

(2) Unless otherwise provided in this Article, the property for which the accessory apartment permit is sought shall have a minimum lot size of 7,500 square feet and a lot frontage of at least 75 linear feet. In the case of a cul-de-sac, the lot width shall be measured at the front building line of the single-family dwelling.

(3)[(2)] * * *

(4)[(3)] * * *

(5)[(4)] * * *

(6)[(5)] All structures on the property, including the proposed accessory apartment, comply with the requirements of this Article, the Code of the Town of Huntington, the New York State [Uniform Fire Prevention and] Building Codes, and the rules and regulations of any other agency having jurisdiction. No portion of a single family dwelling [structure] or accessory apartment shall utilize a cellar or attic, or any portion thereof, as habitable [living] space unless a waiver is issued by the New York State [Uniform Fire Prevention and] Building Code [Review] Board of Review or other agency having jurisdiction.

(7)[(6)] Is situated on a lot providing three unobstructed off-street parking spaces for each dwelling unit so contained. Such spaces shall be paved with asphalt, concrete or other suitable material of a permanent nature as may be approved by the Hearing Officer. The maximum width of such spaces shall not exceed 18 feet or 24%, [whichever being the lesser] of the lot frontage whichever is less. The number of off-street parking spaces required may be increased or [may be] decreased [if such] as conditions [exist that] warrant [such action] in the discretion of the Hearing Officer.

4-19-05

(8)[(7)]Unless otherwise provided in this Article, the lot for which the accessory apartment permit is sought is [Is] not located in an area where 10% or more of the lots within a one-half-mile radius of the subject parcel contain accessory apartments. The Hearing Officer may vary this requirement when, due to sparsity of development in the surrounding area, it is not practicable to maintain the ten-percent cap on accessory apartments.

(9)[(8)]No accessory apartment may be contained in any building or structure other than main building on any lot. A homeowner shall be granted only one accessory apartment permit, and only one accessory apartment shall be permitted per dwelling and per lot.

* * *

[§198-146.] [Principal residence requirement exception; limited right to apply.]

[Any initial application for a principal residence requirement exception permit shall be filed by the applicant with the Hearing Officer no later than December 31, 1997. Failure to file said application on or before December 31, 1997, shall be deemed a waiver by the applicant of his/her ability to qualify to apply, and the Hearing Officer shall have no authority to accept, process or consider said application]

§198-146. Exemptions.

A. Take Back the Blocks Program.

(1) A not-for-profit agency as defined in §501(c)(3) of the United States Code, or successor law, who is participating in and satisfies the criteria of the "Take Back the Blocks Program," may apply for and receive an accessory apartment permit if it lawfully holds title to a single-family structure identified as part of such Program. The application fee and annual permit fee for an accessory apartment shall be waived while the property is owned by the not-for-profit agency. The lot frontage of the property shall be no less than 50 linear feet, and the provisions of §198-134(A)(8) shall be waived. In all other respects, the requirements of this Article shall be applicable to such properties.

(2) Upon the sale of the property by a qualified not-for-profit agency to a new owner, the new owner shall be required to apply for a transfer of the accessory apartment permit, except that the Hearing Officer may waive the ninety-day period set forth in this Article. The application fee to transfer the permit and the accessory apartment permit fee for the first year of ownership shall be waived. All properties sold by the not-for-profit agency shall be occupied by the new owner in accordance with the Accessory Apartment Law in order to qualify for the exemptions.

1703

2005-284

1251

(3) The exemptions provided in this section shall apply only to purchasers who, at the time of purchase, are participants in and satisfy the criteria adopted by the Town Board as part of the "Take Back the Blocks Program." These exemptions shall continue upon subsequent transfers of ownership only if future purchaser(s) meet the criteria established by the Town Board.

(4) The Town Board may, from time to time, amend any portion of the "Take Back the Blocks Program" as it deems necessary, including the criteria qualifying not-for-profit agencies, designated properties and prospective purchasers.

* * *

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalidated, such judgment shall not affect, impair or invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional, or invalid parts therein.

Section 3. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE
DELETIONS ARE INDICATED BY [BRACKETS]
* * * INDICATES NO CHANGE IN PRESENT TEXT

VOTES: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilwoman Marlene L. Budd	AYE
Councilman Mark A. Capodanno	AYE
Councilman Mark A. Cuthbertson	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

4-19-05

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202

2006 - 50.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO 2-2006 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE XX (ACCESSORY APARTMENTS), §198-146 (EXEMPTIONS)

Resolution for Town Board Meeting Dated: January 10, 2006

The following resolution was offered by: Supervisor Petrone
COUNCILWOMAN BERLAND
and seconded by: COUNCILMAN CUTHBERTSON

WHEREAS, the Town Board is committed to advancing the objectives of the "Take Back the Blocks" program which was established by the Town Board to provide affordable means by which qualified purchasers can secure home ownership; and

WHEREAS, the Town Board recognizes that certain amendments to the Accessory Apartment Law are needed in order to facilitate the operation of the Program; and

WHEREAS, pursuant to § 617.5 (c) 20 and 27 of SEQRA, regulations amending the Town Code are "routine or continuing agency administration and management, not including new programs or major reordering of priorities" and "promulgation of regulations, policies, procedures and legislative decisions in connection with any Type II action," and therefore this proposal, a Type II action, requires no further action pursuant to SEQRA;

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby schedules a public hearing to consider adopting Local Law Introductory No.: 2 -2006, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XX (Accessory Apartments), §198-146 (Exemptions) to be held on the 7th day of February, 2006, at 7:00 PM at Town Hall, 100 Main Street, Huntington, New York, at which time all persons interested in the subject thereof may be heard; and

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW INTRODUCTORY NO 2 OF 2006
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)
ARTICLE XX (ACCESSORY APARTMENTS)
§198-146 (EXEMPTIONS)

Section 1. Amendment to Chapter 198 (Zoning), Article XX (Accessory Apartments),

1703

2006-50 203

§198-146 (Exemptions), as follows.

CHAPTER 198
ZONING

* * *

ARTICLE XX
Accessory Apartments

* * *

§198-146 Exemptions.

A Take Back the Blocks Program.

(1) A not-for-profit agency as defined in §501(c)(3) of the United States Code, or successor law, who is participating in and satisfies the criteria of the "Take Back the Blocks Program," may apply for and receive an accessory apartment permit if it lawfully holds title to a single-family structure identified as part of such Program. The application fee and annual permit fee for an accessory apartment shall be waived while the property is owned by the not-for-profit agency. The lot frontage of the property shall be no less than 50 linear feet, and the provisions of §§198-134(A)(5) and (8) shall be waived. In all other respects, the requirements of this Article shall be applicable to such properties.

* * *

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalidated, such judgment shall not affect, impair or invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional, or invalid parts therein.

Section 3. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE
DELETIONS ARE INDICATED BY [BRACKETS]
* * * INDICATES NO CHANGE IN PRESENT TEXT.

1703

2007-112.

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FUNDS FROM THE SUFFOLK COUNTY WORKFORCE HOUSING PROGRAM TO IMPLEMENT A TAKE BACK THE BLOCKS PILOT PROJECT

Resolution for Town Board Meeting Dated: March 6, 2007

The following resolution was offered by Supervisor Petrone

and seconded by: COUNCILMAN BESEN
COUNCILWOMAN BERLAND
COUNCILWOMAN JACKSON

WHEREAS, as part of a comprehensive plan to revitalize Huntington Station, Supervisor Petrone has developed an affordable housing/neighborhood revitalization program known as Take Back the Blocks; and

WHEREAS, Take Back the Blocks seeks to acquire and rehabilitate dilapidated properties primarily owned by absentee landlords so they may be transformed into owner-occupied affordable housing with a safe and affordable accessory apartment to help the new homeowner meet mortgage obligations; and

WHEREAS, Take Back the Blocks shall be funded by any available public or private affordable housing fund dollars, including those from the Town's Affordable Housing Trust Fund and from its Huntington Community Development Agency; and

WHEREAS, Town Board Resolution 2005-116 adopted the criteria and process for Take Back the Blocks and subsequent Town Board Resolutions authorized amendments to the Code to encourage the feasibility of the program; and

WHEREAS, the Town is presently leasing and preparing to purchase from a willing seller 1 Tower Street in Huntington Station in order to implement a Take Back the Blocks Pilot Project, and has further shown its commitment to do so by advancing $83,534 in rehabilitation costs; and

WHEREAS, Suffolk County has allocated $5 million in funding for the acquisition of land and/or housing for the development of workforce housing and the Town is desirous of tapping these affordable housing dollars for its Take Back the Blocks Pilot project as well as for future dilapidated absentee landlord-owned homes falling under the criteria of the Take Back the Blocks program; and

WHEREAS, via Introductory Resolution 1877 the Suffolk County Legislature authorized planning steps for implementation of the Suffolk County Workforce Housing Program in connection with the Town of Huntington's Take Back the Blocks 1 Tower Street pilot project; and

WHEREAS, the Town of Huntington is interested in entering into a partnership with Suffolk County whereby each municipality shall commit 50% in affordable housing funds toward the purchase price of the Take Back the Blocks pilot property to be determined by an appraisal process between the Town of Huntington and Suffolk County; and

1703

2007-112

WHEREAS, applying for and receive Suffolk County Workforce Housing funds and the execution of any agreements with relevant parties therewith are not actions defined by SEQRA in 6 NYCRR 617.2(b), and therefore, no SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES, the Supervisor to apply for and receive funds from the Suffolk County Workforce Housing Program to implement a Take Back the Blocks Pilot Project and to execute any documents in connection therewith.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	**AYE**
Councilwoman Susan A. Berland	**AYE**
Councilman Stuart P. Besen	**AYE**
Councilman Mark A. Cuthbertson	**AYE**
Councilwoman Glenda A. Jackson	**AYE**

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

1TowerStreetPilotAcquisition doc
Supervisor's Office/jc/lms
3/1/2007 11:26 AM

Intro. Res. No. 1704-2008 Laid on Table 8/5/2008
Introduced by Legislators Kennedy and Nowick

RESOLUTION NO. -2008, AUTHORIZING TRANSFER OF FOUR (4) SURPLUS COUNTY COMPUTERS AND FOUR (4) SURPLUS COUNTY MONITORS TO THE BOYS & GIRLS CLUB OF SUFFOLK COUNTY

WHEREAS, the Suffolk County Department of Information Technology has submitted to the Purchasing Department a list of surplus computer systems and a list of surplus printers which have been taken out of service because of obsolescent technology; and

WHEREAS, this equipment has been declared surplus property; and

WHEREAS, the Boys & Girls Club of Suffolk County has requested the donation of computers and monitors from the County; and

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

1st **RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following not-for-profit organization, for use within its facilities for nominal consideration:

TO:
The Boys & Girls Club of Suffolk County
7 Flowerfield, Suite 28
St. James, NY 11780

Contact: Judith W. Pitsiokos
Telephone: 631-584-6585

COMPUTER SERIAL NO:
18DV3
18EOX
18KFK
18DVR

MONITOR SERIAL NO:
MX06271R
9281923
MXO8376T
1780R-DB8QU-69

and be it further

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

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

4th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

EXEMPT ORGANIZATION CERTIFICATE 1704

The organization named below is exempt from payment of the New York State and local sales and use tax according to the provisions of the Tax Law.

The number shown on this certificate must be entered on any Exempt Organization Certification (ST-119.1) presented to a vendor. If this certificate is lost or destroyed, you may obtain a replacement by notifying the Technical Services Bureau.

This certificate does not require renewal and will remain in effect unless it is revoked or cancelled. Exempt status may be revoked for any reason constituting misuse of the authority granted under this certificate.

Three Village Community & Youth
Services, Inc.
PO Box 593
Stony Brook, NY 11790

NOT TRANSFERABLE - RETAIN IN YOUR FILES

CERTIFICATE NUMBER
EX-167321

DATE ISSUED
June 17, 1981

Francis J. Purcell
Director, Technical Services Bureau

ADDRESS ALL CORRESPONDENCE TO SALES TAX EXEMPT ORGANIZATION SECTION TECHNICAL SERVICES BUREAU, STATE CAMPUS, ALBANY, N.Y. 12227

B. ☐ CANCEL (State reason _____)

NEW NAME (Print or Type)			
NEW ADDRESS (Print or Type) - STREET	CITY	STATE	ZIP CODE

A. ☐ CHANGE OF NAME AND/OR ADDRESS (A new Exempt Organization Certificate will be issued to replace this one.)

If only the name and/or address of the organization changes, or, for any reason, this Certificate should be cancelled, complete A or B below and return this form. A copy of the amendment to your organizing documents which provides for the change of name must be included with this form.

An organization which changes its structural form, (eg.; on association reorganizes as a corporation) must file an Application For An Exempt Organization Certificate (ST-119.2) in order to establish the new entity's status for sales tax exemption.

This Certificate must be returned to the Sales Tax Exempt Organization Section, Technical Services Bureau, if the organization changes its purposes, activities or organizational structure. A reappraisal of the organization's exempt status will be made provided it submits a copy of the applicable amended organizing document or statement of activities.

INSTRUCTIONS

ST-119 (7/79) (Back)

1705

Intro. Res. No. -2008 Laid on Table 8/5/08
Introduced by Legislator Kennedy

RESOLUTION NO. -2008, AUTHORIZING TRANSFER OF SIX (6) SURPLUS COUNTY COMPUTERS, MONITORS, MOUSES, KEYBOARDS AND TWO (2) SURPLUS COUNTY PRINTERS TO RSVP

WHEREAS, the Suffolk County Department of Information Technology has submitted to the Purchasing Department a list of surplus computer systems and a list of surplus printers which have been taken out of service because of obsolescent technology; and

WHEREAS, this equipment has been declared surplus property; and

WHEREAS, RSVP has requested the donation of computers and printers from the County; and

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

1st **RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following not-for-profit organization, for use within its facilities for nominal consideration:

TO:
RSVP
1 West Main Street
Smithtown, NY 11787

Contact: Irene Grvegorczyk
Telephone: 631-979-9490

COMPUTER SERIAL NO:
18KDR
18EOW
18KFT
18KGF
18IJM
18KDF

MONITOR SERIAL NO:
9281924
8100004
1780R-DB8R6-69
6204TE01S799
1780R-DB8R4-69
1780R-DB8QS-69

MOUSES:
6

KEYBOARDS:
6

PRINTER SERIAL NO:
MY3853J290
MY3825KO4X

and be it further

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

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

4th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-computers-rsvp-2008

Intro. Res. No. 1706 -2008
Introduced by Legislator Stern

Laid on Table 8/5/08

RESOLUTION NO. –2008, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW 24-2007 (BISSETT/PALUMBO PROPERTIES - TOWN OF HUNTINGTON)

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

WHEREAS, the parcels listed in Exhibit "A" of this resolution meet the criteria for acquisition as open space under the Drinking Water Protection Program; and

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

1st **RESOLVED**, that the parcels listed in Exhibit "A" of this resolution, consisting of approximately 9.8± acres, are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

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

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

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

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

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

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

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r- -drinking-water-plan-steps-stern-bissett palumbo properties

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
1	District: Section Block Lot	0400 262.00 02.00 036.002	4	James Bissett III P.O. Box 386 Holtsville, NY 11742
2	District: Section Block Lot	0400 262.00 02.00 038.000	5.8	Anthony Natale, Jr. Mark Palumbo 482 Deer Park Road Dix Hills, NY 11746

EXHIBIT "A"

1707

Intro. Res. No. -2008 Laid on Table 8/5/08
Introduced by Legislator Browning

RESOLUTION NO. -2008, AUTHORIZING USE OF SMITH POINT PARK PROPERTY BY MASTIC KNIGHTS OF COLUMBUS FOR 5K RACE

WHEREAS, the Mastic Knights of Columbus is a not-for-profit organization; and

WHEREAS, the Mastic Knights of Columbus would like to use Smith Point Park for the purpose of a 5K Race to benefit Angela's House, an association that assists families caring for medically frail children living at home with their parents; and

WHEREAS, the Race would be held on Sunday, November 9, 2008 between the hours of 5:00 a.m. and 1:00 p.m.; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Three Hundred Fifty and 00/100 ($350.00), payment of which shall be guaranteed by the Mastic Knights of Columbus; and

WHEREAS, the Mastic Knights of Columbus have requested the use of the adjoining parking lot for this event; and

WHEREAS, a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured will be provided by the Mastic Knights of Columbus; now, therefore be it

1st **RESOLVED**, that the use of County-owned property, Smith Point Park in Shirley, by the Mastic Knights of Columbus, in consideration of the payment of Three Hundred Fifty and 00/100 ($350.00), for the purpose of holding a 5K Race on November 9, 2008, between the hours of 5:00 a.m. and 1:00 p.m. is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured by the County of Suffolk from the Mastic Knights of Columbus and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

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

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

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-5K Race Knights of Columbus-2008

Intro. Res. No. 1708 -2008 Laid on Table 8/5/08
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. ___ -2008, A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE NANZ CUSTOM HARDWARE, INC., (SUFFOLK COUNTY TAX MAP NO. 0100-067.00-01.00-024.091).

