LAID ON THE TABLE SEPTEMBER 16, 2008

1807. Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Schmitt property) Town of Brookhaven (SCTM No. 0200-706.00-01.00-004.000). (Browning) ENVIRONMENT, PLANNING & AGRICULTURE

1808. Amending the 2008 Operating Budget and the 2008 Capital Budget and Program and appropriating funds for the installation of public bike racks associated with energy conservation at various County facilities (CP 1664). (Romaine) BUDGET & FINANCE

1809. Authorizing fee modifications in the Suffolk County Department of Human Resources, Personnel and Civil Service and the Department of Public Works. (Pres. Off.) PUBLIC WORKS & TRANSPORTATION

1810. Adopting Local Law No. -2008, A Local Law to amend Probation Department fees. (Pres. Off.) PUBLIC SAFETY

1811. To establish a health plan for volunteer firefighters and ambulance workers. (Browning) LABOR, WORKFORCE & AFFORDABLE HOUSING

1812. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 Marist property – Town of Brookhaven (SCTM No. 0200-976.10-03.00-027.001). (Browning) ENVIRONMENT, PLANNING & AGRICULTURE

1813. Directing the Department of Social Services to seek condemnation notification agreements. (Beedenbender) HEALTH & HUMAN SERVICES

1814. Amending the 2008 Operating Budget to fund a Middle Income Home Energy Assistance Program (MI-HEAP) to protect residents of Suffolk County against a cold winter. (Horsley) BUDGET & FINANCE

1815. Adopting Local Law No. -2008, A Local Law to add visitability requirements to the Affordable Housing Program. (Stern) LABOR, WORKFORCE & AFFORDABLE HOUSING

1816. Adopting Local Law No. -2008, A Local Law to toughen anti-dumping prohibitions. (Stern) CONSUMER PROTECTION

1817. Reappoint member to the Suffolk County Board of Trustees of Parks, Recreation, and Conservation (Gilbert A. Cardillo). (Pres. Off.) PARKS & RECREATION

1818. Making a SEQRA determination in connection with the proposed Department of Public Works engineering assistance to address process and capacity improvements to Sewer District No. 20 – William Floyd, Town of Brookhaven (CP 8147). (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1819. Making a SEQRA determination in connection with the proposed Department of Public Works engineering assistance to address odor related issues at Sewer District No. 5 – Strathmore Huntington, Town of Huntington. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1820. Making a SEQRA determination in connection with the proposed Department of Public Works Sewer District No. 13 – Windwatch STP Expansion, Town of Islip. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1821. Making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Warner Duck Farm property, Town of Riverhead. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1822. Making a SEQRA determination in connection with the proposed acquisition of a conservation easement known as the Laurel Lake County Park addition – Jacoby Ltd Family Partnership property – Town of Southold. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1823. To promote environmental protection throughout Suffolk County by requiring the remediation of Brownfields properties. (Romaine) ENVIRONMENT, PLANNING & AGRICULTURE

1824. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Jason E. Coyne and Adrienne C. Coyne (SCTM No. 0200-420.00-01.00-013.000). (Co. Exec.) WAYS & MEANS

1825. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature #304. (Co. Exec.) BUDGET & FINANCE

1826. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature #305. (Co. Exec.) BUDGET & FINANCE

1827. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act estate of Ruth Bernknopf, by Kasriel B. Kastel, as administrator CTA (SCTM Nos. 0200-850.00-06.00-017.000, 0200-879.00-03.00-027.000, 0200-980.40-02.00-039.000). (Co. Exec.) WAYS & MEANS

1828. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Gerri A. Toman (SCTM No. 0200-051.00-04.00-059.000). (Co. Exec.) WAYS & MEANS

1829. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Saul Bonilla (SCTM No. 0500-094.00-03.00-134.001). (Co. Exec.) WAYS & MEANS

1830. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act John Mannino and Caterina Mannino, his wife (SCTM No. 0500-255.00-01.00-025.000). (Co. Exec.) WAYS & MEANS

1831. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Warthog, Inc. (SCTM No. 0100-112.00-01.00-046.000). (Co. Exec.) WAYS & MEANS

1832. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law Town of Brookhaven (SCTM No. 0200-929.00-02.00-009.001). (Co. Exec.) WAYS & MEANS

1833. Approving a license agreement for Hazel Belsen to reside at Prosser Pines County Park, Middle Island. (Co. Exec.) PARKS & RECREATION

1834. Approving payment to General Code Publishers for Administrative Code pages. (Pres. Off.) WAYS & MEANS

1835. Amending the 2008 Operating Budget to accept and appropriate 95% State grant funds from the New York State Board of Elections to the Suffolk County Board of Elections for voter education/poll worker training and authorizing an increase in the fleet of the Suffolk County Board of Elections for transporting voting machines and personnel to and from various seminars and community events. (Pres. Off.) WAYS & MEANS

1836. Amending the 2008 Operating Budget to accept and appropriate 100% State grant funds from the New York State Board of Elections to the Suffolk County Board of Elections for voting access for individuals with disabilities – polling place access improvement. (Pres. Off.) WAYS & MEANS

1837. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Carlo J. Larose (SCTM No. 0100-172.00-03.00-003.000). (Co. Exec.) WAYS & MEANS

1838. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act estate of Robert Graulich by Rose Graulich, as administrator (SCTM No. 0504-012.00-01.00-026.000). (Co. Exec.) WAYS & MEANS

1839. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Robert E. Ryan (SCTM No. 0200-982.00-01.00-054.002). (Co. Exec.) WAYS & MEANS

1840. Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Brookhaven for affordable housing purposes. (Co. Exec.) LABOR, WORKFORCE & AFFORDABLE HOUSING

1841. Amending the 2008 Capital Budget and Program and appropriating funds in connection with the purchase and replacement of heavy duty and specialty equipment for the Department of Fire, Rescue and Emergency Services (CP 3421). (Co. Exec.) PUBLIC SAFETY

1842. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act estate of Sid Farber a/k/a Sidney Farber by Nadia Farber, as administrator (SCTM No. 0200-973.90-01.00-027.000). (Co. Exec.) WAYS & MEANS

1843. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Joseph J. Donlon and Simone M. Donlon F/K/A Simone M. Biegel, as joint tenants with rights of survivorship (SCTM No. 0200-798.00-02.00-040.000). (Co. Exec.) WAYS & MEANS

1844. Accepting and appropriating additional funds for a 100% State funded grant for a Summer Youth Employment Program. (Co. Exec.) LABOR, WORKFORCE & AFFORDABLE HOUSING

1845. Amending Resolution No. 947-1993 to require identification of County purchasing personnel. (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1846. Amending the 2008 Capital Budget and Program and appropriating funds in connection with planning for the construction of maintenance and operations facilities – West Sayville and Cathedral Pines (CP 7173). (Co. Exec.) PARKS & RECREATION

1847. Amending the 2008 Operating Budget to provide funding for the Smithtown Alumni Association. (Kennedy) BUDGET & FINANCE

1848. To expand the County's recycling program. (Romaine) PUBLIC WORKS & TRANSPORTATION

1849. To re-establish the DARE Program in Suffolk County. (Alden) PUBLIC SAFETY

1850. Authorizing a Request for Proposals for sale of obsolete and surplus County personal property. (Pres. Off.) PUBLIC WORKS & TRANSPORTATION

1851. Authorizing an energy audit of the William H. Rogers Legislature building. (Pres. Off.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1852. Authorizing Federal Housing and Economic Recovery Act funding application to roll back County foreclosures/abandonments via conversion into workforce housing projects in Suffolk County. (Romaine) LABOR, WORKFORCE & AFFORDABLE HOUSING

1853. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the Norberto property – Tuthills Creek/Pine Lake - Town of Brookhaven (SCTM No. 0204-003.00-01.00-027.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1854. Authorizing the acquisition of farmland development rights under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) for the Naples property – Town of Riverhead (SCTM No. 0600-099.00-02.00-013.004). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1855. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the Avakian property – Miller Place/Yaphank Road NP addition – Town of Brookhaven (SCTM No. 0200-213.00-04.00-008.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1856. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the Jeffers property – Forge River addition – Town of Brookhaven (SCTM Nos. 0200-750.00-03.00-029.002, 0200-750.00-03.00-029.003, 0200-750.00-03.00-029.004, 0200-750.00-03.00-029.005, 0200-750.00-03.00-029.006, 0200-750.00-03.00-036.000 and 0200-750.00-03.00-039.003). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1857. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the Elgart property – Patchogue River Wetlands addition – Town of Brookhaven (SCTM Nos. 0200-892.00-02.00-045.000, 0200-892.00-02.00-049.000 and 0200-892.00-02.00-050.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1858. Authorizing acquisition (residual fee) of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(b)] for the Warner property – Pine Barrens Core – Town of Riverhead (SCTM No. 0600-118.00-04.00-005.009). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1859. Authorizing acquisition of a conservation easement under the Suffolk County Multifaceted Land Preservation Program – Open Space Preservation Program – for the Jacoby Limited Family Partnership property – Laurel Lake addition – Town of Southold (SCTM No. 1000-125.00-01.00-005.001 p/o). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1860. Authorizing the County Comptroller and County Treasurer to close certain capital projects that have sunset under Local Law No. 15-2002, Suffolk County, New York, A Charter Law establishing common sense capital project sunset policy for Suffolk County. (Co. Exec.) BUDGET & FINANCE

1861. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the Cavett property – Amsterdam Beach addition – Town of East Hampton (SCTM No. 0300-032.00-06.00-001.002). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1862. Amending the Adopted 2008 Capital Budget and Program and appropriating funds in connection with the water quality model – Phase V (CP 8237). (Co. Exec.) HEALTH & HUMAN SERVICES

1863. Allocating and appropriating (Phase VIII) in connection with the Downtown Revitalization Program (CP 6412). (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1864. Allocating and appropriating funds in connection with Downtown Beautification and Renewal (CP 6418). (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1865. Establishing the Police Fund Review Committee to examine the impact of escalating Suffolk County Police Department personnel costs on the fiscal stability of the police fund. (Co. Exec.) PUBLIC SAFETY

1866. Adopting Local Law No. -2008, A Local Law to establish uniform procedures for issuance of film permits. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1867. Adopting Local Law No. -2008, A Local Law amending the Suffolk County Empire Zone Boundaries to include NBTY, Inc. (SCTM No. 0100-126.01-01.00-004.050). (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1868. Adopting Local Law No. -2008, A Local Law clarifying the use of forfeitures upon conviction of the misdemeanor crime of reckless driving. (Co. Exec.) PUBLIC SAFETY

1869. Adopting Local Law No. -2008, A Local Law expanding tax exemptions granted to spouses and unremarried surviving spouses of veterans. (Co. Exec.) VETERANS & SENIORS

1807

Intro. Res. No. -2008 Laid on Table 9/16/08

Introduced by Legislator Browning

RESOLUTION NO. -2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (SCHMITT PROPERTY) TOWN OF BROOKHAVEN (SCTM NO. 0200-706.00-01.00-004.000)

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

WHEREAS, there are sufficient revenues to fund land acquisition in Capital Project No. 7177, Project Name: "Suffolk County Multifaceted Land Preservation Program"; now, therefore be it

1st **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, or his deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to take all preliminary planning steps (i.e. survey, appraisal, title search, and environmental audit) as shall be necessary and appropriate as set forth in the 2nd RESOLVED clause of this Resolution, funding for which shall be provided in Capital Project No. 7177, to acquire fee title to the parcels listed herein below from the reputed owners for inclusion in the Suffolk County Multifaceted Land Acquisition Program for acquisitions to be consummated in accordance with the programmatic criteria set forth in Resolution No. 602-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:	ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District 0200 Section 706.00 Block 01.00 Lot 004.000	±50.3	William J. Schmitt Ferdinand H. Schmitt, Jr. 50 Parsnip Pond Road Lake Grove, NY 11755

and be it further

2nd **RESOLVED**, that the County Department of Environment and Energy, Division of Real Property Acquisition and Management, the County Planning Department, the County Department of Public Works, and/or the County Department of Parks, Recreation and Conservation are hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate, in connection with planning for such acquisition, to secure appraisals, obtain surveys, obtain engineering reports, and secure title insurance for such lands; and be it further

3rd **RESOLVED**, that any unencumbered, unallocated funds available at the conclusion of the consummation of the acquisition of these proposed parcels shall be appropriated to future and subsequent acquisitions under the Suffolk County Multifaceted Land Preservation Program; and be it further

4th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-schmitt-multifaceted-plan-steps-refile

COUNTY OF SUFFOLK

1807

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES, A.I.C.P.
DIRECTOR OF PLANNING

TO: Hon. Kate Browning, County Legislator

FROM: Thomas A. Isles, Director
Department of Planning

DATE: February 19, 2008

RE: I.R. 1130- Schmitt Property, Yaphank

The Planning Department has commenced a review of the above captioned resolution. In order to complete the review, additional information concerning the proposal is needed. Accordingly, I am forwarding a questionnaire for the rating of active recreation, hamlet parks, historic and cultural uses and respectfully request that you complete the form and return it to me at your earliest convenience. The information will help the department understand the use and accurately rate it as a possible acquisition.

Thank you for your cooperation. Please contact me if you have any questions.

TAI:ce

Encl: Rating Questionnaire

cc: Lauretta Fischer, Principal Environmental Analyst

LOCATION
H. LEE DENNISON BLDG. - 4TH FLOOR
100 VETERANS MEMORIAL HIGHWAY

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

(631) 853-5191
TELECOPIER (631) 853-4044

1807

QUESTIONNAIRE
FOR THE
SUFFOLK COUNTY RATING SYSTEM FOR ACTIVE RECREATION, HAMLET PARK, HISTORIC AND/ OR CULTURAL PARK USES

(TO BE COMPLETED BY SPONSOR PRIOR TO APPROVAL OF A PLANNING STEPS RESOLUTION)

SITE INFORMATION

Site name (can be name of owner) Schmitt Property

Tax Map number(s) 0200-706.00-01.00-004.000

Will the proposal involve the acquisition of the full parcel(s) or only a portion? If a portion, explain which part of the site is proposed for acquisition.

Full parcel.

I.R. Number (if L.O.T.) [redacted] 1807

SITE USE AND DEVELOPMENT

Describe the intended use of the property. If any plans are available, please provide with this form.

The need for athletic fields is high for several sports organizations in close vicinity of the site. Property would be converted to accomodate this need.

Are there any structures presently on the site? If so, what is the intended disposition of the structures?

There is one metal structure with skylights, which is currently used to store farm equipment. There is also a water well that is fenced in.

Are any of the structures historically significant? If so, under what criteria (National Register, State Register, local register/ code).

No historically significant structures on site.

1807

(QUESTIONNAIRE- ACTIVE RECREATION/ HAMLET PARKS, ETC. - PAGE 2)

Is there an expected partner in the land acquisition? If so, identify the partner and type of entity (municipality, not-for-profit, etc). Attach any written indication of partner interest.

New York State has expressed interest in partnering with the County on this acquisition. Attached is a letter from Assemblyman Marc Alessi stating his support and willingness to partner.

Is there an expected partner for the development, maintenance and management of the park? If so, identify the partner and type of entity (municipality, not-for profit, etc.) and their role. Attach any written indication of partner interest.

Longwood Youth Sports Association is a non-profit organization which runs a youth sports league for many different sports. Attached is a letter from LYSA's President explaining their growing need for fields + willingness to utilize them.

NOTE:

For Planning Steps, the Planning Department will assign points on the Rating Form for community support and management agreements with a written indication of support from the organization. For support from a municipality, a letter from the Supervisor/ Mayor or a resolution from the Town/ Village Board will sufficice. The indication can be an expression of interest and does not need to be binding. For an Authorizing Resolution, a resolution binding the entity to perform is recommended.

MARC S. ALESSI
Member of Assembly
1st District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

1807

COMMITTEES
Aging
Agriculture
Energy
Labor
Transportation
Veterans

JUL 22 2008

July 8, 2008

County Legislator Kate Browning
2 Coraci Boulevard, Suite 7
Shirley, New York 11967

Dear Legislator Browning:

I am writing to you in regards to a 50 acre parcel of land, item #0200-76.00-004.000 in Yaphank, which is currently being used as a sod farm.

I understand that you have introduced a planning steps resolution in the Suffolk County Legislature to begin the process of purchasing this land from its owners. I wholly support your goal of completing the purchase of this land to be used for active parkland, and more specifically as athletic fields built to accommodate several youth athletic groups that currently do not have a place to call home. Please keep me updated as to the status of this project as I am very interested in lending you all of my support.

Thank you for your time and attention to this matter. Please do not hesitate to contact me in my district office if you have any further concerns.

Respectfully,

Marc S. Alessi
MEMBER OF ASSEMBLY

MSA:djp

DISTRICT OFFICE: 6144 Route 25A, Building A, Suite 5, Wading River, New York 11792 • 631-929-5540
ALBANY OFFICE: Room 326, Legislative Office Building, Albany, New York 12248 • 518-455-5294

Printed on recycled paper.

1807

LONDWOOD YOUTH SPORTS ASOCIATION
P.O. BOX 532
MIDDLE ISLAND, NEW YORK 11953
631-331-2167 fax: 631 331-2547

Suffolk County Legislature
Kate Browning
1120 Montauk Highway
Mastic, New York 11950

August 10, 2008

RE: Proposed Purchase of Land

Dear Legislator Browning,

As you are aware, LYSA and the Longwood youth sports community are in desperate need of open space designated for youth athletic field use. As our programs continue to grow the need for fields becomes even more important for the continued success and growth of LYSA and youth sports in the communities served by our programs.

LYSA supports your attempt to acquire land in Yaphank. We understand the land use will be specific for the needs of our young athletes and the Longwood Community and will look forward to do whatever it takes to make that acquisition come to fruition.

Please keep us in the loop throughout the process and do not hesitate to contact us should the need arise.

Sincerely,

Frank Marino, President
Longwood Youth Sports Association
Cellular Phone: 516 250-0096

1808

Intro. Res. No. -2008 Laid on Table 9/16/2008
Introduced by Legislator Romaine

RESOLUTION NO. –2008, AMENDING THE 2008 OPERATING BUDGET AND THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR THE INSTALLATION OF PUBLIC BIKE RACKS ASSOCIATED WITH ENERGY CONSERVATION AT VARIOUS COUNTY FACILITIES (CP 1664)

WHEREAS, the selling price of a barrel of crude oil for delivery in July of 2008 on the New York Mercantile Exchange hit an all time closing high of $133.17 a barrel on May 21, 2008; and

WHEREAS, this new high is a 101% increase in price from May 21, 2007 and is forecasted by financial analysts and top oil executives to further increase as world demand increases; and

WHEREAS, crude oil is the feed stock of transportation petroleum products such as gasoline and diesel; and

WHEREAS, the effect of this increase is now and will continue to be reflected in the retail price at the pump; and

WHEREAS, the general public and the County's workforce are now finding it difficult to afford the operation of a motor vehicle, and

WHEREAS, Seattle Washington's "SDOT's Bicycle Program" is effectively utilized each day by 4,000 to 8,000 citizens to commute, depending on the time of year and weather conditions; and

WHEREAS, commuting to many of the County's buildings for services or work is possible by bicycle; and

WHEREAS, it is the desire of this Legislature to provide the necessary infrastructure for the public and the County's workforce to use alternative means of transportation that are economical, safe and do not require the utilization of fossil fuels to operate such as bicycles; and

WHEREAS, installing public bike racks at County complexes such as Hauppauge, Riverhead, and Yaphank and court buildings in Islip, Riverhead, and Southampton and health centers is a reasonable initial step; and

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

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

APPROPRIATIONS:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	ECD	6410	0000	4980	Non-Contract Agency, Contracted Agencies	-$25,000
001	IFT	E401	0000	9600	Transfer to Capital Reserve Fund	+$25,000
401	IFT	E525	0000	9600	Transfer to Capital Fund	+$25,000

REVENUES:

FD	AGY	UNIT	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
401	IFT	R001	Transfer From General Fund	+$25,000

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 purchase and installation of public bike racks associated with Energy Conservation at Various County Facilities (CP1664); and be it further

3rd 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

4th RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1175-1995 classified the action contemplated by this as a Type II action; and be it further

5th 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 (W) of the Suffolk County Charter for these public bike racks to be installed within one year from the adoption of this resolution; and be it further

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

Project Number: 1664
Project Title: Energy Conservation at Various County Facilities

Cost Elements	Total Estimated Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
5. Furniture & Equipment	$25,000	$0	$25,000 G
TOTAL	$7,440,000	$1,070,000	$1,095,000

and be it further

7th RESOLVED, that the proceeds of $25,000 in General Capital Reserve Funds be and they are hereby appropriated as follows:

Project Number	Project Title	Amount
525-CAP-1664.510	Energy Conservation at Various County Facilities	$25,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

T:\BRO\OB CB amendment Bike Racks Romaine 08.doc

1809

Intro. Res. No. -2008 Laid on Table 9/16/2008
Introduced by Presiding Officer Lindsay

RESOLUTION NO. –2008, AUTHORIZING FEE MODIFICATIONS IN THE SUFFOLK COUNTY DEPARTMENT OF HUMAN RESOURCES, PERSONNEL AND CIVIL SERVICE AND THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the local economy has been slowing and in response to national and regional trends, is projected to slowdown throughout the balance of 2008 and into 2009; and

WHEREAS, members of the Suffolk County Legislature have been working cooperatively with the County Executive to explore options to adopt a unified, coordinated, comprehensive, and appropriate financial plan to mitigate the projected 2009 budgetary shortfall; and

WHEREAS, such cooperation resulted in the passage of Resolution No. 283-2008, A Responsible Plan for Cost Savings to Mitigate an Anticipated 2009 Shortfall, which among other things, directed certain Suffolk County departments to conduct a comprehensive review of departmental and/or administrative fees and to develop plans to increase such fees and provide a written plan to the Suffolk County Legislature regarding such increases; and

WHEREAS, Resolution No. 283–2008 posited that Suffolk County has not increased departmental fees for several years and that it would be prudent to increase such fees to better reflect administrative and operational costs; and

WHEREAS, comprehensive reviews were undertaken by the County Departments and Offices so directed and written plans have been submitted to the Legislature; and

WHEREAS, pursuant to Section 636-5 of the RESOLUTIONS, RULES AND REGULATIONS of the SUFFOLK COUNTY CODE, the Suffolk County Personnel Officer is authorized and empowered to adjust the amount of fees for applications for civil service examinations; and

WHEREAS, the Suffolk County Department of Public Works, through the County Superintendent of Highways, issues permits for work within Suffolk County Road Rights-of-Way for items such as road-opening permits and curb cut ("driveway') permits pursuant to Section 136(2) of the New York State Highway Law; and

WHEREAS, Chapter 651 of the RESOLUTIONS, RULES AND REGULATIONS of the SUFFOLK COUNTY CODE authorizes the imposition of fees for the issuance of highway work permits within County Road right-of-ways so that the taxpayers of the County of Suffolk are not burdened with additional costs for projects that benefit a limited number of private property owners; and

WHEREAS, Section 136(2) of the New York State Highway Law requires the County Highway Superintendent to establish regulations regarding the issuance of driveway permits including the establishment and imposition of fees and when doing so, he/she must take

into account the creation of current and future negative impacts upon County Highway safety, traffic and drainage caused by the granting of a driveway permit; and

WHEREAS, the fee schedule established by the County Highway Superintendent is subject to ratification by the County Legislature; now, therefore, be it

1st RESOLVED, that Section 636-5 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

ARTICLE IV
Civil Service Examination Fees

* * * * * * *

§ 636-5. Fee adjustments.

The Suffolk County Personnel Officer is authorized and empowered to adjust the amount of such fees for applications filed after June 30, 1990, in order to reflect changes in administrative costs.

A.) Pursuant to this article, the County Personnel Officer is hereby authorized to increase the application processing fee for all civil service promotional examinations to [$15] $25.00 for each application filed for promotional examinations administered on or after [June 1, 1991] January 1, 2009, and to increase the application processing fee for all civil service promotional examinations for law enforcement titles to [$50.00] $100.00 for promotional examinations administered on or after January 1, 2009 [2002].

B.) Pursuant to this article, the County Personnel Officer is hereby authorized to increase the application processing fee for all entry level examinations for non-law-enforcement titles to [$25.00] $35.00 for each application filed for entry level, if administered on or after January 1, 2009 [2002]; and to increase the application processing fee for all entry level examinations for Park Ranger, Deputy Sheriff I, Correction Officer I and Police Officer to $100.00; and to increase the application processing fee to $100.00 for all entry level examinations for all other law enforcement titles, if administered on or after December 1, 1997.

* * * * * * *

and be it further

2nd RESOLVED, that Section 651-2 (A) of the SUFFOLK COUNTY CODE is hereby repealed and a new section 651-2 (A) is added, to read as follows:

δ 651-2. Schedule of Fees.

A. Utility highway work permit fees

		Type of Work	Base Fee	Additional Fee
1		***Underground (first 1000 linear feet)***	$ 1.00 per linear ft	
	A	Trenching, Jacking or Direct Boring	$ 1.00 per linear ft	
	B	Bell Holes	$ 100.00 each	
	C	Residential Subdivisions (see A & B above)	$ 1.00 per linear ft	
		Underground (for any amount over 1000 feet)		
	D	If the installation of underground facilities exceeds 1000 linear feet, in total or in part, an inspection fee, in addition to the base fee, will be required. This additional fee will be calculated at $5.00 per linear foot of trench required to install facilities, and is payable to the County prior to the issuance of the Permit.	$ 5.00 per linear foot of trench required to install facilities	
	E	After Original Service Installation	$ 1.00 per linear ft	
		Note: No charge for servicing single residential homes		
2		***Overhead Facilities***		
	A	Install Poles, Towers, etc.	$ 100. per unit	
	B	Overhead Wires	$ 1.00 per linear ft	
	C	Attachments (i.e. transformers, switches, etc.)	$ 100.	
		Note: No charge for servicing single residential homes		
		Note: For #1 and #2, fees will be waived for County-requested relocations		
3		***Utility Installations on Bridges or Culverts***		
	A	Non-required Structural Change	$ 1.00 per linear ft	
	B	Installation Requiring Structural Change	$ 1,000.	Review fee of not less than $1000 per day or any portion thereof for DPW staff review
4		***Maintenance***		
	A	Repairs	$ 100. per job	
	B	Annual Tree Work or Trimming for Overhead Lines	$ 5,000/yr	
5		***Telecommunication Transmission (non-distribution or local)***		
	A	Underground Conduit (ducts), Cables, Inner Duct, Wires and Manholes	$5 per linear ft of trench	$ 1.00 per linear ft of trench annually thereafter
6		***Public Telephones***		
	A	Public Telephones are not permitted within the County right-of-way	- NA -	

and be it further

3rd RESOLVED, that Section 651-2(B) of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

B. Review [F]fees for planning comments requested by various municipalities or comments requested pursuant to Section 239-[k]f of the New York General Municipal Law shall be set forth [by the following schedule] based on the highest two way peak hour driveway traffic volumes as follows:

[Development Generated Traffic Vehicles (Highest Weekday Peak Hour Driveway Traffic Volume)] Number of Vehicles in the Highest Two Way Peak Hour	Fee
0 - 49 vehicles generated	[Up to] $200
50 - 99 vehicles generated	[Up to] $400
100 - 199 vehicles generated	[Up to] $800
200 - 299 vehicles generated	[Up to] $1,200
300 - 399 vehicles generated	[Up to] $1,600
400 - 499 vehicles generated	[Up to] $[2,000]2,200
500 - 749 vehicles generated	[Up to] $[2,800]3,300
750 [to 1,000] & over vehicles generated	[Up to $4,000]$10 per vehicle generated
[Over 1,000]	[Up to $5,000]
Note: there is no review fee for non-subdivision singular residential homes	

[Pursuant to Exhibit A, attached hereto and made a part hereof.]

C. The [fee for curb cut permits issued by the county for work done in the county right-of-way] permit fee for highway work permits under Section 136 of the New York Highway Law, excluding non-subdivision singular residential homes, shall be [five] ten percent ([5]10%) of the value of the work, as determined by the Department of Public Works[, performed in the county right-of-way];

* * * *

E. The review and Permit Fee for private signage located within Suffolk County property, including, but not limited to right-of-way, under Section 136 of the New York Highway Law, shall be five ($5.00) dollars per square foot of each sign facet. All signage shall be installed as per regulations set forth by the Commissioner of the Suffolk County Department of Public Works.

F. The Impact Assessment Fee shall be computed using the following Impact Assessment Schedule promulgated by the County Highway Superintendent pursuant to New York State Highway Law §136(2), utilizing the highest two way peak hour driveway traffic volumes as follows:

Number of Vehicles in the Highest Two Way Peak Hour	Impact Assessment Calculation
0 - 49 vehicles generated	No Impact Assessment
50 - 99 vehicles generated	$ 40.00 x vehicles generated
100 - 199 vehicles generated	$ 100.00 x vehicles generated
200 - 299 vehicles generated	$ 120.00 x vehicles generated
300 - 399 vehicles generated	$ 160.00 x vehicles generated
400 - 499 vehicles generated	$ 200.00 x vehicles generated
500 - 749 vehicles generated	$ 400.00 x vehicles generated
750 & over vehicles generated	$ 800.00 x vehicles generated
***The Impact Assessment Calculation shall be a straight calculation based upon ITE (Institute of Traffic Engineers) data and will not utilize any trip credits. The Calculation Assessment value may be a monetary fee or other mitigation within the County Right of Way. For projects located within rapid growth areas or that, in the sole discretion of the Commissioner of Highways, are identified as problematic, the impact assessment may be subject to further review by the County and re-assessed accordingly.**	

and be it further

4th RESOLVED, that Section 651-3 of the SUFFOLK COUNTY CODE is amended to read as follows:

§ 651-3. Approval of schedule.

The imposition of such fees or amendments thereto shall be subject to [annual] approval and ratification by the County Legislature.

and be it further

5th RESOLVED, that Chapter 651 of the SUFFOLK COUNTY CODE is further amended by the addition of a new Section 651-5 to read as follows:

§ 651-5. Deposit of Fees.

All permit and inspection fees imposed by the County Highway Superintendent under Section 136(2) of the New York State Highway Law shall be collected and deposited with the Department of Public Works in 01-1490-0206-4560.

and be it further

6th RESOLVED, 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.

[ ] Brackets denote deletion of existing language

___ Underlining denotes addition of language

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

R:\gv\2008 Fee Reso.doc

1810

Intro. Res. No. -2008 Laid on Table 9/16 /2008
Introduced by Presiding Officer Lindsay

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO AMEND PROBATION DEPARTMENT FEES

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 AMEND PROBATION DEPARTMENT FEES,**" 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 AMEND PROBATION DEPARTMENT FEES

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 Resolution No. 283–2008, A Responsible Plan for Cost Savings to Mitigate an Anticipated 2009 Shortfall, found that the local economy has been slowing and in response to national and regional trends, is projected to slowdown throughout the balance of 2008 and into 2009.

This Legislature also finds and determines that Suffolk County has not increased departmental fees for several years, and it would be prudent to increase certain fees to better reflect administrative and operational costs.

This Legislature further finds that Resolution No. 283–2008 directed the Director of Probation to conduct a comprehensive review of departmental and/or administrative fees and to develop a plan to increase such fees and to provide a written plan to the Suffolk County Legislature regarding such increases.

This Legislature also finds that such a review was undertaken by the Department of Probation as so directed.

Therefore, the purpose of this law is to increase certain Probation Department fees to reflect the current costs of providing the services administered by the County Department of Probation.

Section 2. Amendments.

Chapter 390 of the SUFFOLK COUNTY REGULATORY LOCAL LAWS is hereby amended as follows:

Chapter 390. PROBATION DEPARTMENT FEES

δ 390-1. Establishment of fee schedule for Probation Department.

* * * * * *

D. An individual awaiting sentencing or who shall be sentenced to a period of probation or who is currently serving a period of probation shall pay the Department of Probation the following:

* * * * * *

(2) A fee of $[100] 200 shall be collected for presentence investigations, where applicable;

* * * * * *

(4) A [monthly] daily fee per probationer of $[10] 5 shall be collected for the costs associated with the costs of electronic monitoring, GPS and SCRAM, where applicable.

* * * * * *

Section 3. Applicability.

This law shall apply to all presentencing fees and GPS, SCRAM and electronic monitoring fees imposed 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 effect, 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 judgment or order shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environment 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/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

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1810

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: **SEPTEMBER 11, 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 AMEND PROBATION DEPARTMENT FEES**

SPONSOR: **PRESIDING OFFICER LINDSAY**

DATE OF RECEIPT BY COUNSEL: 9/9/2008 **PUBLIC HEARING:** 10/14/2008

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

Enactment of this proposed local law would amend Chapter 390 of the SUFFOLK COUNTY CODE to increase certain fees administered by the Department of Probation.

Specifically, the fee charged to offset the costs associated with electronic monitoring of probationers will be changed from ten dollars ($10.00) per month to five dollars ($5.00) per day. The fee for presentence investigations would be increased from one hundred dollars ($100.00) to two hundred dollars ($200.00)

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

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-amend-probation-dept-fees

1811

Intro. Res. No. -2008 Laid on Table 9/16/08

Introduced by Legislator Browning

RESOLUTION NO. –2008, TO ESTABLISH A HEALTH PLAN FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS

WHEREAS, volunteer firefighters and volunteer ambulance workers provide critical services to Suffolk County residents; and

WHEREAS, in addition to their time spent on duty, volunteer emergency service workers must meet ever increasing training requirements, especially those who provide advanced life support services; and

WHEREAS, these volunteers often spend time away from their families, which places a strain on their professional and personal lives; and

WHEREAS, local governments should recognize and reward the critical role emergency services volunteers have in our communities; and

WHEREAS, Suffolk County government can and should help local fire and ambulance companies recruit and retain members by providing extra incentives to these vital volunteers; and

WHEREAS, the State of New York has approved a new law which allows volunteer fire and ambulance company volunteers to access the health insurance plans offered by local governments (Chapter 331 of the Laws of the State of New York, 2008); and

WHEREAS, authorizing volunteer firefighters and volunteer ambulance workers to access Suffolk County's health plan would allow volunteers to purchase health insurance at a discounted price and there would be no increased cost to the County; and

WHEREAS, the County's Self Insured Employee Medical Health Plan ("EMHP") is overseen by a Labor/Management Committee ("Committee"), which is responsible for policy decisions regarding fund expenditures, final decisions on medical payment appeals and all executive decisions affecting this program; and

WHEREAS, bringing volunteer firefighters and ambulance workers under the County's self insurance umbrella requires approval of the EMHP Committee; now, therefore be it

1st **RESOLVED**, that the Director of Personnel and Labor Relations ("Director") is hereby authorized, empowered and directed to bring to the Committee a proposal that would allow volunteer firefighters and ambulance workers to purchase their health insurance through the County's Self Insurance Program in accordance with the recently enacted state legislation; and be it further

2nd **RESOLVED**, that the Director shall request that the Committee evaluate the proposal allowing volunteer firefighters and ambulance workers to access the EMHP; and be it further

3rd **RESOLVED**, that the Director shall report the Committee's findings to this Legislature and the County Executive within one hundred twenty (120) days after the effective date of this resolution; 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-health-plan-volunteer-ambulance-firefighters

1812

Intro. Res. No. -2008 Laid on Table 9/16/08

Introduced by Legislator Browning

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 (MARIST 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 9.6 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-marist-open-space-drinking-water-plan-steps

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
1	District:	0200	9.6	Marist of the Schools, Inc. Mount Saint Michaels Academy 4300 Murdock Avenue Bronx, NY 10466
	Section	976.10		
	Block	03.00		
	Lot	027.001		

EXHIBIT "A"

1813

Intro Res. No. -2008 Laid on Table 9/16/08

Introduced by Legislator Beedenbender

RESOLUTION NO. -2008, DIRECTING THE DEPARTMENT OF SOCIAL SERVICES TO SEEK CONDEMNATION NOTIFICATION AGREEMENTS

WHEREAS, town governments possess the authority to condemn dwellings that are unfit for human habitation and cause the people living in such housing to vacate the premises; and

WHEREAS, the people who reside in such substandard housing, particularly children, may be eligible for, and benefit from, the various services provided by the Suffolk County Department of Social Services; and

WHEREAS, the towns have no legal obligation to provide such notification; and

WHEREAS, inter-municipal cooperation between Suffolk Department of Social Services (DSS) and the Towns and Villages will benefit families and enable DSS to offer the family emergency housing and other essential services; and

WHEREAS, for the purpose of improving such cooperation, the Towns and Villages should notify DSS of those situations where they have found a dwelling uninhabitable, and when appropriate to ensure the safety of a child to make a report to the State Central Registry; now therefore be it

1ST **RESOLVED**, that the Commissioner of the Department of Social Services is hereby authorized, empowered and directed to contact each of the Towns and Villages of Suffolk County, and develop protocols to enhance inter-municipal communication, including immediate notification to DSS when the municipality has determined a dwelling to be unfit for habitation; and

2ND **RESOLVED**, that the Commissioner of Social Services will provide a written report to the Suffolk County Legislature within 120 days of the effective date of this resolution providing a status update of the Department's efforts to reach such agreements with the Towns and Villages of Suffolk County; 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 CF 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 herby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____

REVISED AS OF 9/8/2008

Intro. Res. No. 1814-2008 Laid on Table 9/16/2008

Introduced by Legislators Horsley, Beedenbender, Stern, Romaine. Browning and Gregory

RESOLUTION NO. -2008, AMENDING THE 2008 OPERATING BUDGET TO FUND A MIDDLE INCOME HOME ENERGY ASSISTANCE PROGRAM (MI-HEAP) TO PROTECT RESIDENTS OF SUFFOLK COUNTY AGAINST A COLD WINTER

WHEREAS, the National Energy Assistance Directors' Association (NEADA), which represents State-run low income energy assistance programs, recently predicted that home heating oil costs will hit record levels this winter and that families in the Northeast will be hardest hit; and

WHEREAS, home heating oil costs are expected to hit record highs in the Northeast this winter with a single typical household delivery expected to cost more than $850, a 70% increase from last winter's typical home heating oil delivery of $500; and

WHEREAS, an average household usually requires four home heating oil deliveries from December through March, with the NEADA predicting the national average cost to heat a home with oil this winter at $2,593, up more than 32% from last winter's national average of $1,962; and

WHEREAS, the NEADA conducted a national survey of utility arrearages and shutoffs and found that millions of elderly households face severe hardships paying arrearages from last winter's heating bills, and the real threat of actual shutoff of service; and

WHEREAS, the NEADA survey noted that, as a conservative estimate, at least 1.2 million households have been disconnected from electric and natural gas service, and that the level of shutoffs are likely to go higher as utility companies complete credit and collection procedures; and

WHEREAS, the President's proposal for FY 2009 Low Income Home Energy Assistance Program (LIHEAP) funding includes a cut of 22 percent, reducing the block grant from $1.98 billion to $1.7 billion and the emergency contingency fund from $590.3 million to $300 million, with Federal officials reporting that LIHEAP funding may run out before December; and

WHEREAS, over 750,000 lower and middle income New Yorkers, including thousands of senior citizens, and as many as 23,952 Suffolk County residents rely on federal funding to sustain heating throughout the cold winter months; and

WHEREAS, the income of many Suffolk County residents may be too high to qualify under the Federal HEAP benefit standards, but still be left struggling to pay their winter heating bills; and

WHEREAS, Suffolk County residents must not be left struggling to pay their energy bills to stay warm this winter, therefore, it is in the economic and public health interest of Suffolk County to fund a Middle Income Home Energy Assistance Program (MI-HEAP) to insure the well-being of Suffolk residents this winter in the event Federal funding falls short; and

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

1st **RESOLVED**, that a Middle Income Home Energy Assistance Program (hereinafter referred to as MI-HEAP) is hereby established and shall be administered by the Department of Social Services and shall provide as much as $800 to eligible households. Middle Income HEAP eligibility shall be based upon the income guidelines established under the Federally funded HEAP increased by thirty-five percent (35%) to determine eligibility for MI-HEAP funds; and be it further

2nd **RESOLVED**, that all applicants whose income qualifies such applicant for federally funded HEAP shall be funded solely through Federally funded HEAP and that only those applicants who are income ineligible for the Federally funded HEAP by not more than thirty-five percent (35%) shall be funded by MI-HEAP; and be it further

3rd **RESOLVED**, that all prescribed documentation that is required for the Federally funded HEAP Program shall also apply to MI-HEAP; and be it further

4th **RESOLVED**, that the MI-HEAP Program shall be administered by the Department of Social Services, which shall promulgate all policies, procedures, terms and conditions establishing eligibility for and implementation of the MI-HEAP Program, including the incorporation of a sliding scale fee structure where applicable; and be it further

5th **RESOLVED**, that the MI-HEAP Program shall close operations on December 31, 2008 or until the funds that have been authorized are exhausted, whichever occurs first; and be it further

6th **RESOLVED**, that the 2008 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY	AMOUNT
001	PKS	7110	0000	4980	Parks, Rec & Conservation	-$175,000
001	DSS	6005	0000	4980	DSS: Administration	-$325,000

TO:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY	AMOUNT
001	DSS	6144	0000	4690	Supplemental Heating Assistance Program	+$500,000

and be it further

7th **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; and be it further

8th **RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Middle Income Home Energy Assistance Program (MI-HEAP).

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

REVISED AS OF 9/8/2008

Intro. Res. No. 1814-2008 Laid on Table 9/16/2008

Introduced by Legislators Horsley, Beedenbender, Stern, Romaine, Browning, Viloria-Fisher and Gregory

RESOLUTION NO. -2008, AMENDING THE 2008 OPERATING BUDGET TO FUND A MIDDLE INCOME HOME ENERGY ASSISTANCE PROGRAM (MI-HEAP) TO PROTECT RESIDENTS OF SUFFOLK COUNTY AGAINST A COLD WINTER

WHEREAS, the National Energy Assistance Directors' Association (NEADA), which represents State-run low income energy assistance programs, recently predicted that home heating oil costs will hit record levels this winter and that families in the Northeast will be hardest hit; and

WHEREAS, home heating oil costs are expected to hit record highs in the Northeast this winter with a single typical household delivery expected to cost more than $850, a 70% increase from last winter's typical home heating oil delivery of $500; and

WHEREAS, an average household usually requires four home heating oil deliveries from December through March, with the NEADA predicting the national average cost to heat a home with oil this winter at $2,593, up more than 32% from last winter's national average of $1,962; and

WHEREAS, the NEADA conducted a national survey of utility arrearages and shutoffs and found that millions of elderly households face severe hardships paying arrearages from last winter's heating bills, and the real threat of actual shutoff of service; and

WHEREAS, the NEADA survey noted that, as a conservative estimate, at least 1.2 million households have been disconnected from electric and natural gas service, and that the level of shutoffs are likely to go higher as utility companies complete credit and collection procedures; and

WHEREAS, the President's proposal for FY 2009 Low Income Home Energy Assistance Program (LIHEAP) funding includes a cut of 22 percent, reducing the block grant from $1.98 billion to $1.7 billion and the emergency contingency fund from $590.3 million to $300 million, with Federal officials reporting that LIHEAP funding may run out before December; and

WHEREAS, over 750,000 lower and middle income New Yorkers, including thousands of senior citizens, and as many as 23,952 Suffolk County residents rely on federal funding to sustain heating throughout the cold winter months; and

WHEREAS, the income of many Suffolk County residents may be too high to qualify under the Federal HEAP benefit standards, but still be left struggling to pay their winter heating bills; and

WHEREAS, Suffolk County residents must not be left struggling to pay their energy bills to stay warm this winter, therefore, it is in the economic and public health interest of Suffolk County to fund a Middle Income Home Energy Assistance Program (MI-HEAP) to insure the well-being of Suffolk residents this winter in the event Federal funding falls short; and

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

1st **RESOLVED**, that a Middle Income Home Energy Assistance Program (hereinafter referred to as MI-HEAP) is hereby established and shall be administered by the Department of Social Services and shall provide as much as $800 to eligible households. Middle Income HEAP eligibility shall be based upon the income guidelines established under the Federally funded HEAP increased by thirty-five percent (35%) to determine eligibility for MI-HEAP funds; and be it further

2nd **RESOLVED**, that all applicants whose income qualifies such applicant for federally funded HEAP shall be funded solely through Federally funded HEAP and that only those applicants who are income ineligible for the Federally funded HEAP by not more than thirty-five percent (35%) shall be funded by MI-HEAP; and be it further

3rd **RESOLVED**, that all prescribed documentation that is required for the Federally funded HEAP Program shall also apply to MI-HEAP; and be it further

4th **RESOLVED**, that the MI-HEAP Program shall be administered by the Department of Social Services, which shall promulgate all policies, procedures, terms and conditions establishing eligibility for and implementation of the MI-HEAP Program, including the incorporation of a sliding scale fee structure where applicable; and be it further

5th **RESOLVED**, that the MI-HEAP Program shall close operations on December 31, 2008 or until the funds that have been authorized are exhausted, whichever occurs first; and be it further

6th **RESOLVED**, that the 2008 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY	AMOUNT
001	PKS	7110	0000	4980	Parks, Rec & Conservation	-$175,000
001	DSS	6005	0000	4980	DSS: Administration	-$325,000

TO:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY	AMOUNT
001	DSS	6144	0000	4690	Supplemental Heating Assistance Program	+$500,000

and be it further

7th **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; and be it further

8th **RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Middle Income Home Energy Assistance Program (MI-HEAP).

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1815

Intro. Res. No. -2008 Laid on Table 9/16/08

Introduced by Legislator Stern

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO ADD VISITABILITY REQUIREMENTS TO THE AFFORDABLE HOUSING PROGRAM

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2008, a proposed local law entitled, "**A LOCAL LAW TO ADD VISITABILITY REQUIREMENTS TO THE AFFORDABLE HOUSING PROGRAM**" now, therefore, be it

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

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

A LOCAL LAW TO ADD VISITABILITY REQUIREMENTS TO THE AFFORDABLE HOUSING PROGRAM

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 availability of affordable and accessible housing opportunities is vital to persons with disabilities who are striving to live fully independent lives in our community.

This Legislature also finds that "visitability" is a concept that would change home construction practices so that new homes would have specific features that would allow a person with mobility impairment to occupy and visit the home. For example, visitability guidelines would require construction that would allow a person with disabilities or a person that is wheelchair bound to get in and out of one entrance of a home and allow accessibility by a wheelchair into a bathroom and a kitchen.

This Legislature further finds that is unwise to continue to construct new homes with unnecessary physical barriers given the relative ease of building basic access into homes.

This Legislature finds that the Suffolk County Senior Citizen Task Force has recommended that the County require visitability designed features in all housing units that are built on County-owned property.

Therefore, the purpose of this local law is to require that any new dwelling unit that is designed and/or constructed with the assistance of the County under the 72-h transfer program or the Workforce Housing Program comply with the visitability design and construction requirements.

Section 2. Amendments.

Article 36 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

ARTICLE XXXVI AFFORDABLE HOUSING

* * * *

§ A36-3. Visitability Requirements.

