

L A I D O N T H E T A B L E O C T O B E R 1 4 , 2 0 0 8

LADS REPORT PREPARED BY:

Michele Gerardi

1888. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Boatyard Vistas, Inc., property) – Town of Brookhaven. (Schneiderman) ENVIRONMENT, PLANNING & AGRICULTURE
1889. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Lack property) – Town of Southampton. (Schneiderman) ENVIRONMENT, PLANNING & AGRICULTURE
1890. Declaring November 2008 as “Homeless Awareness Month” in Suffolk County. (Romaine) HEALTH & HUMAN SERVICES
1891. To improve and strengthen consultant procurement policy. (Lindsay) PUBLIC WORKS & TRANSPORTATION
1892. Adopting Local Law No. -2008, A Charter Law to authorize the use of development rights for smart growth, community development and job creation. (Lindsay) ENVIRONMENT, PLANNING & AGRICULTURE
1893. Reappoint Nancy J. Duncan as a member of the Suffolk County Citizens Advisory Board for the Arts. (Eddington) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1894. Adopting Local Law No. -2008, A Local Law to reduce the use of fertilizer near surface waters in Suffolk County. (Schneiderman) ENVIRONMENT, PLANNING & AGRICULTURE
1895. Adopting Local Law No. -2008, A Charter Law to establish a truth and honesty zone for clean campaign practices in Suffolk County by banning improper fundraising. (Alden) WAYS & MEANS
1896. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 793-2008). (Co. Exec.) BUDGET & FINANCE
1897. Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Brookhaven for affordable housing purposes (SCTM No. 0200-852.00-06.00-036.000). (Co. Exec.) LABOR, WORKFORCE, AND AFFORDABLE HOUSING
1898. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Charles Lombardo (SCTM No. 0400-217.00-02.00-010.000). (Co. Exec.) WAYS & MEANS
1899. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Andrew F. Merkle and Lorraine Merkle, his wife (SCTM No. 0500-330.00-02.00-024.000). (Co. Exec.) WAYS & MEANS

1900. 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 Arthur J. Bonner by Antoinette Campelli, as administrator (SCTM No. 0200-228.00-05.00-001.000). (Co. Exec.) WAYS & MEANS
1901. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 794-2008). (Co. Exec.) BUDGET & FINANCE
1902. Sale of County-owned real estate pursuant to Local Law No. 13-1976 SNZ Holding Corp. (SCTM No. 0200-229.00-02.00-012.000). (Co. Exec.) WAYS & MEANS
1903. Adopting Local Law No. -2008, A Local Law to prohibit the sale of old vehicle tires. (Barraga) CONSUMER PROTECTION
1904. Establishing community safeguards from registered sex offenders placed in emergency housing. (Schneiderman) PUBLIC SAFETY
1905. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (the Little Portion Friary property – Town of Brookhaven). (Losquadro) ENVIRONMENT, PLANNING & AGRICULTURE
1906. Historic trust recommendation concerning dedication of the Flanders Club/Smithers property (SCTM No. 0900-150.00-01.00-015.000, p/o 020.000 and 021.000) within the Hubbard County Park in the Town of Southampton to the Suffolk County Historic Trust. (Schneiderman) PARKS AND RECREATION
1907. Making a SEQRA determination in connection with the proposed CR 58 reconstruction – Early Implementation Project, (CP 5529), Town of Riverhead. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE
1908. Making a SEQRA determination in connection with the proposed Suffolk County Brownfield – former Bellport Gas Station, Town of Brookhaven. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE
1909. Making a SEQRA determination in connection with the proposed Suffolk County Brownfield – former Blue Point Laundry, Town of Brookhaven. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE
1910. Making a SEQRA determination in connection with the proposed Suffolk County Brownfield – former Canine Kennel, Suffolk County Gabreski Airport, Town of Southampton. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE
1911. Making a SEQRA determination in connection with the proposed Suffolk County Brownfield – Gabreski APDD, Town of Southampton. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE
1912. Making a SEQRA determination in connection with the proposed Suffolk County Brownfield – former Ronkonkoma Wallpaper Facility, Town of Islip. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE
1913. Approving planning steps for the acquisition of Farmland Development Rights – September 2008. (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1914. Authorizing acquisition of Farmland Development Rights under the Suffolk County Environmental Legacy Fund for the Amsler Family Limited Partnership property – Town of Huntington – (SCTM Nos. 0400-087.00-03.00-007.006 p/o, 0400-087.00-03.00-007.007 p/o 0400-087.00-03.00-007.008 p/o, 0400-087.00-03.00-007.011 p/o and 0400-087.00-03.00-011.002). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1915. Directing the Department of Public Works to designate parking for Veterans at the Riverhead County Center (VA Clinic). (Stern) VETERANS & SENIORS
1916. 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, AND AFFORDABLE HOUSING
1917. Approving license agreement for various County historic and culturally significant properties. (Co. Exec.) PARKS AND RECREATION
1918. Accepting and appropriating additional funds for a 100% State funded grant for the Metrix Learning Pilot Program. (Co. Exec.) LABOR, WORKFORCE, AND AFFORDABLE HOUSING
1919. Accepting and appropriating grant funds received from the New York State Division of Criminal Justice Services, District Attorney's Recruitment and Retention Program. (Co. Exec.) PUBLIC SAFETY
1920. Amending the Suffolk County Classification and Salary Plan in connection with a New Position Title in the Police Department (Helicopter Mechanic Supervisor). (Co. Exec.) LABOR, WORKFORCE, AND AFFORDABLE HOUSING
1921. Appropriating funds in connection with improvements to water supply systems in County Parks (CP 7184). (Co. Exec.) PARKS AND RECREATION
1922. Approving maps and authorizing the acquisition of lands together with Findings and Determinations pursuant to Section 204 of the Eminent Domain Procedure Law, in connection with the acquisition of properties for drainage improvements on CR 39, North Road, Town of Southampton, Suffolk County, New York (CP 5537). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
1923. VOID
1924. To facilitate the sale of surplus scrap metal. (Lindsay) PUBLIC WORKS & TRANSPORTATION
1925. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Joel W. Wyman Jr. and Dona H. Wyman, his wife (SCTM No. 0400-140.00-01.00-054.000). (Co. Exec.) WAYS & MEANS
1926. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law – Town of Islip – (SCTM No. 0500-403.00-01.00-002.004). (Co. Exec.) WAYS & MEANS

1927. Amending the 2008 Capital Budget and Program and appropriating funds in connection with the design of a replacement pedestrian bridge over CR 4, Commack Road (CP 5560). (Stern) PUBLIC WORKS & TRANSPORTATION
1928. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Lake Panamoka property) – Town of Brookhaven. (Romaine) ENVIRONMENT, PLANNING & AGRICULTURE
1929. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Toppings Farm property) – Town of Brookhaven. (Romaine) ENVIRONMENT, PLANNING & AGRICULTURE
1930. Authorizing transfer of thirty-four (34) surplus County computers, monitors, mice and keyboards to RSVP. (Lindsay) PUBLIC WORKS & TRANSPORTATION
1931. To enhance consumer responsibility and ensure depositories informed transactions (credit) in Suffolk County. (Horsley) BUDGET & FINANCE
1932. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Swan Lake property) – Town of Brookhaven. (Eddington) ENVIRONMENT, PLANNING & AGRICULTURE
1933. Authorizing transfer of two (2) surplus County computers, monitors, mice and keyboards to Southeast Concerned Civic Association (S.E.C.C.A.). (Stern) PUBLIC WORKS & TRANSPORTATION
1934. Establishing an Energy Conservation Policy for Suffolk County Electrical Agency. (Horsley) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1935. Directing the Commissioner of Information Technology to complete a feasibility study for the implementation of a "Project Sunlight" program in Suffolk County. (Beedenbender) WAYS & MEANS
1936. Amending the Adopted 2008 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2008 Capital Budget and Program, and appropriating funds in connection with installation of anti-litter signage on County roads (CP 8710.320). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1937. Authorizing the disbursement of funds from the Suffolk County Living Wage Contingency Fund for Colonial Youth and Family Services, Inc., and Lazy Cow, Inc. dba Kiddie Care Early Learning Center, Day Care Providers under contract with the Department of Social Services. (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING
1938. Amending the Adopted 2008 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2008 Capital Budget and Program, and appropriating funds in connection with a Village of Babylon Storm Water Runoff Filter installation Program (CP 8240). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1939. Accepting and appropriating 100% Local Government Records Management Improvement Fund Grant from New York State for Records Management Programs. (Co. Exec.) WAYS & MEANS
1940. Accepting and appropriating Rapid Response Supplemental Dislocated Worker Funds from the New York State Department of Labor for the Workforce Investment Act (WIA) Program. (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING
1941. Amending the Suffolk County Classification and Salary Plan in connection with a New Position Title in the Department of Public Works (Pre-Treatment Program Coordinator). (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING
1942. Amending Resolution No. 1186-2007, extending existing one-quarter of one percent sales and compensating use tax for the period beginning December 1, 2007, and ending December 31, 2030, pursuant to the authority of Section 1210-A of Article 29 of the Tax Law of the State of New York. (Co. Exec.) WAYS & MEANS
1943. Authorizing the purchase of up to twenty-three transit buses for Suffolk Transit including related equipment and amending the 2008 Capital Budget and Program and accepting and appropriating Federal Aid and State Aid and County funds (CP 5658). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
1944. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the Kasper property – Hauppauge Springs – Town of Smithtown – (SCTM No. 0800-155.00-04.00-041.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1945. Accepting and appropriating 100% State grant funds awarded through the New York State Division of Criminal Justice Services Bureau of Justice Funding to the Suffolk County Department of Probation. (Co. Exec.) PUBLIC SAFETY
1946. Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(a)] – for the Kerendian property – Carlls River Watershed addition – Town of Babylon (SCTM No. 0100-083.00-01.00-154.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1947. Authorizing certain technical correction to Adopted Resolution No. 608-2008. (Co. Exec.) WAYS & MEANS
1948. To prevent windfall profits by landlords doing business with the Department of Social Services. (Browning) HEALTH & HUMAN SERVICES

1888

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

Laid on Table 10/14/08

**RESOLUTION NO. -2008, AUTHORIZING PLANNING
STEPS FOR THE ACQUISITION OF LAND UNDER THE
SUFFOLK COUNTY DRINKING WATER PROTECTION
PROGRAM, AS AMENDED BY LOCAL LAW 24-2007
(BOATYARD VISTAS, INC. 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 4.565 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-boatyard-vistas-open-space-drinking-water-plan-steps

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 861.00 Block 03.00 Lot 024.000	.326	Boatyard Vistas, Inc. 25 Shore Road East Moriches, NY 11940
No. 2	District 0200 Section 861.00 Block 03.00 Lot 025.000	.054	Boatyard Vistas, Inc. 25 Shore Road East Moriches, NY 11940
No. 3	District 0200 Section 861.00 Block 03.00 Lot 026.000	.082	Boatyard Vistas, Inc. 25 Shore Road East Moriches, NY 11940
No. 4	District 0200 Section 861.00 Block 03.00 Lot 027.000	.212	Boatyard Vistas, Inc. 25 Shore Road East Moriches, NY 11940
No. 5	District 0200 Section 861.00 Block 03.00 Lot 028.001	1.323	Boatyard Vistas, Inc. 25 Shore Road East Moriches, NY 11940
No. 6	District 0200 Section 861.00 Block 03.00 Lot 029.000	1.993	Boatyard Vistas, Inc. 25 Shore Road East Moriches, NY 11940
No. 7	District 0200 Section 861.00 Block 03.00 Lot 033.000	.575	Boatyard Vistas, Inc. 25 Shore Road East Moriches, NY 11940
Total Acreage		4.565	

EXHIBIT "A"

1889

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

Laid on Table 10/14/08

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

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

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

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

1st RESOLVED, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 27.8 acres, are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

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

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

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

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

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

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

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

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

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District: 0901 Section 005.00 Block 01.00 Lot 017.003	1.9	Andrew Lack 87 Fresh Pond Road North Haven, NY 11963
2	District: 0901 Section 005.00 Block 01.00 Lot 017.004	1.9	Andrew Lack 87 Fresh Pond Road North Haven, NY 11963
3	District: 0901 Section 005.00 Block 01.00 Lot 017.005	1.8	Andrew Lack 87 Fresh Pond Road North Haven, NY 11963
4	District: 0901 Section 005.00 Block 01.00 Lot 017.006	2.2	Andrew Lack 87 Fresh Pond Road North Haven, NY 11963
5	District: 0901 Section 005.00 Block 01.00 Lot 017.007	3.3	Andrew Lack 87 Fresh Pond Road North Haven, NY 11963
6	District: 0901 Section 005.00 Block 01.00 Lot 017.008	15.1	Andrew Lack 87 Fresh Pond Road North Haven, NY 11963
7	District: 0901 Section 005.00 Block 01.00 Lot 017.009	1.6	Andrew Lack 87 Fresh Pond Road North Haven, NY 11963
TOTAL ACREAGE		±27.8	

EXHIBIT "A"

1890

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

Laid on Table 10/14/08

**RESOLUTION NO. -2008, DECLARING NOVEMBER 2008
AS "HOMELESS AWARENESS MONTH" IN SUFFOLK
COUNTY**

WHEREAS, homelessness continues to be a serious problem in Suffolk County and across our nation; and

WHEREAS, many of the homeless population are employed, however due to the rising cost of housing, fuel, food or extreme circumstances which may have caused financial hardship, they are left to seek government assistance; and

WHEREAS, the programs that are available to provide assistance to the homeless and those at risk of becoming homeless through their case workers or referral network may have been negatively impacted by recent state cuts in funding; and

WHEREAS, raising the public's awareness of the plight of the homeless, encouraging more citizens to become involved with a local host church, and raising additional funding to assist in the transportation of homeless individuals and families can be accomplished by designating "Homeless Awareness Month" in Suffolk County; and

WHEREAS, Suffolk County strives to raise awareness of the effects of homelessness on the population and economy; now, therefore be it

1st RESOLVED, that the month of November 2008 is hereby declared "**Homeless Awareness Month**" in Suffolk County to raise awareness of the homeless crisis in Suffolk County; 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:

**RESOLUTION NO. -2008, TO IMPROVE AND
STRENGTHEN CONSULTANT PROCUREMENT POLICY**

WHEREAS, Resolution No. 349-1994 (codified in Chapter 708, Article III of the SUFFOLK COUNTY CODE) established policies governing the County's procurement of consultant services; and

WHEREAS, these policies and procedures were enacted to guard against favoritism, fraud and corruption in the award of public contracts; and

WHEREAS, open and competitive contracting procedures help insure that public monies are expended in a prudent and economical manner and that the best goods and services are purchased at the lowest possible price; and

WHEREAS, Resolution No. 349-1994 requires the issuance of a Request for Proposals ("RFP") for consultant services in excess of \$10,000; and

WHEREAS, under current law, the County Executive may waive the RFP requirement if he or she determines that it "would be in the best interest of the County to do so"; and

WHEREAS, empowering a single official with the authority to waive RFPs opens the door for favoritism in the procurement process; and

WHEREAS, checks and balances in the RFP waiver process should be instituted to ensure that the important policy goals underlying competitive procurement laws are not compromised; and

WHEREAS, creating a RFP waiver committee made up of the County Executive, Presiding Officer of the County Legislature and the Comptroller will reduce the potential for abuse; now, therefore be it

1st RESOLVED, that Chapter 708 of the SUFFOLK COUNTY CODE is hereby amended to as follows:

CHAPTER 708, PURCHASING

* * * *

ARTICLE III, Consultant Services Procurement, Exceptions.

* * * *

- B. Formal bid solicitations or RFPs for the hiring of certain consultant services requiring special or technical skill, training or expertise in the \$10,000.01 and up range may be waived by a committee made up of the County Executive, the Presiding Officer of the Suffolk County Legislature and the County Comptroller, or their [his/her] duly

authorized representatives where it would be in the best interest of the County to do so.

* * * *

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:

**RESOLUTION NO. -2008, ADOPTING
LOCAL LAW NO. -2008, A CHARTER LAW TO
AUTHORIZE THE USE OF DEVELOPMENT RIGHTS FOR
SMART GROWTH, COMMUNITY DEVELOPMENT AND JOB
CREATION**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2008 a proposed local law entitled, "**A CHARTER LAW TO AUTHORIZE THE USE OF DEVELOPMENT RIGHTS FOR SMART GROWTH, COMMUNITY DEVELOPMENT AND JOB CREATION**"; now, therefore, be it

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

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

**A CHARTER LAW TO AUTHORIZE THE USE OF DEVELOPMENT
RIGHTS FOR SMART GROWTH, COMMUNITY DEVELOPMENT
AND JOB CREATION**

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's Save Open Space (SOS) and New Drinking Water Protection Programs authorized the transfer of development rights from lands acquired under these programs for the purpose of providing workforce housing.

This Legislature further finds that few, if any, of the nearly 180 development rights that have been banked under these programs have so far been utilized to create housing.

This Legislature also finds that in addition to workforce housing, these development rights could be used to further other worthy policy goals including smart growth in downtown areas, community development and job creation.

This Legislature determines that the targeted sale of development rights, in accordance with a program developed by the Department of Planning, would also generate much needed revenues that would allow the County of Suffolk to maintain services and provide tax relief.

Therefore, the purpose of this law is to amend Article XII of the SUFFOLK COUNTY CHARTER to authorize the sale of development rights to spur smart growth, community development and job creation.

Section 2. Amendment.

Section 12-2(A)(2)(c) of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

- (c) The County of Suffolk hereby reserves the right to dedicate and transfer development rights from land acquired under this law (exclusive of transactions involving farmland development rights, active parkland, hamlet parks, and historic parks), and hold for use or subsequent sale for the [sole] purposes of providing workforce housing, as defined in Article XXXVI of the Suffolk County Administrative Code, fostering smart growth in downtown areas, furthering community development or spurring job creation, [pursuant to a program established by the Suffolk County Department of Planning and via subsequent duly enacted resolution of the County]. In each individual use or sale of such development rights for the purpose of providing workforce housing, such use or sale shall be subject to approval by duly enacted resolution of the County of Suffolk and shall be consistent with Resolution 412-2005, as amended. A program to govern the use or sale of development rights for the purposes of fostering smart growth in downtown areas, furthering community development and spurring job creation shall be established by the Department of Planning and via subsequent duly enacted resolution of the County of Suffolk and each individual use or sale of development rights for these purposes shall be subject to approval by duly enacted resolution of the County of Suffolk.

Section 3. Applicability.

This law shall apply to development rights that are derived from land acquisitions occurring on or after the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK

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

Section 6. Effective Date.

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

[] Brackets denote deletion of existing language.

___ Underlining denotes addition of new language.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



1892

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: OCTOBER 6, 2008
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2008

TITLE: A CHARTER LAW TO AUTHORIZE THE USE OF DEVELOPMENT RIGHTS FOR SMART GROWTH, COMMUNITY DEVELOPMENT AND JOB CREATION

SPONSOR: PRESIDING OFFICER LINDSAY

DATE OF RECEIPT BY COUNSEL: 9/19/2008 PUBLIC HEARING: 11/18/2008

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

This proposed local law would amend Article XII of the SUFFOLK COUNTY CHARTER, Suffolk County Drinking Water Protection Program, to expand the permissible use of development rights obtained under the law.

Specifically, this law would allow Suffolk County to use or transfer development rights obtained under the Drinking Water Protection Program for the purposes of fostering growth, community development in downtown areas and creating jobs in Suffolk County. Presently, development rights obtained under this law may only be used to provide workforce housing.

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

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-authorize use of development rights

1893

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

Laid on Table 10/14/08

**RESOLUTION NO. -2008, REAPPOINT NANCY J.
DUNCAN AS A MEMBER OF THE SUFFOLK
COUNTY CITIZENS ADVISORY BOARD FOR THE
ARTS**

WHEREAS, the term of office of Nancy J. Duncan as a Member of the Suffolk County Citizens Advisory Board for the Arts will expire on November 1, 2008; now, therefore, be it

RESOLVED, that **Nancy J. Duncan**, currently residing in East Patchogue, New York be and she is hereby reappointed as a member of the Suffolk County Citizens Advisory Board for the Arts for a three year term of office to expire on November 1, 2011, pursuant to Section 68-3(C)(1) of the SUFFOLK COUNTY CODE.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-reappoint-duncan-arts

1894
Intro. Res. No. -2008
Introduced by Legislator Schneiderman

Laid on Table 10/14/08

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW
NO. -2008, A LOCAL LAW TO REDUCE THE USE OF
FERTILIZER NEAR SURFACE WATERS IN SUFFOLK COUNTY**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2008, a proposed local law entitled, "**A LOCAL LAW TO REDUCE THE USE OF FERTILIZER NEAR SURFACE WATERS IN SUFFOLK COUNTY**"; now, therefore be it

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

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

**A LOCAL LAW TO REDUCE THE USE OF FERTILIZER NEAR
SURFACE WATERS IN SUFFOLK COUNTY**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that it is the policy of the State of New York to preserve and protect tidal wetlands, freshwater wetlands and surface waters in order to prevent their despoliation and destruction.

This Legislature also finds and determines that the County of Suffolk has made great strides in protecting wetlands and surface waters throughout the County not only by acquiring such wetlands and bodies of water to prevent further development, but also by funding infrastructure improvements including nonpoint source pollution abatement and aquatic habitat restoration.

This Legislature further finds and determines that overuse of fertilizers is harming freshwater and tidal wetlands and surface waters as excess nitrogen leaches out of the soil that it is applied to and enters the wetland environment.

This Legislature finds that the excess nutrients leads to depressed dissolved oxygen levels in the wetlands and surface water areas, resulting in harm to aquatic life, an increase in algal blooms and a diminishing of water clarity.

This Legislature further determines that the County of Suffolk has already taken action to help reduce the excessive use of nitrogen based fertilizers by enacting Local Law No. 41-2007, "A Local Law to Reduce Nitrogen Pollution by Reducing Use of Fertilizer in Suffolk County," which will prevent the application of fertilizers on County owned real property, and prohibit the application of fertilizer on all other property between November 1 and April 1 every year.

This Legislature also finds that more can be done to protect the County's freshwater wetlands, tidal wetlands and surface waters from the damaging effects of excessive nitrogen and phosphorous leaching due to the overuse of fertilizers.

Therefore, the purpose of this law is to prevent the application of fertilizer within 20 feet of a freshwater wetland, tidal wetland or surface water.

Section 2. Amendments.

Chapter 289 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 289, FERTILIZER

* * * *

ARTICLE II, Sales and Use

* * * *

§ 289-8. Definitions.

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

COMMISSIONER -- The Commissioner of the Suffolk County Department of Environment and Energy.

DEPARTMENT -- The Suffolk County Department of Environment and Energy.

ESTABLISHMENT -- A store or person located within Suffolk County that sells or offers fertilizer for sale.

FERTILIZER -- Any organic or inorganic material of natural or synthetic origin which is added to soil, soil mixtures, or solution to supplement nutrients and is claimed to contain one or more essential plant nutrients. The term "fertilizer" does not include unmanipulated animal and vegetable manure and agricultural liming materials used to reduce soil acidity.

PERSON -- Any individual, firm, partnership, corporation, company, society, association, or any organized group of persons whether incorporated or not.

SURFACE WATER -- Shall mean lakes, bays, sounds, ponds, impounding reservoirs, perennial streams and springs, rivers, creeks, estuaries, marshes, inlets, canals, the Atlantic ocean within the territorial limits of New York State, and all other perennial bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private.

TURF -- Any area of earth principally vegetated by grass.

§ 289-9. Prohibitions regarding application of fertilizer.

- A.) Fertilizer shall not be applied to County-owned real property, except as authorized under § 289-14 of this article.
- B.) Fertilizer shall not be applied to any turf on any non-County owned real property [any non-County owned real property] by any person between November 1 and April 1 of every year, except as authorized by Section 8 of this law.
- C.) Fertilizer shall not be applied to any County-owned property, nor to any turf on any non-County owned real property, within twenty (20) feet of any regulated surface water, except, that this restriction shall not apply where a continuous natural vegetative buffer, at least ten (10) wide, separates a turf area and regulated surface water.

* * * *

Section 3. Applicability.

The amendments contained within this law shall take effect immediately upon the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

[] Brackets denote deletion of existing language

___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\fertilizer use refile

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW
NO. -2008, A CHARTER LAW TO ESTABLISH A TRUTH
AND HONESTY ZONE FOR CLEAN CAMPAIGN PRACTICES
IN SUFFOLK COUNTY BY BANNING IMPROPER
FUNDRAISING**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2008 a proposed local law entitled, "**A CHARTER LAW TO ESTABLISH A TRUTH AND HONESTY ZONE FOR CLEAN CAMPAIGN PRACTICES IN SUFFOLK COUNTY BY BANNING IMPROPER FUNDRAISING**"; now, therefore be it

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

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

**A CHARTER LAW TO ESTABLISH A TRUTH AND HONESTY
ZONE FOR CLEAN CAMPAIGN PRACTICES IN SUFFOLK
COUNTY BY BANNING IMPROPER FUNDRAISING**

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

Section 1. Legislative Intent.

This Legislature hereby finds that not-for-profit organizations, qualifying for tax exempt status under Section 501(c)(3) of the INTERNAL REVENUE CODE, are prohibited from participating or intervening in "any political campaign on behalf of (or in opposition to) any candidate for public office."

This Legislature also further finds that, notwithstanding this year and absolute ban on such political activity, such organizations are constantly solicited for campaign contributions by elected Suffolk County officials, candidates for Suffolk County office, and employees and/or designees and agents of such officials and candidates.

This Legislature also finds that there exists a public perception that government contracts are often awarded on the basis of political contributions and not upon the qualifications and cost-effectiveness of the proposed contractee.

This Legislature further finds and determines that the use of political action committees further aggravates and magnifies this problem because of the ability of such committees to raise larger sums of money for such contributions.

This Legislature further finds that elected officials must take appropriate measures to change that perception to halt further erosion of public confidence in our political institutions because the influence of money on County political campaigns is growing and, at the very least, creates an appearance that County government favors those who make campaign contributions.

This Legislature desires to prohibit the acceptance of political contributions from persons or businesses contracting with the County to help avoid even the slightest appearance that elected officials are awarding contracts based upon factors other than merit.

This Legislature determines that campaign contributions by County employees to elected County officials, who are required, as a function of their duties and responsibilities as public officers, to discipline, manage, and regulate the activities of those very same County employees, as well as grant, approve, or withhold contractual, financial, and economic benefits to said employees, creates an inherent tension and conflict between such elected officials and county employees, which conflict, in turn, erodes public confidence in the integrity of County government and undermines public support for governmental institutions in this County in general.

This Legislature further determines that in order to deter the corrosive impact of political campaign contributions on county government, to strengthen public confidence in our public institutions, and to eliminate real or perceived pressures on county employees, it is necessary to prohibit all county employees and officers from soliciting campaign contributions.

This Legislature hereby affirms its awareness of Federal laws which prohibit all corporate solicitations and donations, and the solicitation and donations of all persons contracting with the United States Government, as well as State laws pertaining to political contributions.

This Legislature finds that supplementary legislation in the County of Suffolk will not only bolster the people's confidence in the integrity of the system, but will also increase the likelihood that only the most qualified, talented, and cost-effective firms will be retained by the County.

Therefore, the purpose of this law is to prohibit political contributions by County employees to candidates for County office, to limit political contributions from businesses contracting with the County, to restrict political contributions for County offices by political action committees that are related to firms doing business with the County of Suffolk, to elected officials of the County of Suffolk or to candidates for such office and to ban the solicitation of campaign contributions from tax exempt not-for-profit organizations by elected County officials, candidates for County office, or their designees so as to ensure that County decisions on governmental issues are decided on the merits rather than on the basis of influence by "special interests", subject to the approval of the electorate.

Section 2. Amendment.

The SUFFOLK COUNTY CHARTER is hereby amended by the addition of a new Article XLIII to read as follows:

Section 43-1. Definitions.

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

"AGREEMENT" shall mean any written or oral contract or any implied contract including, but not limited to, a contract for the sale of goods or services, a construction contract, or a lease or contract relating to real or person property. The term "Agreement" shall also include a transaction whereby a person agrees to sell goods or services, or both to the County pursuant to a successful bid.

“CONTRIBUTION” shall mean any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value (except a loan of money by a National or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business) to any candidate, campaign committee, political party or organization, in connection with any election for public office to be voted on by the voters of the entire County or the voters of a County Legislative District, and shall include:

- 1.) communications by a corporation to its stockholders and executive or administrative personnel and their families or by a labor organization to its members and their families on any subject;
- 2.) non-partisan registration and get-out-the-vote campaigns by a corporation aimed at its stockholders and executive or administrative personnel and their families, or by a labor organization aimed at its members and their families; and
- 3.) the establishment, administration, and solicitation of contributions to a separate segregated fund to be utilized for political purposes by a corporation, labor organization, membership organization, cooperative, or corporation without capital stock.

“COUNTY OFFICE” shall mean the Office of District Attorney, County Legislator, County Executive, County Comptroller, County Treasurer, County Sheriff and/or County Clerk or any successor office thereof.

“GRATUITY” shall mean any money, benefit, entertainment, gift or any other consideration whatsoever.

“LABOR ORGANIZATION” shall mean any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment or conditions of work.

“OFFICIAL OF A POLITICAL PARTY” shall mean a party officer as defined by Section 1-104(5) of the NEW YORK ELECTION LAW.

“PERSON” shall mean individuals, natural persons; partnerships; joint ventures; societies; associations; clubs; corporations; unincorporated groups of any members; officer, directors or stockholders or any kind of personal representative thereof, in any capacity, acting for himself or for any other person, under either personal appointment or pursuant to law. The term “person” shall not be deemed to include shareholders, agents, or representatives of corporations traded on the over-the-counter stock market or traded on recognized national/regional stock exchanges, wherein said corporations’ stock is publicly held, or corporations not so traded but which employ more than twenty-five (25) employees. “Person” shall not include the employees of any of the above described legal entities.

“POLITICAL PARTY” shall mean a party as defined by Section 1-104(3) of the NEW YORK ELECTION LAW.

“POLITICAL ACTION COMMITTEE” shall mean any corporation aiding or promoting and any committee or combination of one (1) or more persons operating or cooperative to take or take part in the election or defeat of a candidate for public office; to aid or take part in the election or defeat of a candidate for nomination at a primary election or convention, including all

proceedings prior to such primary election, or of a candidate for any party position voted for at a primary election; to aid or defeat the nomination by petition of an independent candidate for public office; or to aid or defeat any proposition submitted to the public for approval at referendum. Nothing in this section shall apply to any committee or organization for the discussion or advancement of political questions or principles without connection to any vote, which corporation or committee is not created or formed by or on behalf of any political party. "Political Action Committee" shall not include any party committee of constituted committee, as defined in Article 14 of the NEW YORK ELECTION LAW.

"PUBLIC OFFICE" shall mean the Office of District Attorney, County Executive, County Comptroller, County Treasurer, County Sheriff, County Clerk and/or County Legislator, or any successor office thereof.

Section 43-3. Not-for Profits.

- A.) No officer or employee of Suffolk County, whether paid or unpaid, regardless of status as exempt class, part-time or full time, management/management confidential, competitive class, non-competitive class, or labor class; members of any administrative board, commission or agency of Suffolk County; or any person seeking or holding County office; shall solicit contributions of money or any other thing of value for the benefit of any candidate seeking or holding County office from any not-for-profit organization established pursuant to Section 501(c)(3) of the INTERNAL REVENUE CODE.
- B.) It shall be unlawful for any person seeking or holding County office to knowingly accept contributions of money or any other thing of value for the benefit of his or her candidacy from any not-for-profit organization established pursuant to Section 501(c)(3) of the INTERNAL REVENUE CODE.

Section 43-4. Employee Contributions.

- A.) It shall be unlawful for any County employee of such officer's or employee's status as exempt class, paid or unpaid, full-time or part-time, management/management confidential, competitive class, non-competitive class, or labor class, or any members of any administrative board, commission or agency of Suffolk County to directly or indirectly make any contribution to a candidate for County office or an incumbent holding a position of County office.
- B.) It shall be unlawful for any candidate for county office, or an incumbent holding a position of County office, to directly or indirectly accept any contribution from a County employee of such officer's or employee's status as exempt class, paid or unpaid, full-time or part-time, management/management confidential, competitive class, non-competitive class, or labor class, or any members of any administrative board, commission or agency of Suffolk County to directly or indirectly make any contribution to a candidate for County office or an incumbent holding a position of County office.
- C.) No officer or employee of Suffolk County, whether paid or unpaid, regardless of status as exempt class, part-time or full-time, management/management confidential, competitive class, non-competitive class, or labor class; members of any administrative board, commission or agency of Suffolk County; or any elected

County official; shall solicit contributions of money or any other thing of value for the benefit of any candidate seeking or holding a public office in Suffolk County Government.

- D.) It shall be unlawful for any candidate seeking or holding a public office in Suffolk County Government to knowingly accept contributions of money or any other thing of value for the benefit of his or her candidacy, which had been obtained through the solicitation efforts of a County officer, employee, or elected official.

Section 43-5. Prohibited Acts for Political Action Committees.

- A.) It shall be unlawful for any political action committee related to a person who enters into any agreement with the County of Suffolk or any department or agency thereof either for the rendition of personal services or furnishing of any materials, supplies, or equipment to the County of Suffolk or any department or agency thereof or for the selling or leasing of any land or building to the County of Suffolk, is payment for the performance of such agreement or payment for such material, supplies, equipment, land or building, is made in whole or in part from funds appropriated by the County, to directly or indirectly make contributions to any candidate seeking or holding a public office in Suffolk County Government subject to the time constraint contained in Paragraph (D) of this section.
- B.) It shall be unlawful for any political action committee to directly or indirectly accept contributions from any person described in paragraph (A) of this section for payment to an official of any political party established in Suffolk County or to any candidate seeking or holding a public office in Suffolk County Government subject to the time constraint contained in Paragraph (D) of this section.
- C.) It shall be unlawful for any official of any political party established in Suffolk County or any candidate seeking or holding public office in Suffolk County Government to accept contributions from any political action committee that is formed or created by, or is the recipient of contributions from any person contracting with the County of Suffolk or any department or agency thereof for the rendition of personal services or furnishing any materials, supplies, or equipment to the County of Suffolk or any department or agency thereof or for the selling or leasing of any land or building to the County of Suffolk if payment for the performance of such agreement or payment for such material, supplies, equipment, land or building is made in whole or in part from funds appropriated by the County subject to the time constraint contained in Paragraph (D) of this section.
- D.) The prohibition of donations and acceptance of the same contained in paragraphs (A),(B), or (C) of this section shall commence upon the beginning of negotiations for any such agreement and continue for a period of one(1) year after the termination or completion of said agreement. No political action committee that is formed or created by, or is the recipient of contributions from, any person as described in paragraphs (A) or (C) of this section shall make a contribution prohibited by paragraphs (A), (B), or (C) of this section in the name of another political action committee that is formed or created by, or is the recipient of contributions from such a person nor knowingly permit its name to be used to effect such a contribution; and no political action committee that is formed or created by, or is the recipient of contributions from, such person shall knowingly accept such a

contribution made by one (1) political action committee that is formed or created by, or is the recipient of contributions from, such a person nor knowingly accept such a contribution made by one (1) political action committee that is formed or created by, or is the recipient of contributions from, firms doing business with the County in the name of another political action committee that is formed, created, or is the recipient of contributions from firms doing business with the County.

Section 43-6. Exemptions

Sections 43-3, 43-4 and 43-5 of this Article shall not apply to contributions by individuals to political parties, committees, or candidates as defined by Section 14-100 of the NEW YORK ELECTION LAW. Such contributions shall be excluded from and shall not be in violation of Section 41-2 of this Article.

Section 43-7. Prohibited Acts for Award of Contracts.

- A.) It shall be unlawful for any person who enters into an agreement with the County of Suffolk or any department or agency thereof either for the rendition of personal services or furnishing any materials, supplies, or equipment to the County of Suffolk or any department or agency thereof or for the selling or leasing of any land or building to the County of Suffolk, if payment for the performance of such agreement or payment for such material, supplies, equipment, land or building is made in whole or in part from funds appropriated by the County, to directly, or indirectly made any contribution of money or other things of value to an official of any political party established in Suffolk County or to any candidate seeking or holding a public office in Suffolk County Government, subject to the time constraint contained in paragraph (D) of this section.
- B.) It shall be unlawful for any person who receives financing arranged through the Suffolk County Industrial Development Agency to directly or indirectly make any contribution of money or other things of value to an official of any political party established in Suffolk County or to any candidate seeking or holding a public office in Suffolk County Government, subject to the time constraint contained in paragraph (D) of this section.
- C.) It shall be unlawful for any candidate seeking or holding a public office in Suffolk County government to accept contributions from any person contracting with the County of Suffolk or any department or agency thereof for the rendition of personal services or furnishing any materials, supplies, or equipment to the County of Suffolk or any department or agency thereof or for its selling or leasing of any land or building to the County of Suffolk if payment for the performance of such agreement or payment for such materials, supplies, equipment, land or building is made in whole or in part from funds appropriated by the County or from any person receiving financing arranged through the Suffolk County Industrial Development Agency subject to the time constraint contained in paragraph (D) of this section.
- D.) The prohibition of donations and acceptance of the same contained in paragraphs (A), (B), or (C) of this section shall commence upon the

beginning of negotiations for any such agreement or financing arrangement and continue for a period of one (1) year after the termination or completion of said agreement or financing arrangement. No person shall make a contribution prohibited by Paragraphs (A), (B), or (C) of this section in the name of another person or knowingly permit his name to be used to effect such a contribution and no person shall knowingly accept such a contribution made by one person in the name of another person.

- E.) For the purposes of paragraphs (A), (B), (C), and (D) of this section, the term "person" shall be construed to mean any individual partnership, firm, corporation, or other legal entity as well as their shareholders, agents, or representatives of corporations traded on the over-the-counter stock market or traded on recognized national/regional stock exchanges, wherein said corporations' stock is publicly held, or corporations not so traded but which employ more than twenty-five (25) employees. "Person" shall not include the employees of such firms, partnerships, corporations or other legal entities.

Section 43-8. Filing Requirements.

The County Comptroller shall file with the Clerk of the County Legislature a list of the persons doing business with the County of Suffolk on March 31, June 30, September 30, and December 31 of each year.

Section 43-9. Exempt Contributions.

Section 43-7 of this Article shall not apply to contributions to political parties or committees. Such contributions shall be excluded from and shall not be in violation of Section 41-5 of this Article.

Section 43-10. Penalty Provisions.

- A.) Criminal. A willful violation of Sections 43-3, 43-4, 43-5, or 43-7 of this Article shall constitute a Class A misdemeanor and shall be punishable by a sentence of up to one (1) year in prison and/or a fine of up to One Thousand Dollars (\$1,000), or by both such fine and imprisonment.
- B.) Civil remedies. A willful violation of Section 41-2 of this Article shall give the County the option, among other civil remedies, of either terminating the agreement or deducting the value of the illegal contributions from any amount due or to become due from the County thereunder.

Section 3. Applicability.