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on - 2008, a proposed local law entitled, "**A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE NANZ CUSTOM HARDWARE, INC., (SUFFOLK COUNTY TAX MAP NO. 0100-067.00-01.00-024.091),**" and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

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

A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE NANZ CUSTOM HARDWARE, INC., (SUFFOLK COUNTY TAX MAP NO. 0100-067.00-01.00-024.091).

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

Section 1. Legislative Intent.

This Legislature finds and determines that pursuant to Local Law No. 14-2003, this Legislature authorized the designation of an Empire Zone; that Local Law 15-2003 established Empire Zone boundaries; and that a new local law is required to submit to New York State a request to revise the zone boundaries to include Nanz Custom Hardware, Inc., located at premises described as Suffolk County Tax Map No. 0100-067.00-01.00-024.091.

This Legislature also finds and determines that New York State has amended the Empire Zone Program to include specific projects deemed as Regionally Significant Projects. Regionally Significant Projects are defined as company and site specific projects located outside the existing zone boundaries that will create fifty (50) or more jobs.

This Legislature further finds and determines that Nanz Custom Hardware, Inc., a manufacturer of high end door hardware located at 105 Jefryn Boulevard East, Babylon, New York meets the criteria of Section 957(d) of the NEW YORK GENERAL MUNICIPAL LAW for a Regionally Significant Project and has requested consideration for such designation by the Suffolk County Empire Zone - Zone Administrative Board.

Therefore, the purpose of this law is to authorize the submission of an application to New York State to amend the boundaries of the Suffolk County Empire Zone, to include the above location.

Section 2. Application.

The Suffolk County Empire Zone - Zone Administrative Board, is hereby authorized, empowered and directed in accordance with Section 3 of this Law to submit an application to the New York State Department of Economic Development to augment the boundaries of the existing Empire Zone and to execute such documents as are necessary and desirable to effectuate the purposes of this Law.

Section 3. Request for Consideration.

A.) The Commissioner of the New York State Department of Economic Development is hereby requested to revise the boundaries of the Empire Zone in accordance with this Law.

B.) The Clerk of the Suffolk County Legislature is hereby authorized, empowered and directed to file a certified copy of this local law with said Commissioner upon its adoption.

Section 4. Designation of Revised Empire Zone Boundaries.

The boundary of the Empire Zone, designated in Local Law 14-2003 and Local Law 15-2003, as adopted, shall be amended to include Suffolk County Tax Map No. **0100-067.00-01.00-024.091**.

Section 5. Real Property Tax Exemption.

A.) The property included in the revised boundaries as described and designated by this Law is hereby granted an exemption from the taxes and special ad valorem levies by the County of Suffolk and the exemption shall be granted for the period and to the extent provided for in Section 485-e of the New York Real Property Tax Law. This exemption shall be for a term of (10) years, notwithstanding that the designation of the Empire Zone may expire prior to the end of such ten (10) year term.

B.) The exemption granted pursuant to this Law shall only take effect as to the revised Empire Zone designation in the event that the revised designation is approved by New York State and placed on the tax rolls. In the event the revised Empire Zone designation is not approved, the exemption granted pursuant to Local Law No. 14-2003, as adopted, shall continue pursuant to the terms of that Law.

Section 6. Applicability.

This Law shall apply to all actions and taxable status dates occurring on or after the effective date except as otherwise provided for herein.

Section 7. Severability.

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

Section 8. SEQRA Determination.

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

Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination on non-applicability or non-significance in accordance with this law.

Section 9. Effective Date.

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

DATED:

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date:

After a public hearing duly held on
Filed with the Secretary of State on _____

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1708

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: JULY 29, 2008

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2008

TITLE: A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE NANZ CUSTOM HARDWARE, INC., (SUFFOLK COUNTY TAX MAP NO. 0100-067.00-01.00-024.091)

SPONSOR: PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 7/28/2008 **PUBLIC HEARING:** 8/19/2008

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

Enactment of this proposed local law would authorize the submission of an application to re-designate the boundaries of the Suffolk County Empire Zone. This Local Law would authorize the designation of a revised Empire Zone to include the Nanz Custom Hardware, Inc., property in Babylon.

If these new boundaries are accepted by the New York State Department of Economic Development, the above properties would be granted an exemption from real property taxes, special ad valorem levies, and certain other taxes by the County of Suffolk pursuant to State law.

This local law would be effective immediately upon its filing in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-empire-zone-nanz-custom-hardware

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1708

1. Type of Legislation

Resolution _____ Local Law ____X__ Charter Law _____

2. Title of Proposed Legislation

ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE NANZ CUSTOM HARDWARE, INC. (SUFFOLK COUNTY TAX MAP NO. 0100-067.00-01.00-024.091)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

Adoption of this resolution will extend the benefits offered through the NYS Empire Zone Program to Nanz Custom Hardware, Inc. through the designation of a Regionally Significant Project. Nanz Custom Hardware, Inc. will be exempt from the taxes and special ad valorem levies by the County of Suffolk to the extent provided for in Section 485-e of the New York Real Property Tax Law. Benefits to the County of Suffolk is the relocation of 159 jobs and creation of approximately 56 new jobs within the next five years.

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 ADOPTION AND FILING WITH THE OFFICE OF THE SECRETARY OF STATE.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst		July 21, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1708

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

1708

MEMORANDUM

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

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

DATE: June 19, 2008

SUBJECT: **Resolution to Amend Empire Zone Boundaries to include Nanz Custom Hardware, Inc.**

****

The Department of Economic Development and Workforce Housing requests the submission of the attached resolution. This resolution amends the Suffolk County Empire Zone boundaries to include Nanz Custom Hardware Inc., a manufacturer of high end door hardware. Empire State Development has reviewed this request for designation as a Regionally Significant Project and has approved its formal submission.

Attached please find the draft resolution and required SCIN 175a and 175b. Electronic copies have been submitted to the County Executive Resolution Review Committee.

Thank you.

CF/kmb
cc: Jim Morgo, Chief Deputy County Executive
Patrick Heaney, Commissioner
Brendan Chamberlain, County Executive Assistant

Steve Levy
Suffolk County Executive

Jim M. Morgo
Commissioner

H. Lee Dennison Bldg., 2nd Floor • Hauppauge, Long Island, NY 11788-0099 • phone: 631-853-4800 fax: 631-853-4888 • www.suffolkcountyny.gov/exec/econ

1709

Intro. Res. No. -2008 Laid on Table 8/5/08

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

RESOLUTION NO. - 2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO ENHANCE PERSONAL PRIVACY PROTECTION FOR RECORDED DOCUMENTS AND AUTHORIZING THE COUNTY CLERK TO COLLECT CERTAIN FEES FOR RECORDING, ENTERING, INDEXING AND ENDORSING A CERTIFICATE ON ANY INSTRUMENT

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2008, a proposed local law entitled, "**A LOCAL LAW TO ENHANCE PERSONAL PRIVACY PROTECTION FOR RECORDED DOCUMENTS AND AUTHORIZING THE COUNTY CLERK TO COLLECT CERTAIN FEES FOR RECORDING, ENTERING, INDEXING AND ENDORSING A CERTIFICATE ON ANY INSTRUMENT**" and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

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

A LOCAL LAW TO ENHANCE PERSONAL PRIVACY PROTECTION FOR RECORDED DOCUMENTS AND AUTHORIZING THE COUNTY CLERK TO COLLECT CERTAIN FEES FOR RECORDING, ENTERING, INDEXING AND ENDORSING A CERTIFICATE ON ANY INSTRUMENT

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

Section 1. Legislative Intent.

This Legislature finds and determines that section 8021 of the New York Civil Practice Law and Rules (CPLR) allows a county clerk who renders a service other than in his capacity as clerk of the supreme court or a county court, or other than in an action pending in a court of which he is clerk, to collect recording fees, payable in advance.

This Legislature further finds and determines that section 8021 was recently amended to require County Clerks to make a good faith effort to redact social security numbers from recorded instrument cover sheets, and to authorize County Clerks, via duly enacted local law, to increase fees charged for recorded instruments in the County Clerk's office.

This Legislature further finds and determines that redacting social security numbers from the cover sheets of recorded instruments is an important tool to protect the privacy of individuals.

This Legislature further finds and determines that by extending the authority to the Suffolk County Clerk to accept as a fee for recorded instruments the maximum sum allowable under New York State law, a critical source of revenue will be provided for the good faith effort made by the County Clerk to redact social security numbers from recorded instrument cover sheets.

Therefore, the purpose of this law is to authorize the County Clerk to accept as a fee for recording, entering, indexing and endorsing a certificate on any instrument the maxium sum allowable under New York State law and to instruct the County Clerk, as applicable, to make a good faith effort to redact social security numbers from recoded instrument cover sheets.

Section 2. Fees For Recording Instruments.

A.) Whenever the Suffolk County Clerk renders a service, other than in its capacity as clerk of the supreme or the county court, or other than in an action pending in a court of which it is clerk, in connection with papers or instruments relating to real property and not filed under the uniform commercial code, the Suffolk County Clerk shall be entitled to a fee, payable in advance, for recording, entering, indexing and endorsing a certificate on any instrument, of twenty dollars and, in addition thereto, of five dollars for each page or portion of a page.

B.) For the purpose of determining the appropriate recording fee, the fee for any cover page shall be deemed an additional page of the instrument.

Section 3. Redaction of Social Security Numbers.

A.) A cover page shall not include any social security account number or date of birth.

B.) To the extent that the County Clerk has placed an image of such cover page online, the County Clerk shall make a good faith effort to redact such information.

Section 4. Applicability.

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

Section 5. Severability.

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

Section 6. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies,

procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 7. Effective Date.

This law shall take effect thirty (30) days after its filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1709

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: JULY 29, 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 ENHANCE PERSONAL PRIVACY PROTECTION FOR RECORDED DOCUMENTS AND AUTHORIZING THE COUNTY CLERK TO COLLECT CERTAIN FEES FOR RECORDING, ENTERING, INDEXING AND ENDORSING A CERTIFICATE OF ANY INSTRUMENT

SPONSOR: PRESIDING OFFICER AT THE REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 7/28/08 PUBLIC HEARING: 8/19/08

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

The New York State Legislature recently enacted legislation (Chapter 288 of the Laws of 2008) which authorized all counties in the state to increase the fee collected by the County Clerk for recording, entering, indexing and endorsing a certificate on papers or instruments related to real property from $5 to $20 and, in addition thereto, increase from $3 to $5 for each page or portion of a page.

The proposed local law implements the fee increases authorized by the State of New York.

Further, this local law provides that a cover page shall not include any social security account number or date of birth, and, to the extent that the County Clerk has placed an image of such cover page online, the County Clerk shall make a good faith effort to redact such information.

This law shall take effect 30 days after its filing in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\r28\2008\county clerk fees

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1709

1. Type of Legislation

Resolution ___X___ Local Law__X___ Charter Law ___

2. Title of Proposed Legislation

A LOCAL LAW TO ENHANCE PERSONAL PRIVACY PROTECTION FOR RECORDED DOCUMENTS AND AUTHORIZING THE COUNTY CLERK TO COLLECT CERTAIN FEES FOR RECORDING, ENTERING, INDEXING AND ENDORSING A CERTIFICATE ON ANY INSTRUMENT.

3. . Purpose of Proposed Legislation
SAME AS ABOVE:
FEES WILL BE INCREASED AS FOLLOW:
RECORDING FEE - $5 TO $20 PER PAGE FEE - $3 TO $5

THIS WAS PART OF THE ACTIONS RECOMMENDED AND DISCUSSED EARLIER THIS YEAR TO REDUCE ANY POSSIBLE BUDGETARY SHORTFALLS IN 2009.

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): Community College**

Library District **Fire District**

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact
REVENUE ENHANCEMENT - ADDITIONAL REVENUE IN 2008 WILL OFFSET A PORTION OF REDUCTION IN COUNTY CLERK FEES RELATED TO THE REAL ESTATE SLOWDOWN

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

ADDITIONAL REVENUE'S
2009 - $5,700,000 BASED ON 2008 PROJECTED DOCUMENTS
2010 -2013 - REVENUE'S SHOULD INCREASE ABOVE THE 2009 LEVEL AS THE REAL ESTATE MARKET STABLIZES

8. Proposed Source of Funding
COUNTY CLERK FEES

9. Timing of Impact

UPON APPROVAL

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Allen M. Kovesdy Director of Management and Research		July 23, 2008

SIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1709

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

INFORMATION SHEET

UPDATED AFTER PASSAGE OF LEGISATION:

RECORDING, ENTERING, INDEXING AND ENDORSING A CERTIFICATE

YEARLY ESTIMATE

2008

	CURRENT FEE	PROPOSED	CHANGE	ADDITIONAL REVENUE
RECORDING FEE	$ 5.00	$ 20.00	$ 15.00	**$ 2,781,540**
PER PAGE FEE	$ 3.00	$ 5.00	$ 2.00	**$ 2,927,988**
TOTAL				**$ 5,709,528**

2008 EST. NUMBER OF DOCUMENTS *	185,436
DEEDS	40,986
MORTGAGES	144,450
2008 ESTIMATED: NUMBER OF PAGES *	1,463,994
DEEDS: 4 PAGES	163,944
MORTGAGES: 9 PAGES	1,300,050

* County Clerk -2009 Budget Request

604

1710

Intro. Res. No. -2008 Laid on Table 8/5/2008
Introduced by Legislator Romaine

RESOLUTION NO. –2008, TO AUTHORIZE A REQUEST FOR PROPOSAL (RFP) FOR THE PURCHASE AND INSTALLATION OF GPS MONITORING DEVICES FOR ALL COUNTY VEHICLES

WHEREAS, the County Executive's Budget Office and the Legislature's Office of Budget Review have identified a budget shortfall of $130 to $150 million for County fiscal year 2009; and

WHEREAS, various reductions in spending, as well as the sale of various County assets, are now already well underway; and

WHEREAS, as an elected body, the Suffolk County Legislature bears the responsibility to ensure that no imprudent or unwarranted expenditures are incurred at any time, and especially during an economic downturn; and

WHEREAS, a decrease in the County's consumption of gasoline will equate to a reduction in costs; and

WHEREAS, many studies have shown a correlation between driving in excess of the speed limit with the increased consumption of fuel; and

WHEREAS, the monitoring of County vehicles via GPS will aid enforcement of the prohibition of operating County vehicles in excess of the speed limit, therefore decreasing consumption of fuel; now, therefore be it

1st **RESOLVED**, that the Commissioner of the Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section C8-2(X) of the SUFFOLK COUNTY CHARTER, to draft and issue an RFP for the purchase and installation of GPS monitoring devices for all County vehicles

2nd **RESOLVED**, that all responses to the RFP shall be evaluated by the Commissioner of the Department of Public Works and presented to all members of the Suffolk County Legislature within six (6) months 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) 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:

1711

Intro. Res. No. -2008 Laid on Table 8/5/08
Introduced by Legislator Eddington

RESOLUTION NO. –2008, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW 24-2007 (MEDFORD GARDENS PROPERTY – TOWN OF BROOKHAVEN)

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

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

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

1st **RESOLVED**, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 55.3 acres, are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

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

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

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

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

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

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

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-medford-gardens-open-space-drinking-water

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
1	District: Section Block Lot	0200 631.00 03.00 002.001	55.3	Medford Gardens 1 LLC 101 North Wellwood Avenue Suite 12 Lindenhurst, NY 11757

EXHIBIT "A"

Intro. Res. No. 1712-08 Laid on Table 8/5/08
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE CHARTER LAW EXTENDING AND ACCELERATING THE SUFFOLK COUNTY 1/4% DRINKING WATER PROTECTION PROGRAM FOR ENVIRONMENTAL PROTECTION FOR LAND ACQUISITIONS

WHEREAS, at the general election held on November 6, 2007, the electorate approved the mandatory referendum on Resolution No. 770-2007, Adopting A Charter Law Extending and Accelerating the Existing Suffolk County ¼% Drinking Water Protection Program for Environmental Protection, Sewer District Tax Rate Stabilization and County-wide Property Tax Protection from December 31, 2013 to November 30, 2030 (Local Law No. 24-2007); and

WHEREAS, the intent of Local Law No. 24-2007 is to extend the ¼% Suffolk County Drinking Water Protection Program for 17 years and to accelerate the land acquisition component of the program, by permitting borrowing of up to $322 million over the next four (4) years, with the cost of the borrowing to be repaid from the ¼% Sales Tax Revenue Stream; and

WHEREAS, Local Law No. 24-2007 will allow the County to borrow money now at reduced interest rates, purchase the last vestiges of land available, and pay off its debt service at a later date, all to the benefit of the Suffolk County taxpayers; and

WHEREAS, under that law, 31.10% of the total revenues generated each calendar year by the ¼% Sales Tax Revenue Stream is allocated and deposited annually to the Suffolk County Environmental Programs Trust Fund; and

WHEREAS, the Suffolk County Environmental Programs Trust Fund can be used for the payment of debt service on serial bonds or notes authorized via duly enacted resolution of the County of Suffolk and issued for the purchase of farmland development rights, open space, wetlands, woodlands, pine barrens, and other lands which are suitable only for passive, recreational use, land for use as Hamlet Greens, Hamlet Parks, pocket parks, active parkland, active recreation, historic and/or cultural park uses; and

WHEREAS, principal and interest expenses, bond or note issuance costs and all other expenses directly related to the bonds or notes issued for such purchases may be paid from the sales tax revenues allocated and deposited annually to the Suffolk County Environmental Programs Trust Fund; and

WHEREAS, the serial bonds or notes issued for the purchase of development rights or land under this program are required to be authorized by a duly enacted bond or note resolution of the County of Suffolk adopted in the calendar years 2008, 2009, 2010 or 2011; and

WHEREAS, any such bonds or notes must be issued on or prior to December 31, 2011, and the final maturity of such bonds and notes shall be no later than December 31, 2030; 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 even date herewith has authorized the issuance of $32,000,000 in Suffolk County Serial Bonds to cover the cost of purchasing land under the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection; 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 617.5(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, not including new programs or major reordering of priorities that may affect the environment; and be it further

2nd RESOLVED, that prior to the approval by this Legislature of any property for purchase under this capital project, an environmental review of each property shall be undertaken and completed in accordance with SEQRA; and be it further

3rd RESOLVED, that 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; and be it further

4th 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

5th RESOLVED, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8712
Project Title: Suffolk County ¼% Drinking Water Protection Program for Environmental Protection - Land Acquisition Component

	Total Estimated Cost	Current 2008 Capital Program and Budget	Revised 2008 Capital Program and Budget
2. Land Acquisition	$25,000,000.00	$ 0	$25,000,000.00B
TOTAL	$25,000,000.00	$ 0	$25,000,000.00

and be it further

6th RESOLVED, that the proceeds of $25,000,000.00 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8712.210 (Fund 477-Debt Service)	Suffolk County ¼% Drinking Water Protection Program for Environmental Protection - Land	$25,000,000.00

Acquisition Component

and be it further

7th RESOLVED, that no funds appropriated by this resolution may be expended unless and until a resolution authorizing planning and/or acquisition of a piece of property for the purposes of these capital projects has been duly adopted.