A. Any new dwelling unit that is to be designed and/or constructed with the assistance of the County of Suffolk pursuant to § A36-2(B) of this article ("72-h transfer program") or § A36-2(C) of this article ("Workforce housing program") shall comply with the design and construction requirements set forth in this section. For the purposes of this section the term "dwelling unit" shall mean a detached single family home, a ground floor unit in a town house or a ground floor unit in a building of three or fewer dwelling units which is designed as, or intended for occupancy as a residence.

B. The design and construction of a new dwelling unit shall comply with the following requirements:

1) Accessible Entrance. The ground level of such dwelling unit shall contain at least one entrance to the dwelling unit that:

a. is accessible to, and usable by, people with disabilities such that all rooms on the level are connected by an accessible route;

b. does not contain any steps or any door threshold that exceeds one-half inch in height; and

c. is located on a continuous unobstructed path from the public street or driveway that serves the unit, which path at no point has a slope exceeding one inch in rise for every twelve inches in length, has a width of not less than thirty-six inches and has a cross slope not greater than two percent of the width. Such unobstructed path shall be able to be negotiated by a person and may include curb ramps, parking access aisles, walks, and ramps.

2) Accessible Interior Doors. All doors that are designed to allow passage within the ground level of such dwelling unit shall have an unobstructed opening of at least thirty-six inches when the door is open at a ninety-degree angle.

3) Accessible Environmental Controls. All environmental controls and 39 outlets located on the ground level of such dwelling unit shall be located on the wall at least fifteen inches, but not more than forty-eight inches, above the floor or, in the case of environmental controls and outlets located directly above a counter, sink, or appliance, not more than three inches above such counter, sink, or appliance.

4) Accessible Habitable Space. The ground level of such dwelling unit shall contain at least one indoor room that has an area of not less than seventy square feet and contains no side or dimension narrower than seven feet.

5) Accessible Bathroom. At least one bathroom on the ground level of the dwelling unit that contains the following:

a. Clear floor space of thirty by forty-eight inches centered on and contiguous to the sink, which is not encroached by the swing path of the bathroom door.

b. A sink and a toilet that each allow for a parallel or head-on approach by a person in a wheelchair.

6) Reinforced Walls. The required ground level bathroom shall also have walls that are reinforced to be capable of supporting grab bars that resist shear and bending forces of a minimum of two hundred fifty pounds.

a. All walls adjacent to the toilet shall have horizontal backing reinforcements, each at least thirty-three inches, but not more than thirty-six inches, above the floor, and sufficient to allow for a twenty-four-inch grab bar on the wall behind the toilet and another forty-two-inch grab bar on one or the other walls adjacent to the toilet.

b. If a bathtub is present in the bathroom, such reinforcements shall include:

(i) two backing reinforcements on the back wall of the bathtub, each at least twenty-four inches long, at least twenty inches wide and not more than twenty-four inches from the head end wall and not more than twelve inches from the foot end wall, one in a horizontal position at least thirty-three inches, but not more than thirty-six inches, above the floor, and one nine inches above the rim of the bathtub;

(ii) one backing reinforcement on the foot end wall of the bathtub, at least twenty inches long, at least eighteen inches wide and located at the front edge of the bathtub; and

(iii) one backing reinforcement on the head end wall of the bathtub, at least twelve inches long, at least eighteen inches wide and located at the front edge of the bathtub.

c. If a shower is present in the bathroom, such reinforcements shall include backing reinforcements on at least two walls on which the control valves are not located, each centered at least thirty-three inches, but not more than thirty-six inches, above the floor and at least eighteen inches wide.

C. Each municipality, developer or participating employer that applies for county assistance under § A36-2(B) and § A36-2(C) shall submit assurance to the Workforce Housing Director that all their activities will be conducted in compliance with this section.

D. The Workforce Housing Director is hereby authorized, empowered and directed to promulgate rules and regulations necessary to implement this section and is further directed to take all other actions necessary to ensure compliance with the requirements of this section.

E. The provisions of paragraph (B)(1) of this subdivision shall not apply to a dwelling unit if:

(i) the finished grade of the site is too steep to provide a path having a slope of one inch in rise for every twelve inches in length at the front, side, or back of the unit;
(ii) there is no driveway serving the unit; and
(iii) there is no alley or other roadway capable of providing vehicular access to the rear or side of the unit.

F. This section shall not apply to sites whose physical characteristics render compliance unreasonable as determined by the Workforce Housing Director.

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 on the ninetieth (90th) day 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-visitability

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1815

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: **September 11, 2008**

TO: **CLERK OF THE COUNTY LEGISLATURE**

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

PROPOSED LOCAL LAW YEAR 2008

TITLE: **A LOCAL LAW TO ADD VISITABILITY REQUIREMENTS TO THE AFFORDABLE HOUSING PROGRAM**

SPONSOR: **LEGISLATOR STERN**

DATE OF RECEIPT BY COUNSEL: 9/3/08 **PUBLIC HEARING:** 10/14/08

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

This proposed local law would require all dwelling units[1] designed and/or constructed with the assistance of the County of Suffolk under the 72-h Transfer Program or the Workforce Housing Program, to comply with "visitability" requirements that would provide greater accessibility for persons with mobility impairments.

More specifically, covered dwelling units would have to have the following features:

1.) at least one accessible entrance on the ground floor level;
2.) one accessible bathroom on the ground floor level;
3.) accessible interior doors on the ground floor level;
4.) accessible environmental controls;
5.) accessible habitable space on the ground floor level; and
6.) reinforced walls in the ground level bathroom that are capable of supporting grab bars by the toilet, bathtub, and shower.

Any municipality, developer, or participating employer that applies for County assistance under the 72-h Transfer Program or the Workforce Housing Program shall submit an assurance to the County's Workforce Housing Director that all their activities will be conducted in compliance with this law. Further, the Workforce Housing Director is authorized and directed to promulgate rules and regulations necessary to implement

[1] The term "dwelling unit" means a detached single family home, a ground floor unit in a townhouse, or a ground floor unit in a building of three or fewer dwelling units which is designed as, or intended for occupancy as, a residence.

this law and is further directed to take all other actions necessary to ensure compliance with the visitability requirements set forth in the law.

The provisions of this law shall not apply to sites whose physical characteristics render compliance unreasonable as determined by the Workforce Housing Director.

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-visitability

Intro. Res. No. 1816 -2008 Laid on Table 9/16/08
Introduced by Legislator Stern

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO TOUGHEN ANTI-DUMPING PROHIBITIONS

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 TOUGHEN ANTI-DUMPING PROHIBITIONS**" 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 TOUGHEN ANTI-DUMPING PROHIBITIONS

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 licenses and regulates a number of occupations, including plumbers, electricians and home improvement contractors.

This Legislature further determines that the Office of Consumer Affairs is authorized by law to suspend or revoke the licenses of licensees who engage in certain, defined acts that are harmful to consumers and the public at large.

This Legislature finds that the dumping of garbage, construction debris and other refuse along public roads and right-of-ways and upon public lands is a persistent problem which harms the environment of Suffolk County and threatens the health of its residents.

This Legislature also finds that when it is determined that a person or entity licensed by the County of Suffolk has engaged in the egregious act of dumping on public lands, the Office of Consumer Affairs should have the authority to suspend or revoke their license.

Therefore, the purpose of this local law is to add the violation of anti-dumping laws as a basis for the suspension or revocation of a license issued by the Office of Consumer Affairs.

Section 2. Amendments.

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

Chapter 345, LICENSED OCCUPATIONS

Article I, Provisions Applicable to All Licenses

* * * *

§ 345-9. Fines, suspension or revocation of licenses.

* * * *

B. The Director shall have the power to suspend or revoke a license or to deny an application for renewal of a license based on a violation of Chapters 489 or 490 of the Suffolk County Code or a violation of any state, town or village law, ordinance or regulation prohibiting dumping on public lands.

[B] C. No license shall be suspended or revoked nor a fine imposed until after a hearing has been held before the Director upon at least seven business days' notice to the licensee. Such notice shall be served either personally or by certified mail, return receipt requested, to the last known address of the licensee and shall state the date and place of the hearing as well as enumerate the grounds constituting the allegations against such licensee. The licensee may be represented by counsel and may produce witnesses in his own behalf. A record of the hearing shall be taken and preserved. For purposes of such hearing, the Director may administer oaths, take testimony, subpoena witnesses and compel the production of books, papers, records or other documents deemed pertinent to the subject of the hearing.

* * * *

Section 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 on the ninetieth (90th) day 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-anti-dumping law

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1816

GEORGE NOLAN
COUNSEL TO THE LEGISLATURE
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(631) 853-4415 (FAX)

DATE: **SEPTEMBER 11, 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 TOUGHEN ANTI-DUMPING PROHIBITIONS**

SPONSOR: **LEGISLATOR STERN**

DATE OF RECEIPT BY COUNSEL: 9/3/2008 **PUBLIC HEARING:** 10/14/2008

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

This proposed local law would authorize and empower the Director of Consumer Affairs to suspend or revoke an occupational license or to deny an application for a renewal of an occupational license based on a violation of Chapters 489 or 490 of the SUFFOLK COUNTY CODE (which prohibits the dumping of debris on County owned land or in the Pine Barrens) or a violation of any state, town or village law, ordinance or regulation prohibiting dumping on public lands.

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

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-anti-dumping

1817

Intro. Res. No. -2008 Laid on Table 9/16/08

Introduced by Presiding Officer Lindsay and Legislator Romaine

RESOLUTION NO. –2008, REAPPOINT MEMBER TO THE SUFFOLK COUNTY BOARD OF TRUSTEES OF PARKS, RECREATION, AND CONSERVATION (GILBERT A. CARDILLO)

WHEREAS, Gilbert A. Cardillo, representing the Town of Riverhead, is currently a member of the Suffolk County Board of Trustees of Parks, Recreation, and Conservation, his membership is set to expire November 30, 2008; now, therefore be it

1st **RESOLVED**, that Gilbert A. Cardillo, currently residing in Riverhead, New York, be reappointed, 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 Riverhead, for a term of office to expire on November 30, 2013; 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:

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

1817

GILBERT A CARDILLO CFP

450 Riverside Dr. • Riverhead, NY 11901 • (631) 369-7733 • gilstu@yahoo.com

EDUCATION

1985 **ADELPHI UNIVERSITY** — **Hempstead, NY**
Certified Financial Planner

1982 **STATE UNIVERSITY OF NEW YORK AT CORTLAND** — **Cortland, NY**
B.S. Education

PROFESSIONAL EXPERIENCE

2002 - Present **PECONIC ASSET PLANNING, Investment Advisor/ Principal** — **Riverhead, NY**
- Owner of Asset Management Practice
- Assists clients with estate trusts, retirement, tax strategies, investing, and cash management

1993-2002 **FLEET INVESTMENT ADVISORS, Certified Financial Planner** — **Riverhead, NY**
- Investment Advisory Professional

COMMUNITY ACTIVITIES

2002 - Present **RIVERSIDE DRIVE RESIDENTS ASSOCIATION, Member** — **Riverhead, NY**
- Actively campaigned for the preservation of open space and parkland
- Organized community members and environmental groups to prevent construction along the Peconic River

2004 - Present **BLUE DOOR GALLERY, Supporter** — **Riverhead, NY**
- Aided showcases of artists from the East End of Long Island

2002 - Present **SHINNECOCK CULTURAL CENTER, Supporter** — **Shinnecock, NY**
- Assists with developing the building endowment

1998 - Present **RIVERHEAD P.A.L. SOCCER, Coach** — **Riverhead, NY**

1998 - 2004 **RIVERHEAD LITTLE LEAGUE, Coach** — **Riverhead, NY**

1985 -1990 **ENDANGERED WILDLIFE SERIES, Road Race Key Volunteer** — **Suffolk County, NY**
- Assisted with planning and execution of events

1980 - 1990 **BOY SCOUTS OF AMERICA, Scout Leader** — **Farmingdale, NY**

1817

TOWN OF RIVERHEAD

Phil Cardinale, Town Supervisor

Town Hall, 200 Howell Avenue, Riverhead, NY 11901
Tel: (631) 727-3200 / fax 631-727-6712

August 27, 2008

The Honorable William F. Lindsay
Presiding Officer of Suffolk County Legislature
William H. Rogers Building
725 Veterans Memorial Highway
Smithtown, NY 11787

Dear Mr. Lindsay,

Please let this serve as a recommendation for the reappointment of Mr. Gil Cardillo as the Riverhead Town representative to the Suffolk County Parks Board of Trustees. I understand that his term expires this year.

Mr. Cardillo has served the interests of the public in a manner that has been exemplary. I strongly recommend his continued service.

Sincerely,

Phil Cardinale

Cc: John Pavacic, Suffolk County Parks Commissioner

RECEIVED
2008 SEP -2 A 11:45
PRESIDING OFFICER
COUNTY LEGISLATURE
SUFFOLK COUNTY, NY

1898

Intro. Res. No. -2008 Laid on Table 9/16/08

Introduced by the Presiding Officer

RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DEPARTMENT OF PUBLIC WORKS ENGINEERING ASSISTANCE TO ADDRESS PROCESS AND CAPACITY IMPROVEMENTS TO SEWER DISTRICT #20 – WILLIAM FLOYD CP 8147, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Department of Public Works Engineering Assistance to Address Process and Capacity Improvements to Sewer District #20 – William Floyd CP 8147, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the engineering studies needed to evaluate the existing treatment process and the likely addition to equalization facilities; and

WHEREAS, at its August 20, 2008 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Public Works in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(20) and (21) and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated August 20, 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 Department of Public Works Engineering Assistance to Address Process and Capacity Improvements to Sewer District #20 – William Floyd CP 8147, Town of Brookhaven constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(20) and (21) and Chapter 279 of the Suffolk County Code, which project involves the engineering studies needed to evaluate the existing treatment process and the likely addition to equalization facilities; and be it further

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

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

DATED:

1819

Intro. Res. No. -2008 Laid on Table 9/16/08

Introduced by the Presiding Officer

RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DEPARTMENT OF PUBLIC WORKS ENGINEERING ASSISTANCE TO ADDRESS ODOR RELATED ISSUES AT SEWER DISTRICT #05 – STRATHMORE HUNTINGTON, TOWN OF HUNTINGTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Department of Public Works Engineering Assistance to Address Odor Related Issues at Sewer District #05 – Strathmore Huntington, Town of Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project involves the engineering studies needed to evaluate the existing open treatment tanks and structural and process modifications to reduce the potential for odors; and

WHEREAS, at its August 20, 2008 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Public Works in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(20) and (21) and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated August 20, 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 Department of Public Works Engineering Assistance to Address Odor Related Issues at Sewer District #05 – Strathmore Huntington, Town of Huntington constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(20) and (21) and Chapter 279 of the Suffolk County Code, which project involves the engineering studies needed to evaluate the existing open treatment tanks and structural and process modifications to reduce the potential for odors; 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-sewer-district-05

1820

Intro. Res. No. -2008 Laid on Table 9/16/08

Introduced by the Presiding Officer

RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DEPARTMENT OF PUBLIC WORKS SEWER DISTRICT #13 WINDWATCH STP EXPANSION, TOWN OF ISLIP

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Department of Public Works Sewer District #13 Windwatch STP Expansion, Town of Islip", pursuant to Section 6 of Local Law No. 22-1985 which project involves the expansion of the existing sewage treatment plant for use by adjacent communities. Two of the adjacent communities have existing wastewater treatment facilities that are in poor condition and the subject of consent orders and would connect to the expanded facility. Additional flow from proposed adjacent developments will result in the facility being increased from its present permitted capacity of 400,000 gallons per day to an ultimate capacity of 750,000 gallons per day. The expansion involves additional building to enclose treatment facilities along with the appropriate number of leaching pools for the treated effluent; 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 August 20, 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 August 20, 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 Department of Public Works Sewer District #13 Windwatch STP Expansion, Town of Islip 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 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.) The proposed expanded facility is using 4.58 acreage that is already disturbed and within the sewage treatment plant area;

5.) Two adjacent small sewage treatment facilities managed by homeowner associations do not meet Department of Health standards and need extensive improvements;

6.) The larger centrally located sewage treatment plant will be more efficient and maintained by Suffolk County instead of five (5) smaller facilities, four (4) of which will be privately maintained; and

7.) Effluent is expected to have no impact on the groundwater;

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-district-13-windwatch

Intro. Res. No. 1821 -2008 Laid on Table 9/16/08
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 WARNER DUCK FARM PROPERTY, TOWN OF RIVERHEAD

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 Warner Duck Farm Property, Town of Riverhead", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of approximately 13.5 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 the Division of Real Property Acquisition and Management and subsequently sent out to all concerned parties; and

WHEREAS, at its August 20, 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 August 20, 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 Warner Duck Farm Property, Town of Riverhead constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

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

3.) The Suffolk County Division of Real Property Acquisition and Management will have all debris and dilapidated structures on the site removed prior to transfer of the property to the Parks Department;

4.) The existing barn on the site will be evaluated as to its historic significance and the Department of Parks, Recreation and Conservation will present the Department's interest in retaining or removing the structure; and

5.) The Division of Real Property will present the various removal options to the CEQ if it is determined that the barn should be removed prior to the transfer of the property to the Park's Department;

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-warner-duck-farm

1822

Intro. Res. No. -2008 Laid on Table 9/16/08
Introduced by the Presiding Officer

RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF A CONSERVATION EASEMENT KNOWN AS THE LAUREL LAKE COUNTY PARK ADDITION – JACOBY LTD FAMILY PARTNERSHIP PROPERTY – TOWN OF SOUTHOLD

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of a Conservation Easement Known as the Laurel Lake County Park Addition – Jacoby Ltd Family Partnership Property, Town of Southold", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition by Suffolk County of a conservation easement comprising of 7.89 acres 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 August 20, 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 August 20, 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 a Conservation Easement Known as the Laurel Lake County Park Addition – Jacoby Ltd Family Partnership Property, Town of Southold constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which will not have significant adverse impacts on the environment for the following reasons:

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

2.) The property is to remain in its natural state for passive use and habitat management purposes as set forth in the Conservation Easement; and

3.) A future unpaved walking trail around the perimeter of the property will be permitted with the agreement of the property owner, the Town of Southold and the County of Suffolk as set forth in the Conservation Easement;

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-laurel-lake-addition

1823

Intro. Res. No. -2008 Laid on Table 9/16/08

Introduced by Legislator Romaine

RESOLUTION NO. -2008, TO PROMOTE ENVIRONMENTAL PROTECTION THROUGHOUT SUFFOLK COUNTY BY REQUIRING THE REMEDIATION OF BROWNFIELDS PROPERTIES

WHEREAS, the County of Suffolk has recently initiated auctions for the sale of Brownfield property tax liens pursuant to Resolution No. 1258-2006; and

WHEREAS, through ownership of a particular property's tax lien, a person can initiate foreclosure proceedings on the property at a later date in order to take full fee ownership of the property; and

WHEREAS, once a Brownfield property's tax lien has been sold, all rights that the County of Suffolk once had in that property are extinguished, and at present there is no mechanism available to the County to mandate that any of these Brownfield properties be remediated; and

WHEREAS, it should be the policy of the County of Suffolk to require that the owner of a Brownfield property tax lien, purchased at auction from the County, shall begin remediation efforts on such parcels in a timely manner; now, therefore be it

1st **RESOLVED**, that the Director of the County Division of Real Property Acquisition and Management is hereby authorized, empowered and directed to require in any contract of sale between the County of Suffolk and the highest bidder on any Brownfield property tax lien sold at auction, that said highest bidder shall initiate foreclosure proceedings on the subject parcel within one (1) year of the effective date of the contract of sale, and shall initiate remediation efforts on the subject parcel within two (2) years after the date of foreclosure; and be it further

2nd **RESOLVED**, that the Director of the County Division of Real Property Acquisition and Management is hereby further authorized, empowered and directed to require in any contract of sale between the County of Suffolk and the highest bidder on any Brownfield property tax lien sold at auction, that said highest bidder shall file with the Director appropriate documentation, as determined by the Director, indicating that foreclosure proceedings have been initiated, and remediation efforts have been undertaken in a timely manner; and be it further

3rd **RESOLVED**, that the Director of the County Division of Real Property Acquisition and Management is hereby further authorized, empowered and directed to require in any contract of sale between the County of Suffolk and the highest bidder on any Brownfield property tax lien sold at auction, that ownership of any Brownfield property tax lien shall revert to the County of Suffolk if foreclosure proceedings have not been initiated on said property within one (1) year of the effective date of the contract of sale; and be it further

4th **RESOLVED**, that the County Attorney is hereby authorized, empowered and directed to bring an action in a court of competent jurisdiction against any person or entity who, being the highest bidder on a Brownfield property tax lien sold at auction and having entered into a contract of sale with the County, has not initiated remediation efforts on a subject

Brownfield property within two (2) years after the date of foreclosure on said property; and be it further

5th **RESOLVED**, that the Director of the County Division of Real Property Acquisition and Management is hereby further authorized, empowered and directed, with the assistance of the County Attorney, to draft rules and regulations for the implementation of this Resolution and to submit such rules and regulations to the Clerk of the County Legislature within 90 days of the effective date of this Resolution for the approval of the County Legislature; and be it further

6th **RESOLVED**, that the Director of the County Division of Real Property Acquisition and Management is hereby further authorized, empowered and directed to amend the current year's auction rules to include language which reflects the spirit and intent of this Resolution so as to provide adequate notice to potential bidders of their rights and obligations as they relate to the sale of Brownfield property tax liens at auction; and be it further

7th **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-refile-brownfields-clean-up-contract

Introductory Resolution No. 1824-08 Laid on Table 9/16/08

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 JASON E. COYNE AND ADRIENNE C. COYNE (SCTM NO. 0200-420.00-01.00-013.000)

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 420.00 Block 01.00 Lot 013.000 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 designated as Lot Nos. 268 & 269 on a certain map entitled "Map of Laurel Park Plate 1" filed in the Office of the Clerk of the County of Suffolk on May 26, 1906 as Map No. 220; 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, Jason E. Coyne and Adrienne C. Coyne, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $2,523.23. 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 $2,500.00, 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 $2,523.23, 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 Jason E. Coyne and Adrienne C. Coyne, 122 Forest Road, Centereach, New York 11720.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1824

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. 0200-420.00-01.00-013.000

ADJOINING OWNER	BID	BID	BID
Jason E. Coyne and Adrienne C. Coyne 122 Forest Road Centereach, New York 11720 0200-420.00-01.00-014.000	$2,523.23		

SIZE OF PARCEL: .05 acre
APPRAISED VALUE: $2,500.00
COMMENT: Direct Sale to Adjacent Owner

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

1824

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

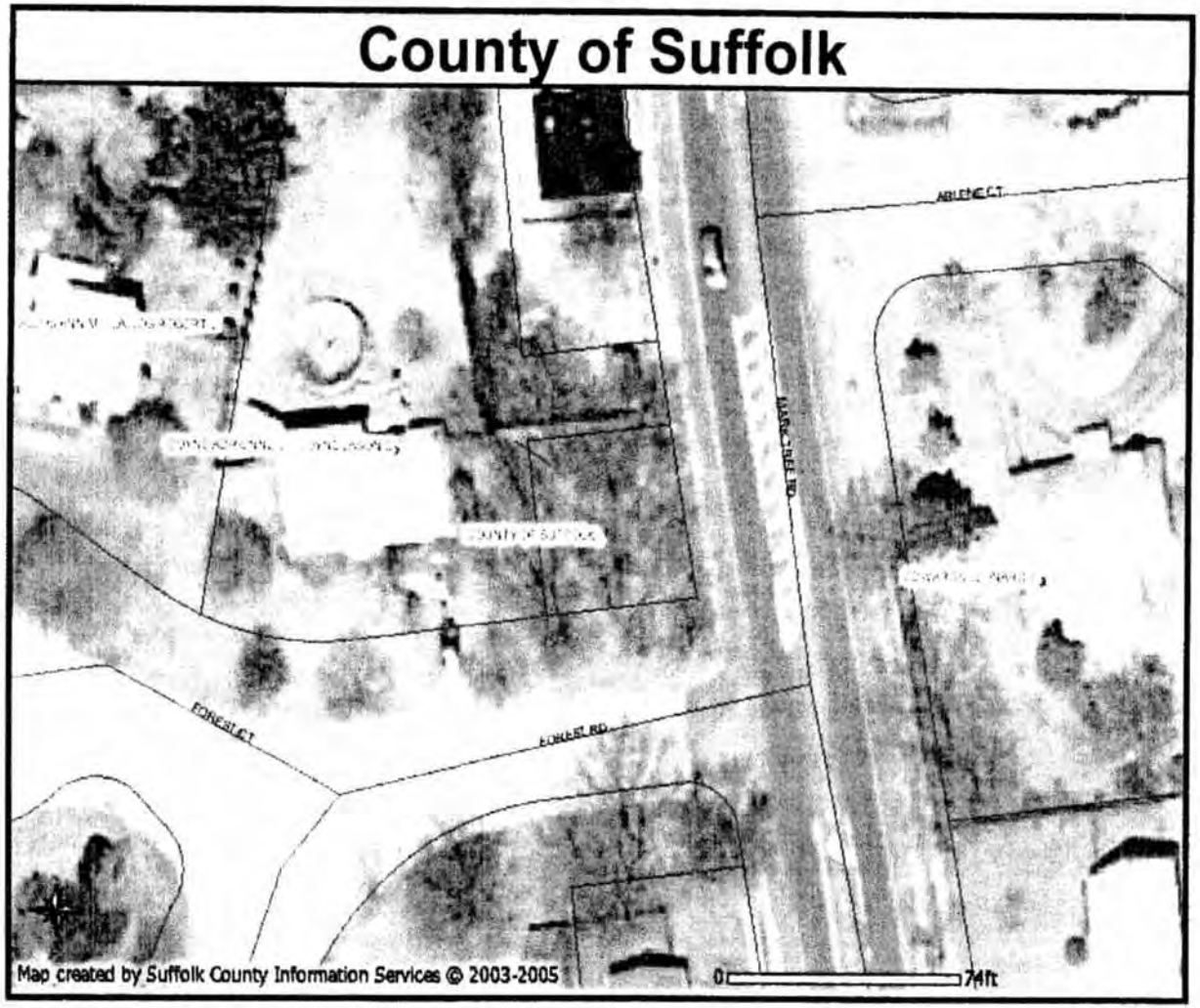
None

9. Timing of Impact

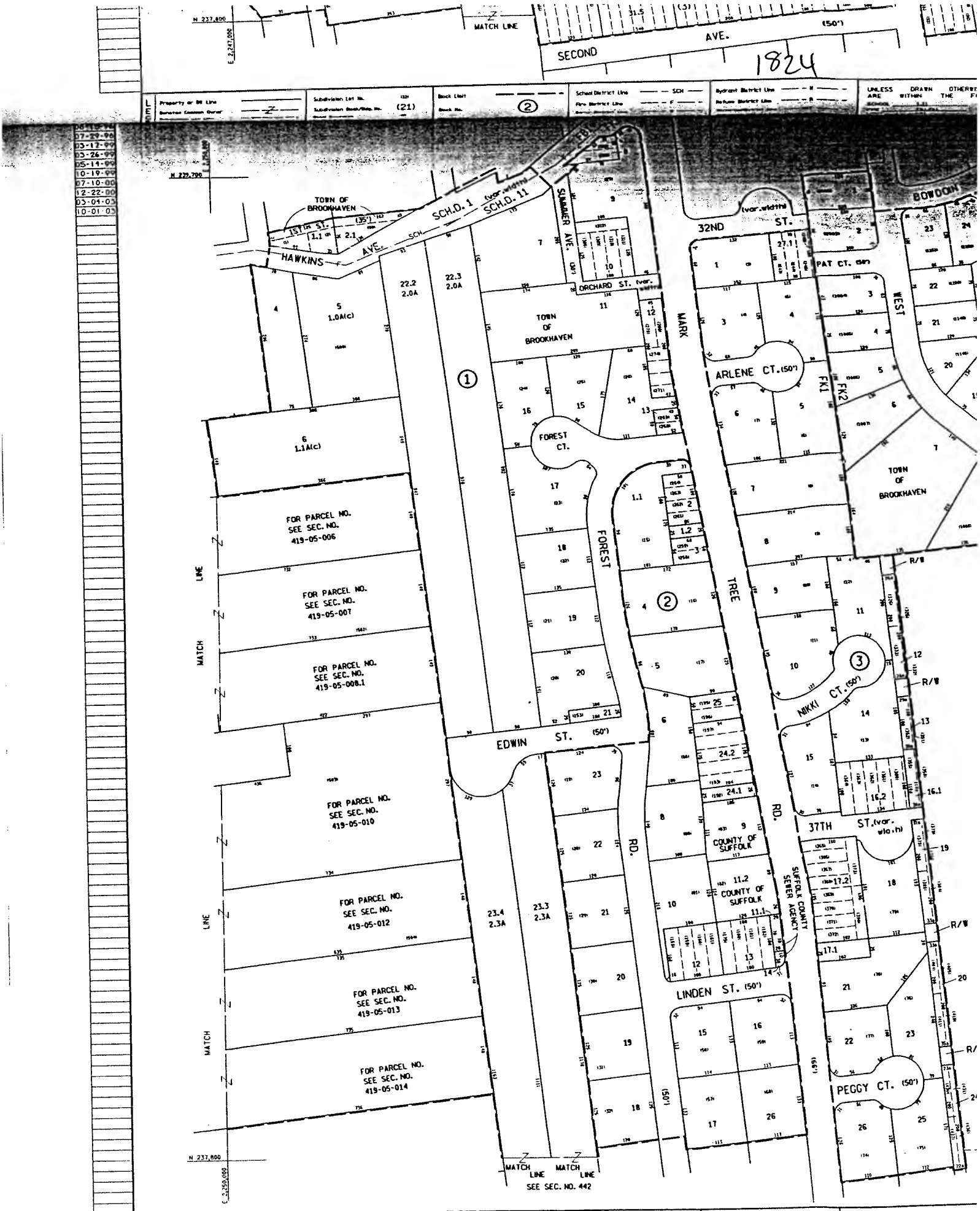
2008

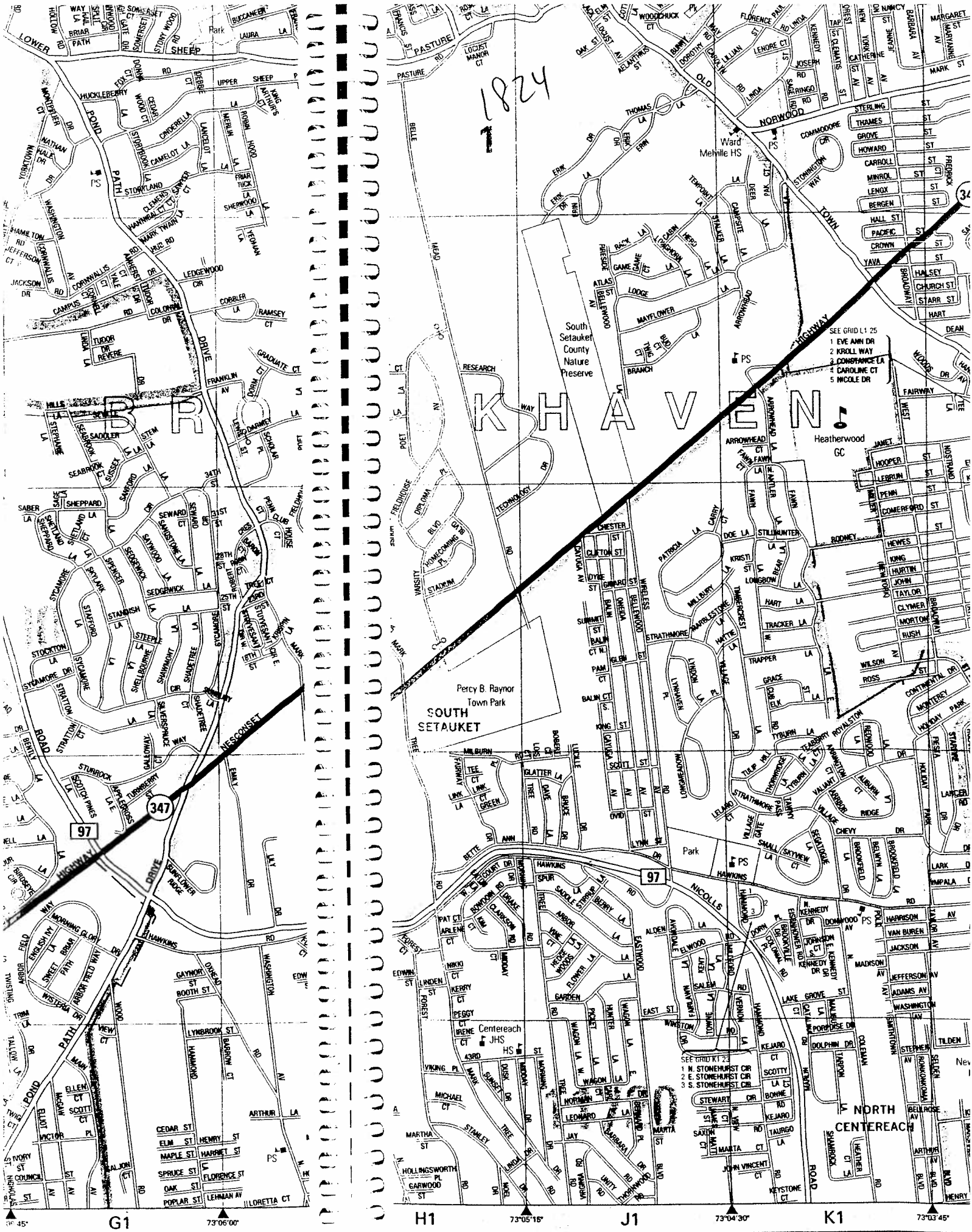
10. Name & Title of Preparer Signature of Preparer Date

Diane Bishop-LMS III Diane Bishop 8/5/08


County of Suffolk
ABLENE CT
FOREST CT
FOREST RD
Map created by Suffolk County Information Services © 2003-2005
0
74ft

1824


SECOND AVE. (50')
1824
MATCH LINE
N 237,800
E 2,247,000
N 239,700
TOWN OF BROOKHAVEN
HAWKINS AVE.
SCH.D. 1 (var. width)
SCH.D. 11
SUMMER AVE.
ORCHARD ST. (var.
32ND ST.
(var. width)
BOWDOIN
PAT CT. (50')
WEST
MARK TREE RD.
ARLENE CT. (50')
FK1
FK2
FOREST CT.
FOREST RD.
EDWIN ST. (50')
NIKKI CT. (50')
37TH ST. (var. width)
COUNTY OF SUFFOLK
SUFFOLK COUNTY SEWER AGENCY
LINDEN ST. (50')
PEGGY CT. (50')
FOR PARCEL NO. SEE SEC. NO. 419-05-006
FOR PARCEL NO. SEE SEC. NO. 419-05-007
FOR PARCEL NO. SEE SEC. NO. 419-05-008.1
FOR PARCEL NO. SEE SEC. NO. 419-05-010
FOR PARCEL NO. SEE SEC. NO. 419-05-012
FOR PARCEL NO. SEE SEC. NO. 419-05-013
FOR PARCEL NO. SEE SEC. NO. 419-05-014
MATCH LINE
SEE SEC. NO. 442
N 237,800
E 2,250,000
LEGEND
Property or Bill Line
Denotes Common Owner
Subdivision Lot Line
Stream / Shore
Subdivision Lot No.
Subdivision Block/Bldg. No. (21)
Bved Dimension
Scaled Dimension
Block Limit
Block No. 2
County Line
School District Line SCH
Fire District Line F
Water District Line W
Light District Line L
Hydrant District Line H
Refuse District Line P
Historical District Line HST
Assurance District Line A
UNLESS OTHERWISE, DRAWN WITHIN THE FOLLOW
ARE
SCHOOL 1,11
FIRE F1,FK2,FB1
LIGHT LX1
PARK
SEWER
HYDRAN
WATER
REFUSE
WASTE


1824
BR
KHAVEN
Ward Melville HS
South Setauket County Nature Preserve
Heatherwood GC
Percy B. Raynor Town Park
SOUTH SETAUKET
Centereach JHS
NORTH CENTEREACH
SEE GRID L1 25
1 EVE ANN DR
2 KROLL WAY
3 CONSTANCE LA
4 CAROLINE CT
5 NICOLE DR
SEE GRID K1 23
1 N. STONEHURST CIR
2 E. STONEHURST CIR
3 S. STONEHURST CIR
97
347
G1
73°06'00"
H1
73°05'15"
J1
73°04'30"
K1
73°03'45"

Joins Map 21

Gen A1

COUNTY OF SUFFOLK

AUG 18 2008

1824

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

August 13, 2008

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

Re: Tax Map Number: 0200-420.00-01.00-013.000

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

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. 1825-08 Laid on Table 9/16/08

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 #304

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
0100-068.00-01.00-046.019	2007/08	$ 5,031.49	0	$ 5,031.49
0100-083.00-04.00-096.000	2007/08	$22,853.12	0	$22,853.12

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   ResolutionXXX Local Law Charter Law

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

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

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

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

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

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

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

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

9. Timing of Impact
   Variable

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

Angie M. Carpenter
County Treasurer

Angie M. Carpenter 8/19/08

Additional back-up material regarding I.R. 1825 is on file in the Legislative Clerk's Office, Hauppauge.

Intro Res. No. 1826-08 Laid on Table 9/16/08

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 #305

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
0200-275.00-02.00-001.000 (Item #8012203)	2007/08	$75,189.90	0	$75,189.90
0500-120.00-03.00-062.000	1996/97	$11,870.36	0	$11,870.36

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1826

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	8/21/08

Additional back-up material regarding I.R. 1826 is on file in the Legislative Clerk's Office, Hauppauge.

Introductory Resolution No. 1827-08 Laid on Table 9/16/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT
ESTATE OF RUTH BERNKNOPF, by Kasriel B. Kastel, as Administrator CTA
0200-850.00-06.00-017.000
0200-879.00-03.00-027.000
0200-980.40-02.00-039.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 850.00, Block 06.00, Lot 017.000, and District 0200, Section 879.00, Block 03.00, Lot 027.000, and District 0200, Section 980.40, Block 02.00, Lot 039.000, and acquired by tax deed on August 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004, in Liber 12341, at Page 445, and otherwise known as and by;

PARCEL I – 0200-850.00-06.00-017.000, Town of Brookhaven, County of Suffolk and State of New York, known and designated as lot numbers 201 and 202 as shown on a certain map entitled Map of "Mastic Acres, Unit Eight" and filed in the Office of the Clerk of the County of Suffolk on the 18th of September, 1946 as Map No. 1501; and

PARCEL II – 0200-879.00-03.00-027.000, Town of Brookhaven, County of Suffolk and State of New York, known and designated as lot numbers 341 and 342 as shown on a certain map entitled Map of "Mastic Acres, Unit Eight" and filed in the Office of the Clerk of the County of Suffolk on the 18th of September, 1946 as Map No. 1501; and

PARCEL III – 0200-980.40-02.00-039.000, Town of Brookhaven, County of Suffolk and State of New York, known and designated as Lot # 261 as shown on a certain map entitled Map of "Shirley-Long Island Unit E" and filed in the Office of the Clerk of the County of Suffolk on March 27, 1951, as Map No. 1827; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on August 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.

WHEREAS, in accordance with Suffolk County Local Law 16-I976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, KASRIEL B. KASTEL, as Administrator CTA of the Estate of Ruth Bernknopf, has made application of said above described parcels and LUBAVITCH YOUTH ORGANIZATION has paid the application fee and $17,210.57, 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 ESTATE OF RUTH BERNKNOPF, by Kasriel B. Kastel, as Administrator CTA, 770 Eastern Parkway, Brooklyn, New York 11213, 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

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1827

1. Type of Legislation

Resolution X
Tax Map Numbers 0200-850.00-06.00-017.000
0200-879.00-03.00-027.000
0200-980.40-02.00-039.000

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 | 7/31/08

Gen A4

COUNTY OF SUFFOLK

1827

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

August 26, 2008

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

Re: Tax Map Nos. 0200-850.00-06.00-017.000
0200-879.00-03.00-027.000
0200-980.40-02.00-039.000
ESTATE OF RUTH BERNKNOPF, by Kasriel B. Kastel, as Administrator CTA

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.