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

Section 4. Rules and Regulations.

The Suffolk County Ethics Commission is hereby authorized and empowered to issue and promulgate such rules and regulations as it shall deem necessary to implement the provisions of this law.

Section 5. Severability.

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

Section 6. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes enactment of a local law which will not affect the environment pursuant to Section 617.2(b)(3) of the NEW YORK CODE OF RULES AND REGULATIONS (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 7. Form of Proposition.

The question to be submitted to the electorate pursuant to Section 8 of this law shall read as follows:

Shall Resolution No. -2008, Adopting A Charter Law, to Limit the Influence of Special Interests by Restricting Political Contributions from Businesses Contracting with the County of Suffolk; Limiting Political Contributions from Political Action Committees Related to Firms Doing Business with the County of Suffolk; Prohibiting Solicitation of Political Campaign Contributions from Tax Exempt Not-For-Profit Organizations and Banning Political Contributions by County Employees to Elected County Officials or to Candidates for County Office, Be Approved?

Section 8. Effective Date.

This law shall not take effect until the first day of the first fiscal year after its approval by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting upon a proposition for its approval in conformity with the provisions of Section 34 of the NEW YORK MUNICIPAL HOME RULE LAW. After approval by the electorate, this law, as well as any other law converted into a mandatory referendum pursuant to Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW, by a vote of the County Legislature, may only be amended, modified, repealed, or altered by enactment of an appropriate Charter law subject to mandatory referendum in accordance with prevailing law.

[] 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

1895



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: OCTOBER 6, 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 CHATER LAW TO ESTABLISH A TRUTH AND HONESTY ZONE FOR CLEAN CAMPAIGN PRACTICES IN SUFFOLK COUNTY BY BANNING IMPROPER FUNDRAISING

SPONSOR: LEGISLATOR ALDEN

DATE OF RECEIPT BY COUNSEL: 10/6/2008 PUBLIC HEARING: 11/18/2008

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

This proposed local law would amend the Suffolk County Charter to add a new Article 43, which would impose new restrictions on contributions¹ to candidates for county offices.²

Specifically, this law would:

- 1) Prohibit County officers, employees and members of any County board, commission or agency from soliciting contributions from any not-for-profit organization for the benefit of a candidate seeking County office;
- 2) Prohibit County officers or candidates from knowingly accepting contributions from not-for-profit organizations;
- 3) Prohibit County officers, employees and members of any County board, commission or agency from making any contribution to a candidate for County office;
- 4) Prohibit County officers or candidates from accepting contributions from County employees;
- 5) Prohibit County officers, employees and members of any County board, commission or agency from soliciting donations for the benefit of any candidate;

¹ A "contribution" is defined as any direct or indirect payment, distribution, loan, deposit, gifts of money, services or anything of value to any candidate, campaign committee, political party or organization connected with an election for public office to be voted on by County voters and includes voter registration and get-out-the-vote operations by corporations and labor organizations and the solicitation of contributions to the political action funds or corporations and labor organizations.

² The offices affected by this law are: the Office of the District Attorney, County Legislator, County Executive, County Comptroller, County Treasurer, County Sheriff, and/or County Clerk or any successor offices.

- 6) Prohibit candidates for County office from knowingly accepting contributions that were obtained by the solicitation efforts of a County officer, employee or elected official;
- 7) Restrict contributions to campaigns by political action committees³ ("PACs") that are related to persons⁴ who have contracted with Suffolk County within the previous year⁵, based on the date of termination or completion of said contract;
- 8) Restrict PACs from accepting contributions from persons that have contracted with the County in the previous year, based on the date of termination or completion of their contract, for the purpose of providing the contribution to a Suffolk County official or established political party;
- 9) Prohibit officials of political parties or candidates seeking County office from accepting contributions from PACs formed or created by any person who is currently or has contracted with the County in the previous year;
- 10) Restrict persons who receive contracts from Suffolk County from making contributions to any County official, political party or candidate seeking election from the point at which their contract negotiations with the County begins until one (1) year after termination or completion of the contract;
- 11) Prohibit persons that receive financing through the Suffolk County Industrial Development Agency from donating to any official of a political party or any candidate seeking or holding public office in Suffolk County from the time negotiations of the financing arrangement begin until one (1) year after the termination or completion of the financing arrangement; and
- 12) Prohibit candidates or County officials from accepting contributions from any person contracting with Suffolk County from the time at which their contract negotiations with the County begin until one (1) year after termination or completion of the contract.

It should be noted that contributions by individuals to political parties, committees or candidates as defined under Section 14-100 of the NEW YORK ELECTION LAW, are exempted from the law's not-for-profit, employer contribution and political action committee provisions.

Any person who violates this law would be subject to criminal and/or civil penalties. The maximum criminal penalty is one (1) year in jail and/or a fine of up to one thousand dollars (\$1,000).

The Ethics Committee would be authorized to promulgate rules and regulations required to effectuate this law.

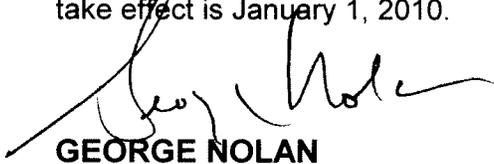
³ "Political action committees" are defined as any corporation aiding or promoting and any combination of one (1) or more persons operating or working cooperatively to take part in the election or defeat a candidate for nomination at a primary election or defeating a candidate in a final election. This term does not apply to committees or organizations that seek to advance a political question or principle without a connection to a specific vote, nor does it apply to committees or corporations that are not created by or on behalf of a recognized political party.

⁴ "Person" is defined as including individuals, partnerships, joint ventures, societies, associations, clubs, corporations, unincorporated groups of member, officers, directors or shareholders or any kind of personal representative thereof that is acting either for themselves or any other person. Not included in this definition are agents or representatives of corporations traded on the open market and/or stock exchanges as well as corporations that are not openly traded but employ twenty-five (25) or more people.

⁵ For the purposes of determining which persons are contracting or doing business with Suffolk County, the County Comptroller would file with the Clerk of the County Legislature a list of persons doing business with the County on March 31, June 30, September 30, and December 31 of each year.

1895

This law is made subject to a mandatory referendum and will take effect on the first day of the first fiscal year following its approval by referendum. Therefore, the earliest date this law can take effect is January 1, 2010.



GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-campaign fundraising reform

Intro. Res. # 1896-08

Laid on Table 10/14/08

INTRODUCED BY THE PRESIDING OFFICER AT THE REQUEST OF THE COUNTY EXECUTIVE STEVE LEVY

RESOLUTION NO. _____ 2008
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL # 793-2008)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law, and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes, then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

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

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

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
A	SMITHTOWN	06/07	N/A	800 22 1 6	11092.95	EXEMPT	3303.07
A	SMITHTOWN	07/08	N/A	800 130 1 51.9	8558.43	4964.66	3593.77

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

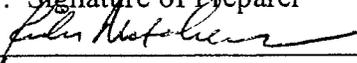
APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1896

1. Type of Legislation		
Resolution	X	Local Law
		Charter Law
2. Title of Proposed Legislation		
TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS		
3. Purpose of Proposed Legislation		
	Yes	No
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes		
	No	X
5. If the answer to item 4 is "yes," on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes," Provide Detailed Explanation of Impact		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
2008		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date September 8, 2008,
R. Motschenbacher RPAT. I		

**Additional back-up material regarding I.R. 1896 is on file in the
Legislative Clerk's Office, Hauppauge.**

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2008, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSES (SCTM NO. 0200-852.00-06.00-036.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 852.00, Block 06.00, Lot 036.000, and acquired by tax deed on March 28, 2001, from Joseph Sawicki, Jr., the Chief Deputy County Treasurer of Suffolk County, New York, and recorded on March 29, 2001, in Liber 12110, CP 677 and otherwise known as and by the Town of Brookhaven, known and designated as 2826 to 2828 inclusive on a certain map entitled "Map of Mastic Park, Section 3A" and filed in the Office of the Clerk of the County of Suffolk on August 25, 1920 as Map No. 743.

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

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

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

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

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

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

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

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

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

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

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

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

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

- a. the dates of completion and occupancy for any affordable housing unit or units constructed or rehabilitated on said property; and
- b. the total household income, from all sources, of the purchaser or purchasers of the property and his or her family; and
- c. the total purchase or rental price of the affordable housing unit or units sold or otherwise transferred; and
- d. the affordable housing unit or units meet local building and zoning codes;

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

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

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

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

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

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

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Exhibit "A"

1897
WOOD AVE, MASTIC

ADOPTED
BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 1035-07
MEETING OF: NOVEMBER 8, 2007

AUTHORIZING TRANSFER OF FORECLOSED
PROPERTY FROM THE COUNTY OF SUFFOLK TO
THE TOWN OF BROOKHAVEN AND FROM THE
TOWN TO THE ECONOMIC OPPORTUNITY
COUNCIL OF SUFFOLK, INC. OF LONG ISLAND
(EOC) TO PROMOTE THE AVAILABILITY OF
AFFORDABLE HOUSING
(SCTM#0200-852.00-06.00-036.000)

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

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

WHEREAS, the Suffolk County Department of Economic Development and Workforce Housing has requested that the Town of Brookhaven transfer a certain parcel of property known as 89 Wood Avenue, Mastic, New York 11950 (SCTM#0200-852.00-06.00-036.000) to the Economic Opportunity Council of Suffolk, Inc. of Long Island (EOC) for the express purpose of promoting affordable housing, as per the attached documentation; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Brookhaven that the Supervisor and/or Deputy Supervisor is hereby authorized to execute any agreement and/or instrument approved as to form by the Department of Law, providing for the conveyance of the parcel of property known as 89 Wood Avenue, Mastic, New York 11950 (SCTM#0200-852.00-06.00-036.000) from the County of Suffolk to the Town of Brookhaven and subsequently from the Town to the Economic Opportunity Council of Suffolk, Inc. of Long Island (EOC) for the express purpose of developing affordable housing; and be it further

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

1897

EXHIBIT A		
SCTM#	ADDRESS	ORGANIZATION
0200-852.00-06.00-036.000	89 Wood Avenue, Mastic, New York 11950	Economic Opportunity Council of Suffolk, Inc. of Long Island (EOC)

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

Pamela J. Bethel

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

COUNTY OF SUFFOLK



1897

Gen. A2
Sent upstairs
2 b 201
Wood Ave.

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 25, 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.: 0200-852.00-06.00-036.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the
Town of Brookhaven for Affordable Housing Purposes.

Dear Mr. Zwirn:

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

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

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

CEK:WRT:slb

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

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

1897

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.: 0200-852.00-06.00-036.000

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$38,705.76
Other Expenses	<u>850.00</u>
Total	39,555.76

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

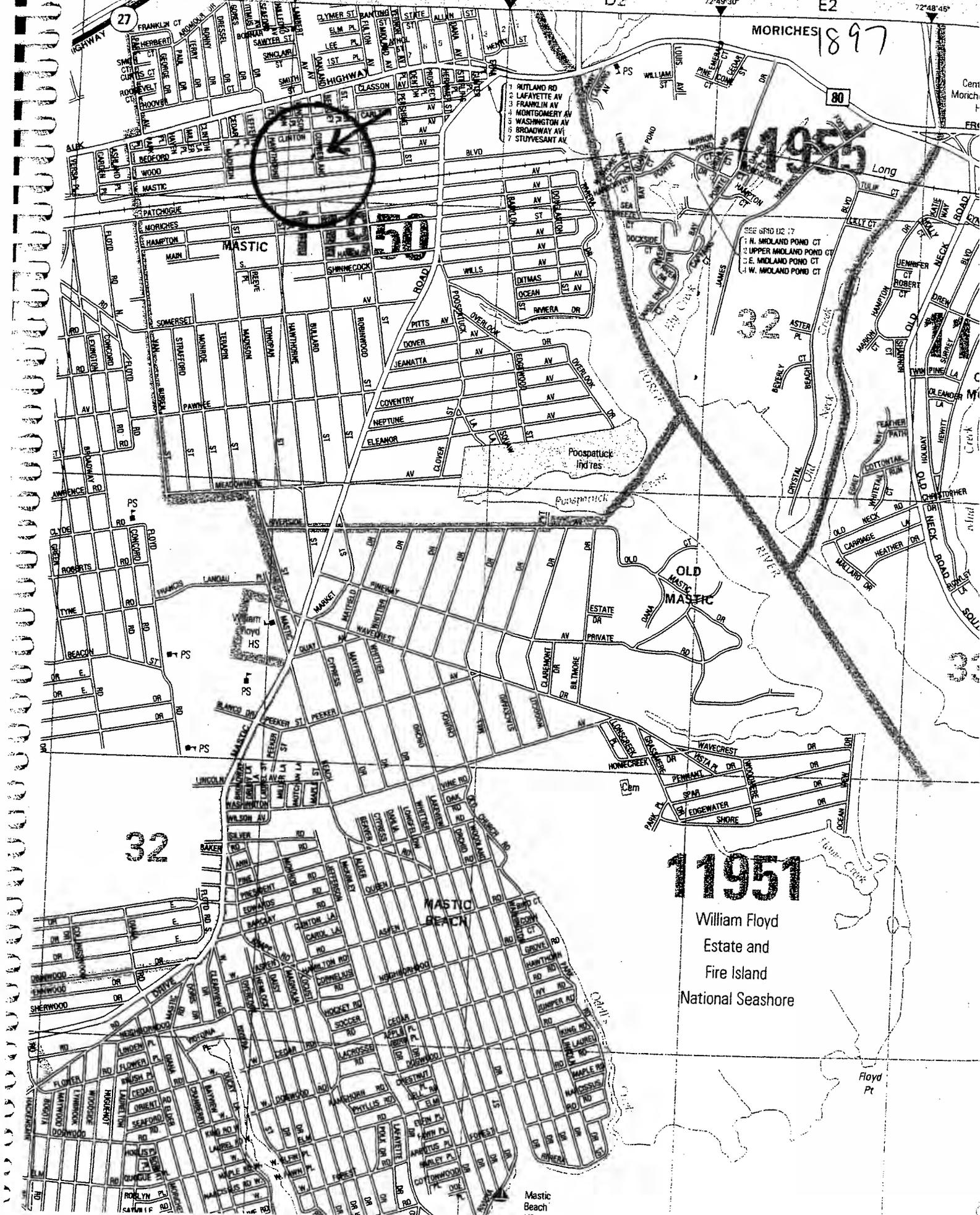
WRT:sib

1897

TM# 0200-852.00-06.00-036.000



Suffolk County Department of Information Technology © 2007



27

MORICHES 1897

80

SEE SRD U2 77
 1. N. MIDLAND POND CT
 2. UPPER MIDLAND POND CT
 3. E. MIDLAND POND CT
 4. W. MIDLAND POND CT

32

32

1951

William Floyd
 Estate and
 Fire Island
 National Seashore

Floyd Pt

Mastic Beach

TM# 0200-852.00-96.00-036.000

Introductory Resolution No. 1898-08

Laid on Table 10/14/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT
CHARLES LOMBARDO
0400-217.00-02.00-010.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400, Section 217.00, Block 02.00, Lot 010.000, and acquired by tax deed on April 15, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 17, 2008, in Liber 12547, at Page 966, and otherwise known as and by Town of Huntington, Suffolk County Tax Map Number: District 0400, Section 217.00, Block 02.00, Lot 010.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on April 15, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 17, 2008 in Liber 12547 at Page 966.

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

WHEREAS, GWENDOLYN FLOYD, as prior owner, has made application of said above described parcel and GWENDOLYN FLOYD, as prior owner, has paid the application fee, and CHARLES LOMBARDO will be paying \$26,928.54 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to CHARLES LOMBARDO, 8 Elwina Ct., East Northport, New York 11731, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

50.1

1898

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

September 8, 2008

Tax Map No.: 0400-217.00-02.00-010.000
Name of Last Legal Fee Owner: CHARLES LOMBARDO

TREASURER'S COMPUTATION..... \$26,928.54

Taxes.....2007/2008..... INCLUDED

Recording Fees collected for County Clerk.. N/A

License Fee N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... \$26,928.54

Monies to be Received.....\$26,928.54

RESOLUTION AMOUNT.....\$26,928.54

APPROVED:

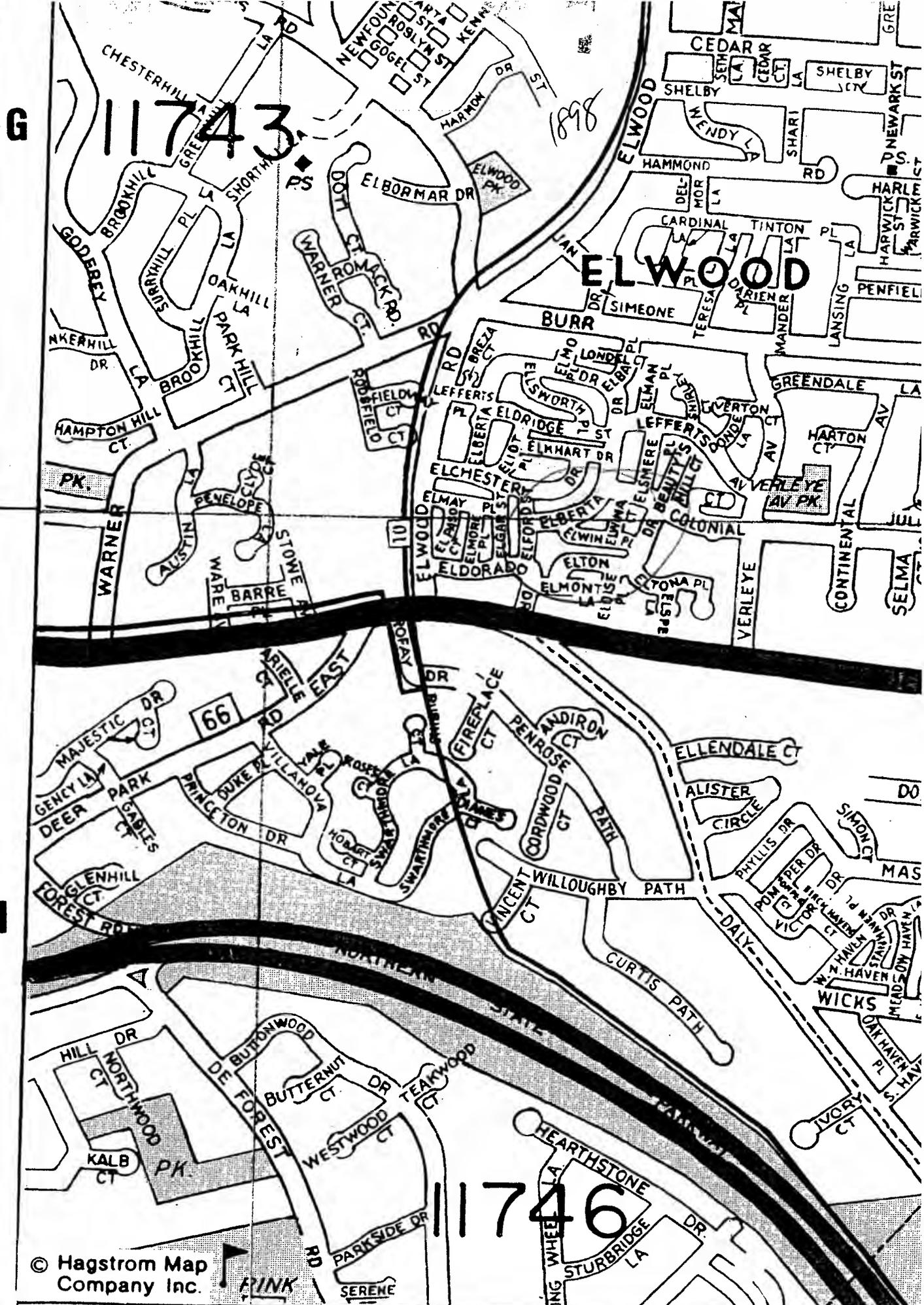
PREPARED BY:
Cathy O'Neal
Cathy O'Neal
Redemption Unit
(631) 853-5937

Karen A. Slater 9/9/08
Accounting
CO:sc

FOR ADJOINING AREA SEE MAP NO. 3 | SEE MAP NO. 2

G

H



© Hagstrom Map Company Inc.

0400217 02 010

Gen AB

COUNTY OF SUFFOLK

SEP 22 2008



1898

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 18, 2008

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

Re: Tax Map No. 0400-217.00-02.00-010.000
CHARLES LOMBARDO

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.

Introductory Resolution No. 1899-08

Laid on Table 10/14/08

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
ANDREW F. MERKLE and LORRAINE MERKLE, his wife
0500-330.00-02.00-024.000

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 330.00, Block 02.00, Lot 024.000, and acquired by tax deed on April 28, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 9, 2008, in Liber 12550, at Page 472, and otherwise known as and by Town of Islip, Suffolk County Tax Map Number: District 0500, Section 330.00, Block 02.00, Lot 024.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on April 28, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 9, 2008 in Liber 12550 at Page 472.

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

WHEREAS, ANDREW F. MERKLE has made application of said above described parcel and ANDREW F. MERKLE has paid the application fee and will be paying \$59,973.11 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; and

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

2nd - **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ANDREW F. MERKLE and LORRAINE MERKLE, his wife, 59 John Street, Sayville, New York 11782, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

50.1

1899

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

September 3, 2008

Tax Map No.: 0500-330.00-02.00-024.000

Name of Last Legal Fee Owner: ANDREW F. MERKLE and LORRAINE MERKLE, his wife

TREASURER'S COMPUTATION..... \$49,912.51

Taxes.....2007/2008..... \$10,060.60

Recording Fees collected for County Clerk.. N/A

License Fee N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... \$59,973.11

Monies to be Received.....\$59,973.11

RESOLUTION AMOUNT.....\$59,973.11

APPROVED:

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

Karen A. Slater 9/9/08
Accounting
CO:sc

1899

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0500-330.00-02.00-024.000

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

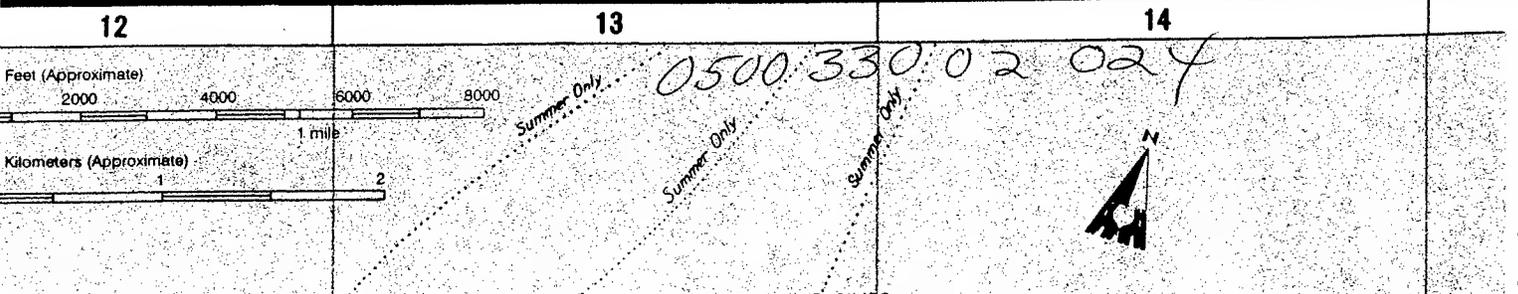
9. Timing of Impact

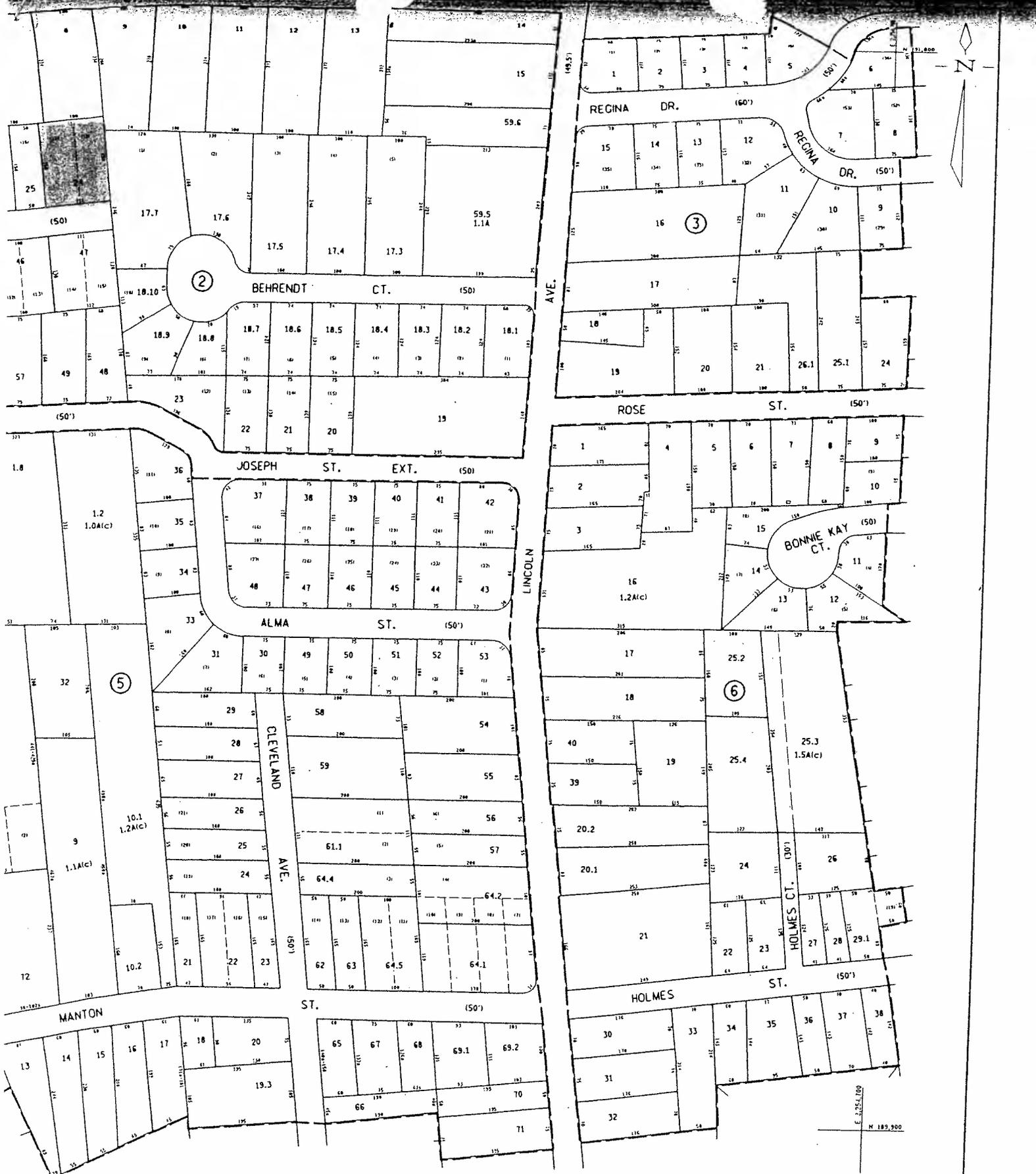
2008

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

Cathy O'Neal Cathy O'Neal 9/3/08

1899





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:
 0 100 200

305	306	307	TOWN OF ISLIP
329	330	331	VILLAGE OF
355	356	357	DISTRICT NO 0500

SECTION NO
330
PROPERTY MAP

0500-222 02 001

Gen AY

COUNTY OF SUFFOLK



1899 SEP 22 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 18, 2008

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

Re: Tax Map No. 0500-330.00-02.00-024.000
ANDREW F. MERKLE and LORRAINE MERKLE, 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.

Introductory Resolution No. 1900-08

Laid on Table 10/14/08

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 ARTHUR J. BONNER by Antoinette Campelli, as Administrator
0200-228.00-05.00-001.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 228.00, Block 05.00, Lot 001.000, and acquired by tax deed on July 17, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 25, 2007, in Liber 12515, at Page 222, and otherwise known as and by Town of Brookhaven, County of Suffolk and State of New York, known and designated as Lot No. 14 as shown on a certain map entitled "Map of Terryville Estates, Section 1" which map was filed in the Office of the Clerk of the County of Suffolk on August 15, 1958 as Map No. 2850; 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 17, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 25, 2007 in Liber 12515 at Page 222.

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

WHEREAS, ANTOINETTE CAMPELLI, as Administrator of the Estate of Arthur J. Bonner, has made application of said above described parcel and ANTOINETTE CAMPELLI, as Administrator of the Estate of Arthur J. Bonner, has paid the application fee and will be paying \$29,647.36 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ESTATE OF ARTHUR J. BONNER by Antoinette Campelli, as Administrator, 70 Winnie Court, Westbury, New York 11590, 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: _____

1900

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

August 21, 2008

Tax Map No.: 0200-228.00-05.00-001.000

Name of Last Legal Fee Owner: ESTATE OF ARTHUR J. BONNER by Antoinette Campelli, as
Administrator

TREASURER'S COMPUTATION..... \$29,647.36

Taxes.....2007/2008..... INCLUDED

Recording Fees collected for County Clerk.. N/A

License Fee N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... \$29,647.36

Monies to be Received.....\$29,647.36

RESOLUTION AMOUNT.....\$29,647.36

APPROVED:

PREPARED BY:



Lori Bertone
Redemption Unit
(631) 853-5932



Accounting
LB:sc

1900

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X

Tax Map Number 0200-228.00-05.00-001.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2008

10. Typed Name & Title of Preparer	Signature of Preparer	Date
<u>Lori Bertone</u>	<u><i>Lori Bertone</i></u>	<u>8/21/08</u>



— H —	UNLESS DRAWN OTHERWISE, ALL PROPERTIES	ARE WITHIN THE FOLLOWING DISTRICTS:
— R —	SCHOOL	SEWER
— HST —	FIRE	HYDRANT
— A —	LIGHT	WATER
— P —	PARK	REFUSE
— W —	AMBULANCE	WASTERATER

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



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

KEY
 MAP

205	206	TOWN OF	BROOKHAVEN
227	228	VILLAGE OF	
255	256	DISTRICT NO	0200

COUNTY OF SUFFOLK

1900

Gen AS



SEP 18 2008

CHRISTOPHER E. KENT
DIVISION DIRECTOR

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

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

September 15, 2008

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

Re: Tax Map No. 0200-228.00-05.00-001.000
ESTATE OF ARTHUR J. BONNER by Antoinette Campelli, 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.

Intro. Res. # 1901-08

Laid on Table 10/14/0

INTRODUCED BY THE PRESIDING OFFICER AT THE REQUEST OF THE COUNTY EXECUTIVE STEVE LEVY

RESOLUTION NO. _____ 2008
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL # 794-2008)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law, and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes, then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated, and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO.

CONTROL# 794-2008

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

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

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
C	SMITHTOWN	07/08	N/A	800 5 3 5	12388.41	1556.50	10831.91
C	SMITHTOWN	05/06	N/A	800 75 1 30	12633.78	7190.58	5443.20

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

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes ___ No ___

SEE NO. 2 ABOVE

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

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

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

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

N/A

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

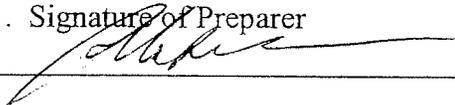
N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2008

10. Typed Name & Title of Preparer 11. Signature of Preparer 12. Date September 22,
2008, R. Motschenbacher RPAT. I 

**Additional back-up material regarding I.R. 1901 is on file in the
Legislative Clerk's Office, Hauppauge.**

Introductory Resolution No. 1902-08

Laid on Table 10/14/08

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
SNZ HOLDING CORP.
(SCTM NO. 0200-229.00-02.00-012.000)**

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 229.00 Block 02.00 Lot 012.000 and acquired by Tax Deed on February 21, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on March 7, 2003 in Liber 12239 at Page 108 and described as follows, Town of Brookhaven, known and designated as Lot Nos. 186 through 188 on a certain map entitled "Map of Clairmont Park, Section 2B" filed in the Office of the Clerk of the County of Suffolk on September 3, 1910 as Map No. 421; 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, SNZ Holding Corp., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$12,001.00. 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 \$11,500.00, 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 \$12,001.00, 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 SNZ Holding Corp., 344 Portion Road, Ronkonkoma, New York 11779.

DATED:

APPROVED BY

County Executive of Suffolk County

Date of Approval:

1902

**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. 0200-229.00-02.00-012.000

ADJOINING OWNER	BID	BID	BID
SNZ Holding Corp. 344 Protion Road Ronkonkoma, New York 11779 0200-229.00-02.00-010.000 & 008.000	\$12,001.00		
Robert Toussie 290 Exeter Street Brooklyn, New York 11235 0200-229.00-02.00-011.000	\$0		
Bicycle Path LLC 591 A Bicycle Path Port Jefferson, New York 11776 0200-229.00-01.00-011.002	\$0		

SIZE OF PARCEL: 60' x 100'
APPRAISED VALUE: \$11,500.00
COMMENT: Direct Sale to Adjacent Owner

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

1902

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

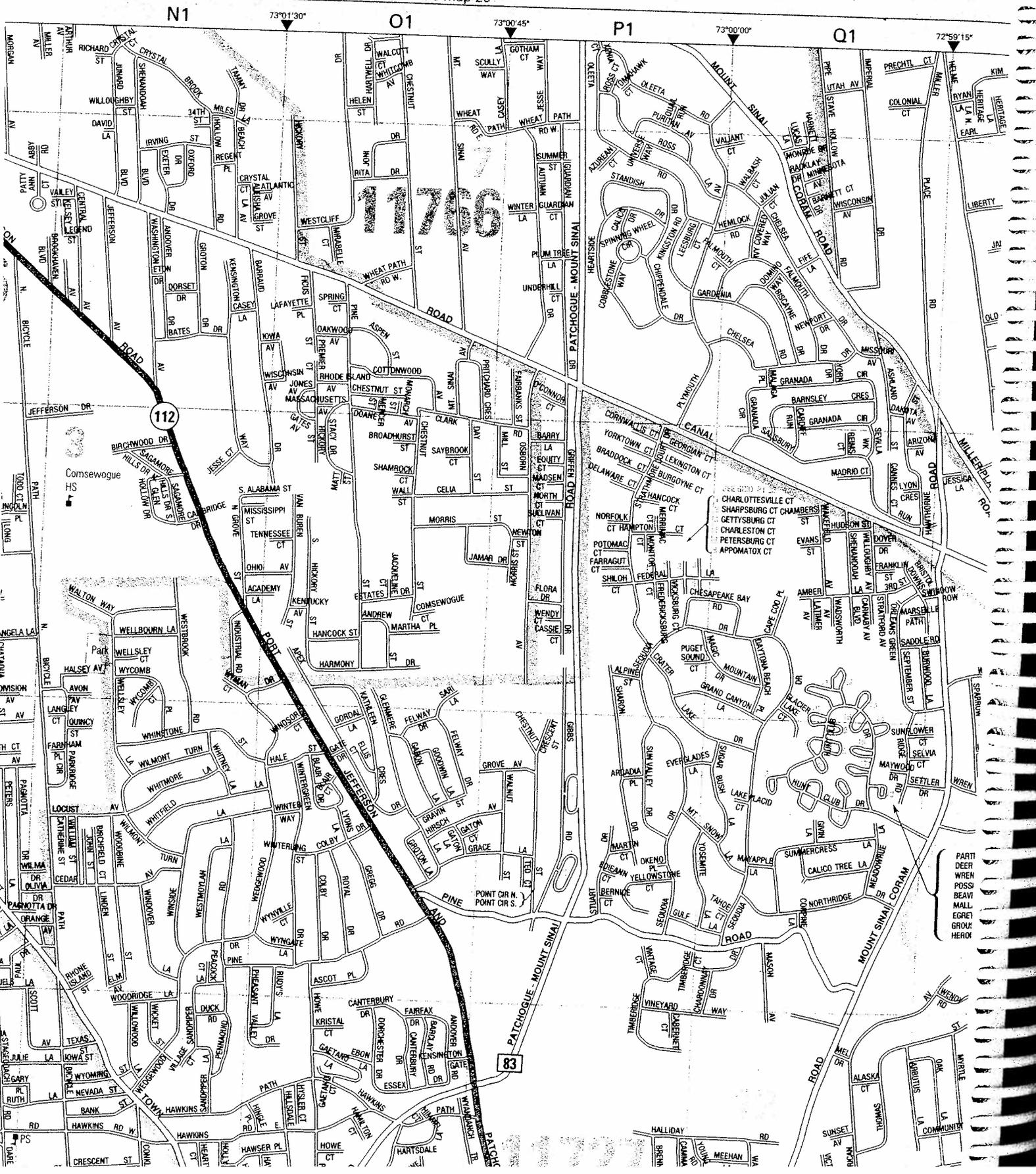
Diane Bishop

9/5/08

Suffolk Co.

Joins Map 25

1902



N1

73°01'30"

O1

73°00'45"

P1

73°00'00"

Q1

72°59'15"

112

83

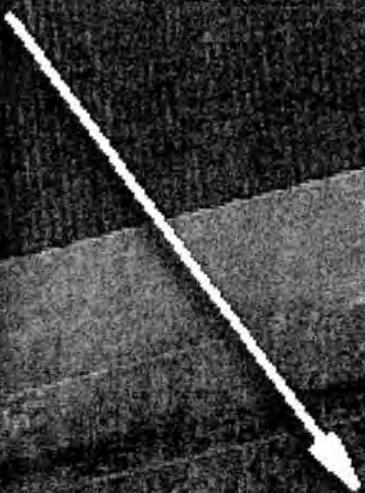
706

See 7710 54 - 60
CHARLOTTESVILLE CT
SHARPSBURG CT CHAMBERS
GETTYSBURG CT
CHARLESTON CT
PETERSBURG CT
APPOMATOX CT

PARTI
DEER
WREN
POSS
BEAV
MALL
EGRET
GROK
HERON

1902

0200-229.00-02.00-012.00



2006, Pictometry International Corp



UPDATED VERSION AS OF 10/7/2008

Intro. Res. No. 1903-2008

Laid on Table 10/14/2008

Introduced by Legislator Barraga and Presiding Officer Lindsay

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW
NO. -2008, A LOCAL LAW TO PROHIBIT THE SALE OF
OLD VEHICLE TIRES**

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 PROHIBIT THE SALE OF OLD VEHICLE TIRES**"; " 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 PROHIBIT THE SALE OF OLD VEHICLE TIRES

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 tires have a limited service life regardless of tread depth and use.

This Legislature also finds and determines that aged tires are often unsuspectingly put into service after having served as a spare tire, been stored in garages or warehouses, or simply used on a vehicle that is infrequently driven. In many instances, these tires show no visible signs of deterioration.

This Legislature further finds and determines that a National Highway Transportation Safety Administration field study concluded that tires continue to degrade throughout their service lives, whether used on the road on in the full-size spare position. The field study also showed structural degradation of the tires in terms of internal cracks and separations. This internal degradation and damage was nearly all internal to the tire and impossible to detect from a visual inspection alone, creating what has been described as "an invisible hazard."

This Legislature finds that Ford Motor Company recently led the way in warning customers that tires should be scrapped after six years or drivers risk injury and death.