DATED:

APPROVED BY: _

_____

County Executive of Suffolk County

Date:

Gen DI

1712

JUL 02 2008

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER
CHRISTOPHER E. KENT
DIRECTOR

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

July 1, 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 appropriate funds in connection with the New Suffolk County ¼% Drinking Water Protection Program for environmental protection and land acquisitions in the amount of $25,000,000.00.

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
Carmine Chiusano, Director, Budget Review
Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
Tom Vaughn, County Executive Assistant
Brendan Chamberlain, County Executive Assistant
CE Reso Review (e-mail copy only)

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1712

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Amending the 2008 Capital Budget and program and appropriating fund in connection with the Charter Law extending and accelerating the Suffolk County ¼% Drinking Water Protection Program for environmental protection and for land acquisitions.

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

N/A

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

N/A

8. Proposed Source of Funding

New Suffolk County ¼% Drinking Water Protection Program

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Janet M. Longo Acquisition Supervisor	Janet Longo	July 1, 2008

SCIN FORM 175b (10/95)

Intro. Res. No 1713-08 - 2008 Laid on the Table 8/5/08
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH ENERGY CONSERVATION AT VARIOUS COUNTY FACILITIES (CAPITAL PROGRAM NUMBER 1664)

WHEREAS, the Commissioner of Public Works has requested funds for Energy Conservation at Various County Facilities; and

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

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,070,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 506-1995 classified the action contemplated by this as Type II Action; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-eight (68) 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

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

Project No.: 1664
Project Title: Energy Conservation at Various County Facilities

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
1. Planning, Design, and Supervision	$780,000	$170,000	$30,000
3. Construction	$6,635,000	$900,000	$1,040,000
TOTAL	$7,415,000	$1,070,000	$1,070,000

and be it further

5th RESOLVED, that the proceeds of $1,070,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP- 1664.113 (Fund 001 Debt Service)	20	Energy Conservation at Various County Facilities--Planning	$30,000
525-CAP- 1664.314 (Fund 001 Debt Service)	20	Energy Conservation at Various County Facilities--Construction	$1,040,000

Dated:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1713

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. – 2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH ENERGY CONSERVATION AT VARIOUS COUNTY FACILITIES (CAPITAL PROGRAM NUMBER 1664)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2009

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		July 16th, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1713

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$97,081**	**$0.18**		$0.000

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$97,081**	**$0.18**		$0.000

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

To be completed by the Executive Budget Office

Suffolk County
Project Name
General Obligation Serial Bonds
Level Debt

1713

Term of Bonds	15
Amount to Bond:	$1,070,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2007					
5/1/2008			$20,976.81	$20,976.81	
11/1/2008	4.125%	$52,942.53	$44,137.50	$97,080.03	$97,080.03
			$20,976.81	$20,976.81	
11/1/2009	4.125%	$55,126.41	$20,976.81	$76,103.22	$97,080.03
			$19,839.83	$19,839.83	
11/1/2010	4.125%	$57,400.37	$19,839.83	$77,240.20	$97,080.03
			$18,655.95	$18,655.95	
11/1/2011	4.125%	$59,768.14	$18,655.95	$78,424.08	$97,080.03
			$17,423.23	$17,423.23	
11/1/2012	4.125%	$62,233.57	$17,423.23	$79,656.80	$97,080.03
			$16,139.66	$16,139.66	
11/1/2013	4.125%	$64,800.71	$16,139.66	$80,940.37	$97,080.03
			$14,803.15	$14,803.15	
11/1/2014	4.125%	$67,473.74	$14,803.15	$82,276.88	$97,080.03
			$13,411.50	$13,411.50	
11/1/2015	4.125%	$70,257.03	$13,411.50	$83,668.53	$97,080.03
			$11,962.45	$11,962.45	
11/1/2016	4.125%	$73,155.13	$11,962.45	$85,117.58	$97,080.03
			$10,453.62	$10,453.62	
11/1/2017	4.125%	$76,172.78	$10,453.62	$86,626.40	$97,080.03
			$8,882.56	$8,882.56	
11/1/2018	4.125%	$79,314.91	$8,882.56	$88,197.47	$97,080.03
			$7,246.69	$7,246.69	
11/1/2019	4.125%	$82,586.65	$7,246.69	$89,833.34	$97,080.03
			$5,543.34	$5,543.34	
11/1/2020	4.125%	$85,993.35	$5,543.34	$91,536.69	$97,080.03
			$3,769.73	$3,769.73	
11/1/2021	4.125%	$89,540.57	$3,769.73	$93,310.30	$97,080.03
			$1,922.95	$1,922.95	
11/1/2022	4.125%	$93,234.12	$1,922.95	$95,157.07	$97,080.03
		$1,070,000.00	$386,200.43	$1,456,200.43	$1,456,200.43

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

1713

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive (2 copies)

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner

DATE: July 1, 2008

RE: CP 1664 – Energy Conservation at Various County Buildings

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Attached for your review is a draft resolution appropriating the sum of $1,070,000 for energy conservation projects at various County buildings. This funding will be used to replace miscellaneous pieces of inefficient heating, cooling, and lighting equipment with modern, energy efficient equipment and lighting. This may also include conversion of oil-fired appliances to natural gas-fired.

This action is considered a Type II action under SEQRA in accordance with Resolution No. 506-1995.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1664 Resolution Energy Cons.doc.

TL/TG/dk
attachments
cc: Jim Morgo, Chief Deputy County Executive
Gilbert Anderson, P.E., Commissioner
Louis Calderone, Deputy Commissioner
Tedd Godek, R.A., County Architect, Buildings Design & Construction
Michael J. Monaghan, P.E., Principal Mechanical Engineer
Laura Conway, CPA, Chief Accountant
Kathy LaGuardia, Chief Auditor
CE RESO Review (e-mail)

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4010 FAX (631) 852-4150

Intro. Res. No. 1569-95 Laid on the Table 5/2/95

Introduced by Presiding Officer Blydenburgh

1713

RESOLUTION NO. 506 - 1995, MAKING A SEQRA DETERMINATION IN CONNECTION WITH ENERGY CONSERVATION IN VARIOUS COUNTY BUILDINGS

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Energy Conservation in Various County Buildings", pursuant to Section 6 of Local Law No. 22-1985 which project involves upgrading facilities to meet current energy, safety, and fire codes; and

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

WHEREAS, at its March 15, 1995 meeting, the CEQ reviewed the EAF and information submitted by the Department of Planning; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.13(d)(1), since it is replacement of facilities in kind on the same site and upgrades facilities to meet current energy, safety, and fire codes; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated April 3, 1995 of said recommendations;

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

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

RESOLVED, that this Legislature hereby determines that the Energy Conservation in Various County Buildings constitutes a Type II action since it involves replacement of a facility in-kind on the same site and upgrades facilities to meet current energy, safety, and fire codes, pursuant to the provisions of NYCRR Part 617; 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 CEQ; and be it further

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

DATED: May 16, 1995

APPROVED BY:

/s/ Robert J. Gaffney

County Executive of Suffolk County

Date of Approval: May 23, 1995

Intro. Reso. No. 1714-08 Laid on Table 8/5/08
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. –2008, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $25,000 IN FEDERAL PASS-THROUGH FUNDS FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S SECOND PRECINCT COMMUNITY SUPPORT 2008 GRANT PROGRAM WITH 90% SUPPORT.

WHEREAS, the New York State Department of Criminal Justice Services has made $25,000 in Federal pass-through monies from the Byrne Justice Assistance Grant Program available to Suffolk County to continue to address community concerns regarding gang-related criminal activity through targeted enforcement efforts and educational presentations to school, community and business groups in the area served by the Suffolk County Police Department's Second Precinct; and

WHEREAS, said project will utilize a multi-agency approach of investigation, enforcement and prevention; and

WHEREAS, the operational period of the Program will be from June 1, 2008, through May 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:

REVENUES:	**AMOUNT**
115-4338-Federal Aid: 2nd Precinct Community Support 2008	$25,000

ORGANIZATIONS:

Police Department (POL)
2nd Precinct Community Support 2008
115-POL-3282

1000 – Personal Services	**$21,268**
1120 – Overtime Salaries	21,268

Employee Benefits
Retirement
115-EMP-9010

8000-Employee Benefits	**$3,424**
8280 – Employee Retirement System	3,424

Employee Benefits
Social Security
115-EMP-9030

8000 – Employee Benefits	**$308**
8330 – Social Security	308

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:

Gen D3

1714

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution XX Local Law _____ Charter Law

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $25,000 IN FEDERAL PASS-THROUGH FUNDS FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S SECOND PRECINCT COMMUNITY SUPPORT 2008 GRANT PROGRAM WITH 90% SUPPORT.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

A 10% match is provided for in the 2008 Operating Budget.

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

8. Proposed Source of Funding

New York State Division of Criminal Justice Services

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	P Saunders	7-28-08

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1714

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1714

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**
Suffolk County Police Department

DATE: **July 16, 2008**

SUBJECT: **Resolution Packet & SCIN Forms for**
The Second Precinct Community Support 2008 Grant Program
DCJS # BJ06885533

Attached please find two copies of the following for the Division of Criminal Justice Services pass-through grant funded 2nd Precinct Community Support 2008 Program:

1. Grant Resolution
2. Grant SCIN Forms
3. Request for Introduction of Legislation
4. Financial Impact Statement
5. Copy of the Award Letter from the New York State Division of Criminal Justice Services
6. Copy of the Grant Contract between the New York State Division of Criminal Justice Services and Suffolk County.

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

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk	DATE May 14, 2008 REV July 16, 2008
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank 1714
Contact Person In Department/Agency Sarah Furey Sr. Grants Analyst	Telephone Number 852-6042
	Grant Application Due Date N/A

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title **2nd Precinct Community Support 2008**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) Public Law 109-108, Science, State, Justice, Commerce and Related Agencies Appropriations Act, 2006, pass-through Byrne Justice Assistance Grant funding, administered by the State of New York Division of Criminal Justice Services.

3. Grant/Contract Status (Check One Box)
A. ___New Program Application
B. _X_Renewal Application
C. ___Supplemental (Specify) _____
D. ___Extension of Funding Period
E. ___Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.).
The project will allow the Suffolk County Police Department to continue to address community concerns regarding gang related criminal activity in the area of the Second Precinct through targeted enforcement efforts and educational presentations to school, community and business groups.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

II. BUDGET INFORMATION

1. Term of Contract From: 6/1/2008 To: 5/31/2009

2. Financial Assistance Requested

SOURCE	*FIRST FUNDING CYCLE*		*SECOND FUNDING CYCLE*		*THIRD FUNDING CYCLE*	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$22,500	75 %	$25,000	75%	$25,000	90%
State	$	%	$	%	$	%
Private	$	%	$	%	$	%
County	$7,500	25%	$8,333	25%	$2,778	10%
Total	$30,000	100%	$33,333	100%	$27,778	100%

3. Explanation of Requested County Financial Assistance

Category	*Total Requested*	*Personnel Costs Requested*	*Non-Personnel Costs Requested*
TOTAL COUNTY SHARE:	$2,778	$0 1714	$2,778
A. Cash Contribution	$2,778	$	$2,778
B. In-Kind Contribution	$	$	$

4. Total Number of New Positions Requested 0

5. Can This Program Be Refunded by the Proposed Non-County Sources?

X YES NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

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 ½" X 11" sheet).

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:	Approved Disapproved	2. Signature of Coordinator	3. Date
4. Comments			
5. Budget Office Review:	Approved Disapproved	6. Signature of Budget Director	7. Date
8. Comments			

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2008			Page 1 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries	**21,268** 21,268	**2,068** 2,068		
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			717	
4000 UTILITIES: 4010 Telephone & Telegraph 4210 Computer Services				
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts				

SCIN Form 164D (10-80)

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2008			Page 2 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees 4770 Special Services				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Benefit Fund Contribution	**3,732** 3,424 308	**710** 333 131 216 30		
OTHER (List Source & Brief Explanation)			H114	

I certify that the above in-kind contribution are not currently being used to support other grants

SCIN Form 164D (10-80)

DETAIL LISTING OF 1000 ACCOUNT		PERSONAL SERVICES					Page 3 of 3
TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %			
				GRANTOR	COUNTY	IN-KIND	
Various Police Officers on Overtime Sergeant @1.5911% salary & fringes	6	79.17/hr OT 174,600	To be determined To be determined	100%	100%	n/a	

SCIN Form 164D (10-80)

Additional back-up material regarding I.R. 1714 is on file in the Legislative Clerk's Office.

Intro. Reso. No. 1715-08 Laid on Table 8/5/08
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. –2008, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $100,000.00 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S BELLPORT TASK FORCE 2008 WITH 100% SUPPORT.

WHEREAS, the New York State Department of Criminal Justice Services has made $100,000.00 in Federal pass-through monies from the Byrne Justice Assistance Grant Program available to Suffolk County to continue a project to reduce crime committed by repeat offenders in the area served by the Suffolk County Police Department's Fifth Precinct; and

WHEREAS, said project will utilize a multi-agency approach of investigation, enforcement and prevention; and

WHEREAS, the operational period of the Program will be from October 1, 2008, through September 30, 2009; 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:

REVENUES:	**AMOUNT**
115-4337-Federal Aid: Bellport Task Force 2008	$100,000

ORGANIZATIONS:

Police Department (POL)
Bellport Task Force 2008
115-POL-3276

1000 – Personal Services	**$85,070**
1120 – Overtime Salaries	85,070

Employee Benefits
Retirement
115-EMP-9010

8000-Employee Benefits	**$13,696**
8280 – Employee Retirement System	13,696

Employee Benefits
Social Security
115-EMP-9030

8000 – Employee Benefits	**$1,234**
8330 – Social Security	1,234

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:

COUNTY OF SUFFOLK

JUL 15 2008

1715

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**
Suffolk County Police Department

DATE: **July 14, 2008**

SUBJECT: **Resolution Packets & SCIN Forms for**
The Bellport Task Force Grant Program 2008
GMS Project ID # BJ08-1039-D00
DCJS # BJ07845635

Attached please find two copies of the following for the Division of Criminal Justice Services pass-through grant funded Bellport 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 Letter from the New York State Division of Criminal Justice Services
6. Copy of the proposed contract between the New York State Division of Criminal Justice Services and Suffolk County

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: Jim Morgo, Chief Deputy County Executive
Don Fahey, Federal & State Aid Claims Coordinator

Gen D4

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1715

1. Type of Legislation

Resolution XX Local Law _____ Charter Law

2. Title of Proposed Legislation

ACCEPTING & APPROPRIATING A GRANT IN THE AMOUNT OF $100,000 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S BELLPORT TASK FORCE 2008 WITH 100% SUPPORT.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

N/A

8. Proposed Source of Funding

New York State Division of Criminal Justice Services

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	P Saunders	7-28-08

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1715

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

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

To be completed by the Executive Budget Office

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk	DATE 6/20/08 REV 7/14/08
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank 1715
Contact Person In Department/Agency Sarah Furey Senior Grants Analyst	Telephone Number 852-6042
	Grant Application Due Date N/A

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title: Bellport Task Force 2008

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program): Public Law 110-5, 2007 Revised Continuing Appropriations Resolution, Federal Edward Byrne Memorial Formula Grant pass-through funds administered by the State of New York, Division of Criminal Justice Services.