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

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1827

July 31, 2008

Tax Map No.: 0200-850.00-06.00-017.000
Name of Last Legal Fee Owner: ESTATE OF RUTH BERNKNOPF, by Kasriel B. Kastel, as Administrator CTA

TREASURER'S COMPUTATION..... $7,229.51

Taxes.....2007/2008..... $ 885.03

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $8,114.54

Monies Received..... $8,114.54

RESOLUTION AMOUNT..... $8,114.54

PREPARED BY:

Lori Bertone
Redemption Unit
(631) 853-5932

APPROVED:

Karen A Slater 8/5/08
Accounting
LB:sc

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0200	850.00	06.00 1827	017.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2001/02	1102.24
2002/03	1173.79
2003/04	928.70
2004/05	988.26
2005/06	763.81
2006/07	827.86

2007/08 PROPERTY TAXES $885.03 NOT INCLUDED IN COMPUTATION

TOTAL:	5784.66
B. INTEREST DUE	1100.59
C. TOTAL	6885.25
D. 5% LINE C	344.26
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE	$7,229.51
07/08	885.03
	8,114.54

3/11/08 EB

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 07-Mar-08

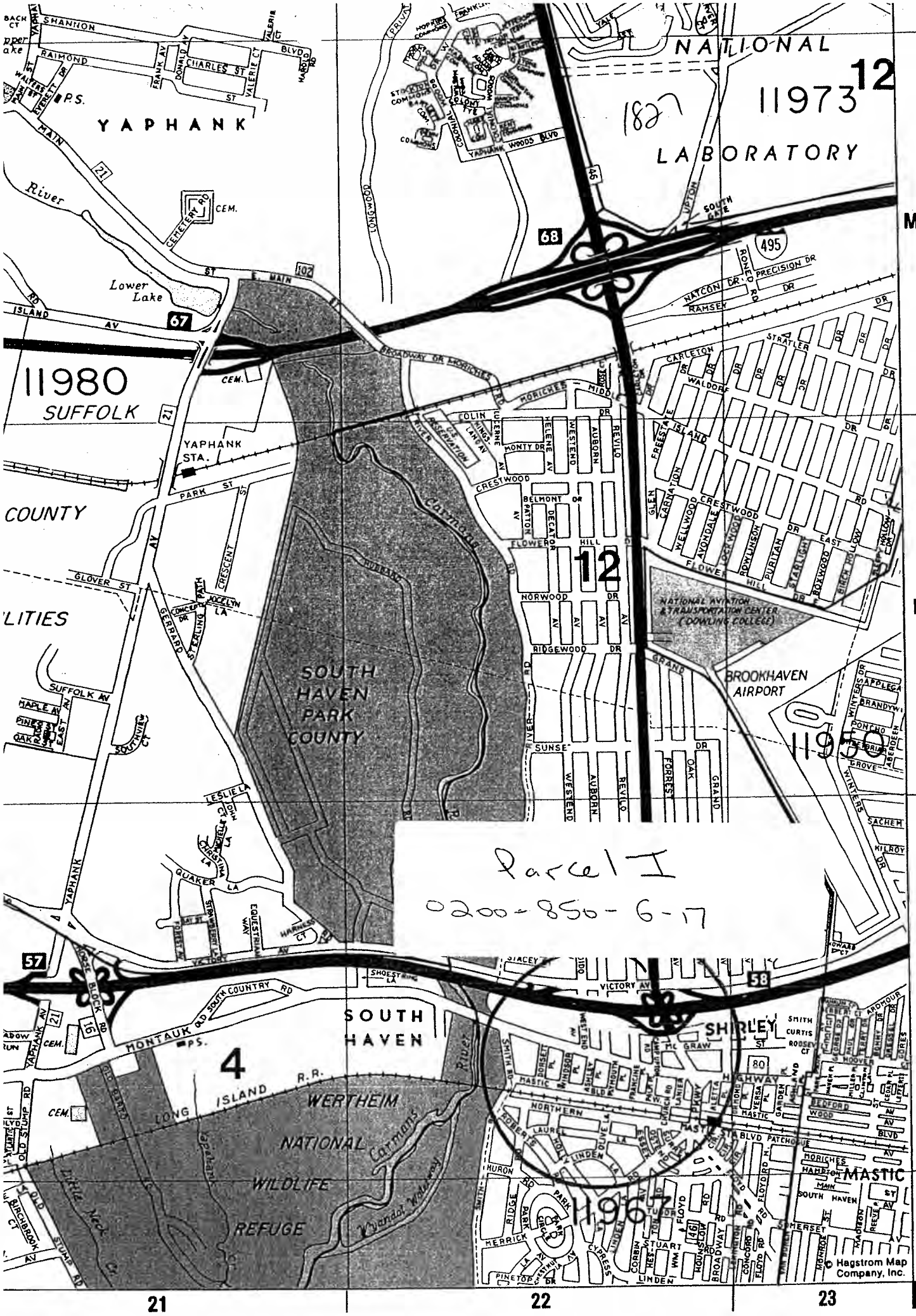
Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 09/03/08

dz

Parcel I

1827
WF Floyd
Plum Ad
S.-AM.D.
MAS.-AM.D.
(var.width)
Sunrise Highway
AUBORN
AVE.
REVILO
AVE.
TOWN OF BROOKHAVEN
BROOKHAVEN FIRE DISTRICT
1.4A(c)
0200-850-6-17
(var.width)
S.R. 27A
C.R. 80
Parcel I
GS2
Montauk Highway
PLYMOUTH PL.
FRANCINE
PL.
ASHLEY PL.
SHIRLEY
AMBULANCE DISTRICT
MATCH


YAPHANK
NATIONAL
LABORATORY
11973
12
1827
Lower Lake
River
11980
SUFFOLK
COUNTY
YAPHANK STA.
12
SOUTH HAVEN PARK COUNTY
NATIONAL AVIATION & TRANSPORTATION CENTER (DOWLING COLLEGE)
BROOKHAVEN AIRPORT
11950
Parcel I
0200-850-6-17
SOUTH HAVEN
4
WERTHEIM NATIONAL WILDLIFE REFUGE
SHIRLEY
MASTIC
11967
© Hagstrom Map Company, Inc.
M
N
O
21
22
23
17
FOR ADJOINING AREA SEE MAP NO.20 | SEE MAP NO.21

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1827

July 31, 2008

Tax Map No.: 0200-879.00-03.00-027.000
Name of Last Legal Fee Owner: ESTATE OF RUTH BERNKNOPF, by Kasriel B. Kastel, as Administrator CTA

TREASURER'S COMPUTATION..... $3,659.64

Taxes.....2007/2008..... $ 442.52

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $4,102.16

Monies Received..... $4,102.16

RESOLUTION AMOUNT..... $4,102.16

PREPARED BY:

Lori Bertone
Redemption Unit
(631) 853-5932

APPROVED:

Karen A Slater 8/8/08
Accounting
LB:sc

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0200	879.00	03.00	027.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES: 1827

2001/02	568.35
2002/03	604.10
2003/04	464.34
2004/05	494.14
2005/06	381.91
2006/07	413.93

2007/08 PROPERTY TAXES $442.52 NOT INCLUDED IN COMPUTATION

TOTAL: 2926.77

B. INTEREST DUE	558.60
C. TOTAL	3485.37
D. 5% LINE C	174.27
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE $3,659.64

07/08 442.52

4,102.16 3/11/08 ef

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 07-Mar-08

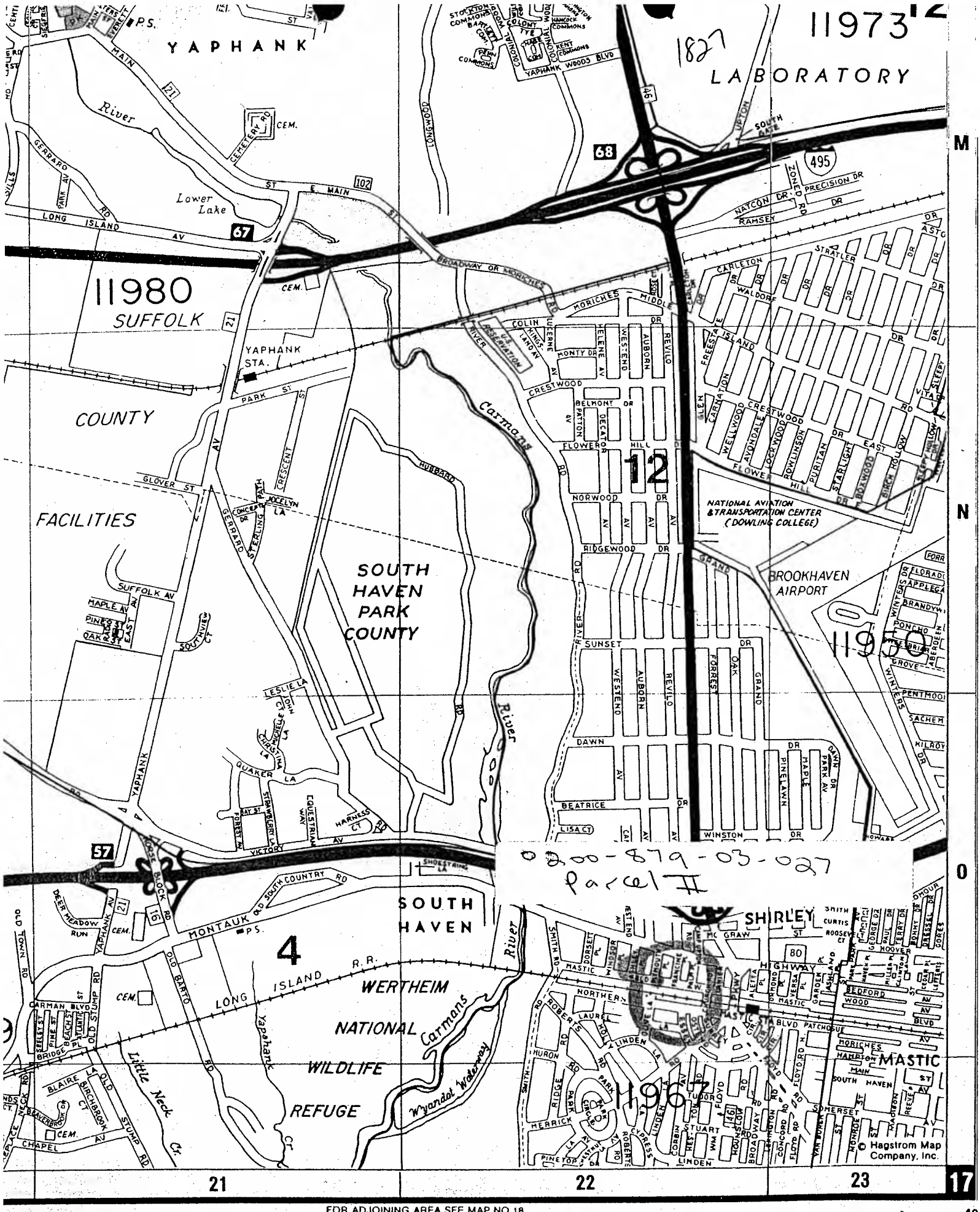
Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 09/03/08

dz

Parcel II

NOTICE MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE	COUNTY OF SUFFOLK © Real Property Tax Service Agency County Center, Riverhead, N.Y. 11901	KEY 849 850 851	TOWN OF BROOKHAVEN VILLAGE OF	SECTION NO 879	



0200-879-03-027
Parcel II

FOR ADJOINING AREA SEE MAP NO.18

1827

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

July 31, 2008

Tax Map No.: 0200-980.40-02.00-039.000
Name of Last Legal Fee Owner: ESTATE OF RUTH BERNKNOPF, by Kasriel B. Kastel, as Administrator CTA

TREASURER'S COMPUTATION..... $4,440.73

Taxes.....2007/2008..... $ 553.14

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $4,993.87

Monies Received..... $4,993.87

RESOLUTION AMOUNT..... $4,993.87

PREPARED BY:

Lori Bertone
Redemption Unit
(631) 853-5932

APPROVED:

Karen A Slater 8/8/08
Accounting
LB:sc

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0200	980.40	02.00 1827	039.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2001/02	677.18
2002/03	721.88
2003/04	562.69
2004/05	598.27
2005/06	477.39
2006/07	517.42

2007/08 PROPERTY TAXES $553.14 NOT INCLUDED IN COMPUTATION

	TOTAL:	3554.83
B. INTEREST DUE		674.44
C. TOTAL		4229.27
D. 5% LINE C		211.46
E. FEE		
F. MISC		
G. MISC		
H. TOTAL DUE		$4,440.73
	07/08	553.14
		4,993.87

3/11/08 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. 07-Mar-08

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 09/03/08

dz

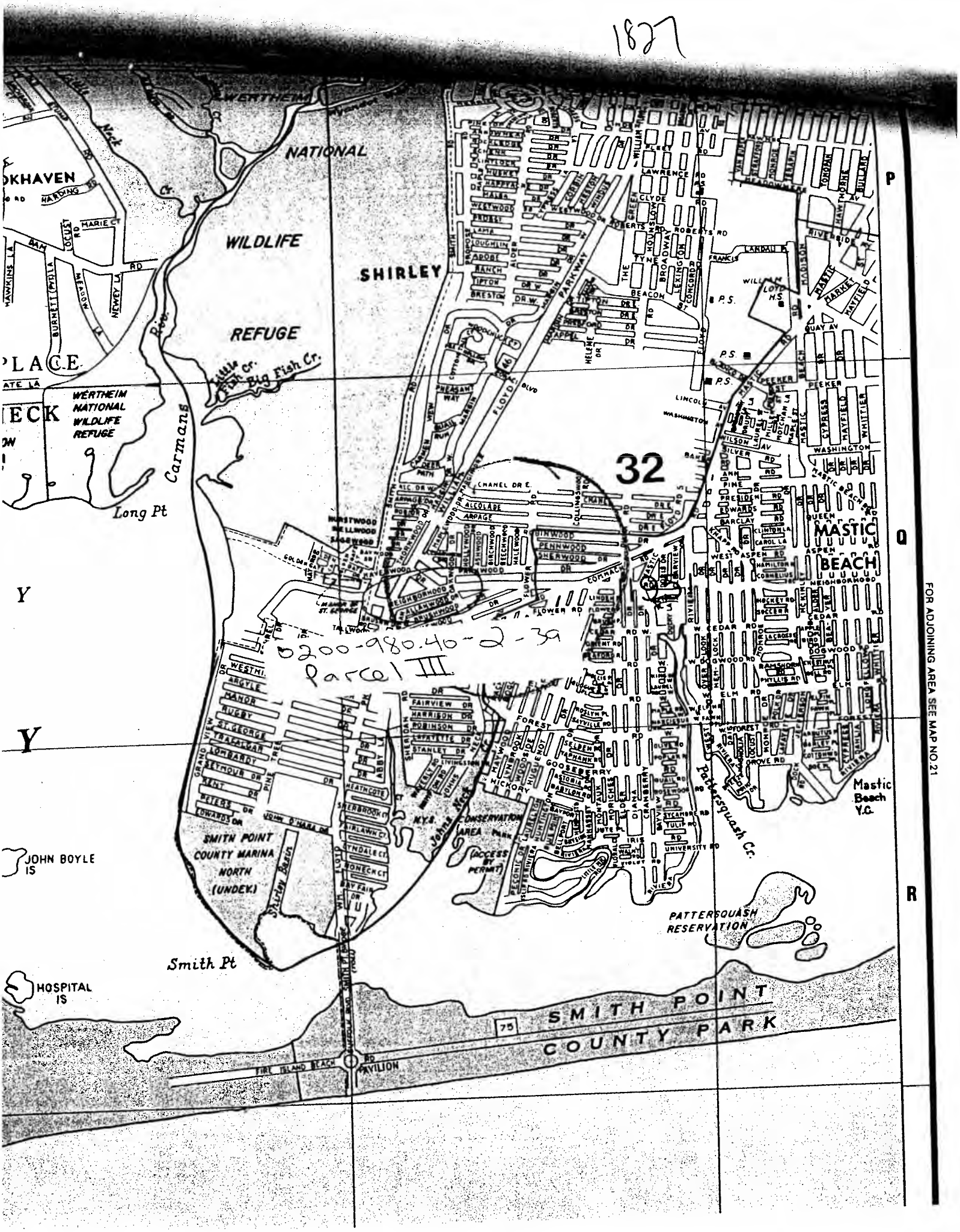
Parcel III

4/20/2006 9:32:10 AM \\R4\rp\Draft\mge\0200\prod\2098040x.dgn x = 2314056.75 y = 1

DSBL: 0200 98040 0200 039000

L81

1827



0200-980.40-2-39
Parcel III

Introductory Resolution No. 1828-08 Laid on Table 9/16/08

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 GERRI A. TOMAN (SCTM NO. 0200-051.00-04.00-059.000)

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 051.00 Block 04.00 Lot 059.000 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. 6894 on a certain map entitled "Map of Sound Beach, Sec. 3B" filed in the Office of the Clerk of the County of Suffolk on June 19, 1929 as Map No. 529; 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, Gerri A. Toman, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $2,500.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at $2,500.00, 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 $2,500.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED,** that the Director, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Gerri A. Toman, 12 Meadowbrook Drive, Sound Beach, New York 11789.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1828

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. 0200-051.00-04.00-059.000

ADJOINING OWNER	BID	BID	BID
Gerri A. Toman 12 Meadowbrook Dr. Sound Beach, NY 11789 0200-051.00-04.00-058.000	$2,500.00		
Richard & Maureen Hall 21 Nesponsit Road Sound Beach, NY 11789 0200-051.00-04.00-050.001	$0		
William & Tammie Smith 8 Meadowbrook Road Sound Beach, NY 11789 0200-073.00-06.00-008.001	$0		

SIZE OF PARCEL: 20' x 100'
APPRAISED VALUE: $2,500.00
COMMENT: Direct Sale to Adjacent Owner

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

1828

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

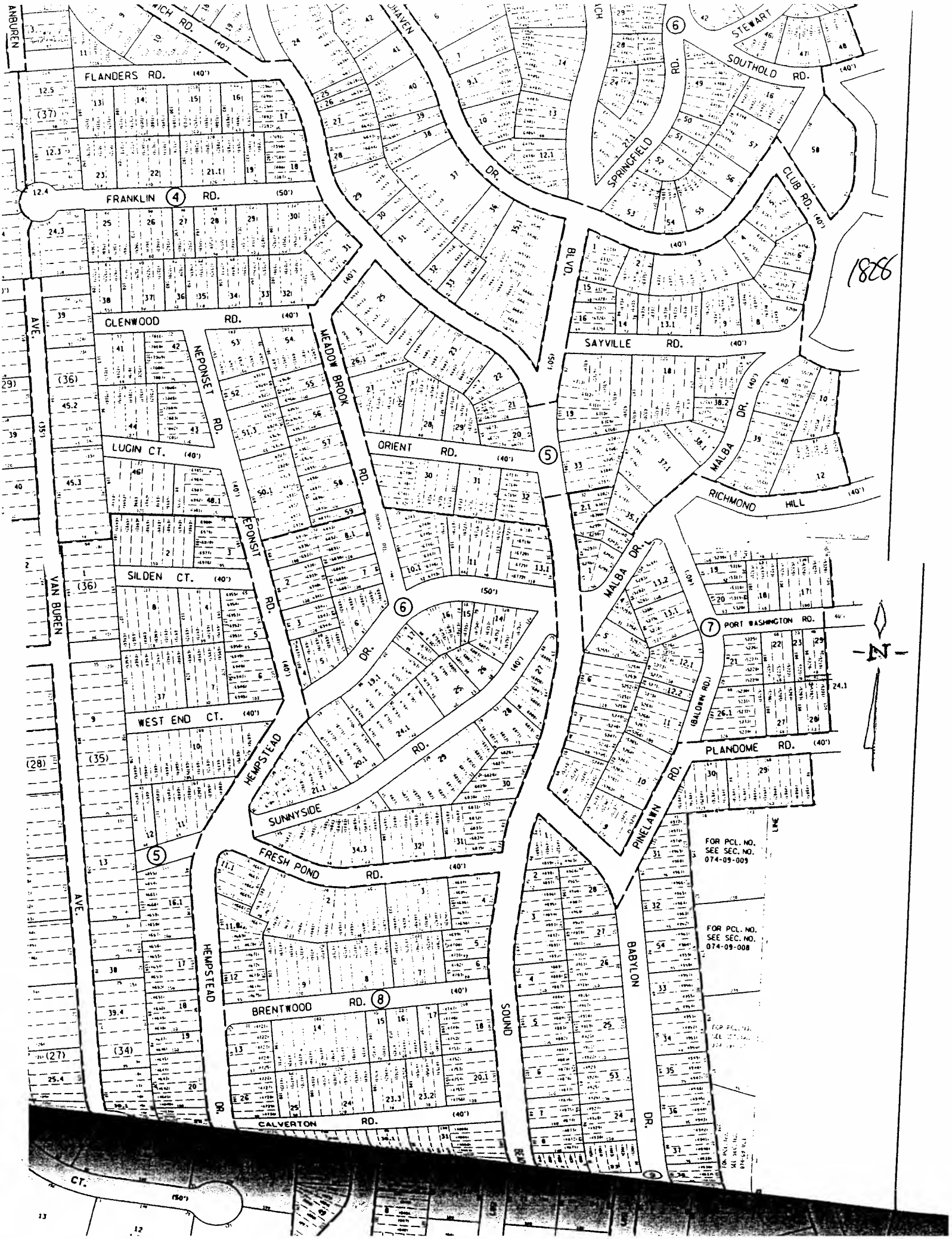
9. Timing of Impact

2008

10. Name & Title of Preparer Signature of Preparer Date

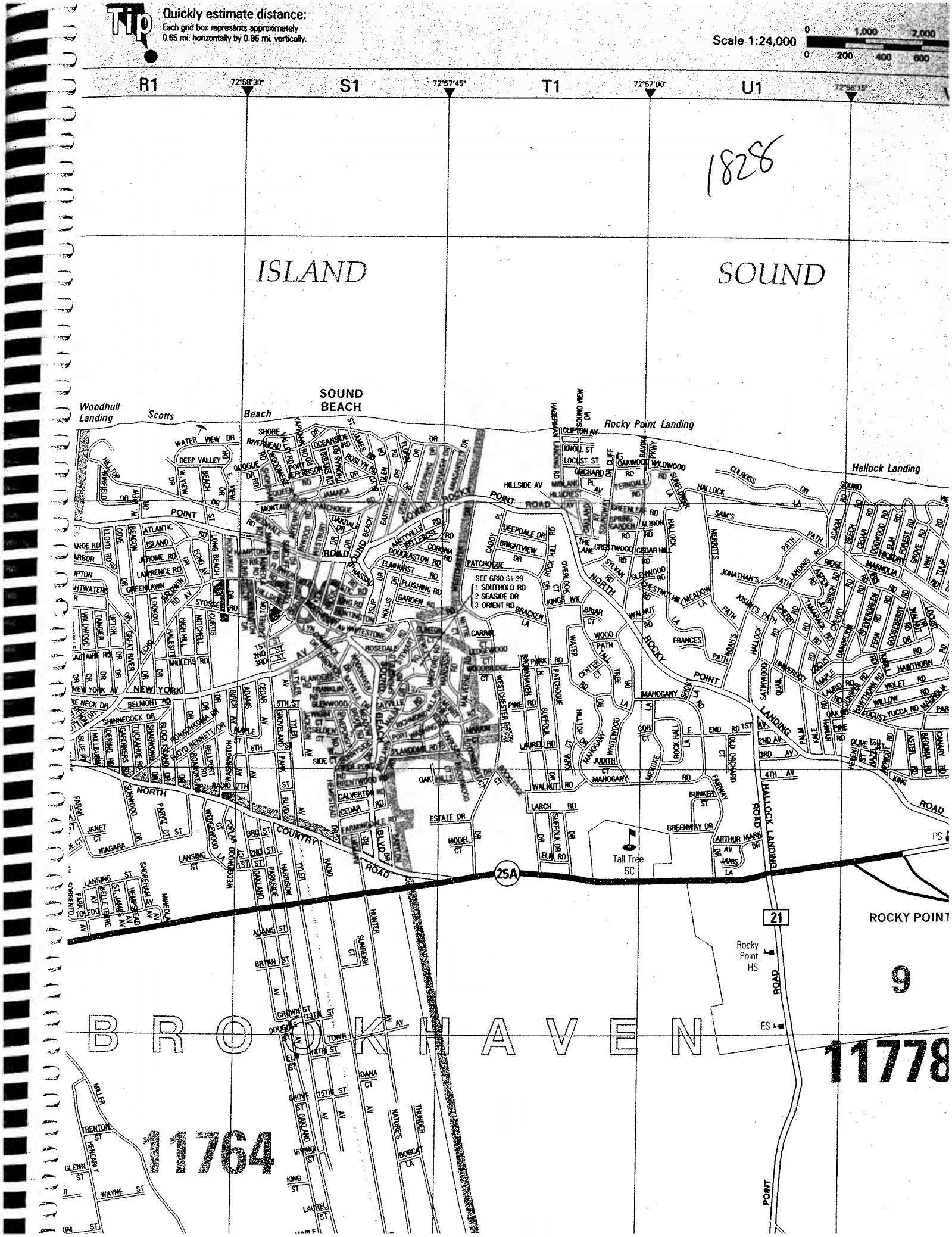
Diane Bishop
LMS-III

Diane Bishop 8/13/08


FLANDERS RD.
FRANKLIN RD.
GLENWOOD RD.
LUGIN CT.
SILDEN CT.
WEST END CT.
NEPONSET RD.
MEADOW BROOK RD.
ORIENT RD.
SPRINGFIELD DR.
SOUTHOLD RD.
STEWART RD.
CLUB RD.
SAYVILLE RD.
MALBA DR.
RICHMOND HILL
PORT WASHINGTON RD.
BALDWIN RD.
PINELAWN RD.
PLANDOME RD.
HEMPSTEAD
SUNNYSIDE RD.
FRESH POND RD.
BRENTWOOD RD.
CALVERTON RD.
BABYLON
SOUND
VAN BUREN
FOR PCL. NO. SEE SEC. NO. 074-09-009
FOR PCL. NO. SEE SEC. NO. 074-09-008
1826
N

8281

TM# 0200-051.00-04.00-059.000


Tip
Quickly estimate distance:
Each grid box represents approximately 0.65 mi. horizontally by 0.86 mi. vertically.
Scale 1:24,000
0 1,000 2,000
0 200 400 600
R1
72°58'30"
S1
72°57'45"
T1
72°57'00"
U1
72°56'15"
1828
ISLAND
SOUND
SOUND BEACH
Woodhull Landing
Scotts Beach
Rocky Point Landing
Hallock Landing
SEE GRID S1 29
1 SOUTHOLD RD
2 SEASIDE DR
3 ORIENT RD
Tall Tree GC
25A
21
ROCKY POINT
Rocky Point HS
9
BROOKHAVEN
11778
11764

Gen A5

COUNTY OF SUFFOLK

1828 AUG 27 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

August 26, 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: 0200-051.00-04.00-059.000

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

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. 1829-08 Laid on Table 9/16/08

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
SAUL BONILLA
0500-094.00-03.00-134.001

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 094.00, Block 03.00, Lot 134.001, and acquired by tax deed on July 10, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2006, in Liber 12459, at Page 600, and otherwise known as and by Town of Islip, known as Suffolk County Tax Map Number: District 0500, Section 094.00, Block 03.00, Lot 134.001; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 10, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2006 in Liber 12459 at Page 600.

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, HSBC MORTGAGE SERVICES, as Mortgagee, has made application of said above described parcel and HSBC MORTGAGE SERVICES, as Mortgagee, has paid the application fee and $749.95, 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 SAUL BONILLA, 11 Brevoort Place, Brentwood, New York 11717, 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

1929

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

July 31, 2008

Tax Map No.: 0500-094.00-03.00-134.001
Name of Last Legal Fee Owner: SAUL BONILLA

TREASURER'S COMPUTATION..... $749.95

Taxes.....2007/2008..... Paid to Town of Islip

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $749.95

Monies Received..... $749.95

RESOLUTION AMOUNT..... $749.95

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

APPROVED:

Karen A Slater 8/6/08
Accounting
CO:sc

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1829

1. Type of Legislation

Resolution X
Tax Map Number 0500-094.00-03.00-134.001

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

4. Will the Proposed Legislation have a fiscal impact? Yes X No____

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

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

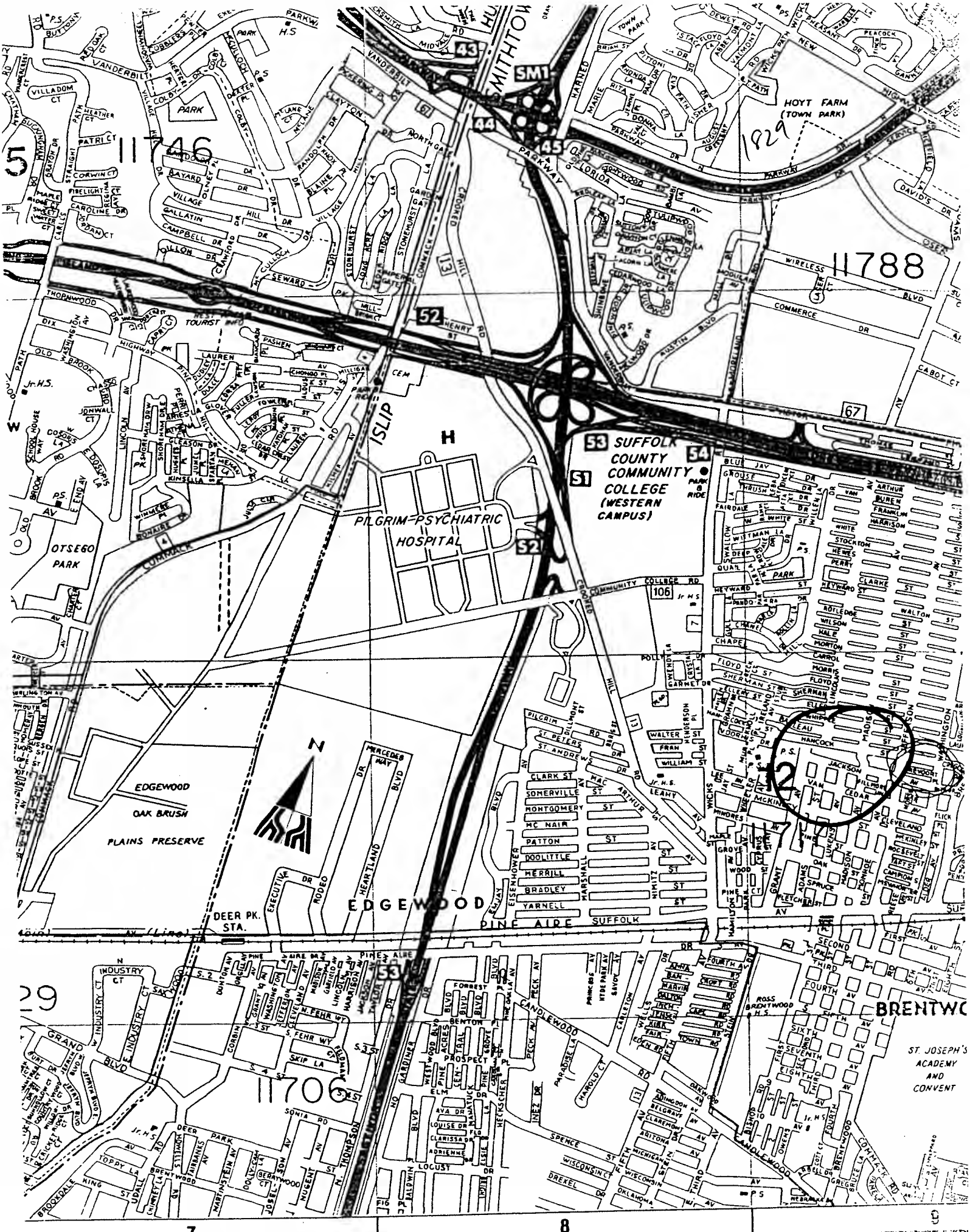
N/A

9. Timing of Impact

2008

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

Cathy O'Neal Cathy O'Neal 7/31/08



FOR ADJOINING AREA SEE MAP NO.9

0500094 03 134.001

PROPERTIES DISTRICTS:

NOTICE

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

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

KEY MAP

TOWN OF ISLIP
VILLAGE OF
DISTRICT NO 0500

SECTION NO
094
PROPERTY MAP

CONVERSION DATE: Mar 04, 1998

0500 094 03 134.001

Gen Ab

COUNTY OF SUFFOLK

AUG 1 4 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

1829

August 12, 2008

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

Re: Tax Map No. 0500-094.00-03.00-134.001
SAUL BONILLA

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.

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. 1830-08 Laid on Table 9/16/08

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
JOHN MANNINO and CATERINA MANNINO, his wife
0500-255.00-01.00-025.000

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 255.00, Block 01.00, Lot 025.000, and acquired by tax deed on July 2, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 13, 2007, in Liber 12513, at Page 418, and otherwise known as and by Town of Islip, Suffolk County Tax Map Number: District 0500, Section 255.00, Block 01.00, Lot 025.000; and

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

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

WHEREAS, CATERINA MANNINO has made application of said above described parcel and CATERINA MANNINO has paid the application fee and $56,565.71, 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 JOHN MANNINO and CATERINA MANNINO, his wife, 740 Sycamore Avenue, Bohemia, New York 11716, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

50.I

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1830

July 31, 2008

Tax Map No.: 0500-255.00-01.00-025.000
Name of Last Legal Fee Owner: JOHN MANNINO and CATERINA MANNINO, his wife

TREASURER'S COMPUTATION..... $49,076.27

Taxes.....2007/2008..... $ 7,489.44

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $56,565.71

Monies Received..... $56,565.71

RESOLUTION AMOUNT..... $56,565.71

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

APPROVED:

Karen A. Slater 8/6/08
Accounting
CO:sc

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1830

1. Type of Legislation

Resolution X
Tax Map Number 0500-255.00-01.00-025.000

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 8/4/08

COMPUTATIO! :Y SUFFOLK COUNTY TRE/ JRER

DISTRICT	SECTION	BLOCK	LOT
0500	255.00	01.00	025.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES: 1830

2002/03	8901.96
2003/04	9424.99
2004/05	9268.35
2005/06	8947.62
2006/07	7142.40

2007/08 PROPERTY TAXES $7489.44 NOT INCLUDED IN COMPUTATION

TOTAL: 43685.32

B. INTEREST DUE	3053.98
C. TOTAL	46739.30
D. 5% LINE C	2336.97
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE $49,076.27

7489.44 2007/08

$56,565.71

3/21/08 CF

CERTIFICATION BY COUNTY TREASURER

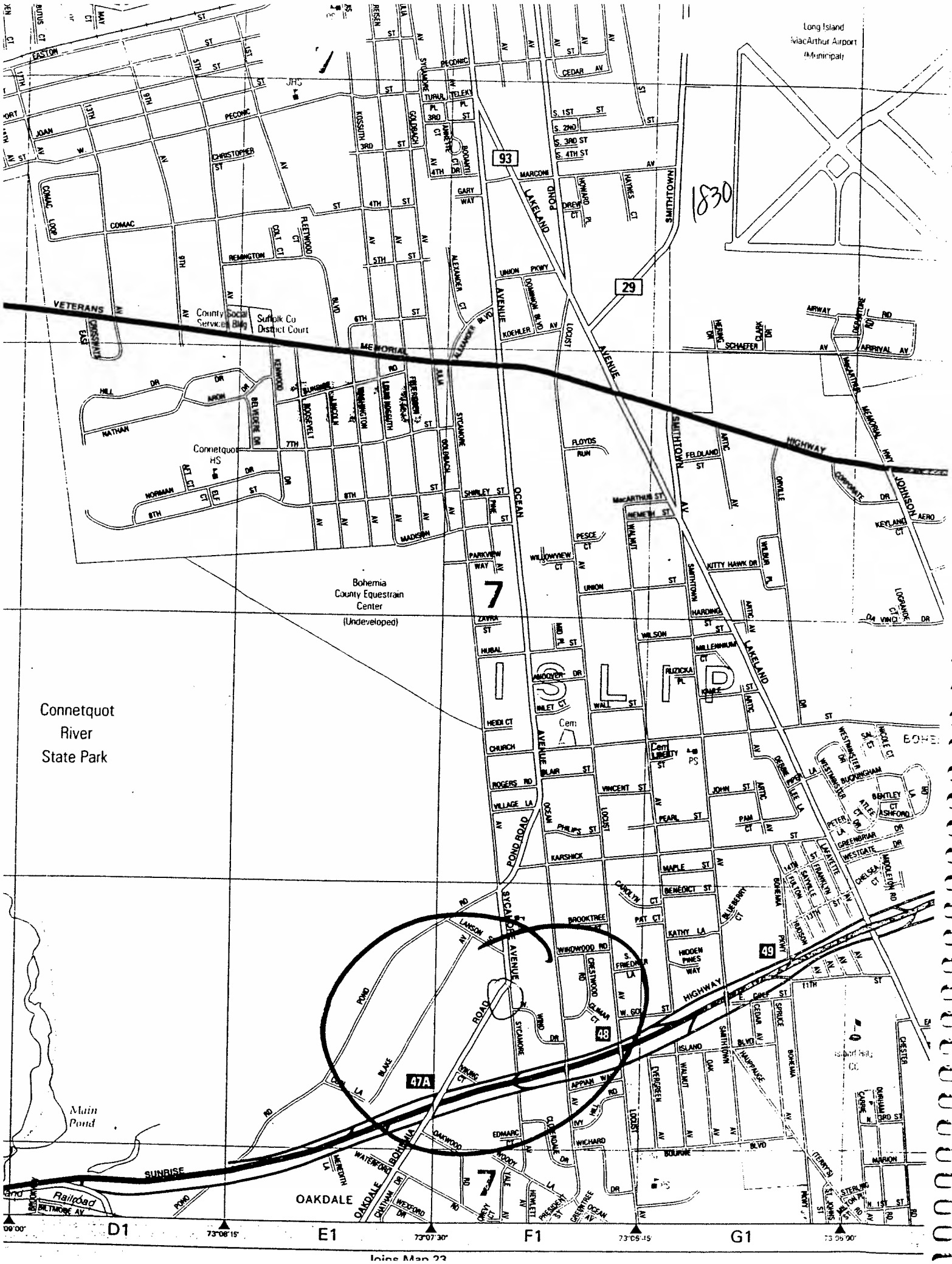
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

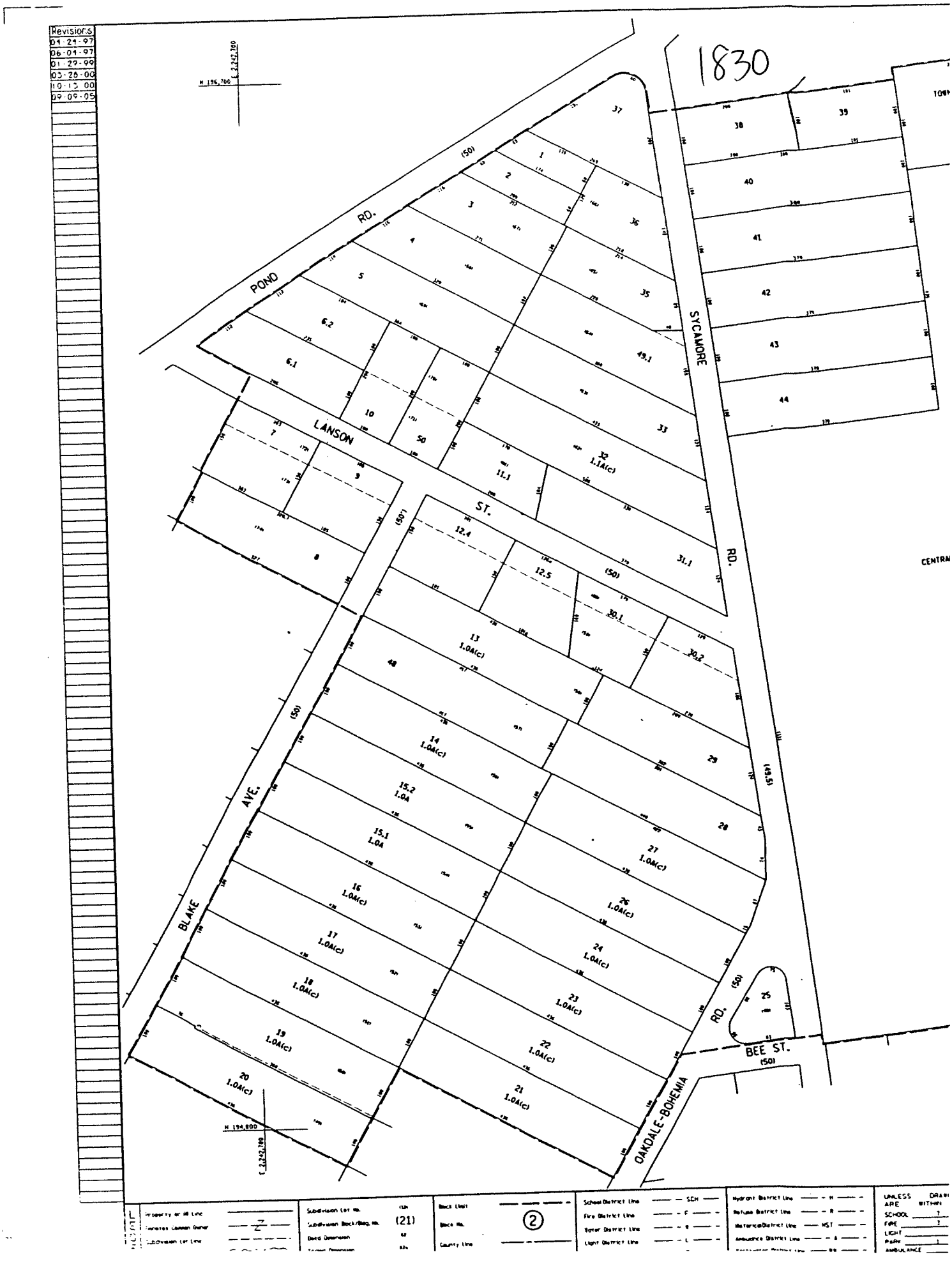
IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 19-Mar-08

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 09/15/08

dz


Long Island MacArthur Airport (Municipal)
1830
County Social Services Bldg
Suffolk Co District Court
Connetquot HS
Bohemia County Equestrain Center (Undeveloped)
Connetquot River State Park
Main Pond
OAKDALE
Railroad
VETERANS MEMORIAL HIGHWAY
SUNRISE HIGHWAY
LAKELAND AVENUE
SMITHTOWN AVENUE
OCEAN AVENUE
POND ROAD
SYCAMORE AVENUE
BOHEMIA ROAD
93
29
49
48
47A
7
D1
E1
F1
G1
73°08'15"
73°07'30"
73°06'45"
73°06'00"
Joins Map 23



Revisions
04-24-97
06-04-97
01-29-99
03-28-00
10-13-00
09-09-05
1830
POND RD.
LANSON ST.
SYCAMORE RD.
BLAKE AVE.
OAKDALE-BOHEMIA RD.
BEE ST.
CENTRA
N 196,700
E 2,242,700
N 194,800
E 2,242,700
(50)
(50')
(49.5)
37
1
2
3
4
5
6.2
6.1
10
50
7
9
8
36
35
49.1
33
32
1.1A(c)
11.1
31.1
12.4
12.5
30.1
30.2
13
1.0A(c)
48
14
1.0A(c)
15.2
1.0A
15.1
1.0A
16
1.0A(c)
17
1.0A(c)
18
1.0A(c)
19
1.0A(c)
20
1.0A(c)
21
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1.0A(c)
23
1.0A(c)
24
1.0A(c)
26
1.0A(c)
27
1.0A(c)
28
29
25
38
39
40
41
42
43
44
Property or Ill Line
Fenestes Common Owner
Subdivision Lot Line
Subdivision Lot No.
Subdivision Block/Bldg. No.
(21)
Deed Dimension
Scale Dimension
Block Limit
Block No.
2
County Line
School District Line
Fire District Line
Water District Line
Light District Line
Hydrant District Line
Refuse District Line
Historical District Line
Ambulance District Line
UNLESS ARE WITHIN
SCHOOL
FIRE
LIGHT
PARK
AMBULANCE

Gen A7

COUNTY OF SUFFOLK

1830

AUG 1 4 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

August 12, 2008

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

Re: Tax Map No. 0500-255.00-01.00-025.000
JOHN MANNINO and CATERINA MANNINO, 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

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. 1831-08 Laid on Table 9/16/08

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
WARTHOG, INC.
0100-112.00-01.00-046.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 112.00, Block 01.00, Lot 046.000, and acquired by tax deed on May 14, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 15, 2007, in Liber 12505, at Page 268, and otherwise known as and by Town of Babylon, Filed Map 700 Sec. 5 Lots 2645-2647 Inc. & E. Pt. 2648; and

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

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

WHEREAS, WARTHOG, INC., by Anton J. Borovina, has made application of said above described parcel and WARTHOG, INC., by Anton J. Borovina, has paid the application fee and $47,150.22, 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 WARTHOG, INC., c/o Anton J. Borovina, Borovina & Marullo PLLC, Attorneys at Law, 445 Broad Hollow Road, Suite 334, Melville, New York 11747, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

50.I

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1831

July 10, 2008

Tax Map No.: 0100-112.00-01.00-046.000
Name of Last Legal Fee Owner: WARTHOG, INC.

TREASURER'S COMPUTATION..... $40,183.37

Taxes.....2007/2008..... $ 6,966.85

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $47,150.22

Monies Received..... $47,150.22

RESOLUTION AMOUNT..... $47,150.22

APPROVED:

Karen A. Slater 8/6/08
Accounting
CO:sc

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

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1831

1. Type of Legislation

Resolution X
Tax Map Number 0100-112.00-01.00-046.000

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 | 7/31/08

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0100	112.00	01.00	046.000

1831

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2002/03	4192.34
2003/04	8416.38
2004/05	8228.86
2005/06	7690.56
2006/07	6634.70

2007/08 PROPERTY TAXES $6966.85, NOT INCLUDED IN COMPUTATION

TOTAL:	35162.84
B. INTEREST DUE	3107.04
C. TOTAL	38269.88
D. 5% LINE C	1913.49
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$40,183.37

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.

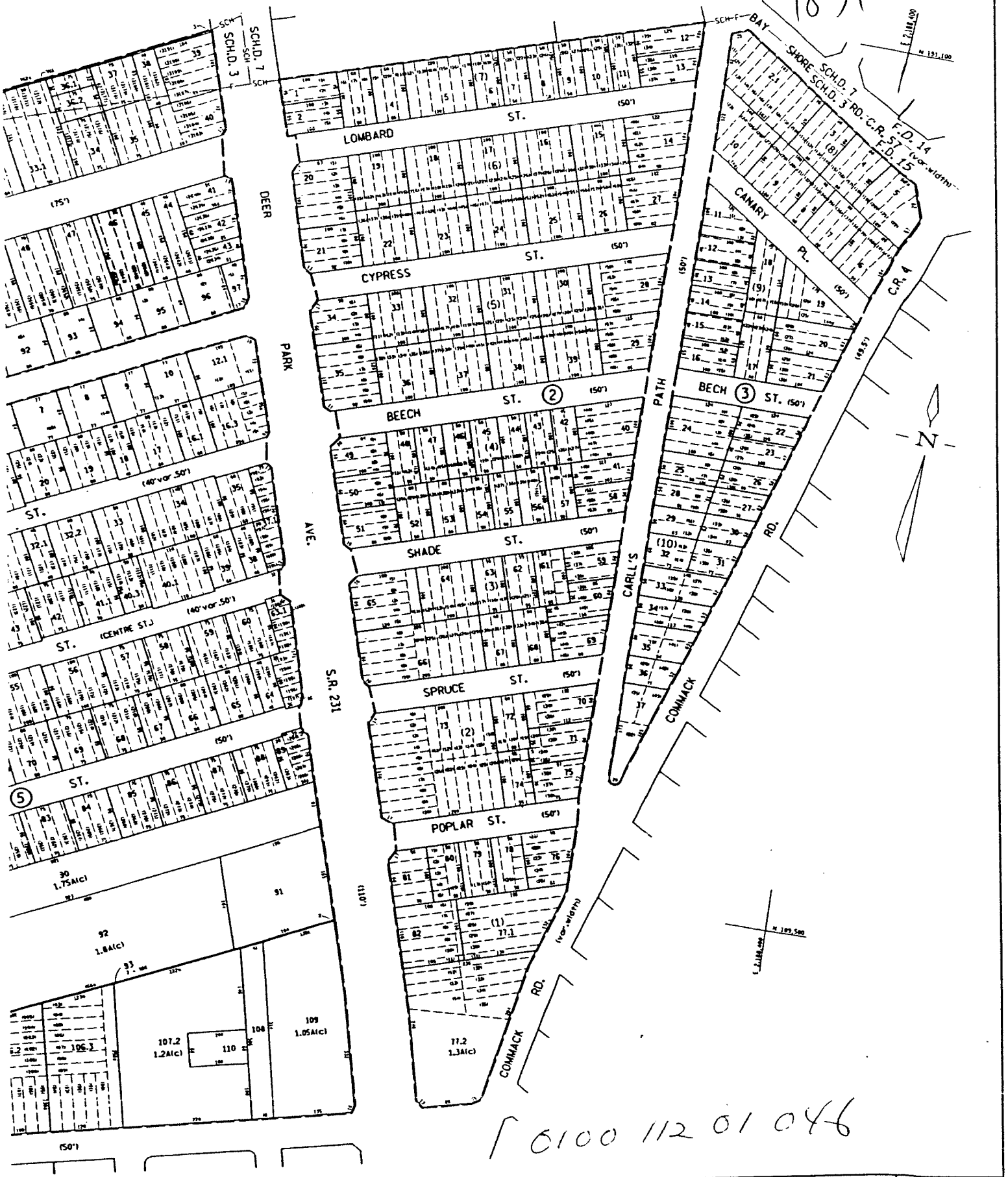
IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 21-May-08

Diane M. Stuke
Deputy County Treasurer

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

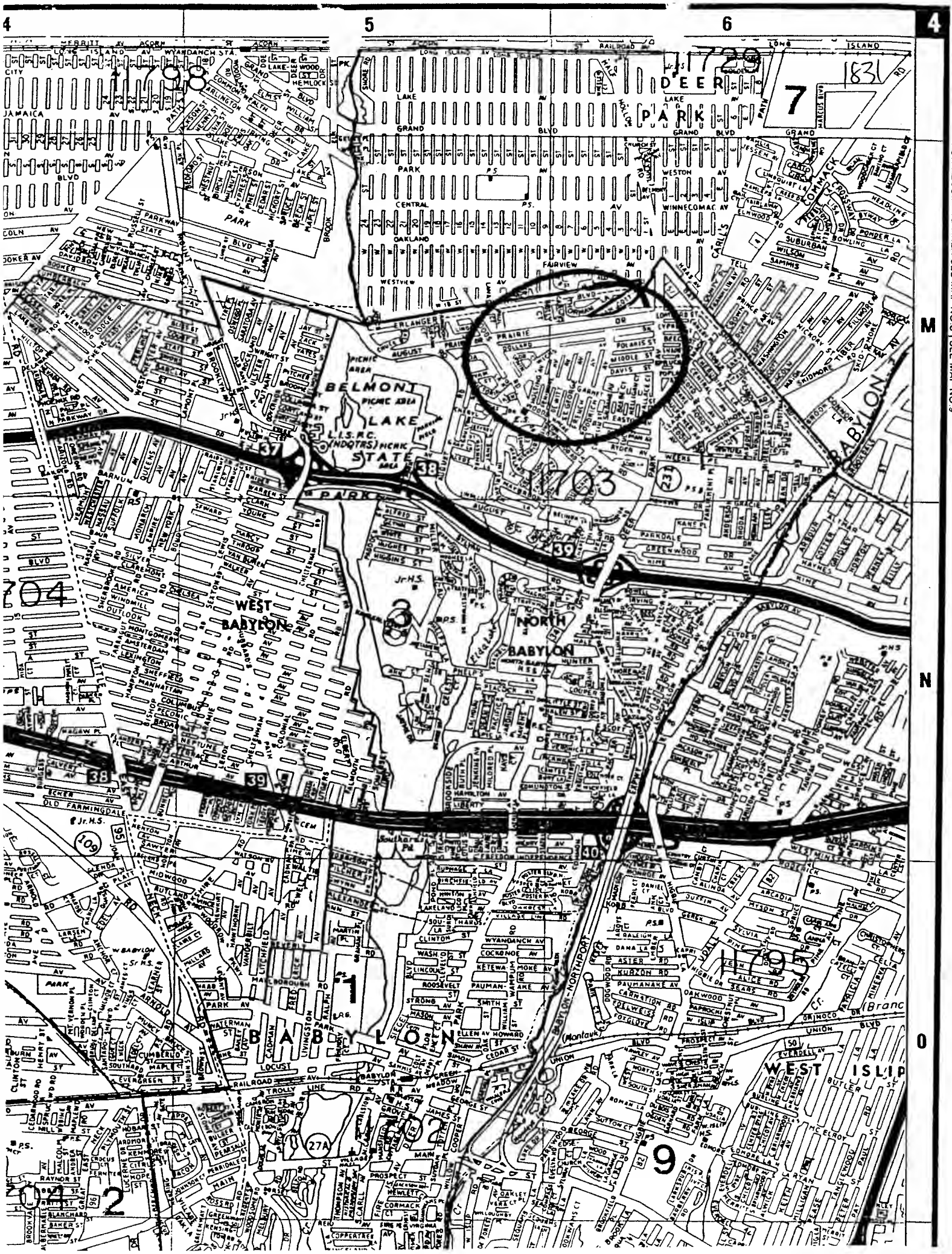
dz

1831



0100 112 01 046

ALL PROPERTIES DISTRICTS:	NOTICE	COUNTY OF SUFFOLK © Real Property Tax Service Agency County Center Riverhead, N Y 11901	KEY MAP	TOWN OF BABYLON	SECTION NO
OWING ER	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.	SCALE IN FEET:		VILLAGE OF	112
RANT ER USE TEWATER				DISTRICT NO 0100	PROPERTY MAP


4
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O
DEER PARK
BELMONT LAKE STATE PARK
WEST BABYLON
NORTH BABYLON
BABYLON
WEST ISLIP
1831
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1702
1704
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2
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38
39
40
27A
109
Jr.H.S.
Sr.H.S.
Southards Pd
BABYLON-NORTHPORT
(Montauk)
(Branc
FOR ADJOINING AREA SEE MAP NO.8 | SEE MAP NO.9

Gen A8

COUNTY OF SUFFOLK

AUG 14 2008

1831

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

August 12, 2008

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

Re: Tax Map No. 0100-112.00-01.00-046.000
WARTHOG, INC.