This Legislature also determines that Suffolk County Consumers should be protected against retailers who are willing to sell old tires.

Therefore, the purpose of this law is to prohibit the sale of tires for passenger vehicles, multi-purpose passenger vehicles, or light trucks that were manufactured more than six years ago.

Section 2. Definitions.

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

“CONSUMER” shall mean a natural person who is solicited to purchase or who purchases tires.

“LIGHT TRUCKS” shall mean a motor vehicle with a gross vehicle weight rating of less than twenty-six thousand pounds which is either designed for off-highway operation or designed to perform at least one of the following functions: transport more than ten persons, provide temporary living quarters, transport property in an open bed, provide greater cargo-carrying than passenger carrying volume, or permit expanded use of a passenger vehicle for cargo-carrying purposes through the removal of seats.

“MULTI-PURPOSE PASSENGER VEHICLE” shall mean a motor vehicle designed to carry ten persons or less which is constructed either on a truck chassis or with special features for occasional off-road operation.

“PASSENGER VEHICLE” shall mean any motor vehicle designed to carry ten persons or less.

“RETAIL TIRE DEALER” shall mean any natural person, individual, corporation, proprietorship, firm, partnership, joint venture, joint stock association, or other entity or business organization of any kind engaged in the business of selling tires to consumers.

“TIRE” shall mean a covering for a wheel, usually made of rubber reinforced with cords of nylon, fiberglass, or other materials and filled with compressed air.

Section 3. Prohibitions.

Pursuant to Article 9, Section 2(C)10 of the NEW YORK STATE CONSTITUTION, governing protection, health, safety, and well-being of persons, no retail tire dealer shall sell or offer for sale any vehicle tire manufactured for light trucks, multi-purpose passenger vehicles, and passenger vehicles which were manufactured more than six years before.

Section 4. Enforcement.

- A. This law shall be enforced by the Suffolk County Office of Consumer Affairs.
- B. The Suffolk County Director of Consumer Affairs is hereby authorized and empowered to issue and promulgate such rules and regulations, as he or she deems necessary to implement and carry out the provisions of this law.

Section 5. Penalties.

1. Any retail tire dealer who intentionally violates any provision of Section 3 of this law shall be subject to a civil penalty of five hundred dollars (\$500).
2. No fine shall be imposed until after a hearing has been held before the Director of the Suffolk County Office of Consumer Affairs upon at least seven business days' notice to the person upon whom such fine is to be levied. Such notice shall be served either personally or by certified mail, return

receipt requested, to the last known address of said person and shall state the date and place of the hearing as well as enumerate the grounds constituting the allegations against such person. Said person may be represented by counsel and may produce witnesses in his or her own behalf. A record of the hearing shall be taken and preserved. For purposes of such hearing, the Director of the Suffolk County Office of Consumer Affairs 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 6. Applicability.

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

Section 7. Reverse Preemption.

This law shall be null and void on the day that Statewide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent State or federal administrative agency issues and promulgates regulations preempting such action by the County of Suffolk. The County Legislature may determine via mere resolution whether or not identical or substantially similar statewide legislation has been enacted for the purposes of triggering the provisions of this section.

Section 8. Severability.

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

Section 9. SEQRA Determination.

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

Section 10. Effective Date.

This law shall take effect one hundred eighty (180) days subsequent to its filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



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

1903

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

DATE: OCTOBER 6, 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 PROHIBIT THE SALE OF OLD VEHICLE TIRES

SPONSOR: LEGISLATOR BARRAGA

DATE OF RECEIPT BY COUNSEL: 9/26/2008 PUBLIC HEARING: 11/18/2008

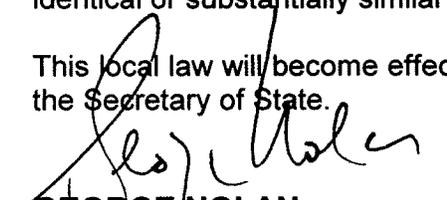
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

This local law, if enacted, would ban retail tire dealers from selling or offering to sell tires for passenger vehicles, multi-purpose passenger vehicles, or light trucks that were manufactured more than six (6) years ago.

Any dealer who violates this law will be subject to a five hundred dollar (\$500) civil penalty. The Suffolk County Office of Consumer Affairs would be authorized to implement this law and no fine will be imposed on a dealer until a hearing has been held before the Director of the Suffolk County Office of Consumer Affairs.

This law would become null and void on the date that Statewide or federal legislation that is identical or substantially similar is enacted.

This local law will become effective one hundred eighty (180) days after its filing in the Office of the Secretary of State.


GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-prohibit sale of old vehicle tires

1904
Intro. Res. No. -2008
Introduced by Legislators Schneiderman and Romaine

Laid on Table 10/14/08

RESOLUTION NO. -2008, ESTABLISHING COMMUNITY SAFEGUARDS FROM REGISTERED SEX OFFENDERS PLACED IN EMERGENCY HOUSING

WHEREAS, the devastating impact of sex crimes, particularly against children, and the alarmingly high rate of recidivism among sex offenders has led Suffolk County to enact a series of laws designed to protect residents from the dangers posed by sex offenders; and

WHEREAS, in 2006, this Legislature learned that four registered sex offenders receiving housing assistance from the Department of Social Services were residing at the same residence in Mastic; and

WHEREAS, Resolution No. 1237-2006 established a policy that the County of Suffolk would not place or facilitate the placement of more than one registered sex offender at the same residence in an area zoned for residential use; and

WHEREAS, in enacting Resolution No. 1237-2006, this Legislature determined that concentrating sex offenders in a few select communities and individual residences was dangerous and unfair to the affected communities; and

WHEREAS, beginning in early 2007, the Suffolk County Department of Social Services located an 8 person trailer in the parking lot outside the County's Correctional Facility in Riverhead for the purpose of providing emergency housing for homeless sex offenders; and

WHEREAS, the Department of Social Services recently replaced the old trailer at the jail with a new one capable of accommodating 20 persons; and

WHEREAS, according to the State Sex Offender Registry, 15 sex offenders now list the trailer as their home address, 13 of whom are designated as Level 3, and 9 were convicted of victimizing children; and

WHEREAS, recent media reports indicate that the sex offender trailer is not as secure as the surrounding communities were led to believe by county officials; and

WHEREAS, it is simply bad public policy to solve the admittedly difficult problem of providing housing for sex offenders by bringing sex offenders from all over Suffolk County to Riverhead everyday; now, therefore be it

1st RESOLVED, that subject to the exception set forth below, a policy is hereby established whereby the County of Suffolk shall not place or facilitate the placement of more than four (4) registered sex offenders in emergency housing at a single facility and/or location, and this restriction shall apply to facilities located on County-owned property or operated by the Department of Social Services; and be it further

2nd RESOLVED, that no County department, office or agency shall place or facilitate the placement of more than four (4) registered sex offenders at a single facility or location; and be it further

3rd **RESOLVED**, that the Department of Social Services may place more than 4 sex offenders in emergency housing at a location owned or operated by the County only in the event the Department of Social Services successfully implements a program whereby an employee or agent of Suffolk County escorts any sex offender leaving the grounds of the facility, or in the alternative, any sex offender leaving the grounds of the emergency housing facility, agrees to wear a GPS tracking device until they return to the facility; and be it further

4th **RESOLVED**, that the restrictions on the placement of sex offenders in areas zoned for residential use established by Resolution No. 1237-2006 shall remain in full force and effect; 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-sex offenders emergency housing

1905

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

Laid on Table 10/14/08

**RESOLUTION NO. -2008, AUTHORIZING PLANNING
STEPS FOR THE ACQUISITION OF LAND UNDER THE
SUFFOLK COUNTY DRINKING WATER PROTECTION
PROGRAM, AS AMENDED BY LOCAL LAW 24-2007
(THE LITTLE PORTION FRIARY 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 68.4 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\l-little-portion-friary-open-space-drinking-water-plan-steps

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District: 0200 Section 067.00 Block 04.00 Lot 006.000	3	The Little Portion Friary PO Box 399 Mount Sinai, NY 11766
2	District: 0200 Section 067.00 Block 02.00 Lot 013.000	23.3	The Little Portion Friary PO Box 399 Mount Sinai, NY 11766
3	District: 0200 Section 093.00 Block 01.00 Lot 001.006	21	The Little Portion Friary PO Box 399 Mount Sinai, NY 11766
4	District: 0200 Section 067.00 Block 01.00 Lot 007.001	21.1	The Little Portion Friary PO Box 399 Mount Sinai, NY 11766
TOTAL ACREAGE		± 68.4	

EXHIBIT "A"

The Society of St. Francis, Little Portion Friary
SCTM# 200-67-1-7.1, 200-67-2-13, 200-67-4-6, 200-93-1-1.6
(68.4 Acres Total)



0 485 970 1,940 Feet



Sources: Suffolk County Planning Dept., Real Property
Tax Agency, NYS OFT, USDA, NYSDEC, USFWS, Towns of
Southampton, East Hampton, Southold, Brookhaven, FEMA



The Nature Conservancy Long Island

Z/projects/Towns/Brookhaven/prospects/Society of St. Francis_zoomedout



1906
Intro. Res. No. -2008
Introduced by Legislator Schneiderman

Laid on Table 10/14/08

**RESOLUTION NO. -2008, HISTORIC TRUST
RECOMMENDATION CONCERNING DEDICATION OF THE
FLANDERS CLUB/SMITHERS PROPERTY (SUFFOLK
COUNTY TAX MAP NO. 0900-150.00-01.00-015.000, P/O
020.000 AND 021.000) WITHIN THE HUBBARD COUNTY PARK
IN THE TOWN OF SOUTHAMPTON TO THE SUFFOLK
COUNTY HISTORIC TRUST**

WHEREAS, Article I, Environmental Bill of Rights of the Suffolk County Charter Section C1-8 established the Suffolk County Historic Trust; and

WHEREAS, the Environmental Bill of Rights Section C-1-4 states that a function of the Council on Environmental Quality (CEQ) is to make recommendations to the County Legislature and the County Executive as to what county-owned properties should be dedicated to the County Historic Trust; and

WHEREAS, Resolution No. 871-1972, establishing the Historic Trust designates the voting members of the CEQ as the members of the County Historic Trust; and

WHEREAS, at its September 17, 2008 meeting, the Suffolk County Council on Environmental Quality reviewed the associated information submitted by the Suffolk County Department of Parks, Recreation and Conservation, Historic Services Division; and

WHEREAS, the CEQ Historic Trust Committee has recommended to the CEQ that the Flanders Club/Smithers property within Hubbard County Park in the Town of Southampton be dedicated to the Suffolk County Historic Trust; and

WHEREAS, a presentation regarding the County-owned Flanders Club/Smithers property within Hubbard County Park was given at the meeting by the Suffolk County Department Parks, Recreation and Conservation, Commissioner, John W. Pavacic, Director of Historic Services, Richard Martin, and Principal Environmental Analyst Nick Gibbons, who outlined the history of the site which is one of the oldest hunting clubs in Suffolk County and indicated that the existing environmental significance of the Smithers Property today is the result of decades of natural resource management by the former owners; now, therefore be it

1st RESOLVED, that the CEQ, as members of the Suffolk County Historic Trust, recommend to the County Legislature and the County Executive, that the Flanders Club/Smithers property within the Hubbard County Park, including associated structures and property, Suffolk County Tax Map No. 0900-150.00-01.00-015.000, p/o 020.000 and 021.000 (to include the waterways directly adjacent to lots 15 and 21) be dedicated to the Suffolk County Historic Trust pursuant to Section C1-8 of the Suffolk County Charter; and

2nd RESOLVED, that that the Historic Trust dedication be assigned to the following categories:

The property and structures will be dedicated under the following Preservation Categories:

- 1.) (AR) Architectural
 - A. Clubhouse
 - B. Cabin #1
 - C. Cabin #2
 - D. Cabin #3
 - E. Cabin #4
 - F. Cabin #5
 - G. Cabin #6
 - H. Kennel Building
 - I. Storage Shed #1
 - J. Storage Shed #2
- 2.) (AO) Archeological
- 3.) (TN) Terrain

Including the three impoundments and adjacent waterways
- 4.) (E) Exceptional

Birch Creek and Mill Creek which are the western and eastern boundaries of the Smithers Property are both "exceptional" because of the ecological significance of the creeks which are some of the best examples in New York State of the continuum from a freshwater wetland to an estuary or a salt marsh;

and be it further

3rd RESOLVED, that the Flanders Club/Smithers Property and structures will be dedicated under the following Use Categories:

- 1.) (F) Functional

Functional use of the property to include: Hunting and fishing, mow and maintain open areas, and maintain water control structures including:
 Brinks Pond – water control structure
 Home Pond – water control structure
 Gunk Hole – water control structure
 and their resulting impoundments to preserve the historic landscape;
 Functional use for the clubhouse and cabins 1 through 6, the kennel building, and 2 storage sheds
- 2.) (M) Museum use for the clubhouse;

and be it further

4th RESOLVED, that the dedication of the property to the Suffolk County Historic Trust should be classified as a Type II action according to SEQRA pursuant to 6 NYCRR Part 617.5 (c)(20) and (25) since it is a legislative decision that involves routine or continuing agency administration and management.

DATED:

APPROVED BY:

 County Executive of Suffolk County

Date:

s:\res\l-historic-trust-flanders-club-smithers-property

1907

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

Laid on Table 10/14/08

RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED CR 58 RECONSTRUCTION – EARLY IMPLEMENTATION PROJECT, CP 5529, TOWN OF RIVERHEAD

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed CR 58 Reconstruction – Early Implementation Project, CP 5529, Town of Riverhead", pursuant to Section 6 of Local Law No. 22-1985 which project involves roadway widening on CR 58 for approximately 1.5 miles to accommodate a second eastbound through land resulting in a complete 5-lane roadway section (2 lanes each direction and a center turn lane). In general, the existing roadway will be widened approximately 4.5' on both the north and south sides of CR 58. The existing CR 58/CR 73 (Roanoke Avenue) traffic circle will be reconstructed into a two-lane modern roundabout, including widening of all four approach legs. Traffic signal replacements or modifications along CR 58, CR 58 at Osborne Avenue, Harrison Avenue, Serota Plaza driveway, County Seat Plaza and Ostrander Avenue. New curb, driveway aprons and continuous concrete sidewalk. Drainage improvements and modifications. Milling and resurfacing and full depth asphalt pavement for new through lanes. Streetscape improvements (benches, lighting, pavers, etc.) in vicinity of the new roundabout. New traffic signs and pavement markings. All work will be performed within the existing Suffolk County right-of-way; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and a presentation made by a representative from RBA Group Consultants and subsequently sent out to all concerned parties; and

WHEREAS, at its September 17, 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 September 17, 2008 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed CR 58 Reconstruction – Early Implementation Project, CP 5529, 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 proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code;
- 3.) The parcel does not appear to suffer from any severe environmental development constraints (limiting soil properties, no high groundwater and no unmanageable slopes);
- 4.) Existing drainage problems will be alleviated; and
- 5.) Traffic safety will be improved and traffic congestion mitigated;

and be it further

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\early-implementation-project

1908
Intro. Res. No. -2008
Introduced by the Presiding Officer

Laid on Table 10/14/08

RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED SUFFOLK COUNTY BROWNFIELD – FORMER BELLPORT GAS STATION, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Suffolk County Brownfield – Former Bellport Gas Station, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves obtaining enough information regarding the environmental conditions at the subject property so that a Remedial Alternatives Analysis can be performed. This will be accomplished by performing a limited focused site investigation that will supplement the information obtained by SCDHS, and the 2006 TSA. Remediation will be performed as required; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Health Services as well as a presentation made by a Sanitarian from the Suffolk County Department of Health Services and subsequently sent out to all concerned parties; and

WHEREAS, at its September 17, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Health Services; 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 September 17, 2008 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Suffolk County Brownfield – Former Bellport Gas Station, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment;
- 2.) The project entails investigation and remediation of the site in accordance with NYSDEC Brownfield Programs;

- 3.) All toxic and hazardous materials remediated will be disposed of in accordance with State and federal regulations;
- 4.) The action only involves clean up of the site and no new development is proposed; and
- 5.) The project will result in beneficial environmental impacts;

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-former-bellport-gas-station

1909
Intro. Res. No. -2008
Introduced by the Presiding Officer

Laid on Table

10/14/08

RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED SUFFOLK COUNTY BROWNFIELD – FORMER BLUE POINT LAUNDRY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Suffolk County Brownfield – Former Blue Point Laundry, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985, the purpose of this project is to remediate the onsite contamination under the NYSDEC Brownfield Program. Additional sampling is being proposed to better define the extent of contamination in support of the remedial design work plan; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Health Services as well as a presentation made by a Sanitarian with the Suffolk County Department of Health Services and subsequently sent out to all concerned parties; and

WHEREAS, at its September 17, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Health Services; 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 September 17, 2008 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Suffolk County Brownfield – Former Blue Point Laundry, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment;
- 2.) The project entails investigation and remediation of the site in accordance with NYSDEC Brownfield programs;

- 3.) All toxic and hazardous materials remediated will be disposed of in accordance with State and federal regulations;
- 4.) The action only involves clean up of the site and no new development is proposed; and
- 5.) The project will result in beneficial environmental impacts;

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-former-blue-point-laundry

1910
Intro. Res. No. -2008
Introduced by the Presiding Officer

Laid on Table 10/14/08

RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED SUFFOLK COUNTY BROWNFIELD – FORMER CANINE KENNEL, SUFFOLK COUNTY GABRESKI AIRPORT, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Suffolk County Brownfield – Former Canine Kennel, Suffolk County Gabreski Airport, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985, the purpose of this project is to determine the vertical and horizontal extent of soil contaminated with polychlorinated biphenyls (PCBs) and pesticides and to select a remedial alternative. The site will be remediated in accordance with a NYSDEC approved work plan; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Health Services as well as a presentation made by a Sanitarian with the Suffolk County Department of Health Services and subsequently sent out to all concerned parties; and

WHEREAS, at its September 17, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Health Services; 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 September 17, 2008 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Suffolk County Brownfield – Former Canine Kennel, Suffolk County Gabreski Airport, Town of Southampton constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment;
- 2.) The project entails investigation and remediation of the site in accordance with NYSDEC Brownfield programs;

- 3.) All toxic and hazardous materials remediated will be disposed of in accordance with State and federal regulations;
- 4.) The action only involves clean up of the site and no new development is proposed;
- 5.) The project will result in beneficial environmental impacts; and
- 6.) The site will be revegetated with indigenous vegetation at the completion of the project;

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-former-canine-kennel

1911
Intro. Res. No. -2008
Introduced by the Presiding Officer

Laid on Table 10/14/08

RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED SUFFOLK COUNTY BROWNFIELD – GABRESKI APDD, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Suffolk County Brownfield – Gabreski APDD, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985, the purpose of this project is to fully delineate soil and groundwater contamination at the site and to remediate the site as required by NYSDEC ; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Health Services as well as a presentation made by a Sanitarian with the Suffolk County Department of Health Services and subsequently sent out to all concerned parties; and

WHEREAS, at its September 17, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Health Services; 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 September 17, 2008 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Suffolk County Brownfield – Gabreski APDD, Town of Southampton constitutes an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment;
- 2.) The project entails investigation and remediation of the site in accordance with NYSDEC Brownfield programs;
- 3.) All toxic and hazardous materials remediated will be disposed of in accordance with State and federal regulations;

- 4.) The action only involves clean up of the site. Proposed development of the property has been subject to an FGEIS on the APDD and adopted finding statement, SEQRA is complete; and
- 5.) The project will result in beneficial environmental impacts;

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:\resls-gabreski-apdd

1912
Intro. Res. No. -2008
Introduced by the Presiding Officer

Laid on Table 10/14/08

RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED SUFFOLK COUNTY BROWNFIELD – FORMER RONKONKOMA WALLPAPER FACILITY – TOWN OF ISLIP

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Suffolk County Brownfield – Former Ronkonkoma Wallpaper Facility, Town of Islip", pursuant to Section 6 of Local Law No. 22-1985, the purpose of this project is to perform a remedial investigation to fully delineate the extent of soil and groundwater contamination. The site will be remediated in accordance with a NYSDEC approved work plan; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Health Services as well as a presentation made by a Sanitarian with the Suffolk County Department of Health Services and subsequently sent out to all concerned parties; and

WHEREAS, at its September 17, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Health Services; 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 September 17, 2008 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Suffolk County Brownfield – Former Ronkonkoma Wallpaper Facility, 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;
- 2.) The project entails investigation and remediation of the site in accordance with NYSDEC Brownfield programs;

- 3.) All toxic and hazardous materials remediated will be disposed of in accordance with State and federal regulations;
- 4.) The action only involves clean up of the site and no new development is proposed; and
- 5.) The project will result in beneficial environmental impacts;

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-ronkonkoma-wallpaper-facility

Intro. Res. No. 1913-08
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 10/14/08

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

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

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

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

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

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

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

I.) ENVIRONMENTAL LEGACY PROGRAM

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

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

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

;and, be it further

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

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

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

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

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

II.) MULTIFACETED LAND PRESERVATION PROGRAM – FARMLAND DEVELOPMENT RIGHTS

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

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

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

;and, be it further

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

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

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

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

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

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

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

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

;and, be it further

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

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

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

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

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

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

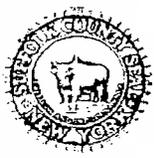
Date:

APPENDIX A

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u> <u>TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER</u> <u>AND ADDRESS:</u>
No. 01	District 0600 Section 117.00 Block 02.00 Lot 011.000 p/o	94.7	Bagatele Associates c/o Dr. Mashe Ostad P.O. Box 290764 Brooklyn, N.Y. 11229

TOTAL ACRES

94.7



SUFFOLK COUNTY FARMLAND RATING SYSTEM FOR THE PURCHASE OF DEVELOPMENT RIGHTS (PDR)

This rating system was developed for the evaluation of farmland for the potential purchase of its development rights (PDR) and inclusion in the County's Purchase of Development Rights Program under Chapter 8 of the Suffolk County Code. 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 nonagricultural 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 its desirability for use as farmland. The estimated price of the farmland is also considered in the evaluation. Bonuses are given for farms within Agricultural Districts or within high population density areas. Negative points may be given for negative impacts such as excavations.

FARMLAND PRESERVATION FACTORS				Score	Subtotal
A. 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
B. VISTAS					
1.	Long road frontage and part of a large block of farmland (100+ acres). (5 pts.)			5	
2.	Small road frontage and part of a large block of farmland. (4 pts.)				
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.)				5
C. SOILS					
		Slope	Capability		
1.	Capability Unit I-1: Bridgehampton, Haven, Montauk. (5 pts.)	0-3%	BgA, HaA, MKA	1.25	
2.	Nearly flat Class II: Riverhead, Scio, Plymouth, Haven, Montauk. (4 pts.)	0-3%	RdA, SdA, PsA, He, MfA	2.0	
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	0.25	
6.	Poor soil. (0 pt.)		Gp		3.5
D. APPROXIMATE DEVELOPMENT RIGHTS VALUE PER ACRE*					
1.	\$50,000. or less. (5 pts.)				
2.	\$50,001.-\$65,000. (4 pts.)				
3.	\$65,001.-\$80,000. (3 pts.)			3	
4.	\$80,001.-\$95,000. (2 pts.)				
5.	\$95,001.-\$105,000. (1 pt.)				
6.	\$105,001.-\$250,000. (0 pt.)				
7.	\$250,001.-\$500,000. (-1 pt.)				
8.	\$500,001. or more. (-2 pts.)				3
E. ADJUSTMENTS					
1.	Located within a Census Designated Place with a population density of \geq 1,000 persons per square mile. (3 pts.)				
2.	Other positive factors (i.e., within an Agricultural District, historical significance, community benefit, etc.). (1 or 2 pts.)				
3.	Other negative factors. (-1 or -2 pts.) – Industrial A District			-2	-2
TOTAL SCORE (maximum = 25 points)					12.5

1913

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

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation APPROVING PLANNING STEPS FOR THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS – SEPTEMBER 2008		
3. Purpose of Proposed Legislation See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding N/A		
9. Timing of Impact N/A		
10. Typed Name & Title of Preparer Jessica L. Kalmbacher Planner	11. Signature of Preparer 	12. Date September 24, 2008

00031

COUNTY OF SUFFOLK



1913

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES, AICP
DIRECTOR OF PLANNING

September 24, 2008

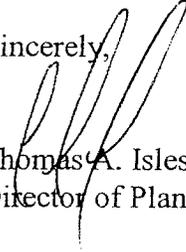
Mr. Ben Zwirn, Deputy County Executive
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is a proposed Introductory Resolution that would authorize planning steps for the purchase of farmland development rights within the town of Riverhead totaling 94.7 acres. This parcel has been approved by the Farmland Committee.

Please contact me if you require any additional information.

Sincerely,


Thomas A. Isles
Director of Planning

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

1914
Intro. Res. No. -2008

Laid on Table 10/14/08

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

RESOLUTION NO. -2008 AUTHORIZING ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY ENVIRONMENTAL LEGACY FUND FOR THE AMSLER FAMILY LIMITED PARTNERSHIP PROPERTY (TOWN OF HUNTINGTON - SCTM#0400-087.00-03.00-007.006 p/o, 0400-087.00-03.00-007.007 p/o, 0400-087.00-03.00-007.008 p/o, 0400-087.00-03.00-007.011 p/o & 0400-087.00-03.00-011.002)

WHEREAS, the Suffolk County Environmental Legacy Fund was established by Resolution No. 281-2007, allocating fifty million dollars for the acquisition of: environmentally sensitive lands pursuant to the traditional Open Space Preservation Program, Resolution No. 762-1986 et seq.; farmland development rights pursuant to the Suffolk County Administrative Local Law Chapter 8, Development Rights to Agricultural Lands; active parklands including playgrounds, soccer fields, football fields, baseball fields, outdoor concerts, horseback riding or equine endeavors and/or other community recreational needs; or historic properties that exhibit historic and/or archeological significance, where there is a partner who will provide at least a 50% matching contribution to its acquisition; and

WHEREAS, Resolution No. 86-2008 appropriated \$15,000,000.00 for acquisitions under the Suffolk County Environmental Legacy Fund; and

WHEREAS, Resolution No. 369-2007 authorized planning steps for acquisition of the farmland development rights of the subject property; and

WHEREAS, the Town of Huntington ("Town") has approved Resolution Nos. 2007-103 and 2008-321, authorizing the acquisition of the farmland development rights of the subject property in partnership with the County of Suffolk; 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 the Division of Real Property Acquisition and Management to negotiate the acquisition; and

WHEREAS, based upon the Environmental Trust Review Board approved value, an offer to acquire the rights to subject property was made to and accepted by the owner of said property; and

WHEREAS, contracts to acquire said rights were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Property Acquisition and Management and approved as to legality by the office of the County Attorney; now, therefore, be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of farmland development rights of the subject property set forth below under the Suffolk County Environmental Legacy Fund pursuant to Chapter 8 of the SUFFOLK COUNTY CODE for a total purchase price of Five Million Fifty Six Thousand Dollars (\$5,056,000.00+), at \$320,000.00 per acre for 15.8+ acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share totaling Two Million Five Hundred Twenty Eight Thousand Dollars (\$2,528,000.00+), for a fifty percent (50%) undivided interest; and the Town's share totaling Two Million Five Hundred Twenty Eight Thousand Dollars (\$2,528,000.00+), for a fifty percent (50%) undivided interest, as tenants-in-common, subject to a final survey, and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0400 Section 087.00 Block 03.00 Lot 007.006 p/o	15.8+	Amsler Family Limited Partnership RFD#1- P.O. Box 1300 Northport, NY 11768
No. 2	District 0400 Section 087.00 Block 03.00 Lot 007.007 p/o		
No. 3	District 0400 Section 087.00 Block 03.00 Lot 007.008 p/o		
No. 4	District 0400 Section 087.00 Block 03.00 Lot 007.011 p/o		
No. 5	District 0400 Section 087.00 Block 03.00 Lot 011.002		

; 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 C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Environmental Legacy Fund, for the County's portion of the purchase price of Two Million Five Hundred Twenty Eight Thousand Dollars (\$2,528,000.00+), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$2,528,000.00±, subject to a final survey, from previously appropriated funds in Capital Project 8731.211, Suffolk County Environmental Legacy Fund, for this acquisition; and, be it further

4th RESOLVED, that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, with the County of Suffolk owning a fifty percent (50%) undivided interest and the Town owning a fifty percent (50%) undivided interest; and, be it further

5th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such other actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports, and environmental audits, making tax adjustments, and executing such other documents as are required to acquire such County interest in said lands; and, be it further

6th RESOLVED, that 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 farmland development rights 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:

2008-321. 1914

RESOLUTION AUTHORIZING EXECUTION OF CONTRACT OF SALE AND APPROPRIATING FUNDING NECESSARY FOR ACQUISITION OF DEVELOPMENT RIGHTS FOR FARMLAND PRESERVATION OF ██████████ FAMILY LIMITED PARTNERSHIP/RICHTER'S ORCHARD PROPERTY WITH SUFFOLK COUNTY

Resolution for Town Board Meeting Dated: June 11, 2008

The following resolution was offered by Councilman Besen

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the acquisition of farmland development rights to approximately 15.8 acres of the **Amsler** Family Limited Partnership/Richter's Orchard property located on the north side of Pulaski Road, west of Bread and Cheese Hollow Road in Fort Salonga, identified as portions of SCTM 0400-087-03-007.006 and 011.002, was recommended by the EOSPA Committee and has been successfully negotiated and contracts of sale will be prepared for signature by all involved parties; and

WHEREAS, prior Town Board resolution supported acquisition of farmland development rights for the Richter's Orchard property as a shared acquisition with Suffolk County, and authorized the Supervisor, Town Attorney, Special EOSPA Counsel and Comptroller to take the necessary actions to secure development rights for the land in Town and County ownership; however, specific costs and contract requirements must be met, including, but not limited to: surveys, title insurance, environmental site assessment, recording of deeds, prorated taxes as necessary, and other closing costs reasonably related to the transaction; and

WHEREAS, a public hearing was held on March 6, 2007 pursuant to General Municipal Law §247 regarding acquisition of farmland development rights from the subject property; and the Town and County will acquire an undivided interest in the development rights; and

WHEREAS, the shared purchase of farmland development rights with Suffolk County obligates the site owner to use and maintain the land for agricultural purposes pursuant to Chapter 8 Agricultural Lands, Development Rights to, Part III Administrative Local Laws, Laws of Suffolk County, New York, and

WHEREAS, prior to completing the acquisition and/or direct funding of the individual project, the Town Board has determined that the action to acquire the property is classified as Unlisted pursuant to SEQRA, and the Town Board recognizes the Suffolk County Legislature issued a Negative Declaration for the Suffolk County Agriculture and Farmland Protection Plan on August 27, 1996 that completed SEQRA for that involved agency and authorizes the County acquisition of farmland development rights, and

WHEREAS, the Town Board is the only agency "involved" in approving a direct action to appropriate Town funds toward the acquisition of farmland development rights, and therefore, has been established as lead agency, and the Department of Planning and Environment has prepared a short Environmental Assessment Form for the proposed action;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board finds, on review of the short form EAF, there shall be no significant adverse impacts associated with public acquisition of farmland development rights for the **Amsler** Family Limited Partnership/Richter's Orchard Property to continue agricultural use and hereby issues a Negative Declaration pursuant to SEQRA, and

BE IT FURTHER

RESOLVED, that the Town Board authorizes the Supervisor to execute a contract and related documents, on such terms and conditions acceptable to the Town Attorney, to purchase development rights for the **Amsler** Family Limited Partnership/Richter's Orchard Property with Suffolk County as identified above for farmland preservation purposes for the benefit of Huntington residents for an amount not to exceed the sum of FIVE MILLION FIFTY-SIX THOUSAND AND 00/100 DOLLARS (\$5,056,000) and subject to survey verification, plus closing costs, including but not limited to survey, appraisal, environmental audit, title insurance, tax adjustment, and taxes prior to exemption, which are hereby authorized to be split 50% by the Town and 50% by the County the same as the purchase cost; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funds in an amount not to exceed 50% of the purchase price or TWO MILLION FIVE HUNDRED AND TWENTY-EIGHT THOUSAND AND 00/100 (\$2,528,000) DOLLARS subject to survey verification, excluding customary closing expenses, to cover costs related to the Town and County acquisition of the subject property on an as-needed basis to be transferred from A-0870 Open Space Land and Park Improvements Reserve Fund and charged to the appropriate capital budget account for the proposed acquisition; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Town Attorney's office to proceed to schedule a closing of title with the attorney for the owner of the **Amsler** Family Limited Partnership/Richter's Orchard Property and authorizes the Supervisor and/or his designee to execute all documents related to securing such farmland development rights in the ownership of the Town and County, upon which it is to be identified and mapped as protected open space in the records of the Department of Planning and Environment.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

- Supervisor Frank P. Petrone **AYE**
- Councilwoman Susan A. Berland **AYE**
- Councilman Stuart P. Besen **AYE**
- Councilman Mark A. Cuthbertson **AYE**
- Councilwoman Glenda A. Jackson **AYE**

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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**SUFFOLK COUNTY FARMLAND RATING SYSTEM
 FOR THE PURCHASE OF DEVELOPMENT RIGHTS (PDR)**

This rating system was developed for the evaluation of farmland for the potential purchase of its development rights (PDR) and inclusion in the County's Purchase of Development Rights Program under Chapter 8 of the Suffolk County Code. 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 nonagricultural 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 its desirability for use as farmland. The estimated price of the farmland is also considered in the evaluation. Bonuses are given for farms within Agricultural Districts or within high population density areas. Negative points may be given for negative impacts such as excavations.

Score Subtotal

FARMLAND PRESERVATION FACTORS

A. 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.)		
4. Large amount of protected farmland nearby. (2 pts.)		
5. Some protected farmland nearby. (1 pt.)		
6. No protected farmland nearby. (0 pt.)	0	0

B. 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.)		
3. Long road frontage and part of a small block of farmland. (3 pts.)	3	
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.)		3

C. SOILS

	Slope	Capability	
1. Capability Unit I-1: Bridgehampton, Haven, Montauk. (5 pts.)	0-3%	BgA, HaA, MkA	
2. Nearly flat Class II: Riverhead, Scio, Plymouth, Haven, Montauk. (4 pts.)	0-3%	RdA, SdA, PsA, He, MfA	
3. Best soils but with some slope: Bridgehampton, Haven, Montauk. (3 pts.)	2-8%	BgB, BhB, HaB, MkB	0.75
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	0.25
6. Poor soil. (0 pt.)		Gp	1

D. APPROXIMATE DEVELOPMENT RIGHTS VALUE PER ACRE

1. \$50,000. or less. (5 pts.)		
2. \$50,001.-\$65,000. (4 pts.)		
3. \$65,001.-\$80,000. (3 pts.)		
4. \$80,001.-\$95,000. (2 pts.)		
5. \$95,001.-\$105,000. (1 pt.)		
6. \$105,001.-\$250,000. (0 pt.)	0	
7. \$250,001.-\$500,000. (-1 pt.)		
8. \$500,001. or more. (-2 pts.)		0

E. ADJUSTMENTS

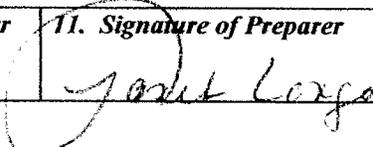
1. Located within a Census Designated Place with a population density of $\geq 1,000$ persons per square mile. (3 pts.)	3	
2. Other positive factors (i.e., within an Agricultural District, historical significance, community benefit, etc.). (1 or 2 pts.)	2	
3. Other negative factors. (-1 or -2 pts.)		5

TOTAL SCORE (maximum = 25 points)

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

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1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/> X	Local Law Charter Law
2. Title of Proposed Legislation Authorizing the acquisition of farmland development rights under the Suffolk County Environmental Legacy Fund, of the Amsler Family Partnership property, SCTM#0400-087.00-03.00-007.006 p/o, 0400-087.00-03.00-007.000 p/o, 0400-087.00-03.00-007.008 p/o, 0400-087.00-03.00-007.011 p/o & 0400-087.00-03.00-011.002, (Town of Huntington).		
3. Purpose of Proposed Legislation See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding Suffolk County Environmental Legacy Fund		
9. Timing of Impact N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer 	12. Date September 15, 2008

COUNTY OF SUFFOLK

SEP 18 2008



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

1914

CARRIE MEEK GALLAGHER
COMMISSIONER
CHRISTOPHER E. KENT
DIRECTOR

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

September 15, 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 of the Amsler Family Partnership property, in the Town of Huntington, under the Suffolk County Environmental Legacy Fund. The purchase price is \$5,056,000.00± for 15.8± acres, of which Suffolk County's 50% share is \$2,525,000.00±.

IN ADDITION, A COMPANION BONDING RESOLUTION MUST BE PREPARED AND SUBMITTED TO BE LAID ON THE TABLE AT THE SAME TIME AS THE AUTHORIZING RESOLUTION.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

CEK:pd
Att.