3. Grant/Contract Status (Check One Box)
A. ___ New Program Application
B. __X Renewal Application
C. ___ Supplemental (Specify) _____
D. ___ Extension of Funding Period
E. ___ Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)
This project will continue a multi-agency task force approach to prevent, detect, deter and reduce crime committed by repeat offenders in the Fifth Precinct area.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.) Probation, District Attorney

II. BUDGET INFORMATION

1. Term of Contract From: 10/1/2008 To: 9/30/2009

2. Financial Assistance Requested

SOURCE	*THIRD FUNDING CYCLE*		*FOURTH FUNDING CYCLE*		*FIFTH FUNDING CYCLE*	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$102,300	90%	$100,000	90%	$100,000	100%
State	$	%	$	%	$	%
Private	$	%	$	%	$	%
County	$11,367	10%	$11,111	10%	$	%
Total	$113,667	100%	$111,111	100%	$100,000	100%

3. Explanation of Requested County Financial Assistance

1715

Category	*Total Requested*	*Personnel Costs Requested*	*Non-Personnel Costs Requested*
TOTAL COUNTY SHARE:	$0	$0	$0
A. Cash Contribution	$0	$0	$0
B. In-Kind Contribution	$0	$0	$0

4. Total Number of New Positions Requested 0

5. Can This Program Be Refunded by the Proposed Non-County Sources?

X YES NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)
Some additional indirect costs resulting from administrative oversight and the increased caseload generated by project activities 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 Police 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 ½" X 11" sheet).

N/A

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:	Approved _____ _____ Disapproved	2. Signature of Coordinator	3. Date
4. Comments			
5. Budget Office Review:	Approved _____ Disapproved	6. Signature of Budget Director	7. Date
8. Comments			

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2008			Page 1 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES:	**85,070**			
1100 Permanent Salaries				
1110 Interim Salaries				
1120 Overtime Salaries	85,070			
2000 EQUIPMENT:				
2010 Furniture & Fixtures				
2020 Office Machines				
2030 Automobiles & Motorcycles				
2070 Cameras and Photographic				
2090 Radio and Communication				
2500 Other Equip Not Otherwise				
3000 SUPPLIES MATERIALS & OTHERS:				
3010 Office Supplies				
3015 Computer and Data Storage Supplies				
3020 Postage				
3030 Photostat, Photograph, Blueprint				
3040 Printing				
3160 Computer Software				
3500 Other Unclassified				
3510 Rent: Business Machines				
3610 Repairs: Office Equipment				
3680 Repairs: Special Equipment				
4000 UTILITIES:				SCI
4010 Telephone & Telegraph				
4015 Cellular communications				
4300 TRAVEL:				
4310 Employee Misc - Expenses				
4330 Travel Employee Contracts				
4340 Travel Other Contracts				

SCIN Form 164D (10-80)

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2008			Page 2 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees				
4700 MISCELLANEOUS 4770 Special Services				
4900 CONTRACTED SERVICES (LIST) 4980 Contracted Agencies				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Benefit Fund Contribution	**14,930** 13,696 1,234			
OTHER (List Source & Brief Explanation) Asset Forfeiture Funds				5171

I certify that the above in-kind contribution are not currently being used to support other grants

SCIN Form 164D (10-80)

DETAIL LISTING OF 1000 ACCOUNT		PERSONAL SERVICES					Page 3 of 3
TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %			
				GRANTOR	COUNTY	IN-KIND	
Various Police Officers on Overtime	6	79.17/hr OT	To be determined	100%			

SCIN Form 164D (10-80)

Additional back-up material regarding I.R. 1715 is on file in the Legislative Clerk's Office.

Intro Res. No. 1716-08 Laid on Table 8/5/08
Introduced by 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 LEXINGTON VILLAGE CONDOMINIUMS (IS 1263)

WHEREAS, Lexington Village Condominiums is located outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, Lexington Village Condominiums 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 with a connection fee of $15.00 per gallon per day of sewage capacity with a daily flow of 45,000 gallons, for a total connection fee of $675,000.00 to be paid to Suffolk County; 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 1716

1. **Type of Legislation**

Resolution X Local Law _____ Charter Law _____

2. **Title of Proposed Legislation**

RESOLUTION NO.___-2008, AUTHORIZING THE EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST WITH LEXINGTON VILLAGE CONDOMINIUMS (IS-1263)

3. **Purpose of Proposed Legislation**

To authorize execution of an agreement by the administrative head of Suffolk County Sewer District No. 3 - Southwest with Lexington Village Condominums for the discharge of 45,000 gpd to the S.C. Sewer District No.3- Southwest.

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

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

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

6. **If the answer to item 4 is "yes," Provide Detailed Explanation of Impact**

This resolution will generate a total connection fee of $675,000.

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**	11. **Signature of Preparer**	12. **Date**
Debra Kolyer Principal Financial Analyst	Debra Kolyer	7/25/08

SCIN FORM 175B (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1716

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

JUL 15 2008

1716

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: July 10, 2008

SUBJECT: **Introductory Resolution Calling for Approval of the Connection of Lexington Village Condominiums (IS 1263) to Suffolk County Sewer District No. 3 - Southwest**

Attached is a draft resolution filed as Reso-DPW-SA 6-2008 Lexington Village Condominiums (IS 1263) and appropriate forms with the backup filed as Backup-DPW-SA 12-2008 Lexington Village Condominiums (IS 1263) This is a resolution authorizing the execution of a connection agreement by the Administrative Head of Suffolk County Sewer District No. 3 – Southwest with Lexington Village Condos

Project Facts	
Type/units:	Condominium Complex / 170 Units
Acreage:	9.7 acres
Flow:	45,000 GPD
Sewer District:	SCSD No. 03 - Southwest
Groundwater Zone:	I
SEQRA:	Complete
SC Tax Parcel(s)	0500-22300-0300-001000-129000 0500-22300-0400-001000-043000
Legislative District:	11th

TL:BW:cap

cc: Jim Morgo, Chief Deputy County Executive
Gilbert Anderson, P.E. Commissioner, SCDPW
Ben Wright, P.E.
John Donovan, P.E.
Laura Conway
Linda Spahr, Esq.
Debra Kolyer, County Executive's Office
E-mail to CE Reso Review

1716

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 6 -2008

AUTHORIZING THE CONNECTION OF LEXINGTON VILLAGE CONDOMINIUMS (IS-1263) TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST

WHEREAS, Lexington Village Condominiums is an existing 170 unit condominium situated on 9.7 acres located in Brentwood, New York, situated on property identified on the Suffolk County Tax Map as District 0500, Section 223.00, Block 03.00, Lots 001.000 to 129000 and District 0500, Section 223.00, Block 04.00, Lots 001.000 to 043000, and

WHEREAS, the sewage flow from the Lexington Village Condominiums is expected to be forty-five thousand gallons per day (45,000 GPD) when the Lexington Village Condominiums is connected, and

WHEREAS, Lexington Village Condominiums 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, Lexington Village Condominiums was granted Conceptual Certification at the November 20, 2002 meeting of the Agency (42-2002) has applied for Formal Approval to this Agency for permission to connect its forty-five thousand gallons per day (45,000 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 for Lexington Village Condominiums, and

WHEREAS, the connection of Lexington Village Condominiums to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County,

NOW, THEREFORE, IT IS

1st RESOLVED, that Lexington Village Condominiums 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 forty-five thousand gallons per day (45,000 GPD) of capacity in the District's sewage treatment plant be allocated to Lexington Village Condominiums, 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

4th RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the owners of Lexington Village Condominiums, 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 Lexington Village Condominiums shall be paid upon the execution of the Connection Agreement at the rate of $15.00 per gallon of sewage per day for forty-five thousand gallons per day (45,000 GPD) for a total of $675,000.00, and it is further

6th RESOLVED, that Lexington Village Condominiums shall, at its sole cost, expense and effort, construct a sewage collection facility for Lexington Village Condominiums, including a mainline sewer extension, if necessary, 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 updated Certificate of Occupancy shall be issued for any portion of Lexington Village Condominiums until the sewage collection facility for Lexington Village Condominiums has been completed and Lexington Village Condominiums 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 owners of Lexington Village Condominiums 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 Lexington Village Condominiums, as well as for all of the owner'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 owners of Lexington Village Condominiums 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 6/16/08)

1716

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO. 42 -2002, GRANTING CONCEPTUAL CERTIFICATION TO THE CONNECTION OF LEXINGTON VILLAGE TO SUFFOLK SEWER DISTRICT NO. 3 - SOUTHWEST

WHEREAS, LEXINGTON VILLAGE is an existing 170 unit condominium community- located in West Brentwood, New York, on property identified on the Suffolk County Tax Map as District 0500, Section 223.00, Block 04.00, Lots 001.000 through 043.000, and

WHEREAS, the sewage flow from Lexington Village is expected to be forty five thousand gallons per day (45,000 gpd), and

WHEREAS, Lexington Village 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, Lexington Village has applied" to this Agency for permission to connect its forty five thousand gallons per day (45,000 gpd) flow to the sanitary sewerage facilities of the District, and

WHEREAS, the Bergen Point sewage treatment plant of the District has sufficient capacity in excess of its own needs to accept the sewage which is expected to emanate from Lexington Village when fully developed, and

WHEREAS, inasmuch as the SEQRA process for the aforesaid connection has not been completed, this Agency cannot, at this time, approve the said connection, and

WHEREAS, in the interest of good planning, and in order to minimize potential hardship on applicants, it is the policy of this Agency, upon review of an application prior to the completion of the SEQRA process, to give applicants an indication of what method of wastewater disposal this Agency would like to see for a particular project, thereby giving applicants an indication of the action that this Agency might take if it were to pass upon the application at the time of such review, and

WHEREAS, in furtherance of such policy, this Agency is desirous of giving Lexington Village an indication of the action that this Agency might take regarding the proposed connection if the SEQRA process had been completed and this Agency were to pass upon the matter at this time,

1716

NOW, THEREFORE, IT IS

RESOLVED, that this Agency hereby grants "conceptual certification" to the proposed connection of Lexington Village to Suffolk County Sewer District No. 3 - Southwest, as aforesaid, and it is further

RESOLVED, that

1. such conceptual certification is not, and is not to be construed as, final approval, which can only be granted by this Agency after the SEQRA process for the proposed connection has been completed;

2. the applicant shall return to this Agency for such final approval;

3. the granting of conceptual certification as set forth herein shall not be binding upon this Agency when final approval is sought; and

4. the granting of conceptual certification does not constitute a position by this Agency, favorable or otherwise, with respect to local land use, zoning and/or subdivision requirements.

(Suffolk County Sewer Agency Meeting 11/20/02)

Intro. Res. No. 1717 -2008 Laid on Table 8/5/08
Introduced by Presiding Officer on request of County Executive

RESOLUTION NO. 2008, TRANSFERRING ESCROW ACCOUNT REVENUES AND TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND, AMENDING THE 2008 OPERATING BUDGET, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING ADDITIONAL FUNDS FOR THE IMPROVEMENT AND REHABILITATION OF THE EXISTING FACILITIES IN SUFFOLK COUNTY SEWER DISTRICT NO. 6 – KINGS PARK (CP 8144)

WHEREAS, the Kings Park Wastewater Treatment Plant requires reconstruction to comply with NYSDEC permit limitations derived from the Long Island Sound Study with respect to reducing nitrogen discharges into Long Island Sound; and

WHEREAS, Resolutions No. 783-1999 and 951-04 appropriated Bond Act grant funds of $7,930,448 to the capital fund; and

WHEREAS, Resolutions No. 639-02 and 543-06 appropriated escrow account revenue and Assessment Stabilization Reserve Funds to the capital fund; and

WHEREAS, bids were received on June 17, 2008 and it has been determined that those bids were appropriate for the work to be performed and that the funds available were insufficient to award the contracts and complete the project; and

WHEREAS, the Administrative Head of Sewer District No. 6 – Kings Park has requested that additional funds be appropriated to allow the project to be initiated and contracts awarded; and

WHEREAS, sufficient funds are available in the escrow accounts established and containing connection fees and funds from the Assessment Stabilization Reserve Fund to cover the costs of the improvement and/or rehabilitation; and

WHEREAS, pursuant to Resolution 924-2006 there is no offset required by this modification of the capital budget and program due to a transfer from the Assessment Stabilization Reserve Fund and connection fees; and

WHEREAS, it is proposed that $2,500,000 of the Assessment Stabilization Reserve Fund be appropriated for the purpose of implementing the project; and

WHEREAS, it is proposed that previously received connection fees, which are deposited in escrow accounts, be appropriated; and

WHEREAS, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8, Resolution No. 783-1999 determined that the Proposed Improvements to Sewer District No. 6 – Kings Park, constitutes an unlisted action which will not have a significant effect on the environment pursuant to the provisions of Title 6 NYCRR Part 617.5 and Chapter 279 of the Suffolk County Code; 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

1ST **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty one (61) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that additional funds from the Assessment Stabilization Reserve Fund shall be appropriated in the sum of $2,500,000 for the purpose of implementing the project; and be it further

3RD **RESOLVED**, that the Adopted 2008 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 404 Reserve Fund Balance as follows:

Interfunds	**Increased Amount**
Appropriations:	
404-IFT-E527-Transfer to Fund 527	$2,500,000

and be it further

4th **RESOLVED,** that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

Revenues:	
527-IFT-R404-Transfer from Fund 404 (Ref. 527-CAP-IFTR-R404)	$2,500,000

and be it further

5TH **RESOLVED,** that the County Treasurer and County Comptroller be and they hereby are authorized to transfer the following funds, plus accrued interest to date, from the Trust & Agency Escrow Account to the Capital Fund as a Sewer Revenue:

From Escrow Account	**To Capital Fund Sewer Revenues**	**Amount**	**Accrued Interest**
The Hills at Kings Park	SM 886	$ 625,725	Yes
Lutheran Center for Aging	SM 1045	$ 794,250	Yes
Total SCSD #6		**$1,419,975**	Yes

and be it further

6TH **RESOLVED**, that the County Treasurer and County Comptroller be and they hereby are authorized to accept proceeds not to exceed $1,419,975 plus accrued interest to date, transferred to the Capital Fund from the Trust & Agency Escrow Account; and be it further

7TH **RESOLVED**, that the 2008 Capital Budget be and it hereby is amended as follows:

Program No.: **8144**
Project Name: **Improvements to Sewage Treatment Facilities - Sewer District No. 6 – Kings Park**

	TOTAL EST'D COST	CURRENT 2008 CAPITAL BUDGET & PROGRAM	REVISED 2008 CAPITAL BUDGET & PROGRAM
Planning, Design & Supervision	2,710,000	2,000,000-A	50,000 - E 2,000,000 - A
Construction	18,392,833	0	2,500,000 - A 1,369,975 - E
TOTAL	**21,257,833**	**2,000,000**	**5,919,975**

A- Assessment Stabilization
E-Connection Fee Money

and be it further

8TH **RESOLVED**, that the proceeds of $1,419,975 in revenues transferred to the Capital Fund, plus accrued interest to date, be and hereby are appropriated as follows:

PROJECT NO.	JC	PROJECT TITLE	AMOUNT
527-CAP-8144.113	80	Improvements to Sewer District No. 6 – Kings Park - Planning, Design and Supervision	$ 50,000 + Accrued Interest
527-CAP-8144.311	80	Improvements to Sewer District No. 6 – Kings Park - Construction	$1,369,975 + Accrued Interest

and be it further

9th **RESOLVED**, that funds in the amount of $2,500,000 from the Assessment Stabilization Reserve Fund be and hereby are appropriated as follows:

Project No.	JC	Project Title	Amount
527-CAP-8144.311	80	Improvements to Sewage Treatment Facilities SCSD #6 – Kings Park - Construction	$2,500,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1717

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

TRANSFERRING ESCROW ACCOUNT REVENUES AND TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND, AMENDING THE 2008 OPERATING BUDGET, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING ADDITIONAL FUNDS FOR THE IMPROVEMENT AND REHABILITATION OF THE EXISTING FACILITIES IN SUFFOLK COUNTY SEWER DISTRICT NO. 6- KINGS PARK (CP 8144)

3. Purpose of Proposed Legislation

Requests appropriation of escrow account revenues and ASRF funds for the project. Bids were received in June 17, 2008 and the funds available are insufficient to cover the cost of the project.

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)

Town **Economic Impact**

Village **School District** **Other (Specify): Sewer District**

Library District **Fire District**

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

N/A

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

$1,419,975 plus accrues interest, $2,500,000 ASRF funds.

8. Proposed Source of Funding

Escrow Account Revenues, Assessment Stabilization Reserve Funds.