Dear Mr. Zwirn:

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

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

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

Very truly yours,

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

CEK:sc

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

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

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

53

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. 1832-08 Laid on Table 9/16/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO.
SALE OF COUNTY-OWNED REAL ESTATE
PURSUANT TO SECTION 72-h OF THE
GENERAL MUNICIPAL LAW
(TOWN OF BROOKHAVEN)
(SCTM NO. 0200-929.00-02.00-009.001)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 929.00, Block 02.00, Lot 009.001 and acquired by Tax Deed on March 19, 1987 from General L. Rains, the Deputy County Treasurer of Suffolk County, New York, and recorded on March 19, 1987 in Liber 10274 at Page 389 and described as follows, Town of Brookhaven, being and intended to be that parcel of land carried on the tax rolls of the Town of Brookhaven under Suffolk County Tax Map No. District 0200, Section 929.00, Block 02.00, Lot 009.001; and

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

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

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

1st **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said Town of Brookhaven for the sum of $6,214.74 plus the pro rata share of the current tax adjustment due at closing; and be it further

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

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

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

DATED: _____

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

Exhibit A

ADOPTED
BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 462-08 1832
MEETING OF MAY 20, 2008

AUTHORIZATION TO ACQUIRE VACANT PARCEL OF SUFFOLK COUNTY OWNED LAND FOR HIGHWAY PURPOSES PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW - MARTHA AVENUE, BELLPORT

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

WHEREAS, there is a vacant parcel of Suffolk County owned land located on South Coleman Road, Centereach, further identified as SCTM No. 200-929-2-9.1 as shown on the attached map; and

WHEREAS, the Town Board of the Town of Brookhaven, Suffolk County, New York is interested in acquiring said parcel of real property for highway purposes for a total consideration not to exceed $6,214.74 plus pro-rata taxes at the time of closing; and

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

WHEREAS, the Town Board of the Town of Brookhaven is aware that the restrictive covenants described above will run with the land and shall bind the heirs, successors, and assigns of the Town of Brookhaven and in the event of any violation of the restrictive

covenants stated above, the Deed conveying said parcel shall be void ab initio and title to the realty shall revert to the County of Suffolk; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel further identified as SCTM No. 0200-929-2-9.1, and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed $6,214.74 plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above.

1832

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

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES
TOWN OF BROOKHAVEN

Tax Map No.: 0200-929.00-02.00-009.001

Section 72-h, Gen'l Municipal Law

		Amount
County Investment		$ 6,214.74
	TOTAL	$ 6,214.74

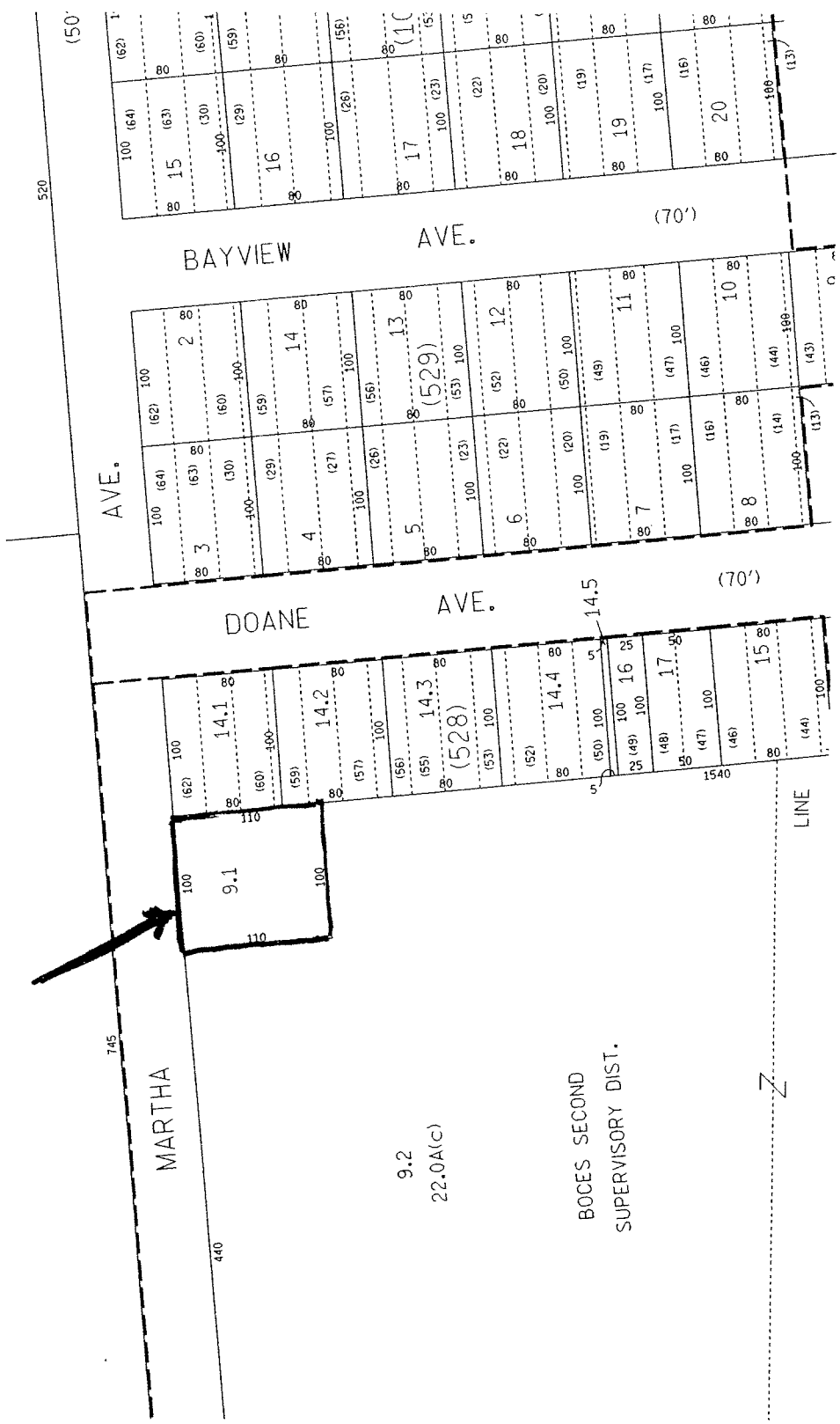
PURPOSE:

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

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

WRT: slb

1832



-TM# 0200-929.00-02.00-009.001

TM# 0200-929.00-02.00-009.001
UNNAMED ST
MARTHA AV
DOANE AV
Suffolk County Department of Information Technology © 2008
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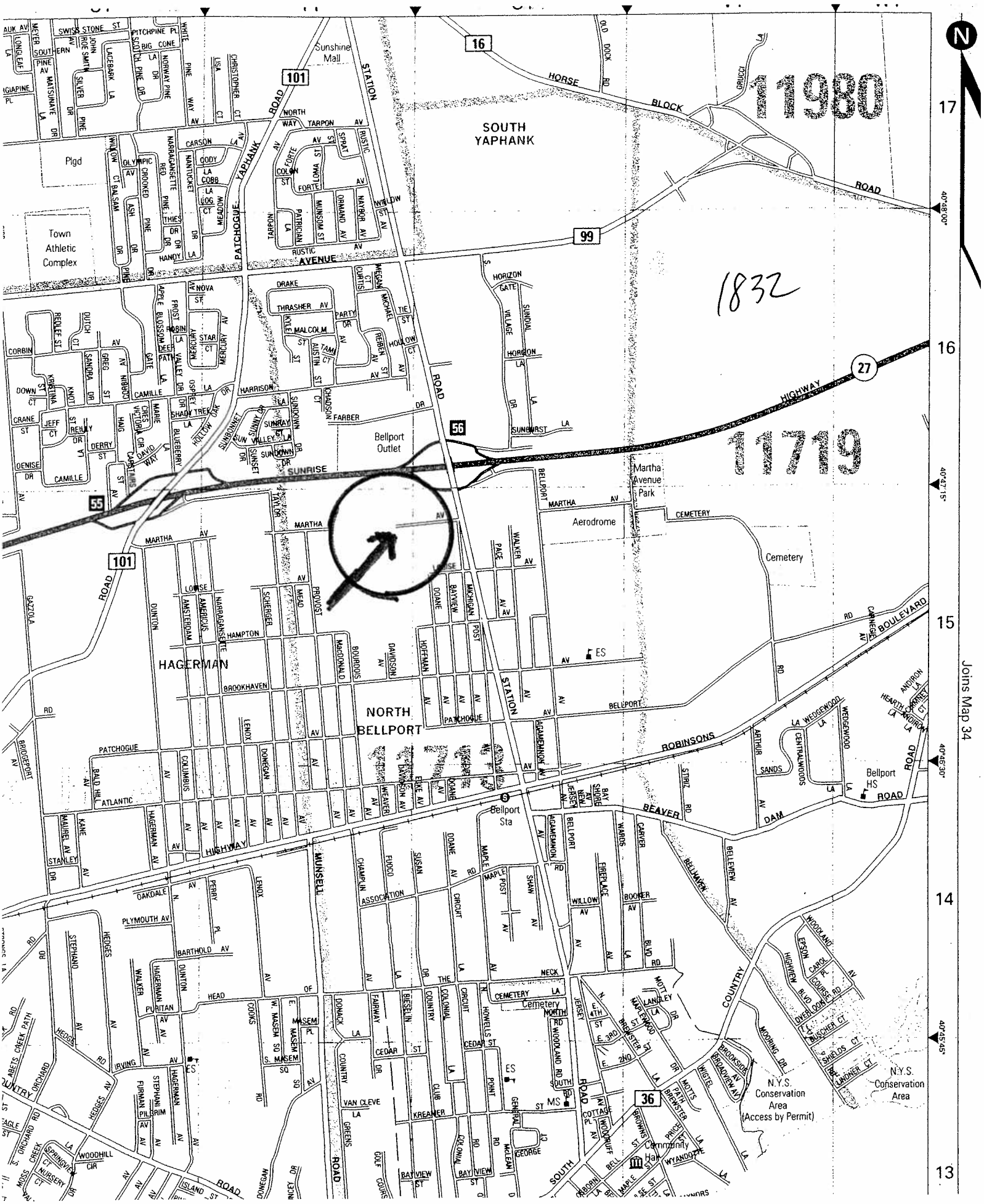
1832


SOUTH YAPHANK
Sunshine Mall
Town Athletic Complex
Bellport Outlet
Martha Avenue Park
Aerodrome
Cemetery
HAGERMAN
NORTH BELLPORT
Bellport Sta
Bellport HS
N.Y.S. Conservation Area (Access by Permit)
Community Hall
Joins Map 34
1980
1832
1779
TM# 0200-929.00-02.00-009.001

1832

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to the Town of Brookhaven for 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

Current year 2008

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

R. J. Bhatt
LMS-III

8/12/08

Gen A9

COUNTY OF SUFFOLK

1832

AUG 27 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

August 26, 2008

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

Re: Tax Map No.: 0200-929.00-02.00-009.001
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the Town of Brookhaven for General Municipal Purposes.

Dear Mr. Zwirn:

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

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

I would appreciate your placing this on the legislative agenda.

Yours truly,

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

CEK:WRT: slb

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

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

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. 1833-08 Laid on Table 9/16/08
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, APPROVING A LICENSE AGREEMENT FOR HAZEL BELSEN TO RESIDE AT HOUSE #1, UNIT 119A, AT PROSSER PINES COUNTY PARK, MIDDLE ISLAND

WHEREAS, Suffolk County Resolution No. 1250-2002, "Establishing Taxpayer Protection Policy for Use of County Residences," repealed the former statutory policy of charging below-market rent for facilities under the jurisdiction of the County Department of Parks, Recreation, and Conservation for use by County employees; and

WHEREAS, Suffolk County Resolution No. 1368-2004, "Revising Taxpayer Protection Policy for Use of County Residences," amended the statute in order to assist the Commissioner of Parks, Recreation, and Conservation in implementing the statute; and

WHEREAS, in accordance with Resolution No. 1250-2002, fair market appraisals of the residences and facilities suitable for use as a residence under the jurisdiction of the Department of Parks, Recreation, and Conservation have been completed; and

WHEREAS, in accordance with the policies set forth by the aforementioned resolutions, the Commissioner of the Department of Parks, Recreation, and Conservation has recommended that Hazel Belsen, Lock Tender for the Department of Public Works, be approved to enter into a license agreement to reside at Unit 119A at Prosser Pines County Park, Middle Island; now, therefore, be it

1st RESOLVED, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into a License Agreement with Hazel Belsen to reside at Unit 119A at Prosser Pines County Park, Middle Island, in accordance with the provisions set forth in Section 723-1 of the SUFFOLK COUNTY CODE; and be it further

2nd RESOLVED, that Unit 119A at Prosser Pines County Park and grounds on said premises shall be returned to the County of Suffolk at the conclusion of the License Agreement authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

3rd 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 of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1833

1. Type of Legislation

Resolution X Local Law _____ Charter Law ____

2. Title of Proposed Legislation

APPROVING A LICENSE AGREEMENT FOR HAZEL BELSEN TO RESIDE AT HOUSE #1, UNIT 119A, AT PROSSER PINES COUNTY PARK, MIDDLE ISLAND

3. Purpose of Proposed Legislation

See #2.

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing Impact

Monthly, during the agreement term.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tom Hroncich **Parks Foundation Director** **Dept. of Parks, Recreation &Conservation**		

Gen A

AUG 2 9 2008

COUNTY OF SUFFOLK

1833

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

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

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

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

DATE: **August 15, 2008**

RE: **INTRODUCTORY RESOLUTION APPROVING A LICENSE AGREEMENT FOR HAZEL BELSEN TO RESIDE AT HOUSE #1, UNIT 119A AT PROSSER PINES COUNTY PARK, MIDDLE ISLAND**

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "Reso-PKS-Approving License for Unit 119A at Prosser Pines County Park.doc".

In accordance with the procedures set forth by Resolution Nos. 1250-2002 and 1368-2004, I recommend that the County enter into a license agreement with Hazel Belsen, who works as a Lock Tender in the Department of Public Works, to reside at House #1, Unit 119A, Prosser Pines County Park, Middle Island.

Should you require anything further, please contact my office at 4-4985.

Enclosures

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

SUFFOLK COUNTY PARKS

1834

Intro. Res. No. – 08 Laid on the Table: 9/16/08

Introduced by the Presiding Officer Lindsay

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

WHEREAS, General Code Publishers Corp. has provided Supplement No. 81 to update the Suffolk County Administrative Code totaling $8605.56; and

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

RESOLVED, that the payment of $8605.56 for the provisions of such pages is hereby approved.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1835

Intro. Res. No. -2008 Laid on Table 9/16/2008
Introduced by Presiding Officer Lindsay

RESOLUTION NO. –2008, AMENDING THE 2008 OPERATING BUDGET TO ACCEPT AND APPRORIATE 95% STATE GRANT FUNDS FROM THE NEW YORK STATE BOARD OF ELECTIONS TO THE SUFFOLK COUNTY BOARD OF ELECTIONS FOR VOTER EDUCATION / POLL WORKER TRAINING AND AUTHORIZING AN INCREASE IN THE FLEET OF THE SUFFOLK COUNTY BOARD OF ELECTIONS FOR TRANSPORTING VOTING MACHINES AND PERSONNEL TO AND FROM VARIOUS SEMINARS AND COMMUNITY EVENTS

WHEREAS, the New York State Board of Elections has awarded state grant funds to the Suffolk County Board of Elections for poll worker training and voter outreach education in the amount of $738,534.75; and

WHEREAS, a 5% match of $38,870.25 is required and these funds have been included in the Board of Elections' 2008 Suffolk County Operating Budget; and

WHEREAS, these funds are being used to help Suffolk County comply with the Help America Vote Act of 2002 (HAVA); and

WHEREAS, funds will be used for the purchase of 366 Ask Ed Problem Solvers to assist poll workers in looking up voter information, answering questions, and troubleshooting voting machines; and

WHEREAS, four vans are needed to transport poll workers to and from seminars and community events; and

WHEREAS, two box trucks are needed to transport voting machines to and from seminars and community events; and

WHEREAS, the purchase of said vehicles will increase the fleet of the Suffolk County Board of Elections by six vehicles; 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

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

1st RESOLVED, that the County Legislature hereby authorizes the fleet of the Suffolk County Board of Elections be increased by six (6) vehicles, 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 Suffolk County Board of Elections; and be it further

2nd RESOLVED, that the 2008 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to accept, appropriate, and transfer the following funds and authorizations:

REVENUES:

FD	AGY	REV CODE	REVENUE NAME	AMOUNT
001	BOE	3070	STATE AID: BOE – HAVA	+ $738,534.75

APPROPRIATIONS:

FD	AGY	UNIT	ACT	OBJ	UNIT & OBJECT NAME	AMOUNT
001	BOE	1450	0000	4510	Election Inspectors	($38,870.25)
001	BOE	1456	0000	2020	BOE-VOTER ED POLL WKER TRAING-Office Machines	+ $515,850.20
001	BOE	1456	0000	2030	BOE-VOTER ED POLL WKER TRAING-Purchase of Automobiles	+ $ 33,586
001	BOE	1456	0000	2040	BOE-VOTER ED POLL WKER TRAING-Trucks, Trailers & Jeeps	+ $194,466
001	BOE	1456	0000	3500	BOE-VOTER ED POLL WKER TRAING-Other: Unclassified	+ $ 33,502.80

and be it further

3rd RESOLVED, that the monies appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding vehicle and equipment purchases associated with poll worker training and voter education; and be it further

4th RESOLVED, that any unexpended funds be reappropriated in the 2009 Operating Budget, and will be fully expended by March 31, 2009 in conformance with the terms of the grant award; and be it further

5th RESOLVED, that the Commissioners of the Suffolk County Board of Elections are authorized and directed to execute related agreements.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1836

Intro. Res. No. -2008 Laid on Table 9/16/2008
Introduced by Presiding Officer Lindsay

RESOLUTION NO. –2008, AMENDING THE 2008 OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% STATE GRANT FUNDS FROM THE NEW YORK STATE BOARD OF ELECTIONS TO THE SUFFOLK COUNTY BOARD OF ELECTIONS FOR VOTING ACCESS FOR INDIVIDUALS WITH DISABILITIES – POLLING PLACE ACCESS IMPROVEMENT

WHEREAS, the New York State Board of Elections has awarded 100% grant funds to the Suffolk County Board of Elections for polling place access improvements that allow for increased access to voting by individuals with disabilities in the amount of $622,997; and

WHEREAS, $388,702 is awarded for voting access for individuals with disabilities in contract C002689; and

WHEREAS, $186,739 is awarded for voting access for individuals with disabilities in contract C002631; and

WHEREAS, $47,556 is awarded for voting access for individuals with disabilities in contract T002814; and

WHEREAS, the Help America Vote Act of 2002 (HAVA) was implemented to increase voting accessibility for individuals with disabilities; and

WHEREAS, funds will be used to purchase equipment for polling sites, which will allow for greater accessibility for persons with disabilities; and

WHEREAS, funds will be used to purchase 800 privacy booths for HAVA compliant voting machines; and

WHEREAS, these funds are 100% state funded; and

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

1st RESOLVED, that the 2008 Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate the following funds and authorizations:

REVENUES:

FD	AGY	REV CODE	REVENUE NAME	AMOUNT
001	BOE	3070	STATE AID: BOE - HAVA	$622,997

APPROPRIATIONS:

FD	AGY	UNIT	ACT	OBJ	UNIT & OBJECT NAME	AMOUNT
001	BOE	1455	0000	3500	BOE-VOTING ACCESS IND W DSBLTS-Other: Unclassified	$622,997

and be it further

2nd RESOLVED, that the monies appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding equipment purchases for making polling sites more accessible to persons with disabilities; and be it further

3rd RESOLVED, that any unexpended funds be reappropriated in the 2009 Operating Budget, and will be fully expended by March 31, 2009 in conformance with the terms of the grant award; and be it further

4th RESOLVED, that the Commissioners of the Suffolk County Board of Elections are authorized and directed to execute related agreements.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

T:\BRO\BOE-VOTING ACCESS IND W DSBLTS.doc

Introductory Resolution No. 1837 Laid on Table 9/16/08

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
CARLO J. LAROSE
0100-172.00-03.00-003.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 172.00, Block 03.00, Lot 003.000, and acquired by tax deed on June 22, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 28, 2006, in Liber 12457, at Page 34, and otherwise known as and by Town of Babylon, Filed Map 287 Sh. 2 Blk 12 Lots 3 & 4; 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 22, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 28, 2006 in Liber 12457 at Page 34.

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, CARLO J. LAROSE has made application of said above described parcel and CARLO J. LAROSE has paid the application fee and HUBERT GERISMA, for Carlo J. Larose, has paid $1,930.02, 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 CARLO J. LAROSE, 82 Tyrconnell Street, Amityville, New York 11701, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

50.I

1837

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

August 19, 2008

Tax Map No.: 0100-172.00-03.00-003.000
Name of Last Legal Fee Owner: CARLO J. LAROSE

TREASURER'S COMPUTATION..... $1,652.87 ($1,237.77 + $415.10)

Taxes.....2007/2008..... $ 277.15

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $1,930.02

Monies Received..... $1,930.02

RESOLUTION AMOUNT..... $1,930.02

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

APPROVED:

Karen A Slater 8/25/08
Accounting
CO:sc

1837

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0100-172.00-03.00-003.000

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

2007

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

Cathy O'Neal | Cathy O'Neal | 8/19/08

1837
MELOD
ED. 16
F.D. 5
SCH. D.5
SCH. F.D. 6
AVE.
MILLER
BLVD.
ST. JOHN ST.
PEARL ST.
GRAND ST.
SPRUCE ST.
PARK ST.
QUEEN ST.
CHARLES PL.
COLUMBUS
SQUIRES
JOHNSON
ST.
DUBOIS
AVE.
DUNBAR
BOOKER
BLVD.
MONROE
ST.
MADISON
ST.
NECK
SCH. D. 22
SCH. D. 6
RD. F.D. 12
F.D. 6
F.D. 5
SUFFOLK COUNTY WATER
GREAT
TYRCONNEL ST.
BENBURB
ST.
OFFALY
ST.
GLENMALURE
ST.
AVE.
HOLLYWOOD BAPTIST CHURCH
RECHARGE BASIN
TOWN OF BABYLON
COUNTY OF SUFFOLK
THE SPREADING FLAMES CHRISTIAN ORGANIZATION, INC.
0100-172-03-003

REPUBLIC STA
CONKLIN ST
REPUBLIC
FARMINGDALE
11798
7
1837
11735
36
35
34
33
NORTH
LINDENHURST
B A B L
BABYLON
WEST
AMITY
VILLE
AMITYVILLE
COPIAGUE
LINDENHURST
AMITY

Gen B1

COUNTY OF SUFFOLK

1837

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

September 2, 2008 SEP 0 4 2008

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

Re: Tax Map No. 0100-172.00-03.00-003.000
CARLO J. LAROSE

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.

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. 1838-08 Laid on Table 9/16/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT
ESTATE OF ROBERT GRAULICH by Rose Graulich, as Administrator
0504-012.00-01.00-026.000

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 Incorporated Village of Islandia, 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 0504, Section 012.00, Block 01.00, Lot 026.000, and acquired by tax deed on October 16, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 30, 2007, in Liber 12528, at Page 294, and otherwise known as and by Incorporated Village of Islandia, Town of Islip, known as Suffolk County Tax Map Number: District 0504, Section 012.00, Block 01.00, Lot 026.000; 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 October 16, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 30, 2007 in Liber 12528 at Page 294.

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, ROSE GRAULICH has made application of said above described parcel and ROSE GRAULICH has paid the application fee and $10,300.92, 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 ESTATE OF ROBERT GRAULICH by Rose Graulich, as Administrator, 140 2nd Avenue, Brentwood, New York 11717, 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

1838

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

August 21, 2008

Tax Map No.: 0504-012.00-01.00-026.000
Name of Last Legal Fee Owner: ESTATE OF ROBERT GRAULICH by Rose Graulich, as Administrator

TREASURER'S COMPUTATION..... $8,200.22

Taxes.....2007/2008..... $2,100.70

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $10,300.92

Monies Received..... $10,300.92

RESOLUTION AMOUNT..... $10,300.92

APPROVED:

Karen A Slater 8/26/08
Accounting
CO:sc

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

1838

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0504-012.00-01.00-026.000

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 8/21/08

DISTRICT	SECTION	BLOCK	LOT
0504	012.00	01.00	026.000

1838

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

Year	Village	Town	Combined
2002/03	103.40	PAID	103.40
2003/04	95.55	PAID	95.55
2004/05	159.47	2272.05	2431.52
2005/06	142.29	2475.54	2617.83
2006/07	125.67	1949.70	2075.37
2007/08	114.24	NOT DUE YET	114.24

2007/08 TOWN PROPERTY TAXES $2100.70 NOT INCLUDED IN COMPUTATION

TOTAL: 7437.91

B. INTEREST DUE 371.82
C. TOTAL 7809.73
D. 5% LINE C 390.49
E. FEE
F. MISC
G. MISC

H. TOTAL DUE $8,200.22
2100.70
$10,300.92 4/14/08 CP

CERTIFICATION BY COUNTY TREASURER

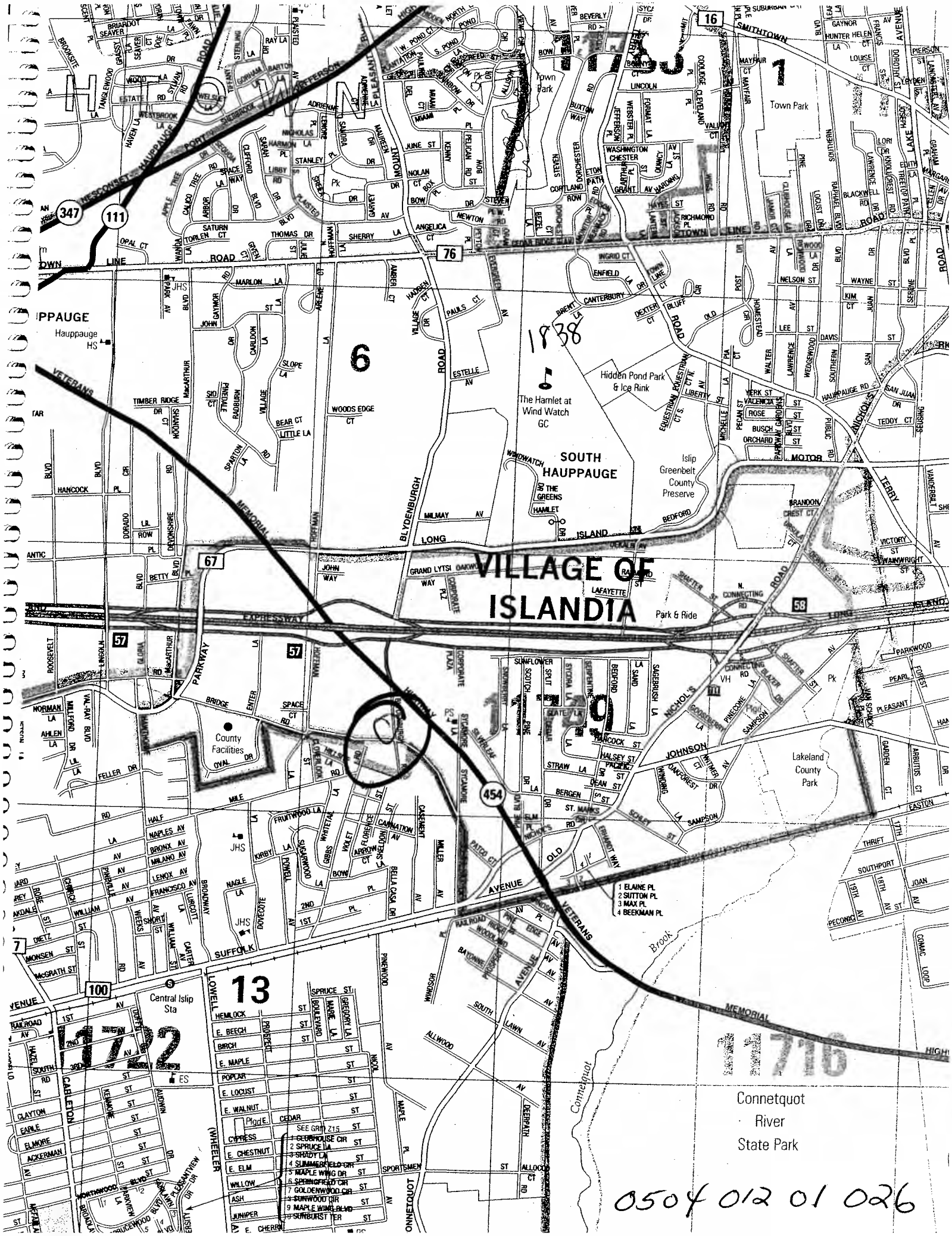
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 02-Apr-08

Diane M. Stuke
Deputy County Treasurer

** Interest and penalty computed to and including 09/29/08

DZ


VILLAGE OF ISLANDIA
Town Park
Hauppauge HS
Hidden Pond Park & Ice Rink
The Hamlet at Wind Watch GC
SOUTH HAUPPAUGE
Islip Greenbelt County Preserve
Park & Ride
County Facilities
Lakeland County Park
Central Islip Sta
Connetquot River State Park
1 ELAINE PL
2 SUTTON PL
3 MAX PL
4 BEEKMAN PL
1 CLUBHOUSE CIR
2 SPRUCE LA
3 SHADY LN
4 SUMMERFIELD CIR
5 MAPLE WING DR
6 SPRINGFIELD CIR
7 GOLDENWOOD CIR
8 SUNWOOD CIR
9 MAPLE WING BLVD
10 SUNBURST TER
SEE GRID Z15
1838
050 of 012 01 026

FOR PARCEL NO. SEE SEC. NO. 007-02-022

MATCH Z LINE

FOR PARCEL NO. SEE SEC. NO. 007-02-023

MATCH Z LINE

SEE SEC. NO. 007 MATCH Z LINE

VETERANS MEMORIAL HWY.

C.R. 78

R.D. 13 R.D. 12

(var. width)

BLYDENBURGH RD.

SCH.D. 6 / SCH.D. 13

(var. width)

SYCAMORE AVE.

(var. width)

UNION FREE SCH. DIST. NO. 13

1838

F.D. 10 / F.D. 5

ISLANDIA

ISLIP

SCH.D. 6 / SCH.D. 13

N 211,033 E2,226,311

N 210,856 E2,226,506

N 210,721 E2,226,572

N 210,666 E2,226,678

N 212,600

F 2,227,700

N 210,700

E 2,227,700

MATCH Z LINE

SEE SEC. NO. 016

MALL

Paper Street

0504 012 01 026

PROPERTIES DISTRICTS:

NOTICE

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

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

KEY MAP

TOWN OF ISLIP

VILLAGE OF ISLANDIA

DISTRICT NO 0504

SECTION NO 012

PROPERTY MAP

Gen B2

SEP 0 3 2008

COUNTY OF SUFFOLK

1838

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

September 2, 2008

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

Re: Tax Map No. 0504-012.00-01.00-026.000
ESTATE OF ROBERT GRAULICH by Rose Graulich, as Administrator

Dear Mr. Zwirn:

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

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

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

Very truly yours,

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

CEK:sc

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

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

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

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. 1839 Laid on Table 9/16/08

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 ROBERT E. RYAN (SCTM NO. 0200-982.00-01.00-054.002)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 982.00 Block 01.00 Lot 054.002 and acquired by Tax Deed on September 27, 1999 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 19, 1999 in Liber 11995 at Page 605 and described as follows, Town of Brookhaven, known and designated as part of Lot No. 2526 on a certain map entitled "Map of Mastic Beach", filed in the Office of the Clerk of the County of Suffolk on September 2, 1930 as Map No. 1005. ; 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, Robert E. Ryan, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $1,010.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at $1,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of $1,010.00, 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 Robert E. Ryan, 120 Moriches Drive, Mastic Beach, New York 11951.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1839

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. 0200-982.00-01.00-054.002

ADJOINING OWNER	BID	BID	BID
Robert E. Ryan 120 Moriches Drive Mastic Beach, New York 11951 0200-982.00-01.00-054.001	$1,010.00		
Michael Skaar 306 Dogwood West Road Mastic Beach, New York 11951 0200-982.00-01.00-050.000	$0		
Joseph & Maryann Gallo 59 Crestwood Lane Farmingville, New York 11738 0200-982.00-01.00-052.000	$0		
Erika Frank 48 Willow Avenue Huntington, New York 11743 0200-982.00-01.00-055.000	$0		

SIZE OF PARCEL: 20' x 50'
APPRAISED VALUE: $1,000.00
COMMENT: Direct Sale to Adjacent Owner

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

1839

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 | 6/25/08

RD.
DOGWOOD RD.
(50')
MORICHES 1839
HOLLIS PL.
ROBERTS AVE
(WOODLANDS C
(40')
32
33
34
35
48
47
46
45
49
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52
53
54.1
54.2
55
56
58.1
62
63
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(2370)
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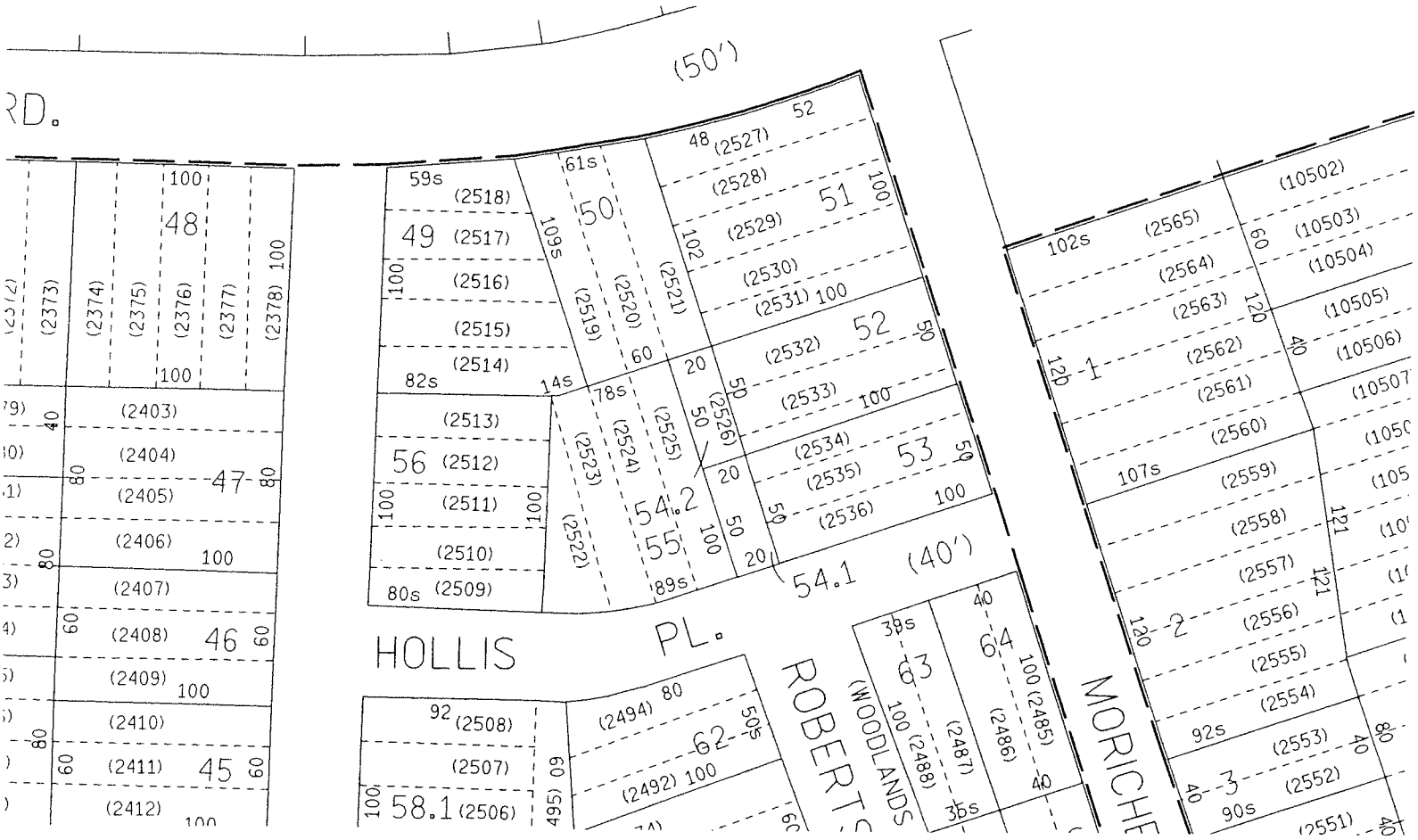

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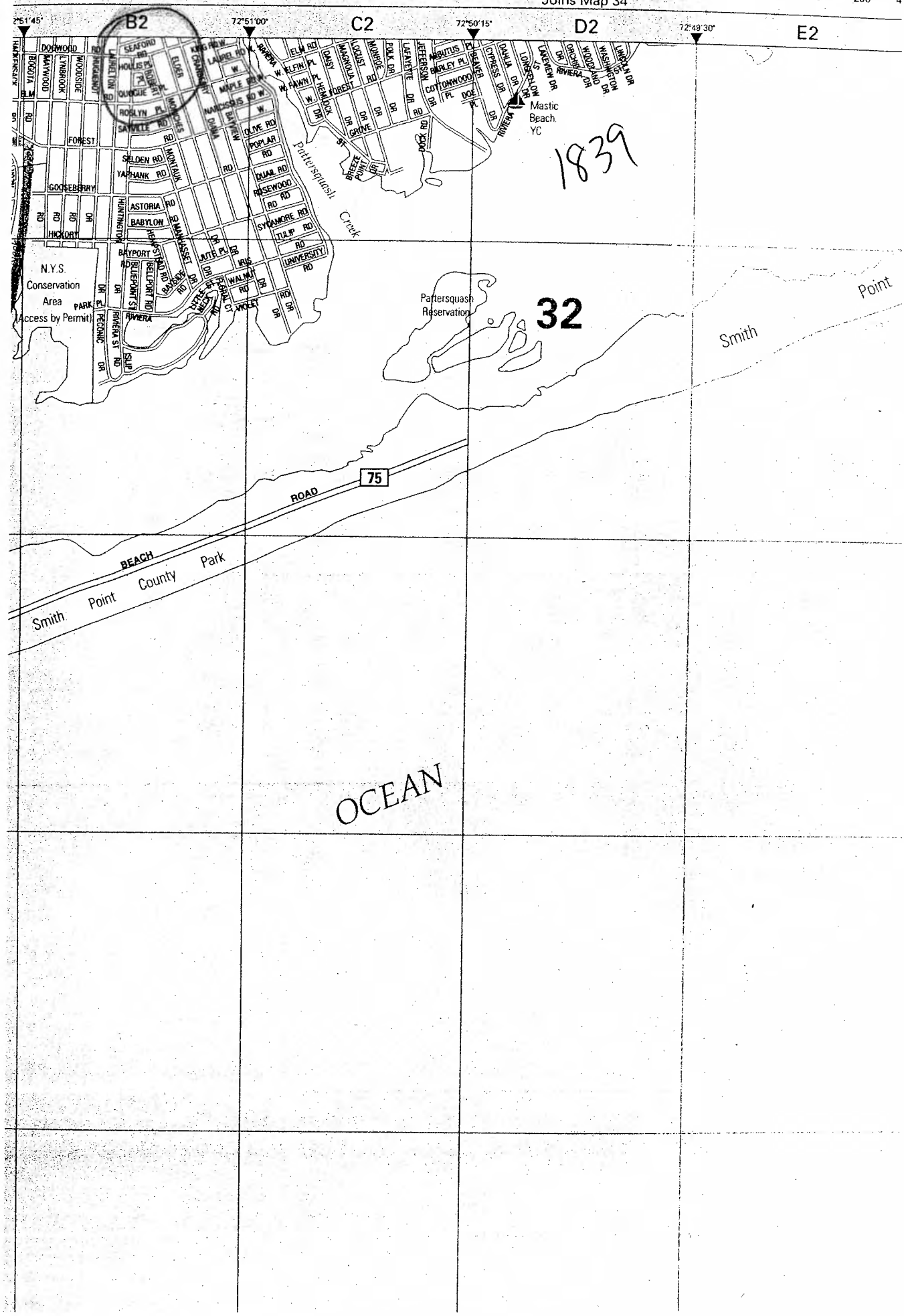
Tip Quickly estimate distance:
Each grid box represents approximately 0.65 mi. horizontally by 0.86 mi. vertically.