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)

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LOCATION

(631) 853-5900 H. LEE DENNISON BLDG. - 2nd Floor

11788-0099

Fax (631) 853-5906 100 VETERANS MEMORIAL HIGHWAY

Fax (631) 853-5905

MAILING ADDRESS

P. O. BOX 6100

HAUPPAUGE, NY

1915

Intro. Res. No. -2008
Introduced by Legislator Stern and Presiding Officer Lindsay

Laid on Table 10/6/08

RESOLUTION NO. -2008, DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO DESIGNATE PARKING FOR VETERANS AT THE RIVERHEAD COUNTY CENTER (VA CLINIC)

WHEREAS, the County of Suffolk is in the midst of constructing space at the Riverhead County Center which will house a new east end Veterans Administration ("VA") Health Clinic; and

WHEREAS, many of the veterans who will utilize this facility are of advanced age and have great difficulty ambulating; and

WHEREAS, while some veterans will be able to avail themselves of parking reserved for handicapped citizens, many other veterans will not be able to do so; and

WHEREAS, the County of Suffolk wishes to take all steps necessary to allow our veterans to easily access the new facility in Riverhead; now, therefore be it

1st RESOLVED, that notwithstanding any other provision of law to the contrary, the Commissioner of the Department of Public Works is hereby authorized, empowered and directed to designate five (5) parking spaces at the Riverhead County Center for the exclusive use of veterans receiving care at the new VA Health Clinic; and be it further

2nd RESOLVED, that such spaces shall be clearly marked for use by veterans and the Commissioner shall arrange for appropriate signs and pavement markings; and be it further

3rd RESOLVED, that the spaces designated for parking by veterans shall, to the extent practicable, be located in the immediate vicinity of the VA clinic's main entrance; and be it further

4th RESOLVED, that the spaces designated for veterans will be in addition to those spaces designated for the handicapped; 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:

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:

Exhibit "A"

Tax Map No.	Location	Acres
0200-958.00-08.00-006.000	E/S/O Taylor Ave., 160' N/O Louise Ave., a/k/a 915 Taylor Ave., Patchogue	0.18
0200-959.00-04.00-037.000	W/S/O Bayview Ave., 150' S/O Hampton Ave., Bellport	0.11
0200-959.00-04.00-038.000	W/S/O Bayview Ave., 100' S/O Hampton Ave., Bellport	0.11
0200-973.70-06.00-034.000	W/S/O Taylor Ave., 150' S/O Patchogue Ave., Patchogue	0.17
0200-973.70-07.00-027.000	W/S/O Mead Ave., 320' S/O Patchogue Ave., Bellport	0.18
0200-973.70-07.00-032.000	W/S/O Mead Ave., 60' S/O Patchogue Ave., Bellport	0.18

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

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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	Long Island Housing Partnership
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

Schedule A

1916

56 0200-959-05-037
57 0200-973.70-05-057
59 0200-973.70-06-024
58 0200-973.70-06-007
60 0200-959-07-034
61 0200-958-07-035
62 0200-973.70-06-016
63 0200-973-70-06-017
64 0200-973-70-06-018
65 0200-960-02-014
66 0200-959-06-013
67 0200-960-02-018.001
68 0200-960-02-018.002
69 0200-960-02-045
70 0200-960-02-046
71 0200-960-02-047
72 0200-960-02-043
73 0200-973-70-04-063
74 0200-973.70-06-003
75 0200-973.70-06-004

Post Ave, Bellport
536 Scherger Ave, Patchogue
Scherger Ave, Patchogue
Scherger Ave, Patchogue
834 Taylor Ave, Patchogue
Taylor Ave, Patchogue
Scherger Ave, Patchogue
Scherger Ave, Patchogue
Scherger Ave, Patchogue
Walker Ave, Bellport
Doane Ave, Bellport
Walker Ave, Bellport
Walker Ave, Bellport
Agamemnon Ave, Bellport
Agamemnon Ave, Bellport
Agamemnon Ave, Bellport
Agamemnon Ave, Bellport
Lenox Ave, Patchogue
Scherger Ave, Patchogue
Scherger Ave, Patchogue

Long Island Housing Partnership
Habitat for Humanity
Habitat for Humanity
Habitat for Humanity
Long Island Housing Partnership
Long Island Housing Partnership
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Habitat for Humanity
Long Island Housing Partnership
Habitat for Humanity
Habitat for Humanity
No Assignment
No Assignment
No Assignment
No Assignment
Habitat for Humanity
Habitat for Humanity
Habitat for Humanity

Miss Agamemnon

1916

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

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES
TOWN OF BROOKHAVEN

Tax Map No.: See attached Exhibit "A"

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$77,440.70

PURPOSE:

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

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

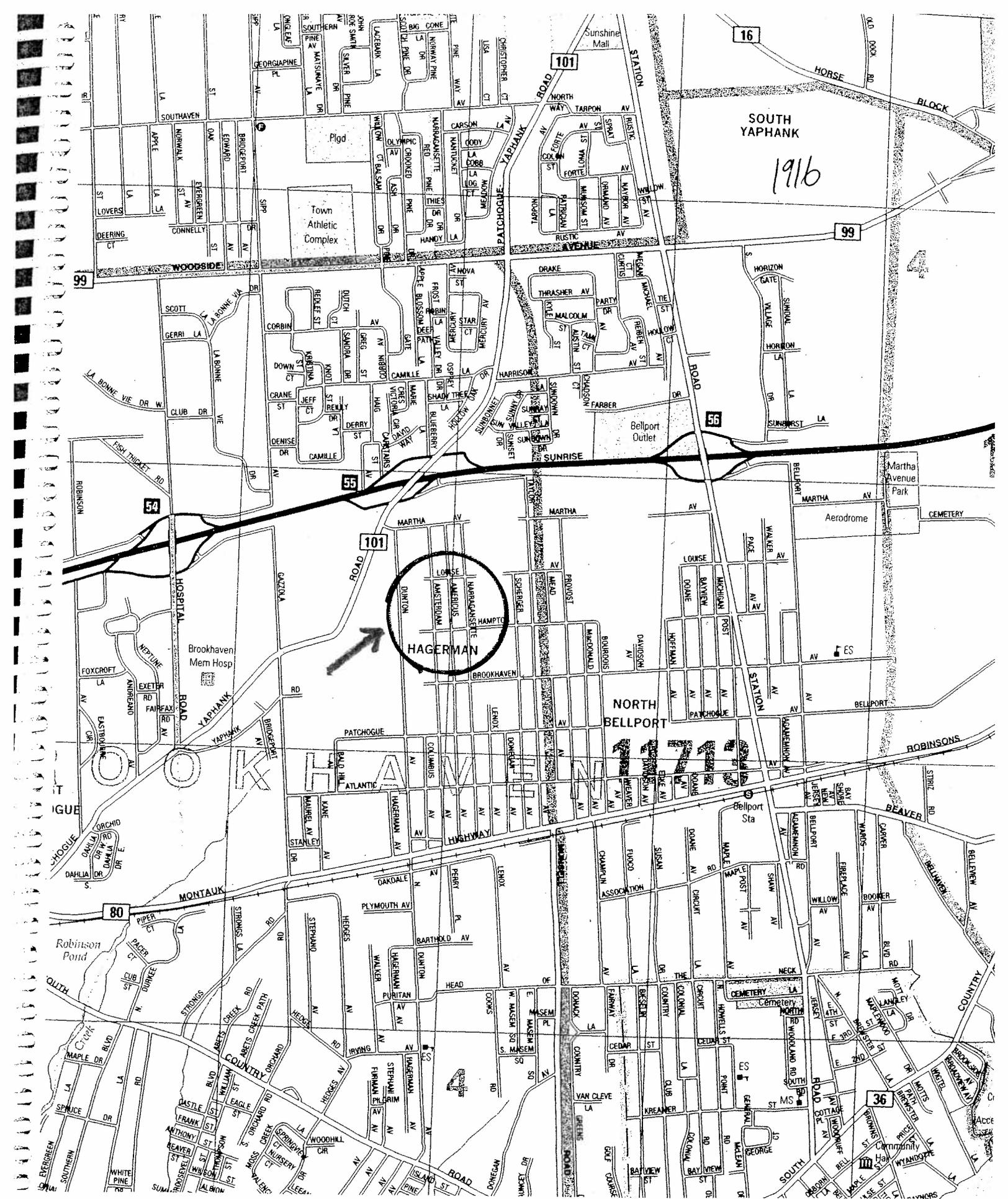
WRT:slb

1916



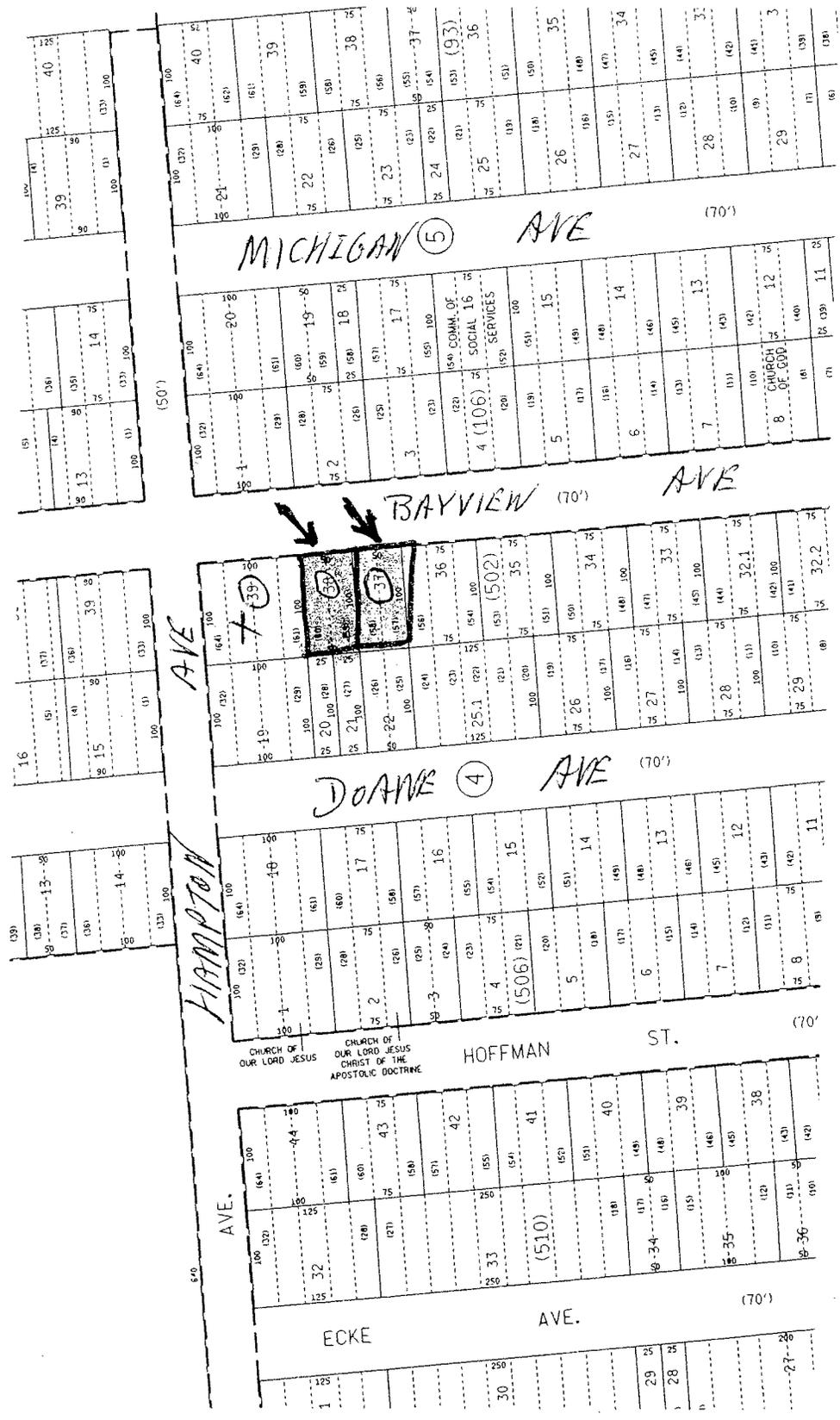
TM# 0200-958.00-08.00-006.000

Suffolk County Department of Information Technology © 2008



TM# 0200-958.00-08.00-006.000

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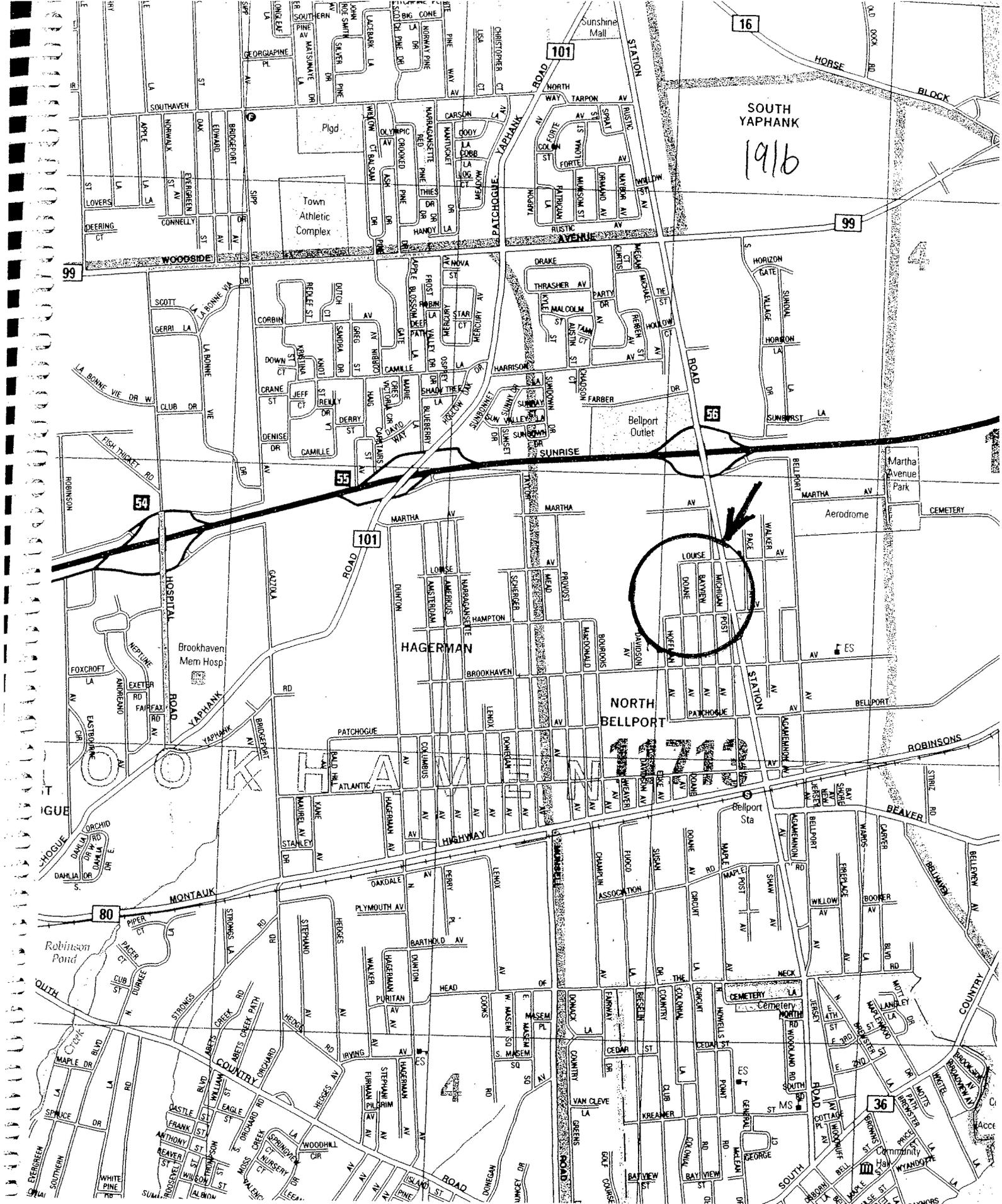
M# 0200-959.00-04.00-037.000 & 038.000

1916

TM# 0200-959.00-04.00-037.000 & 038.000



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16

SOUTH YAPHANK

1916

99

56

101

54

HAGERMAN

NORTH BELLPORT

80

36

TM# 0200-959.00-04.00-037.000 & 038.000

1916

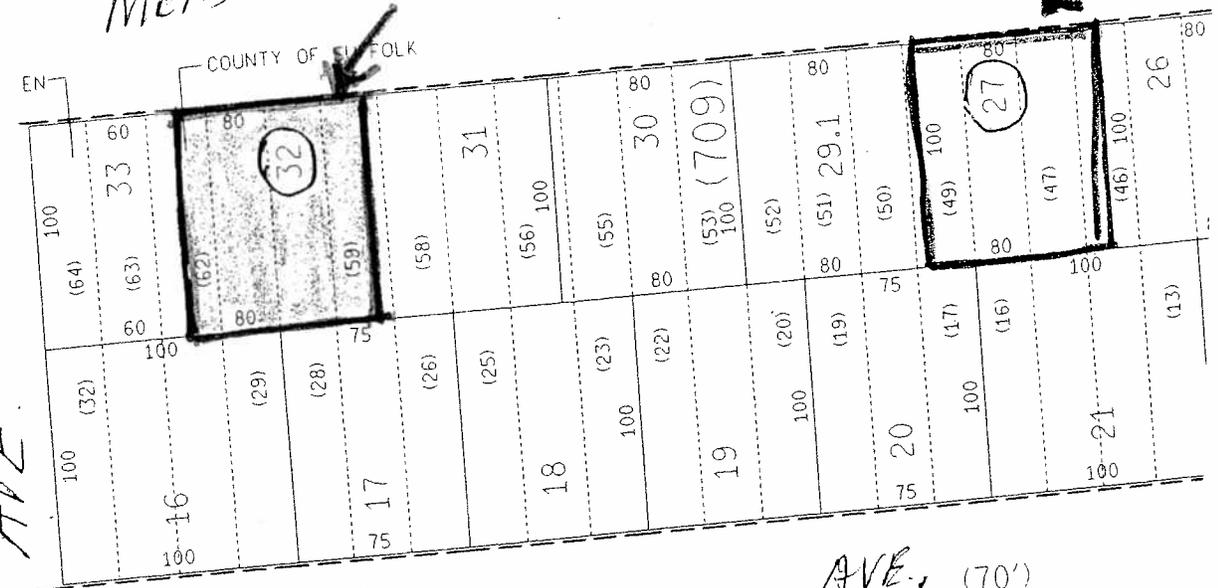


TM# 0200-973.70-06.00-034.000

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MEAD

AVE.



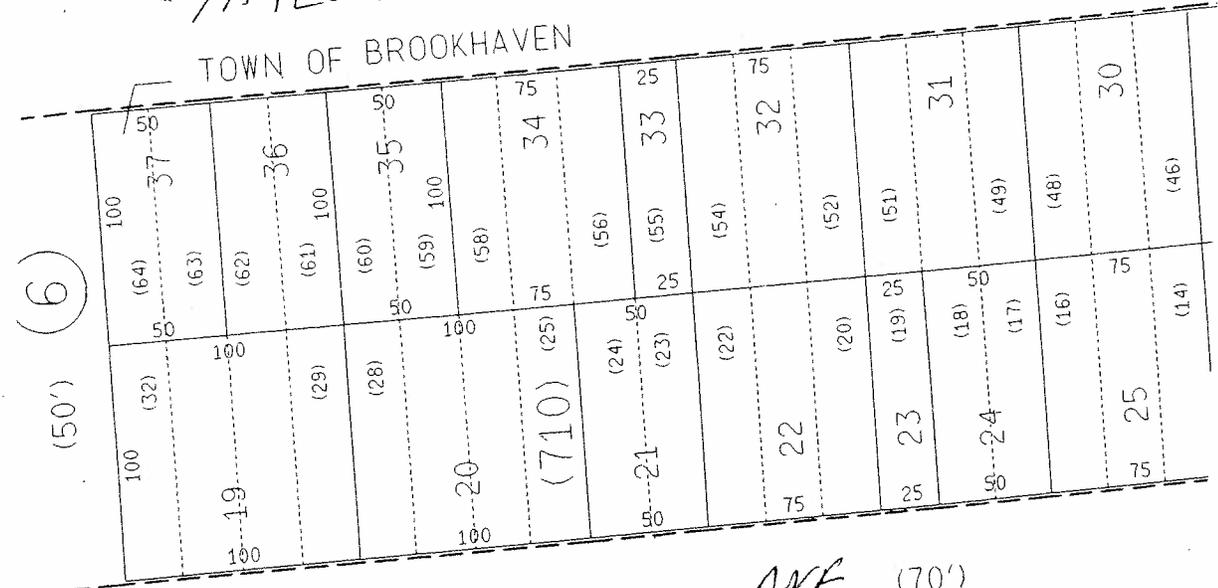
1916

TAYLOR

AVE., (70')

TOWN OF BROOKHAVEN

(50') (6)

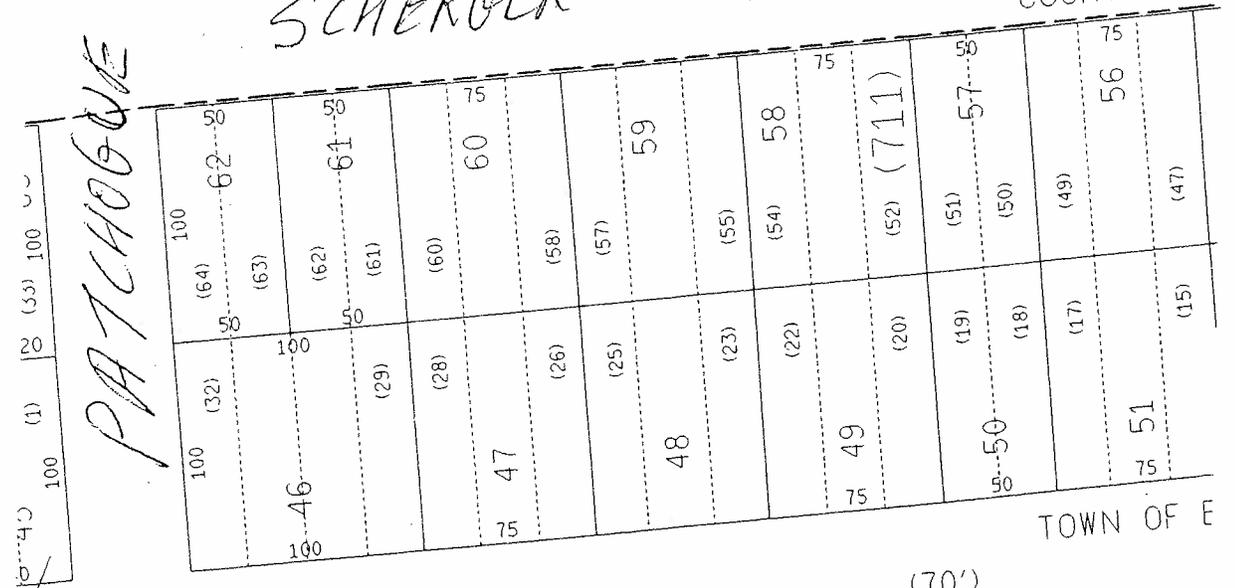


SCHERGER

AVE (70')

COUNTY OF S

PATCHOQUE



TOWN OF E

(70')

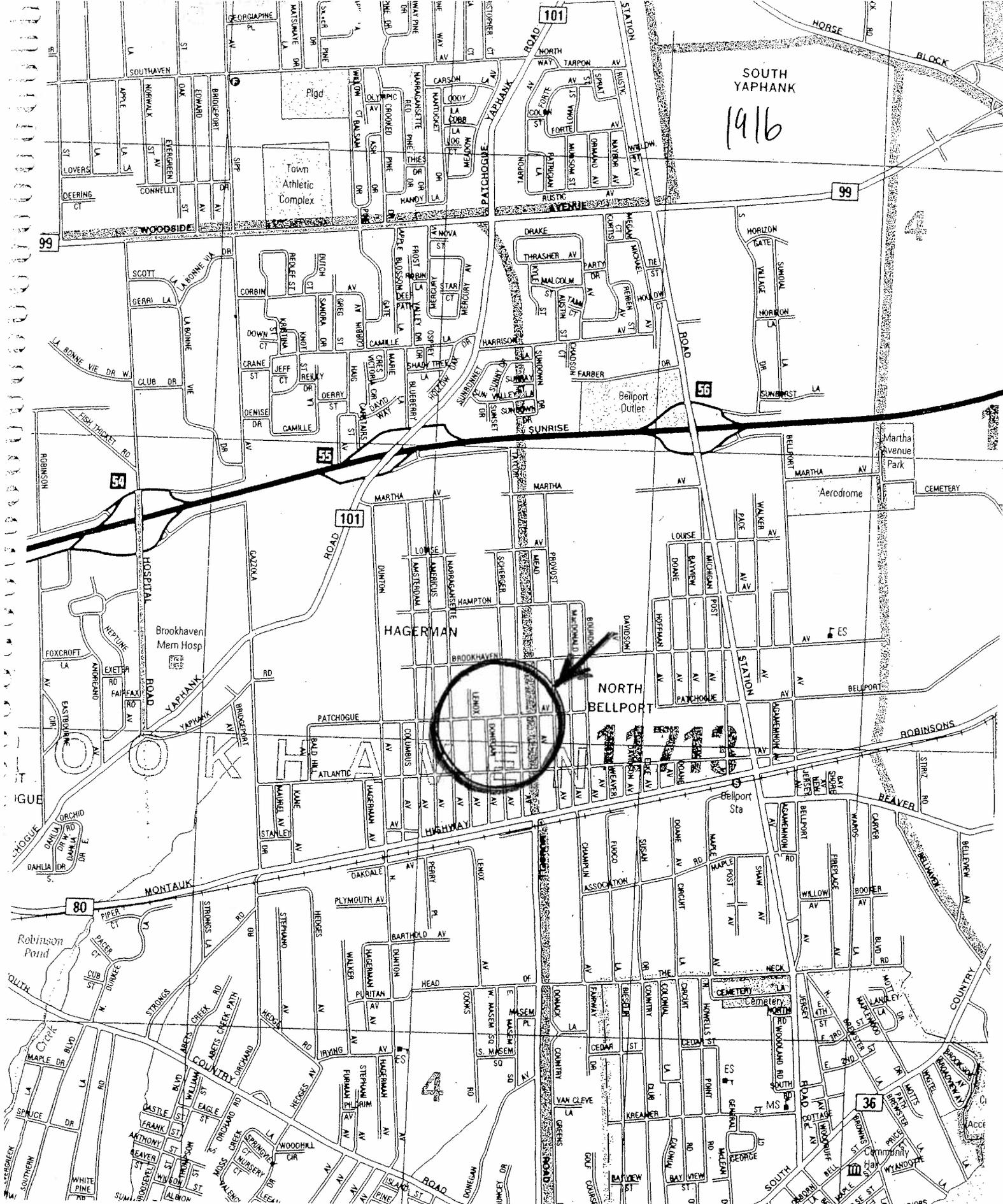
Trm# 0200-973.70-07.00-027.000 & 032.000

1916

TM# 0200-973.70-07.00-027.000 & 032.000



Suffolk County Department of Information Technology © 2008



1916

0200-973.70-06.00-034.00
0200-973.70-07.00-027.00 & 032.00

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1916

1. Type of Legislation

Resolution 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 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

Loss of County investment
Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2008

10. Name & Title of Preparer

Signature of Preparer

Date

R. J. Bhatt
LMS III



9/23/08

COUNTY OF SUFFOLK



1916

SEP 29 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 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.: 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

Intro. Res. No. 1917-08
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 10/14/08

RESOLUTION NO. -2008, APPROVING LICENSE AGREEMENTS FOR VARIOUS COUNTY HISTORIC AND CULTURALLY SIGNIFICANT PROPERTIES

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, Suffolk County Resolution No. 612-2008, "Adopting Local Law No. - 2008, A Local Law to Protect the County's Historic and Culturally Significant Properties," established a new process to govern the rental of properties under the jurisdiction of the Department of Parks, Recreation and Conservation; 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 the individuals listed in Exhibit A be approved to enter license agreements to reside in the corresponding properties so listed in the same Exhibit A; 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 eleven (11) separate License Agreements with the individuals listed in Exhibit A of this Resolution for the corresponding properties listed in the same Exhibit A, in accordance with the provisions set forth in Section 723-1 of the SUFFOLK COUNTY CODE; and be it further

2nd RESOLVED, that each property referenced in Exhibit A shall be returned, at the conclusion of the License Agreements authorized pursuant to the 1st RESOLVED clause of this resolution, to the County of Suffolk in a physical condition that is substantially the same condition as on the effective date of such agreements, 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:

Exhibit A

Name	Property/Location	Property Unit No.	Rent as of 3/1/2008
Chris Hamilton	Inlet Pond – Southold	103	\$946.50
Allen Drost	Blydenburgh – Smithtown	105	\$795.25
Patrick Boyles	Southaven – Brookhaven	109	\$1,291.00
Kerrin Craig	Cordwood Landing – Miller Place	113	\$1,173.50
Suzanne Kurovics	Robert Cushman Murphy-Manorville	114A	\$1,055.50
Richard Hoffman	Froehlich Farm – Huntington	120A	\$1,501.00
John Brigati	Wicks Farm – Huntington	121	\$1,539.50
Gregory Link	Robinson Duck Farm – Brookhaven	124B	\$1,237.50
Martin Bailey	Froehlich Farm, garage – Huntington	132A	\$170.25
Frank Dobias	Robert Cushman Murphy- Manorville	133A	\$1,305.25
Yvonne Wong	West Hills – Huntington	134	\$2,252.00

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

1917

GENERAL FUND

	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

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	\$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.

1917

SEP 18 2008

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: BEN ZWIRN, Deputy County Executive

FROM: JOHN W. PAVACIC, Commissioner 

CC: JIM MORGO, Chief Deputy County Executive

DATE: September 15, 2008

RE: INTRODUCTORY RESOLUTION APPROVING LICENSE AGREEMENTS FOR VARIOUS COUNTY HISTORIC AND CULTURALLY SIGNIFICANT PROPERTIES

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 Residential License Agreements for Various County Park Properties.doc".

At the request of the County Attorney's Office, I am submitting this drafting resolution for consideration by the Legislature. The resolution would authorize license agreements for individuals to continue to reside in the corresponding properties listed in Exhibit A of this draft resolution.

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

Enclosures



1918
Intro Res. No. -08

LOT 10/14/08

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 THE METRIX LEARNING PILOT PROGRAM.

WHEREAS, the New York State Department of Labor (NYSDOL) has awarded a grant in the amount of \$50,000 to the Suffolk County Department of Labor to fund a Distance Learning Program; and

WHEREAS, this grant is funded by surplus funds from the Workforce Investment Act (WIA) program, for the express purpose of providing a Distance Learning program; and

WHEREAS, the additional funds were awarded for a pilot program, to provide occupational assessment and skills testing. After assessment, access to Technology Based Learning courses to help remediate an individual's skill deficiency(ies) will be available in the One-Stop Center. The Metrix Learning catalog offers over 5000 courses from companies such as, SkillSoft, Med-com Trainex and Kenexa. Monitoring, tracking and reporting of all activities by individual for case management will be performed by the Suffolk County Department of Labor; *and*

WHEREAS, these additional funds have not been included in the 2008 Adopted Operating Budget; and

WHEREAS, these funds are 100% State funded; now, therefore, be it

1ST RESOLVED, that the County Comptroller and the County Treasurer be and they are hereby authorized to accept and appropriate the additional funds as follows:

REVENUES:

320- LAB - 3790 State Aid: Various Labor Programs \$50,000

ORGANIZATIONS:

Department of Labor (LAB)
Workforce Investment Act
320-6300

3000 SUPPLIES, MATERIALS & OTHER EXPENSES \$14,000
3500 - Other - Unclassified \$14,000

4000 CONTRACTUAL EXPENSES \$36,000
4980 - Contracted Agencies \$36,000

and be it further

2ND RESOLVED, that the Reporting Category for the County Integrated Financial Management System (IFMS) is 6300.

APPROVED BY: _____
County Executive of Suffolk County
Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1918

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>		
2. Title of Proposed Legislation: ACCEPTING AND APPROPRIATING ADDITIONAL FUNDS FOR A 100% STATE FUNDED GRANT FOR THE METRIX LEARNING PILOT PROGRAM.		
3. Purpose of Proposed Legislation ACCEPT AND APPROPRIATE ADDITIONAL FUNDS FOR A 100% STATE FUNDED GRANT FOR THE METRIX LEARNING PILOT PROGRAM.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> REVENUE TO COUNTY		
5. If the Answer to item 4 is "yes", on what will it impact? (check appropriate category)		
<input checked="" type="checkbox"/> County <input type="checkbox"/> Village <input type="checkbox"/> Library District	<input type="checkbox"/> Town <input type="checkbox"/> School District <input type="checkbox"/> Fire District	<input type="checkbox"/> Economic Impact <input type="checkbox"/> Other (Specify) <input type="checkbox"/> NOT APPLICABLE
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact REVENUE TO THE COUNTY.		
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 LABOR		
9. Timing of Impact IMMEDIATE		
10. Typed Name & Title of Preparer JAMES M. ANDREWS PRINCIPAL MANAGEMENT ANALYST	11. Signature of Preparer 	12. Date September 3, 2008

Theresa Lollo
Principal
Financial Analyst

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1918

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

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

COUNTY OF SUFFOLK

1918 SEP 05 2008



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: September 3, 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 THE METRIX LEARNING PILOT PROGRAM.**

Thank you for your assistance.

* * *

RWD:jma
Attachment

cc: Jim Morgo, Chief Deputy County Executive

1918

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk	Date September 3, 2008
--	---------------------------

Submitting Department/Agency Suffolk County Department of Labor	Location Bldg. 17, No. County Complex Veterans Memorial Highway Hauppauge, NY 11788
---	---

Contact Person in Dept/Agency James M. Andrews	Telephone Number 853-6610	Grant Application Due Date N/A
--	---	--

INSTRUCTIONS: Applicant will complete all items on this form. If an item is not applicable enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 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 THE METRIX LEARNING PILOT 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 d. Extension of Funding Period
 b. Renewal Application e. Contract
 c. Supplemental (Specify)

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 FUNDS FOR A 100% STATE FUNDED GRANT FOR THE METRIX LEARNING PILOT 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: 6/19/08 TO: 12/31/08

2. Financial Assistance Requested

SOURCE	FIRST FUNDING CYCLE		SECOND FUNDING CYCLE		THIRD FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$50,000	100%	\$	%	\$	%
State	\$	%	\$	%	\$	%
Town	\$	%	\$	%	\$	%
County	\$	%	\$	%	\$	%
Total	\$ 50,000	100%	\$	%	\$	%

1918

3. EXPLANATION OF REQUESTED COUNTY FINANCIAL ASSISTANCE

CATEGORY	TOTAL REQUESTED	PERSONNEL COSTS REQUESTED	NON-PERSONNEL COSTS REQUESTED
TOTAL COUNTY SHARE:	\$ -0-	\$ -0-	\$ -0-
Cash Contribution:	\$ -0-	\$ -0-	\$ -0-
a.			
b. In-kind Contribution:	\$ -0-	\$ -0-	\$ -0-
4. Total Number of Positions Requested -0-			
5. Can This Program Be Re-funded by the Proposed Non-County Sources? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
6. Estimated Expected Additional Indirect costs (Costs to County not Delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.) -0-			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinued (That is, program termination, reduced services, financial implication, layoffs, etc.) Program terminates.			
8. Attach a List of Potential Subcontractors, If Any, Outlining the Purpose of Each Subcontract (That is, 456 and 498 Account Items; use an additional 8 1/2" x 11" sheet). N/A			

III. COUNTY EXECUTIVE'S OFFICE REVIEW

Intergovernmental Relations Division Review:	<input type="checkbox"/> Approved	Signature of Coordinator	Date
	<input type="checkbox"/> Disapproved		
Comments			
Budget Office Review:	<input type="checkbox"/> Approved	Signature of Budget Director	Date
	<input type="checkbox"/> Disapproved		
Comments			

Intro Res. No. 1919-08
Introduced by the Presiding Officer on request of County Executive

Laid on Table 10/14/08

**RESOLUTION NO. _____, ACCEPTING AND
APPROPRIATING GRANT FUNDS RECEIVED FROM THE
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE
SERVICES, DISTRICT ATTORNEY'S RECRUITMENT AND
RETENTION PROGRAM**

WHEREAS, New York State Division of Criminal Justice Services has awarded a grant in the amount of \$193,384 to improve the recruitment and retention of Assistant District Attorneys; and

WHEREAS, said grant is to run for the New York State fiscal year 2008-2009; and

WHEREAS, the District Attorney has approved a plan to supplement the salary of ninety-five Assistant District Attorneys and the supplemental funding for this program will be appropriated to the District Attorney general appropriation account 001-1165-1070;

RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows;

<u>REVENUES:</u>	<u>AMOUNT</u>
001-3389-District Attorney Recruitment and Retention Program	\$ 193,384

ORGANIZATIONS:

District Attorney (DIS)
General Administration
001-DIS-1165

<u>Personnel</u>	<u>\$193,384</u>
1070—Special Pay	\$193,384

and be it further

RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes Type II action; And be it further

RESOLVED, that the County Executive be authorized to execute the grant related agreement between Suffolk County and the New York State Division of Criminal Justice Services.

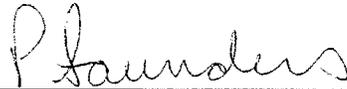
DATED:

APPROVED BY:

County Executive of Suffolk County
Date of Approval

1919

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
ACCEPTING & APPROPRIATING GRANT FUNDS RECEIVED FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES, DISTRICT ATTORNEY'S RECRUITMENT AND RETENTION PROGRAM		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes No <u>XX</u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
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 York State Division of Criminal Justice Services		
9. Timing of Impact		
THE RESOLUTION IS EFFECTIVE UPON ADOPTION.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst		10-2-08

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

1919

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

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

COUNTY OF SUFFOLK
OFFICE OF DISTRICT ATTORNEY



THOMAS J. SPOTA
DISTRICT ATTORNEY

1919
RECEIVED
SEP 17 2008

BY:.....

September 15, 2008

Ben Zwirn, Assistant Deputy County Executive
Office of the Suffolk County Executive
H. Lee Dennison Building
100 Veterans Highway
Hauppauge, New York 11788-0099

Dear Mr. Zwirn,

At the direction of the District Attorney and in accordance with the County Executive All Department Heads Memorandum 05-05, I have attached a request for a Suffolk County Resolution.

The purpose of the resolution will be to accept a grant from the New York State Division of Criminal Justice Services. This grant will provide funding for the District Attorney's Recruitment and Retention Program

An e-mail version of this resolution has been sent to CE RESO REVIEW and saved under the file name "DA Recruitment & Retention".

If you have any questions or need additional information concerning this matter, please contact me at your earliest opportunity.

Thank you for your attention to this matter.

Sincerely,


Lon H. Kochany
Executive Assistant for Finance & Administration

CC-Jim Burt, Suffolk County Budget Office
Evelyn Creen, Federal and State Aid Claims Unit



1919

SUFFOLK COUNTY
DISTRICT ATTORNEY

STATE OF NEW YORK
DIVISION OF CRIMINAL JUSTICE SERVICES

2008 JUN 30 AM 9:52

Four Tower Place
Albany, New York 12203-3764
<http://criminaljustice.state.ny.us>

RECEIVED
HAUPPAUGE, N.Y.

June 27 2008

Kath
Plan
DA's Retention

TO: Award Recipients
FROM: Denise E. O'Donnell
Commissioner, Division of Criminal Justice Services
SUBJECT: Legislative Grant Awards

I am pleased to advise you that the State Budget for fiscal year 2008-2009 includes an appropriation of funds to support the program noted on the attachment.

The application **must be submitted within 45 days** of receiving this notice, otherwise you will be **in jeopardy of losing this years' award.**

The Division of Criminal Justice Services Bureau of Justice Funding (BJF) has just completed its on-line Grants Management System (GMS). If you receive State or Federal grant funding through BJJ, BJJ will accept requests for registration into the system. **If you have already registered, you can complete the application on-line with the Project ID number, and DCJS number provided.** For information about how to register for GMS, a tutorial and users manual, please visit:

<http://criminaljustice.state.ny.us/ofpa/gms.htm>

If you have any questions or problems regarding your application, please call State Program Specialist Larry Signer at (518) 485-9905.