9. Timing of Impact

2008

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst	Deb Kolyer	July 25, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1717

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1717

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: Tom LaGuardia, P.E., Chief Deputy Commissioner

SUBJECT: **Transferring Escrow Account Revenues and Transferring Assessment Stabilization Reserve Funds to the Capital Fund, Amending the 2008 Operating Budget, Amending the 2008 Capital Budget and Program and Appropriating Additional Funds for the Improvement and Rehabilitation of the Existing Facilities in Suffolk County Sewer District No. 6 – Kings Park (CP 8144)**

DATE: June 27, 2008

Attached is a resolution and appropriate forms with backup for the referenced project which has been electronically forwarded to CE Reso Review saved as tl-bw6-19-08 Reso-DPW sd6 Improvements CP 8144 and backup (filed as tl-bw6-19-08 Backup-DPW 175A sd6 Improvements CP 8144 and tl-bw6-19-08 Backup-DPW 175B sd6 Improvements CP 8144). Bids were received for the project on June 17, 2008. The bids have been reviewed and meetings held with the apparent low bidders. The lowest responsible bids for the three prime contracts is $14,495,399, while only $11,861,931 has been appropriated to proceed with the work which is necessary to meet NYSDEC discharge standards. We do note that those standards are in effect and we are required to achieve a certain level of discharge to Long Island Sound by August 2009. We request an additional $2.5 million dollars to be appropriated from the Assessment Stabilization Reserve Fund along with available escrow funds of $1,419,975 that can be transferred into the capital project such that we can award all contracts including construction contingencies and construction administration assistance. It is our understanding that an offset is not needed with this source of funding. Please note that we had submitted as of May 6, 2008 a draft resolution to transfer the escrow funds into the capital project, and we have requested that that resolution be put on hold which is identified as master list item #342.

The project does have a Clean Water/Clean Air Bond Act Grant of nearly $8 million and although we are aware that minimal funds remain in that Bond Act, we will request the State regarding an increase. We appreciate the resolution being laid on the table as soon as possible so that we may proceed with awarding the contracts for which the lowest responsible bidders

have indicated they will hold their price, with the anticipation that the funding can be adopted by the August 19, 2008 meeting.

TL:BW:ni
Attachment
cc: Jim Morgo, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, County Executive Assistant
Laura Conway, CPA, Chief Accountant
Ben Wright, P.E., Chief Engineer, Sanitation
Carmine Chiusano, Budget Director
CE Reso Review
tl-bw6-27-08 Reso-DPW sd 6 improvements CP 8144 memo to BZwirn

Intro. Res. No. 1718-2008 Laid on Table 8/5/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2008, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM - FOR THE ZEBROWSKI & MULVIHILL ESTATE PROPERTY – LONG POND GREENBELT – TOWN OF SOUTHAMPTON – (SCTM NOS. 0900-025.00-01.00-012.000 AND 0900-025.00-01.00-045.000)

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

WHEREAS, Resolution No. 277-2007 appropriated $11,833,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

WHEREAS, Resolution No. 830-2006 authorized planning steps for acquisition of the subject property; and

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

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to the traditional Suffolk County Open Space Preservation Program (1986 et seq), for a total purchase price of One Million Four Hundred Forty Five Thousand Dollars ($1,445,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0900	10.3±	Dolores Zebrowski
	Section	025.00		P.O. Box 24
	Block	01.00		Sag Harbor, NY 11963
	Lot	012.000		
No. 2	District	0900		The Estate of William Mulvihill
	Section	025.00		c/o Mary Mulvihill, Exectruix
	Block	01.00		70 Dosoris Way
	Lot	045.000		Glen Cove, NY 11542

and be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of One Million Four Hundred Forty Five Thousand Dollars ($1,445,000.00), 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 $1,445,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177.227, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

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

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

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

7th **RESOLVED**, that the project will not have a significant effect on the environment for the following reasons:

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

2.) the proposed use of the subject parcel(s) will be passive recreation.

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

8th **RESOLVED**, 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:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1718

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM - FOR THE ZEBROWKSI & MULVIHILL ESTATE PROPERTY – LONG POND GREENBELT (TOWN OF SOUTHAMPTON – SCTM#0900-025.00-01.00-012.000 & 0900-025.00-01.00-045.000)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

THIS RESOLUTION AUTHORIZES THE DEPARTMENT TO USE FUNDS WHICH HAVE BEEN PREVIOUSLY APPROPRIATED IN CAPITAL PROJECT 7177, MULTIFACETED LAND PRESERVATION PROGRAM, TO COVER THE COST OF ACQUISITION OF THE ZEBROWKSI & MULVIHILL ESTATE PROPERTY – LONG POND GREENBELT – IN THE TOWN OF SOUTHAMPTON.

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

N/A

8. Proposed Source of Funding

EXISTING APPROPRIATIONS WITH CAPITAL PROJECT 7177.

9. Timing of Impact

UPON ADOPTION

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
STEVEN FORST AUDITOR	Steven Forst	JULY 29, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1718

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1718

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 20, 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 Zebrowski & Mulvihill property (Long Pond Greenbelt), in the Town of Southampton, under the Suffolk County Multifaceted Land Preservation Program. The purchase price is $1,445,000.00 for 10.3± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

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

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

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

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

Intro. Res. No. 1719 -2008 Laid on Table 8/5/08
Introduced by the Presiding Officer, on request of the County Executive

RESOLUTION NO. –2008 AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY ENVIRONMENTAL LEGACY FUND FOR OPEN SPACE PRESERVATION FOR THE BEECHWOOD HORSEBLOCK BUILDING CORP. PROPERTY – OVERTON PRESERVE (TOWN OF BROOKHAVEN – SCTM#0200-544.00-01.00-008.002)

WHEREAS, the Suffolk County Environmental Legacy Fund was established by Resolution No. 281-2007, allocating fifty million dollars for the acquisition of: environmentally sensitive lands pursuant to the traditional Open Space Preservation Program, Resolution No. 762-1986 et seq.; farmland development rights pursuant to the Suffolk County Administrative Local Law Chapter 8, Development Rights to Agricultural Lands; active parklands including playgrounds, soccer fields, football fields, baseball fields, outdoor concerts, horseback riding or equine endeavors and/or other community recreational needs; or historic properties that exhibit historic and/or archeological significance, where there is a partner who will provide at least a 50% matching contribution to its acquisition; and

WHEREAS, Resolution No. 86-2008 appropriated $15,000,000.00 for acquisitions under the Suffolk County Environmental Legacy Fund; and

WHEREAS, Resolution No. 203-2004 authorized planning steps for acquisition of the subject property; and

WHEREAS, the Town of Brookhaven ("Town") has approved Resolution No. 410-A1-07 on July 1, 2008, authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Environmental Legacy Fund pursuant to the traditional Suffolk County Open Space Preservation Program (1986 et seq.), for a total purchase price of One Million Eight Hundred Ninety Four Thousand Forty One Dollars ($1,894,041.00±), at One Hundred Eighteen Thousand ($118,000.00) per acre, for 16.0512± acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Nine Hundred Forty Seven Thousand Twenty Dollars and Fifty Cents ($947,020.50±) for a fifty percent (50%) undivided interest; and the Town's share, totaling Nine Hundred Forty Seven Thousand Twenty Dollars and Fifty Cents ($947,020.50±), for a fifty percent (50%) undivided interest, as tenants-in-common, subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	16.0512±	Beechwood Horseblock Building Corp
	Section	544.00		Michael Dubb, President
	Block	01.00		c/o Richard Rosenberg, Esq.
	Lot	008.002		500 North Broadway-Suite 240
				Jericho, NY 11753

; and, be it further

2nd **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Environmental Legacy Fund, for the County's portion of the purchase price of Nine Hundred Forty Seven Thousand Twenty Dollars and Fifty Cents ($947,020.50±), 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 $947,020.50±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP- 8731, Suffolk County Environmental Legacy Fund, for this acquisition; and, be it further

4th **RESOLVED,** that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, with the County of Suffolk owning a fifty percent (50%) undivided interest and the Town owning a fifty percent (50%) undivided interest; and, be it further

5th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such other actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports, and environmental audits, making tax adjustments, and executing such other documents as are required to acquire such County interest in said lands; and, be it further

6th **RESOLVED,** that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

7th **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management is hereby authorized to negotiate and enter into any necessary collateral agreements with the Town to effectuate the terms of the resolution; and, be it further

8th **RESOLVED,** if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation, is hereby authorized to negotiate and enter into a municipal cooperative agreement with the Town for the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County

Attorney in consultation with the respective Commissioner of the County Department of Parks, Recreation and Conservation, who is charged with the management and operation of said property; and, be it further

9th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

10th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

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

2.) the proposed use of the subject parcel(s) will be for passive recreational purposes; and

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

11th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

719

ADOPTED
BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 410-A1-07
MEETING OF: JULY 1, 2008

AMENDING RESOLUTION NO. 410-07 AUTHORIZING THE ACQUISITION OF PROPERTY FOR OPEN SPACE PURSUANT TO PROGRAM WITH SUFFOLK COUNTY FOR PROPERTY LOCATED AT GRANNY ROAD, CORAM TO CHANGE THE FUNDING SOURCE FOR THE COUNTY OF SUFFOLK

WHEREAS, Resolution No. 410-07 of April 17, 2007, authorized the acquisition of property for open space pursuant to a program with Suffolk County for property located at Granny Road, Coram (SCTM No. 200-544-01-8.2); and

WHEREAS, said resolution provided that Suffolk County would use the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund to fund the purchase; and

WHEREAS, Suffolk County will instead be using the Suffolk County Environmental Legacy Fund pursuant to Suffolk County Resolution #86-2008 adopted March 4, 2008, to fund the purchase;

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 410-07 is hereby amended to state that the County of Suffolk will be funding its portion of the purchase price from the Suffolk County Environmental Legacy Fund pursuant to Suffolk County Resolution #86-2008; and be it further

RESOLVED that all the other terms and conditions of Resolution No. 410-07 shall remain the same.

1719

RESOLUTION SUBMISSION

MEETING OF: JULY 1, 2008 RESOLUTION NO. 410-A1-07

MOVED BY COUNCILMEMBER: CONSTANCE KEPERT

REVISION

SHORT TITLE: AMENDING RESOLUTION NO. 410-07 AUTHORIZING THE ACQUISITION OF PROPERTY FOR OPEN SPACE PURSUANT TO PROGRAM WITH SUFFOLK COUNTY FOR PROPERTY LOCATED AT GRANNY ROAD, CORAM TO CHANGE THE FUNDING SOURCE FOR THE COUNTY OF SUFFOLK

DEPARTMENT: LAW

REASON: To amend the funding source for the County of Suffolk

PUBLIC HEARING REQUIRED: NO
DEPARTMENT OF FINANCE APPROVAL: YES NO
DOLLARS INVOLVED: Town Share 50% ± $947,020.00 based upon $118,000.00 per acre (16 ± acres), plus acquisition costs – Full Purchase Price $1,894,041.00 - Clean Water Open Space Bond Act of 2004 – HRCW14103080

SEQRA REQUIRED: No
DETERMINATION MADE: POSITIVE NEGATIVE
FEIS/FINDINGS FILED:
EXECUTION OF DOCUMENT REQUIRED:
AE pd

Present	Absent		Motion	Aye	No	Abstain	Not Voting
		Councilmember Flore-Rosenfeld					
		Councilmember Bonner					
		Councilmember Walsh					
		Councilmember Kepert	1				
		Councilmember Mazzei	2				
		Councilmember Romaine					
		Supervisor Foley					

Gen DB

COUNTY OF SUFFOLK

JUL 0 2 2008

1719

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 20, 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 Beechwood Horseblock Building Corp. property (Overton Preserve), in the Town of Brookhaven, under the Suffolk County Environmental Legacy Fund. The purchase price is $1,894,041.00± for 16.0512± acres, of which Suffolk County's 50% share will be $947,020.50±.

IN ADDITION, A COMPANION BONDING RESOLUTION MUST BE PREPARED AND SUBMITTED TO BE LAID ON THE TABLE AT THE SAME TIME AS THE AUTHORIZING RESOLUTION.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

CEK:pd
Att.

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

1719

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
Peter Belyea, Acquisition Agent
CE Reso Review (e-mail copy only)

LOCATION
(631) 853-5900 H. LEE DENNISON BLDG. - 2nd Floor ♦ MAILING ADDRESS
♦ Fax (631) 853-5906 100 VETERANS MEMORIAL HIGHWAY P. O. BOX 6100
11788-0099 Fax (631) 853-5905 HAUPPAUGE, NY

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1719

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the Suffolk County Environmental Legacy Fund, of the Beechwood Horseblock Building Corp. property (Overton Preserve), SCTM#0200-544.00-01.00-008.002, (Town of Brookhaven).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

N/A

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

N/A

8. Proposed Source of Funding

Suffolk County Environmental Legacy Fund

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Janet M. Longo Acquisition Supervisor	Janet Longo	June 20, 2008

SCIN FORM 175b (10/95)

1720

Intro. Res. No. – 2008 Laid on Table 8/5/08

Introduced by the Presiding Officer on request of the County Executive

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 FAIRFIELD CORAM 112, LLC PROPERTY – OVERTON PRESERVE (TOWN OF BROOKHAVEN - SCTM#0200-524.00-01.00-047.001)

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. 203-2004, 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; 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 Eleven Million Two Hundred Thousand Dollars ($11,200,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	23.0±	Fairfield Coram 112, LLC
	Section	524.00		66 Commack Road
	Block	01.00		Commack, NY 11725
	Lot	047.001		

; 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 Eleven Million Two Hundred Thousand Dollars ($11,200,000.00), 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 $11,200,000.00, 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 Eighteen (18) 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 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 30

COUNTY OF SUFFOLK

1720

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 18, 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 Fairfield Coram 112, LLC property (Overton Preserve), in the Town of Brookhaven, under the New Suffolk County Drinking Water Protection Program. The purchase price is $11,200,000.00 for 23.0± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

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

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

1720

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the New Suffolk County Drinking Water Protection Program, of the Fairfield Coram 112, LLC (Overton Preserve) property, SCTM#0200-524.00-01.00-047.001, (Town of Brookhaven).

3. Purpose of Proposed Legislation

See No. 2 above

4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO __X__

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

N/A

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

N/A

8. Proposed Source of Funding

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	Janet Longo	June 18, 2008

SCIN FORM 175b (10/95)

1721

Intro. Res. No. – 2008 Laid on Table 8/5/08

Introduced by the Presiding Officer on request of the County Executive

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 FAIRFIELD MILL ESTATES, LLC AS CONTRACT VENDEE FOR THE P AND F MINING CORP. PROPERTY – OVERTON PRESERVE (TOWN OF BROOKHAVEN - SCTM#0200-495.00-05.00-007.001)

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. 203-2004, 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; 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 Million Seven Hundred Seventy Two Thousand Seven Hundred Twenty Dollars ($5,772,720.00±), at One Hundred Twenty Thousand Dollars ($120,000.00) per acre for 48.106± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	48.106±	Fairfield Mill Estates, LLC
	Section	495.00		as Contract Vendee
	Block	05.00		from P & F Mining Corp.
	Lot	007.001		66 Commack Road
				Commack, NY 11725

Commack, NY 11725

; 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 Million Seven Hundred Seventy Two Thousand Seven Hundred Twenty Dollars ($5,772,720.00±), 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 $5,772,720.00±, 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 Twenty Six (26) 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 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 Dil

COUNTY OF SUFFOLK

1721

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 18, 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 Fairfield Mill Estates, LLC as Contract Vendee property (Overton Preserve), in the Town of Brookhaven, under the New Suffolk County Drinking Water Protection Program. The purchase price is $5,772,720.00± for 48.106± acres, at $120,000.00 per acre.