Scale 1:24,000 0 1,000 0 200 4

Joins Map 34

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



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COUNTY OF SUFFOLK

SEP 05 2008

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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

September 3, 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: 0200-982.00-01.00-054.002

Dear Mr. Zwirn:

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

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

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

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

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

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. 1840-08 Laid on Table 9/16/08

Introduced by the Presiding Officer on request of the County Executive

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

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Exhibit "A"

Tax Map No.	Location	Acres
0200-958.00-06.00-037.000	S/W/C/O Hampton Ave., & Scherger Ave., Patchogue	0.18
0200-959.00-05.00-023.000	E/S/O Michigan Ave., 175' S/O Hampton Ave., Bellport	0.17
0200-959.00-05.00-024.000	E/S/O Michigan Ave., 250' S/O Hampton Ave., Bellport	0.057
0200-959.00005.00-027.000	E/S/O Michigan Ave., 425' S/O Hampton Ave., Bellport	0.17
0200-960.00-01.00-005.000	E/S/O Pace Ave., 75' S/O Louise Ave., Bellport	0.21
0200-960.00-01.00-012.000	E/S/O Pace Ave., 100' N/O Hampton Ave., Bellport	0.21
0200-960.00-01.00-016.000	E/S/O Station Ave., 202' S/O Hampton Ave., Bellport	0.35
0200-960.00-01.00-019.000	E/S/O Station Ave., 282' N/O Brookhaven Ave., Bellport	0.29
0200-960.00-02.00-003.000	E/S/O Walker Ave., 80' N/O Louise Ave., Bellport	0.18
0200-960.00-02.00-009.000	E/S/O Walker Ave., 250' S/O Louise Ave., Bellport	0.16
0200-960.00-02.00-014.000	E/S/O Walker Ave., 100' N/O Hampton Ave., Bellport	0.14
0200-960.00-02.00-018.001	E/S/O Walker Ave., 125' S/O Hampton Ave., Bellport	0.057
0200-960.00-02.00-018.002	E/S/O Walker Ave., 150' S/O Hampton Ave., Bellport	0.057
0200-960.00-02.00-024.000	E/S/O walker Ave., 225' N/O Brookhaven Ave., Bellport	0.034

0200-960.00-02.00-025.000	E/S/O Walker Ave., 200' N/O Brookhaven Ave., Bellport	0.057
0200-960.00-02.00-026.000	E/S/O walker Ave., 160' N/O Brookhaven Ave., Bellport	0.092
0200-973.70-04.00-063.000	S/W/C/O Lenox Ave., & Brookhaven Ave., Bellport	0.29
0200-973.70-05.00-057.000	W/S/O Scherger Ave., 325' S/O Patchogue Ave., Bellport	0.11
0200-973.70-06.00-003.000	E/S/O Scherger Ave., 175' N/O Brookhaven Ave., Bellport	0.09
0200-973.70-06.00-004.000	E/S/O Scherger Ave., 150' N/O Brookhaven Ave., Bellport	0.057
0200-973.70-06.00-007.000	S/E/C/O Brookhaven Ave., and Scherger Ave., Bellport	0.137
0200-973.70-06.00-016.000	E/S/O Scherger Ave., 75' N/O Patchogue Ave., Patchogue	0.057
0200-973.70-06.00-017.000	E/S/O Scherger Ave., 50' N/O Patchogue Ave., Patchogue	0.057
0200-973.70-06.00-018.000	N/E/C/O Scherger Ave. and Patchogue Ave., Patchogue	0.11
0200-973.70-06.00-024.000	E/S/O Scherger Ave., 350' S/O Patchogue Ave., Patchogue	0.11

Exhibit "B"

1840

RESOLUTION NO. 220-08
MEETING OF: FEBRUARY 28, 2008

ADOPTED

BY THE BROOKHAVEN TOWN BOARD

AUTHORIZING THE TRANSFER OF FORECLOSED PROPERTIES AS REFLECTED IN SCHEDULE "A" ATTACHED HERETO FROM THE COUNTY OF SUFFOLK TO THE TOWN OF BROOKHAVEN AND FROM THE TOWN TO VARIOUS NOT-FOR-PROFIT HOUSING AGENCIES TO PROMOTE THE AVAILABILITY OF AFFORDABLE HOUSING

WHEREAS, the Town of Brookhaven, the County of Suffolk under the 72h Program, and various not-for-profit groups have cooperated throughout the years to create affordable housing opportunities and to remove blighting conditions within the Town; and

WHEREAS, the Suffolk County Department of Economic Development and Workforce Housing requests that the Town of Brookhaven authorize the execution of all deeds and related documents necessary to transfer from its foreclosure inventory to various not-for-profit corporations the parcels of property as reflected in Schedule "A" attached hereto for the sole purpose of developing affordable housing and to provide eligible residents within the Town with viable homeownership; and

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

NOW, THEREFORE, BE IT RESOLVED, upon review and approval of the Town Board of the Town of Brookhaven that the Supervisor and/or Deputy Supervisor is hereby authorized to execute any agreement and/or instrument approved as to form by the Department of Law, providing for the conveyance of the parcels of property to the various not-for-profit organizations as reflected in the attached Schedule "A" in order to promote and create affordable housing opportunities which will in turn provide the residents of the Town of Brookhaven with viable homeownership; and be it further

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

Schedule A

1840

1 0200-958-06-037	318 Hampton Ave, Patchogue	Habitat for Humanity
2 0200-958-08-020	755 Taylor Ave, Patchogue	EOC
3 0200-958-09-009	861 Meade Ave, Bellport	Long Island Housing Partnership
4 0200-959-01-017	836 Provost Ave, Bellport	Long Island Housing Partnership
5 0200-959-04-037	Bayview Ave, Bellport	Community Development Corp LI
6 0200-959-04-038	Bayview Ave, Bellport	Community Development Corp LI
7 0200-959-05-006	729 Bayview Ave, Bellport	Victory Housing
8 0200-959-05-020	760 Michigan Ave, Bellport	BHEP
9 0200-959-05-023	747 Michigan Ave, Bellport	Habitat for Humanity
10 0200-959-05-024	Michigan Ave, Bellport	Habitat for Humanity
11 0200-959-05-027	727 Michigan Ave, Bellport	Habitat for Humanity
12 0200-959-06-035	834 Bayview Ave, Bellport	South County Community Land Trust
13 0200-960-01-005	53 Pace Ave, Bellport	Habitat for Humanity
14 0200-960-01-012	11 Pace Avenue, Bellport	Habitat for Humanity
15 0200-960-01-016	745 Station Ave, Bellport	Habitat for Humanity
16 0200-960-01-019	727 Station Ave, Bellport	Habitat for Humanity
17 0200-960-02-003	909 Walker Ave, Bellport	Habitat for Humanity
18 0200-960-02-009	Walker Ave, Bellport	Habitat for Humanity
19 0200-960-02-040	Agamemnon Ave, Bellport	No Assignment
20 0200-960-02-024	Walker Ave, Bellport	Habitat for Humanity
21 0200-960-02-026	Walker Ave, Bellport	Habitat for Humanity
22 0200-960-02-025	Walker Ave, Bellport	Habitat for Humanity
23 0200-960-02-076.002	Bellport Ave, Bellport	EOC
24 0200-960-02-076.001	Bellport Ave, Bellport	EOC
25 0200-960-03-001	Bellport Ave, Bellport	EOC
26 0200-960-03-007	Bellport Ave, Bellport	EOC
27 0200-960-03-008	Bellport Ave, Bellport	EOC
28 0200-960-03-025	597 Brookhaven Ave, Bellport	EOC
29 0200-973.70-05-025	Donegan Ave, Patchogue	EOC
30 0200-973.70-05-026	Donegan Ave, Patchogue	EOC
31 0200-973.70-05-051	533 Donegan Ave, Patchogue	EOC
32 0200-973.70-05-052	521 Donegan Ave, Patchogue	EOC
33 0200-973.70-05-054	Scherger Ave, Patchogue	EOC
34 0200-973.70-05-077	718 Scherger Ave, Patchogue	EOC
35 0200-973.70-06-005	Scherger Ave, Patchogue	EOC
36 0200-973.70-06-034	556 Taylor Ave, Patchogue	Community Development Corp LI
37 0200-973.70-07-027	Meade Ave, Bellport	Community Development Corp LI
38 0200-973.70-07-032	558 Meade Ave, Bellport	Community Development Corp LI
39 0200-958-02-005	Dunton Ave, Patchogue	Community Development Corp LI
40 0200-958-03-004	947 Amsterdam Ave, Patchogue	Community Development Corp LI
41 0200-958-05-020	745 Narragansett Ave , Patchogue	Community Development Corp LI
42 0200-958-08-006	915 Taylor Ave, Patchogue	Community Development Corp LI
43 0200-958-08-032	810 Meade Ave, Bellport	Community Development Corp LI
44 0200-959-04-012	724 Doane Ave, Bellport	Community Development Corp LI
45 0200-959-04-039	760 Bayview Ave, Bellport	Community Development Corp LI
46 0200-959-05-029	715 Michigan Ave , Bellport	Community Development Corp LI
47 0200-959-06-017	819 Doane Ave, Bellport	Long Island Housing Partnership
48 0200-959-07-059	18 Pace Ave, Bellport	Long Island Housing Partnership
49 0200-973-70-03-005	707 Amsterdam Ave, Patchogue	Long Island Housing Partnership
50 0200-973-70-04-025	634 Narragansett Ave, Patchogue	Long Island Housing Partnership
51 0200-973-70-04-040	709 Narragansett Ave, Patchogue	Long Island Housing Partnership
52 0200-973-70-05-003	Brookhaven Ave , Patchogue	Long Island Housing Partnership
53 0200-973-70-05-023	Donegan Ave , Patchogue	Long Island Housing Partnership
54 0200-973-70-05-024	540 Donegan Ave , Patchogue	Long Island Housing Partnership
55 0200-973-80-10-012	623 Meade Ave, Bellport	Long Island Housing Partnership

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Schedule A

56	0200-959-05-037	Post Ave, Bellport	Long Island Housing Partnership
57	0200-973.70-05-057	536 Scherger Ave, Patchogue	Habitat for Humanity
59	0200-973.70-06-024	Scherger Ave, Patchogue	Habitat for Humanity
58	0200-973.70-06-007	Scherger Ave, Patchogue	Habitat for Humanity
60	0200-959-07-034	834 Taylor Ave, Patchogue	Long Island Housing Partnership
61	0200-958-07-035	Taylor Ave, Patchogue	Long Island Housing Partnership
62	0200-973.70-06-016	Scherger Ave, Patchogue	Habitat for Humanity
63	0200-973-70-06-017	Scherger Ave, Patchogue	Habitat for Humanity
64	0200-973-70-06-018	Scherger Ave, Patchogue	Habitat for Humanity
65	0200-960-02-014	Walker Ave, Bellport	Habitat for Humanity
66	0200-959-06-013	Doane Ave, Bellport	Long Island Housing Partnership
67	0200-960-02-018.001	Walker Ave, Bellport	Habitat for Humanity
68	0200-960-02-018.002	Walker Ave, Bellport	Habitat for Humanity
69	0200-960-02-045	Agamemnon Ave, Bellport	No Assignment
70	0200-960-02-046	Agamemnon Ave, Bellport	No Assignment
71	0200-960-02-047	Agamemnon Ave, Bellport	No Assignment
72	0200-960-02-043	Agamemnon Ave, Bellport	No Assignment
73	0200-973-70-04-063	Lenox Ave, Patchogue	Habitat for Humanity
74	0200-973.70-06-003	Scherger Ave, Patchogue	Habitat for Humanity
75	0200-973.70-06-004	Scherger Ave, Patchogue	Habitat for Humanity

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

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES
TOWN OF BROOKHAVEN

Tax Map No.: See attached Exhibit "A"

Section 72-h, Gen'l Municipal Law

	Amount
County Investment	$245,715.23

PURPOSE:

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

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

WRT:slb

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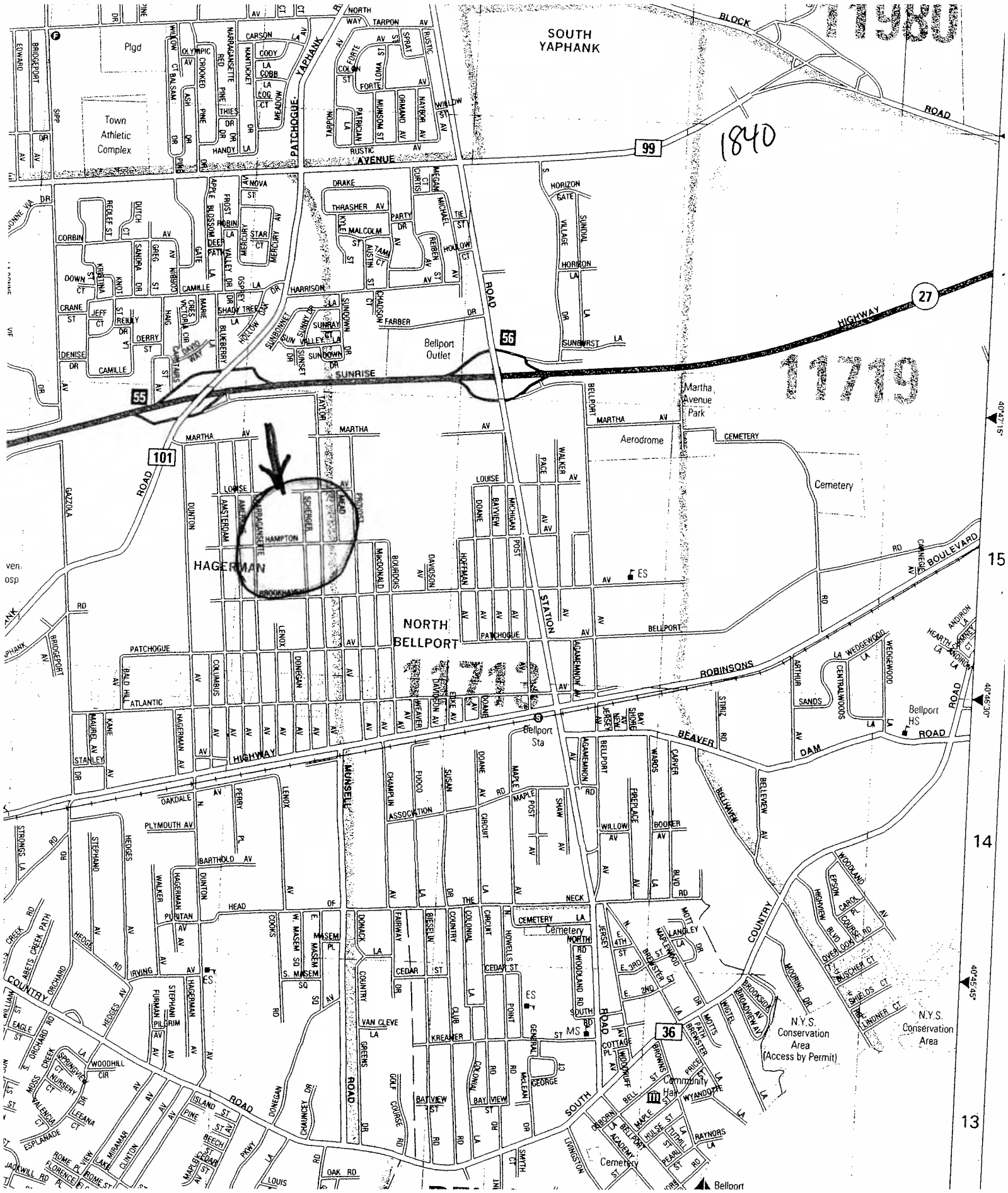
SOUTH YAPHANK
Town Athletic Complex
Bellport Outlet
Martha Avenue Park
Aerodrome
Cemetery
HAGERMAN
NORTH BELLPORT
Bellport Sta
Bellport HS
N.Y.S. Conservation Area (Access by Permit)
N.Y.S. Conservation Area
Community Hall
PATCHOGUE-YAPHANK ROAD
SUNRISE HIGHWAY
ROBINSONS BEAVER DAM ROAD
STATION ROAD
COUNTRY ROAD
SOUTH ROAD
CARNEGIE BOULEVARD
BLOCK ROAD
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Hampton Ave.

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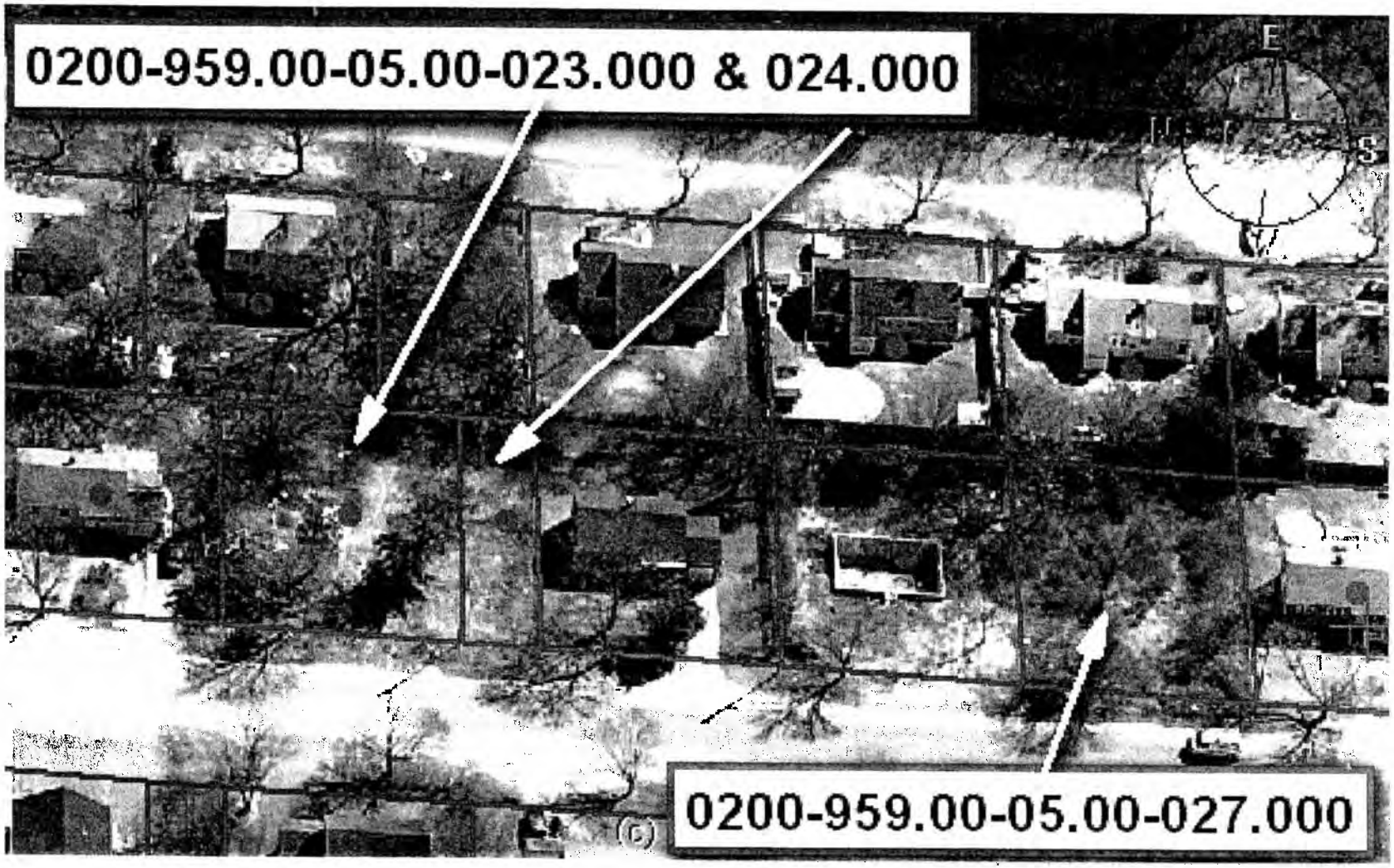

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72°58'30" S1 72°57'45" T1 72°57'00" U1 72°56'15" V1 72°55'30" W1

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SOUTH YAPHANK

Sunshine Mall

Town Athletic Complex

Bellport Outlet

Martha Avenue Park

Aerodrome

Cemetery

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HAGERMAN

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Brookhaven Mem Hosp

Bellport Sta

Bellport HS

N.Y.S. Conservat Area

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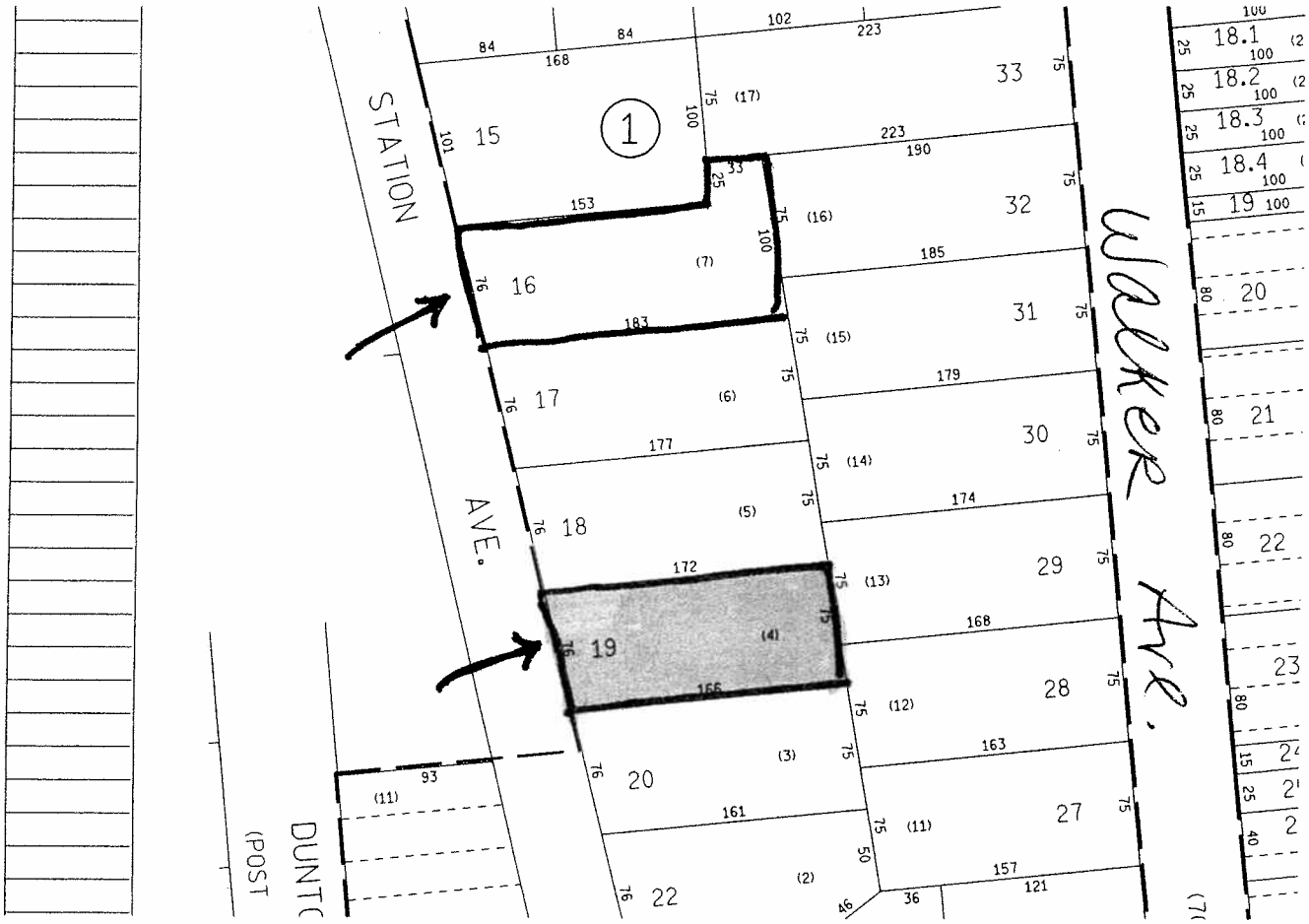

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72°58'30" S1 72°57'45" T1 72°57'00" U1 72°56'15" V1 72°55'30" W

SOUTH YAPHANK

Town Athletic Complex

Bellport Outlet

Martha Avenue Park

Aerodrome

Cemetery

HAGERMAN

NORTH BELLPORT

Brookhaven Mem Hosp

Bellport Sta

Bellport HS

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

Community Hall

HORSE BLOCK ROAD
PATCHOGUE-YAPHANK ROAD
SUNRISE HIGHWAY
MONTAUK HIGHWAY
BELLPORT STATION ROAD
ROBINSONS BEAVER DAM ROAD
COUNTRY ROAD
HOSPITAL ROAD
YAPHANK ROAD

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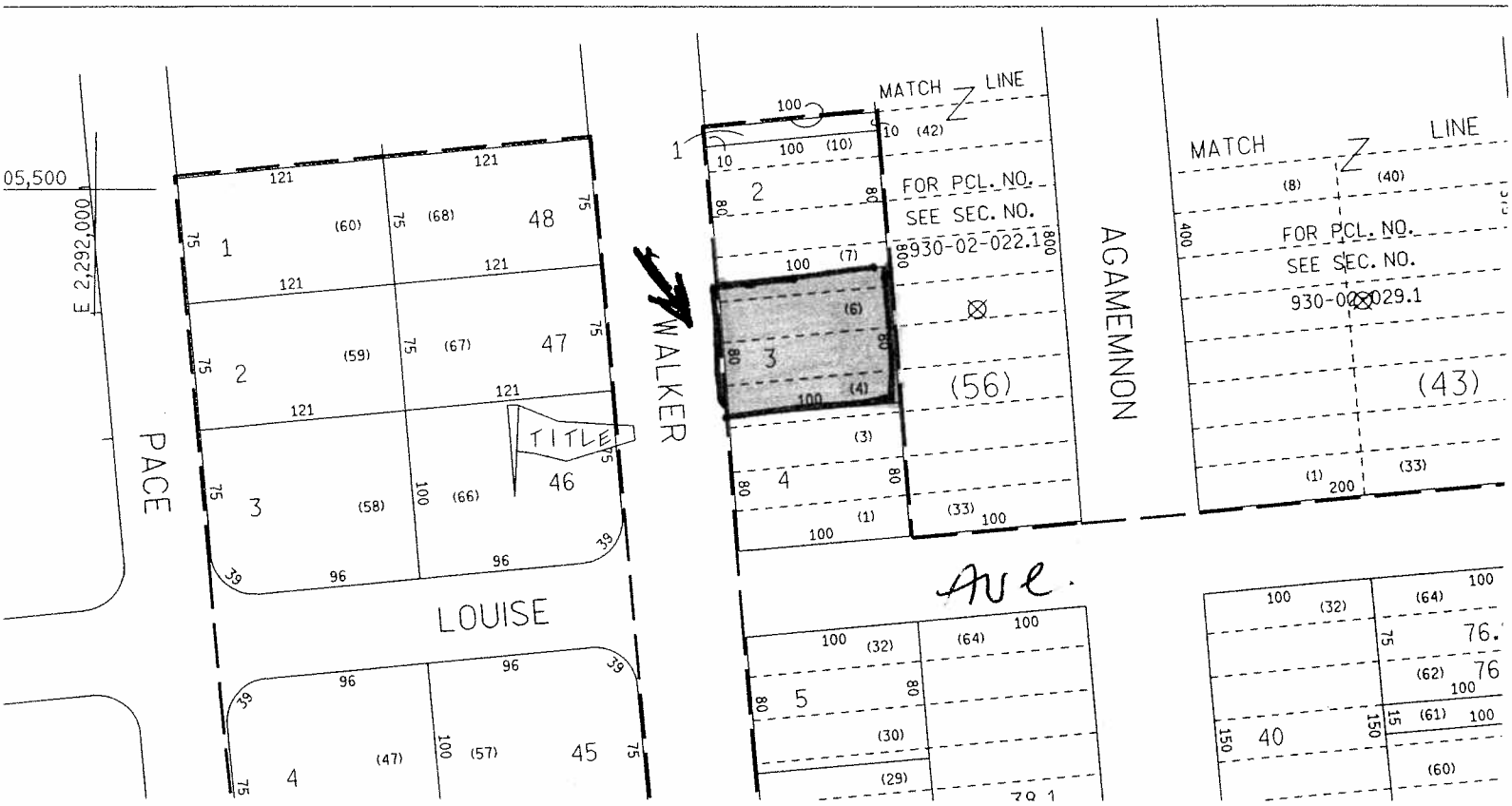

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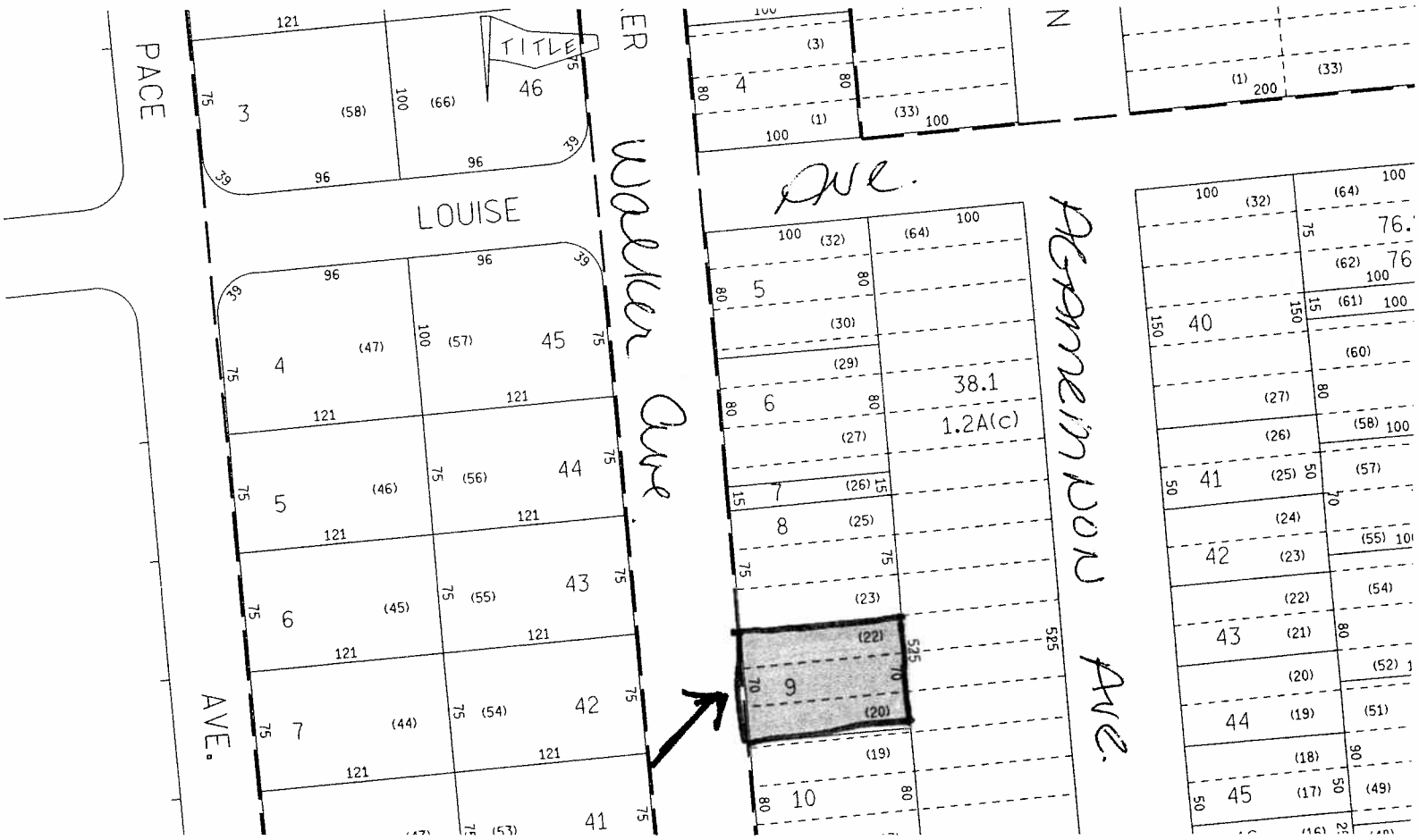

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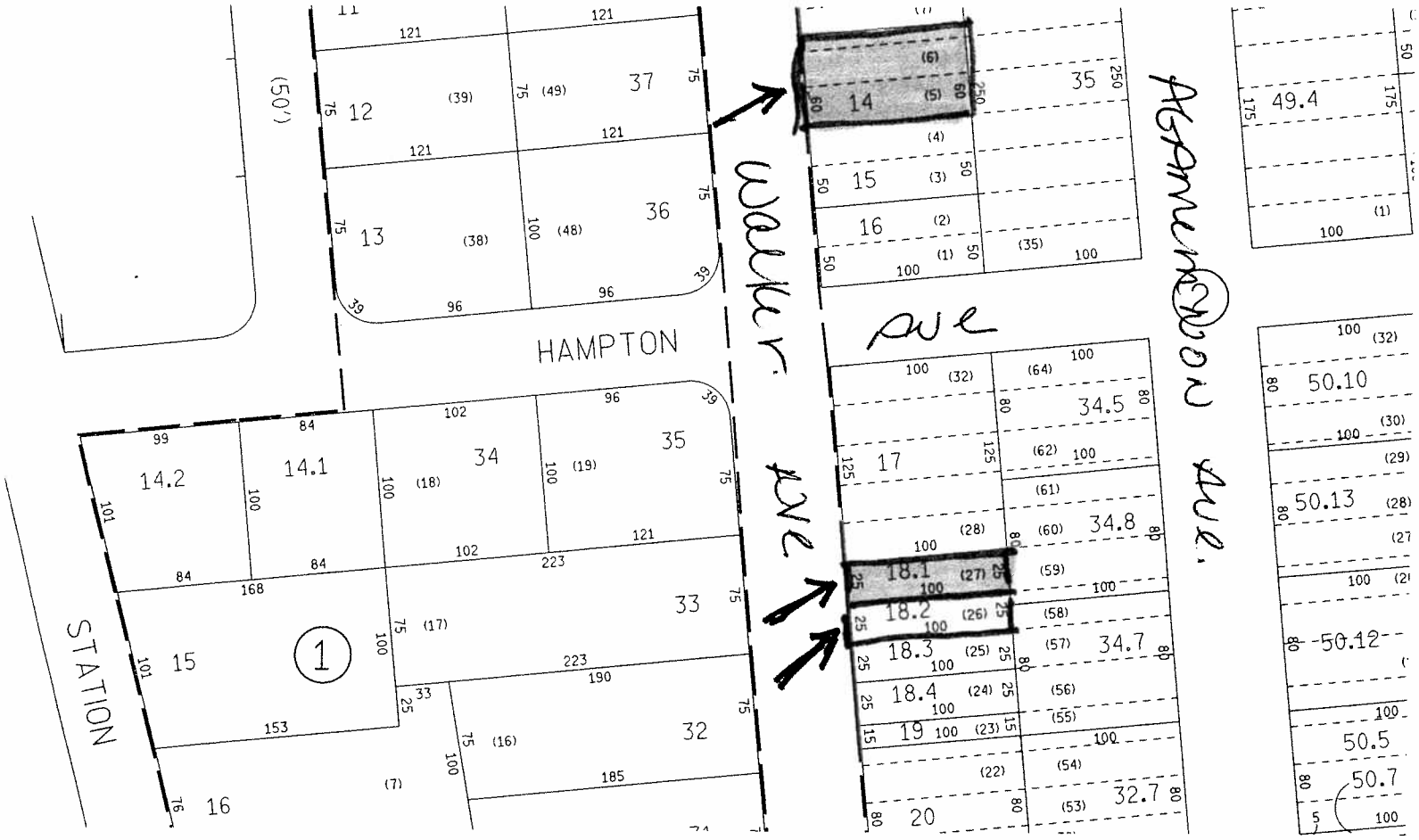

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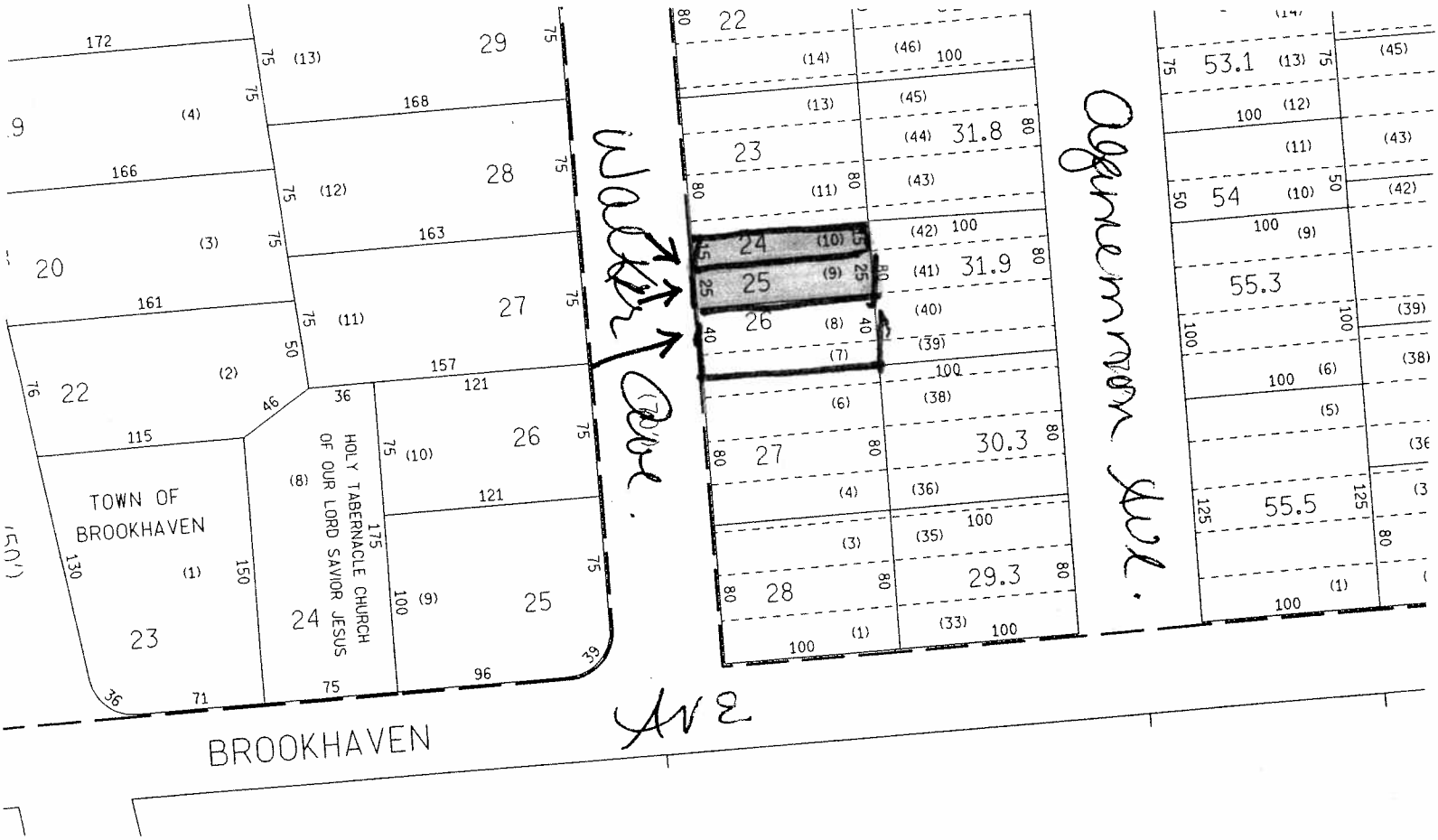

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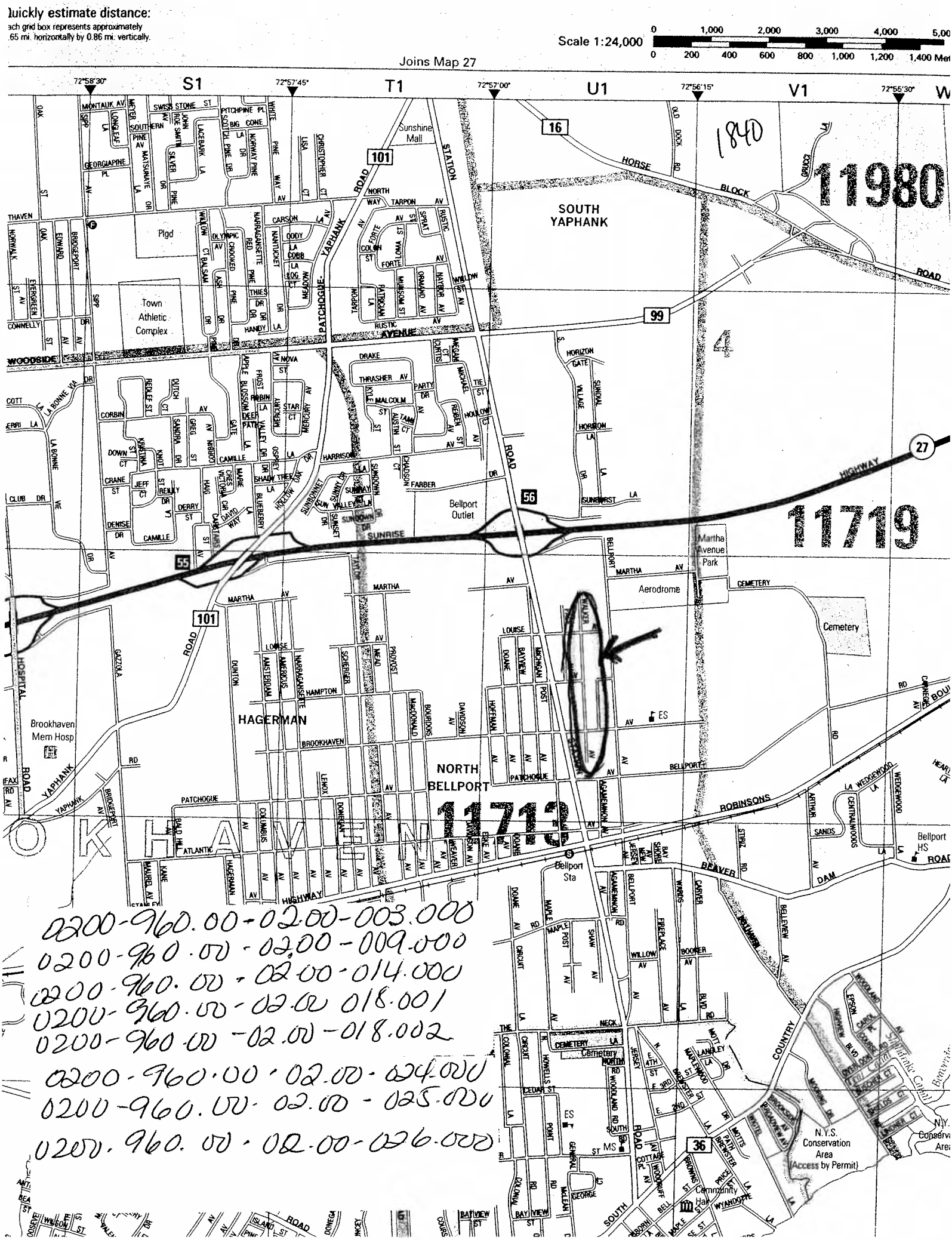
Quickly estimate distance:
each grid box represents approximately
.65 mi. horizontally by 0.86 mi. vertically.
Scale 1:24,000
0 1,000 2,000 3,000 4,000 5,00
0 200 400 600 800 1,000 1,200 1,400 Met
Joins Map 27
S1
T1
U1
V1
72°58'30"
72°57'45"
72°57'00"
72°56'15"
72°55'30"
1840
11980
11719
11713
SOUTH YAPHANK
HAGERMAN
NORTH BELLPORT
Town Athletic Complex
Sunshine Mall
Bellport Outlet
Martha Avenue Park
Aerodrome
Cemetery
Brookhaven Mem Hosp
Bellport Sta
Bellport HS
N.Y.S. Conservation Area (Access by Permit)
Community Hall
HORSE BLOCK ROAD
SUNRISE HIGHWAY
ROBINSONS BEAVER DAM ROAD
PATCHOGUE-YAPHANK ROAD
STATION ROAD
WOODSIDE AVENUE
HOSPITAL ROAD
YAPHANK ROAD
COUNTRY ROAD
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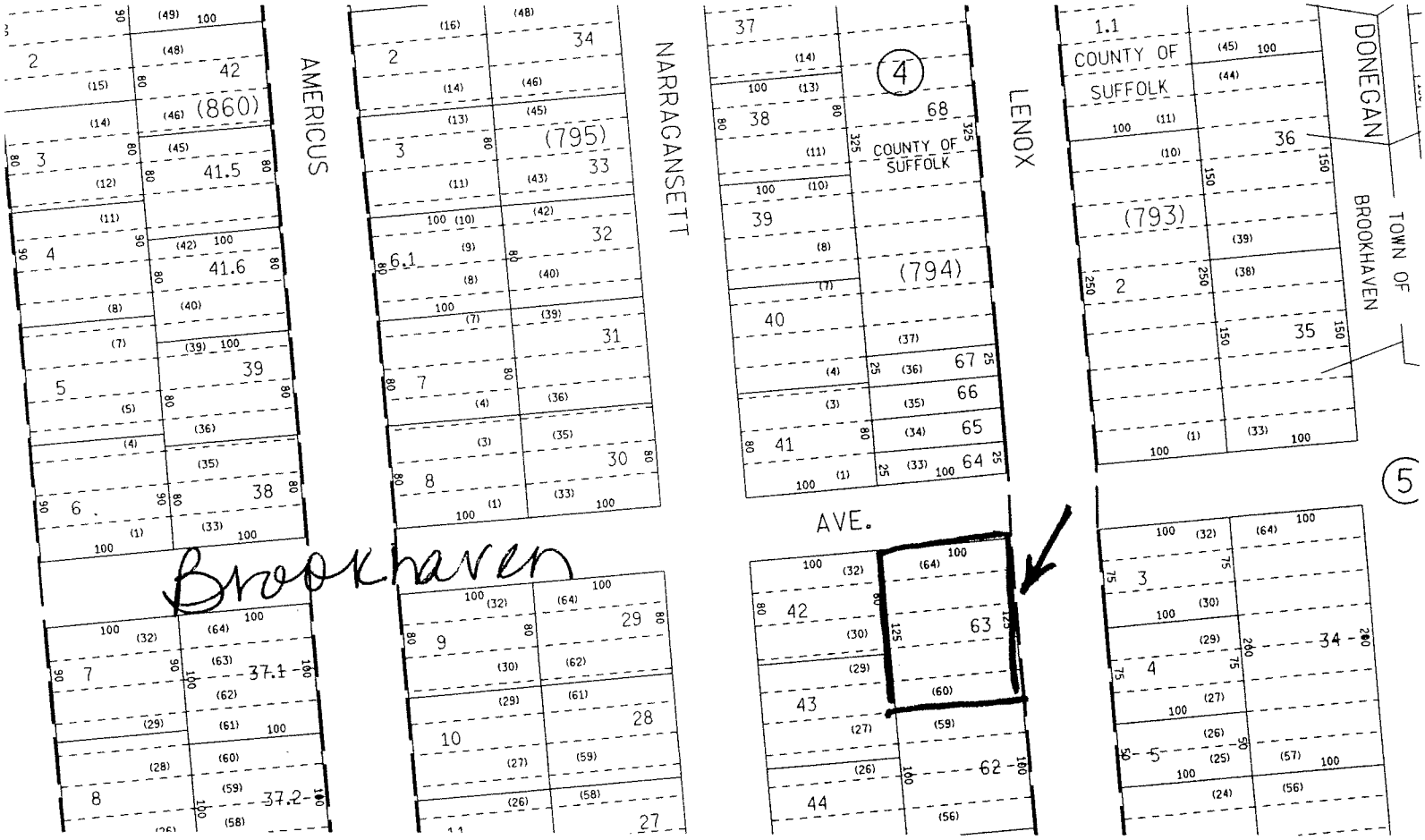

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Patchogue Ave.

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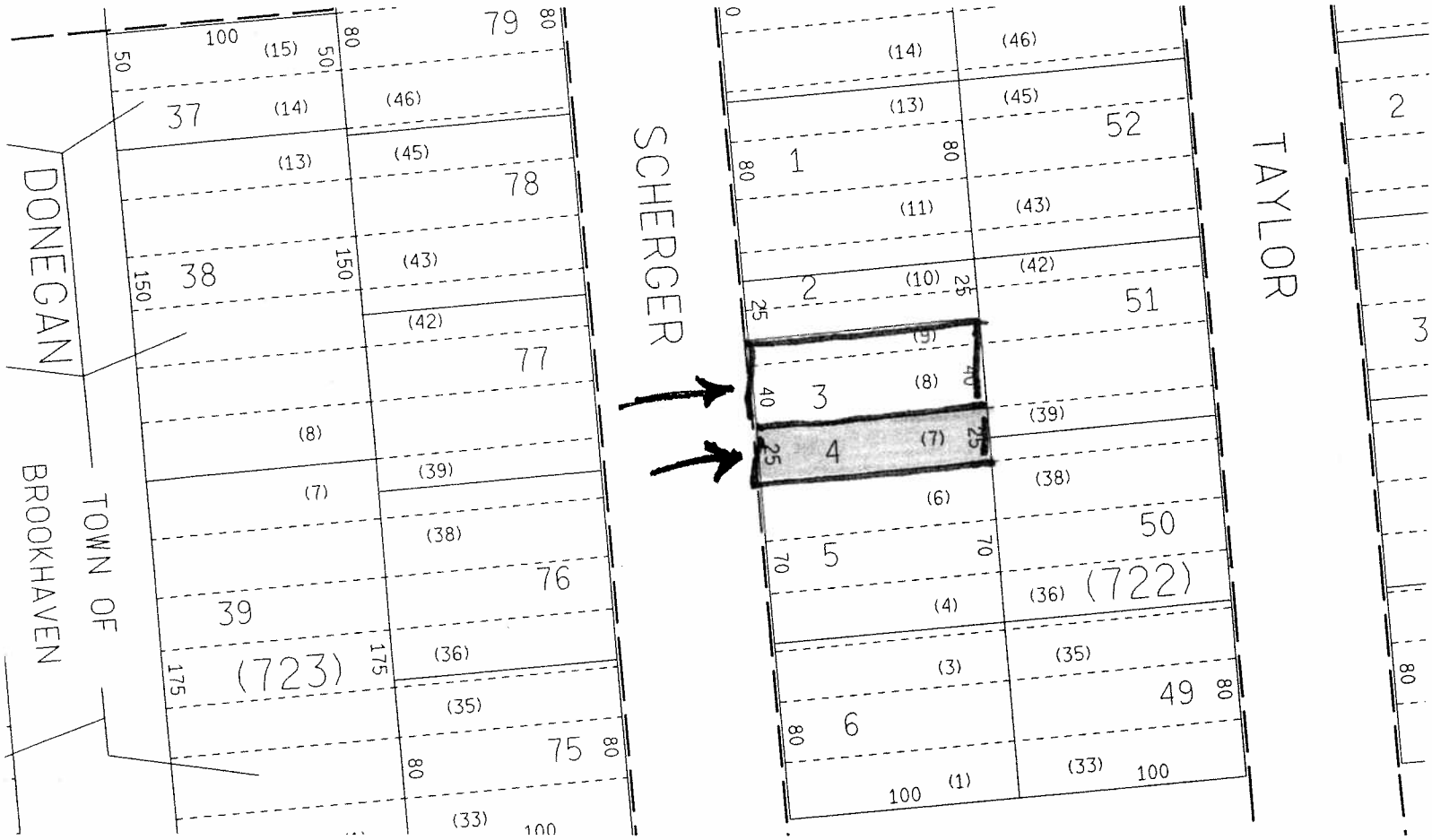

Brookhaven Ave

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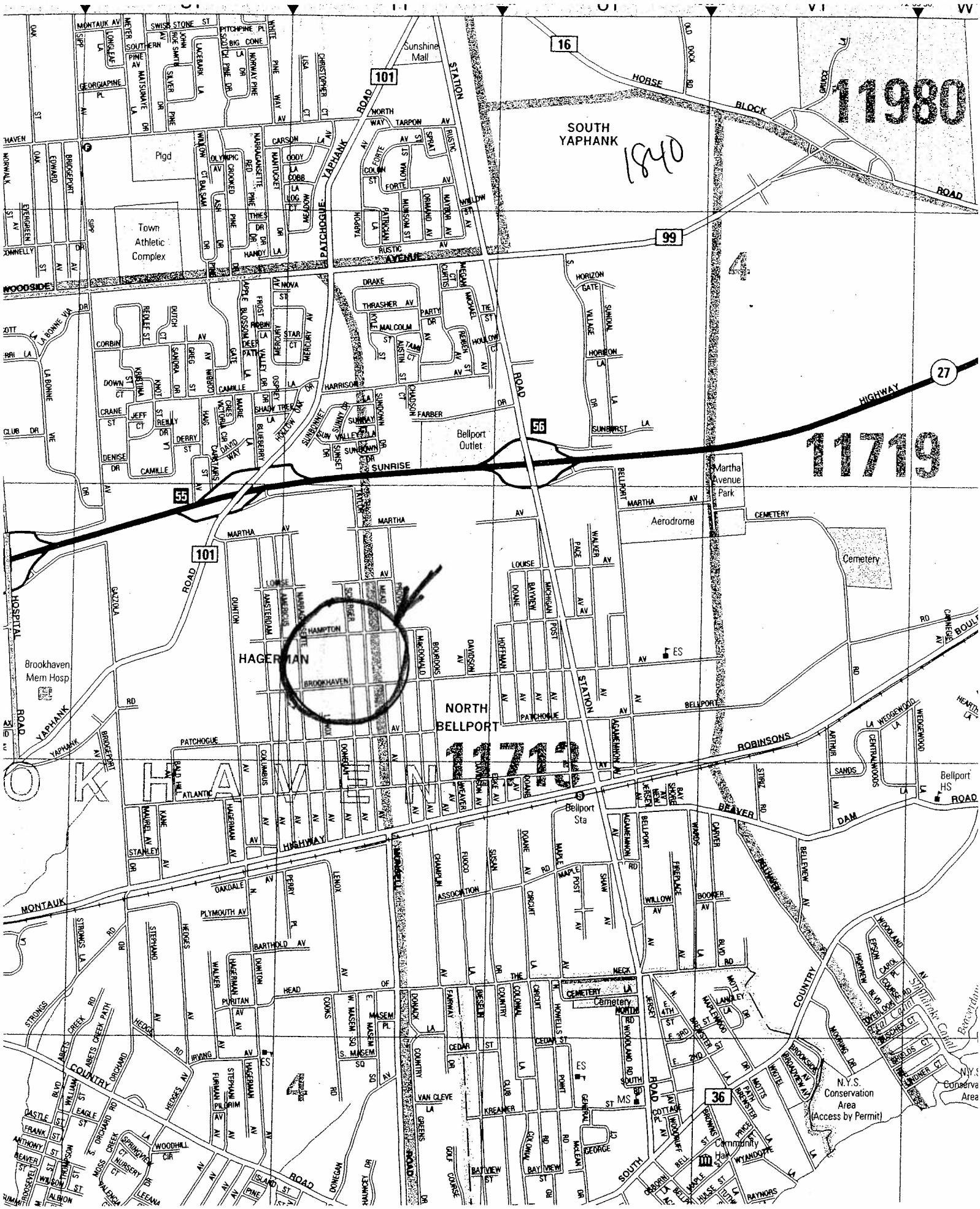
(c) Copyright 2006, Pictometry International Corp.