If you would like to E-mail your questions, please send to:

Larry.Signer@DCJS.State.NY.US

Attachment

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<p>STATE AGENCY New York State Division of Criminal Justice Services 4 Tower Place Albany, NY 12203</p>	<p>NYS COMPTROLLER'S NUMBER: C088632 (Contract Number)</p> <p>ORIGINATING AGENCY CODE: 01490</p>
<p>GRANTEE/CONTRACTOR: (Name & Address) Suffolk County H Lee Dennison Building 100 Veterans Memorial Highway Hauppauge, NY 11788</p>	<p>TYPE OF PROGRAMS: Legislative Initiatives DCJS NUMBERS: LG08088632</p>
<p>FEDERAL TAX IDENTIFICATION NO: 11-6000464 MUNICIPALITY NO: (if applicable) 470100000 000</p>	<p>INITIAL CONTRACT PERIOD: FROM 01/01/2009 TO 12/31/2009 FUNDING AMOUNT FROM INITIAL PERIOD: \$193,384.00</p>
<p>STATUS: Contractor is not a sectarian entry. Contractor is not a not-for-profit organization.</p>	<p>MULTI-YEAR TERM: (if applicable): 0 1-year renewal options.</p>
<p>CHARITIES REGISTRATION NUMBER:</p> <p><input type="text" value="N/A"/></p> <p>(Enter number of Exempt) if "Exempt" is entered above, reason for exemption.</p> <p>_____</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> Contractor has _____ has not _____ timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports. </div>	<p>APPENDIX ATTACHED AND PART OF THIS AGREEMENT</p> <p><input checked="" type="checkbox"/> APPENDIX A Standard Clauses required by the Attorney General for all State contracts</p> <p><input checked="" type="checkbox"/> APPENDIX A1 Agency-specific Clauses</p> <p><input checked="" type="checkbox"/> APPENDIX B Budget</p> <p><input checked="" type="checkbox"/> APPENDIX C Payment and Reporting Schedule</p> <p><input checked="" type="checkbox"/> APPENDIX D Program Workplan</p> <p><input type="checkbox"/> APPENDIX F Guidelines for the Control and Use of Confidential Funds</p> <p><input type="checkbox"/> APPENDIX G Procedural Guidelines for the Control of Surveillance Equipment</p> <p><input type="checkbox"/> APPENDIX X Modification Agreement Form (to accompany modified appendices for changes in terms or considerations on an existing period or for renewal periods)</p> <p><input type="checkbox"/> DCJS-55 Budget Amendment/Grant Extension Request</p> <p><input checked="" type="checkbox"/> Other (Identify) _____</p>
<p>IN WITNESS THEREOF, the parties hereto have electronically executed or approved this AGREEMENT on the dates their signatures.</p>	
<p>NYS DIVISION OF CRIMINAL JUSTICE SERVICES BY: _____ Date: _____ Office of Program Development and Funding</p> <p>State Agency Certification: "In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract".</p> <p>GRANTEE: BY: Mr. Jeffrey W. Szabo, Deputy County Executive & Chief of Staff Date: _____</p>	
<p>ATTORNEY GENERAL'S SIGNATURE</p> <p>_____ Title: _____ Date: _____</p>	<p>APPROVED, Thomas P. DiNapoli, State Comptroller</p> <p>_____ Title: _____ Date: _____</p>

(919)

Legislative Initiatives

Award Contract

Project No.

LG08-1377-D00

Grantee Name

Suffolk County

09/12/2008

AGREEMENT

STATE OF NEW YORK
AGREEMENT

This AGREEMENT is hereby made by and between the State of New York agency (STATE) and the public or private agency (CONTRACTOR) identified on the face page hereof.

WITNESSETH:

WHEREAS, the STATE has the authority to regulate and provide funding for the establishment and operation of program services and desires to contract with skilled parties possessing the necessary resources to provide such services; and

WHEREAS, the CONTRACTOR is ready, willing and able to provide such program services and possesses or can make available all necessary qualified personnel, licenses, facilities and expertise to perform or have performed the services required pursuant to the terms of this AGREEMENT;

NOW THEREFORE, in consideration of the promises, responsibilities and covenants herein, the STATE and the CONTRACTOR agree as follows:

I. Conditions of Agreement

A. This AGREEMENT may consist of successive periods (PERIOD), as specified within the AGREEMENT or within a subsequent Modification Agreement(s) (Appendix X) Amendment. Each additional or superseding PERIOD shall be on the forms specified by the particular State agency, and shall be incorporated into this AGREEMENT.

B. Funding for the first PERIOD shall not exceed the funding amount specified on the face page hereof. Funding for each subsequent PERIOD, if any, shall not exceed the amount specified in the appropriate appendix amendment for that PERIOD.

C. This AGREEMENT incorporates the face page attached as presented in the Grants Management System (GMS) AWARD online printable report, and all of the marked appendices identified on the face page hereof.

D. For each succeeding PERIOD of this AGREEMENT, the parties shall prepare new appendices, to the extent that any require modification, and a Modification Agreement (the attached Appendix X is the blank form to be used) GMS Amendment. Any terms of this AGREEMENT not modified shall remain in effect for each PERIOD of the AGREEMENT.

To modify the AGREEMENT within an existing PERIOD, the parties shall revise or complete the appropriate appendix form(s) create and amendment to the GMS record. Any change in the amount of consideration to be paid, or change in the term, is subject to the approval of the Office of the State Comptroller. Any other modifications shall be processed in accordance with agency guidelines as stated in Appendix A-1.

E. The CONTRACTOR shall perform all services to the satisfaction of the STATE. The CONTRACTOR shall provide services and meet the program objectives summarized in the Program Workplan (Appendix D) in accordance with: provisions of the AGREEMENT; relevant laws, rules and regulations, administrative and fiscal guidelines; and where applicable, operating certificates for facilities or licenses for an activity or program.

F. If the CONTRACTOR enters into subcontracts for the performance of work pursuant to this AGREEMENT, the CONTRACTOR shall take full responsibility for the acts and omissions of its subcontractors. Nothing in the subcontract shall impair the rights of the STATE under this AGREEMENT. No contractual relationship shall be deemed to exist between the subcontractor and the STATE.

G. Appendix A (Standard Clauses as required by the Attorney General for all State contracts) takes precedence over all other parts of the AGREEMENT.

II. Payment and Reporting

A. The CONTRACTOR, to be eligible for payment, shall submit to the STATE's designated payment office (identified in Appendix C) any appropriate documentation as required by the Payment and Reporting Schedule (Appendix C) and by agency fiscal guidelines, in a manner acceptable to the STATE.

B. The STATE shall make payments and any reconciliations in accordance with the Payment and Reporting Schedule (Appendix C). The STATE shall pay the CONTRACTOR, in consideration of contract services for a given PERIOD, a sum not to exceed the amount noted on the face page hereof or in the respective Appendix designating the payment amount for that given PERIOD. This sum shall not duplicate reimbursement from other sources for CONTRACTOR costs and services provided pursuant to this AGREEMENT.

C. The CONTRACTOR shall meet the audit requirements specified by the STATE.

III. Terminations

A. This AGREEMENT may be terminated at any time upon mutual written consent of the STATE and the CONTRACTOR.

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B. The STATE may terminate the AGREEMENT immediately, upon written notice of termination to the CONTRACTOR, if the CONTRACTOR fails to comply with the terms and conditions of this AGREEMENT and/or with any laws, rules, regulations, policies or procedures affecting this AGREEMENT.

C. The STATE may also terminate this AGREEMENT for any reason in accordance with provisions set forth in Appendix A-1.

D. Written notice of termination, where required, shall be sent by personal messenger service or by certified mail, return receipt requested. The termination shall be effective in accordance with the terms of the notice.

E. Upon receipt of notice of termination, the CONTRACTOR agrees to cancel, prior to the effective date of any prospective termination, as many outstanding obligations as possible, and agrees not to incur any new obligations after receipt of the notice without approval by the STATE.

F. The STATE shall be responsible for payment on claims pursuant to services provided and costs incurred pursuant to terms of the AGREEMENT. In no event shall the STATE be liable for expenses and obligations arising from the program(s) in this AGREEMENT after the termination date.

IV. Indemnification

A. The CONTRACTOR shall be solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property arising out of or related to the services to be rendered by the CONTRACTOR or its subcontractors pursuant to this AGREEMENT. The CONTRACTOR shall indemnify and hold harmless the STATE and its officers and employees from claims, suits, actions, damages and costs of every nature arising out of the provision of services pursuant to this AGREEMENT.

B. The CONTRACTOR is an independent contractor and may neither hold itself out nor claim to be an officer, employee or subdivision of the STATE nor make any claim, demand or application to or for any right based upon any different status.

V. Property

Any equipment, furniture, supplies or other property purchased pursuant to this AGREEMENT is deemed to be the property of the STATE except as may otherwise be governed by Federal or State laws, rules or regulations, or as stated in Appendix A-1.

VI Safeguards for Services and Confidentiality

A. Services performed pursuant to this AGREEMENT are secular in nature and shall be performed in a manner that does not discriminate on the basis of religious belief, or promote or discourage adherence to religion in general or particular religious beliefs.

B. Funds provided pursuant to this AGREEMENT shall not be used for any partisan political activity, or for activities that may influence legislation or the election or defeat of any candidate for public office.

C. Information relating to individuals who may receive services pursuant to this AGREEMENT shall be maintained and used only for the purposes intended under the contract and in conformity with applicable provisions of the laws and regulations, or specified in Appendix A-1.

Certified by - on

Award Contract**Legislative Initiatives****Project No.****Grantee Name**

LG08-1377-D00

Suffolk County

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09/12/2008

APPENDIX A

STANDARD CLAUSES FOR NYS CONTRACTS

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, 'the contract' or 'this contract') agree to be bound by the following clauses which are hereby made a part of the contract (the word 'Contractor' herein refers to any party other than the State, whether a contractor, licensor, licensee, lessor, lessee or any other party):

1. **EXECUTORY CLAUSE.** In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.
2. **NON-ASSIGNMENT CLAUSE.** In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the previous consent, in writing, of the State and any attempts to assign the contract without the State's written consent are null and void. The Contractor may, however, assign its right to receive payment without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.
3. **COMPTROLLER'S APPROVAL.** In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds \$50,000 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds \$10,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller's approval of contracts let by the Office of General Services is required when such contracts exceed \$85,000 (State Finance Law Section 163.6.a).
4. **WORKERS' COMPENSATION BENEFITS.** In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.
5. **NON-DISCRIMINATION REQUIREMENTS.** To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, age, disability, genetic predisposition or carrier status, or marital status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.
6. **WAGE AND HOURS PROVISIONS.** If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement

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schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law.

7. **NON-COLLUSIVE BIDDING CERTIFICATION.** In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

8. **INTERNATIONAL BOYCOTT PROHIBITION.** In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the Federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2NYCRR 105.4).

9. **SET-OFF RIGHTS.** The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

10. **RECORDS.** The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, 'the Records'). The Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the 'Statute') provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

11. **IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION.**

(a) **FEDERAL EMPLOYER IDENTIFICATION NUMBER and/or FEDERAL SOCIAL SECURITY NUMBER.** All invoices or New York State standard vouchers submitted for payment for the sale of goods or services or the lease of real or personal property to a New York State agency must include the payee's identification number, i.e., the seller's or lessor's identification number. The number is either the payee's Federal employer identification number or Federal social security number, or both such numbers when the payee has both such numbers. Failure to include this number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or New York State standard voucher, must give the reason or reasons why the payee does not have such number or numbers.

(b) **PRIVACY NOTIFICATION.**

(1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used

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for tax administration purposes and for any other purpose authorized by law.

(2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in New York State's Central Accounting System by the Director of Accounting Operations, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN. In accordance with Section 312 of the Executive Law, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;

(b) at the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the contractor's obligations herein; and

(c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of 'a', 'b', and 'c' above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the 'Work') except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State; or (iii) banking services, insurance policies or the sale of securities. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Governor's Office of Minority and Women's Business Development pertaining hereto.

13. CONFLICTING TERMS. In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

14. GOVERNING LAW. This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

15. LATE PAYMENT. Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

16. NO ARBITRATION. Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

17. SERVICE OF PROCESS. In addition to the methods of service allowed by the State Civil Practice Law & Rules ('CPLR'), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the

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State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

18. PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS. The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of State Finance Law '165. (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State. In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in '165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

19. MACBRIDE FAIR EMPLOYMENT PRINCIPLES. In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

20. OMNIBUS PROCUREMENT ACT OF 1992. It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts. Information on the availability of New York State subcontractors and suppliers is available from:
 NYS Department of Economic Development
 Division for Small Business
 30 South Pearl St – 7th Floor
 Albany, New York 12245
 Telephone: 518-292-5220
 Fax: 518-292-5884
<http://www.empire.state.ny.us>

A directory of certified minority and women-owned business enterprises is available from:
 NYS Department of Economic Development
 Division of Minority and Women's Business Development
 30 South Pearl St – 2nd Floor
 Albany, New York 12245
 Telephone: 518-292-5250
 Fax: 518-292-5803
<http://www.empire.state.ny.us>

The Omnibus Procurement Act of 1992 requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than \$1 million:

- (a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;
- (b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;
- (c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and
- (d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

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21. RECIPROCITY AND SANCTIONS PROVISIONS. Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 15, 2002, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii. Contact NYS Department of Economic Development for a current list of jurisdictions subject to this provision.

22. PURCHASES OF APPAREL. In accordance with State Finance Law 162 (4-a), the State shall not purchase any apparel from any vendor unable or unwilling to certify that: (i) such apparel was manufactured in compliance with all applicable labor and occupational safety laws, including, but not limited to, child labor laws, wage and hours laws and workplace safety laws, and (ii) vendor will supply, with its bid (or, if not a bid situation, prior to or at the time of signing a contract with the State), if known, the names and addresses of each subcontractor and a list of all manufacturing plants to be utilized by the bidder.

All Certified Assurances for federal programs, and DCJS Contract Appendices are also available online for download at <http://criminaljustice.state.ny.us/ofpa/forms.htm>. (rev)June, 2006

Certified by - on

Award Contract

Project No.

LG08-1377-D00

Grantee Name

Suffolk County

Legislative Initiatives

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09/12/2008

APPENDIX A1

AGENCY-SPECIFIC CLAUSES

1. For grant solicitations or direct grant awards announced before April 10, 2006, if this Agreement exceeds \$15,000, it shall not take effect until it is executed by the parties hereto and approved by the Attorney General and the Comptroller of the State of New York. If this Agreement is for \$15,000 or less, it shall not take effect until it is executed by both parties.

For grant solicitations or direct grant awards announced on or after April 10, 2006, if this Agreement exceeds \$50,000, it shall not take effect until it is executed by the parties hereto and approved by the Attorney General and the Comptroller of the State of New York. If this Agreement is for \$50,000 or less, it shall not take effect until it is executed by both parties.

2. This Agreement sets forth the entire understanding of the parties and may not be altered or amended except in writing and signed by the parties hereto. The parties agree, however, that DCJS may unilaterally amend only the following sections of the Budget Amendment/Grant Extension form (DCJS-55) to insure accuracy and completeness: identification of Federal Funds or State Funds; #1 Grantee Name, #2 County; #3 Contract No.; #4 Implementing Agency; #5 DCJS No.; #7 Project Title; #9 Date of Last Approved Request; #10 Contract Duration; and A. Approved Project Budget. DCJS shall initial such amendment(s) and shall provide Grantee with a copy of the corrected DCJS-55 that was unilaterally amended by DCJS.

3. The failure of a party to enforce a contractual obligation shall not eliminate the other party's obligation to perform such contractual obligation.

4. In the event that any provision of this Agreement is determined to be null and void, all remaining provisions shall continue to be in full force and effect.

5. The Grantee must notify DCJS in writing of any change in the number, title, job duties or rate of remuneration of project staff which changes the Personal Service Project Budget line by 10 percent or under. Any change in the number, title, job duties or rate of remuneration of project staff which changes the Project Budget line more than 10 percent must be approved in writing by DCJS prior to implementation. The Grantee agrees to provide DCJS with resumes and supporting documentation upon request.

6. The Grantee shall submit detailed itemization forms for personal service and fringe benefit expenditures, in a format determined by DCJS, with any voucher and Fiscal Cost Reports requesting payment for expenditures.

7. The Grantee must maintain specific documentation as support for project related personal service expenditures, depending upon whether this grant contract project is supported by State or Federal funds:

A. For State funded grants:

For all Grantee's staff whose salaries are paid in whole or in part from grant funds provided under this Agreement, the Grantee shall maintain a time recording system which shows the time devoted to the grant project. The system shall consist of time sheets, computerized workload distribution reports, or equivalent systems. The time devoted to grant activities must be determinable and verifiable by DCJS. If time sheets are used, each must be signed by the individual and certified by the individual's supervisor in a higher level position at the end of each time reporting period.

B. For Federally funded grants:

Depending upon the nature or extent of personal service provided under this Agreement, the Grantee shall maintain semi-annual (or more frequent) personal service certifications and/or an after-the-fact personnel activity reporting system (or equivalent) which complies with the requirements of the Federal Office of Management and Budget (OMB) Circulars A-21, A-87 or A-122, as applicable:

1. OMB Circular A-21 [Item J, General provisions for selected items of cost] identifies documentation required for educational institutions as support for grant project personnel costs.

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2. OMB Circular A-87 [Attachment B, Selected Items of Cost] identifies the documentation required for local government agencies as support for grant project personnel costs.

3. OMB Circular A-122 [Attachment B, Selected Items of Cost] identifies the documentation required for non-profit organizations as support for grant project personnel costs.

The most current version of these Federal OMB Circulars may be viewed on-line at: www.whitehouse.gov/omb/circulars.

The Grantee is to ensure full compliance with specific personal service documentation requirements of these OMB Circulars as applicable directly to the Grant recipient and to any sub-recipient (or collaborative agency/organization). Failure to do so may result in disallowance of costs upon audit.

8. Budget amendments are governed as follows:

A. The Grantee is not permitted to reallocate funds between Personal Service and Non-Personal Service budget categories without the prior written permission of DCJS.

B. A Grantee seeking to modify Non-Personal Service budget categories by more than 20 percent of the total funds budgeted in a category must secure the prior written permission of DCJS. A DCJS-55 setting forth the proposed amendment must be submitted to and approved by DCJS before the next voucher and/or fiscal cost report will be approved.

C. Prior approval by DCJS is not required for Non-Personal Service budget changes which are less than 20 percent. A DCJS-55 and a letter signed by the Chief Executive Officer or Fiscal Officer authorizing these changes must be submitted to DCJS with the next voucher or fiscal cost report submission.

9. Space rental provided by this Agreement must be supported by a written lease, maintained on file and made available by the Grantee upon request.

10. The Grantee's request for travel, meals or lodging reimbursement shall be in accordance with Appendix B, Budget, and, unless prior written authorization has been received from DCJS, shall not exceed rates authorized by the NYS Office of the State Comptroller.

11. The Grantee's employment of a consultant must be supported by a written agreement executed by the Grantee and the consultant. A consultant is defined as an individual or organization hired by the Grantee for the stated purpose of accomplishing a specific task relative to the funded project. A copy of the agreement must be submitted to DCJS with the appropriate voucher for payment. All consultant services must be obtained in a manner that provides for fair and open competition. The Grantee shall retain copies of all solicitations seeking a consultant, written agreements and documentation justifying the cost and selection of the consultant. The Grantee further agrees that it shall assume sole and complete responsibility for fulfilling all the obligations set forth in the Agreement and the Grantee must guarantee the work of the consultant as if it were its own.

A. The rate for a consultant should not exceed \$450 for an eight-hour day (not including travel and subsistence costs). A rate exceeding \$450 per eight-hour day requires prior written approval from DCJS and may be approved on a case-by-case basis where adequate justification is provided and expenses are reasonable and allowable.

B. In addition to the above requirements, a Grantee that is a local government or a not-for-profit must adhere to the following guidelines at a minimum when obtaining consultant services:

1. Consultant services that cost up to \$999 under this grant agreement can be obtained at the Grantee's discretion.

2. Consultant services that cost between \$1,000 and \$4,999 under this grant agreement must be supported by at least three telephone quotes and a record created of such quotes.

3. Consultant services that cost between \$5,000 and \$9,999 under this grant agreement must be supported by at least three written quotes on a vendor's stationery and a record created of competitive procurement process.

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4. A Grantee obtaining consultant services that cost in excess of \$10,000 must use a competitive bidding process. Guidance may be obtained from DCJS. At a minimum, the competitive bidding process must incorporate the following: open, fair advertisement of the opportunity to provide services; equal provision of information to all interested parties; reasonable deadlines; sealed bids opened at one time before a committee who will certify the process; establishment of the methodology for evaluating bids before the bids are opened; and maintenance of a record of competitive procurement process.

C. A Grantee who proposes to obtain consultant services from a particular vendor without competitive bidding, must obtain the prior written approval of DCJS. The request for approval must be in writing and set forth, at a minimum, a detailed justification for selection and basis upon which the price was determined to be reasonable. Further, such consultant services must be in accordance with the guidelines, bulletins and regulations of the NYS Office of the State Comptroller, State Procurement Council, and the U.S. Department of Justice. A copy of DCJS' approval must also be submitted with the voucher for payment.

D. Notwithstanding the provisions of this paragraph, the Parties agree that DCJS' prior written approval is not required for the employment of a consultant when such employment is secured in relationship to a criminal matter as an expert witness, consultant or investigator. The Parties agree that the employment shall be supported by a written agreement and that all requests for reimbursement shall be supported by documentation identifying the criminal matter involved, services provided, time commitment and schedule. Such agreement and documentation shall be submitted to DCJS with the appropriate voucher for payment.

12. All procurements, other than consultant services, shall be conducted in the following manner. Written justification and documentation for all procurements must be maintained on file and made available upon request. Detailed itemization forms for non-personal service expenditures, in a format determined by DCJS, shall accompany each voucher and Fiscal Cost Report requesting payment. All procurements must be made in a fair and open manner and in accordance with the pre-determined methodology established for evaluating bids (e.g., lowest responsive bidder or best value).

A) A Grantee that is a state entity must make all procurements in accordance with State Finance Law Article 11, and any other applicable regulations.

B) A Grantee that is a local government must make procurements in accordance with General Municipal Law Article 5-A and any other applicable regulations.

C) In addition, a Grantee that is a not-for-profit must also make all procurements as noted below:

1. If the Grantee is eligible to purchase an item or service from a government contract or is able to purchase such item or service elsewhere at a lower than or equal price, then such purchase may be made immediately.

2. A Grantee may purchase any single piece of equipment, single service or multiples of each that cost up to \$999 at its discretion.

3. Before purchasing any piece of equipment, service or multiples of each that have an aggregate cost between \$1,000 and \$4,999, a Grantee must secure at least three telephone quotes and create a record for audit of such quotes.

4. Before purchasing any piece of equipment, service or multiples of each that have an aggregate cost between \$5,000 and \$9,999, the Grantee must secure at least three written quotes on a vendor's stationery and maintain a record of the competitive procurement process for audit purposes.

5. A Grantee spending in aggregate of \$10,000 and above must use a competitive bidding process. Guidance may be obtained from DCJS. At a minimum, the competitive bidding process must incorporate the following: open, fair advertisement of the opportunity to provide services; equal provision of information to all interested parties; reasonable deadlines; sealed bids opened at one time before a committee who will certify the process; establishment of the methodology for evaluating bids before the bids are opened; and maintenance of a record of competitive procurement process.

6. A Grantee who proposes to purchase from a particular vendor without competitive bidding must obtain the

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prior written approval of DCJS. The request for approval must be in writing and set forth, at a minimum, a detailed justification for selection and the basis upon which the price was determined to be reasonable. Further, such procurement must be in accordance with the guidelines, bulletins and regulations of the NYS Office of the State Comptroller, State Procurement Council, and the U.S. Department of Justice. A copy of DCJS' approval must also be submitted with the voucher for payment.

13. Applicable equipment purchased with funds provided by this Agreement as listed in Appendix B, Budget, shall be assigned a unique inventory number. The Grantee shall list all applicable equipment purchased with such funds in the GMS Property Module and print and submit such reports to DCJS/BJF program representatives with the final program progress report or sooner. Alternatively, the Grantee may use the Equipment Inventory reports prescribed by DCJS to list equipment purchases and submit them to DCJS via postal service. Items of equipment costing less than \$500 do not need to be reported on the Equipment Inventory Reports although the Grantee is encouraged to maintain an internal inventory for audit purposes. Upon completion of all contractual requirements by the Grantee, DCJS will consider a request for continued use and possession of the equipment purchased with grant funds provided the equipment continues to be used in conducting a criminal justice program.

14. Grant funds may be expended only for purposes and activities set forth in this Agreement. Accordingly, the most important single requirement of accounting for this grant is the complete and accurate documentation of grant expenditures. If the Grantee receives funding from two or more sources, all necessary steps must be taken to ensure that grant-related transactions are not commingled. This includes, but is not limited to, the establishment of unique budget codes, a separate cost center, or a separate chart of accounts. Expenditures must be cross-referenced to supporting source documents (purchase orders, contracts, real estate leases, invoices, vouchers, timesheets, mileage logs, etc.). Grantee agrees it shall maintain adequate internal controls and adhere to Generally Accepted Accounting Principles for Government or Generally Accepted Accounting Principles for Not-for-Profit Organizations.

This Agreement may be subject to a fiscal audit by DCJS to ascertain financial compliance with Federal and/or State laws, regulations, and guidelines applicable to this Agreement. Such audits may include review of the Grantee's accounting, financial, and reporting practices to determine compliance with the Agreement and reporting requirements; maintenance of accurate and reliable original accounting records in accordance with governmental accounting standards as well as generally accepted accounting principles; and specific compliance with allowable cost and expenditure documentation standards prescribed by applicable Federal, State, and DCJS guidelines.

15. Where advance payments are approved by DCJS, the Grantee agrees to expend the advance payments in accordance with the purposes set forth in Appendix D (Special Conditions) and consistent with Appendix B (Budget).

16. DCJS reserves the right to suspend program funds if the Grantee is found to be in noncompliance with the provisions of this Agreement or other grant agreements between the Grantee and DCJS or, if the Grantee or principals of the Grantee are under investigation by a New York State or local law enforcement agency for noncompliance with State or Federal laws or regulatory provisions or, if in DCJS' judgment, the services provided by the Grantee under the Agreement are unsatisfactory or untimely. DCJS shall provide the Grantee with written notice of noncompliance. Upon the Grantee's failure to correct or comply with the written notice by DCJS, DCJS reserves the right to terminate this Agreement, recoup funds and recover any assets purchased with the proceeds of this Agreement. DCJS reserves the right to use approved grant related expenditures to offset disallowed expenditures from any grant funded through its offices upon issuance of a final audit report and appropriate notification to the Grantee, or upon reasonable assurance that the Grantee is not in compliance with Agreement terms.

17. The Grantee agrees, as a material condition of the Agreement, to comply with all applicable provisions of the Hatch Act (5 U.S.C. "1501 et seq.) as amended.

18. Program income earned by the Grantee during the funding period as a direct result of the grant award must be reported in writing to DCJS, in addition to any other statutory reporting requirements. This includes income received from seized and forfeited assets and cash, as well as: sale of grant purchased property; royalties; fees for services; and registration/tuition fees. Interest earned on grant funds is not program income unless specified in Appendix D. The Grantee agrees to report the receipt and expenditures of grant program income to DCJS. All income, including interest, generated by the use of these grant funds will be used to enhance the grant project.

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19. If applicable, the Grantee agrees to obtain not-for-profit status, a federal identification number, and a charitable registration number (or a declaration of exemption) and to furnish DCJS with this information as soon as it is available.

20. Unless otherwise specified, in accordance with the State Finance Law, the availability of all State funds for liabilities already incurred thereunder shall cease on September 15th of the year following the fiscal year in which the funds were appropriated, unless such funds are reappropriated by the New York State Legislature. To ensure payment, vouchers must be received by DCJS by August 1st of the year following the fiscal year in which the funds were appropriated.

21. The Grantee will submit program progress reports and one final report to DCJS via the GMS system and additional information or amended data as required.

A. Program progress reports will be due within 45 days of the last day of each calendar quarter or on an alternate schedule as prescribed in Appendix D. The first program progress report will be due within 45 days of the last day of the calendar quarter from the start date of the program.

Program progress reports thereafter will continue to be made until such time as the funds subject to this Agreement are no longer available, have been accounted for, and/or throughout the Agreement period or project duration.

Calendar quarters, for the purposes of making program progress reports, shall be as follows:

Calendar Quarter

Report Due

January 1 - March 31

May 15

April 1 - June 30

August 15

July 1 - September 30

November 15

October 1 - December 31

February 15

B. The final report, or where applicable interim progress reports, will summarize the project's achievements as well as describe activities for that quarter.

22. If for any reason the State of New York or the federal government terminates its appropriation through DCJS or fails to pay the full amount of the allocation for the operation of this program, this Agreement may be terminated or reduced at the discretion of DCJS, provided that no such reduction or termination shall apply to allowable costs already incurred by the Grantee where funds are available to DCJS for payment of such costs. Upon termination or reduction of the Agreement, all remaining funds paid to the Grantee that are not subject to allowable costs already incurred by the Grantee shall be returned to DCJS. In any event, no liability shall be incurred by DCJS or by the State of New York beyond monies available for the purposes of this Agreement. The Grantee acknowledges that any funds due to DCJS because of disallowed expenditures after audit shall be its responsibility.

23. If Appendix B, Program Budget, makes provisions for overtime payment, the Grantee agrees to submit vouchers for such payment of overtime charges within 45 days after the last day of the quarter for the reporting period. The Grantee further agrees to limit overtime earnings to no more than 25 percent (25%) of the employee's annual personnel cost (salary plus fringe benefits) during the term of this Agreement. No reimbursements for overtime charges in excess of this 25 percent (25%) limit will be made unless prior written approval has been obtained from DCJS.

24. None of the goals, objectives or tasks set forth in Appendix D shall be subawarded to another organization without specific prior written approval by DCJS. Where the intention to make subawards is clearly indicated in the application, DCJS' approval is deemed given, if these activities are funded as proposed.

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If this Agreement makes provisions for the Grantee to subgrant funds to other recipients, the Grantee agrees that all subgrantees shall be held accountable by the Grantee for all terms and conditions set forth in this Agreement. The Grantee further agrees that it shall assume sole and complete responsibility for fulfilling all the obligations set forth in the Agreement and the Grantee must guarantee the work of any subgrantee as if it were its own.

The Grantee agrees that all subgrantee arrangements shall be formalized in writing between the parties involved. The writing must, at a minimum, include the following information:

- Activities to be performed;
- Time schedule;
- Project policies;
- Other policies and procedures to be followed;
- Dollar limitation of the Agreement;
- Appendix A, Appendix A-1, Appendix C, Certified Assurances for Federally Supported Projects, Certification Regarding Lobbying, Debarment and Suspension and any special conditions set forth in the Agreement; and
- Applicable Federal and/or State cost principles to be used in determining allowable costs.

The Grantee will not be reimbursed for subgranted funds unless all expenditures by a subgrantee are listed on certification forms. Backup documentation for such expenditures must be made available upon request. All expenditures must be programmatically consistent with the goals and objectives of this Agreement and with the financial plan set forth in Appendix B.

25. Federal Funds

A. In accordance with Federal requirements, a Grantee which receives during its fiscal year \$500,000 or more of Federal funds (including pass-through and direct) from all sources, including this Agreement, must agree to have an independent audit of such Federal funds conducted in accordance with the Federal Office of Management and Budget (OMB) Circular A-133. OMB Circular A-133 further requires that the final report for such audit be completed within nine months of the end of the Grantee's fiscal year. The Grantee further agrees to provide one copy of such audit report(s) to DCJS within nine months of the end of its fiscal year(s).

B. In accordance with Federal requirements, a Grantee receiving Federal pass-through funds must also agree to comply with the terms and conditions of any and all applicable Federal OMB Circulars. For the convenience of the Grantee, the following OMB circulars are noted as the most common applicable to federal funds passed through DCJS:

- OMB Circular A 21, Cost Principles for Educational Institutions;
- OMB Circular A 87, Cost Principles for State, Local and Indian Tribal Governments;
- OMB Circular A 102, Grants and Cooperative Agreements With State and Local Governments;
- OMB Circular A 110, Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals and Other Non Profit Organizations; and
- OMB Circular A 122, Cost Principles for Non Profit Organizations.

The Parties agree that, dependent upon the status of the Grantee, additional circulars may also be applicable. The most current version of all Federal OMB Circulars may be viewed on-line at: www.whitehouse.gov/omb/circulars.

The Grantee is to ensure full compliance with all cost documentation requirements of OMB Circulars as applicable directly to the Grant recipient and to any sub-recipient (or collaborative agency/organization). Failure to do so may result in disallowance of costs upon audit.

26. Any creative or literary work developed or commissioned by the Grantee with grant support provided by DCJS shall become the property of DCJS, entitling DCJS to assert a copyright therein, unless the parties have expressly agreed otherwise in a written instrument signed by them.

A. If DCJS shares its right to copyright such work with the Grantee, DCJS reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use: (a) the copyright in any work developed under a grant, subgrant, or contract under a grant or subgrant; and (b) any rights of copyright to which a Grantee, Subgrantee, or a Contractor purchases ownership with grant support.

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B. If the grant support provided by DCJS is federally sponsored, the federal awarding agency also reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use: (a) the copyright in any work developed under a grant, subgrant or contract under a grant or subgrant; and (b) any rights of copyright to which a Grantee, Subgrantee, or a Contractor purchases ownership with such grant support.

C. The Grantee shall submit one copy of all reports and publications resulting from this Agreement to DCJS. Any publications must contain the following statement, in visible print, of any document generated pursuant to a grant administered by DCJS:

This project was supported by a grant administered by the New York State Division of Criminal Justice Services. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the Division of Criminal Justice Services.

27. Original records must be retained for six years following the submission of the final claim against this Agreement. In the event of a fiscal audit, the project manager or a designated responsible party must be prepared to produce source documents that substantiate claimed expenditures. DCJS requires that all documentation materials be organized, readily accessible, and cross-referenced to the Fiscal Cost Reports previously submitted. If fiscal records, such as purchase orders, vouchers, payroll registers, payroll tax records, etc., are to be kept in a fiscal office which is separate and apart from the program office, the project manager must have access to these original records. Such fiscal records must readily identify the associated project. In addition, a separate set of records must be retained for each project year.

28. Grant-related expenditures shall be reported on Fiscal Cost Reports and detailed itemization forms provided by DCJS. These reports must be prepared periodically as defined in Appendix C of this Agreement. All reported expenditures must reconcile to the program accounting records. Prior period adjustments shall be reported in the same accounting period that the correction was made.

Certified by - on

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Legislative Initiatives

Award Contract

Project No.
LG08-1377-D00

Grantee Name
Suffolk County

09/12/2008

Budget Summary by Participant

Suffolk County
Suffolk County District Attorney - Version 1

#	Personnel	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	Assistant District Attorneys	7	\$2,500.00	\$17,500.00	\$17,500.00	\$0.00
2	Assistant District Attorneys	87	\$2,000.00	\$174,000.00	\$174,000.00	\$0.00
3	Assistant District Attorney	1	\$1,884.00	\$1,884.00	\$1,884.00	\$0.00
Total				\$193,384.00	\$193,384.00	\$0.00

Total Project Costs	Total Cost	Grant Funds	Matching Funds
	\$193,384.00	\$193,384.00	\$0.00

Total Contract Costs	Total Cost	Grant Funds	Matching Funds
	\$193,384.00	\$193,384.00	\$0.00

Award Contract**Legislative Initiatives****Project No.****Grantee Name**

LG08-1377-D00

Suffolk County

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09/12/2008

04/01/03 APPENDIX C

PAYMENT AND REPORTING SCHEDULE

NOTE: Additional payment provisions associated with the schedule(s) below are detailed in Appendix A-1.

For All Grantees:

1. The Grantee agrees that this is a reimbursement-based contract; an advance may be provided through Appendix D. All requests for reimbursement must reflect actual costs that have been disbursed or items received by the Grantee. A purchase order issued without receipt of the items or service is not eligible for reimbursement.
2. Grantees must submit all required fiscal reports, supporting documentation and program progress reports. Failure to meet these requirements will result in the rejection of associated vouchers. Failure to submit the final program report, or interim progress report designated as the final report, may result in a disallowance of 25 percent (25%) of the grant amount. The Grantee must also refund all unexpended advances. (See item three below.) Final vouchers, reimbursement payment and reports must be submitted within 45 days of the end of the grant contract period. Failure to voucher within this period may result in the loss of grant funds.
3. If at the end of this grant contract there remains any unexpended balance of the monies advanced under this contract in the possession of the Grantee, the Grantee shall submit a certified check or money order for the unexpended balance payable to the order of the State of New York and return it to the Finance Office of DCJS with its final fiscal cost report within 45 days of termination of this grant contract.
4. Vouchers shall be submitted in a format acceptable to DCJS and the Office of the State Comptroller. Vouchers submitted for payment shall be deemed to be a certification that the payments requested are for project expenditures made in accordance with the items as contained in the Project Budget (Appendix B) and during the contract period. When submitting a voucher, such voucher shall also be deemed to certify that: a) the payments requested do not duplicate reimbursement from other sources of funding; and b) the funds provided herein do not replace funds that, in the absence of this grant, would have been made available by the Grantee for this program. Requirement b) does not apply to Legislative sponsored State grants.
5. For purposes of prompt payment provisions, the Designated Payment Office for the processing of all vouchers is the Finance Office of DCJS. Payment of grant vouchers shall be made in accordance with the provisions of Article XI-A of the State Finance Law. Payment shall be preceded by an inspection period of 15 business days which shall be excluded from calculations of the payment due date for purposes of determining eligibility for interest payments. The Grantee must notify the Finance Office in writing of a change of address in order to benefit from the prompt payment provision of the State Finance Law. When progress reports are overdue, vouchers will not be eligible for prompt payment.
6. Timely and properly completed New York State vouchers, with supporting documentation when required, shall be submitted to:

NYS Division of Criminal Justice Services
 Finance Office
 4 Tower Place
 Albany, NY 12203-3764

Payment schedules and payment method provisions are outlined on page 2 of this Appendix.

6. Payment Schedule

PAYMENT PAYMENT DUE DATE 1 Pending appropriation, 30 days after commencement date of contract with proper documentation or upon receipt of proper documentation, whichever is later. 2-4 Quarterly
 A not-for-profit Grantee operating on a multi-year contract may voucher for an optional fifth quarter advance against the succeeding year's appropriation, pursuant to NYS Finance Law, Section 179-u.

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All submitted vouchers will reflect the Grantee's actual expenditures and will be accompanied by supporting detailed itemizations of personal service and non-personal service expenditures and other documentation as required, and by a fiscal cost report for the reporting period. DCJS reserves the right not to release subsequent grant awards pending Grantee compliance with this Agreement. In the event that any expenditure for which the Grantee has been reimbursed by grant funds is subsequently disallowed, DCJS in its sole discretion, may reduce the voucher payment by the amount disallowed. If necessary, the Grantee may be required to submit a final budget reallocation. Fiscal cost reports must be submitted showing grant expenditures and/or obligations for each quarter of the grant within 45 days after the last day of the quarter for the reporting period.

Advance payments shall be permitted as specified in Appendix A-1, and in the amount specified in Appendix D.