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
Peter Belyea, 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

1724

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the New Suffolk County Drinking Water Protection Program, of the Fairfield Mills Estates property (Overton Preserve), SCTM#0200-495.00-05.00-007.001, (Town of Brookhaven).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

N/A

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

N/A

8. Proposed Source of Funding

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	Janet Longo	June 18, 2008

SCIN FORM 175b (10/95)

1722

Intro. Res. No. - 2008 Laid on Table 8/5/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008 AUTHORIZING ACQUISITION OF THE RESIDUAL FEE UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(b)] FOR THE GAZZA PROPERTY – PINE BARRENS CORE (TOWN OF SOUTHAMPTON - SCTM#0900-242.00-01.00-009.000, 0900-242.00-01.00-011.000, 0900-285.00-01.00-012.000, 0900-305.00-01.00-004.000, 0900-327.00-02.00-002.000, 0900-333.00-02.00-011.000, 0900-333.00-03.00-029.000, 0900-335.00-01.00-011.000, 0900-335.00-01.00-024.000)

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

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

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

WHEREAS, Resolution No. 1356-2002, authorized planning steps for the acquisition of the subject property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the residual fee of subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(b), as amended and effective as of November 30, 2000, for a total purchase price of Twenty Seven Thousand Six Hundred Dollars ($27,600.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0900	.06±	Joseph Zachary Gazza
	Section	242.00		P.O. Box 969
	Block	01.00		Quogue, NY 11959
	Lot	009.000		
No. 2	District	0900	.06±	
	Section	242.00		
	Block	01.00		
	Lot	011.000		
No. 3	District	0900	.33±	
	Section	285.00		
	Block	01.00		
	Lot	012.000		
No. 4	District	0900	1.6±	
	Section	305.00		
	Block	01.00		
	Lot	004.000		
No. 5	District	0900	0.3±	
	Section	327.00		
	Block	02.00		
	Lot	002.000		
No. 6	District	0900	.23±	
	Section	333.00		
	Block	02.00		
	Lot	011.000		
No. 7	District	0900	1.29±	
	Section	333.00		
	Block	03.00		
	Lot	029.000		
No. 8	District	0900	.09±	
	Section	335.00		
	Block	01.00		
	Lot	011.000		
No. 9	District	0900	1.56±	
	Section	335.00		
	Block	01.00		
	Lot	024.000		

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the residual fee of

parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Twenty Seven Thousand Six Hundred Dollars ($27,600.00), 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 $27,600.00, subject to a final survey, from previously appropriated funds in MY-475-MSC-1940 under the Old Drinking Water Protection Program, Section C12-5(E)(1)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and, be it further

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

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

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

7th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

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

2.) the proposed use of the subject parcel(s) will be passive recreation; and

8th RESOLVED, in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATE:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Gen D12

COUNTY OF SUFFOLK

JUL 21 2008

1722

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

July 18, 20008

Mr. Ben Zwirn, Asst. Deputy County Executive
H. Lee Dennison Building -12th 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 Gazza property (Pine Barrens Core), in the Town of Southampton, under the Old Suffolk County Drinking Water Protection Program. The purchase price is $27,600.00 for 5.52± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

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

LOCATION
H. LEE DENNISON BLDG. - 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

1722

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the Old Suffolk County Drinking Water Protection Program, of the Gazza property (Pine Barrens Core), SCTM#0900-242.000-01.00-009.000, 0900-242.00-01.00-011.000, 0900-285.00-01.00-012.000, 0900-305.00-01.00-004.000, 0900-327.00-02.00-002.000, 0900-333.00-02.00-011.000, 0900-333.00-03.00-029.000, 0900-335.00-01.00-011.000, 0900-335.00-01.00-024.000, (Town of Southampton).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:

N/A

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

N/A

8. Proposed Source of Funding

Old Suffolk County Drinking Water Protection Program

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Janet M. Longo Acquisition Supervisor	Janet Longo	July 18, 2008

SCIN FORM 175b (10/95)

IR 1723-08 Laid on Table 8/5/08

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2008, APPROVING THE RE-APPOINTMENT OF JANET DeMARZO AS COMMISSIONER OF THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES

WHEREAS, Janet DeMarzo has served the County of Suffolk since 1980, and has served as Commissioner of the Department of Social Services since 2002; and

WHEREAS, Janet DeMarzo resides in the Town of Brookhaven, Suffolk County, New York; and

WHEREAS, Janet DeMarzo meets the specifications for a local Social Services Commissioner, pursuant to Title 18, New York Codes, Rules and Regulations, Part 679; now, therefore be it

1st RESOLVED, that the appointment of Janet DeMarzo, residing in the Town of Brookhaven, as Commissioner of Social Services of Suffolk County is hereby approved for a five year term of office which shall expire on September 19th, 2012; said appointment having been made by the County Executive pursuant to section 116 of the New York Social Services Law; and be it further

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Sections 617.5(c)(20) and (27) of the NEW YORK CODE OF RULES AND REGULATIONS (NYCRR) as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with such action.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1723

Janet DeMarzo

Work Experience

Commissioner
September 2002 – Present Suffolk County Department of Social Services, Ronkonkoma, NY

The Department has 1,400 staff with an annual budget of $530 million. The Department provides programs and services to meet the needs of families and individuals and ensure protection for vulnerable populations. Programs include:

- Child Support Enforcement;
- Child Protective and Preventive Services, Foster Care and Adoption, Adult Protective Services;
- Medicaid and Family Health Plus;
- Temporary Assistance for Needy Families, Food Stamps, HEAP, Emergency Needs, Child Care, and Homeless Services;

Deputy County Executive for Administration
January 2000 – September 2002 Suffolk County Executive Office, Hauppauge, NY

As a cabinet level appointment, this position involved responsibility for assisting the County Executive in the administration and coordination of all areas of County Government. Responsibilities included:

- Coordinated policies and programs with the Department Heads and the Budget Office;
- Worked with Department Heads regarding implementation of new programs and services including; development of procedures, coordination of initiatives between Departments, oversight of implementation and follow-up evaluation on effectiveness of program and it's procedures;
- Administrated County personnel matters regarding requests for authorization to appoint or promote staff;
- Represented County Executive at county and community functions;

Assistant Deputy County Executive
January 1996 – January 2000 Suffolk County Executive Office, Hauppauge, NY

As a member of the senior staff, I assisted the County Executive in the general management of County programs and services. Responsibilities included:

- Planned, directed and coordinated, with Departments Heads, the implementation of State and Federal programs and facilitated the fiscal and support services necessary for effective program implementation;
- Reviewed county programs to assure compliance with county executive and legislative directives and policies, recommended assistance needed by departments and supervised implementation of the reforms;
- Supervised Intergovernmental Relations Division including state, federal and county units;
- Coordinate the development of executive positions on new policy and Legislative initiatives;

Senior Government Liaison Office
September 1993 – January 1996 Suffolk County Executive Office, Hauppauge, NY

Served as county liaison to the federal and state governments. Responsibilities included:

- Prepared State and Federal Legislative Agendas for the County;
- Lobbied for Suffolk County's interests and needs at the national and state level;
- Developed policy recommendations and prepared position paper for executive staff.

1723

Intergovernmental Relations Coordinator
March 1992 – September 1993 Suffolk County Department of Health Services, Hauppauge, NY

As the program administrator, I directed the program and fiscal operations of the Bureau of Services for Children with Disabilities. Responsibilities included:

- Prepared and administered an annual program budget of $120 million;
- Supervised a direct staff of 50 employees and over 25 contract employees in several units;
- Developed and coordinated county services contracts with 20 educational and health related agencies and over 100 individual service providers;
- Planned and implemented a new Medicaid reimbursement system;
- Served as County liaison with State Departments of Health and Education.

Government Liaison Officer
January 1985 – March 1992 Suffolk County Executive Office, Hauppauge, NY

Served as county liaison to state government. Responsibilities included:

- Prepared State Legislative Agenda for County;
- Lobbied for Suffolk County's interests and needs to state legislature and executive branches;
- Developed policy recommendations and prepared position papers for executive staff.

Various Titles – Including Intergovernmental Analyst II and Grants Technician
June 1980- November 1985 Suffolk County Executive Office, Hauppauge, NY

Worked on researching and writing grants and attended county legislative committee meetings and related intergovernmental activities.

Education

1982 MA in Public Affairs
State University of New York at Stony Brook

1979 BA with majors in Biology and Women's Studies
New York State College at New Paltz

1123

Suffolk County Department of Social Services
Janet DeMarzo, Commissioner
September, 2007

As Commissioner, I am charged with the responsibility to provide programs and services for families and individuals in need and to protect vulnerable populations. With 1,400 employees and a budget of $538 million the Department administers a number of federal, state and local programs: Temporary Assistance for Needy Families, Medicaid, Child Support, Child and Adult Protective Services, Foster Care and Adoption, Services for the Homeless, Food Stamps, HEAP, Child Care Subsidies, and Emergency needs.

Accomplishments

Over the last five years, through the implementation of new initiatives and strategies, administrative oversight and the development of ComStat reporting, I have made considerable improvements in a number of key areas and record accomplishments in others.

Family and Children's Services

- Child Protective Services (CPS) Investigations cases per worker have dropped significantly from an average caseload of over 20 to 12.2 cases. We are within range of the State recommended level of 12 cases per investigative worker.
- In 2002, the number of overdue CPS case determinations was at a high of 1,200. Today, there are 84 cases beyond the 60 day time frame.
- As a result of increasing adoptions and family reunifications our Foster Care caseloads are at the lowest levels in a decade with 847 children in care compared to 1,100 children in care in 2002.
- The Services Bureau has continued to provide assistance and support to a growing number of families. Currently, 1,486 families receive supportive services from the Department.

Housing Services

- The Department has implemented a number of initiatives to assist the homeless secure permanent housing. These include:
    - Increased shelter allowance to more accurately reflect the rental market rate.
    - Development of a supportive shelter system.
    - Establishment of a Homeless Housing Preventive Unit to work with clients to preserve housing.
    - Opened The Linkage Center which provides a resource for the emergency placement of homeless singles.
- As a result of these initiatives homeless placement have dropped.
    - Motel placements have been eliminated. In 2002, 170 families were residing in motels.
    - Homeless families dropped from a high of 575 in January 2003, to the current level of 265.
    - The number of homeless singles peaked at almost 300 in 2005 and is now 117 individuals.
    - The cost of emergency housing dropped by $12.5M (from $40.2 M in 2003 to a projected $27.7 M in 2007).

1723

Client Benefits

- Eligibility appointments now meet the 7-day statutory time frames, down from a high of 20 days in 2004.
- Through a variety of training and work readiness programs we have assisted many families transition from welfare to employment. In August, the Temporary Assistance caseload was 748 less than November 2002 (3847 (11/02) and 3149 (8/07)).
- To assist low income working families and individuals we have significantly increased specialized assistance programs. Food Stamps now tops 20,000 cases, there are 16,380 HEAP cases, and over 4,000 children receiving Day Care services.
- At 45.3 %, our TANF Work Participation Rate is the highest of the large counties and the sixth overall in the State.

Alternatives for Youth (AFY)

- I led an interdepartmental initiative to replace the court based PINS process with a new service delivery model of crisis intervention, prevention program, family support services and case management. This collaborative effort has been highly successful in reducing out of home placements and providing timely and essential support services to children and their families.

Child Support Enforcement Bureau

- Suffolk leads all suburban NYS counties in collection of court-ordered child support. As of August, we collected $96.7 million in support payments – a $10.0 million increase over August of last year. In 2006, over $132 million in child support was collected.
- The unit provides a variety of services (paternity establishment, parent location services and support enforcement) to over 50,000 custodial parents and their children.

Information Technology

- **Electronic Document System** - In July 2007, the department began implementation of Imaging and Electronic Document Retrieval for client records.
- **KinderTrack/KinderAttend** - In July, we implemented the KinderTrack software to authorize and manage child care cases, and calculate monthly payments. KinderAttend, an electronic attendance program, will be piloted in December with full implementation in early 2008.
- **Live Scan** – Instituted electronic finger printing system to expedite criminal record checks for foster parents, child welfare staff and shelter providers.
- **Portability** - In October we will begin a pilot program providing laptop computers with wireless capability to CPS caseworkers. The use of portable information technology will enable CPS caseworkers to more efficiently use their time, make timelier and better informed decisions and enable them to devote more time to working directly with families.

Medicaid Services

- We implemented measures to increase the number of applications processed each month which resulted in an increase of 46%. (2406 in December 2001 to 3516 in December 2006)
- The department reduced the application processing time for the Prenatal Care Assistance Program (PCAP) from 8 weeks to the current level of 2 weeks. Reducing the application processing timeframe will ensure that pregnant women and their babies have the Medicaid coverage they need.
- Implemented managed long term care plans that provide comprehensive services that will enable people needing intensive services to receive them at home at a lower cost and also avoid the need for the client to be institutionalized.

1723

Awards and Recognition

- Under my direction the department has implemented a number of innovative programs and services for which we have received national recognition.
- **Collection of Child Support from Arrestees** - a program established with the Suffolk County Sheriff to seize funds from the accounts of jail inmates who are in arrears on child support payments.
- **Alternative For Youth** – is an innovative, early intervention approach for families in crisis designed to prevent the placement of youth in PINS residential facilities.
- **Sanction Intervention Program** – reduced the number of Public Assistance recipients who were sanctioned for not participating in mandatory employment programs from over 800 to 348 in 2006.
- **Community Informational Fairs** – DSS hosts informational fairs for working families or individuals about public assistance benefits, at convenient hours in community-based locations.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1723

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

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Allen M. Kovesdy Director of Management and Research		July 28, 2008

SIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1723

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

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

To be completed by the Executive Budget Office

1724

Intro Res. No. -2008 Laid on Table 8/5/08

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. 7 - MEDFORD WITH THE OWNER OF AMNEAL PHARMACEUTICALS, LLC.

WHEREAS, Amneal Pharmaceuticals, LLC, Inc. is located outside the boundary of Suffolk County Sewer District No. 7 - Medford; and

WHEREAS, Amneal Pharmaceuticals, LLC, Inc. has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 7; 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 with a connection fee of $30.00 per gallon per day of sewage capacity for a daily flow of 14,818 gallons of sewage for a total connection fee of $444,540.00; and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 7 - Medford 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. 7 - Medford 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

1724

1. **Type of Legislation**

Resolution ___X__ Local Law _____ Charter Law _____

2. **Title of Proposed Legislation**

RESOLUTION NO.___-2008, AUTHORIZING THE EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 7 – MEDFORD WITH THE OWNER OF AMNEAL PHARMACEUTICALS, LLC.

3. **Purpose of Proposed Legislation**

To authorize execution of an agreement by the administrative head of Suffolk County Sewer District No. 7 – Medford with the owner of Amneal Pharmaceuticals for the discharge of 14,818 gpd to the S.C. Sewer District No.7- Medford.

4. **Will the Proposed Legislation Have a Fiscal Impact?** Yes__X__ No _____

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

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

6. **If the answer to item 4 is "yes," Provide Detailed Explanation of Impact**

This resolution will generate a total connection fee of $444,540.

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**	11. **Signature of Preparer**	12. **Date**
Debra Kolyer Principal Financial Analyst	Deb Kolyer	7/28/08

SCIN FORM 175B (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1724

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1724

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: July 10, 2008

SUBJECT: **Introductory Resolution Calling for Approval of the Connection of Amneal Pharmaceuticals (BR-1439) to Suffolk County Sewer District No. 7 - Medford**

Attached is a draft resolution filed as Reso-DPW-SA 13-2008 Amneal Pharmaceuticals (BR-1439) and appropriate forms with the backup filed as Backup-DPW-SA 13-2008 Amneal Pharmaceuticals (BR-1439). This is a resolution authorizing the execution of a connection agreement by the Administrative Head of Suffolk County Sewer District No. 7 – Medford with Amneal Pharmaceuticals (BR-1439)

Project Facts	
Type/units:	Existing Industrial Building
Acreage:	37.8 acres
Flow:	14,818 GPD
Sewer District:	SCSD No. 7 Medford
Groundwater Zone:	VI
SEQRA:	NA
RPTM	0200-81300-0100-005005&005006
Legislative District	3rd

TL:BW:cap
cc: Jim Morgo, Chief Deputy County Executive
Gilbert Anderson, P.E. Commissioner, SCDPW
Ben Wright, P.E.
John Donovan, P.E.
Laura Conway
Linda Spahr, Esq.
Debra Kolyer, County Executive's Office
E-mail to CE Reso Review

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 13 -2008 1724

AUTHORIZING THE CONNECTION OF AMNEAL PHARMACEUTICAL OF NEW YORK, LLC (BR-1439) TO SUFFOLK COUNTY SEWER DISTRICT NO. 7 - MEDFORD

WHEREAS, AMNEAL Pharmaceutical of New York, LLC is an existing company situated on 37.8 acres located in Yaphank, New York, situated on property identified on the Suffolk County Tax Map as District 0200, Section 813.00, Block 01.00, Lots 005.005 and 005.006, and

WHEREAS, the sewage flow from the AMNEAL Pharmaceutical of New York, LLC is expected to be fourteen-thousand eight-hundred eighteen gallons per day (14,818 GPD) when the AMNEAL Pharmaceutical of New York, LLC is connected, and

WHEREAS, AMNEAL Pharmaceutical of New York, LLC is not located within the boundaries of Suffolk County Sewer District No. 7 - Medford (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the sewage which is expected to emanate from for AMNEAL Pharmaceutical of New York, LLC, and

WHEREAS, the connection of AMNEAL Pharmaceutical of New York, LLC to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County,

NOW, THEREFORE, IT IS

1st RESOLVED, that AMNEAL Pharmaceutical of New York, LLC 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 fourteen-thousand eight-hundred eighteen gallons per day (14,818 GPD) of capacity in the District's sewage treatment plant be allocated to AMNEAL Pharmaceutical of New York, LLC, 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

4th RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the developer of AMNEAL Pharmaceutical of New York, LLC, 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 AMNEAL Pharmaceutical of New York, LLC shall be paid upon the execution of the Connection Agreement at the rate of $30.00 per gallon of sewage per day for fourteen-thousand eight-hundred eighteen gallons per day (14,818 GPD) for a total of $444,540.00, and it is further

6th RESOLVED, that this approval is subject to AMNEAL Pharmaceutical of New York, LLC obtaining, at its sole cost, expense, and effort, but not limited to, any 3rd party agreements or easements necessary to effect the connection, and it is further

7th RESOLVED, that AMNEAL Pharmaceutical of New York, LLC shall, at its sole cost, expense and effort, construct a sewage collection facility for AMNEAL Pharmaceutical of New York, LLC, including a mainline sewer extension, if necessary, and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

8th RESOLVED, that no updated Certificate of Occupancy shall be issued for change in use of AMNEAL Pharmaceutical of New York, LLC until the sewage collection facility for AMNEAL Pharmaceutical of New York, LLC has been completed and AMNEAL Pharmaceutical of New York, LLC has been connected to the sanitary sewerage facilities of the District, all to the satisfaction of DPW, and it is further

9th RESOLVED, that the owners of AMNEAL Pharmaceutical of New York, LLC 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 AMNEAL Pharmaceutical of New York, LLC, as well as for all of the owner's obligations under the Connection Agreement, and it is further

10th 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 AMNEAL Pharmaceutical of New York, LLC 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 6/16/08)

1725

Intro. Res. No. -2008 Laid on Table 8/5/08
Introduced by Legislator Losquadro

RESOLUTION NO. -2008, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW 24-2007 (R. I. MILLER PLACE CORP. PROPERTY – TOWN OF BROOKHAVEN)

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

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

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

1st **RESOLVED**, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 9.8 acres, are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

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

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

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

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

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

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

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-miller-place-open-space-drinking-water-plan-steps

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
1	District: Section Block Lot	0200 013.00 01.00 002.001	9.8	Robert I. Toussie 290 Exeter Drive Brooklyn, NY 11235

EXHIBIT "A"

1726

Intro. Res. No. -2008 Laid on Table 8/5/08

Introduced by Presiding Officer Lindsay and Legislator Cooper

RESOLUTION NO. -2008, REAPPOINT DANIEL R. OLIVIERI AS A MEMBER OF THE SUFFOLK COUNTY VANDERBILT MUSEUM COMMISSION (TRUSTEE NO. 1)

WHEREAS, the term of office of Daniel R. Olivieri as a member of the Suffolk County Vanderbilt Museum Commission expired on December 28, 2007; now, therefore be it

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

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

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND RESOLUTION NO. 226-1987 (SECTION 793-5 OF THE SUFFOLK COUNTY CODE)

s:\res\r-reappt-vanderbilt-olivieri

1726

DANIEL R. OLIVIERI, ESQ.