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Patchogue Ave.

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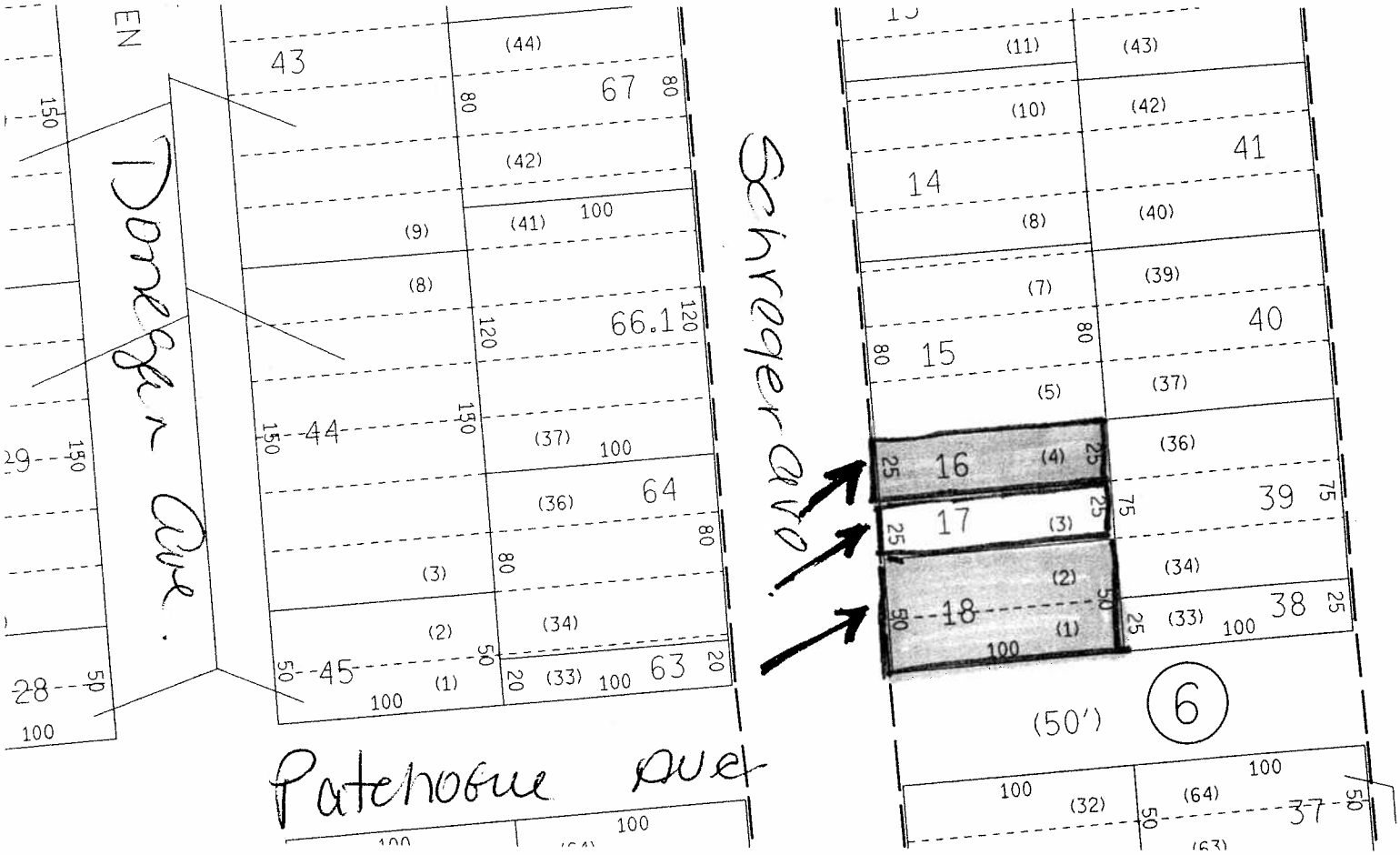

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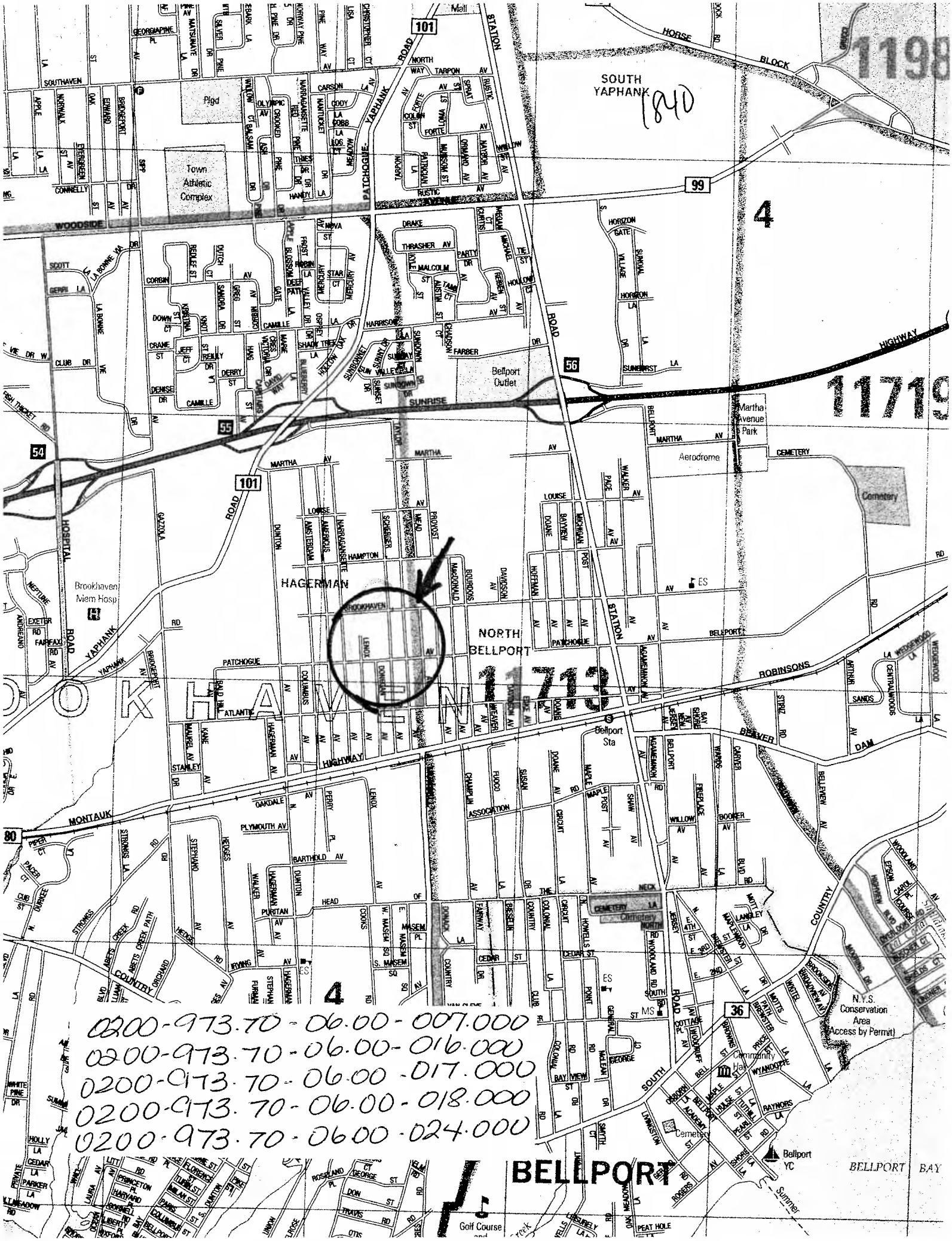
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SOUTH YAPHANK
Town Athletic Complex
Bellport Outlet
Aerodrome
Martha Avenue Park
Cemetery
HAGERMAN
NORTH BELLPORT
Brookhaven Mem Hosp
Bellport Sta
N.Y.S. Conservation Area (Access by Permit)
Community Hall
Bellport YC
BELLPORT BAY
BELLPORT
0200-973.70-06.00-007.000
0200-973.70-06.00-016.000
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1840

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X_____ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

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

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

___X__ County _____ Town _____ Economic Impact

_____ Village _____ School District _____ Other (Specify):

_____ Library District _____ Fire District

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

Loss of County investment
Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2008

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

R. J. Bhatt | RJBhatt | 8/28/08
LMS III

Gen 84

SEP 05 2008

COUNTY OF SUFFOLK

1840

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

September 2, 2008

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

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

Dear Mr. Zwirn:

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

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

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

CEK:WRT:slb

Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo
Copy w/ Resolution to:
Brendan Chamberlain, County Executive Assistant (2 hard copies)
Connie Corso, Budget Director
Thomas A. Isles, Director of Planning
Jill Rosen-Nikoloff, Director of Affordable Housing
CE Reso Review, via e-mail

1841

Intro. Res. No. -2008 Laid on Table 9/16/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE AND REPLACEMENT OF HEAVY DUTY AND SPECIALTY EQUIPMENT FOR THE DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES (CAPITAL PROGRAM NO. 3421)

WHEREAS, the Commissioner of Fire, Rescue and Emergency Services has requested funds for the purchase of a replacement dump truck for the Suffolk County Fire Training Center on the Yaphank County Complex; and

WHEREAS, the Department of Fire, Rescue and Emergency Services is tasked with maintaining the grounds and the live fire training buildings and props at the Fire Training Center; and,

WHEREAS, the Fire Training Center maintenance work, in significant part, includes the use of a dump truck for the removal of fire debris from training buildings and the training grounds to the local landfill on a daily basis from April 1 through November 30 each year; and,

WHEREAS, the vehicle currently used for the purposes of removing the fire debris is a twenty year old dump truck which has better than 85,000 miles of usage, is constantly in disrepair and has a cab and dump body that is deteriorated through in several spots on the floors and, in the case of the dump body, sidewalls due to excessive corrosion posing a potential safety hazard; and,

WHEREAS, the existing dump truck must be replaced due to the aforementioned conditions with a current model year four wheel drive dump truck meeting or exceeding the specifications and functionality of the present vehicle with the additional capabilities of towing the domestic preparedness trailers operated by the department and mitigating snow and ice accumulation during adverse winter weather; and,

WHEREAS, sufficient funds are not included in the 2008 Capital Budget and Program to cover the costs of said request under Capital Program 3421 and, pursuant to Suffolk County Charter Section C4-13, an offsetting authorization must be provided from another Capital Project; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $65,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, that it is determined that this program with a priority ranking of forty-eight (48) 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 this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) (25) and (27), in that the resolution concerns purchase of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

3rd **RESOLVED,** Resolution No. 321-2003 requires that no vehicle shall be purchased or leased unless "explicit approval for the acquisition of such vehicles via lease or purchase, has been granted via duly enacted Resolution of the Suffolk County Legislature"; and be it further

4th **RESOLVED**, as per resolution No. 321-2003, the Legislature hereby approves the purchase of one (1) replacement dump truck and that the county fleet will not be increased: and be it further

5th **RESOLVED**, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 1800
Project Title: Secure Authentication System

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
5. Furniture & Equipment	$65,000	$72,000G	$ 7,000G
TOTAL	$ 65,000	$ 72,000	$ 7,000

Project No.: 3421
Project Title: Heavy Duty and Specialty Equipment for the Department of Fire, Rescue and Emergency Services

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
5. Furniture & Equipment	$65,000	0	$65,000B
TOTAL	$65,000	0	$65,000

and be it further

6th **RESOLVED**, that the proceeds of $65,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-3421.510 Fund 001 Debt Service	29	Heavy Duty and Specialty Equipment for the Department of Fire, Rescue and Emergency Services	$65,000

DATE:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1841

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. -2008, AMENDING THE CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE AND REPLACEMENT OF HEAVY DUTY AND SPECIALTY EQUIPMENT FOR THE DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES (CAPITAL PROGRAM 3421 – NEW)

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

SERIAL BONDS WILL BE USED TO FINANCE THE 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 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
Gina H. Kommer Assistant Executive Analyst		July 28, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1841

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$14,652**	**$0.03**		$0.000

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$14,652**	**$0.03**		$0.000

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

To be completed by the Executive Budget Office

Suffolk County
CP 3421
General Obligation Serial Bonds
Level Debt

1841

Term of Bonds	5
Amount to Bond:	$65,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
7/28/2008					
1/28/2009					
7/28/2009	4.125%	$11,970.82	$2,681.25	$14,652.07	$14,652.07
			$1,093.73	$1,093.73	
7/28/2010	4.125%	$12,464.62	$1,093.73	$13,558.35	$14,652.07
			$836.64	$836.64	
7/28/2011	4.125%	$12,978.78	$836.64	$13,815.43	$14,652.07
			$568.96	$568.96	
7/27/2012	4.125%	$13,514.16	$568.96	$14,083.12	$14,652.07
			$290.23	$290.23	
7/28/2013	4.125%	$14,071.62	$290.23	$14,361.84	$14,652.07
		$65,000.00	$8,260.36	$73,260.36	$73,260.36

COUNTY OF SUFFOLK

1841

JOSEPH F. WILLIAMS
COMMISSIONER

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

WARREN HORST
CHIEF FIRE MARSHAL

EDWARD C. SCHNEYER
DIRECTOR OF EMERGENCY PREPAREDNESS

DEPUTY COMMISSIONER

DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES

TO: Ben Zwirn, Assistant Deputy County Executive
Intergovernmental Relations

FROM: Joseph F. Williams

Commissioner

DATE: July 18, 2008

SUBJECT: Request for Introductory Resolution: Capital Program 3421 – Replacement Heavy Duty Vehicle

---

Enclosed for further processing in collaboration with the Budget Office are an introductory resolution and supporting documents to amend the 2008 Capital Budget and Program and appropriate $65,000 in offset funds in connection with the purchase and replacement of a heavy duty vehicle for the department.

As you may be aware, the Department of Fire, Rescue and Emergency Services is tasked with maintaining the grounds and the live fire training buildings and props at the Fire Training Center in Yaphank which, in significant part, includes the use of a dump truck for the removal of fire debris from training buildings and the training grounds to the local landfill on a daily basis from April 1 through November 30 each year. The vehicle currently used for that purpose is a twenty year old dump truck that has better than 85,000 miles of usage, is constantly in disrepair and has a cab and dump body that is deteriorated through in several spots on the floors and, in the case of the dump body, sidewalls due to excessive corrosion posing a potential safety hazard. The existing dump truck must be replaced with a current model year four wheel drive dump truck meeting or exceeding the specifications and functionality of the present vehicle with the additional capabilities of towing the domestic preparedness trailers operated by the department and mitigating snow and ice accumulation during adverse winter weather.

If you have any questions, please contact Warren Horst of my office at 24855.

JFW:WH

Enclosures

cc: Jim Morgo, Chief Deputy County Executive

COMMISSIONER'S OFFICE: (631) 852-4850
FIRE MARSHAL'S OFFICE: (631) 852-4855
EMERGENCY MGMT OFFICE: (631) 852-4900
COMM. CENTER (24-HOUR): (631) 852-4815
FAX: (631) 852-4861

PO BOX 127 – YAPHANK AVENUE
YAPHANK, NEW YORK 11980-0127

Introductory Resolution No. 1842 Laid on Table 9/16/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT
ESTATE OF SID FARBER a/k/a SIDNEY FARBER by Nadia Farber, as Administrator
0200-973.90-01.00-027.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 973.90, Block 01.00, Lot 027.000, and acquired by tax deed on May 15, 1985, from General L. Rains, the Deputy County Treasurer of Suffolk County, New York, and recorded on May 15, 1985, in Liber 9791, at Page 20 on 37, and otherwise known as and by Town of Brookhaven, County of Suffolk, State of New York, known and designated as Lots 50 to 59 inclusive, Block 79, on a certain map entitled, "Map of New York and Brooklyn Suburban Investment Company, Map #3" filed in the Office of the Clerk of Suffolk County on 6/9/1890 as Map #444; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on May 15, 1985, from General L. Rains, the Deputy County Treasurer of Suffolk County, New York, and recorded on May 15, 1985 in Liber 9791 at Page 20.

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, NADIA FARBER, as Administrator of the Estate of Sid Farber a/k/a Sidney Farber, has made application of said above described parcel and NADIA FARBER, as Administrator of the Estate of Sid Farber a/k/a Sidney Farber, has paid the application fee and $32,075.19, 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 ESTATE OF SID FARBER a/k/a SIDNEY FARBER by Nadia Farber, as Administrator, 10 Farber Drive, Suite 50, Bellport, New York 11713, 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

1842

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

August 21, 2008

Tax Map No.: 0200-973.90-01.00-027.000
Name of Last Legal Fee Owner: ESTATE OF SID FARBER a/k/a SIDNEY FARBER by Nadia Farber, as Administrator

TREASURER'S COMPUTATION..... $30,707.89

Taxes..... 2007/2008..... $ 1,367.30

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $32,075.19

Monies Received..... $32,075.19

RESOLUTION AMOUNT..... $32,075.19

APPROVED:

Karen A Blake 8/28/08
Accounting
LB:sc

PREPARED BY:

Lori Bertone
Redemption Unit
(631) 853-5932

1842

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0200-973.90-01.00-027.000

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 8/2/08

COMPUTATION BY SUFFOLK COUNTY TREASURER

1842

PAGE 1

DISTRICT	SECTION	BLOCK	LOT
0200	973.90	01.00	027.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

1980/81		268.77
1981/82		491.53
1982/83		462.57
1983/84		415.00
1984/85		354.39
1985/86		228.99
1986/87		239.69
1987/88		225.89
1988/89		459.43
1989/90		472.72
1990/91		519.21
1991/92		564.89
1992/93		637.49
1993/94		711.41
1994/95		722.71
1995/96		755.25
1996/97		792.12
1997/98		784.23
1998/99		800.51
1999/00		824.61
2000/01		860.23
2001/02		950.09
2002/03		1022.60
	TOTAL:	13564.33

B. INTEREST DUE	10113.26
C. TOTAL	23677.59
D. 5% LINE C	1183.88
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE PAGE 1 $24,861.47

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 16-Jul-08

SEE PAGE 2

Douglas W. Sutherland
Chief Deputy County Treasurer

** Interest and penalty computed to and including 01/12/09

1842

COMPUTATION BY SUFFOLK COUNTY TREASURER
PAGE 2

DISTRICT	SECTION	BLOCK	LOT
0200	973.90	01.00	027.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2003/04	1101.62
2004/05	1142.09
2005/06	1206.25
2006/07	1301.22

2007/08 PROPERTY TAXES $1367.30 NOT INCLUDED IN COMPUTATION

		TOTAL:	4751.18
B. INTEREST DUE			816.84
C. TOTAL			5568.02
D. 5% LINE C			278.40
E. FEE			
F. MISC			
G. MISC			
H. TOTAL	DUE	PAGE 2	$5,846.42
I. TOTAL	DUE	PAGE 1	$24,861.47
J. TOTAL	**DUE**	**FOR COMPUTATION**	**$30,707.89**

30,707.89
1,367.30
$32,075.19
total due

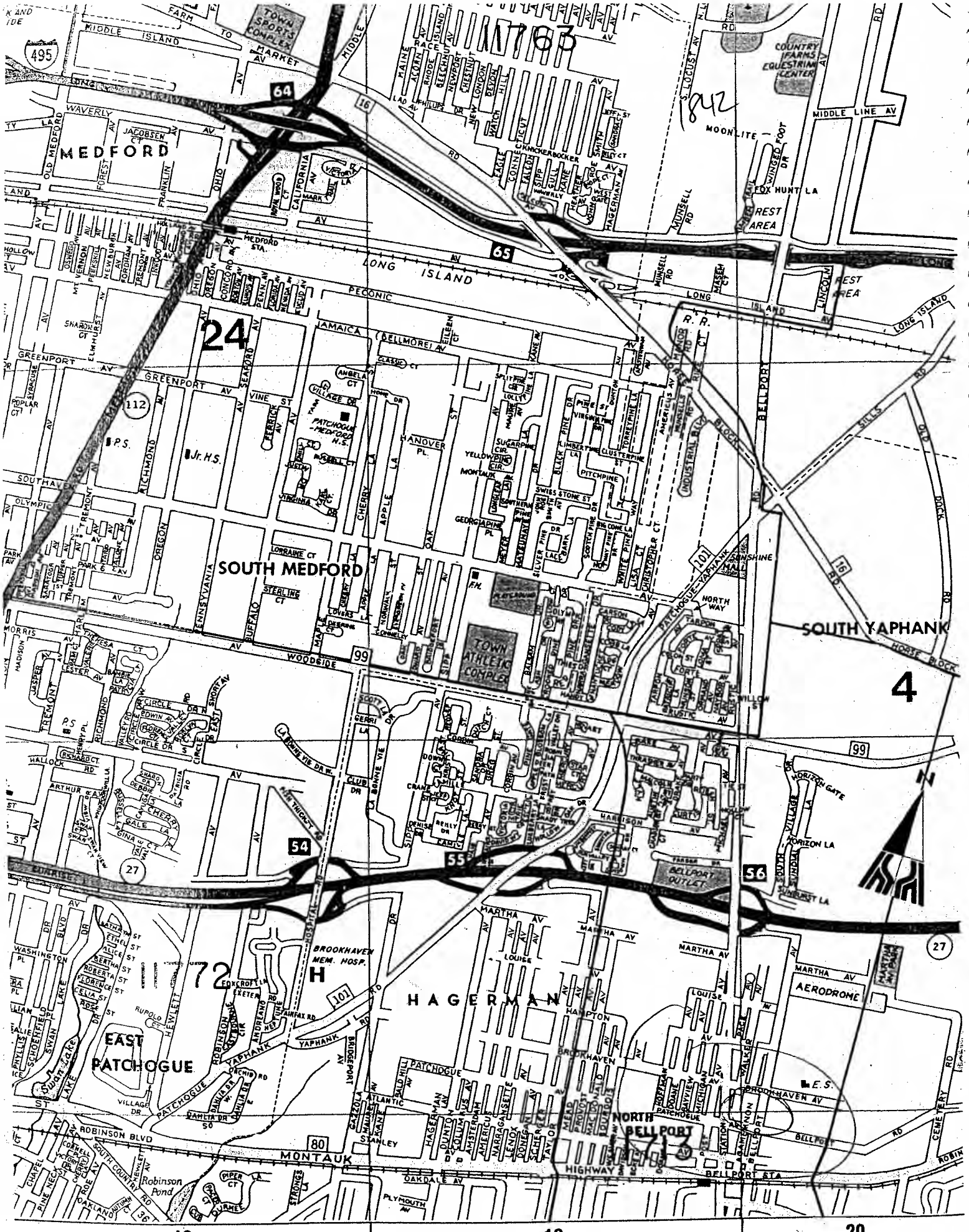
CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 16-Jul-08

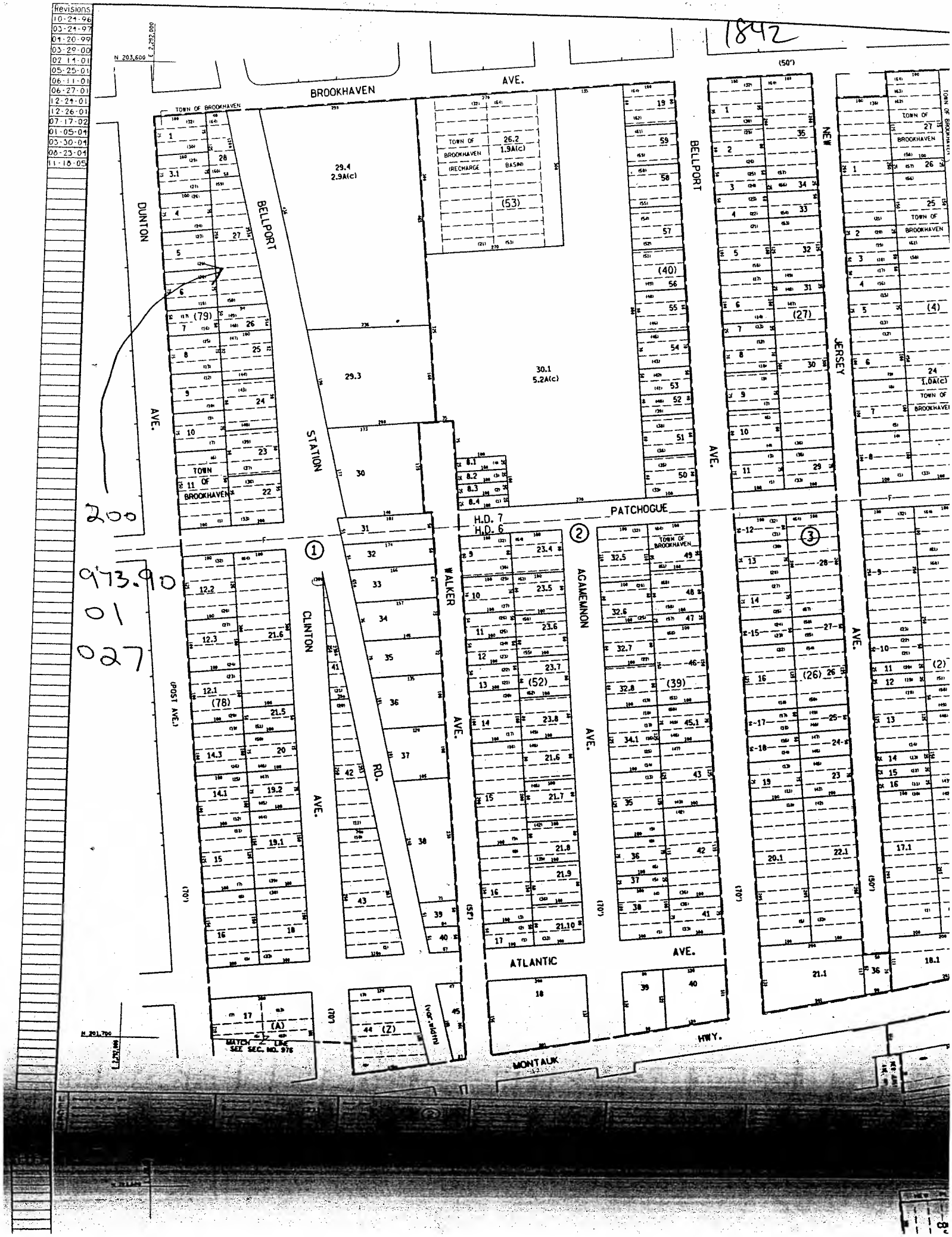
Douglas W. Sutherland
Chief Deputy County Treasurer

** Interest and penalty computed to and including 01/12/09



FOR ADJOINING AREA SEE MAP NO.18

0200-973.90-1-27



Revisions
10-24-96
03-24-97
04-20-99
03-29-00
02-14-01
05-25-01
06-11-01
06-27-01
12-24-01
12-26-01
07-17-02
01-05-04
03-30-04
08-23-04
11-18-05
1842
N 203,600
E 2,292,000
BROOKHAVEN AVE.
TOWN OF BROOKHAVEN
DUNTON AVE.
BELLPORT STATION RD.
BELLPORT AVE.
NEW JERSEY AVE.
PATCHOGUE
H.D. 7
H.D. 6
CLINTON AVE.
WALKER AVE.
AGAMEMNON AVE.
ATLANTIC AVE.
MONTAUK HWY.
(POST AVE.)
TOWN OF BROOKHAVEN (RECHARGE BASIN)
29.4
2.9A(c)
26.2
1.9A(c)
29.3
30.1
5.2A(c)
1.0A(c)
200
973.90
01
027
MATCH LINE SEE SEC. NO. 976
N 201,700

Gen Bx

COUNTY OF SUFFOLK

1842

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

SEP 0 8 2008

September 4, 2008

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

Re: Tax Map No. 0200-973.90-01.00-027.000
ESTATE OF SID FARBER a/k/a SIDNEY FARBER by Nadia Farber, as Administrator

Dear Mr. Zwirn:

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

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

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

Very truly yours,

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

CEK:sc

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

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

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

53

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. 1843-08 Laid on Table 9/16/08

Introduced by the Presiding Officer on request of the County Executive

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

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

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

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

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

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

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

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

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

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

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

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

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1843

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

SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law 13-1976
Tax Map No. 0200-798.00-02.00-040.000

ADJOINING OWNER	BID	BID	BID
Joseph J. Donlon and Simone M. Donlon 87 Johnson Ave. Ronkonkoma, NY 11779 0200-798.00-02.00-039.000	$6,500.00		
Carol Ann Martin & Eileen Hempstead 91 Johnson Ave. Ronkonkoma, NY 11779 0200-798.00-02.00-043.001	$0		
Kimberly Sprague 86 First Street Ronkonkoma, NY 11779 0200-798.00-02.00-034.001	$0		

SIZE OF PARCEL: 40' x 100'
APPRAISED VALUE: $6,500.00
COMMENT: Direct Sale to Adjacent Owner

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

1843

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

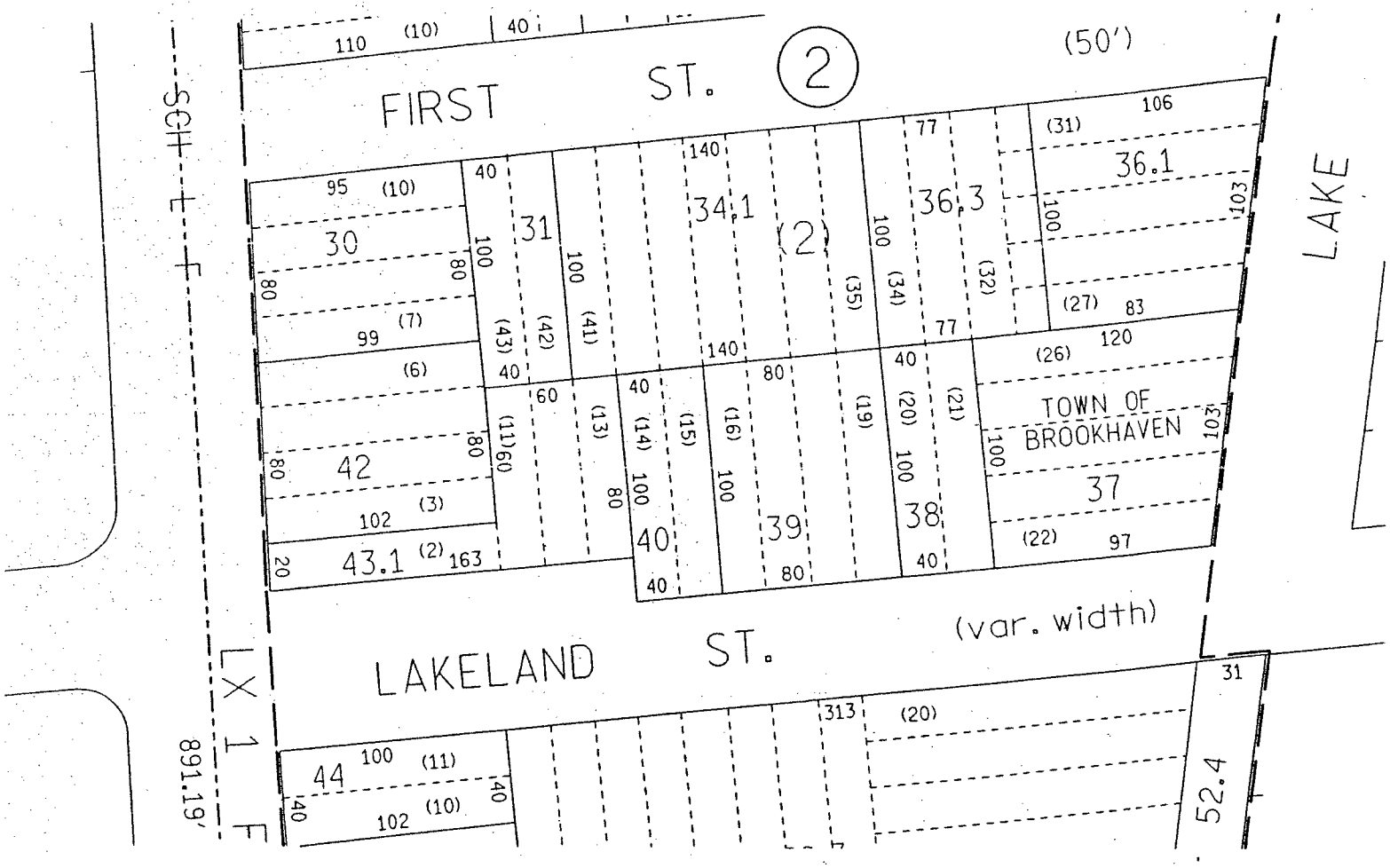
Diane Bishop- LMS III Diane Bishop 9/2/08

1843

0200-798.00-02.00-040.000
W
E
S
(c) Copyright 2006, Pictometry International Corp.

184 3

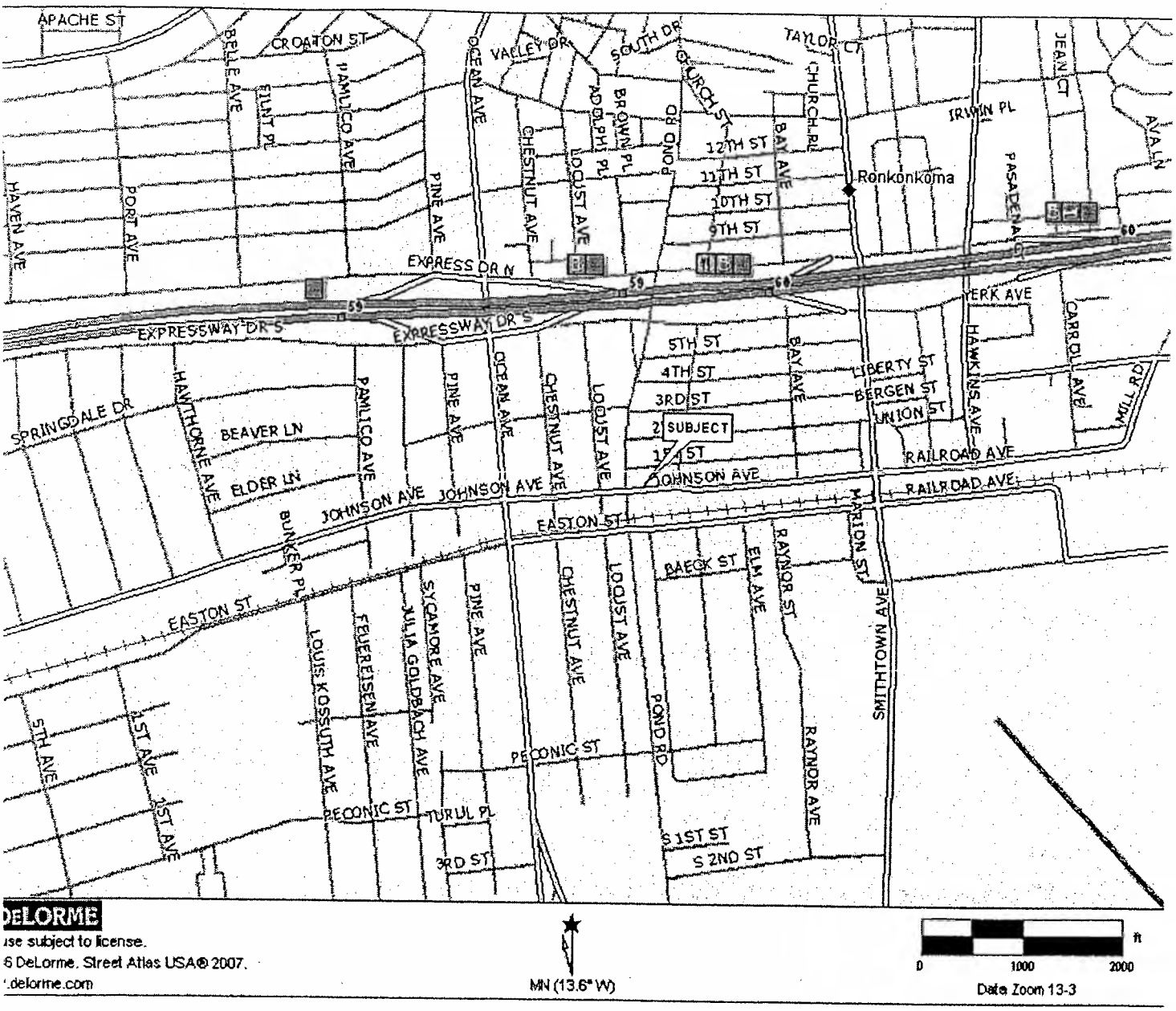
1843



FIRST ST.
2
(50')
LAKE
LAKELAND ST.
(var. width)
TOWN OF BROOKHAVEN
SCH L F
LX 1 F
891.19'
30
31
34.1
(2)
36.3
36.1
42
43.1
40
39
38
37
44
52.4

LOCATION MAP

1843



J. Grossmann
ASSOCIATES, INC.

1843

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

SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law 13-1976
Tax Map No. 0200-798.00-02.00-040.000

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

SIZE OF PARCEL: 40' x 100'
APPRAISED VALUE: $6,500.00
COMMENT: Direct Sale to Adjacent Owner

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

1843

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law X Charter Law _____

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to adjacent owner

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

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

X County _____Town _____Economic Impact

_____Village _____School District Other (Specify):

_____Library District _____Fire District

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

Income from sale

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

Unknown

8. Proposed Source of Funding

None

9. Timing of Impact

2008

10. Name & Title of Preparer Signature of Preparer Date

Diane Bishop- LMS III Diane Bishop 5/28/08

Gen 29

COUNTY OF SUFFOLK

1843 SEP 08 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

September 4, 2008

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

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

Dear Mr. Zwirn:

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

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

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

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

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

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

1844

Intro Res. No. -08 LOT 9/16/08

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

RESOLUTION NO. -08, ACCEPTING AND APPROPRIATING ADDITIONAL FUNDS FOR A 100% STATE FUNDED GRANT FOR A SUMMER YOUTH EMPLOYMENT PROGRAM.

WHEREAS, the New York State Department of Temporary and Disability Assistance (OTDA) has awarded a grant in the amount of $969,253 to the Suffolk County Department of Labor to fund a Summer Youth Employment Program; and

WHEREAS, this grant is funded by surplus funds from the Temporary Assistance to Needy Families (TANF) program, for the express purpose of providing a full wage subsidy paid Summer Youth Employment program; and

WHEREAS, the allowable activities under this TANF Grant include work subsidies to employers; education and training; supportive services; transportation for employed persons for the purpose of attending work or training; counseling and employment related services; and the purchase of tools, uniforms, or clothing necessary to look for/accept work; and

WHEREAS, funds were included in the Suffolk County Operating Budget in the amount of $931,618 including interfund transfers; and

WHEREAS, additional funds were awarded in the amount of $37,635 and

WHEREAS, these funds are 100% State funded; now, therefore, be it

1. **RESOLVED**, that the County Comptroller and the County Treasurer be and they are hereby authorized to accept and appropriate the additional funds as follows:

REVENUES:

320- LAB - 3790 State Aid: Various Labor Programs	$37,635

ORGANIZATIONS:

Department of Labor (LAB)
Summer TANF
320-6600

1000 - PERMANENT SALARIES	**34,960**
1112 – Summer Program	34,960
8000 - EMPLOYEE BENEFITS	**2,675**
8330 - Social Security	2,675

and be it further

2. **RESOLVED,** that this resolution does not authorize the lease of any additional vehicles; and be it further

3. **RESOLVED**, that the County Executive is duly authorized to designate the Department of Labor as the grant recipient and fiscal agent for the Summer TANF Funds; and be it further

4. **RESOLVED**, that the Reporting Category for the County Integrated Financial Management System (IFMS) is 6600.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1844

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1.	Type of Legislation Resolution _X_ Local Law ___ Charter Law
2.	Title of Proposed Legislation: **ACCEPTING AND APPROPRIATING ADDITIONAL FUNDS FOR A 100% STATE FUNDED GRANT FOR A SUMMER YOUTH EMPLOYMENT PROGRAM**
3.	Purpose of Proposed Legislation **ACCEPT AND APPROPRIATE ADDITIONAL FUNDS FOR A 100% STATE FUNDED GRANT FOR A SUMMER YOUTH EMPLOYMENT PROGRAM.**
4.	Will the Proposed Legislation Have a Fiscal Impact? Yes _X_ No REVENUE TO COUNTY
5.	If the Answer to item 4 is "yes", on what will it impact? (check appropriate category) _X_ County _____Town _____Economic Impact _____Village _____School District _____Other (Specify _____Library District _____Fire District _____NOT APPLICABLE
6.	If the answer to item 4 is "yes", Provide Detailed Explanation of Impact ADDITIONAL REVENUE
7.	Total Financial Cost of Funding over 5 Years on Each Affected Political or Subdivision. **N/A**
8.	Proposed Source of Funding **NEW YORK STATE DEPARTMENT OF TEMPORARY AND DISABILITY ASSISTANCE**
9.	Timing of Impact IMMEDIATE

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
JOANNE KANDELL **PRINCIPAL ACCOUNTANT**	Joanne Kandell	**August 13, 2008**

SCIN FORM 175b (10/95)

1844

COORDINATION OF GRANT APPLICATION OR CONTRACT **County of Suffolk**	Date August 13, 2008

Submitting Department/Agency	Location
Suffolk County Department of Labor	**Bldg. 17, No. County Complex** **Veterans Memorial Highway** **Hauppauge, NY 11788**

Contact Person in Dept/Agency	Telephone Number	Grant Application Due Date
Joanne Kandell	**853-6610**	**N/A**

INSTRUCTIONS: Applicant will complete all items on this form. If an item is not applicable enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" x 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title: **ACCEPTING AND APPROPRIATING ADDITIONAL FUNDS FOR A 100% STATE FUNDED GRANT FOR A SUMMER YOUTH EMPLOYMENT PROGRAM**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)
NEW YORK STATE DEPARTMENT OF LABOR

3. Grant/Contract Status (Check One)

a. ___ New Program Application
b. ___ Renewal Application
c. x Supplemental (Specify)
d. ___ Extension of Funding Period
e. ___ Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment)
TO PROVIDE ADDITIONAL FUNDS FOR A 100% STATE FUNDED GRANT FOR A SUMMER YOUTH EMPLOYMENT PROGRAM.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program).
SUFFOLK COUNTY DEPARTMENT OF LABOR

II. BUDGET INFORMATION

1. Term of Contract
FROM: 5/1/08 TO: 9/30/08

2. Financial Assistance Requested

SOURCE	FIRST FUNDING CYCLE		SECOND FUNDING CYCLE		THIRD FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	$	%	$	%	$	%
State	**$ 37,635**	**100%**	$	%	$	%
Town	$	%	$	%	$	%
County	$	%	$	%	$	%
Total	$ 37,635	**100%**	$	%	$	%

SCIN Form 164b (10-80) This form replaces EXGC Form 1, which is obsolete

COUNTY OF SUFFOLK

AUG 1 9 2008

1844

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

ROBERT W. DOW, JR.
COMMISSIONER
DEPARTMENT OF LABOR
725 VETERANS MEMORIAL HIGHWAY
HAUPPAUGE, N.Y. 11788

ADDRESS CORRESPONDENCE TO:
P.O. BOX 1319
SMITHTOWN, N.Y. 11787-0895
e-mail:sc.dol@suffolkcountyny.gov
FAX # (631) 853-6510
www.suffolkcountyny.gov/labor

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive for Intergovernmental Relations
Suffolk County Executive's Office

FROM: Robert W. Dow, Jr., Commissioner RWD

DATE: August 13, 2008

RE: **INTRODUCTORY RESOLUTION**

Attached please find the following Introductory Resolution for the next Legislative meeting:

RESOLUTION NO. -08, **ACCEPTING AND APPROPRIATING ADDITIONAL FUNDS FOR A 100% STATE FUNDED GRANT FOR A SUMMER YOUTH EMPLOYMENT PROGRAM.**

Thank you for your assistance.