Payment requests need to include the following documents as required:

- Detailed Itemization of Personal Service Expenditures
- Detailed Itemization of Non-Personal Service Expenditures
- Detailed Itemization of Consultant Expenditures
- Expert witness agreement and supporting documentation
- Voucher and Fiscal Cost Report signed
- Written documentation of all required DCJS prior approvals as follows:
 - DCJS approval of non-competitive consultant.
 - DCJS approval of non-competitive vendor for services.
 - DCJS approval of consultant services reimbursement greater than \$450 per eight hour day.
 - DCJS approval of change to Personal Services by more than 10 percent.
 - DCJS approval to exceed NYS Office of the State Comptroller travel, meals and lodging rates.
 - DCJS approval to subaward to another organization.
 - DCJS approval for overtime payments exceeding 25 percent of an employee=s annual personnel cost.
 - DCJS approval to modify Non Personal Services budget categories by more than 20 percent.
 - DCJS approval to reallocate funds between Personal Services and Non Personal Services.

All Certified Assurances for federal programs, and DCJS Contract Appendices are also available online for download at <http://criminaljustice.state.ny.us/ofpa/forms.htm>.

Certified by - on

1919

Award Contract

Legislative Initiatives

Project No.

Grantee Name

LG08-1377-D00

Suffolk County

09/12/2008

Work Plan

Goal

To continue the retention of experienced and talented attorneys within the Suffolk County District Attorney's Office to ensure that the quality of service to the public by the District Attorney's Office remains at its highest standard.

Objective #1

To acknowledge and reward the Assistant District Attorneys for their dedication and commitment to the demands of the District Attorney's Office.

Task #1 for Objective #1

To compensate Assistant District Attorneys for their continued hard work and dedication.

Performance Measure

- 1 1. Number of bonuses provided. 2. Number of attorneys retained.

Award Contract

Legislative Initiatives

Project No.

Grantee Name

1419

LG08-1377-D00

Suffolk County

09/12/2008

Award Conditions

Upon approval of this grant by the Office of the State Comptroller, or DCJS for "T" contract only, the Grantee is authorized to initially voucher for advance payment of those prospective expenses previously approved by DCJS not to exceed \$0.00 from the total contracted amount. Consistent with paragraph 15 of Appendix A-1 of this grant contract, vouchers for advance payments for the purchase of equipment and supplies must be supported by a copy of the purchase order.

General Conditions**Special Conditions**

Grantee agrees that if the project is not operational within 60 days of the original starting date of the grant period, it will report by letter to OPDF the steps taken to initiate the project, the reasons for delay, and the expected starting date. If the project is not operational within 90 days of the original starting date of the grant period, the Grantee will submit a second statement of OPDF explaining the delay. The State may either cancel the project and redistribute the funds or extend the implementation date of the project beyond the 90-day period when warranted by extenuating circumstances.

The State will not be liable for payments pursuant to any contract, grant or agreement made pursuant to an appropriation in any account of this fund if insufficient monies are available for transfer to such account of this fund after required transfers pursuant to section 99-d(3) of the State Finance Law.

Grantee will provide written certification (in a form prescribed by DCJS) of time spent by each employee on the grant and maintain a system of time sheets. Time sheets will be signed by the individual and countersigned by the supervisor in a higher level position at the end of each payroll period.

Although paragraph 21 of Appendix A1 requires four (4) quarterly progress reports, for purposes of this grant award, grantees should submit progress reports as follows: Four (4) progress reports for contracts of \$100,000 or more Two (2) progress reports for contracts between \$1 and \$99,999 Notwithstanding paragraph 21 of Appendix A1 of this Agreement, the Grantee is only required to submit one program progress report to DCJS/OPDF under the Agreement when the Grantee is a municipality and the purchase of equipment is the only task. The progress report, which will be considered a final, must describe the purchase process, delivery, installation and use of the equipment for which funding is provided pursuant to this grant award Agreement. The Report must be accompanied by a signed certification from the head of the Grantee Agency that the future use of the equipment will be consistent with the intended purpose of the State grant award. The Final (Equipment Only) Report should also be accompanied by a DCJS Equipment Inventory Report, a State Aid Voucher for the balance of grant funding due for the purchase of the equipment, and a final Fiscal Cost Report (FCR) with supporting documentation reporting total related expenditures of the grant funded project, according to terms of this Agreement.

Notwithstanding paragraph 20 of Appendix A1, appropriations in the Community Projects Fund lapse on September 15 following the end of the fiscal year, and are available for the payment of liabilities incurred until that date. To insure payment, vouchers must be received by DCJS/OPDF by August 15th of the year following the fiscal year in which funds were appropriated.

Grantee agrees that these funds will be used to supplement and not supplant existing funds and services. This contract may be extended, increased, decreased, terminated, renewed, amended or renegotiated at the discretion of the Commissioner of the Division of Criminal Justice Services.

The following condition will apply to contracts between two New York State governmental entities: This is an agreement between two New York State governmental entities, and as such the provisions contained herein with respect to grants are applicable only to the extent that the provisions would otherwise be applicable between New York State governmental entities.

Strategy Special Conditions: Grantee agrees that if funding is being provided for the implementation of any DCJS crime reduction strategies including, but not limited to Operation IMPACT; Youth Violence Reduction; DNA Evidence Collection; Road to Recovery or Re-Entry, that the implementing agency will develop a formal interactive relationship with those other strategy initiatives in the county.

Participating law enforcement agencies that are funded by DCJS to conduct drug, firearms or vehicle theft or

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vehicle related insurance fraud investigations shall register with SAFETNet. Participation in SAFETNet obligates the registered agency to submit information regarding persons or addresses under active investigation in accordance with SAFETNet standard operating procedures. In addition, the agency agrees to participate in the Upstate New York Regional Intelligence Center (UNYRIC) or the New York/New Jersey High Intensity Drug Trafficking Area Regional Intelligence Center (NY/NJ HIDTA RIC) as appropriate.

Participating grantees agree to submit information through NYSPIN on guns seized, recovered, or found. "GGUN" submissions for crime guns will be automatically forwarded to the NYSP Crime Gun ClearingHouse and ATF.

All criminal justice information management software which grantee may purchase or develop with funds provided under the terms of this agreement must conform to established New York State Criminal Justice Data Standards as documented in the most current version of the New York Statewide Criminal Justice Data Dictionary. In addition, all such information management software purchased or developed with funds provided under the terms of this agreement must conform to statewide standards for the collection, processing and reporting of criminal justice information as documented in the New York State Standard Practices Manual for the Processing of Fingerprintable Criminal Cases. The latest versions of both documents referenced above can be accessed at the DCJS web site or obtained by calling the DCJS Customer Contact Center at 800-262-3257.

Grantee shall enroll as a user of eJusticeNY and make use of the eJusticeNY suite of services as applicable.

Law enforcement agencies must submit full UCR Part 1 crime reports, including supplemental homicide reports, to DCJS by 30 days following the end of the month. These monthly reports may be submitted either under the Uniform Crime Reporting System (UCR) or under the Incident Based Reporting Program (IBR). Quick Reports will not be accepted. Failure to submit this information may result in grant funds being withheld.

Participating police departments receiving IMPACT funds will submit monthly progress reports within 30 days following the end of each month. Said monthly reports will include the number of shooting incidents involving injury, the number of shooting victims, the number of individuals killed by gun violence, the number of firearms recovered, and the number of firearms submitted to the lab for entry into NIBIN.

Award Contract

Legislative Initiatives

Project No.

Grantee Name

1919

LG08-1377-D00

Suffolk County

09/12/2008

Suffolk County Indemnification Clause: NOTWITHSTANDING STATE OF NEW YORK AGREEMENT, sections I.F. and IV.A: The State and Contractor agree that Contractor is an independent contractor, and not an employee of the State. If the Contractor enters into subcontracts for the performance of work pursuant to this Agreement, the Contractor shall be solely responsible to the State for performance, whether the work is performed by the Contractor or its subcontractors. Nothing in the subcontract shall impair the rights of the State under this Agreement. No contractual relationship shall be deemed to exist between any subcontractor and the State. Nothing in this Agreement shall impair any right of contribution or indemnification that the Contractor may have against any subcontractor or other third party. To the extent permitted by law, the Contractor shall defend, indemnify and hold harmless the State and federal funding agency, and their respective officers, agents and employees from and against all claims, costs (including reasonable attorney's fees), judgments, liens, encumbrances, losses and liabilities arising out of the intentional acts (within the scope of the employee's duties) or negligent acts or omissions of the Contractor relating to or in any way arising out of the provision of services pursuant to this Agreement.

Certified by - on

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AMENDING THE SUFFOLK COUNTY CLASSIFICATION AND SALARY PLAN IN CONNECTION WITH A NEW POSITION TITLE IN THE POLICE DEPARTMENT (HELICOPTER MECHANIC SUPERVISOR)

WHEREAS, the Department of Civil Service/Human Resources has completed a review of the helicopter maintenance unit; and

WHEREAS, on the basis of this review they have determined that the new title of Helicopter Mechanic Supervisor be created; and

WHEREAS, there are sufficient unexpended and uncommitted funds in the Police Department budget to cover the cost; now, therefore be it

1st RESOLVED, that the Suffolk County Classification and Salary Plan and the Police Department operating budget be and they are hereby amended as follows:

ADDITION TO CLASSIFICATION AND SALARY PLAN

Table with 5 columns: Spec No., JC, Position Title, Grade, BU. Row 1: 7169, P(NC), Helicopter Mechanic Supervisor, 25, 06

AMENDMENTS TO OPERATING BUDGET

ADDITION

Table with 6 columns: Position No., Spec No., JC, Position Title, Grade, BU. Row 1: 01-3120-2000-3060, 7169, P(NC), Helicopter Mechanic Supervisor, 25, 06

DELETION

Table with 6 columns: Position No., Spec No., JC, Position Title, Grade, BU. Row 1: 01-3120-1000-0916, 0164, C, Police Operations Aide, 11, 02

and be it further

2nd RESOLVED, that the provisions of the within resolution shall take effect within the first pay period immediately succeeding its adoption.

DATED:

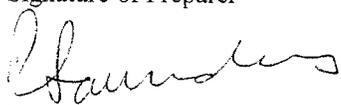
APPROVED BY:

County Executive of Suffolk County

Date of Approval:

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STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
AMENDING THE SUFFOLK COUNTY CLASSIFICATION AND SALARY PLAN IN CONNECTION WITH A NEW POSITION TITLE IN THE POLICE DEPARTMENT (HELICOPTER MECHANIC SUPERVISOR)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes No <u>XX</u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
Funding is available in the Police Department 2008 Operating Budget		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
THE RESOLUTION IS EFFECTIVE UPON ADOPTION.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst		10-2-08

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1920

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

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

COUNTY OF SUFFOLK



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STEVE LEVY

SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF CIVIL SERVICE/HUMAN RESOURCES
NORTH COUNTY COMPLEX BLDG. 158
P. O. Box 6100
HAUPPAUGE, NY 11788-0099
(631) 853-5500
FAX (631) 853-6305