LAW OFFICE OF DANIEL R. OLIVIERI, P.C.
100 JERICHO QUADRANGLE, SUITE 233
JERICHO, NEW YORK 11753
(516) 470-0704

AREAS OF CONCENTRATION:

Business Law, Commercial Litigation, Real Estate Litigation, Employment Discrimination, Real Estate Law, Matrimonial Law, Corporate Law, Insurance Law and experienced in all phases of Litigation in State and Federal Courts, Appellate Practice and Arbitrations.

EDUCATION:

Law School Attended: New England School of Law, J.D., 1982
Honors: Honors Moot Court

College Attended: W. Averell Harriman College, S.U.N.Y. at Stony Brook, M.S.
Honors: Graduate Assistant 1977-1977
Publication: "A Cost Benefit Analysis of Biomedical Research", W. Averell Harriman College, 1979 Master's Thesis

Boston University, B.A., 1977
Honors: Cum Laude, Dean's List

EMPLOYMENT HISTORY

MARTELLO LAMAGNA & OLIVIERI, P.C., Garden City, N.Y. 8/1999-5/2008
Business Law, Real Estate Law, Commercial/Corporate Litigation, Matrimonial Law, Construction Litigation and Insurance Law.

CAPELL & VISHNICK, Lake Success, N.Y. 1996-1999
Firm practiced in Estates and Trusts, Transactional Matters, Commercial Litigation, Matrimonial, Religious Law and Tax Matters.

BLODNICK ABRAMOWITZ & BLODNICK, Roslyn Heights, N.Y. 1992-1996
Practice emphasis Corporate/Commercial Litigation including Antitrust, Employment Discrimination, Construction Actions, Federal False Claims Act, Whistle Blower Actions, Labor Law, Unfair Banking Practices, Real Estate, Foreclosures, Insurance Law, Legal Malpractice, Breach of Fiduciary Duties, Personal Injury and Religious Law Actions.

DEITSCH, GOLDBERG & MARIN, New York, N.Y. 1990-1992
Practice concentrated in defense of Personal Injury, Property, Construction, Marine and Insurance Coverage Questions as well as Corporate/Commercial, RICO and Common Carrier Litigation.

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SPEYER & PERLBERG, Melville, N.Y. 1989-1990
Position concentrated in defense of Personal Injury and Insurance Coverage actions together with Corporate/Commercial Litigation.

HABERMAN & OLIVIERI P.C., Garden City, N.Y. 1987-1989
General Practice with experience in Commercial Litigation, Domestic Relations, Personal Injury and Real Estate.

SHAW, GOLDMAN, LICITRA, LEVINE & WEINBERG P.C., Garden City, N.Y. 1985-1987 Responsibilities included all aspects of litigation in the areas of Corporate/Commercial Law, RICO, Domestic Relations and Personal Injuries.

WEBER, HABERMAN, GROSS & GLUECK, Melville, N.Y. 1983-1985
Firm specialized in Commercial Litigation and Industrial Revenue Bonds.

MEMBERSHIPS, ORGANIZATIONS AND OFFICES:

Vanderbilt Museum, Trustee and First Vice President
Board Member of Girls Scouts of Suffolk
Nassau County Bar Association
New York State Trial Lawyers Association
American Trial Lawyers Association
Advancement for Commerce and Industry
United States Power Squadron

COMMUNITY AND PRO BONO ACTIVITIES:

Nassau County Bar Association Speakers Program
- Senior Citizen's Clinic Program
- Young Lawyers Program

Nassau Suffolk Law Services
- Landlord & Tenant Attorney for a Day

WRITTEN MATERIAL AND LECTURES:

Employment Discrimination
Parochial Education – Lutheran H.S.
Teachers and the Law – Concordia College

"What to do if you are a party to a lawsuit", The Sidebar, Capell & Vishnick Newsletter.
"Employment Discrimination in Today's Business World", The Sidebar, Capell & Vishnick Newsletter.

BAR ADMISSIONS:

New York State
U.S. Court of Appeals Second Circuit
U.S. District Court of the Southern District of New York
U.S. District Court of the Eastern District of New York

1727

Intro. Res. No. -2008 Laid on Table 8/5/08

Introduced by Presiding Officer Lindsay

RESOLUTION NO. -2008, REAPPOINT MICHAEL B. DELUISE AS A MEMBER OF THE SUFFOLK COUNTY VANDERBILT MUSEUM COMMISSION (TRUSTEE NO. 8)

WHEREAS, the term of office of Michael B. DeLuise as a member of the Suffolk County Vanderbilt Museum Commission expired on December 28, 2007; now, therefore be it

1st **RESOLVED**, that **Michael B. DeLuise** residing in Dix Hills, NY, be and he hereby is reappointed to the Suffolk County Vanderbilt Museum Commission, as Trustee No. 8, for a term of office to expire December 28, 2011, said appointment having been made pursuant to the provisions of Section 184-7(A) of the SUFFOLK COUNTY CODE.

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

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND RESOLUTION NO. 226-1987 (SECTION 793-5 OF THE SUFFOLK COUNTY CODE)

s:\res\r-reappt-vanderbilt-deluise

MICHAEL B. DELUISE
565 Caledonia Road
Dix Hills, NY 11746
Home: (631) 223-3404
mdeluise@aol.com

1727

PROFESSIONAL SUMMARY:
Accomplished senior level executive, recognized as an outstanding leader in the areas of fund raising, marketing, corporate communications, public and government relations. An active community leader and mentor, recognized by the Public Relations Professionals of Long Island in 2002 with their Lifetime Achievement Award.

PROFESSIONAL EXPERIENCE:

DOWLING COLLEGE … 2003 To Present
Vice President for Development and External Affairs

Responsible for the supervision of the College's development and communications efforts including development, grants, public, alumni, community and government relations, printing, publications, special events and food services. Serve as the chief fund-raiser and official spokesperson for Dowling College.

HOFSTRA UNIVERSITY ... 1986 To 2003*
Vice President for University Relations

Responsible for the supervision of the University's entire internal and external communications effort including public, community and government relations. Served as the official spokesperson for Hofstra University. Supervised the University's advertising and marketing efforts. Supervised the offices of Public Relations, Athletic Communication, and the Publishing Office that includes the departments of Editing, University Bulletin, Publications, Printing, Mail Services, Institutional and Market Research, the Hofstra Cultural Center, the Hofstra Museum, Hofstra USA Productions and Hofstra's Long Island Studies Institute. *(Came to Hofstra in 1986 as Director of Public Relations. Promoted to Assistant Vice President in 1990. Named Vice President in 1999 after returning from one and a half years as Executive Director of College Relations at New York Institute of Technology.)

NEW YORK INSTITUTE OF TECHNOLOGY ... 1997 T0 1998, Executive Director of College Relations

Supervised the internal and external communications effort for the three campuses of this private college. Managed the departments of public relations, alumni relations, publications, advertising, printing, and sports information. In the absence of a development office, planned and nurtured the college's growing development efforts.

Created an office of Alumni Affairs. Member of the president's cabinet, served as spokesperson and chief communications officer in all aspects of public, corporate, government, donor, and community relations.

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DELUISE, HIRSCHMAN & HOLLEY .... 1977 to 1986, President

The nucleus of this award winning full-service marketing and advertising firm called a "pioneer of theatrical marketing" by TV Guide (Jan. 6, 1979).

The firm grew to annual billings in excess of $10MM with no outside funding. Supervised all accounts and the staffs of three full-service offices located in New York, Washington, D.C. and Boston. Handled new business, account service, creative, financial and administrative functions.

Clients included the New York Philharmonic, Radio City Music Hall, the American Museum of Natural History, the John F. Kennedy Center for the Performing Arts, the KOOL Jazz Festival, WBLS Radio, Pacifica Radio, Pro-Arte Records, Saratoga County Promotion, and numerous theatrical productions including the Broadway production of MUMMENSCHANZ and David Merrick's 42ND STREET.

Served as Vice President and General Manager of the consulting arm of the corporation, Interscience. This division proposed, designed and implemented the Shubert Organization's Automated Box Office system, currently in use on Broadway in New York and throughout the United States. Interscience also served as senior management consultants to Metromedia, AT&T, Siemens U.S.A., Main Hurdman, Manufacturers Hanover Trust and the John F. Kennedy Center for the Performing Arts.

BLAINE THOMPSON COMPANY .... NY & LA .... 1970 To 1977,
Account Supervisor

Supervised and managed the advertising for the Garden State Arts Center, the Joffrey Ballet, the New York Philharmonic, many Broadway shows including JESUS CHRIST SUPERSTAR, HAIR, and THE ROYAL FAMILY. Handled personality advertising for STEVIE WONDER, TONY BENNETT, WINGS. In the LA office handled A CHORUS LINE, EQUUS and DIANA ROSS.

EDUCATION:
NEW YORK UNIVERSITY, B.A. 1971

CURRENT AFFILIATIONS:
Treasurer of the Board of Directors, Suffolk County Vanderbilt Museum
President, Melville/Farmingdale Chamber of Commerce
Former Chair, Board of Directors, Long Island Convention & Visitors Bureau
Past President, Long Island Advertising Club
Member of the Board of Directors, Long Island Economic Redevelopment Committee
Served as member of the Board of Directors, Friends of Long Island Heritage

1728

Intro. Res. No. -2008

Laid on Table 8/5/08

Introduced by Presiding Officer Lindsay

RESOLUTION NO. -2008, APPOINTING SARAH S. ANKER AS A MEMBER OF THE SUFFOLK COUNTY VANDERBILT MUSEUM COMMISSION (TRUSTEE NO. 14)

WHEREAS, Ronald Parr resigned as a member of the Suffolk County Vanderbilt Museum Commission on February 29, 2008, thereby creating a vacancy; now, therefore be it

1st **RESOLVED**, that **Sarah S. Anker**, residing in Mt. Sinai, NY, is hereby appointed as a member of the Suffolk County Vanderbilt Museum Commission, as Trustee No. 14, to fill the unexpired term of Ronald Parr, for a term of office to expire December 28, 2009, pursuant to the provisions of §184-7(A) of the SUFFOLK COUNTY CODE; and be it further

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

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND RESOLUTION NO. 266-1987 (SECTION 793-5 OF THE SUFFOLK COUNTY CODE)

s:\res\r-appt-vanderbilt-anker

Sarah S. Anker

1728

12 Eagles Landing, Mt. Sinai, New York 11766 • 631-474-1783

Executive Assistant to the Supervisor- September 2007 to present
Town of Brookhaven, Farmingville, New York
Assisting Brookhaven Town Supervisor Brian X. Foley in all aspects of town government. Experience includes: word processing, spreadsheets and database management software applications including MS Word and MS Excel; planning and scheduling; establishing and maintaining electronic management system for all incoming and outgoing correspondence; customer service; interdepartmental coordination; internet research; telephone reception; preparing formal correspondence; reviewing and researching constituent issues; photography; and representing and speaking for the supervisor at events.

Founder/Director of Community Health and Environment Coalition (CHEC) - June 2001 to present
Mt. Sinai, New York
Founder of the not-for-profit CHEC, which focuses on health and environmental issues. The organization raises public awareness about health and environmental issues of concern and increases participation of the community through the implementation of awareness outreach campaigns. Experienced in media relations including: serving as media contact; writing and submitting press releases to local and national media; providing print and broadcast interviews; developing media materials such as fact sheets and media kits; and developing and distributing educational material to the media, elected officials and community members. Co-hosted environmental/educational program (Long Island Pine Barrens Program) for cable channel programming. CHEC is a member of Congressman Tim Bishop's Breast Cancer Advisory Board, Brookhaven National Laboratory's Community Advisory Board, Suffolk County Executive Steve Levy's Cancer Task Force, Carol Baldwin Breast Cancer Advisory Board and New York State Senator Ken LaValle's Environmental Roundtable. Website: www.checli.homestead.com

Board of Education Trustee - June 2005 to present
Mt. Sinai Union Free School District, Mt. Sinai, New York
Overseeing the administration of the Mt. Sinai school district with an annual budget of approximately fifity million dollars. As a trustee I consider the recommendation by the Superintendent to: determine policies and programs, prescribe standards, enter into contracts, perform legally mandated duties, initiate court action when necessary, establish school advisory committees and evaluate the performance of the division of the Superintendent.

Computer Design/Marketing Consultant, Anker Designs - April 1990 to present
Designed and produced visual communications material, and acted as liaison between client and media for promotional operations. Clients included: Citicorp Establishment Services, Stanley's Furniture, Jay's Home Decorating, Sunpress Publications, YMCA Family Services, Nassau County Volunteer Services, The Town of Brookhaven and Mt. Sinai Civic Association.

Assistant Art Director - April 1990 to June 1993
Citicorp Marketing Department, Huntington, New York
Designed and produced visual communications material including: business presentations, proposals, newsletters, brochures, advertisements, invitations, banners and other promotional material. Researched computer software. Supervised photography sessions and press runs for printed material. Provided computer training for corporate personnel.

Assistant Art Director - March 1989 to March 1990
Long Island Business News, Ronkonkoma, New York
Responsible for production of corporate advertisements, newsletters, sales forms, letterhead, brochures, logos and the Long Island Business News newspaper.

Production Manager - January 1988 to March 1989
Mount Sinai-Miller Place-Sound Beach Record Newspaper, Record Newspapers, Pt. Jefferson, New York
Formatted newspaper, assimilated advertisements, responsible for final camera-ready printing. Produced computer generated illustrations, advertisements, brochures, invoice sheets and coupons. First place recipient for general excellence in the New York Press Association's Better Newspaper Contest.

TV Arts Production Assistant - January 1985 to August 1986
WCJB-TV, ABC Affiliate and WUFT-TV, PBS Affiliate; Gainesville, Florida
Assisted in all aspects of Television Arts Production including set design and set construction. Created computer graphics used for weather presentations. Managed and produced set backgrounds for special events including telethons and collegiate sports events.

EDUCATION: B.A. Degree - 1986 Saint Leo College, Saint Leo, Florida
Degree in Liberal Arts - Graduated Magna Cum Laude

Additional courses from University of Florida in Broadcasting and Production. Pursing a Masters Degree in Media Communication at New York Institute of Technology, Old Westbury, New York.