* * *

RWD:jk
Attachment

cc: Jim Morgo, Chief Deputy County Executive

1845 9/16/08

Into Reso. No. -2008 **Laid on Table**
Introduced by the Presiding Officer on Request of the County Executive

RESOLUTION NO. – 2008 AMENDING RESOLUTION 947-1993 TO REQUIRE IDENTIFICATION OF COUNTY PURCHASING PERSONNEL

WHEREAS, Section 104-b of New York General Municipal Law requires that local governments develop procurement policies and procedures, applicable to non-bid purchases; and

WHEREAS, such formal policies and procedures assist in guarding against favoritism, improvidence, extravagance, fraud and corruption, and the identification of the individuals responsible for purchasing decisions will increase awareness of purchasing practices and increase accountability; and

WHEREAS, Section 104-b has recently been amended by adding sub-division (f), effective January 1, 2009, requiring that local governments include within their procurement policies and procedures, identification of the individual or individuals responsible for purchasing and their respective titles, and that such information be updated biennially; and

WHEREAS, the County's procurement policies and procedures were adopted by Resolution No. 987-1993 but do not identify the County purchasing personnel, thereby necessitating an amendment to the policies and procedures in order to conform to State law; now, therefore, be it

1st **RESOLVED,** that the third resolved clause of Resolution No. 947-1993 is hereby amended to read as follows:

> **RESOLVED**, that the following procedures shall apply to both the procurement of goods and public works:
>
> ***
>
> 3.) the Suffolk County Legislature shall review these policies and procedures annually; and [be it further]
>
> 4.) <u>the following County personnel are hereby authorized, empowered and directed to implement the foregoing policies and procedures:</u>
>
> <u>a.) Kathleen Koppenhoefer, General Services Manager, Department of Public Works;</u>

b.) Gilbert Anderson, Commissioner, Department of Public Works;

c.) Anita S. Katz, Commissioner Board of Elections;

d.) Cathy L. Richter Geier, Commissioner Board of Elections; and

e.) Craig M. Harris, Administrative Director of Business Operations, Suffolk County Community College.

5.) County purchasing personnel information shall be updated biennially, and be it further

and be it further

2nd **RESOLVED,** that all other terms and conditions of Resolution No. 947-1993 shall remain in full force and effect; and be it further

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

4th **RESOLVED,** that this authorization shall take effect immediately.

[ ] Brackets denote deletion of language
__ Underlining denotes addition of new language

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date

1846

Intro. Res. No. -2008 Laid on Table 9/16/08

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 PLANNING FOR THE CONSTRUCTION OF MAINTENANCE AND OPERATIONS FACILITIES – WEST SAYVILLE AND CATHEDRAL PINES (CP 7173)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for planning for construction of maintenance and operations facilities at West Sayville Golf Course and Cathedral Pines County Park; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of planning under Capital Program Number 7173; and

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

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

1st RESOLVED, that this Legislature, being 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) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this program, with a priority ranking of forty-four (44), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

Project No. 7173
Project Title: Construction of Maintenance and Operations Facilities

	Total Estimated Cost	Current 2008 Capital Program and Budget	Revised 2008 Capital Program and Budget
1. Planning	$865,000	$95,000B	$200,000B
3. Construction	$7,780,000	$1,130,000B	$1,025,000B
TOTAL	$8,645,000	$1,225,000	$1,225,000

and be it further

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

Project No.	J.C.	Project Title	Amount
525-7173.115 (Fund 001 Debt Service)	26	Planning and Design for the Construction of Maintenance and Operations Facilities, West Sayville Golf Course	$95,000
525-7173.116 (Fund 001 Debt Service)	26	Planning and Design for the Construction of Maintenance and Operations Facilities Cathedral Pines County Park	$105,000

Dated:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1846

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH PLANNING FOR THE CONSTRUCTION OF MAINTENANCE AND OPERATIONS FACILITIES – WEST SAYVILLE AND CATHEDRAL PINES (CP 7173)

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		June 13th, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1846

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$45,084**	**$0.08**		$0.000

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$45,084**	**$0.08**		$0.000

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

To be completed by the Executive Budget Office

Suffolk County
Project Name
General Obligation Serial Bonds
Level Debt

1846

Term of Bonds: 5
Amount to Bond: $200,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2007					
5/1/2008					
11/1/2008	1.125%	$36,833.30	$8,250.00	$45,083.30	$45,083.30
			$3,365.31	$3,365.31	
11/1/2009	1.125%	$38,352.67	$3,365.31	$41,717.98	$45,083.30
			$2,574.29	$2,574.29	
11/1/2010	1.125%	$39,934.72	$2,574.29	$42,509.01	$45,083.30
			$1,750.64	$1,750.64	
11/1/2011	1.125%	$41,582.03	$1,750.64	$43,332.66	$45,083.30
			$893.01	$893.01	
11/1/2012	1.125%	$43,297.28	$893.01	$44,190.29	$45,083.30
		$200,000.00	$25,416.49	$225,416.49	$225,416.49

COUNTY OF SUFFOLK

1846

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

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

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

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

DATE: **May 9, 2008**

RE: **INTRODUCTORY RESOLUTION AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH PLANNING FOR THE CONSTRUCTION OF MAINTENANCE AND OPERATIONS FACILITIES – WEST SAYVILLE AND CATHEDRAL PINES (CP 7173)**

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS- Appropriating Funds for CP 7173 Maintenance Facilities – Planning.doc."

The Parks Department seeks funding for planning for the construction of maintenance and operations facilities at West Sayville County Park, Cathedral Pines County Park and other similar locations.

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

Enclosures

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

SUFFOLK COUNTY PARKS

1847

Intro. Res. No. -2008 Laid on Table 9/16/2008

Introduced by Legislator Kennedy

RESOLUTION NO. –2008, AMENDING THE 2008 OPERATING BUDGET TO PROVIDE FUNDING FOR THE SMITHTOWN ALUMNI ASSOCIATION

WHEREAS, The Smithtown Alumni Association is a not for profit organization that promotes education through the establishment and sponsorship of an Alumni Directory, the formation of a Hall of Fame for outstanding students and teachers, and a scholarship fund for deserving students; and

WHEREAS it is the desire of this Legislature to assist the Smithtown Alumni Association in its efforts to promote education by providing funding in 2008; and

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

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

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	EXE	7320	JCM1	4980	Smithtown Educational Foundation	-$5,000

TO:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	EXE	7320	XXXX	4980	Smithtown Alumni Assoc., Inc.	+$5,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the Smithtown Alumni Association Inc.; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Smithtown Alumni Association Inc.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

T:\BRO\IR 2008 OB Amendment Smithtown Alumni Association INC..doc

Intro. Res. No. 1848 -2008 Laid on Table 9/16/08
Introduced by Legislator Romaine

RESOLUTION NO. –2008, TO EXPAND THE COUNTY'S RECYCLING PROGRAM

WHEREAS, the County of Suffolk enacted Resolution No. 972-2006 to establish an environmentally sound electronic waste ("e-waste") policy; and

WHEREAS, the goal of this policy is to prevent e-waste from being burned or land filled in order to protect the environment; and

WHEREAS, Resolution No. 972-2006 directed the Department of Public Works to issue a Request for Proposals ("RFP") to identify and select an e-waste recycler to take the County's surplus obsolete electronic equipment; and

WHEREAS, discarded cellular telephones and ink jet cartridges also pose a threat to the environment if allowed to enter the municipal waste stream; and

WHEREAS, the County of Suffolk should take proactive steps to ensure that cellular telephones and ink jet cartridges are, to the fullest extent practicable, recycled and reused to avoid harmful impacts to the environment; now therefore be it

1st **RESOLVED**, that the Department of Public Works is hereby authorized, empowered and directed to establish a program to collect cellular telephones and ink jet cartridges from Suffolk County residents; and be it

2nd **RESOLVED**, that as part of this program, the Department of Public Works shall designate at least three County facilities where Suffolk County residents can deposit their old cellular telephones and ink jet cartridges; and be it further

3rd **RESOLVED**, that the Department of Public Works is authorized and empowered to dispose of the collected cellular telephones and ink jet cartridges under the County's existing contract with the e-waste recycler that was selected pursuant to Resolution No. 972-2008; and be it further

4th **RESOLVED**, that the Department of Public Works shall implement this project called for in this resolution within 180 days of the effective date of this resolution; and be it further

5th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-expand e-waste

1849

Intro. Res. No. -2008 Laid on Table 9/16/08

Introduced by Legislator Alden

RESOLUTION NO. -2008, TO RE-ESTABLISH THE DARE PROGRAM IN SUFFOLK COUNTY

WHEREAS, the Drug Abuse Resistance Education Program ("DARE") is a nationally recognized program designed to reduce drug-related crime by educating young students, parents and the community at-large to the dangers of drug abuse; and

WHEREAS, the current version of the DARE Program continues to enjoy strong support from school districts throughout the country; and

WHEREAS, proposals to reorganize and/or scale back the DARE Program have been offered in many parts of the country in the past, and have typically sought to contain costs within a municipality's budget; and

WHEREAS, the County of Suffolk has recently ceased providing sworn Suffolk County Police Officers to school districts that have historically offered the DARE Program, meaning that school districts located within the Police District must effectively discontinue DARE; and

WHEREAS, the County of Suffolk has replaced the DARE Program with an Enhanced Health Smart Program, designed to provide students with continuing education on the health effects of drugs and tobacco, as well as dealing with self esteem issues and bullying; and

WHEREAS, the long term health education provided by Enhanced Health Smart is a laudable goal, however this program will not contain the intense interaction between young students and police officers that is essential to building camaraderie and trust between the police and the community; and

WHEREAS, the DARE Program is effective at building a relationship between young students and the police, which is known to be effective at guiding young people away from crime and gangs; now, therefore be it

1st **RESOLVED**, that the Commissioner of the Suffolk County Police Department is hereby authorized, empowered and directed, pursuant to Article XII of the SUFFOLK COUNTY CHARTER, to initiate all necessary procedures for establishing the DARE Program within the Suffolk County Police Department, with the goal of providing sworn officers to teach the DARE Program at Suffolk County schools during the 2008/2009 school year; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s\res\2008\refile 1155-08 DARE

1850

Intro. Res. No. -2008 Laid on Table 9/16/08

Introduced by Presiding Officer Lindsay

RESOLUTION NO. –2008, AUTHORIZING A REQUEST FOR PROPOSALS FOR SALE OF OBSOLETE AND SURPLUS COUNTY PERSONAL PROPERTY

WHEREAS, the County of Suffolk has accumulated and is storing numerous motor vehicles at the BOMARC facility in Westhampton; and

WHEREAS, the price of recyclable scrap metal has increased greatly in recent years; and

WHEREAS, at a time when the County of Suffolk is trying to close a projected deficit in fiscal year 2009, every potential revenue stream must receive serious consideration; and

WHEREAS, the sale of discarded and surplus motor vehicles is one such potential source of revenue; now, therefore be it

1st **RESOLVED**, that the Commissioner of the Department of Public Works is hereby authorized, empowered and directed to develop and issue a Request for Proposals (RFP) for the sale of motor vehicles, presently stored at the BOMARC facility in Westhampton, which vehicles are not otherwise suitable to be sold at a County auction; and be it further

2nd **RESOLVED**, that the RFP shall seek proposals for the bulk of sale of all vehicles stored at the BOMARC facility; and be it further

3rd **RESOLVED**, that the Department of Public Works shall issue the above described Request for Proposals within sixty (60) days of the effective date of this resolution; and be it further

4th **RESOLVED**, that the Department of Public Works shall report the results of the RFP to the County Legislature within sixty (60) days of the issuance of the RFP, for further action by this Legislature; be it further

5th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-rfp-sale-surplus-equipment

1851

Intro. Res. No. -2008 Laid on Table 9/16/08

Introduced by Presiding Officer Lindsay

RESOLUTION NO. -2008, AUTHORIZING AN ENERGY AUDIT OF THE WILLIAM H. ROGERS LEGISLATURE BUILDING

WHEREAS, Suffolk County's fiscal difficulties are exacerbated by rising energy costs; and

WHEREAS, modest investments in energy conservation and efficiency at county facilities can yield significant cost savings; and

WHEREAS, reduced energy consumption also benefits the environment; and

WHEREAS, by leading in the area of energy conservation and efficiency, the Suffolk County Legislature can encourage similar efforts in the public and private sectors; now, therefore be it

1st **RESOLVED**, that the Presiding Officer of the Suffolk County Legislature is hereby authorized and empowered to execute a contract with a consultant to conduct an energy assessment and optimization of the William H. Rogers Legislature Building, Hauppauge; and be it further

2nd **RESOLVED**, that the consultant shall assess the building's existing systems and recommend how the operation of these systems can be optimized to achieve energy efficiencies; and be it further

3rd **RESOLVED**, that the consultant shall recommend modifications to the existing systems that may be necessary to maximize energy efficiencies and also identify the costs and rate of return on investment associated with such modifications; and be it further

4th **RESOLVED**, that the Office of Budget Review shall take all actions necessary to identify a consultant to perform this energy audit, consistent with the County's procurement laws; and be it further

5th **RESOLVED**, that the Office of Budget Review will manage the consultant's work in conjunction with the Department of Public Works; and be it further

6th **RESOLVED**, that the Department of Public Works is hereby directed to cooperate in the management of this study; and be it further

7th **RESOLVED**, that the cost of this energy audit shall not exceed $10,000 to be paid from 001-1025-456-fees for service.

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-energy-audit-rogers-building

1852

Intro Res. -2008 Laid on the Table 09/16/2008
Introduced by Legislator Romaine

RESOLUTION NO. –2008, AUTHORIZING FEDERAL HOUSING AND ECONOMIC RECOVERY ACT FUNDING APPLICATION TO ROLL BACK COUNTY FORECLOSURES/ ABANDONMENTS VIA CONVERSION INTO WORKFORCE HOUSING PROJECTS IN SUFFOLK COUNTY

WHEREAS, Suffolk County has experienced a significant number of foreclosures, over the past eighteen (18) months, as the collapse of the national mortgage market has placed increasing numbers of makers of Alt-A, sub-prime, piggyback, home equity, and adjustable rate mortgages at risk of losing their homes; and

WHEREAS, foreclosed homes sit unoccupied for long periods of time, thereby encouraging vandalism of same; foreclosed homes lead to declines in the values of neighboring homes; foreclosed homes lead to increased incidents of crime in the affected communities; and foreclosed homes lead to significant disinvestment in the affected communities, all of which accelerate and magnify the severe economic harm that results from the current stagnating and declining local economic activity; and

WHEREAS, the County of Suffolk has established and implemented an aggressive Workforce Housing Program that authorizes the use of county funds to acquire both vacant and improved parcels for use in said program pursuant to Section 36-2 (C) of the SUFFOLK COUNTY ADMINISTRATIVE CODE; and

WHEREAS, this power has not heretofore been exercised as part of a comprehensive program to mitigate the adverse effects of foreclosed and abandoned homes, while simultaneously addressing the housing crisis on Long Island which has arisen from a shortage of affordable and/or workforce housing; and

WHEREAS, the recent enactment of the federal Housing and Economic Recovery Act of 2008 has created a unique opportunity to expand the Suffolk County Workforce Housing Program by leveraging federal funds with local county resources in order to purchase and rehabilitate foreclosed and/or abandoned homes at a discount, thereby stabilizing communities, stemming significant losses in the values of neighboring homes, and expanding the supply of Workforce and/or Affordable Housing in Suffolk County; and

WHEREAS, the County of Suffolk, hereinafter referred to as the "Applicant", after thorough consideration of the various aspects of the $3.92

Billion made available by the federal Housing and Economic Recovery Act of 2008 for acquiring and redeveloping abandoned and foreclosed homes, after a thorough consideration of the annual $ 300 million affordable housing allocation fund for the preservation and expansion of affordable rental housing, and after a thorough study of available data, has hereby determined that the county should apply for the above-described federal funding, as early as is possible in the funding process, and establish a formal county policy of acquiring and rehabilitating foreclosed homes as part of the county's workforce/affordable housing program authorized under Article XXVI of the SUFFOLOK COUNTY ADMINISTRATIVE CODE, in order to roll back the deleterious economic consequences of the national mortgage/housing crisis, and simultaneously expand the supply of affordable/workforce housing in Suffolk County; now, therefore, be it

I. POLICY FOR FORECLOSED HOMES

1st **RESOLVED**, that the County of Suffolk hereby establishes a formal policy of acquiring abandoned and foreclosed homes, pursuant to the Section 36-2 (C) of the SUFFOLK COUNTY ADMINISTRATIVE CODE, for the purposed of redeveloping, renovating, rehabilitating, and selling such homes as affordable/workforce housing in accordance with the provisions, criteria, and eligibility standards set forth in Article XXXVI of the SUFFOLK COUNTY ADMINISTRATIVE CODE and the federal HOUSING AND ECONOMIC RECOVERY ACT OF 2008; and be it further

II. FEDERAL HOUSING AID

2nd **RESOLVED**, that the Commissioner of the Suffolk County Department of Economic Development and Workforce Housing, or his or her designee, is hereby authorized, empowered, and directed, pursuant to Section 35-2 (V) of the SUFFOLK COUNTY CHARTER, to prepare, execute, and file an application, together with all necessary and appropriate backup documentation, on behalf of the County of Suffolk for funding from the federal government as follows:

a.) aid or grants under Section 1338 of the Division—Federal Housing Finance Regulatory Reform Act of 2008, contained within the federal Housing and Economic Recovery Act of 2008, to increase the supply of rental housing and home ownership for low and very low income families, including homeless families;

b.) aid or grants from the Capital Magnet Fund under Section 1339 of the Division—Federal Housing Finance Regulatory Reform Act of 2008, contained within the federal Housing and Economic Recovery Act of 2008, for use under a Treasury Certified Community Development Financial Institution or a non-profit organization having as one of its principal purposes the development or management of affordable housing to capitalize an affordable housing fund or to fund workforce development centers ; and

c.) aid or grants under Section 2301 of the Subtitle--Building American Homeownership Act of 2008, contained within the federal Housing and Economic Recovery Act of 2008, to provide emergency assistance for the redevelopment of abandoned and foreclosed homes as follows:

1.) finance the purchase and redevelopment of foreclosed upon homes and residential properties including soft seconds, loan loss reserves, and shared equity loans for low and moderate income homebuyers;

2.) redevelop demolished or vacant properties;

3.) demolish blighted structures;

4.) establish land banks for homes that have been foreclosed upon;

5.) purchase and rehabilitate homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties; and be it further

III. JOINT APPLICATIONS

3rd **RESOLVED,** that the official designated in the 2nd RESOLVED CLAUSE of this Resolution is hereby authorized, empowered, and directed to enter into such joint applications with such state agencies, offices, and or departments and such non-profit or not-for-profit contract agencies as may be necessary and appropriate to secure the aid or grants described above; to provide such additional information as may be required; and to make such agreements on behalf of the Applicant as may be required; and be it further

IV. PROGRAMMATIC TERMS AND CONDITIONS

4th **RESOLVED**, that the Applicant hereby agrees to abide by the following conditions in the event that the aforementioned aid or grants are secured:

a.) Purchases of abandoned or foreclosed upon homes shall be at a discount from the most current market appraised value of the home or property taking into account its current condition to ensure that purchasers are paying below market value for the home or property;

b.) The rehabilitation of foreclosed upon homes or residential properties shall be to the extent necessary to comply with applicable laws, codes, and other requirements related to housing, safety, quality, and habitability in order to sell or redevelop such homes and properties;

c.) The rehabilitation of foreclosed upon homes or residential properties may include improvements to increase energy efficiency or conservation of such homes and properties or provide a renewable energy source or sources;

d.) Sales of foreclosed upon homes or residential properties to any individual as a primary residence shall be equal to less than the cost of acquiring and redevelop or rehabilitate the home or property up to a decent, safe, and habitable condition;

e.) No such federal funds secured pursuant to this Resolution shall be used to fund any project that seeks to use the power of Eminent Domain unless the power of Eminent Domain is employed only for public use and not for public purposes;

f.) Any revenues generated by the sale or rental of rehabilitated or redeveloped homes or residential properties under this program, in excess of the cost to acquire and redevelop or rehabilitate such abandoned or foreclosed upon homes or residential properties, including reasonable redevelopment fees, shall be used only for the acquisition, rehabilitation, or redevelopment of abandoned or foreclosed upon homes or residential properties; and

g.) Although matching local grants are not required to qualify for the grants or aid sought by the Applicant under this Resolution, the County of Suffolk hereby pledges and commits to continue to budget, and to use no less than, the full amount of monies currently provided for in the adopted Suffolk County capital budget and program for 2009-2011, together with previously appropriated but unexpended bond proceeds from any prior adopted Suffolk county capital budget and program, for infrastructure improvements related to affordable/workforce housing initiatives or projects in conjunction with municipalities, property owners, developers, or participating developers for roads, parking, sewers, water, sidewalks, street lighting, conservation easements, and/or appurtenant landscaping ; and be it further

V. SEVERABILITY

4th **RESOLVED**, that, if any clause, sentence, paragraph, subdivision, section, or part of this Resolution 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 Resolution, 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; and be it further

VI. EFFECTIVE DATE

5th **RESOLVED**, that this Resolution shall take effect immediately; and be it further

VII. SEQRA

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 the County of Suffolk

Date of Approval:

s:\res\r-foreclosure aid application

1853

Intro. Res. No. – 2008 Laid on Table 9/16/08

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

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 NORBERTO PROPERTY – TUTHILLS CREEK/PINE LAKE (TOWN OF BROOKHAVEN - SCTM#0204-003.00-01.00-027.000)

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

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

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

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

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

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

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Twenty Four Thousand Five Hundred Dollars ($24,500.00), 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	0204	.40±	Frank & Josephine Norberto
	Section	003.00		252 Roe Avenue
	Block	01.00		Patchogue, NY 11772
	Lot	027.000		

; and, be it further

2nd **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Twenty Four Thousand Five Hundred Dollars ($24,500.00), 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 $24,500.00, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

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

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

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

b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study;

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

8th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Gen D 1

AUG 1 8 2008

1853

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

August 14, 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 Norberto property (Tuthills Creek/Pine Lake), in the Town of Brookhaven,under the New Suffolk County Drinking Water Protection Program. The purchase price is $24,500.00 for .40± 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
Mike 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

1853

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 Norberto property (Tuthills Creek/Pine Lake), SCTM#0204-003.00-01.00-027.000, (Town of Brookhaven).

3. Purpose of Proposed Legislation

See No. 2 above

4. Will the Proposed Legislation Have a Fiscal Impact? **YES** ___ **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	August 14, 2008

SCIN FORM 175b (10/95)

1854

Intro. Res. No. – 2008 Laid on Table 9/16/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008 AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) FOR THE NAPLES PROPERTY (TOWN OF RIVERHEAD - SCTM#0600-099.00-02.00-013.004)

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. 369-2007, authorized planning steps for the acquisition of farmland development rights of the subject property; and

WHEREAS, pursuant thereto, said acquisition is to be made in accordance with the procedures set forth in Chapter 8 of the Suffolk County Code which provides that the same shall be consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation of the Suffolk County Farmland Committee; 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 of farmland development rights; now, therefore, be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Farmland component, for a total purchase price of Two Million Four Hundred Eighty Thousand Four Hundred Dollars ($2,480,400.00±), at Seventy Eight Thousand Dollars ($78,000.00) per acre for 31.8± 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 for inclusion in the Suffolk County Farmland Development Rights Program:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0600	31.8±	Naples Family Limited Partnership
	Section	099.00		c/o James Reynolds, Esq.
	Block	02.00		35 Arkay Drive

Lot 013.004 Hauppauge, NY 11788

; 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) 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 as of December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Two Million Four Hundred Eighty Thousand Four Hundred Dollars ($2,480,400.00±), at Seventy Eight Thousand Dollars ($78,000.00) per acre for 31.8± acres, subject to a final survey; and, be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $2,480,400.00±, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Farmland component, Section C12-2(A)(1)(f) 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 this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5 c (20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing a farmland development rights acquisition as part of the Suffolk County Farmland Preservation Program 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. 861-1996.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1854

S.C.T.M. No. 0600 09900 0200 013004

SUFFOLK COUNTY FARMLAND RATING SYSTEM FOR THE PURCHASE OF DEVELOPMENT RIGHTS (PDR)

This rating system was developed for the evaluation of farm properties for the potential purchase by the development rights (PDR) program. The system considers four major factors: contiguity, vistas, soils, and value. The first two factors seek to preserve large blocks of farmland thus protecting the land from non-agricultural intrusions and preserving the scenic vistas. Soils which are better for farming such as Bridgehampton and Haven associations are assigned higher point values. Slope also plays a part in the soil type and desirability of farmland. The estimated price of the farmland is also considered in the evaluation. Bonuses are given for land in Agricultural Districts, and negative points may be given for negative impacts such as excavations.

			Score	Subtotal
FARMLAND PRESERVATION FACTORS				
CONTIGUITY: PROXIMITY TO PRESERVED FARM PROPERTIES				
1. PDR properties on three sides. (5 pts)				
2. PDR properties on two sides. (4 pts)				
3. PDR properties on one side.(3 pts)			3	
4. Large amount of protected farmland nearby.(2 pts)				
5. Some protected farmland nearby. (1 pt)				
6. No protected farmland nearby. (0 pt)				3
VISTAS				
1. Long road frontage and part of a large block of farmland (100+ acres). (5 pts)				
2. Small road frontage and part of a large block of farmland. (4 pts)			4	
3. Long road frontage and part of a small block of farmland. (3 pts)				
4. Small road frontage and part of a small block of farmland. (2 pts)				
5. Less than 100' of road frontage and part of a large block of farmland. (1 pt)				
6. Less than 100' of road frontage and part of a small block of farmland. (0 pt)				4
SOILS	**Slope**	**Capability**		
1. Capability Unit I-1: Bridgehampton, Haven, Montauk. (5 pts)	0-3%	BgA, HaA, MkA	2.5	
2. Nearly flat Class II: Riverhead, Scio, Plymouth, Haven, Montauk. (4 pts)	0-3%	RdA,SdA,PsA,He,MfA	2	
3. Best soils but with some slope: Bridgehampton, Haven, Montauk.(3 pts)	2-8%	BgB,BhB,HaB,MkB		
4. Other Class II soils with some slope: Montauk, Riverhead, Scio, Sudbury. (2 pts)	2-8%	MB, RdB, ScB, Su		
5. Non-prime soil that is farmed: Plymouth. (1 pt)		PmB3		
6. Poor soil. (0 pt)		Gp		4.5
APPROXIMATE DEVELOPMENT RIGHTS VALUE PER ACRE*				
1. $30,000 or less. (5 pts)				
2. $30,001-$45,000. (4 pts)				
3. $45,001-$60,000.(3 pts)				
4. $60,001-$80,000. (2 pts)			2	
5. $80,001-$100,000. (1 pt)				
6. $100,001-$200,000. (0 pt)				
7. $200,001-$500,000. (-1 pt)				
8. $500,001 or more. (-2 pts)				2
ADJUSTMENTS				
1. Other positive factors (i.e., within an Agricultural District, historical significance, community benefit, etc.). (1 or 2 pts)				
2. Other negative factors. (-1 or -2 pts)				0
TOTAL SCORE (maximum = 22 points)				13.5

*From estimates by F. Ford using 2007 cohorts
SCFC, 2007-01-23; Score: 15 (R. Fedelem)
SCPD, 2008-08-13; Score: 13.5 (J. Kalmbacher)

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COUNTY OF SUFFOLK

AUG 18 2008

1854

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

August 14, 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 farmland development rights for the Naples property, in the Town of Riverhead, under the New Suffolk County Drinking Water Protection Program. The purchase price is $2,480,400.00± for 31.8± acres, at $78,000.00 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
Bob Zaher, 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 1854

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition of the farmland development rights under the New Suffolk County Drinking Water Protection Program, of the Naples property, SCTM#0600-099.00-02.00-013.004, (Town of Riverhead).

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	August 14, 2008

SCIN FORM 175b (10/95)

1855

Intro. Res. No. – 2008 Laid on Table 9/16/08

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 AVAKIAN PROPERTY – MILLER PLACE/YAPHANK ROAD NP ADDITION (TOWN OF BROOKHAVEN - SCTM#0200-213.00-04.00-008.000)

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

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

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

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

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

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

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Thirty Thousand Dollars ($30,000.00), 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	0.207±	Edna M. Avakian
	Section	213.00		2108 Minoru Drive
	Block	04.00		Altadena, CA 91001
	Lot	008.000		

; and, be it further

2nd **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Thirty Thousand Dollars ($30,000.00), 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 $30,000.00, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

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

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

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

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

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

8th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Ge. A 3

COUNTY OF SUFFOLK

AUG 18 2008
1855

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

August 14, 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 Avakian property (Miller Place/Yaphank Road NP Addition), in the Town of Brookhaven,under the New Suffolk County Drinking Water Protection Program. The purchase price is $30,000.00 for 0.207± 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

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1855

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 Avakian property (Miller Place/Yaphank Road NP Addition), SCTM#0200-213.00-04.00-008.000, (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	August 14, 2008

SCIN FORM 175b (10/95)

1856

Intro. Res. No. – 2008 Laid on Table 9/16/08

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 JEFFERS PROPERTY – FORGE RIVER ADDITION (TOWN OF BROOKHAVEN - SCTM#0200-750.00-03.00-029.002, 0200-750.00-03.00-029.003, 0200-750.00-03.00-029.004, 0200-750.00-03.00-029.005, 0200-750.00-03.00-029.006, 0200-750.00-03.00-036.000 & 0200-750.00-03.00-039.003)

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

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

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

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

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

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

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of One Hundred Ninety Four Thousand Three Hundred Dollars ($194,300.00±), 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	1.34±	James P. and Patricia A. Jeffers
	Section	750.00		409D Bromley Place
	Block	03.00		Wyckoff, NJ 07481
	Lot	029.002		
No. 2	District	0200		
	Section	750.00		
	Block	03.00		
	Lot	029.003		
No. 3	District	0200		
	Section	750.00		
	Block	03.00		
	Lot	029.004		
No. 4	District	0200		
	Section	750.00		
	Block	03.00		
	Lot	029.005		
No. 5	District	0200		
	Section	750.00		
	Block	03.00		
	Lot	029.006		
No. 6	District	0200		James P. Jeffers
	Section	750.00		409D Bromley Place
	Block	03.00		Wyckoff, NJ 07481
	Lot	036.000		
No. 7	District	0200		
	Section	750.00		
	Block	03.00		
	Lot	039.003		

; 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 One Hundred Ninety Four Thousand Three Hundred Dollars ($194,300.00±), 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 $194,300.00±, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

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

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

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

b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study;

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

8th **RESOLVED,** that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County
Date of Approval:

COUNTY OF SUFFOLK

1856

AUG 1 8 2008

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER
CHRISTOPHER E. KENT
DIRECTOR

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

August 14, 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 Jeffers property (Forge River Addition), in the Town of Brookhaven,under the New Suffolk County Drinking Water Protection Program. The purchase price is $194,300.00 for 1.34± 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

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1856

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 Jeffers property (Forge River Addition), SCTM#0200-750.00-03.00-029.002, 0200-750.00-03.00-029.003, 0200-750.00-03.00-029.004, 0200-750.00-03.00-029.005, 0200-750.00-03.00-029.006, 0200-750.00-03.00-036.000 & 0200-750.00-03.00-039.003, (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	August 14, 2008

SCIN FORM 175b (10/95)

1857

Intro. Res. No. – 2008 Laid on Table 9/16/08

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 ELGART PROPERTY – PATCHOGUE RIVER WETLANDS ADDITION (TOWN OF BROOKHAVEN - SCTM#0200-892.00-02.00-045.000, 0200-892.00-02.00-049.000 & 0200-892.00-02.00-050.000)

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

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

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

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

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

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

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Twenty Thousand Dollars ($20,000.00), 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	.50±	Robert Elgart
	Section	892.00		2 Mark Avenue
	Block	02.00		Patchogue, NY 11772
	Lot	045.000		
No. 2	District	0200		
	Section	892.00		
	Block	02.00		
	Lot	049.000		
No. 3	District	0200		
	Section	892.00		
	Block	02.00		
	Lot	050.000		

; and, be it further

2nd **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Twenty Thousand Dollars ($20,000.00), 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 $20,000.00, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

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

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

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

b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study;

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

8th **RESOLVED,** that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

COUNTY OF SUFFOLK

1857

AUG 18 2008

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER
CHRISTOPHER E. KENT
DIRECTOR

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

August 14, 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 Elgart property (Patchogue River Wetlands), in the Town of Brookhaven, under the New Suffolk County Drinking Water Program. The purchase price is $20,000.00 for .50± 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
Mike 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

1857

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 Elgart property (Patchogue River Wetlands), SCTM#0200-892.00-02.00-045.000, 0200-892.00-02.00-049.000 & 0200-892.00-02.00-050.000, (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	August 14, 2008

SCIN FORM 175b (10/95)

1858

Intro. Res. No. - 2008 Laid on Table 9/16/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008 AUTHORIZING ACQUISITION (RESIDUAL FEE) OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(b)] FOR THE WARNER PROPERTY – PINE BARRENS CORE (TOWN OF RIVERHEAD - SCTM#0600-118.00-04.00-005.009)

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. 264-2002, 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 had approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; now, therefore, be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the residual fee of the 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 Two Hundred Ninety Eight Thousand One Hundred Dollars ($298,100.00), 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	0600	13.55±	Olin F. Warner, Jr. and
	Section	118.00		Beverly Warner
	Block	04.00		2023 River Road – P.O. Box 269
	Lot	005.009		Calverton, NY 11933

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Two Hundred Ninety Eight Thousand One Hundred Dollars ($298,100.00), 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 $298,100.00, 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 owner has agreed to remove all debris from the property, at his sole cost and expense, before the County acquires the property; 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 above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

8th 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 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

3. prior to transfer of the subject parcel to the Department of Parks, Recreation and Conservation, the Division of Real Property Acquisition and Management shall remove the barn structure by means approved by CEQ; and, be it further

9th 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:

1858

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the Old Suffolk County Drinking Water Protection Program, of the Warner property (Pine Barrens Core), SCTM#0600-118.00-04.00-005.009, (Town of Riverhead).

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	September 3, 2008

SCIN FORM 175b (10/95)

Gen 6

1858

SEP 05 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

September 3, 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 (residual fee) of the Warner property (Pine Barrens Core), in the Town of Riverhead, under the Old Suffolk County Drinking Water Protection Program. The purchase price is $ 298,100.00 for 13.55± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

CEK:pd
Att.
cc: Jim Morgo, Chief Deputy County Executive
Jeff Szabo, Deputy County Executive
Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
Thomas A. Isles, Director, Planning Department
Janet M. Longo, Acquisition Supervisor
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
Tom Vaughn, County Executive Assistant
Brendan Chamberlain, County Executive Assistant
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

1859

Intro. Res. No. -2008 Laid on Table 9/16/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. –2008 AUTHORIZING ACQUISITION OF A CONSERVATION EASEMENT UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM - FOR THE JACOBY LIMITED FAMILY PARTNERSHIP PROPERTY – LAUREL LAKE ADDITION (TOWN OF SOUTHOLD – SCTM#1000-125.00-01.00-005.001 p/o)

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

WHEREAS, Resolution No. 1121-2005 appropriated $12,051,750.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

WHEREAS, Resolution No. 621-2004 authorized planning steps for acquisition of the conservation easement; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the conservation easement 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 Seven Hundred Eighty Nine Thousand Dollars ($789,000.00±), at One Hundred Thousand Dollars ($100,000.00) per acre for 7.89± 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	1000	7.89±	Jacoby Limited Family Partnership
	Section	125.00		P.O. Box 1560
	Block	01.00		Mattituck, NY 11952
	Lot	005.001 p/o		

;and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the conservation easement 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 Seven Hundred Eighty Nine Thousand Dollars ($789,000.00±), 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 $789,000.00±, 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 her 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 of conservation easement, 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 conservation easement of the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for management purposes wherein the property shall remain in its natural state, excluding the maintenance of a "meadow" to be mowed no more than twice each year between the dates of November 1st and April 1st and a possible 10-foot wide, unpaved walking trail around a portion of the perimeter, as described in the DEED OF CONSERVATION EASEMENT; 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 for 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) shall remain in its natural state, excluding the maintenance of a "meadow" to be mowed no more than twice each year between the dates of November 1st and April 1st and a possible 10-foot wide, unpaved walking trail around a portion of the perimeter, as described in the DEED OF CONSERVATION EASEMENT; 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

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 of Approval:

Gen 67

COUNTY OF SUFFOLK

1859

SEP 05 2008

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER
CHRISTOPHER E. KENT
DIRECTOR

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

August 27, 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 a conservation easement on the Jacoby Limited Family Partnership property (Laurel Lake), in the Town of Southold, under the Suffolk County Multifaceted Land Preservation Program. The purchase price is $789,000.00± for 7.89± acres, at $100,000 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 1859

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition of a conservation easement, under the Suffolk County Multifaceted Land Preservation Program, of the Jacoby Family Partnership property (Laurel Lake), SCTM#1000-125.00-01.00-005.001 p/o, (Town of Southold).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

Suffolk County Multifaceted Land Preservation Program

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Janet M. Longo Acquisition Supervisor	Janet Longo	August 27, 2008

SCIN FORM 175b (10/95)

Intro. Res. No. 1860 -2008 Laid on the Table 9/16/08
Introduced by the Presiding Officer on Request of County Executive

RESOLUTION NO. -2008, AUTHORIZING THE COUNTY COMPTROLLER AND COUNTY TREASURER TO CLOSE CERTAIN CAPITAL PROJECTS THAT HAVE SUNSET UNDER LOCAL LAW NO. 15 -2002, SUFFOLK COUNTY, NEW YORK A CHARTER LAW ESTABLISHING COMMON SENSE CAPITAL PROJECT SUNSET POLICY FOR SUFFOLK COUNTY

WHEREAS, pursuant to LOCAL LAW NO. 15-2002, SUFFOLK COUNTY, NEW YORK A CHARTER LAW ESTABLISHING COMMON SENSE CAPITAL PROJECT SUNSET POLICY FOR SUFFOLK COUNTY, any capital project authorized and made a part of the County Capital Budget and Program shall automatically expire on December 31 of the fifth (5th) fiscal year of its existence unless:

1.) funds have been expended from the appropriation of serial bond proceeds, bond anticipation notes, revenue anticipation notes, federal aid, State aid, general fund transfers, sewer escrow funds, or capital notes, for any component part of the general capital project during that period of time; or

2.) the duration of the project has been extended by duly enacted legislation of the County of Suffolk re-authorizing such project prior to its expiration date; and

WHEREAS, pursuant to LOCAL LAW NO. 15 -2002, SUFFOLK COUNTY, NEW YORK A CHARTER LAW ESTABLISHING COMMON SENSE CAPITAL PROJECT SUNSET POLICY FOR SUFFOLK COUNTY, the capital project identified on the attached "Addendum A" have expired and can no longer be utilized for the intended purpose or extended; and

WHEREAS, by closing these capital projects it will reduce the County's outstanding Bond Authorization, allow for the available cash balances to be transfer to offset current debt service costs and minimize the County's tracking and monitoring requirements; and

WHEREAS, it is in the best interest of the County of Suffolk to close the capital projects listed on "Addendum A" that have expired under LOCAL LAW NO. 15 -2002, SUFFOLK COUNTY, NEW YORK A CHARTER LAW ESTABLISHING COMMON SENSE CAPITAL PROJECT SUNSET POLICY FOR SUFFOLK COUNTY; now, therefore, be it

1st **RESOLVED**, that the County Comptroller and County Treasurer be and hereby are authorized to close the capital projects listed on "Addendum A" and credit the appropriate revenue account no later than December 31, 2008; and be it further

2nd **RESOLVED**, that any unissued serial bond or capital note authorization remaining after the project is closed can be liquidated by the County Comptroller and the County Treasurer; and be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are authorized to transfer positive and/or negative cash balances to close these projects and establish the Interfund Transfer accounting lines required to effectuate the transfer from the Capital Fund (s); and be it further

4th **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to net the positive and negative cash as a result of the capital projects being closed and accept the remaining funds into the appropriate operating fund under revenue code 2954 Unused Capital Fund Authorization for the purpose of offsetting current debt service costs; and be it further

5th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/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

DATE:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1860

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

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1860

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION NO. -2008, AUTHORIZING THE COUNTY COMPTROLLER AND COUNTY TREASURER TO CLOSE CERTAIN CAPITAL PROJECTS THAT HAVE SUNSET UNDER LOCAL LAW NO. 15 -2002, SUFFOLK COUNTY, NEW YORK A CHARTER LAW ESTABLISHING COMMON SENSE CAPITAL PROJECT SUNSET POLICY FOR SUFFOLK COUNTY

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:

THE CLOSING OF CAPITAL PROJECTS THAT HAVE SUNSET HAS A POSITIVE IMPACT TO THE COUNTY OF SUFFOLK. THIS RESOLUTION WILL REDUCE BOND AUTHORIZATIONS, ANY CASH BALANCES WILL BE USED TO OFFSET DEBT SERVICE COSTS, AND WILL REDUCE THE TRACKING AND MONITORING REQUIREMENTS OF THE COUNTY.

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

THIS WILL BE DETERMINED ONCE THE FINAL CASH BALANCE HAS BEEN VERIFIED BY THE TREASURER'S OFFICE. THE FINAL CASH BALANCE SHOULD PROVIDE REVENUE TO THE COUNTY TO OFFSET DEBT SERVICE COSTS AND, IN COMBINATION WITH THE EARLIER CAPITAL CLOSE OUT RESOLUTION, SHOULD SIGNIFICANTLY EXCEED THE $2 MILLION INCLUDED IN THE ADOPTED 2008 OPERATING BUDGET GENERAL FUND FOR THIS PURPOSE.

8. Proposed Source of Funding

PROPOSED CASH PROCEEDS FROM UNUSED CAPITAL PROECT AUTHORIZATIONS

9. Timing of Impact

2008

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
CARMINE A. CHIUSANO ASSISTANT BUDGET DIRECTOR	Carmine Chiusano	September 8, 2008

SCIN FORM 175b (10/95)

ADDENDUM A

OPERATING FUND	CAPITAL FUND	PROJECT NUMBER	CLS	PROJECT DESCRIPTION	TOTAL APPROPRIATED	EXPENDED	UNCOMMITTED
001	525	1109.114		PL REN/AD FOREN MED/LGL	$279,000	$0	$279,000
001	525	3008.110		JAIL UTILIZATION STUDY	$150,000	$0	$150,000
001	525	3011.111		PL SECURITY BOOTHS AT COR FAC	$10,000	$0	$10,000
001	525	3035.512		SEC EQUIP CORRECTIONAL FAC RVHD	$750,000	$0	$750,000
001	525	3117.110		HELICOPTER NEEDS ANALYSIS	$25,000	$0	$25,000
001	525	3226.510		PUR COMM EQP FOR AMER RED CROSS	$5,000	$0	$5,000
001	525	3414.110		PL CONS NEW ARSON TRAINING FACILITY	$7,000	$0	$7,000
001	525	3414.310		PL CONS NEW ARSON TRAINING FACILITY	$65,000	$0	$65,000
001	525	4076.512		REPL OF MAMMAGRAPHY VAN	$300,000	$0	$300,000
001	525	5035.210		LA CR43 NRTHVL TP(ELTN-SND)RV	$50,000	$0	$50,000
001	525	5093.213		LA CR 95 LTTLE E NECK RD BABYL	$20,000	$0	$20,000
001	525	5172.112		PL CR67 MTR PK CR17 CRLTN-EX57	$550,000	$0	$550,000
001	525	5535.210		ACQ PR REC CR93 OCEAN @ ROSEVL	$80,000	$0	$80,000
001	525	5550.110		TR STDY CR80 MNTK HWY-S HAMPT	$50,000	$0	$50,000
001	525	5550.210		LA IMP CR80 MNTK HWY, SOUTHHAMP	$25,000	$0	$25,000
001	525	5660.211		C SH ROW ACQ PARK FAC RONK RR	$92,000	$0	$92,000
001	525	5702.111		PL & DESIGN REN & CON FAC AIRP	$34,010	$0	$34,010
001	525	5732.510		REPL EQP: LANDNG COUNTR AIRPT	$100,000	$0	$100,000
001	525	6504.110		MARKET STDY-HOTEL ROOMS IN SC	$25,000	$0	$25,000
001	525	7148.410		IMP TO BAY VILLAGE PARK AMTYVL	$48,125	$0	$48,125
001	525	7178.410		IMP TO THE WEDGE	$100,000	$0	$100,000
001	525	7452.110		REPL OF GOTO PROJECTOR VANDERB	$100,000	$0	$100,000
001	525	7510.118		HIS ST RPT PL&ENG STY HORAN/TP	$30,000	$0	$30,000
					$2,895,135	**$0**	**$2,895,135**

1860

1861

Intro. Res. No. – 2008 Laid on Table 9/16/08

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 CAVETT PROPERTY – AMSTERDAM BEACH ADDITION (TOWN OF EAST HAMPTON - SCTM#0300-032.00-06.00-001.002)

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

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

WHEREAS, Resolution No. 621-2004, authorized planning steps for the acquisition of said property; and

WHEREAS, the Town of East Hampton ("Town") has approved Resolution No. 2008-1004 on August 14, 2008, authorizing the acquisition of the subject property in partnership with the County of Suffolk and the State of New York; and

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Eighteen Million Dollars ($18,000,000.00), which cost is to be shared by the County of Suffolk, the Town of East Hampton, and New York State, with the County of Suffolk's share, totaling Six Million Dollars ($6,000,000.00), for a one-third (1/3) undivided interest; and the

Town's share, totaling Six Million Dollars ($6,000,000.00), for a one-third (1/3) undivided interest; and New York State's share, totaling Six Million Dollars ($6,000,000.00), for a one-third (1/3) undivided interest, 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	0300	76.919±	Richard A. Cavett
	Section	032.00		109 East 79th Street
	Block	06.00		New York, NY 10021
	Lot	001.002		

; 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 as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for Six Million Dollars ($6,000,000.00), subject to a final survey, said amount representing the County's share of the total purchase price; and, be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $6,000,000.00, 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 title to this acquisition shall be held by the County of Suffolk, the Town and the State of New York as tenants-in-common, with the County of Suffolk owning a one-third (1/3) undivided interest, the Town owning a one-third (1/3) undivided interest, and the State of New York owning a one-third (1/3) 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 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 acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

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

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

8th **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management is hereby authorized to negotiate and to enter into any necessary collateral agreements with the Town to effectuate the terms of this resolution; and, be it further

9th **RESOLVED,** if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation is hereby authorized to negotiate and to enter into a municipal cooperation agreement with the Town and/or the State of New York 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

10th **RESOLVED,** that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

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

Fred Overton
Telephone: (631) 324-4142

1861

Resolution 2008-1004 Item #

ADOPTED **DOC ID: 6132**

Cavett Authorize Acquisition

AUTHORIZE ACQUISITION
Property of: Richard A. Cavett
Address: 181 Deforest Road
SCTM #: 300-32-6-1.2

WHEREAS, pursuant to § 247 of the General Municipal Law of the State of New York, the Town Board held a public hearing on **August 14, 2008** to consider the acquisition of a thirty three and a third percent (33.333%) undivided interest in approximately **77 acres** of land located at 181 Deforest Road, **Montauk**, which land is identified on the Suffolk County Tax Map as **SCTM #300-32-6-1.2**
(hereinafter the "Property"); and

WHEREAS, the purpose of this acquisition is an equal three way partnership with the County of Suffolk and State of New York; and

WHEREAS, the proposed purchase price is **$18,000,000**, 33.333% of which will be attributable to the Town, **$6,000,000** plus 33.333% of survey, title, prorated tax, environmental site assessment, and recording charges; and

WHEREAS, the partners have agreed that the State will contract directly with the owner, and the County and Town will contract jointly with the owner, and further that each partner will own an undivided interest; and

WHEREAS, management of the property will be subject to a mutually agreed upon management agreement to be drafted and approved by all parties; and

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

WHEREAS, the acquisition of the 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 a 33.333% undivided interest in the 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; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized and directed to enter into a contract of sale with Richard A. Cavett for the purpose of acquiring a 33.333% undivided interest in the Property at a cost to the Town not to exceed **$6,000,000**, plus 1/3rd of reasonable survey, title, prorated tax, environmental site assessment 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 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:	Pete Hammerle, Councilman
SECONDER:	Pat Mansir, Councilwoman
AYES:	Pete Hammerle, Pat Mansir, Brad Loewen
ABSENT:	Julia Prince, William McGintee

Gen 09

COUNTY OF SUFFOLK

SEP 09 2008

1861

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

September 8, 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 Cavett property (Amsterdam Beach Addition), in the Town of East Hampton, under the New Suffolk County Drinking Water Protection Program. The purchase price is $18,000,000.00 for 76.919± acres, of which Suffolk County's one-third (1/3) share will be $6,000,000.00

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
Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
Tom Vaughn, County Executive Assistant
Brendan Chamberlain, County Executive Assistant
Phyllis Benincasa, Acquisition Agent
CE Reso Review (e-mail copy only)

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

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

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

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION 1861

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 Cavett property (Amsterdam Beach Addition), SCTM#0300-032.00-06.00-001.002, (Town of East Hampton).