ALAN SCHNEIDER
PERSONNEL DIRECTOR

interoffice memorandum

TO: Ben Zwirn, Assistant Deputy County Executive
FROM: Cynthia DiStefano, Director of Classification
DATE: September 22, 2008
RE: New Title Request

~~~~~  
A draft of a Resolution to amend the Classification and Salary Plan to add the new title of Helicopter Mechanic Supervisor to the Classification and Salary Plan is attached. We have determined that there is a need for a position to supervise the helicopter repair unit and handle administrative paperwork that is now done by the Helicopter Mechanics themselves thereby taking them away from actual repair work. The Resolution includes creation of a Helicopter Mechanic Supervisor position and deletes a Police Operations Aide position.

Please initiate this resolution to amend the Classification and Salary Plan and the Department's operating budget. A draft of our proposed specification for the title is attached for your reference.

An e-mail version of the Resolution has been sent to CE RESO REVIEW saved under the title "Reso-PD-Helicopter Mech Sup title 9-08."

Attachment

cc: Jim Morgo, Chief Deputy County Executive  
Jeff Szabo, Deputy County Executive – Administration  
Roger Shannon, Deputy Police Commissioner  
Jeffrey Tempera, Director of Labor Relations

HELICOPTER MECHANIC SUPERVISOR

DISTINGUISHING FEATURES OF THE CLASS

Under supervision, an employee in this class supervises the performance of specialized mechanical duties involving the inspection, maintenance and repair of helicopters operated by a municipal or County department and oversees the grounding of unsafe aircraft. The incumbent exercises independent judgment concerning the supervision of preventative maintenance and corrective repair methods and ensures that maintenance is in accordance with Federal Aviation Administration regulations. Work is reviewed by an administrative supervisor through conferences and test of work performed. Does related work as required.

TYPICAL WORK ACTIVITIES

- Supervises the work of Helicopter Mechanics assigned to a municipal or County department;
- Supervises inspection of helicopters before flight and at regular intervals to determine whether the aircraft is in proper flying condition; recommends the aircraft be grounded until corrective repairs are completed if justified;
- Supervises repair of helicopter engines and transmissions, disassembly and overhaul of main rotor blade systems, tail rotor systems, electrical systems and related component parts;
- May accompany pilot on flight to determine service needs and maintenance requirements;
- May accompany pilot on test flights after supervision of major repairs and modifications and adjusts repaired equipment during and after flights;
- Oversees the production of maintenance and repair work records, and of hours in service to insure major engine overhaul at intervals recommended by the Federal Aviation Administration;
- Makes sure all maintenance work is done in accordance with applicable federal regulations;
- Maintains all aircraft log books, manuals, and pertinent regulatory information;
- Maintains spares inventory, ordering necessary parts from vendors when necessary;
- Uses computer-based maintenance software to track and record maintenance functions and parts inventory;
- Coordinates maintenance of ground support equipment, such as tractors and tugs, with the Suffolk County Department of Public Works;
- Performs emergency maintenance of department's helicopters;
- Attends manufacturer and other training courses at various locations.

FULL PERFORMANCE KNOWLEDGES, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS

Thorough knowledge of the methods, materials and tools used in helicopter maintenance work; thorough knowledge of the operating and repair characteristics of helicopter engines, component parts and airframes; thorough knowledge of the occupational hazards and safety precautions of the work; thorough knowledge of Parts 91 and 135 of Federal Aviation Administration regulations relating to the operation and maintenance of helicopters; skill in the use of tools, machines and testing instruments regularly used to maintain and service helicopters; ability to diagnose and make corrective repairs on helicopter engines, hydraulic and electrical systems, transmissions and airframe assemblies; ability to read, interpret and work from helicopter blueprints, diagrams and manuals; ability to maintain records of all maintenance and repair work and hours in service; ability to supervise the work of others in a manner conducive to full performance and high morale; ability to express oneself clearly and concisely, both orally and in writing; physical condition commensurate with the demands of the position.

MINIMUM QUALIFICATIONS

OPEN-COMPETITIVE

Either:

- (a) Graduation from a standard senior high school, vocational school or possession of a high school equivalency diploma, which includes or is supplemented by one (1) year of comprehensive training in aircraft maintenance, and (5) years of experience in the servicing

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HELICOPTER MECHANIC SUPERVISOR

7169

- and repairing of turbine powered helicopters, of which (3) three years must have included supervising aviation maintenance services and one (1) year must have been in the capacity of approving aircraft for return to service; or,
- (b) Graduation from a standard senior high school, vocational school or possession of a high school equivalency diploma, which includes or is supplemented by one (1) year of comprehensive training in aircraft maintenance, and seven (7) years of experience in the servicing and repairing of turbine-powered aircraft for a certified airframe repair station, of which (3) three years must have included supervising aviation maintenance services and (1) year must have been in the capacity of approving aircraft for return to service; or,
  - (c) Two years of experience as a Helicopter Mechanic.

SPECIAL NOTE: Three (3) years of qualifying experience as defined in (a) and (b), including the one (1) year of approving aircraft for return to service, must have been gained within the last six (6) years.

NECESSARY SPECIAL REQUIREMENT

Candidate must possess at the time of appointment, a Federal Aviation Administration license as an airframe and power plant mechanic with no history of suspension or revocation during the past five (5) years and a Federal Aviation Administration Inspection Authorization Certificate. This license and certification must be maintained throughout employment in this position.

Candidates must possess the appropriate New York State driver's license, and maintain such license throughout employment in this title.

9/3/08  
SUFFOLK COUNTY  
Pending (Non-Competitive)

1921

10/14/08

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

**RESOLUTION NO. -2008, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO WATER SUPPLY SYSTEMS IN COUNTY PARKS (CP 7184)**

**WHEREAS**, the Commissioner of Parks, Recreation and Conservation has requested funds for planning and construction for improvements to the water supply systems in County Parks; and

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

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

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$250,000 in Suffolk County Serial Bonds; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being lead agency under the State Environmental Quality Review Act (SEQRA) Environmental Conservation Law, Article 8, hereby finds and determines that this law constitutes a Type II action under the provisions of Title 6 NYCRR 617.5 (c), (2), "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes," and Part 617.5 (c), (11), "extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list", and the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of thirty-eight (38), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

**3<sup>rd</sup> RESOLVED**, that the proceeds of \$250,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

| <u>Project No.</u>                          | <u>J.C.</u> | <u>Project Title</u>                                    | <u>Amount</u> |
|---------------------------------------------|-------------|---------------------------------------------------------|---------------|
| 525-CAP-7184.110<br>(Fund 001 Debt Service) | 26          | Improvements to Water<br>Supply Systems in County Parks | \$25,000      |
| 525-CAP-7184.311<br>(Fund 001 Debt Service) | 26          | Improvements to Water<br>Supply Systems in County Parks | \$225,000     |

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County  
Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1921

|                                                                                                                                                                                                                   |                                                                                      |                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|----------------------|
| 1. Type of Legislation                                                                                                                                                                                            |                                                                                      |                      |
| Resolution <u>  X  </u> Local Law _____                      Charter Law _____                                                                                                                                    |                                                                                      |                      |
| 2. Title of Proposed Legislation<br><b>RESOLUTION NO. -2008, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO WATER SUPPLY SYSTEMS IN COUNTY PARKS (CP 7184)</b>                                            |                                                                                      |                      |
| 3. Purpose of Proposed Legislation<br><br>SEE NO. 2 ABOVE                                                                                                                                                         |                                                                                      |                      |
| 4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No _____                                                                                                             |                                                                                      |                      |
| 5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)                                                                                                   |                                                                                      |                      |
| <u>County</u>                                                                                                                                                                                                     | Town                                                                                 | Economic Impact      |
| Village                                                                                                                                                                                                           | School District                                                                      | Other (Specify):     |
| Library District                                                                                                                                                                                                  | Fire District                                                                        |                      |
| 6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact<br><br>SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS. |                                                                                      |                      |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.<br><br>SEE ATTACHED DEBT SERVICE SCHEDULE.                                                                       |                                                                                      |                      |
| 8. Proposed Source of Funding<br><br>SERIAL BONDS                                                                                                                                                                 |                                                                                      |                      |
| 9. Timing of Impact<br><br>2009                                                                                                                                                                                   |                                                                                      |                      |
| 10. Typed Name & Title of Preparer                                                                                                                                                                                | 11. Signature of Preparer                                                            | 12. Date             |
| Nicholas Paglia<br>Executive Technician                                                                                                                                                                           |  | September 30th, 2008 |

SCIN FORM 175b (10/95)

FINANCIAL IMPACT  
2009 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1421

GENERAL FUND

|       | 2009<br>PROPERTY TAX LEVY | 2009<br>COST TO AVG TAXPAYER | 2009 AV TAX<br>RATE PER \$100 | 2009 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | <b>\$18,621</b>           | <b>\$0.03</b>                |                               | \$0.000                         |

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

|       | 2009<br>PROPERTY TAX LEVY | 2009<br>COST TO AVG TAXPAYER | 2009 AV TAX<br>RATE PER \$100 | 2009 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | <b>\$18,621</b>           | <b>\$0.03</b>                |                               | \$0.000                         |

NOTES:

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

Suffolk County  
**Project Name**  
 General Obligation Serial Bonds  
 Level Debt

1921

Term of Bonds: 20  
 Amount to Bond: \$250,000

| Date      | Coupon | Principal    | Interest     | Total Debt Service | Fiscal Debt Service |
|-----------|--------|--------------|--------------|--------------------|---------------------|
| 11/1/2007 |        |              |              |                    |                     |
| 5/1/2008  |        |              |              |                    |                     |
| 11/1/2008 | 4.125% | \$8,276.36   | \$10,343.75  | \$18,620.11        | \$18,620.11         |
|           |        |              | \$5,000.66   | \$5,000.66         |                     |
| 11/1/2009 | 4.125% | \$8,618.79   | \$5,000.66   | \$13,619.45        | \$18,620.11         |
|           |        |              | \$4,822.36   | \$4,822.36         |                     |
| 11/1/2010 | 4.125% | \$8,975.39   | \$4,822.36   | \$13,797.75        | \$18,620.11         |
|           |        |              | \$4,636.68   | \$4,636.68         |                     |
| 11/1/2011 | 4.125% | \$9,346.75   | \$4,636.68   | \$13,983.43        | \$18,620.11         |
|           |        |              | \$4,443.32   | \$4,443.32         |                     |
| 11/1/2012 | 4.125% | \$9,733.47   | \$4,443.32   | \$14,176.79        | \$18,620.11         |
|           |        |              | \$4,241.96   | \$4,241.96         |                     |
| 11/1/2013 | 4.125% | \$10,136.20  | \$4,241.96   | \$14,378.15        | \$18,620.11         |
|           |        |              | \$4,032.26   | \$4,032.26         |                     |
| 11/1/2014 | 4.125% | \$10,555.58  | \$4,032.26   | \$14,587.84        | \$18,620.11         |
|           |        |              | \$3,813.89   | \$3,813.89         |                     |
| 11/1/2015 | 4.125% | \$10,992.32  | \$3,813.89   | \$14,806.21        | \$18,620.11         |
|           |        |              | \$3,586.49   | \$3,586.49         |                     |
| 11/1/2016 | 4.125% | \$11,447.12  | \$3,586.49   | \$15,033.62        | \$18,620.11         |
|           |        |              | \$3,349.68   | \$3,349.68         |                     |
| 11/1/2017 | 4.125% | \$11,920.75  | \$3,349.68   | \$15,270.43        | \$18,620.11         |
|           |        |              | \$3,103.07   | \$3,103.07         |                     |
| 11/1/2018 | 4.125% | \$12,413.97  | \$3,103.07   | \$15,517.04        | \$18,620.11         |
|           |        |              | \$2,846.25   | \$2,846.25         |                     |
| 11/1/2019 | 4.125% | \$12,927.60  | \$2,846.25   | \$15,773.85        | \$18,620.11         |
|           |        |              | \$2,578.81   | \$2,578.81         |                     |
| 11/1/2020 | 4.125% | \$13,462.48  | \$2,578.81   | \$16,041.29        | \$18,620.11         |
|           |        |              | \$2,300.31   | \$2,300.31         |                     |
| 11/1/2021 | 4.125% | \$14,019.49  | \$2,300.31   | \$16,319.80        | \$18,620.11         |
|           |        |              | \$2,010.28   | \$2,010.28         |                     |
| 11/1/2022 | 4.125% | \$14,599.54  | \$2,010.28   | \$16,609.83        | \$18,620.11         |
|           |        |              | \$1,708.25   | \$1,708.25         |                     |
| 11/1/2023 | 4.125% | \$15,203.60  | \$1,708.25   | \$16,911.85        | \$18,620.11         |
|           |        |              | \$1,393.73   | \$1,393.73         |                     |
| 11/1/2024 | 4.125% | \$15,832.65  | \$1,393.73   | \$17,226.38        | \$18,620.11         |
|           |        |              | \$1,066.19   | \$1,066.19         |                     |
| 11/1/2025 | 4.125% | \$16,487.73  | \$1,066.19   | \$17,553.92        | \$18,620.11         |
|           |        |              | \$725.10     | \$725.10           |                     |
| 11/1/2026 | 4.250% | \$17,169.90  | \$725.10     | \$17,895.01        | \$18,620.11         |
|           |        |              | \$369.90     | \$369.90           |                     |
| 11/1/2027 | 4.250% | \$17,880.31  | \$369.90     | \$18,250.21        | \$18,620.11         |
|           |        |              |              |                    |                     |
|           |        | \$250,000.00 | \$122,402.14 | \$372,402.14       | \$372,402.14        |

COUNTY OF SUFFOLK

SEP 18 2008



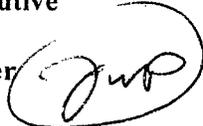
1921

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF  
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC  
COMMISSIONER

TRACEY BELLONE  
DEPUTY COMMISSIONER

**TO:** BEN ZWIRN, Deputy County Executive  
**FROM:** JOHN W. PAVACIC, Commissioner   
**CC:** JIM MORGO, Chief Deputy County Executive  
**DATE:** September 15, 2008  
**RE:** INTRODUCTORY RESOLUTION APPROPRIATING FUNDS IN  
CONNECTION WITH IMPROVEMENTS TO WATER SUPPLY  
SYSTEMS IN COUNTY PARKS (CP 7184)

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Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "Reso-PKS- Appropriating Funds for CP 7184 Water Supply Systems.doc".

The 2008 Adopted Capital Budget includes funding for improvements to water supply systems in county parks. The Parks Department requests that these improvements be made at West Hills County Park (Huntington), Robinson Duck Farm County Park (South Haven) and other parks where well water is a problem. Additional work would include replacing water mains, lines, installing RPZ valves and other work necessary as needed to provide park patrons with high quality potable water.

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

Enclosures



Intro Res. No. 1922-08  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 10/14/08

**RESOLUTION NO. -2008, APPROVING MAPS  
AND AUTHORIZING THE ACQUISITION OF LANDS  
TOGETHER WITH FINDINGS AND  
DETERMINATIONS PURSUANT TO SECTION 204 OF  
THE EMINENT DOMAIN PROCEDURE LAW, IN  
CONNECTION WITH THE ACQUISITION OF  
PROPERTIES FOR DRAINAGE IMPROVEMENTS ON  
C.R. 39, NORTH ROAD, TOWN OF SOUTHAMPTON,  
SUFFOLK COUNTY, NEW YORK (C.P. 5537)**

**WHEREAS**, the Department of Public Works of the County of Suffolk has prepared maps entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR DRAINAGE IMPROVEMENTS ON C.R. 39, NORTH ROAD, TOWN OF SOUTHAMPTON, SUFFOLK COUNTY, NEW YORK"; and

**WHEREAS**, on March 6, 2007, the County of Suffolk as Lead Agency, issued a SEQRA determination of non-significance for the project in Adopted Resolution No. 244-2007 and SEQRA is complete; and

**WHEREAS**, pursuant to Adopted Resolution No. 1292-2007, the Department of Public Works was directed to hold public hearings; and

**WHEREAS**, notice of said hearing was duly published in Newsday, a daily newspaper of general circulation in the locality under consideration; and in the Smithtown News and the Long Island Business News, said newspapers being the current official County newspapers of the County of Suffolk; and the Southampton Press, the official town newspaper situated in the locality where the public project is located; and

**WHEREAS**, a public hearing was duly held on February 29, 2008 for the following purposes:

- A. To inform the public
- B. To review the public use to be served by the above-entitled project.
- C. To determine the impact upon the environment and upon residents of the locality of the project.
- D. To review possible alternative locations.
- E. To authorize the acquisition of said properties for the public purpose as set forth in the title herein; and

**WHEREAS**, all persons in attendance desiring to be heard on the project were given an opportunity to be heard and to present written statements; and

**WHEREAS**, Determinations and Findings pursuant to Section 204 of the New York State Eminent Domain Procedure Law were duly made and filed in the Office of the Clerk of the Suffolk County Legislature on April 18, 2008, pursuant to Adopted Resolution No. 1292-2007; and

**WHEREAS**, a brief synopsis thereof was duly published in two successive issues in the Smithtown News and the Long Island Business News, said newspapers at the time of publication being the current official County newspapers of the County of Suffolk; and the Southampton Press, which, at the time of publication was the current official town newspaper situated in the locality where the public project is located, together with the publication thereof in five successive issues of Newsday, a daily newspaper of general circulation; and

**WHEREAS**, the maps of this project were duly filed with the Clerk of the Suffolk County Legislature on April 18, 2008, pursuant to Adopted Resolution No. 1292-2007; now therefore, be it

**1<sup>st</sup> RESOLVED** that the Findings and Determinations heretofore filed with the Clerk of the Suffolk County Legislature on April 18, 2008, and the recommendations contained therein be and the same are hereby adopted and approved; and be it further

**2<sup>nd</sup> RESOLVED**, that the maps entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR DRAINAGE IMPROVEMENTS ON C.R. 39, NORTH ROAD, TOWN OF SOUTHAMPTON, SUFFOLK COUNTY, NEW YORK", being the maps heretofore filed with the Clerk of the Suffolk County Legislature on April 18, 2008, pursuant to Adopted Resolution No. 1292-2007, be and the same are hereby approved and adopted; and be it further

**3<sup>rd</sup> RESOLVED**, that the Suffolk County Department of Public Works be and hereby is authorized to proceed pursuant to its Rules, Regulations, and Procedures, and Article 3 of the New York State Eminent Domain Procedure Law, to appraise the estates to be acquired and to make offers to the Condemnees by means of the "one offer" system as set forth in the Rules, Regulations, and Procedures of the Suffolk County Department of Public Works and Article 3 of the New York State Eminent Domain Procedure Law; and be it further

**4<sup>th</sup> RESOLVED**, that the Suffolk County Department of Public Works be and hereby is authorized to acquire the properties set forth in the aforesaid maps herein; said acquisition to be in the name of the County of Suffolk; and be it further

**5<sup>th</sup> RESOLVED**, that said acquisitions be in fee simple absolute or such lesser estate, if said lesser estate is so indicated on the maps heretofore adopted; and be it further

**6<sup>th</sup> RESOLVED**, that the Suffolk County Department of Public Works be and hereby is authorized and permitted to make the aforesaid acquisition of said lands from the Condemnees by negotiation, purchase, and conveyance; and in the event that the Suffolk County Department of Public Works is unable to acquire said property by negotiation, purchase and conveyance, it is hereby authorized, permitted, and directed to acquire said property pursuant to the Eminent Domain Procedure Law; and be it further

**7<sup>th</sup> RESOLVED**, that in all proceedings pursuant to Articles 4, 5, and 6 of the Eminent Domain Procedure Law, the County Attorney, his Deputies and Assistant County Attorneys be and they hereby are authorized to appear for and represent the County of Suffolk in all courts having jurisdiction thereof; and be it further

**8<sup>th</sup> RESOLVED**, that the County Attorney, his Deputies and Assistant County Attorneys be and they hereby are authorized and permitted to compromise, adjust, and settle any claims for compensation where said claims have been filed pursuant to Articles 5 and 6 of the Eminent

Domain Procedure Law; such settlements, compromises and adjustment to be made in open sessions of the court having jurisdiction thereof.

DATED:

APPROVED BY:

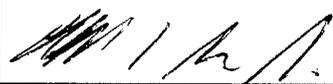
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County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1922

|                                                                                                                                                                                                                                                                                                                                                                 |                                                                                      |                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------|
| 1. Type of Legislation                                                                                                                                                                                                                                                                                                                                          |                                                                                      |                                        |
| Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____                                                                                                                                                                                                                                                                                |                                                                                      |                                        |
| 2. Title of Proposed Legislation                                                                                                                                                                                                                                                                                                                                |                                                                                      |                                        |
| <p><b>RESOLUTION NO. -2008, APPROVING MAPS AND AUTHORIZING THE ACQUISITION OF LANDS TOGETHER WITH FINDINGS AND DETERMINATIONS PURSUANT TO SECTION 204 OF THE EMINENT DOMAIN PROCEDURE LAW, IN CONNECTION WITH THE ACQUISITION OF PROPERTIES FOR DRAINAGE IMPROVEMENTS ON C.R. 39, NORTH ROAD, TOWN OF SOUTHAMPTON, SUFFOLK COUNTY, NEW YORK (C.P. 5537)</b></p> |                                                                                      |                                        |
| 3. Purpose of Proposed Legislation                                                                                                                                                                                                                                                                                                                              |                                                                                      |                                        |
| SEE NO. 2 ABOVE                                                                                                                                                                                                                                                                                                                                                 |                                                                                      |                                        |
| 4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <input checked="" type="checkbox"/> No _____                                                                                                                                                                                                                                                    |                                                                                      |                                        |
| 5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)                                                                                                                                                                                                                                                                 |                                                                                      |                                        |
| <input checked="" type="radio"/> County                                                                                                                                                                                                                                                                                                                         | <input type="radio"/> Town                                                           | <input type="radio"/> Economic Impact  |
| <input type="radio"/> Village                                                                                                                                                                                                                                                                                                                                   | <input type="radio"/> School District                                                | <input type="radio"/> Other (Specify): |
| <input type="radio"/> Library District                                                                                                                                                                                                                                                                                                                          | <input type="radio"/> Fire District                                                  |                                        |
| 6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact                                                                                                                                                                                                                                                                                     |                                                                                      |                                        |
| Approval of this resolution is required by the New York State Eminent Domain Procedure Law before the condemnation may proceed. Land will be acquired out of the capital funds from CP 5537.                                                                                                                                                                    |                                                                                      |                                        |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.                                                                                                                                                                                                                                                                |                                                                                      |                                        |
| N/A                                                                                                                                                                                                                                                                                                                                                             |                                                                                      |                                        |
| 8. Proposed Source of Funding                                                                                                                                                                                                                                                                                                                                   |                                                                                      |                                        |
| N/A                                                                                                                                                                                                                                                                                                                                                             |                                                                                      |                                        |
| 9. Timing of Impact                                                                                                                                                                                                                                                                                                                                             |                                                                                      |                                        |
| N/A                                                                                                                                                                                                                                                                                                                                                             |                                                                                      |                                        |
| 10. Typed Name & Title of Preparer                                                                                                                                                                                                                                                                                                                              | 11. Signature of Preparer                                                            | 12. Date                               |
| Nicholas Paglia<br>Executive Technician                                                                                                                                                                                                                                                                                                                         |  | September 30th, 2008                   |

SCIN FORM 175b (10/95)

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

1922

**GENERAL FUND**

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

**POLICE DISTRICT AND DISTRICT COURT**

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

**COMBINED**

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

**NOTES:**

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

COUNTY OF SUFFOLK



1422  
SEP 18 2008

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.  
COMMISSIONER

THOMAS LAGUARDIA, P.E.  
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE  
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: *Tom LaGuardia*  
AG Gilbert Anderson, P.E., Commissioner

DATE: August 21, 2008

RE: **RESOLUTION - APPROVING MAPS AND AUTHORIZING THE ACQUISITION OF LANDS TOGETHER WITH FINDINGS AND DETERMINATIONS PURSUANT TO SECTION 204 OF THE EMINENT DOMAIN PROCEDURE LAW, IN CONNECTION WITH THE ACQUISITION OF PROPERTIES FOR DRAINAGE IMPROVEMENTS ON C.R. 39, NORTH ROAD, TOWN OF SOUTHAMPTON, SUFFOLK COUNTY, NEW YORK (C.P. 5537).**

Attached is a draft resolution and one duplicate copy approving the Findings & Maps and authorizing the County to condemn properties situated in the Town of Southampton, Suffolk County, New York. Also attached are SCIN Forms 175a and 175b.

The purpose of this resolution is to approve the Hearing Officer's Findings and authorize the acquisition of land for this DPW project.

Approval of this resolution is required by the New York State Eminent Domain Procedure Law before the Condemnation may proceed.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CP 5537"

Should you have any questions or require further information, please feel free to contact Geoff Mascaro, Property Management Administrator at (631) 852-5321.

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1922

GA:WH:gjm

Attach. (4)

cc.: Jim Morgo, Chief Deputy County Executive  
Brendan Chamberlain, County Executive Assistant  
CE Reso Review (e-mail only)  
Carmine Chiusano, Principal Budget Analyst  
William Hillman, P.E., Chief Engineer  
Geoff Mascaro, Property Management Administrator  
Stephen Kessler, Intergovernmental Analyst I

Introductory Resolution No. 1923-08

Laid on Table 10/14/08

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 ISLIP)  
(SCTM NO. 0500-403.00-01.00-002.004)**

**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 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 403.00, Block 01.00 Lot 002.004 and acquired by Tax Deed on February 20, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on February 27, 2003 in Liber 12237 at Page 534 and described as follows, Town of Islip, known and designated as parcel TL 24 "Map of Edgewater at Oakdale" and filed in the Office of the Clerk of the County of Suffolk on December 03, 1987 as Map No. 8443; 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 Islip 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

**1<sup>st</sup> 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 Islip for the sum of Three Hundred Thirty One and 58/100 Dollars plus the pro rata share of the current tax adjustment due at closing; and be it further

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

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

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

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

DATED: \_\_\_\_\_

APPROVED BY:

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

Date of Approval:

Exhibit "A"

February 26, 2008

Town Board Resolution for Right-of-Way and Highway Purposes

WHEREAS, Suffolk County is the owner of a certain property located at Edgewood Ave, Oakdale, NY 11769 (SCTM 0500 403.00-01.00-002.004); and

WHEREAS, Suffolk County Division of Real Property Acquisition and Management has offered the property to the Town of Islip for acquisition at a cost of \$262.38; and

WHEREAS, the property was created as a result of the filing of the Map of Edgewater at Oakdale (Filed Map No. 8443) on December 3, 1987, for the purpose of the installation of a cul-de-sac to service the development as a portion of the road; and

WHEREAS, the Town Board defaulted the bonds associated with the development on July 2, 1991 due to failure of the developer to complete the work; and

WHEREAS, the Surety Co. settled the claim and paid the sum of \$20,000.00; and

WHEREAS, the road work was subsequently completed to the satisfaction of the Town Engineer;

NOW , THEREFORE, on a motion of Supervisor Nolan and seconded by Councilperson Parrington, be it

RESOLVED, that the Town Board of the Town of Islip authorizes the acquisition of SCTM 0500-403.00-01.00-002.004 at a cost of \$262.38 for the benefit of area residents.

UPON a vote being taken, the result was: Unanimously carried 5-0

1923

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

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES  
TOWN OF ISLIP

Tax Map No.: 0500-403.00-01.00-002.004

Section 72-h, Gen'l Municipal Law

|                   | <u>Amount</u> |
|-------------------|---------------|
| County Investment | \$ 331.58     |

PURPOSE:

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

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

WRT: slb



1973



# Suffolk Co.

1923

Joins Map 22



13

12

11

10

9

Joins Map 16

Joins Map 17

D1

73°08'15"

E1

73°07'30"

F1

73°06'45"

Connetquot River

State Park

# 11716



# 11730

TMA# 0500-403.00-01.00-002.003

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1923

1. Type of Legislation

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

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to the Town of Islip for highway 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



5/18/08

COUNTY OF SUFFOLK



1923

OCT 02 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 24, 2008*

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

Re: Tax Map No.: 0500-403.00-01.00-002.004  
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real  
Estate to the Town of Islip 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 Islip 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

1924

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

Laid on Table 10/14/08

**RESOLUTION NO. -2008, TO FACILITATE THE SALE OF  
SURPLUS SCRAP METAL**

**WHEREAS**, the County of Suffolk has accumulated and is storing vast amounts of old and abandoned personal property at the BOMARC facility in Westhampton, much of it consisting of ferrous and non-ferrous scrap metal; and

**WHEREAS**, the price of recyclable scrap metal has increased markedly in recent years; and

**WHEREAS**, the sale of the old scrap metal presently sitting at BOMARC has a potential to generate significant revenues; and

**WHEREAS**, the Suffolk County Sheriff has indicated a willingness to utilize the Sheriff's Labor Assistance Program ("SLAP") to assist in this effort by having inmates sort and transport the recyclable metal at BOMARC; 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 recyclable scrap metal, excluding motor vehicles, presently stored at the BOMARC facility in Westhampton; and be it further

**2nd RESOLVED**, that the RFP shall seek proposals for the sale of all recyclable scrap metal 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 ninety (90) 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 ninety (90) days of the issuance of the RFP, for further action by this Legislature; 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:

Introductory Resolution No. 1925-08 Laid on Table 10/14/08

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  
**JOEL W. WYMAN JR. and DONA H. WYMAN, his wife**  
**0400-140.00-01.00-054.000**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400, Section 140.00, Block 01.00, Lot 054.000, and acquired by tax deed on April 15, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 17, 2008, in Liber 12547, at Page 966, and otherwise known as and by Town of Huntington, Suffolk County Tax Map Number: District 0400, Section 140.00, Block 01.00, Lot 054.000; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on April 15, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 17, 2008 in Liber 12547 at Page 966.

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

**WHEREAS**, JOEL W. WYMAN JR. and DONA H. WYMAN, his wife, have made application of said above described parcel and ISYS CONSULTING, for Joel W. Wyman Jr. and Dona H. Wyman, his wife, has paid the application fee and \$26,690.21, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2008; and

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

**2<sup>nd</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to JOEL W. WYMAN JR. and DONA H. WYMAN, his wife, 19 Royal Oak Drive, Huntington, New York 11743, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

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

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

50.1

1925

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

September 17, 2008

Tax Map No.: 0400-140.00-01.00-054.000

Name of Last Legal Fee Owner: JOEL W. WYMAN JR. and DONA H. WYMAN, his wife

TREASURER'S COMPUTATION..... \$26,690.21

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

Recording Fees collected for County Clerk. . N/A

License Fee..... OPEN

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... \$26,690.21

Monies Received..... \$26,690.21

RESOLUTION AMOUNT..... \$26,690.21

APPROVED:

*Karen A. Slater 9/22/08*  
Accounting  
CO:sc

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

1925

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X  
Tax Map Number 0400-140.00-01.00-054.000

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                      9/17/05

COMPUTATION OF TAXES . SUFFOLK COUNTY TREASURER

| <u>DISTRICT</u> | <u>SECTION</u> | <u>BLOCK</u> | <u>LOT</u> |
|-----------------|----------------|--------------|------------|
| 0400            | 140.00         | 01.00        | 054.000    |

1025

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

|         |          |
|---------|----------|
| 2003/04 | 12067.53 |
| 2004/05 | 12393.73 |

2005/06, 2006/07 AND 2007/08 WE'RE ALL PAID BY ISYS CONSULTING

TOTAL: 24461.26

|                 |          |
|-----------------|----------|
| B. INTEREST DUE | 957.98   |
| C. TOTAL        | 25419.24 |
| D. 5% LINE C    | 1270.96  |
| E. FEE          |          |
| F. MISC         |          |
| G. MISC         |          |

H. TOTAL DUE \$26,690.21

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. 16-Jun-08



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 12/13/08

0400 140 01 054

1425

FOR ADJOINING AREA SEE MAP NO. 1

4

5

6



3  
11743

1. HUNTINGTON FARMS RD
2. BARN RUN CT
3. CEDAR SHAKE CT
4. GLEN PASTURE CT
5. FARM PATH
6. HAYLOFT CT
7. WINDMILL CT
8. BLACKSMITH CT
9. OLD CRANE CT
10. MEADOW CT
11. HARVEST TIME CT

GREENLAWN

HUNTINGTON STATION

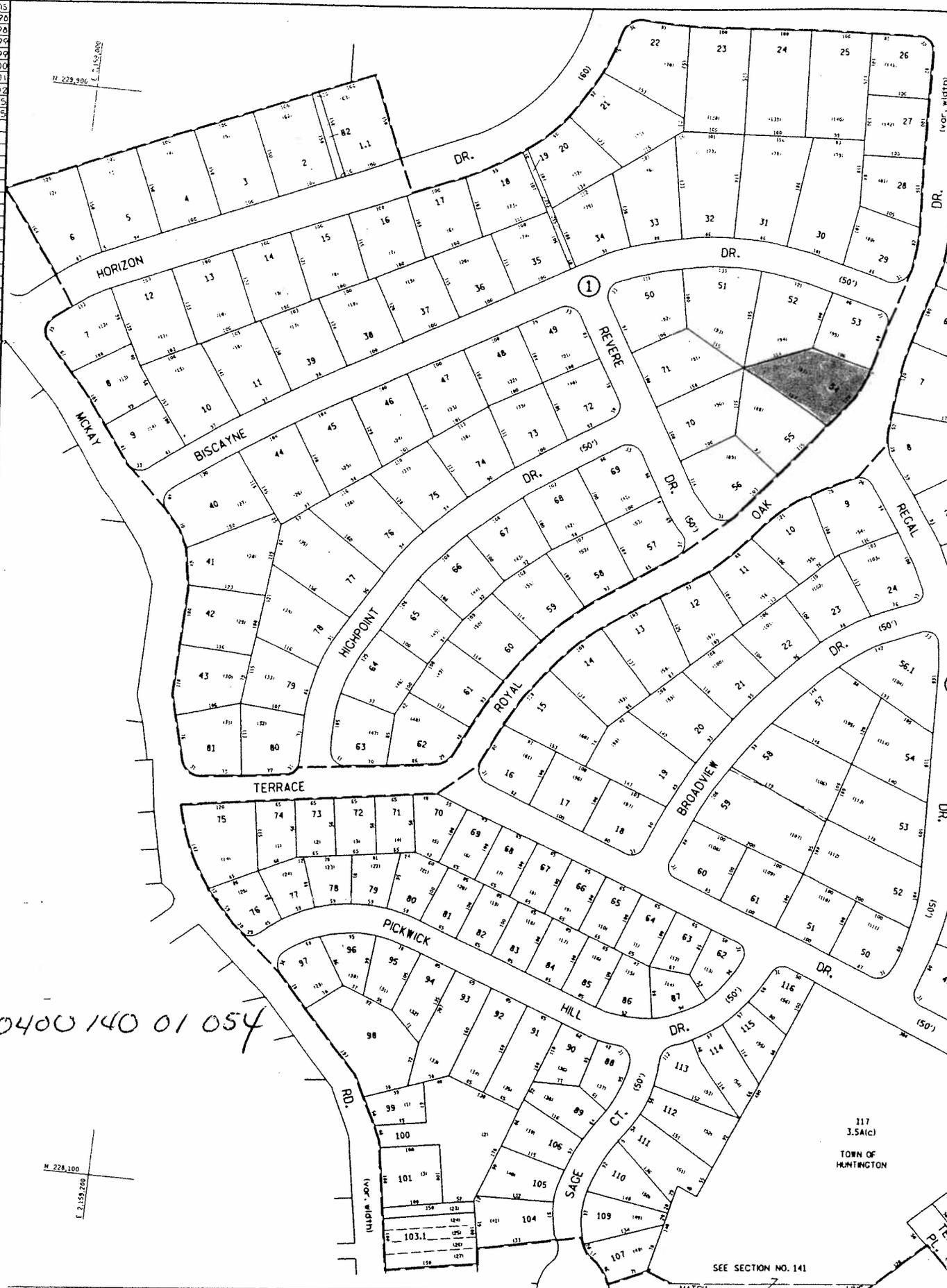
HUNTINGTON CRESCENT CLUB

CENTERPORT

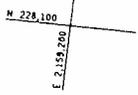
SOUTH

1925

|           |
|-----------|
| Revisions |
| 07-02-90  |
| 10-06-90  |
| 01-19-99  |
| 02-22-99  |
| 09-15-00  |
| 06-07-01  |
| 07-16-02  |
| 04-20-05  |
| 06-17-05  |



0400 140 01 054



117  
3.5A(c)  
TOWN OF  
HUNTINGTON

SEE SECTION NO. 141

MATCH LINE

|                              |      |             |                      |     |                       |   |                        |
|------------------------------|------|-------------|----------------------|-----|-----------------------|---|------------------------|
| 5/2 Division Lot No.         | (12) | Block Limit | School District Line | SCH | Hydrant District Line | H | UNLESS DRAWN OTHERWISE |
| 5/2 Division Block/Block No. | (21) | Block No.   | Fire District Line   | F   | Refuse District Line  | R | ARE WITHIN THE FOLL    |

Green B1

COUNTY OF SUFFOLK



OCT 02 2008

1925

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 26, 2008

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

Re: Tax Map No. 0400-140.00-01.00-054.000  
JOEL W. WYMAN JR. and DONA H. WYMAN, his wife

Dear Mr. Zwirn:

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

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

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

Very truly yours,

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

CEK:sc

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

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

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

53

Introductory Resolution No. 1926-08

Laid on Table 10/14/08

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 ISLIP)  
(SCTM NO. 0500-403.00-01.00-002.004)**

**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 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 403.00, Block 01.00 Lot 002.004 and acquired by Tax Deed on February 20, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on February 27, 2003 in Liber 12237 at Page 534 and described as follows, Town of Islip, known and designated as parcel TL 24 "Map of Edgewater at Oakdale" and filed in the Office of the Clerk of the County of Suffolk on December 03, 1987 as Map No. 8443; 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 Islip 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

**1<sup>st</sup> 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 Islip for the sum of Three Hundred Thirty One and 58/100 Dollars plus the pro rata share of the current tax adjustment due at closing; and be it further

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

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

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

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

DATED: \_\_\_\_\_

APPROVED BY:

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

Date of Approval:

Exhibit "A"

February 26, 2008

Town Board Resolution for Right-of-Way and Highway Purposes

WHEREAS, Suffolk County is the owner of a certain property located at Edgewood Ave, Oakdale, NY 11769 (SCTM 0500 403.00-01.00-002.004); and

WHEREAS, Suffolk County Division of Real Property Acquisition and Management has offered the property to the Town of Islip for acquisition at a cost of \$262.38; and

WHEREAS, the property was created as a result of the filing of the Map of Edgewater at Oakdale (Filed Map No. 8443) on December 3, 1987, for the purpose of the installation of a cul-de-sac to service the development as a portion of the road; and

WHEREAS, the Town Board defaulted the bonds associated with the development on July 2, 1991 due to failure of the developer to complete the work; and

WHEREAS, the Surety Co. settled the claim and paid the sum of \$20,000.00; and

WHEREAS, the road work was subsequently completed to the satisfaction of the Town Engineer;

NOW , THEREFORE, on a motion of Supervisor Nolan and seconded by Councilperson Parrington, be it

RESOLVED, that the Town Board of the Town of Islip authorizes the acquisition of SCTM 0500-403.00-01.00-002.004 at a cost of \$262.38 for the benefit of area residents.

UPON a vote being taken, the result was: Unanimously carried 5-0

1926

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

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES  
TOWN OF ISLIP

Tax Map No.: 0500-403.00-01.00-002.004

Section 72-h, Gen'l Municipal Law

|                   | <u>Amount</u> |
|-------------------|---------------|
| County Investment | \$ 331.58     |

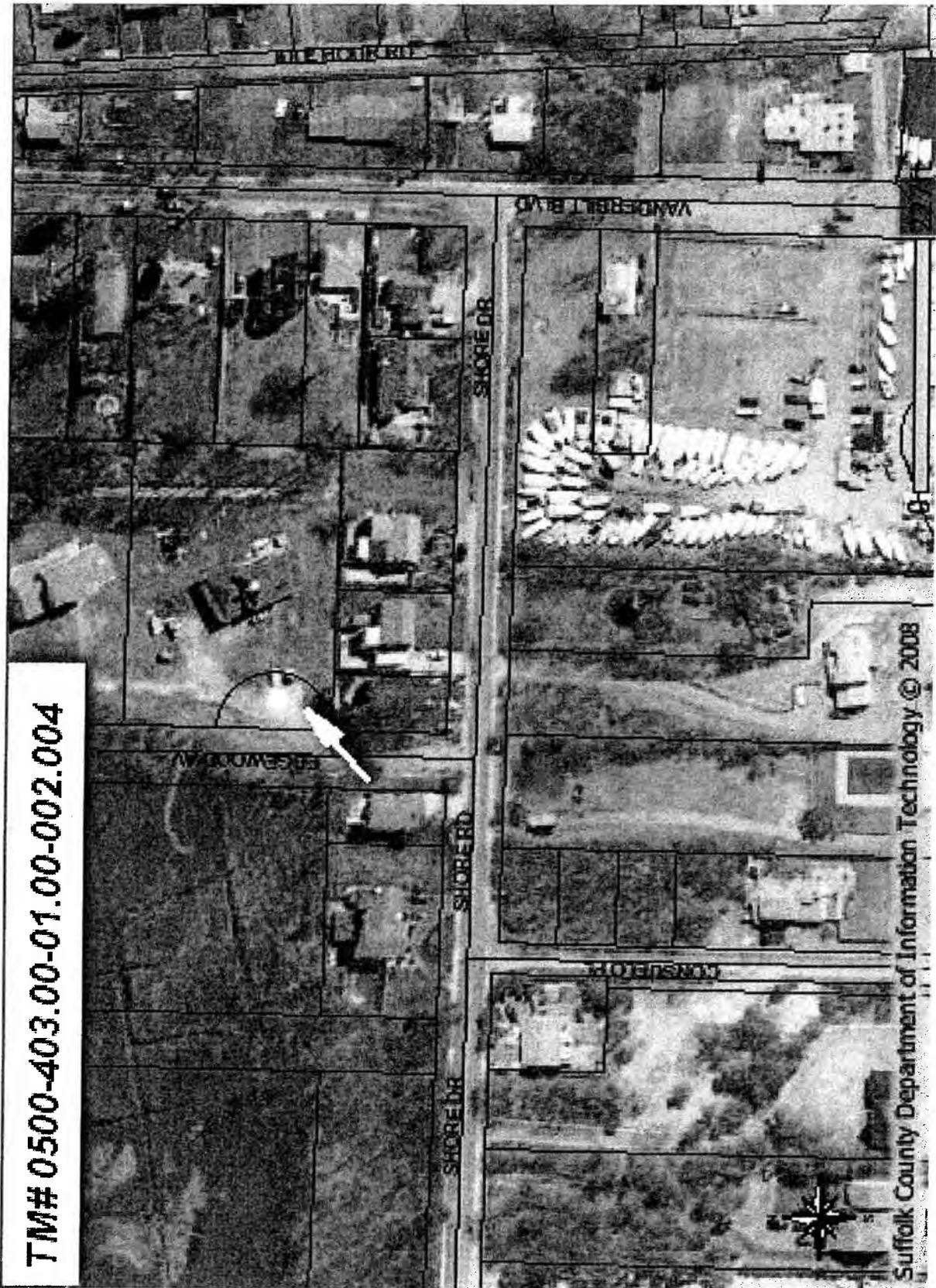
PURPOSE:

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

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

WRT: slb

1426



TM# 0500-403.00-01.00-002.004

Suffolk County Department of Information Technology © 2008

# Suffolk Co.

1426

Joins Map 22



13  
12  
11  
10  
9

40°45'00"  
40°44'15"  
40°43'30"  
40°42'45"

Joins Map 16  
Joins Map 17

D1      73°08'15"      E1      73°07'30"      F1      73°06'45"



TMA# 0500-403.00-01.00-002.003

1926

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 Islip for highway purposes

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

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

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

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

Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

Current year 2008

10. Name & Title of Preparer

R.J. Bhatt   
 LMS III

Signature of Preparer

[Signature]

Date

9/18/08

COUNTY OF SUFFOLK



SEP 25 2008

1926

Gen B14

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 24, 2008

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

Re: Tax Map No.: 0500-403.00-01.00-002.004  
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the Town of Islip 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 Islip 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

1927

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

Laid on Table 10/14/2008

**RESOLUTION NO. -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE DESIGN OF A REPLACEMENT PEDESTRIAN BRIDGE OVER CR 4, COMMACK ROAD (CP 5560)**

**WHEREAS**, the reconstruction and widening of CR 4, Commack Road from the vicinity of Nicolls Road to the vicinity of Julia Circle requires the demolition of the current pedestrian bridge over the roadway; and

**WHEREAS**, sufficient funds are not included in the 2008 Capital Budget and Program to cover the cost to design a replacement bridge and pursuant to the Suffolk County Charter, Section C-4-13, an offsetting authorization must be provided from another capital project; and

**WHEREAS**, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$75,000 in Suffolk County Serial Bonds; and

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

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of 38 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

**2<sup>nd</sup> RESOLVED**, that the 2008 Capital Budget and Program be and is hereby amended as follows:

Project Number: 5168

Project Title: Reconstruction of Portions of CR 11, Pulaski Road – Town of Huntington

| <u>Cost Elements</u> | <u>Total Estimated Cost</u> | <u>Current 2008 Capital Budget &amp; Program</u> | <u>Revised 2008 Capital Budget &amp; Program</u> |
|----------------------|-----------------------------|--------------------------------------------------|--------------------------------------------------|
| 3. Construction      | \$ 175,000                  | \$250,000B                                       | \$175,000B                                       |
| TOTAL                | \$1,225,000                 | \$750,000                                        | \$675,000                                        |

Project Number: 5560

Project Title: Reconstruction of CR 4, Commack Road from the Vicinity of Nicolls Road to Julia Circle

| <u>Cost Elements</u> | <u>Total Estimated Cost</u> | <u>Current 2008 Capital Budget &amp; Program</u> | <u>Revised 2008 Capital Budget &amp; Program</u> |
|----------------------|-----------------------------|--------------------------------------------------|--------------------------------------------------|
|----------------------|-----------------------------|--------------------------------------------------|--------------------------------------------------|

|                                   |             |            |            |
|-----------------------------------|-------------|------------|------------|
| 1. Planning, Design & Supervision | \$ 475,000  | \$250,000B | \$325,000B |
| TOTAL                             | \$4,425,000 | \$250,000  | \$325,000  |

and be it further

**3<sup>rd</sup> RESOLVED**, that the proceeds of \$75,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

| <u>Project Number</u> | <u>JC</u> | <u>Project Title</u>                         | <u>Amount</u> |
|-----------------------|-----------|----------------------------------------------|---------------|
| 525-CAP-5560.112      | 50        | CR 4, Commack Road, Pedestrian Bridge Design | \$75,000      |

and be it further

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

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

DATED:

APPROVED BY:

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

Date:

1928

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

Laid on Table 10/14/08

**RESOLUTION NO. -2008, AUTHORIZING PLANNING  
STEPS FOR THE ACQUISITION OF LAND UNDER THE  
SUFFOLK COUNTY DRINKING WATER PROTECTION  
PROGRAM, AS AMENDED BY LOCAL LAW 24-2007  
(LAKE PANAMOKA 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 3.79 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:

| <b><u>PARCEL:</u></b> | <b><u>SUFFOLK COUNTY<br/>TAX MAP NUMBER:</u></b>              | <b><u>ACRES:</u></b> | <b><u>REPUTED OWNER<br/>AND ADDRESS:</u></b>               |
|-----------------------|---------------------------------------------------------------|----------------------|------------------------------------------------------------|
| No. 1                 | District 0200<br>Section 172.00<br>Block 03.00<br>Lot 012.000 | 1.3                  | Ashley Builders Corp.<br>Long Pond Road<br>Ridge, NY 11961 |
| No. 2                 | District 0200<br>Section 172.00<br>Block 03.00<br>Lot 069.000 | .351                 | Ashley Builders Corp.<br>Long Pond Road<br>Ridge, NY 11961 |
| No. 3                 | District 0200<br>Section 172.00<br>Block 03.00<br>Lot 070.000 | .352                 | Ashley Builders Corp.<br>Long Pond Road<br>Ridge, NY 11961 |
| No. 4                 | District 0200<br>Section 172.00<br>Block 03.00<br>Lot 072.000 | .624                 | Ashley Builders Corp.<br>Long Pond Road<br>Ridge, NY 11961 |
| No. 5                 | District 0200<br>Section 172.00<br>Block 03.00<br>Lot 073.000 | .789                 | Ashley Builders Corp.<br>Long Pond Road<br>Ridge, NY 11961 |
| No. 6                 | District 0200<br>Section 172.00<br>Block 03.00<br>Lot 064.003 | .351                 | R & V Development<br>Long Pond Road<br>Ridge, NY 11961     |
| Total Acreage         |                                                               | ±3.79                |                                                            |

**EXHIBIT "A"**

1929

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

Laid on Table 10/14/08

**RESOLUTION NO. -2008, AUTHORIZING PLANNING  
STEPS FOR THE ACQUISITION OF LAND UNDER THE  
SUFFOLK COUNTY DRINKING WATER PROTECTION  
PROGRAM, AS AMENDED BY LOCAL LAW 24-2007  
(TOPPINGS FARM 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 described herein lies within the Pine Barrens Compatible Growth Area and is adjacent to the Pine Barrens Core, and there is County owned land just to the north; 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 8.75 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:

| <u>PARCEL</u> | <u>SUFFOLK COUNTY<br/>TAX MAP NUMBER</u>                       | <u>ACRES</u> | <u>REPUTED OWNER<br/>AND ADDRESS</u>                                                                         |
|---------------|----------------------------------------------------------------|--------------|--------------------------------------------------------------------------------------------------------------|
| 1             | District: 0200<br>Section 593.00<br>Block 02.00<br>Lot 006.000 | ±8.75        | Eastport Senior Living LLC<br>Steve Krieger c/o The Engel Group<br>124 Atlantic Avenue<br>Lynbrook, NY 11563 |

**EXHIBIT "A"**

1930

Intro. Res. No. -2008

Laid on Table 10/14/08

Introduced by Presiding Officer Lindsay and Legislators Kennedy, Browning, Stern, Losquadro, Romaine and Barraga

**RESOLUTION NO. -2008, AUTHORIZING TRANSFER OF THIRTY-FOUR (34) SURPLUS COUNTY COMPUTERS, MONITORS, MICE AND KEYBOARDS TO RSVP**

**WHEREAS**, the Suffolk County Legislature has submitted to the Purchasing Department a list of surplus computer systems which have been taken out of service because of obsolescent technology; and

**WHEREAS**, this equipment has been declared surplus property; and

**WHEREAS**, RSVP has requested the donation of these computer systems from the County; and

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

**1<sup>st</sup> RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment, as set forth in Exhibit "A" to the following not-for-profit organization, for use within its facilities for nominal consideration:

**TO:**

RSVP

1 West Main Street  
Smithtown, NY 11788

Exhibit "A" Attached

Contact: Irene Grvegorczyk  
Telephone: 631-9790-9490

and be it further

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

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

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

DATED:

APPROVED BY:

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

Date:

s:\res\r-computers-monitors-rsvp

1931

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

Laid on Table 10/14/08

**RESOLUTION NO. -2008, TO ENHANCE CONSUMER  
RESPONSIBILITY & ENSURE DEPOSITORIES INFORMED  
TRANSACTIONS (CREDIT) IN SUFFOLK COUNTY**

**WHEREAS**, on Monday, September 29, 2008, the DOW Jones Industrial average dropped a record 777-points resulting in 1.2 trillion dollars in lost market value and forecasting a national "credit crunch;" and

**WHEREAS**, a "credit crunch" is a sudden reduction in the general availability of credit (loans) or a sudden increase in the cost of obtaining credit from banks that has a direct impact on "Main Street" America; and

**WHEREAS**, the lack of consumer knowledge about credit scores not only increases the costs of their credit and insurance, but also reduces the availability of these, and other services such as the availability of a credit card, cell-phone service, rental housing, or automobile loans; and

**WHEREAS**, according to the latest credit score survey commissioned by the Consumer Federation of America (CFA) less than one-third of Americans (31%), for example, understand that credit scores indicate risk of not repaying a loan; and

**WHEREAS**, new creditor policies, lax oversight of credit counseling agencies by the states and the Internal Revenue Service, and consumer demand for contact with agencies via the telephone and Internet have contributed to the rise of low-quality credit counseling "mills"; and

**WHEREAS**, in the last decade the credit counseling industry has undergone an alarming transformation as a new generation of credit counseling agencies gain market share and aggressive firms masquerade as 'non-profit organizations' to gouge consumers complaints about deceptive practices, improper advice, excessive fees and abuse of non-profit status have grown; and

**WHEREAS**, conversely, the United States Department of Justice U.S. Trustee program has a list of approved credit counseling agencies by state, information about choosing a credit counselor; and the Federal Trade Commission offers facts for consumers that provide helpful suggestions to avoid low-quality credit counseling "mills" and to find a traditional non-profit credit counselor; and

**WHEREAS**, if all consumers raised their scores by 30 points, total annual consumer savings would be an estimated \$105 individually or \$28 billion saved collectively; and

**WHEREAS**, each year the Suffolk County Legislature adopts a resolution approving various lending institutions as depositories authorized for the deposit of moneys received, and under the control of the Suffolk County Treasurer, the Suffolk County Clerk as well as other County agencies; and

**WHEREAS**, the County of Suffolk should make its best effort to ensure that County funds are used to properly and to ensure that depositories doing business with Suffolk County responsibly provide credit to County residents; and

**1st**           **RESOLVED**, that commencing in 2009 and continuing every year thereafter, in addition to the requirements set forth in Section 212 of NEW YORK COUNTY LAW and other applicable provisions of state law, any lending institution seeking to be named as a County depository must furnish to the County Treasurer a letter attesting or certifying that credit counseling services are provided to their account holders at Suffolk County branches, or that the depository provides its customers with contact information for United States Department of Justice approved credit counseling agencies in the State of New York upon the opening of new personal or business accounts; and be it further

**2nd**           **RESOLVED**, that the Suffolk County Treasurer shall provide copies of all such letters available to the Clerk of the Suffolk County Legislature prior to each organization meeting of the Legislature commencing in 2009 and continuing every year thereafter so that those lending institutions in compliance with the requirements of this resolution may be considered for eligibility as authorized depositories; and be it further

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

DATED:

APPROVED BY:

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

Date:

1932

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

Laid on Table 10/14/08

**RESOLUTION NO. -2008, AUTHORIZING PLANNING  
STEPS FOR THE ACQUISITION OF LAND UNDER THE  
SUFFOLK COUNTY DRINKING WATER PROTECTION  
PROGRAM, AS AMENDED BY LOCAL LAW 24-2007  
(SWAN LAKE 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 .145 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\l-r-swain-lake-open-space-drinking-water-plan-steps

| <u>PARCEL</u> | <u>SUFFOLK COUNTY<br/>TAX MAP NUMBER</u>                       | <u>ACRES</u> | <u>REPUTED OWNER<br/>AND ADDRESS</u>                                                 |
|---------------|----------------------------------------------------------------|--------------|--------------------------------------------------------------------------------------|
| 1             | District: 0200<br>Section 977.60<br>Block 02.00<br>Lot 012.000 | .145         | Rosemary and Vito Ferlitto<br>701 South 228 <sup>th</sup> Drive<br>Buckeye, AZ 85326 |

**EXHIBIT "A"**

1933

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

Laid on Table 10/14/08

**RESOLUTION NO. -2008, AUTHORIZING TRANSFER OF  
TWO (2) SURPLUS COUNTY COMPUTERS, MONITORS,  
MOUSES AND KEYBOARDS TO SOUTHEAST  
CONCERNED CIVIC ASSOCIATION (S.E.C.C.A.)**

**WHEREAS**, the Suffolk County Legislature has submitted to the Purchasing Department a list of surplus computer systems which have been taken out of service because of obsolescent technology; and

**WHEREAS**, this equipment has been declared surplus property; and

**WHEREAS**, the Southeast Concerned Civic Association (S.E.C.C.A.) has requested the donation of computers and monitors from the County; and

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

**1<sup>st</sup> RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following not-for-profit organization, for use within its facilities for nominal consideration:

**TO:**  
Southeast Concerned Civic Association (S.E.C.C.A.)  
220 Washington Avenue  
Deer Park, NY 11729

Contact: William Holmes  
Telephone: 516-983-6681

**COMPUTER SERIAL NO:**  
0032311642  
0032311643

**MONITOR SERIAL NO:**  
TL819A333010822  
TL819A333010831

**MOUSES:**  
2

**KEYBOARDS:**  
2

and be it further

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

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

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

DATED:

APPROVED BY:

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

Date:

s:\res\r-computers-southeast-civic-assoc

1934

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

Laid on Table 10/14/08

**RESOLUTION NO. -2008, ESTABLISHING AN ENERGY  
CONSERVATION POLICY FOR SUFFOLK COUNTY  
ELECTRICAL AGENCY**

**WHEREAS**, the Suffolk County Electrical Agency (SCEA) is a public utility service created to pass on inexpensive sources of electric power and associated cost savings to eligible electric consumers in Suffolk County; and

**WHEREAS**, it is the statutory obligation of the SCEA to enter into agreement(s) to sell the power it purchases from the New York Power Authority, or other entity as authorized, to the eligible consumers of electricity in Suffolk County at a price not to exceed the cost of such electric power; and

**WHEREAS**, by State statute, the SCEA receives five (5) megawatts of economic development power from the New York Power Authority (NYPA) to allocate to companies in Suffolk County meeting the State Legislative criteria; and

**WHEREAS**, five (5) megawatts of power is enough energy to power as much as 3,000 Long Island residences; and

**WHEREAS**, the Suffolk County Legislature hereby finds that it is imperative to insure the most efficient use of economic development power; and

**WHEREAS**, the Legislature further finds that Suffolk County government is seeking to increase energy conservation measures and encourage more efficient energy consumption; and

**WHEREAS**, while the Suffolk County Legislature does not exercise control over the SCEA economic development energy criteria, it does appoint four (4) SCEA board members; and

**WHEREAS**, this Legislature wants to support electrical consumers in Suffolk County that employ energy conservation measures to insure the most efficient use of its allocated portion of lower-cost economic development energy; now, therefore be it

**1st RESOLVED**, that it shall be the policy of this Legislature to appoint members to the Board of the Suffolk County Electrical Agency who agree to support companies and consumers who are committed to demonstrable energy conservation measures; and be it further

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

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

DATED:

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

s:\reslr-energy-conservation-policy

1935

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

Laid on Table 10/14/08

**RESOLUTION NO. -2008, DIRECTING THE COMMISSIONER  
OF INFORMATION TECHNOLOGY TO COMPLETE A  
FEASIBILITY STUDY FOR THE IMPLEMENTATION OF  
A "PROJECT SUNLIGHT" PROGRAM IN SUFFOLK COUNTY**

**WHEREAS**, it is the responsibility of government to ensure that every dollar of taxpayer funds is expended in a legitimate and efficient manner; and

**WHEREAS**, in addition to adopting adequate protections for the disbursement of taxpayer funds, it is the responsibility of government to ensure open and unfettered access to the records associated with all such disbursements; and

**WHEREAS**, providing convenient access to this information is one way to restore the public's trust in the system and expose ethically questionable behavior; and

**WHEREAS**, New York State Attorney General Andrew Cuomo has established a program entitled "Project Sunlight", that allows the public to review campaign finance records, contracts awarded to outside firms, and member items allocated to community organizations on-line; and

**WHEREAS**, implementing such a system at the Suffolk County level would allow Suffolk County residents the opportunity to examine the inner workings of County government; and

**WHEREAS**, this Legislature concurs with former Supreme Court Justice Louis Brandeis' belief that, "Publicity is justly commended as a remedy for social and industrial diseases. Sunlight is said to be the best of disinfectants..."; and

**WHEREAS**, it is the desire of this Legislature to implement a program similar to "Project Sunlight" on a County level; now, therefore be it

**1st RESOLVED**, that the Commissioner of the Department of Information Technology is hereby authorized, empowered and directed to prepare a written report to the Suffolk County Legislature outlining the steps necessary to implement a "Project Sunlight" internet based program at the County level; and be it further

**2nd RESOLVED**, that this report should include, but not be limited to, cost estimates, administrative issues, methodology of displaying the information, technology considerations, and proposed timelines for completion; and be it further

**3rd RESOLVED**, that the Commissioner of Information Technology shall issue his final report and recommendations to the members of the Suffolk County Legislature and to the Suffolk County Executive within one hundred and twenty (120) days of 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\project-sunlight

1936

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

Laid on Table 10/14/08

**RESOLUTION NO. -2008, AMENDING THE  
ADOPTED 2008 OPERATING BUDGET TO TRANSFER  
FUNDS FROM FUND 477 WATER QUALITY  
PROTECTION, AMENDING THE 2008 CAPITAL BUDGET  
AND PROGRAM, AND APPROPRIATING FUNDS IN  
CONNECTION WITH INSTALLATION OF ANTI-LITTER  
SIGNAGE ON COUNTY ROADS  
(CP 8710.320)**

**WHEREAS**, Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plans for Sewers, Environmental Protection and County Taxpayers," as amended by Local Law No. 24-2007, authorized the use of 11.25 percent of sales, and compensating use tax proceeds generated each year through November of 2007 for the purpose of Water Quality Protection, as determined by duly enacted Resolutions of the County of Suffolk; and

**WHEREAS**, there are funds remaining within the reserved fund balance of Fund 477, which have accrued through November of 2007 and are required to be appropriated for the purpose of Water Quality Protection; and

**WHEREAS**, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

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