AWARDS:

2004 New York State Senate Woman of Distinction Nominated by NYS Senator LaValle
2005 Port Times and Times Beacon Record Citizen of the Year for the Environment
2005 Rocky Point Rotary Club Outstanding Service to Our Community Award
2005 Brookhaven Town Honoree Award for Service to Community
2005 Suffolk County Legislature Proclamation for Community Service

COMMITTEES:

1988-1991, Board Member of YMCA Family Services
1994-1998, Board Member of National Women's Political Caucus, Suffolk County
1996-2001, Board Member of Parent Teacher Organization (PTO)
1996-2005, Board Member of Mt. Sinai Civic Association
2003-2007, Board Member of Affiliate Brookhaven Civic Organizations
2006-2007, Advisor to the Supervisor Brian X. Foley, Town of Brookhaven
2002-Present, Member of Congressman Tim Bishop's Breast Cancer Advisory Board
2002-Present, Member of Brookhaven National Laboratory's Community Advisory Board
2003-Present, Member of Suffolk Country Executive Steve Levy's Cancer Task Force
2003-Present, Member of New York State Senator Ken LaValle Environmental Roundtable

1729

Intro. Res. No. -2008 Laid on Table 8/5/08

Introduced by Presiding Officer Lindsay and Legislators Kennedy and Nowick

RESOLUTION NO. –2008, APPOINTING NOEL J. GISH AS A MEMBER OF THE SUFFOLK COUNTY VANDERBILT MUSEUM COMMISSION (TRUSTEE NO. 10)

WHEREAS, Marjorie E. Fuhrmann resigned as a member of the Suffolk County Vanderbilt Museum Commission on December 28, 2007, thereby creating a vacancy; now, therefore be it

1st **RESOLVED**, that **Noel J. Gish**, residing in Smithtown, NY, is hereby appointed as a member of the Suffolk County Vanderbilt Museum Commission, as Trustee No. 10, to fill the unexpired term of Marjorie E. Fuhrmann, for a term of office to expire December 28, 2010, pursuant to the provisions of §184-7(A) of the SUFFOLK COUNTY CODE; and be it further

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

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND RESOLUTION NO. 266-1987 (SECTION 793-5 OF THE SUFFOLK COUNTY CODE)

s:\res\r-appt-vanderbilt-gish

dc

Noel J. Gish
14 Seventh Avenue
Smithtown, New York 11787-4509

Phone: Home 631-265-0817 cell: 631-664-5263
Email:NJPG48@aol.com

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Education:

S.U.N.Y. Stony Brook BA History 1970
Long Island University MS- History/Education 1973
Taft Institute on Government-1973
Post Graduate work at Stony Brook University, LaSalle University in Philadelpia, Pa.

Professional career:

Hauppauge High School in Suffolk County 1970-2004 (retired)
Social Studies Department-
Instituted one of the first classes in Long Island history on the secondary level on Long Island in 1973 (Senior elective)
Developed and taught the first advanced placement (A.P) class in American History in the district. 1982-2004

Suffolk Community College-Adjunct Professor- classes in Long Island History

BOCES- In-service classes in Local History 1979-1990

Teacher center instructor in both Nassau and Suffolk 1979-to 2008
Courses in local history for existing elementary and secondary teachers

Community efforts:

Past President and Trustee of the Smithtown Branch Preservation Association

Past Vice President and Trustee of the Smithtown Historical Society
Past Chairperson of the Preservation Committee for the Smithtown Historical Society
Member of the Smithtown Historical Society-1975-2008

Current Member-and trustee representing Smithtown-1985-2008
Chairperson of the Education Committee for the Suffolk County Historical Society (Riverhead)--2008

Chairperson of the Smithtown Historical Advisory Board-1982-2008
Advisory committee to the Town of Smithtown on Historic concerns

Has been an advisor to both L.I Channel 12, Newsday and N.Y Times covering aspects of local history

Frequent lecturer on topics of local history throughout Long Island

1730

Intro. Res. No. -2008 Laid on Table 8/5/08

Introduced by Presiding Officer Lindsay and Legislator Viloria-Fisher

RESOLUTION NO. -2008, APPOINTING ELIZABETH KAHN KAPLAN AS A MEMBER OF THE SUFFOLK COUNTY VANDERBILT MUSEUM COMMISSION (TRUSTEE NO. 15)

WHEREAS, Maria Figalora resigned as a member of the Suffolk County Vanderbilt Museum Commission on March 18, 2008, thereby creating a vacancy; now, therefore be it

1st **RESOLVED**, that **Elizabeth Kahn Kaplan**, residing in St. James, NY, is hereby appointed as a member of the Suffolk County Vanderbilt Museum Commission, as Trustee No. 15, for a term of office to expire December 28, 2010, pursuant to the provisions of §184-7(A) of the SUFFOLK COUNTY CODE; and be it further

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

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND RESOLUTION NO. 266-1987 (SECTION 793-5 OF THE SUFFOLK COUNTY CODE)

s:\res\r-appt-vanderbilt-kaplan

Elizabeth Kahn Kaplan
2 Wellwood Road
St. James, New York 11780-3430

Phone: (631) 584-3069
E-mail: ekkaplan@optonline.net
Fax: (631) 584-3070

1730

Resume

June 8, 2008

EDUCATOR

Professional Experience

Education Consultant, *The George Washington Letter* Subcommittee, Special Collections, Frank Melville Jr. Memorial Library, Stony Brook University April 2008 - present

Director of Education, Three Village Historical Society, Setauket, NY July 2007 – Present
Developed and oversaw programs on Long Island history brought to 93 classrooms in 20 public and private schools in 16 school districts in Suffolk and Nassau Counties, November-June.

Presenter, In-School Programs, Three Village Historical Society, November 2002 - Present
Long Island and New York During the American Revolution
Spies! George Washington's Setauket Spy Ring During the American Revolution
Growing Up Long Ago on Long Island and In New York
American Indians on Long Island and In New York

Speaker in the Humanities, New York Council for the Humanities, 2002 – Present
Washington Crossing the Delaware: The Story Behind the Painting
Poking Fun: Political Puns and Social Satire in the Genre Paintings of William Sidney Mount

Museum Interpreter, The Long Island Museum, Stony Brook, NY 2001 – March 2008
Living in Stony Brook, 1906. Sundays in The Core of The Carriage Museum.

Education Consultant, Gilder-Lehrman Institute of American History, Fall 2006
Countdown to History, 1770-1776.
Staff Development Day, Academy of American History

Assistant Principal, Arrowhead Elementary School, Three Village Schools, 1988-1990

DEVELOPER AND IMPLEMENTER OF CURRICULA AND TEACHERS' GUIDES

The New-York Historical Society *American Musicals Project* June – September 2000
Developed A Teacher's Guide to Using *1776* and Related Primary Sources for Teaching Social Studies

Three Village Historical Society, November 2002 – Present
Developed hands-on activities to enrich classroom presentations on local history. See topics, listed above.

AWARDS AND RECOGNITION

Chosen ***Woman of the Year in Education, 2007*** by the *Village Times Herald*, Three Villages.

PUBLICATIONS

Co-Editor with Robert W. Kenny, *William Sidney Mount: Family, Friends, and Ideas,* Three Village Historical Society

Author, "Ties of Family, Friendship, and Music: William Sidney Mount and Shepard Smith Jones," in ***William Sidney Mount: Family, Friends, and Ideas,*** 96-page publication.

1730

Writer, art book and gallery reviews and articles of local interest (clippings available upon request), Times-Beacon-Record Newspapers, 2000 - Present

VOLUNTEER EDUCATOR AND PROGRAM PRESENTER

The Metropolitan Museum of Art, *Museum Highlights* Docent, 2001-present

Three Village Historical Society Education Committee Chair, 2006 – Present

Ward Melville Heritage Organization Speaker, 2007 ***The Setauket Spy Ring and George Washington***

VOLUNTEER EVENTS PLANNER AND COORDINATOR

A Celebration of Benjamin Tallmadge and the Setauket Spy Ring with participation by Sheldon's Horse: The 2nd Continental Light Dragoons from Fairfield, CT. July 2007

A Day With William Sidney Mount: Initiator and co-chair of this event for the Three Village Historical Society, including gallery talks at The Museums at Stony Brook (now The Long Island Museum for American Art, History and Carriages) and *tableaux vivants* of four Mount paintings, performed by students in The Three Village Central School District. October 1999

Spirits of the Three Villages Cemetery Tours: Chair, October 1995 and 1996

Candlelight House Tour, December 1st and 2nd, 2000 and November 30 and December 1, 2004: Chair of this major fundraiser for the Three Village Historical Society

EDUCATION AND DEGREES

Bachelor of Arts, City College, C.C.N.Y. Music and History

Master of Arts, Hunter College Graduate School, C.U.N.Y.Teacher Education Program in Social Studies

6th Year Certificate in Administration and Supervision, Hunter College Graduate School, C.U.N.Y.

24 credits toward a Doctor of Education, Teachers College, Columbia University.

Planning Experience As A Member of Non-Profit Organizations

- **Member, President's Council Planning Committee,** The Long Island Museum of American Art, History, and Carriages, Stony Brook 2006 – present
- **Vice President, Board of Governors,** Three Village Historical Society 1996-1999
- **Member, Board of Trustees,** Three Village Historical Society, 1994-1996

REFERENCES

Patricia Kunder, President
Three Village Historical Society
93 North Country Road
Setauket, NY 11733-0076
631-766-4230
pkunder1@optonline.net

Gloria Rocchio, President and CEO
Ward Melville Heritage Organization
P.O. Box 572
Stony Brook, NY 11790
631-751-2244
grocchio@stonybrookvillage.com

Robert W. Kenny
Professor Emeritus, GW University
2 Johns Hollow Road
Setauket, NY 11733-1614
631-689-1850
rkenny@notes.cc.sunysb.edu

E. Christian Filstrup
Dean and Director of Libraries
Stony Brook University
Stony Brook, New York 11794
631-632-7100
cfilstrup@notes.cc.sunysb.edu

Intro. Res. No. 1731 -2008
Introduced by Legislator Browning

Laid on Table 8/5/08

RESOLUTION NO. -2008, AUTHORIZING MASTIC BEACH AMBULANCE COMPANY TO USE SMITH POINT COUNTY PARK PROPERTY FOR AN EMS FIELD DAY

WHEREAS, the Mastic Beach Ambulance Company is a not-for-profit organization; and

WHEREAS, the Mastic Beach Ambulance Company would like to use the Smith Point County Park in Shirley for the purpose of hosting an EMS Field Day, the proceeds of which would go to the Mastic Beach Ambulance Company; and

WHEREAS, the event will need to use half of the parking lot as well as the DARE area; and

WHEREAS, this EMS Field Day will be held on Saturday, September 27, 2008 from 8:00 a.m. to 6:00 p.m., with a rain date of Sunday, September 28, 2008; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of One Hundred Twenty-five and 00/100 Dollars ($125.00), payment of which shall be guaranteed by the Mastic Beach Ambulance Company; and

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

WHEREAS, the use of County property for such an event to support the Mastic Beach Ambulance Company would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore be it

1st **RESOLVED**, that the use of County-owned property, i.e. the Smith Point County Park in Shirley, by the Mastic Beach Ambulance Company, in consideration of the payment of One Hundred Twenty-Five and 00/100 Dollars ($125.00) for the purpose of holding an EMS Field Day on Saturday, September 27, 2008, between the hours of 8:00 a.m. and 6:00 p.m., with a rain date of Sunday, September 28, 2008, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured by the County of Suffolk from the Department, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

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

3rd **RESOLVED**, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, and the County Department of Public

Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of an EMS Field Day for the Mastic Beach Ambulance Company at Smith Point County Park in Shirley; and be it further

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-use-smith-pt-ems-field-day

1732

Intro. Res. No. -2008 Laid on Table 8/5/08
Introduced by Legislator Browning

RESOLUTION NO. -2008, TO WAIVE FEE FOR USE OF SMITH POINT COUNTY PARK BY THE MASTIC BEACH AMBULANCE COMPANY FOR AN EMS FIELD DAY

WHEREAS, the Mastic Beach Ambulance Company is a not-for-profit organization; and

WHEREAS, the Mastic Beach Ambulance Company has requested the use of Smith Point County Park for the purpose of holding an EMS Field Day; and

WHEREAS, this event will be held at Smith Point County Park in Shirley on Saturday, September 27, 2008 from 8:00 a.m. to 6:00 p.m., with a rain date of Sunday, September 28, 2008, with approximately 30 ambulance companies participating to support public safety and general welfare to the residents of Suffolk County; and

WHEREAS, the County of Suffolk imposes a fee of One Hundred Twenty-Five Dollars ($125.00) for the use of the Park pursuant to Section 688-3 of the Suffolk County Code; and

WHEREAS, such fees imposed by Suffolk County for use of the Park will place an undue hardship on the Mastic Beach Ambulance Company; now, therefore, be it

1st **RESOLVED**, that the fees imposed by Suffolk County for the use of Smith Point County Park pursuant to Section 688-3 of the Suffolk County Code are hereby waived for the EMS Field Day hosted by the Mastic Beach Ambulance Company to be held at Smith Point County Park on Sunday, September 27, 2008 from 8:00 a.m. to 6:00 p.m., with a rain date of Sunday, September 28, 2008; and be it further

2nd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) 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-waive-park-fee-ems-field-day

Intro. Res. No. 1733 - 2008 Laid on Table 8/5/2008
Introduced by Legislators D'Amaro and Beedenbender

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A CHARTER LAW TO PROTECT TAXPAYERS' INTERESTS BY REQUIRING INDIVIDUAL LEGISLATIVE OVERRIDE VOTES ON EACH BUDGET AMENDMENT THAT IS VETOED BY THE COUNTY EXECUTIVE

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on 2008, a proposed local law entitled, **"A CHARTER LAW TO PROTECT TAXPAYERS' INTERESTS BY REQUIRING INDIVIDUAL LEGISLATIVE OVERRIDE VOTES ON EACH BUDGET AMENDMENT THAT IS VETOED BY THE COUNTY EXECUTIVE,"** 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 PROTECT TAXPAYERS' INTERESTS BY REQUIRING INDIVIDUAL LEGISLATIVE OVERRIDE VOTES ON EACH BUDGET AMENDMENT THAT IS VETOED BY THE COUNTY EXECUTIVE

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the SUFFOLK COUNTY CHARTER provides a procedure for the adoption of local legislation, including vetoes by the County Executive and overrides by the County Legislature.

This Legislature further finds that the procedure established in the SUFFOLK COUNTY CHARTER for the override of vetoed budget amendments is by means of omnibus vote, rather than holding separate votes to either sustain or override individual, line-item vetoes. As a result, the Legislature can override dozens of individual line-item vetoes in a single vote, adding tens of millions of dollars in County spending through a single vote.

This Legislature further finds and determines that this type of action reduces Legislators' ability to vote for or against individual projects.

Therefore, the purpose of this law is to protect the taxpayer's interest by requiring individual Legislative votes on a county executive's line-item vetoes. The benefit of which is better management of County spending and to provide more oversight and debate on each individual line-item.

Section 2. Amendments.

I.) Section C4-11 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

§ C4-11. Approval of budget by County Executive.

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B.) The County Legislature may reconsider any amendment to the proposed county budget that the County Executive has returned with his disapproval, via a duly cast separate vote for each individual amendment. If, on such reconsideration, it passes the amendment by affirmative vote of at least 2/3 of the total membership, or at least 3/4 of the entire membership of the Suffolk County Legislature when the underlying budget amendment resolution required an affirmative vote of at least 3/4 of the entire membership of the County Legislature for adoption pursuant to either § C4-10F or C4-12A of this article, within 10 days after the date it was returned to it, the budget amendment resolution shall become effective forthwith. All such amendments exceeding $10,000 passed over the County Executive's veto shall be accompanied by a written impact statement as required in § C4-6C. If it does not reconsider any such budget amendment resolution or if, on reconsideration, it does not pass the budget amendment resolution by affirmative vote of at least 2/3 of the total membership, or at least 3/4 of the entire membership of the Suffolk County Legislature when the underlying budget amendment resolution required an affirmative vote of at least 3/4 of the entire membership of the County Legislature for adoption pursuant to either § C4-10F or C4-12A of this article, within 10 days after the date it was returned to it, the budget amendment resolution shall not take effect, and the following rules shall apply:

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II.) Section C4-20 of the **Suffolk County Charter** is hereby amended as follows:

§ C4-20. Approval of capital program by County Executive.

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B.) The County Legislature may reconsider any amendment[s] to the proposed capital program that the County Executive has returned with his disapproval, via a duly cast separate vote for each individual amendment. If on such reconsideration it passes the amendment by affirmative vote of 2/3 of the total membership within 10 days of the date it was returned to it, the amendment shall become effective forthwith. If it does not reconsider any such amendment or if, on reconsideration, it does not pass the amendment by affirmative vote of two-thirds (2/3) of the total membership

within 10 days of the date it was returned to it, the amendment shall not take effect, and the following rules shall apply:

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Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

Dated:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1733

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: July 31, 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 PROTECT TAXPAYERS' INTERESTS BY REQUIRING INDIVIDUAL LEGISLATIVE OVERRIDE VOTES ON EACH BUDGET AMENDMENT THAT IS VETOED BY THE COUNTY EXECUTIVE

SPONSOR: LEGISLATORS D'AMARO AND BEEDENBENDER

DATE OF RECEIPT BY COUNSEL: 7/31/08 **PUBLIC HEARING:** 8/19/08

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

This proposed law would amend the SUFFOLK COUNTY CHARTER to require the County Legislature, when considering County Executive vetoes of capital budget amendments and operating budget amendments, vote separately on each line item veto. In effect, this Charter amendment would bar the Legislature from considering budget amendment overrides in an omnibus fashion.

As this proposed law would change the voting power of the County Legislature, it is my opinion that this law should be made subject to a permissive referendum.

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

GEORGE NOLAN
Counsel to the Legislature

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