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	September 8, 2008

SCIN FORM 175b (10/95)

1862

Intro. Res. No. - 2008 Laid on the Table 9/16/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2008, AMENDING THE ADOPTED 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE WATER QUALITY MODEL – PHASE V (CP 8237)

WHEREAS, the Commissioner of Health Services has requested to appropriate funds in continuation of the development of the Water Quality Model – Phase V; and

WHEREAS, additional funding is required to continue the development of a Comprehensive Water Resources Management Plan for Suffolk County and also to implement Plan recommendations; and

WHEREAS, this Comprehensive Water Resources Management Plan will provide essential guidance in protecting Suffolk County's vital water supply and surface water resources, while accommodating workforce housing and other initiatives; and

WHEREAS, the 2008 Adopted Capital Budget and Program does not include sufficient funds to cover the continuation of this Comprehensive Water Resources Management Plan and under Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 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 $200,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) 20, 21, and 27 of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty (60) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

Project Number: 8235
Project Title: Peconic Bay Estuary Program

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
1. Planning	$1,030,000	$135,000B	$35,000B
TOTAL	$1,355,000	$150,000	$50,000

Project Number: 8237
Project Title: Water Quality Model: Phase V

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
1. Planning	$1,650,000	$100,000B	$200,000B
TOTAL	$1,650,000	$100,000	$200,000

and be it further

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

Project Number	J.C.	Project Title	Amount
525-CAP-8237.113 (Fund 001 Debt Service)	40	Water Quality Model Phase V	$200,000

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

1862

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2008, AMENDING THE ADOPTED 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE WATER QUALITY MODEL – PHASE V (CP 8237)

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		September 9th, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1862

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$45,084**	**$0.08**		$0.000

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$45,084**	**$0.08**		$0.000

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

To be completed by the Executive Budget Office

Suffolk County
Project Name
General Obligation Serial Bonds
Level Debt

1862

Term of Bonds	5
Amount to Bond:	$200,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2007					
5/1/2008					
11/1/2008	4.125%	$36,833.30	$8,250.00	$45,083.30	$45,083.30
			$3,365.31	$3,365.31	
11/1/2009	4.125%	$38,352.67	$3,365.31	$41,717.98	$45,083.30
			$2,574.29	$2,574.29	
11/1/2010	4.125%	$39,934.72	$2,574.29	$42,509.01	$45,083.30
			$1,750.64	$1,750.64	
11/1/2011	4.125%	$41,582.03	$1,750.64	$43,332.66	$45,083.30
			$893.01	$893.01	
11/1/2012	4.125%	$43,297.28	$893.01	$44,190.29	$45,083.30
		$200,000.00	$25,416.49	$225,416.49	$225,416.49

COUNTY OF SUFFOLK

1862

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.
Commissioner

August 1, 2008

Ben Zwirn, Deputy County Executive
Office of the County Executive, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Subject: Revised Resolution Request as per Budget Office

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution amending the Adopted 2008 Capital Budget and Program and appropriate funds in connection with the Water Quality Model – Phase V (CP 8237). This legislation is needed to appropriate funds to Capital Project 8237 and transfer additional funds needed to continue the development of a Comprehensive Water Resources Management Plan for Suffolk County and implement Plan recommendations.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Vito Minei at 2-5800. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-CP 8237 CWRMP.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
Vito Minei, P.E., Director of Environmental Quality
Diane E. Weyer, Principal Financial Analyst

Public Health
Prevent. Promote. Protect.
OFFICE OF THE COMMISSIONER
225 Rabro Drive East, Hauppauge, NY 11788 (631) 853-3000 Fax (631) 853-2927

1863

Intro. Res. No. -2008 Laid on Table 9/16/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 2008, ALLOCATING AND APPROPRIATING (PHASE VIII) IN CONNECTION WITH THE DOWNTOWN REVITALIZATION PROGRAM (CP - 6412)

WHEREAS, the Suffolk County Downtown Citizens Advisory Panel has solicited applications requesting funding through Phase VIII of the Suffolk County Downtown Revitalization Program (CP-6412); and

WHEREAS, the Panel evaluated the applications and ranked the submitted projects according to a merit based scoring system which includes points for: Leveraging of Additional Funds; Smart Growth Compatibility/Environmental Benefits; Economic Benefits, Local Community and Government Support; Reasonable Expectation of Completion; and An Integral Part of Overall Downtown Improvement Plan; and

WHEREAS, as a result of the panel's systematic, detailed, and objective review and analysis, it hereby recommends that the projects referenced on the attached Exhibit "A" be submitted for approval; and

WHEREAS, the 2008 Adopted Capital Program includes sufficient funds for the Phase VIII of the Downtown Revitalization Program under Capital Program Number 6412; and

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

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

1st **RESOLVED,** that the allocation of $500,000 for Phase VIII of the Downtown Revitalization Program (CP-6412) provided in the Adopted 2008 Capital Budget, as set forth on Exhibit "A" attached hereto and made a part hereof, is hereby approved; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of thirty-nine (39), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 461-2006; and be it further

3RD **RESOLVED**, that the proceeds of $500,000 in Serial Bonds be and they are hereby appropriated as follows, subject to the condition that no bonds or notes shall be issued for any of the projects set forth at Exhibit "A" unless and until full environmental reviews under the State Environmental Quality Review Act (SEQRA) have been completed by the County of Suffolk or other local municipality as lead agency:

Project Number	JC	Project Title	Amount
525-CAP-6412.316 (Fund 001 Debt Service)	35	Downtown Revitalization Program Phase VIII	$500,000

Dated:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Exhibit "A"

APPLICIANT	LEAD AGENCY	FUNDS RECOMMENDED TO BE GRANTED Downtown Revitalization Funds CP-6412	OWNED BY	PROJECT
Downtown Beautification Organization of Center Moriches, Inc.	Town of Brookhaven	$75,000	Suffolk County	Drainage improvements, resurfacing and striping of parking lot;replacement of existing lamposts and new lights; replacement of sidewalk brick including root
Central Bellport Civic Association for Greater Bellport Coalition	Town of Brookhaven	$70,000	Town of Brookhaven	Continuation of downtown street lighting
Huntington Village Business Improvement District	Town of Huntington	$56,700	Town of Huntington	Lighting in the Gerard St. lot.
Nesconset Chamber of Commerce	Town of Smithtown	$50,000	Town of Smithtown	Smithtown Blvd.antique lamp posts, brick pavers
Rocky Point Civic Association	Town of Brookhaven	$50,000	Town of Brookhaven	Sidewalks on King Rd. connecting sidewalks on Broadway
Islip Chamber of Commerce	Town of Islip	$38,800	Town of Islip	To link an existing public parking lot on Smith Ave. to Main St. by developing a sidewalk and installing decorative lighting.
Greenlawn Civic Association	Town of Huntington	$35,000	Town of Huntington	To add additional antique lights and renovate sidewalks and brickwork in same area.
East Northport Chamber of Commerce	Town of Huntington	$25,000	Town of Huntington	Installation of antique lamp posts and sidewalk pavers
Holbrook Chamber of Commerce	Town of Islip	$25,000	Town of Islip	The addition of decorative lights on Main Street and the removal of overhead lights
West Islip Beautification Society	Town of Islip	$22,500	Suffolk County	Addition of lights to complete the area in front of Best Yet shopping area. Removal of pavers
St. James Chamber of Commerce, Inc.	Town of Smithtown	$22,000	Town of Smithtown	Pedestrian crosswalk 8' x 33' brick pavers on Lake Ave. at Seventh and Third St.
Bellport Chamber of Commerce	Village of Bellport	$15,000	Village of Bellport	Improve downtown shopping district by installing additional street lighting
East Islip Main Street Restoration Project	Town of Islip	$15,000	Suffolk County	Streetscape improvements on Carleton Ave. to create a more walkable street. Lights, pavers
		$500,000		

1863

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1863

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. 2008, ALLOCATING AND APPROPRIATING (PHASE VIII) IN CONNECTION WITH THE DOWNTOWN REVITALIZATION PROGRAM (CP - 6412)

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		September 9th, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1863

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$112,709**	**$0.21**		$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	**$112,709**	**$0.21**		$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

1863

Term of Bonds: 5
Amount to Bond: $500,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2007					
5/1/2008					
11/1/2008	4.125%	$92,083.24	$20,625.00	$112,708.24	$112,708.24
			$8,413.28	$8,413.28	
11/1/2009	4.125%	$95,881.68	$8,413.28	$104,294.96	$112,708.24
			$6,435.72	$6,435.72	
11/1/2010	4.125%	$99,836.80	$6,435.72	$106,272.52	$112,708.24
			$4,376.59	$4,376.59	
11/1/2011	4.125%	$103,955.07	$4,376.59	$108,331.66	$112,708.24
			$2,232.52	$2,232.52	
11/1/2012	4.125%	$108,243.21	$2,232.52	$110,475.73	$112,708.24
		$500,000.00	$63,541.22	$563,541.22	$563,541.22

SEP 0 4 2008

1863

MEMORANDUM

TO: Connie Corso, Budget Director
Ben Zwirn, Deputy County Executive

FROM: Carolyn E Fahey *Carolyn E. Fahey/kmb*
Intergovernmental Relations Coordinator

DATE: August 27, 2008

SUBJECT: **Resolution Request for Phase VIII CP-6412**
Downtown Revitalization

****

The attached draft resolution is submitted on behalf of the Downtown Revitalization Citizens Advisory Panel. The 2008 Adopted Capital Program includes $500,000 for the Downtown Revitalization Grant Program. Grant applications were reviewed and scored by the Panel on a merit based scoring system. Those applicants recommended for funding by the Panel are reflected in the attached Exhibit A.

Attached please find the draft resolution and noted Exhibit A. Electronic copies have been emailed as directed.

CEF/kmb
Attachment

cc: Patrick Heaney, Commissioner
Brendan Chamberlain, County Executive Assistant

Steve Levy
Suffolk County Executive

Patrick Heaney
Commissioner

1864

Intro. Res. No. -2008 Laid on Table 9/16/08

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

RESOLUTION NO. 2008, ALLOCATING AND APPROPRIATING FUNDS IN CONNECTION WITH DOWNTOWN BEAUTIFICATION AND RENEWAL (CP 6418)

WHEREAS, the 2008 Adopted Capital Program includes $500,000 in CP-6418 Downtown Beautification and Renewal to help local communities in funding capital projects that will beautify and assist in the renewal of their downtown areas; and

WHEREAS, in years past the communities receiving funding from this project were determined based upon requests to the County Executive by community groups, town supervisors or village mayors and reflected the joint vision of all for the renewal of the community; and

WHEREAS, the Legislature created the Downtown Citizens Advisory Panel to, among other charges, make recommendations as to how the Legislature should allocate the funding adopted through CP-6412 – Downtown Revitalization; and

WHEREAS, the Downtown Citizens Advisory Panel has revamped their grant review process to rank submitted projects according to a merit based scoring system which includes points for: Leveraging of Additional Funds; Smart Growth Compatibility/Environmental Benefits; Economic Benefits, Local Community and Government Support; Reasonable Expectation of Completion; and An Integral Part of Overall Downtown Improvement Plan; and

WHEREAS, the revamping of this program resulted in Suffolk County receiving a National Association of Counties' 2006 Achievement Award; and

WHEREAS, the Suffolk County Downtown Citizens Advisory Panel has solicited applications requesting funding through Phase VIII of the Suffolk County Downtown Revitalization Program (CP-6412); and

WHEREAS, because of this success and the professional and unbiased approach of the Citizens Advisory Panel, they have been asked to recommend to the County Executive the communities to which funding should be awarded through CP-6418; and

WHEREAS, as a result of the panel's systematic, detailed, and objective review and analysis, the County Executive concurs that the projects referenced on the attached Exhibit "A" be funded through the Downtown Beautification and Renewal Program CP-6418 ; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of said Downtown Beautification and Renewal under Capital Program Number 6418; and

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

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

1st **RESOLVED,** that the allocation of $500,000 for CP-6418 - Downtown Beautification and Renewal provided in the Adopted 2008 Capital Budget, as set forth on Exhibit "A" attached hereto and made a part hereof, is hereby approved; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of thirty-nine (39), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 461-2006; and be it further

3rd **RESOLVED**, that the proceeds of $500,000 in Downtown Beautification Funds be and they are hereby appropriated as follows, subject to the condition that no bonds or notes shall be issued for any of the projects set forth at Exhibit "A" unless and until full environmental reviews under the State Environmental Quality Review Act (SEQRA) have been completed by the County of Suffolk or other local municipality as lead agency:

Project Number	JC	Project Title	Amount
525-CAP-6418.316 (Fund 001 Debt Service)	35	Downtown Beautification and Renewal Program	$500,000

DATE:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Exhibit "A"

APPLICIANT	LEAD AGENCY	FUNDS RECOMMENDED TO BE GRANTED Downtown Beautification and Renewal CP-6418	OWNED BY	PROJECT
Copaigue Chamber of Commerce	Town of Babylon	$56,000	Suffolk County	Paving, street lights, irrigation, drain to the park entrance for DT
Huntington Historical Society	Town of Huntington	$65,890	Town of Huntington	Construction of a retaining wall
Town of Huntington Economic Development Corporation	Town of Huntington	$13,500	Town of Huntington	Micro-pave, install curbing,streetlighting and stripe the May Street parking lot.
Central Islip Civic Council	Town of Islip	$60,000	Suffolk County	Redesign the area into a Village Green
Brentwood Chamber of Commerce	Town of Islip	$77,360	Town of Islip	Installation of decorative lighting and pavers along First Ave. and Brentwood Rd.
C of C of Greater Bay Shore	Town of Islip	$42,900	Town of Islip	Lighting, brick pavers, curbing , and street trees on Park Ave. to support Cortland Commons.
Riverhead Chamber of Commerce	Town of Riverhead	$87,350	Riverhead	To improve pedestrian walkway, driveway,outdoor performance space and renovations @ East End Art Council
North Babylon Athletic Club	Town of Babylon	$67,000	Suffolk County	Install pedestrian scale lighting and two headed street lights at the intersection of Deer Park Ave. and Phelps Lane.
Medford Taxpayers and Civic Association, Inc.	Town of Brookhaven	$30,000	Brookhaven	Installation of decorative lighting within the park to enhance the security and esthetics of the park.
		$500,000		

1864

1864

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. 2008, ALLOCATING AND APPROPRIATING FUNDS IN CONNECTION WITH DOWNTOWN BEAUTIFICATION AND RENEWAL (CP 6418)

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		September 9th, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1864

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$112,709**	**$0.21**		$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	**$112,709**	**$0.21**		$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

1864

Term of Bonds	5
Amount to Bond:	$500,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2007					
5/1/2008					
11/1/2008	4.125%	$92,083.24	$20,625.00	$112,708.24	$112,708.24
			$8,413.28	$8,413.28	
11/1/2009	4.125%	$95,881.68	$8,413.28	$104,294.96	$112,708.24
			$6,435.72	$6,435.72	
11/1/2010	4.125%	$99,836.80	$6,435.72	$106,272.52	$112,708.24
			$4,376.59	$4,376.59	
11/1/2011	4.125%	$103,955.07	$4,376.59	$108,331.66	$112,708.24
			$2,232.52	$2,232.52	
11/1/2012	4.125%	$108,243.21	$2,232.52	$110,475.73	$112,708.24
		$500,000.00	$63,541.22	$563,541.22	$563,541.22

SEP 0 4 2008

1864

MEMORANDUM

TO: Connie Corso, Budget Director
Ben Zwirn, Deputy County Executive

FROM: Carolyn E. Fahey Carolyn E. Fahey / kmb
Intergovernmental Relations Coordinator

DATE: August 27, 2008

SUBJECT: **Recommendations for County Executive 2008 Downtown Beautification and Renewal Program (CP-6418)**

****

The 2008 Capital Budget includes $500,000 in CP-6418 Downtown Beautification and Renewal. Traditionally, the County Executive has determined which community groups were to receive grants through this program. For the second consecutive year, the County Executive has relied on the Downtown Citizens Advisory Panel to recommend which groups are to receive funding. The County Executive has reviewed and accepted these recommendations.

Attached is the draft resolution amending the 2008 capital budget and appropriating the $500,000 budgeted. Those applicants recommended for funding by the Panel are reflected in the attached Exhibit A. Electronic copies have been emailed as directed.

CEF:kmb
Attachments
cc: Patrick Heaney, Commissioner
✓Brendan Chamberlain, County Executive Assistant

Steve Levy
Suffolk County Executive

Patrick Heaney
Commissioner

Intro. Res. No. 1865 -2008 Laid on Table 9/16/08
Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. -2008, ESTABLISHING THE POLICE FUND REVIEW COMMITTEE TO EXAMINE THE IMPACT OF ESCALATING SUFFOLK COUNTY POLICE DEPARTMENT PERSONNEL COSTS ON THE FISCAL STABILITY OF THE POLICE FUND

WHEREAS, Wages and benefits for police officers in Suffolk County have grown exponentially, thereby creating tremendous strain on the county budget; and

WHEREAS, Basic police officer salaries are starting at $57,000 per year for a new officer graduating from the Suffolk County Police Department Academy, within five years, a police officer's basic salary rises to nearly $100,000 per year, and the average cost to sustain a Suffolk County police officer's deployment, inclusive of wages and benefits, is $144,000.00; and

WHEREAS, The average cost of $100,000 per year for a police officer's salary does not include overtime or 7.5%-to-12% night differential; and

WHEREAS, A veteran Suffolk County police officer is also entitled to an annual paid time off benefit package which is far greater than any county employee, consisting of six weeks vacation, 26 sick days, 28 chart days, five personal days, and 13 holidays; and

WHEREAS, Police officers on disability are paid at three-quarters salary tax free, which allows for a higher salary for not working than when an officer is not out on disability; and

WHEREAS, In addition to the aforementioned paid time off, a Suffolk County police officer is permitted to accumulate sick time and vacation time not used during the year, which unused time is then converted to a cash payout upon retirement, which in most cases exceeds $100,000.00; and

WHEREAS, The pension benefit paid to a retired Suffolk County police officer is based upon that officer's highest salary in a given year, so that yearly pension payouts in excess of $100,000.00 to retired police officers are common; and

WHEREAS, These costs impact Suffolk County taxpayers in two deleterious ways: they make it very difficult to maintain tax stability in the police fund, and there is an adverse impact on the ability to maximize the number of police officers designated for street patrol; and

WHEREAS, A clear delineation of these salaries and benefits should be given to the State of New York Governor and state legislative leaders to determine if statewide legislative action is needed to protect taxpayers and allow County and police department managers the ability and flexibility to place more officers on the street for neighborhood patrol; now, therefore be it

1st **RESOLVED**, that there is hereby established a working group known as the SUFFOLK COUNTY POLICE FUND REVIEW COMMITTEE (Committee); and be it further

2nd **RESOLVED,** that the Committee shall have five members, appointed as follows:

a.) three members shall be appointed by the Suffolk County Executive, one of whom shall be the Suffolk County Police Commissioner or his designee, and one of whom shall be independent of any police department or police collective bargaining unit;

b.) one member, who shall be independent of any police department or police collective bargaining unit, shall be appointed by the Presiding Officer of the Suffolk County Legislature;

c.) one member, jointly appointed by the County Executive and the Presiding Officer, shall be a high ranking official of a Suffolk County police bargaining unit; and

d.) all appointed members shall serve, without compensation, at the pleasure of the appointing authority;

and be it further

3rd **RESOLVED**, that said Committee shall meet and report thereof with findings and recommendations of actions no later than 90 days following the enactment of this resolution, as follows:

a.) Detailing the compensation package to police officers, including but not limited to salary, step increases, pension cost attributed to each employee, the amounts and methods by which pensions are predicated, average overtime costs, the number of vacation, sick and chart days awarded to police officers, cash payments upon retirement attributable to unused sick time and vacation time, longevity pay, clothing allowances, and disability pay; and

b.) Recommendations of actions to be presented to the Governor of the State of New York and state legislative leaders, including, if necessary, state or local legislation, that will moderate escalating police personnel costs;

and be it further

4th **RESOLVED**, that three members of the Committee shall constitute a quorum to transact the business of the Committee; and be it further

5th **RESOLVED**, that the Suffolk County Police Commissioner, or his designee, shall serve as the chairperson of the Committee, and the Committee shall hold regular meetings as set by its chairperson, keep a record of all its proceedings, and determine its own rules of proceedings; and be it

6th **RESOLVED**, that the Committee may submit requests to the County Executive for approval of reasonable expenses, provided, however, that if any request for the provision of such expenses exceeds the value of $1,000.00, such request shall be subject to Legislative approval; and be it further

7th **RESOLVED**, that clerical services will be provided by the office of the County Executive; and be it further

8th **RESOLVED**, the Committee shall file its written report of findings and recommendations with the Clerk of County Legislature and the County Executive, and be it further

9th **RESOLVED**, that the Committee shall deposit all the records of its proceedings with the Clerk of the Legislature within 60 days after submission of its written report, at which time the Committee shall be deemed terminated unless its existence shall be extended via a duly enacted Legislative resolution; and be it further

10th **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:

Intro. Res. No. 1866 -2008 Laid on Table 9/16/08
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO ESTABLISH UNIFORM PROCEDURES FOR ISSUANCE OF FILM PERMITS

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 ESTABLISH UNIFORM PROCEDURES FOR ISSUANCE OF FILM PERMITS**"; 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 ESTABLISH UNIFORM PROCEDURES FOR ISSUANCE OF FILM PERMITS

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 offers unlimited and unique opportunities for motion picture, television and still photography production; and

This Legislature also finds that, in order to encourage, promote and assist the motion picture/television film industry in utilizing natural and man-made resources of the County, in 1979 the Legislature created the Suffolk County Motion Picture/Television Film Commission (hereinafter, "Commission" or "MP/TVFC"); and

This Legislature also finds that the State of New York, in recognition of the benefits of motion picture and television development in the State, has enacted various tax incentives to encourage such development, including the Empire State Film Production Credit, the Commercial Production Tax Credits, Sales Tax Exemptions and Investment Tax Credit; and

This Legislature further finds that increased motion picture, television and still photography production in the County will result in additional tax revenues, jobs for citizens and income to local businesses; and

This Legislature also finds that with 43 separate towns and incorporated villages within the County, it is difficult for persons seeking permission to film at locations within the County to navigate the necessary administrative hurdles; and

This Legislature also finds that Legislative approval is necessary for use of County lands and facilities; and

This Legislature further finds that the Commission has established a website to assist persons seeking permission to film at locations within Suffolk County; and

Therefore, the purpose of this law is to establish a procedure for reviewing applications and granting permits to utilize County lands and facilities for filming motion picture, television and still photography production in the County.

Section 2. Definitions.

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

MOTION PICTURE, TELEVISION, and STILL PHOTOGRAPHY: All activity attendant to production, staging or shooting commercial motion pictures, television shows or programs, music videos and commercials in any medium including film, tape or digital format.

CHARITABLE FILMS: Motion pictures, television and still photography produced by a nonprofit organization, which qualifies under Section 501(c) 3 of the Internal Revenue Code as a charitable organization. No person, directly or indirectly, shall receive a profit from the marketing and production of the film or from showing the films, tapes, or photos.

STUDENT FILMS: Motion pictures, television and still photography produced pursuant to the curriculum of an educational institution chartered by the State of New York. No person, directly or indirectly, shall receive a profit from the marketing and production of the film or from showing the films, tapes, or photos.

NEWS MEDIA: The photographing, filming or videotaping for the purpose of spontaneous, unplanned television news broadcast or reporting for the print or electronic media by reporters, photographers or cameramen.

SUFFOLK COUNTY UNIFORM FILM PERMIT APPLICATION: Paper or electronic form to be used to apply for permission to conduct motion picture, television and still photography on any property owned by the county. The Uniform Film Permit Application may also be used to apply for permission to conduct motion picture, television and still photography on properties owned by municipalities who have adopted its use.

Section 3. Permits Required and Exemptions.

a. Permit Required: No person shall use any County property or facility for the purpose of taking motion pictures, television, or still photography without first applying for and receiving a permit from the County.

b. Exemptions:

1) News Media: The provisions of this Chapter shall not apply to News Media.

2) Family Video: The provisions of this Chapter shall not apply to the filming or videotaping of motion pictures solely for private-family use.

Section 4. Applications and Issuance of Permits.

a. A Suffolk County Uniform Film Permit Application, in such paper or electronic form as the Department of Economic Development and Workforce Housing/Office of Film and Cultural Affairs shall determine, must be filed with the following information:

1) The address and name of the facility where the activity is to be conducted;
2) The specific location at the facility;
3) The inclusive hours and dates such activity will occur, including necessary set up time;

4) A general statement of the character or nature of the proposed filming activity;
5) The name, address and telephone number of production company or person conducting the activity;
6) The exact number of personnel to be involved;
7) Use of any animals or pyrotechnics;
8) The exact amount/type of vehicles/equipment to be involved;
9) If a student film, a letter from the school verifying that it is being done pursuant to the curriculum of an educational institution chartered by the State of New York.
10) If a charitable film, proof of the organization's Section 501(c)3 status

b. A Uniform Film Permit Application must be filed at least five business days prior to the proposed filming date, unless otherwise approved.

Section 5. Prohibited Activities and Special Requirements.

a. Persons engaged in production may not violate any federal, state or local laws during the taking of motion pictures, television, or still photography. Any waiver of local laws or regulations must be specifically provided for in the permit.

b. Production companies must comply with all state and local health code regulations.

Section 6. Liability Provisions.

a. Liability Insurance: Before a permit is issued, a certificate of insurance will be required in an amount not exceeding $1,000,000 naming the County as coinsured for protection against claims of third persons for personal injuries, wrongful deaths and property damage. Excess liability insurance may be required under some circumstances. The County shall be named as an additional insured.

b. Workers Compensation: An applicant shall conform to all applicable Federal and State requirements for Worker's Compensation Insurance for all persons operating under a permit.

c. Hold Harmless Agreement: An applicant shall execute a hold harmless agreement in connection with the permit.

d. Security Deposit: Where deemed necessary, applicant may be required to submit a refundable security deposit to assure cleanup of the site.

Section 7. Commercial Fees.

a. Fees, as approved by the Legislature, shall be posted on the County website.

b. Reimbursement for Personnel: Production Company shall reimburse the County for any personnel provided to the company for the purpose of assisting the production.

c. Unless the production will interfere with use of a facility, there shall be no fee for permits for charitable or student films at County facilities other than airport facilities.

Section 8. Violation.

Violation of the terms of a permit, this Chapter or any rules or regulations promulgated pursuant to this Chapter shall result in the permit being cancelled. Any such violation shall also be cause for denial of future permits.

Section 9. Rules and Regulations.

The Suffolk County Motion Picture/Television Film Commission, in conjunction with the Department of Economic Development and Workforce Housing/Office of Film and Cultural Affairs, shall consult with the various County agencies in charge of County properties and facilities and promulgate rules and procedures governing the issuance of permits. Such rules and procedures shall, to the extent possible, provide for coordination with the Towns and villages and streamline the process. Such rules and procedures shall be subject to approval by the Legislature.

Section 10. 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 effect, 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 judgment or order shall be rendered.

Section 11. SEQRA Determination.

This Legislature, being the State Environment 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/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 12. Effective Date.

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

APPROVED BY:

_____

/s/ Steve Levy
County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1866

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

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HAUPPAUGE, NY 11788-0099
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(631) 853-4415 (FAX)

DATE: **SEPTEMBER 12, 2008**

TO: **CLERK OF THE COUNTY LEGISLATURE**

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

PROPOSED LOCAL LAW YEAR 2008

TITLE: **A LOCAL LAW TO ESTABLISH UNIFORM PROCEDURES FOR ISSUANCE OF FILM PERMITS**

SPONSOR: **PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE**

DATE OF RECEIPT BY COUNSEL: 9/10/2008 **PUBLIC HEARING:** 10/14/2008

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

This proposed local law will establish a permitting requirement for any person or entity that wishes to use county property for the staging or shooting of commercial motion pictures, television programs, music videos and commercials in any medium including film, tape and still photography.

The Department of Economic Development and Workforce Housing/Office of Film and Cultural Affairs will develop a uniform film permit application. This form must be filed by an applicant at least 5 days prior to the proposed filming date. A permit will not be issued unless the applicant provides proof of adequate liability insurance and supplies a hold harmless agreement to the County.

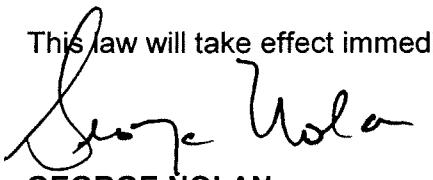
The law does not establish a fee schedule but states that fees, approved by the Legislature, shall be posted on the County website. Applicants shall reimburse the County for personnel expenses incurred in assisting the production.

The news media and private family videos are exempted from the law's provisions. The law further states that there shall be no fee for filming by students or charities, unless the filming interferes with the use of a County facility.

The Suffolk County Motion Picture/Television Film Commission, in conjunction with the Office of Film and Cultural Affairs shall promulgate rules and regulations governing the issuance of permits.

1866

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



GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-issuance-film-permits

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1866

1. Type of Legislation

Resolution _____ Local Law _X_ Charter Law _____

2. Title of Proposed Legislation

A LOCAL LAW TO ESTABLISH UNIFORM PROCEDURES FOR ISSUANCE OF FILM PERMITS

3. Purpose of Proposed Legislation

to require the establishment of procedures for reviewing applications and granting permits to utilize County lands and facilities for filming motion picture, television and still photography production in the County.

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

Increased motion picture, television and still photography production in the County will result in additional tax revenues, jobs for citizens and income to local businesses.

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

SCIN FORM 175b (10/95)

Gen B7

AUG 29 2008

1866

MEMORANDUM

TO: Connie Corso, Budget Director
Ben Zwirn, Deputy County Executive

FROM: Carolyn E. Fahey
Intergovernmental Relations Coordinator

DATE: August 27, 2008

SUBJECT: **LOCAL LAW TO ESTABLISH UNIFORM PROCEDURES FOR ISSUANCE OF FILM PERMITS**

****

The Department requests the introduction of the attached draft Local Law, the purpose of which is to require the establishment of procedures for reviewing applications and granting permits to utilize County lands and facilities for filming motion picture, television and still photography production in the County. Section 9 directs the promulgation of Rules and Procedures which shall be submitted to the Legislature for approval.

Attached please find the draft resolution and required backup. Electronic copies have been emailed as directed.

CEF:mc
cc: Patrick Heaney, Commissioner
Brendan Chamberlain, County Executive Assistant

Steve Levy
Suffolk County Executive

Patrick Heaney
Commissioner

Intro. Res. No. 1867 -2008 Laid on Table 9/16/08
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 NBTY, INC., (SUFFOLK COUNTY TAX MAP NO. 0100-126.01-01.00-004.050).

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 NBTY, INC., (SUFFOLK COUNTY TAX MAP NO. 0100-126.01-01.00-004.050),**" 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 NBTY, INC., (SUFFOLK COUNTY TAX MAP NO. 0100-126.01-01.00-004.050).

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 NBTY, Inc., located at premises described as Suffolk County Tax Map No. 0100-126.01-01.00-004.050.

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 NBTY, Inc., a manufacturer of nutritional supplements 5100 New Horizons Boulevard, North Amityville, 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. 0100-126.01-01.00-004.050.

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.

APPROVED BY:

County Executive of Suffolk County

Date:

After a public hearing duly held on
Filed with the Secretary of State on _____

1867

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

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 NBTY, INC., (SUFFOLK COUNTY TAX MAP NO. 0100-126.01-01.00-004.050)

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 NBTY, Inc. through the designation of a Regionally Significant Project. NBTY, 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 creation of approximately 50 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	Deb Kolyer	July 28, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1867

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

1867

JUL 21 2008

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
Office of the County Executive

FROM: Carolyn E. Fahey, Intergovernmental Relations Coordinator
Department of Economic Development & Workforce Housing

DATE: July 15, 2008

SUBJECT: **Resolution to Amend Empire Zone Boundaries to include NBTY, 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 NBTY, Inc., a manufacturer of nutritional supplements. 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
Enclosures

cc: Jim Morgo, Chief Deputy County Executive
Patrick Heaney, Commissioner of Economic Development & Workforce Housing
Brendan Chamberlain, County Executive Assistant

Steve Levy
Suffolk County Executive

Patrick Heaney
Commissioner

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1867

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

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(631) 853-4415 (FAX)

DATE: **SEPTEMBER 11, 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 NBTY, INC., (SUFFOLK COUNTY TAX MAP NO. 0100-126.01-01.00-004.050)**

SPONSOR: **PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE**

DATE OF RECEIPT BY COUNSEL: 9/9/2008 **PUBLIC HEARING:** 10/14/2008

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 NBTY, Inc., property in North Amityville.

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-NBTY

1868

Intro. Res. No. -2008 Laid on Table 9/16/08

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

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW CLARIFYING THE USE OF FORFEITURES UPON CONVICTION OF THE MISDEMEANOR CRIME OF RECKLESS DRIVING

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 CLARIFYING THE USE OF FORFEITURES UPON CONVICTION OF THE MISDEMEANOR CRIME OF RECKLESS DRIVING,"** 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 CLARIFYING THE USE OF FORFEITURES UPON CONVICTION OF THE MISDEMEANOR CRIME OF RECKLESS DRIVING

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 a subsequent conviction under New York Vehicle and Traffic Law sections 1192 (2), (2-a), (3), (4), (4-a), 1192-a or section 49-a of the Navigation Law results in a vehicle or vessel forfeiture, as the case may be, under Chapter 270 of the Suffolk County Code.

This Legislature also finds and determines that only subsequent convictions under New York Vehicle and Traffic Law sections 1192 (2), (2-a), (3), (4), (4-a), 1192-a or section 49-a of the Navigation Law shall serve as a basis for forfeiture of a vehicle or vessel, as the case may be, when the prior conviction was also under New York Vehicle and Traffic Law sections 1192 (2), (2-a), (3), (4), (4-a), 1192-a or section 49-a of the Navigation Law.

This Legislature also finds and determines that Resolution No. 545-2008 amended Chapter 270 of the Suffolk County Code to expand the use of forfeitures to the misdemeanor crime of reckless driving.

This Legislature also finds and determines that if a motor vehicle operator receives a subsequent conviction of the misdemeanor crime of reckless driving, such conviction shall serve as a basis for forfeiture of a vehicle.

Therefore, the purpose of this law is to amend Chapter 270 of the Suffolk County Code to clarify that only subsequent convictions under New York Vehicle and

Traffic Law sections 1192 (2), (2-a), (3), (4), (4-a), 1192-a or section 49-a of the Navigation Law shall serve as a basis for forfeiture of a vehicle or vessel, as the case may be, when the prior conviction was also under New York Vehicle and Traffic Law sections 1192 (2), (2-a), (3), (4), (4-a), 1192-a or section 49-a of the Navigation Law; and that in the case of a conviction of the misdemeanor crime of reckless driving, only a subsequent conviction of that same offense shall serve as a basis for forfeiture of a vehicle.

Section 2. Amendments.

I. Section 270-27 of the SUFFOLK COUNTY CODE is hereby amended as follows:

§ 270-27. Civil authority.

A. A civil action shall be commenced by the claiming authority, or its designees, against a defendant to forfeit seized property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense or to recover a money judgment in an amount equivalent in value to the property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense, if it can be demonstrated that the property was seized in connection with the acts of an individual who has been convicted at least once before of [a] <u>any of the following</u> violations of New York Vehicle and Traffic Law § 1192(2), (2-a), (3), (4) or (4-a), [§ 1212 of New York Vehicle and Traffic Law,] or § 49-a of the New York Navigation Law or having been found guilty of violating § 1192-a of the New York Vehicle and Traffic Law, except that:

* * * *

B. A civil action shall be commenced by the claiming authority, or its designee, against a defendant to seize and to forfeit property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense, or to recover a money judgment in an amount equivalent in value to the property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense, if it can be demonstrated that the property is to be seized in connection with the action of an individual who has been convicted at least once before of [a] <u>any of the following</u> violations of New York Vehicle and Traffic Law § 1192(2), (2-a), (3), (4) or (4-a), [§1212 of New York Vehicle and Traffic Law,] or § 49-a of the New York Navigation Law or having been found guilty of § 1192-a of the New York Vehicle and Traffic Law, except that:

* * * *

<u>C. A civil action shall be commenced by the claiming authority, or its designee, against a defendant to forfeit seized property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense or to recover a money judgment in an amount equivalent in value to the property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense, if it can be demonstrated that the property</u>

was seized in connection with the acts of an individual who has been convicted at least once before of a violation of New York Vehicle and Traffic Law § 1212, except that:

(1) No property used by any person as a common carrier in the transaction of business as a common carrier shall be forfeited under the provisions of this subsection unless it shall appear that the owner or agent of the owner was a consenting party or privy to the commission of the offense as described in this article; and

(2) No property shall be forfeited under the provisions of this subsection by reason of any act or omission established by the owner thereof to have been committed or omitted by any person other than the owner while the subject property was unlawfully in the possession of a person other than the owner.

D. A civil action shall be commenced by the claiming authority, or its designee, against a defendant to seize and to forfeit property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense, or to recover a money judgment in an amount equivalent in value to the property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense, if it can be demonstrated that the property is to be seized in connection with the action of an individual who has been convicted at least once before of a violation of New York Vehicle and Traffic Law § 1212, except that:

(1) No property used by any person as a common carrier in the transaction of business as a common carrier shall be forfeited under the provisions of this subsection unless it shall appear that the owner or agent of the owner was a consenting party or privy to the commission of the offense as described in this article; and

(2) No property shall be forfeited under the provisions of this subsection by reason of any act or omission established by the owner thereof to have been committed or omitted by any person other than the owner while the subject property was unlawfully in the possession of a person other than the owner.

[C]E. * * * *

[D]F. * * * *

[E]G. * * * *

[F]H. * * * *

[G]I. * * * *

[H]J. * * * *

[I]K.

[J]L.

Section 3. Applicability.

This law shall apply to offenses committed 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 enactment of a local law which will not affect the environment pursuant to Section 617.w(b)(3) 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. 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

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1868

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UPDATED AS OF 9/12/2008

DATE: SEPTEMBER 12, 2008

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2008

TITLE: A LOCAL LAW CLARIFYING THE USE OF FORFEITURES UPON CONVICTION OF THE MISDEMEANOR CRIME OF RECKLESS DRIVING

SPONSOR: PRESIDING OFFICER AT THE REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL:	9/10/2008	PUBLIC HEARING:	10/14/2008
DATE ADOPTED/NOT ADOPTED:		CERTIFIED COPY RECEIVED:	

This proposed local law would amend Chapter 270 of the SUFFOLK COUNTY CODE to clarify that the County of Suffolk may only seize and forfeit a vehicle that is operated by a person in violation of New York Vehicle and Traffic Law Section 1212 (reckless driving) if that person has a prior conviction for reckless driving.

This law will take effect immediately upon its filing in the Office of the Secretary and apply to offenses committed on or after that date.

GEORGE NOLAN
Counsel to the Legislature

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Intro. Res. No. -2008 Laid on Table 9/16/08

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

RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -200, A LOCAL LAW EXPANDING TAX EXEMPTIONS GRANTED TO SPOUSES AND UNREMARRIED SURVIVING SPOUSES OF VETERANS

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 EXPANDING TAX EXEMPTIONS GRANTED TO SPOUSES AND UNREMARRIED SURVIVING SPOUSES OF VETERANS"** 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 as follows:

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

A LOCAL LAW EXPANDING TAX EXEMPTIONS GRANTED TO SPOUSES AND UNREMARRIED SURVIVING SPOUSES OF VETERANS

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 it has traditionally chosen to honor veterans and their spouses and unremarried surviving spouses residing in the County of Suffolk by making available to them the broadest real property tax exemptions provided for under New York State law.

This Legislature further finds and determines that Section 458 of the New York State Real Property Tax Law is a general state law of state-wide application that affords exemptions from real property taxes to certain veterans and their spouses and unremarried surviving spouses.

This Legislature further finds and determines that Section 458-a of the New York State Real Property Tax Law allows localities such as the County of Suffolk to offer to disabled, wartime and combat veterans, and their spouses and unremarried surviving spouses, an alternative exemption from real property taxes in recognition of the sacrifices they have made in defense of their country.

This Legislature also finds that, recent amendments to Section 458 and 458-a of the Real Property Tax Law now permit the County of Suffolk to expand tax exemptions being received by a spouse or unremarried surviving spouse of a veteran so that when a spouse or unremarried surviving spouse of a veteran who is already receiving an exemption pursuant to Section 458 or 458-a of the Real Property Tax Law sells the property receiving the exemption and purchases new property within the same town or village, the town or village assessor is to transfer and prorate, for the remainder of a fiscal year, the exemption from the property sold to the property purchased.

Therefore, the purpose of this law is to expand veterans' tax exemptions under the new state laws by requiring town and village assessors to transfer and prorate veterans' exemptions, for the remainder of a fiscal year, when the spouse or unremarried surviving spouse of a veteran buys and sells real property within the same town or village.

Section 2. Amendments.

Section 458-23 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

CHAPTER 458
TAXATION

* * * *

Article VIII
Exemptions for Veterans, Gold Star Parents and Cold War Veterans

* * * *

§ 458-23 Exemptions granted to veterans, Gold Star parents and Cold War veterans.

A. Exemptions Granted under Section 458-a of the Real Property Tax Law.

* * * *

(5) Where a veteran or spouse of the veteran or unremarried surviving spouse already receiving an exemption pursuant to Section 458-a of the Real Property Tax Law sells the property receiving the exemption and purchases property within the same town or village, the assessor shall transfer and prorate, for the remainder of the fiscal year, the exemption which the veteran, the spouse of the veteran or unremarried surviving spouse received. The prorated exemption shall be based upon the date the veteran, the spouse of the veteran or unremarried surviving spouse obtains title to the new property and shall be calculated by multiplying the tax rate or rates for each municipal corporation which levied taxes, or for which taxes were levied, on the appropriate tax roll used for the fiscal year or years during which the transfer occurred times the previously granted exempt amount times the fraction of each fiscal year or years remaining subsequent to the transfer of title. Nothing in this section shall be construed to remove the requirement that any such veteran, the spouse of the veteran or unremarried surviving spouse transferring an exemption pursuant to this section reapply for the exemption authorized pursuant to section 458-a of the Real Property Tax Law on or before the following taxable status date, in the event such veteran, the spouse of the veteran or unremarried surviving spouse of the veteran wishes to receive the exemption in future fiscal years.

B. Exemptions Granted under Section 458 of the Real Property Tax Law.

(1) Where a veteran, the spouse of a veteran or unremarried surviving spouse who is eligible for and already is receiving an exemption under Section 458 of the Real Property Tax Law, sells the property receiving the exemption and purchases property within the same town or village, the assessor shall transfer and prorate, for the remainder of the fiscal year, the exemption which the veteran received. The prorated exemption shall be based upon the date the veteran, the spouse of the veteran or unremarried spouse of the veteran obtains title to the new property and shall be calculated by multiplying the tax rate or rates for each municipal corporation which levied taxes, or for which taxes were levied, on the appropriate tax roll used for the fiscal year or years during which the transfer occurred times the previously granted exempt amount times the fraction of each fiscal year or years remaining subsequent to the transfer of title. Nothing in this section shall be construed to remove the requirement that any such veteran, spouse of the veteran or unremarried surviving spouse of the veteran transferring an exemption pursuant to this section shall reapply for the exemption authorized pursuant to Section 458 on or before the following taxable status date, in the event such veteran, spouse of the veteran or unremarried surviving spouse of the veteran wishes to receive the exemption in future fiscal years.

* * * *

Section 3. Applicability.

This law shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 2009.

Section 4. Filing.

The Clerk of the Suffolk County Legislature is hereby directed to file a copy of this law with the State Board of Real Property Services and the ten (10) town assessors who prepare the assessment roll on which the taxes of this County are levied.

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 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) 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 days after 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

1869

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DATE: SEPTEMBER 11, 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 EXPANDING TAX EXEMPTIONS GRANTED TO SPOUSES AND UNREMARRIED SURVIVING SPOUSES OF VETERANS

SPONSOR: THE PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 9/10/08 **PUBLIC HEARING:** 10/14/08

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

This proposed local law would amend Chapter 458 of the SUFFOLK COUNTY CODE to reflect recent changes to the NEW YORK STATE REAL PROPERTY TAX LAW that expand the tax exemption offered to the spouses and unremarried surviving spouses of veterans.

Under current law, when a veteran receiving a property tax exemption sells the property receiving the exemption and purchases new property in the same town or village, the town or village assessor is required to transfer and prorate, for the remainder of the fiscal year, the exemption from the property sold to the property purchased. The proposed law would extend the right to transfer and prorate property tax exemptions under these circumstances to the spouse or unremarried surviving spouse of the veteran.

This law will apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 2009.

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

GEORGE NOLAN
Counsel to the Legislature

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