**WHEREAS**, the Suffolk County Department of Public Works has requested funding for a project that proposes to install signage that discourages littering on County Roadways adjacent to waterways and/or County Parks in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER; and

**WHEREAS**, the United States Environmental Protection Agency has deemed pollution prevention measures, such as litter control, to be critical best management practices for improving and protecting public health and surface water quality; and

**WHEREAS**, Suffolk County's Stormwater Management Program (pursuant to SPDES General Permit 0-08-002) has a goal of a 50% reduction of litter and debris entering our surface waterbodies via the County's storm sewer system, and this program is an effective means of contributing to said goal; and

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

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

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

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II action, 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

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of Seventy-Eight (78) 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

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

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

**EXPENDITURES:**

| <u>Agency</u> | <u>Fund</u> | <u>Organization</u> | <u>Object</u> | <u>Description</u>       | <u>Amount</u> |
|---------------|-------------|---------------------|---------------|--------------------------|---------------|
| IFT           | 477         | E525                | 9600          | Transfer to Capital Fund | \$30,000      |

and be it further

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

**REVENUES:**

| <u>Agency</u>                   | <u>Fund</u> | <u>Rev Source</u> | <u>Organization</u> | <u>Description</u>                        | <u>Amount</u> |
|---------------------------------|-------------|-------------------|---------------------|-------------------------------------------|---------------|
| IFT<br>(REF. 525-CAP-IFTR-R477) | 525         | R477              | E525                | Transfer from Water<br>Quality Protection | \$30,000      |

and be it further

**6<sup>th</sup> RESOLVED**, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8710  
Project Title: Anti-Litter Signage on County Roads

|                            | <u>Total Est.<br/>Cost</u> | <u>Current 2008<br/>Capital Budget<br/>&amp; Program</u> | <u>Revised 2008<br/>Capital Budget<br/>&amp; Program</u> |
|----------------------------|----------------------------|----------------------------------------------------------|----------------------------------------------------------|
| 5. Furniture and Equipment | \$30,000                   | \$0                                                      | \$30,000 W                                               |
| TOTAL                      | \$30,000                   | \$0                                                      | \$30,000                                                 |

and be it further

**7<sup>th</sup> RESOLVED**, that the transfer in the amount of \$30,000 be and hereby is appropriated as follows:

| <u>Project Number</u> | <u>JC</u> | <u>Project Title</u>                                            | <u>Amount</u> |
|-----------------------|-----------|-----------------------------------------------------------------|---------------|
| 525-CAP-8710.320      | 50        | Installation of Anti-Litter Signage<br>on Selected County Roads | \$30,000      |

and be it further

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

DATED:

APPROVED BY:

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

Date of Approval:

1936

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

|                                                                                                                                                                                                                                                                 |                                                                                      |                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|------------------|
| 1. Type of Legislation                                                                                                                                                                                                                                          |                                                                                      |                  |
| Resolution <u>  X  </u> Local Law _____                      Charter Law _____                                                                                                                                                                                  |                                                                                      |                  |
| 2. Title of Proposed Legislation                                                                                                                                                                                                                                |                                                                                      |                  |
| AMENDING THE ADOPTED 2008 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH INSTALLATION OF ANTI-LITTER SIGNAGE ON COUNTY ROADS (CP 8710.320) |                                                                                      |                  |
| 3. Purpose of Proposed Legislation                                                                                                                                                                                                                              |                                                                                      |                  |
| SEE NO. 2 ABOVE                                                                                                                                                                                                                                                 |                                                                                      |                  |
| 4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No _____                                                                                                                                                           |                                                                                      |                  |
| 5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)                                                                                                                                                 |                                                                                      |                  |
| <u>County</u>                                                                                                                                                                                                                                                   | Town                                                                                 | Economic Impact  |
| Village                                                                                                                                                                                                                                                         | School District                                                                      | Other (Specify): |
| Library District                                                                                                                                                                                                                                                | Fire District                                                                        |                  |
| 6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact                                                                                                                                                                                     |                                                                                      |                  |
| THIS RESOLUTION TRANSFERS FUNDS FROM FUND 477, WATER QUALITY PROTECTION, TO FUND 525- THE CAPITAL FUND AND APPROPRIATES THESE FUNDS IN CAPITAL PROJECT 8710-WATER QUALITY PROJECTION PROJECT.                                                                   |                                                                                      |                  |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.                                                                                                                                                                |                                                                                      |                  |
| N/A                                                                                                                                                                                                                                                             |                                                                                      |                  |
| 8. Proposed Source of Funding                                                                                                                                                                                                                                   |                                                                                      |                  |
| FUND 477 RESERVE FUND BALANCE                                                                                                                                                                                                                                   |                                                                                      |                  |
| 9. Timing of Impact                                                                                                                                                                                                                                             |                                                                                      |                  |
| UPON ADOPTION                                                                                                                                                                                                                                                   |                                                                                      |                  |
| 10. Typed Name & Title of Preparer                                                                                                                                                                                                                              | 11. Signature of Preparer                                                            | 12. Date         |
| STEVEN FORST<br>SENIOR ACCOUNTANT                                                                                                                                                                                                                               |  | OCTOBER 2, 2008  |

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

1936

**GENERAL FUND**

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

**POLICE DISTRICT AND DISTRICT COURT**

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

**COMBINED**

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

NOTES:

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

COUNTY OF SUFFOLK



1936

OFFICE OF THE COUNTY EXECUTIVE

Steve Levy  
COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER  
COMMISSIONER

DEPARTMENT OF ENVIRONMENT  
AND ENERGY

August 19, 2008

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

Dear Mr. Zwirn:

Enclosed for your approval are the original and one (1) copy of the proposed resolution pursuant to:

"Anti-Litter Signage on County Roads"

There are sufficient funds included in the 2008 Operating Budget Fund 477 for this project. The Suffolk County Water Quality Review Committee, at its April 24, 2008 meeting, approved "Anti-Litter Signage on County Roads" submitted by the Suffolk County Department of Public Works as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds in the amount of \$30,000.

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

Sincerely,

Carrie Meek Gallagher  
Commissioner SC Department of Environment & Energy

Enc.

cc: Jim Morgo, Chief Deputy County Executive

Intro. Res. No. 1937-08

Laid on Table 10/14/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2008, AUTHORIZING THE  
DISBURSEMENT OF FUNDS FROM THE SUFFOLK  
COUNTY LIVING WAGE CONTINGENCY FUND FOR  
COLONIAL YOUTH & FAMILY SERVICES, INC., AND  
LAZY COW, INC. DBA KIDDIE CARE EARLY  
LEARNING CENTER, DAY CARE PROVIDERS UNDER  
CONTRACT WITH THE DEPARTMENT OF SOCIAL  
SERVICES**

**WHEREAS**, in accordance with Section 347-15, County Transitional Financial Assistance was added to the Suffolk County Code wherein child care providers shall be eligible for upfront financial assistance from the Suffolk County Living Wage Contingency Fund, or any successor fund thereto, in order to meet increased payroll expenses; and

**WHEREAS**, Colonial Youth & Family Services, Inc., and Lazy Cow, Inc. dba Kiddie Care Early Learning Center, day care providers, have submitted an application for Hardship Assistance and other prescribed forms to document the need for financial assistance, and

**WHEREAS**, the providers have concerns about their ability to comply with the Living Wage Law without a financial subsidy, and

**WHEREAS**, the centers provide a needed service to the community; and

**WHEREAS**, the Department of Labor has authorized Hardship Assistance in the amount up to a maximum of \$80,489 be awarded for the period January 1, 2008 to December 31, 2008 and,

**WHEREAS**, the Living Wage Hardship funding will be provided to Colonial Youth & Family Services, Inc. (\$2,899), and Lazy Cow, Inc. dba Kiddie Care Early Learning Center (\$77,590) in the amount up to a maximum of \$80,489; now, be it

**1. RESOLVED**, that the County Comptroller be and hereby is authorized, empowered and directed to disburse funds as follows:

**FROM:**

001-MSC-1998-4770 Suffolk County Living Wage Contingency Fund \$80,489.00

**TO:**

001-DSS-6015-4770 Client Benefits Special Services \$80,489.00

and be it further

2. **RESOLVED**, that the Commissioner of Social Services is hereby authorized, empowered and directed to disburse the funds to Colonial Youth & Family Services, Inc., and Lazy Cow, Inc. dba Kiddie Care Early Learning Center.

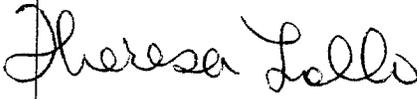
DATED: \_\_\_\_\_

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

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

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

1937

|                                                                                                                                                                                                                                                                                                                                                                 |                                                                                      |                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|-------------------------------------------|
| 1. Type of Legislation                                                                                                                                                                                                                                                                                                                                          |                                                                                      |                                           |
| Resolution <u>  X  </u> Local Law _____    Charter Law _____                                                                                                                                                                                                                                                                                                    |                                                                                      |                                           |
| 2. Title of Proposed Legislation                                                                                                                                                                                                                                                                                                                                |                                                                                      |                                           |
| AUTHORIZING THE DISBURSEMENT FROM THE SUFFOLK COUNTY LIVING WAGE CONTINGENCY FUND FOR COLONIAL YOUTH & FAMILY SERVICES, INC., AND LAZY COW, INC. DBA KIDDIE CARE EARLY LEARNING CENTER, DAY CARE PROVIDERS UNDER CONTRACT WITH THE DEPARTMENT OF SOCIAL SERVICES.                                                                                               |                                                                                      |                                           |
| 3. Purpose of Proposed Legislation                                                                                                                                                                                                                                                                                                                              |                                                                                      |                                           |
| Disburse funds from the Suffolk County Living Wage Contingency Fund to provide a subsidy to Colonial Youth & Family Services, Inc., (\$2,899) and Lazy Cow, Inc. dba Kiddie Care Early Learning Center (\$77,590). The subsidy is for the purpose of providing financial assistance to meet the wage standards required by the law for the period 1/1-12/31/08. |                                                                                      |                                           |
| 4. Will the Proposed Legislation Have a Fiscal Impact?    Yes <u>  X  </u> No _____                                                                                                                                                                                                                                                                             |                                                                                      |                                           |
| 5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)                                                                                                                                                                                                                                                                      |                                                                                      |                                           |
| <input checked="" type="checkbox"/> County                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/> Town                                                        | <input type="checkbox"/> Economic Impact  |
| <input type="checkbox"/> Village                                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/> School District                                             | <input type="checkbox"/> Other (specify): |
| <input type="checkbox"/> Library District                                                                                                                                                                                                                                                                                                                       | <input type="checkbox"/> Fire District                                               |                                           |
| 6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact.    See item 7.                                                                                                                                                                                                                                                                     |                                                                                      |                                           |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political of other Subdivision.                                                                                                                                                                                                                                                                |                                                                                      |                                           |
| This resolution requests the disbursement of up to a maximum of \$80,489 from the Suffolk County Living Wage Contingency Fund for the period 1/1-12/31/08.                                                                                                                                                                                                      |                                                                                      |                                           |
| 8. Proposed Source of Funding.                                                                                                                                                                                                                                                                                                                                  |                                                                                      |                                           |
| The Suffolk County Living Wage Contingency Fund (001 – MSC – 1998 – 4770)                                                                                                                                                                                                                                                                                       |                                                                                      |                                           |
| 9. Timing of Impact.                                                                                                                                                                                                                                                                                                                                            |                                                                                      |                                           |
| Immediate                                                                                                                                                                                                                                                                                                                                                       |                                                                                      |                                           |
| 10. Typed Name & Title of Preparer                                                                                                                                                                                                                                                                                                                              | 11. Signature of Preparer                                                            | 12. Date                                  |
| Theresa M. Lollo<br>Principal Financial Analyst                                                                                                                                                                                                                                                                                                                 |  | 10/3/08                                   |

FINANCIAL IMPACT  
2008 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1937

GENERAL FUND

| TOWN  | 2008<br>PROPERTY TAX LEVY | 2008<br>COST TO AVG TAXPAYER | 2008 AV TAX<br>RATE PER \$100 | 2008 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$0                       | \$0.00                       |                               | \$0.000                         |

POLICE DISTRICT AND DISTRICT COURT

| TOWN  | 2008<br>PROPERTY TAX LEVY | 2008<br>COST TO AVG TAXPAYER | 2008 AV TAX<br>RATE PER \$100 | 2008 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$0                       | \$0.00                       |                               | \$0.000                         |

COMBINED

| TOWN  | 2008<br>PROPERTY TAX LEVY | 2008<br>COST TO AVG TAXPAYER | 2008 AV TAX<br>RATE PER \$100 | 2008 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$0                       | \$0.00                       |                               | \$0.000                         |

NOTES:

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

COUNTY OF SUFFOLK



1937

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF SOCIAL SERVICES

Janet DeMarzo  
Commissioner

**Memorandum**

**TO:** Ben Zwirn  
Assistant Deputy County Executive  
  
Brendan Chamberlain  
County Executive Assistant

**FROM:** Janet DeMarzo  
Commissioner of the Department of Social Services

**DATE:** July 29, 2008

**SUBJECT:** **REQUEST FOR A LEGISLATIVE RESOLUTION –  
Authorizing the Disbursement of Funds from the Suffolk County Living Wage  
Contingency Fund**

AUTHORIZING THE DISBURSEMENT OF FUNDS FROM THE SUFFOLK COUNTY LIVING WAGE CONTINGENCY FUND FOR COLONIAL YOUTH & FAMILY SERVICES, INC., AND LAZY COW, INC. DBA KIDDIE CARE EARLY LEARNING CENTER, DAY CARE PROVIDERS UNDER CONTRACT WITH THE DEPARTMENT OF SOCIAL SERVICES

In accordance with the Living Wage Law, child care providers are eligible for assistance from the Suffolk County Living Wage Contingency Fund in order to enable them to meet the increased payroll expenses which result from paying employees the hourly rate required by the law. The aforementioned day care centers have applied to the County for such assistance and the Department of Labor has approved the applications in accordance with established procedures.

Attached please find the above referenced resolution, the introduction form (SCIN Form 175a), the fiscal impact statement (SCIN Form 175b), and related backup material. The e-copies relating to this resolution are entitled "Reso-DSS-Living Wage Contingency Fund 2008-2." If you have any questions, please contact Patricia Clark at X 49939.

Enc.  
ec: CE Reso. Review Distribution List

1937

**SUFFOLK COUNTY DEPARTMENT OF LABOR – LIVING WAGE UNIT**

**NOTICE OF DECISION ON HARDSHIP ASSISTANCE**

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

**TO BE COMPLETED BY LIVING WAGE UNIT**

**DATE:** July 16, 2008

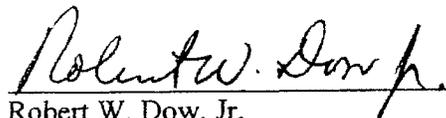
**TO:** Robert T. Zielinski  
Suffolk County Dept. of Social Services  
3085 Veterans Memorial Highway  
Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on May 29, 2008 from **Colonial Youth & Family Services, Inc.** has been received and examined by the *Living Wage* Unit for the amount of \$2,899.

The **Request for Hardship Assistance** has been:

- Accepted, and the *Living Wage* Unit authorizes the submission of the accompanying resolution to the County Legislature.
- Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage* Unit at (631) 853-3808.



Robert W. Dow, Jr.  
Commissioner  
Suffolk County Department of Labor

1937

**SUFFOLK COUNTY DEPARTMENT OF LABOR – LIVING WAGE UNIT**

**NOTICE OF DECISION ON HARDSHIP ASSISTANCE**

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

**TO BE COMPLETED BY *LIVING WAGE UNIT***

**DATE:** July 16, 2008

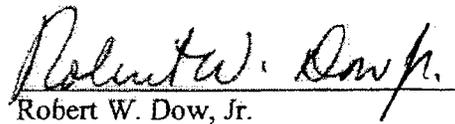
**TO:** Robert T. Zielinski  
Suffolk County Dept. of Social Services  
3085 Veterans Memorial Highway  
Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on May 29, 2008 from **Lazy Cow, Inc. DBA Kiddie Care Early Learning Center** has been received and examined by the *Living Wage Unit* for the amount of \$77,590.

The **Request for Hardship Assistance** has been:

- Accepted, and the *Living Wage Unit* authorizes the submission of the accompanying resolution to the County Legislature.
- Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage Unit* at (631) 853-3808.

  
Robert W. Dow, Jr.  
Commissioner  
Suffolk County Department of Labor

1938

Intro. Res. No. -2008

Laid on Table 10/14/08

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2008, AMENDING THE ADOPTED 2008 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH A VILLAGE OF BABYLON STORMWATER RUNOFF FILTER INSTALLATION PROGRAM (CP 8240)**

**WHEREAS**, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

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

**WHEREAS**, the Suffolk County Department of Public Works will sponsor a stormwater runoff filter vault installation program in accordance with Article XII of the SUFFOLK COUNTY CHARTER; and

**WHEREAS**, the project proposes to install stormwater filter vault units on all pipes/drainage systems in the Village of Babylon that enter any open water body; and

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

**WHEREAS**, the Village of Babylon committed by Town Resolution approved on August 13, 2008 to either the lesser of \$310,000 or one half the cost of this 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**, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2008 Capital Budget and Program; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the Village of Babylon, New York, having conducted a coordinated review and being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, found, as documented in Town Resolution adopted on August 13, 2008, that this project constitutes an unlisted action, for which a Negative Declaration was issued, therefore the SEQRA review is complete and no further action needs to be taken by Suffolk County; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy-four (74) 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

**3<sup>rd</sup> RESOLVED**, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of the County's share for this project; and be it further

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

**EXPENDITURES:**

| <u>Agency</u> | <u>Fund</u> | <u>Organization</u> | <u>Object</u> | <u>Description</u>          | <u>Amount</u> |
|---------------|-------------|---------------------|---------------|-----------------------------|---------------|
| IFT           | 477         | E525                | 9600          | Transfer to<br>Capital Fund | \$310,000     |

and be it further

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

**REVENUES:**

| <u>Agency</u>                   | <u>Fund</u> | <u>Rev Source</u> | <u>Organization</u> | <u>Description</u>                           | <u>Amount</u> |
|---------------------------------|-------------|-------------------|---------------------|----------------------------------------------|---------------|
| IFT<br>(Ref. 525-CAP-IFTR-R477) | 525         | R477              | E525                | Transfer from<br>Water Quality<br>Protection | \$310,000     |

and be it further

**6<sup>th</sup> RESOLVED**, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8240

Project Title: Village of Babylon Stormwater Runoff Filter Installation Program

|                                   | <u>Total<br/>Est'd<br/>Cost</u> | <u>Current<br/>2008<br/>Capital<br/>Budget &amp;<br/>Program</u> | <u>Revised<br/>2008<br/>Capital<br/>Budget &amp;<br/>Program</u> |
|-----------------------------------|---------------------------------|------------------------------------------------------------------|------------------------------------------------------------------|
| 1. Planning, Study, & Engineering | \$210,000                       | \$0.00                                                           | \$205,000<br>\$ 5,000W                                           |
| 3. Construction                   | \$410,000                       | \$0.00                                                           | \$105,000<br>\$305,000W                                          |
| TOTAL                             | \$620,000                       | \$0.00                                                           | \$620,000                                                        |

and be it further

**7<sup>th</sup> RESOLVED**, that these Water Quality proceeds in the amount of \$310,000 be and hereby is appropriated as follows:

| <u>Project Number</u> | <u>JC</u> | <u>Project Title</u>                                                           | <u>Amount</u> |
|-----------------------|-----------|--------------------------------------------------------------------------------|---------------|
| 525-CAP-8240.116      | 50        | Village of Babylon Stormwater Runoff Filter Installation Program- Engineering  | \$ 5,000      |
| 525-CAP-8240.320      | 50        | Village of Babylon Stormwater Runoff Filter Installation Program- Construction | \$305,000     |

and be it further

**8<sup>th</sup> RESOLVED**, that fund from the Village of Babylon in the amount of \$310,000 be and hereby are appropriated as follows:

| <u>Project Number</u> | <u>JC</u> | <u>Project Title</u>                                                           | <u>Amount</u> |
|-----------------------|-----------|--------------------------------------------------------------------------------|---------------|
| 525-CAP-8240.117      | 50        | Village of Babylon Stormwater Runoff Filter Installation Program- Engineering  | \$205,000     |
| 525-CAP-8240.320      | 50        | Village of Babylon Stormwater Runoff Filter Installation Program- Construction | \$105,000     |

and be it further

**8<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project; and be it further

**9<sup>th</sup> RESOLVED**, that the County Executive is hereby authorized to execute an inter-municipal agreement with the Village of Babylon under Section 119-0 of the NEW YORK GENERAL MUNICIPAL LAW, which shall include but not be limited to, a provision authorizing the Village of Babylon to conduct a Stormwater Runoff Filter Installation Project.

DATED:

APPROVED BY:

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

Date of Approval:

1938

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

|                                                                                                                                                                                                                                                                            |                                                                                      |                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|------------------|
| 1. Type of Legislation                                                                                                                                                                                                                                                     |                                                                                      |                  |
| Resolution <u> X </u> Local Law _____                      Charter Law _____                                                                                                                                                                                               |                                                                                      |                  |
| 2. Title of Proposed Legislation                                                                                                                                                                                                                                           |                                                                                      |                  |
| AMENDING THE ADOPTED 2008 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH A VILLAGE OF BABYLON STORMWATER RUNOFF FILTER INSTALLATION PROGRAM (CP 8240) |                                                                                      |                  |
| 3. Purpose of Proposed Legislation                                                                                                                                                                                                                                         |                                                                                      |                  |
| SEE NO. 2 ABOVE                                                                                                                                                                                                                                                            |                                                                                      |                  |
| 4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u> X </u> No _____                                                                                                                                                                        |                                                                                      |                  |
| 5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)                                                                                                                                                            |                                                                                      |                  |
| <u> County </u>                                                                                                                                                                                                                                                            | Town                                                                                 | Economic Impact  |
| Village                                                                                                                                                                                                                                                                    | School District                                                                      | Other (Specify): |
| Library District                                                                                                                                                                                                                                                           | Fire District                                                                        |                  |
| 6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact                                                                                                                                                                                                |                                                                                      |                  |
| THIS RESOLUTION TRANSFERS FUNDS FROM FUND 477, WATER QUALITY PROTECTION, TO FUND 525- THE CAPITAL FUND AND APPROPRIATES THESE FUNDS IN CAPITAL PROJECT 8240- STORMWATER REMEDIATION.                                                                                       |                                                                                      |                  |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.                                                                                                                                                                           |                                                                                      |                  |
| N/A                                                                                                                                                                                                                                                                        |                                                                                      |                  |
| 8. Proposed Source of Funding                                                                                                                                                                                                                                              |                                                                                      |                  |
| FUND 477 RESERVE FUND BALANCE                                                                                                                                                                                                                                              |                                                                                      |                  |
| 9. Timing of Impact                                                                                                                                                                                                                                                        |                                                                                      |                  |
| UPON ADOPTION                                                                                                                                                                                                                                                              |                                                                                      |                  |
| 10. Typed Name & Title of Preparer                                                                                                                                                                                                                                         | 11. Signature of Preparer                                                            | 12. Date         |
| STEVEN FORST<br>SENIOR ACCOUNTANT                                                                                                                                                                                                                                          |  | OCTOBER 3, 2008  |

FINANCIAL IMPACT  
2008 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1938

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

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

COUNTY OF SUFFOLK

SEP 09 2008



1938

OFFICE OF THE COUNTY EXECUTIVE

Steve Levy  
COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER  
COMMISSIONER

DEPARTMENT OF ENVIRONMENT  
AND ENERGY

September 3, 2008

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

Dear Mr. Zwirn:

Enclosed for your approval are the original and one (1) copy of the proposed resolution pursuant to:

"Village of Babylon Stormwater Runoff Filter Installation Program"

There are sufficient funds included in the 2008 Operating Budget Fund 477 for this project. The Suffolk County Water Quality Review Committee, at its June 19, 2008 meeting, approved "Village of Babylon Stormwater Runoff Filter Installation Program" submitted by the Village of Babylon and Suffolk County Department of Public Works as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds in the amount of \$310,000. The County Executive is authorized to execute an intermunicipal agreement with the Village of Babylon under Section 119-0 of the NEW YORK GENERAL MUNICIPAL LAW.

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

Sincerely,

Carrie Meek Gallagher  
Commissioner SC Department of Environment & Energy

Enc.

cc: Jim Morgo, Chief Deputy County Executive

OFFICE OF THE  
VILLAGE CLERK

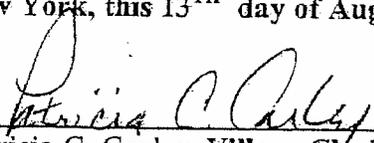
Patricia C. Carley



153 West Main Street  
Babylon Village  
New York 11702  
(631) 669-1500

Patricia C. Carley, Village Clerk of the Village of Babylon, DO HEREBY CERTIFY THAT I have compared the attached copy of Board of Trustees resolution, passed at a regular meeting on August 12, 2008 with the original of said document on file in my office as Village Clerk in the official minute book of the Board of Trustees, and that the same is a true and exact copy thereof and that said document has not been altered, amended or revoked and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and Affixed the seal of the Village of Babylon, Suffolk County New York, this 13<sup>TH</sup> day of August, 2008.

  
\_\_\_\_\_  
Patricia C. Carley, Village Clerk

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With regard to the resolution approved at the July 22, 2008, Board meeting with regard to accepting funding from the County of Suffolk for the Stormwater Runoff Filter Installation Program, we have been requested by the County to amend that resolution to read as follows:

RESOLVED that Ralph A. Scordino, as Mayor of the Village of Babylon, is hereby authorized and directed to enter into and execute an inter-municipal agreement with the County of Suffolk to accept funding for the Stormwater Runoff Filter Installation Program.

AND ALSO RESOLVED that the Village of Babylon is hereby authorized to provide matching funds based on actual construction costs not to exceed \$310,000 Matching funds.

OFFICE OF THE  
VILLAGE CLERK

Patricia C. Carley

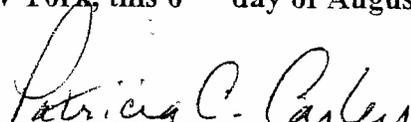


1938

153 West Main Street  
Babylon Village  
New York 11702  
(631) 669-1500

Patricia C. Carley, Village Clerk of the Village of Babylon, DO HEREBY CERTIFY THAT I have compared the attached copy of Board of Trustees resolution, passed at a regular meeting on July 22, 2008 with the original of said document on file in my office as Village Clerk in the official minute book of the Board of Trustees, and that the same is a true and exact copy thereof and that said document has not been altered, amended or revoked and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and Affixed the seal of the Village of Babylon, Suffolk County New York, this 6<sup>TH</sup> day of August, 2008.

  
\_\_\_\_\_  
Patricia C. Carley, Village Clerk

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WHEREAS, the Board of Trustees of the Incorporated Village of Babylon are Lead Agency for the purpose of the State Environmental Quality Review of the project to install 93 Storm Water Runoff Filtering Devices within the Village of Babylon;

BE IT RESOLVED, that the Board of Trustees in their capacity as Lead Agency hereby Determine that this is an UNLISTED ACTION for the purposes of SEQRA and HEREBY ACCEPT the Negative Declaration NOTICE OF DETERMINATION OF NON – SIGNIFICANCE dated July 15, 2008

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STATE ENVIRONMENTAL QUALITY REVIEW  
NEGATIVE DECLARATION  
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE  
STORM WATER RUNOFF FILTER INSTALLATION PROGRAM  
VILLAGE OF BABYLON

Date: July 15, 2008

This notice is issued pursuant to Article 8 of the Environmental conservation law (State Environmental Quality Review Act) and the implementing regulations therefore at 6 NYCRR Part 617.

The Village Board of Trustees of the Incorporated Village of Babylon has determined, subsequent to review of Drainage Map of the Village showing the proposed location of 93 Storm Water Runoff Filtering Devices, Short Environmental Assessment Form (SEAF), site inspections as well as testimony at public meetings and hearings and correspondence received, that the proposed action described below will not have a significant effect on the environment, and that an Environmental Impact Statement (EIS) will not be prepared.

**Name of Action:** Storm Water Runoff Filter Installation Program.

**SEQRA Status:** Unlisted Action.

**Conditional Negative Declaration:** No.

**Description of Action:** The proposed project includes the installation of stormwater filter units on all pipes/drainage systems in the Village that enter any open water body. There are currently ninety-three outfall pipes entering the various lakes, streams, canals and bay surface waters. In their current state, only two of the ninety-three outfall pipes have a stormwater filter unit installed, all others remain un-protected allowing the untreated stormwater to enter the waterbody. The affected water bodies are designated by the NYSDEC as the Great South Bay, West and Tidal Tributaries to Great South Bay, West. These waters are classified as shellfish and fish consumption waters and recreation waters. Impairments to the waters include fish consumption advisories and shellfish and recreation restrictions. The priority pollutants are classified as floatables, sediments, priority organic and pathogens, the majority of which

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State Environmental Quality Review  
Negative Declaration  
Notice of Determination of Non-Significance  
Proposed Storm Water Runoff Filter Installation Program  
Incorporated Village of Babylon

are caused by stormwater and urban non-point runoff. The expected environmental benefit of the project is the reduction in the pollutant and sediment loads entering the water bodies.

The proposed stormwater filters to be installed are manufactured by AbTech Industries, Scottsdale, AZ. Documentation from the manufacturers of the filtration units states they will capture roughly 80% of all total suspended solids (TSS), 85% of oil and grease, 95% of enterococcus and 90% of fecal coliform. The filters are installed in an aluminum frame located within a concrete vault structure similar to a roadway catch basin.

**Project Location:** Village Wide see (attached map).

**Reasons Supporting This Determination:** In accordance with the State Environmental Quality Review Act and its implementing regulations at 6 NYCRR Part 617, the Village Board of Trustees of the Incorporated Village of Babylon, using available information and comparing same with Thresholds set forth in 6 NYCRR §617.4, has determined that this project is an Unlisted Action, and a uncoordinated review has been conducted.

Regarding environmental impacts, based upon the information contained in the aforesaid documents, and testimony at the public meetings and hearings, the Board of Trustees of the Incorporated Village of Babylon, after due deliberation, review and analysis of the information before the Board and the criteria set forth in 6 NYCRR §617.7, determines that the proposed action will not result in significant impacts to the environment. This determination is supported by the following:

**Impact on Land**

The subject program will utilize existing storm water catch basin and/or be constructed within Village Right-Of-Ways. And therefore there will be no impact on land or land uses.

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State Environmental Quality Review  
Negative Declaration  
Notice of Determination of Non-Significance  
Proposed Storm Water Runoff Filter Installation Program  
Incorporated Village of Babylon

Water Supply and Water Resources

1. This project does not require any water supply or water resources.
2. Project is designed to protect adjacent water resources.

Utilities and Solid Waste

1. An implementation of the proposed action will not have an impact on the existing demand for utilities.
2. An implementation of the proposed action will not have an impact on the amount of solid waste generated in the Village of Babylon. Thus, the proposed action will not result in any adverse impacts to the solid waste management of the region.

Land Use, Growth and Character of Community

The proposed action is designed to improve the quality of water discharging into Village streams, rivers and other bodies of water.

Zoning

The proposed action has no effect on the zoning of the Village.

Community Services

There will be no increase in demand on community services.

Aesthetics

The proposed action will enhance the aesthetics of the Village.

Cultural Resources

Cultural Resources will not be impacted by implementation of the proposed action.

Traffic And Transportation

There are no traffic and/or transportation issues associated with this project.

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**State Environmental Quality Review  
Negative Declaration  
Notice of Determination of Non-Significance  
Proposed Storm Water Runoff Filter Installation Program  
Incorporated Village of Babylon**

**Air Quality and Noises**

1. As the proposed action will not result in traffic impacts and will not result in increased vehicle delay and/or idling, no adverse traffic-related air quality impacts are expected.
2. Since the proposed action will not include a source of stationary emissions, no adverse stationary-source air quality impacts are anticipated.
3. No adverse noise impacts are expected

**For Further Information:**

**Contact Person:** Ms. Suzanne Schettino,  
**Address:** Incorporated Village of Babylon  
153 West Main Street  
Babylon, NY 11702  
**Telephone No.:** (631) 669-1300



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**LEGEND**  
 \* STORMWATER RUNOFF FILTER LOCATION

|                                                                                                                          |                                                        |
|--------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| VILLAGE OF BABYLON<br>SUFFOLK COUNTY, NEW YORK                                                                           |                                                        |
| DRAINAGE MAP                                                                                                             |                                                        |
| STORM WATER RUNOFF FILTER<br>INSTALLATION PROGRAM                                                                        |                                                        |
| <b>SAVIK &amp; MURRAY, LLP</b><br>CONSULTING ENGINEERS<br><small>1000 ROUTE 111, SUITE 200, GREAT NECK, NY 11030</small> | DATE: 4-11-08<br>SCALE: 1"=400'<br>PROJECT NO.: 080111 |
| SHEET NO.                                                                                                                | 1                                                      |
| OF                                                                                                                       | 1                                                      |

\* PLANS AND SPECIFICATIONS SHALL NOT BE ALTERED IN ANY MANNER EXCEPT AS APPROVED BY THE DESIGNER AND THE SUPERVISOR OF THE WORK UNDER THE SUPERVISION OF THE STATE ENGINEER.

1938

617.20

Appendix C  
State Environmental Quality Review  
SHORT ENVIRONMENTAL ASSESSMENT FORM  
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR  
Village of Babylon

2. PROJECT NAME  
Stormwater Runoff Filter Installation Program

3. PROJECT LOCATION:  
Municipality Village of Babylon County Suffolk

4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc.. or provide map)  
Throughout the Village - See attached map for locations

5. PROPOSED ACTION IS:  
 New  Expansion  Modification/alteration

6. DESCRIBE PROJECT BRIEFLY:  
Installation of 93 storm water run-off filtration basins

7. AMOUNT OF LAND AFFECTED:  
Initially \_\_\_\_\_ acres Ultimately N/A acres

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?  
 Yes  No If No, describe briefly

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?  
 Residential  Industrial  Commercial  Agriculture  Park/Forest/Open Space  Other  
Describe:  
This project is Village wide and as such will be accomplished in various zoning districts

10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?  
 Yes  No If Yes, list agency(s) name and permit/approvals:  
Suffolk County (funding) and New York State Department of Environmental Conservation (permit)

11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?  
 Yes  No If Yes, list agency(s) name and permit/approvals:

12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?  
 Yes  No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Ralph A. Scordino

Signature: Ralph A. Scordino

Date: 07/18/08

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

Reset

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**PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4?  Yes  No If yes, coordinate the review process and use the FULL EAF.

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.  Yes  No

- C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)
- C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:  
Projects benefits will enhance the environment
  - C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:  
Projects benefits will enhance the environment
  - C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:  
Projects benefits will enhance the environment
  - C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:  
Projects benefits will enhance the environment
  - C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:  
Projects benefits will enhance the environment
  - C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:  
Projects benefits will enhance the environment
  - C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:  
Projects benefits will enhance the environment

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?  Yes  No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?  Yes  No If Yes, explain briefly:

**PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.

Village of Babylon  
Name of Lead Agency

Ralph A Scordino  
Print or Type Name of Responsible Officer in Lead Agency

*Ralph A Scordino*  
Signature of Responsible Officer in Lead Agency

07/18/08  
Date

Mayor  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Preparer (if different from responsible officer)

Reset

Intro. Res. No. 1939-08  
Introduced by Presiding Officer at the Request of the County Executive

Laid on the Table 10/14/08

**RESOLUTION NO. -2008, ACCEPTING AND APPROPRIATING  
100% LOCAL GOVERNMENT RECORDS MANAGEMENT  
IMPROVEMENT FUND GRANT FROM NEW YORK STATE FOR  
RECORDS MANAGEMENT PROGRAMS**

**WHEREAS**, the State Education Department has advised the Suffolk County Clerk that a Local Government Records Management Improvement Fund Grant in the amount of seventy thousand four hundred fifty four dollars (\$70,454.00) has been awarded to the Suffolk County Clerk's Office for records management programs; and

**WHEREAS**, this grant will make it possible for the Suffolk County Clerk's Office to create digital use copies of the paper Grantor/Grantee indexes 1893-1950 series volumes thereby increasing the longevity of the records; and

**WHEREAS**, no matching funds are required; and

**WHEREAS**, funds appropriated for this New York State Education Department, State Archives and Records Administration (S.A.R.A) grant will be accepted and available in the 2008-2009 fiscal year, beginning August 15, 2008 through June 30, 2009; now, therefore be it

**RESOLVED** that funding in the amount of seventy thousand four hundred fifty four dollars (\$70,454.00) in the form of a Local Governments Record Management Improvement Fund Grant for the purpose of assisting the Suffolk County Clerk in establishing records management programs or developing new components thereof is appropriated as follows:

|                           |               |
|---------------------------|---------------|
| <u>REVENUES:</u>          | <u>AMOUNT</u> |
| 001-3089 State Aid: Other | \$70,454.00   |
| <br><u>APPROPRIATIONS</u> |               |
| County Clerk's Office     |               |
| 001-CLK-1414-1130         |               |
| Temporary Services        | \$70,454.00   |

DATED:

APPROVED BY:

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

Date of Approval:



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

1939

**GENERAL FUND**

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

**POLICE DISTRICT AND DISTRICT COURT**

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

**COMBINED**

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

**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.



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12230

The New York State Archives  
Grants Administration Unit  
9A81 CEC  
Albany, NY 12230

1938

September 9, 2008

Project Number: 0580-09-0283

Lawrence Davidson, Project Director  
Suffolk County  
310 Center Dr  
Riverhead, NY 11901

Dear Mr. Davidson:

We are sorry to have to report to you that the Division of Budget has mandated that the Local Government Management Improvement Fund program implement a **six-percent reduction** against all 2008-09 local assistance funds. This action is part of a two-year plan by Governor Patterson to address the significant budget deficit here in New York State. All state Aid to Locality programs, including the Local Government Records Management Improvement Fund grants program, are expected to adhere to this reduction, with very few exceptions.

**In order to comply with this mandate, the State Archives must reduce the grant award to your local government to \$70454.** Please note that we came to this number by reducing all budget codes previously approved for your grant by 6%.

We have instituted this change in this way because it is the easiest and fairest way to make these changes. However, if you prefer to apply the reduction to your grant in another way, please work with your respective Regional Advisory Officer on a revised budget and submit a revised budget to the Grant Administration Unit within 60 days of the date of this letter. Otherwise, we will assume that the enclosed revision to your budget is acceptable to you.

We apologize for any inconvenience this change may cause you. Please note that we have no choice but to make these cuts to a grant we have already awarded to your local government. We are doing what we can to ensure the success of your grants project under what we realize are trying circumstances.

[http://www.budget.state.ny.us/pubs/press/2008/press\\_release08\\_0821.html](http://www.budget.state.ny.us/pubs/press/2008/press_release08_0821.html)

Sincerely,

Frank Campione, Manager, Grants Administration Unit

att:

cc: Lorraine Hill-Campbell, RAO

**LGRMIF Grant Acceptance Form**

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**Local Government:** Suffolk County

**Project Number:** 0580-09-0283

**Budget Summary:**

|         |                         |       |
|---------|-------------------------|-------|
| Code 15 | Professional Salaries:  | 0     |
| Code 16 | Support Staff Salaries: | 70454 |
| Code 40 | Purchased Services:     | 0     |
| Code 45 | Supplies and Materials: | 0     |
| Code 46 | Travel Expenses:        | 0     |
| Code 80 | Employee Benefits:      | 0     |
| Code 49 | BOCES Services:         | 0     |
| Code 30 | Minor Remodeling:       | 0     |
| Code 20 | Equipment:              | 0     |

**Amount of Grant Award:** \$70,454

*I hereby accept a grant from the Local Government Records Management Improvement Fund in the amount indicated above and agree to comply with all reporting requirements. These funds will be expended in accordance with the budget as detailed above and approved by the State Education Department.*

**Authorizing Official:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Complete this form and return it to:**

The New York State Archives  
 Grants Administration Unit  
 9A81 Cultural Education Center  
 Albany, NY 12230

**If you have any questions, please contact the Training and Grants Support Services Unit:**

Telephone: (518) 474 - 6926  
 E-mail: archgrants@mail.nysed.gov

1940

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

Laid on the Table 10/14/0

**RESOLUTION NO. -2008, ACCEPTING AND APPROPRIATING RAPID RESPONSE SUPPLEMENTAL DISLOCATED WORKER FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.**

**WHEREAS**, the New York State Department of Labor has awarded additional funds for the Workforce Investment Act (WIA) Program to the Suffolk County Department of Labor in the amount of \$420,948.00; and

**WHEREAS**, the additional funds were awarded in the "Rapid Response Supplemental Dislocated Worker" category to integrate employment and training services into a comprehensive workforce delivery system for impacted workers; and

**WHEREAS**, these additional funds have not been included in the 2008 Adopted Operating Budget; and

**WHEREAS**, it is in the best interest of the County to accept this 100% funded grant; now, therefore be it

**1<sup>ST</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and they are hereby authorized to accept and appropriate the following funds:

**REVENUES:**

320-4790 Federal Aid \$420,948

**ORGANIZATIONS:**

Department of Labor (LAB) \$420,948  
Workforce Investment Act  
320-6300

**4000-CONTRACTUAL EXPENSES**

4980-Contracted Agencies 420,948  
420,948

and, be it further

**2<sup>ND</sup> RESOLVED**, that the Reporting Category for the Integrated Financial Management system (IFMS) is 6300.

APPROVED BY: \_\_\_\_\_

County Executive of Suffolk County  
Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1940

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                       |                                          |                                            |                               |                                          |                                  |                                          |                                          |                                           |                                        |                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|------------------------------------------|--------------------------------------------|-------------------------------|------------------------------------------|----------------------------------|------------------------------------------|------------------------------------------|-------------------------------------------|----------------------------------------|-----------------------------------------|
| 1. Type of Legislation<br><br>Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                       |                                          |                                            |                               |                                          |                                  |                                          |                                          |                                           |                                        |                                         |
| 2. Title of Proposed Legislation:<br><b>ACCEPTING AND APPROPRIATING 100% RAPID RESPONSE SUPPLEMENTAL DISLOCATED WORKER GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM</b>                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                       |                                          |                                            |                               |                                          |                                  |                                          |                                          |                                           |                                        |                                         |
| 3. Purpose of Proposed Legislation<br><b>To integrate Dislocated Worker related employment and training services into a Comprehensive workforce delivery system for impacted workers</b>                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                       |                                          |                                            |                               |                                          |                                  |                                          |                                          |                                           |                                        |                                         |
| 4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                       |                                          |                                            |                               |                                          |                                  |                                          |                                          |                                           |                                        |                                         |
| 5. If the Answer to item 4 is "yes", on what will it impact? (check appropriate category) <table style="width: 100%; margin-top: 10px;"> <tr> <td><input checked="" type="checkbox"/> County</td> <td><input type="checkbox"/> Town</td> <td><input type="checkbox"/> Economic Impact</td> </tr> <tr> <td><input type="checkbox"/> Village</td> <td><input type="checkbox"/> School District</td> <td><input type="checkbox"/> Other (Specify)</td> </tr> <tr> <td><input type="checkbox"/> Library District</td> <td><input type="checkbox"/> Fire District</td> <td><input type="checkbox"/> NOT APPLICABLE</td> </tr> </table> |                                                                                                                       |                                          | <input checked="" type="checkbox"/> County | <input type="checkbox"/> Town | <input type="checkbox"/> Economic Impact | <input type="checkbox"/> Village | <input type="checkbox"/> School District | <input type="checkbox"/> Other (Specify) | <input type="checkbox"/> Library District | <input type="checkbox"/> Fire District | <input type="checkbox"/> NOT APPLICABLE |
| <input checked="" type="checkbox"/> County                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <input type="checkbox"/> Town                                                                                         | <input type="checkbox"/> Economic Impact |                                            |                               |                                          |                                  |                                          |                                          |                                           |                                        |                                         |
| <input type="checkbox"/> Village                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <input type="checkbox"/> School District                                                                              | <input type="checkbox"/> Other (Specify) |                                            |                               |                                          |                                  |                                          |                                          |                                           |                                        |                                         |
| <input type="checkbox"/> Library District                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/> Fire District                                                                                | <input type="checkbox"/> NOT APPLICABLE  |                                            |                               |                                          |                                  |                                          |                                          |                                           |                                        |                                         |
| 6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact<br><b>Revenue to County</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                       |                                          |                                            |                               |                                          |                                  |                                          |                                          |                                           |                                        |                                         |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Subdivision.<br><b>Revenue to County</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                       |                                          |                                            |                               |                                          |                                  |                                          |                                          |                                           |                                        |                                         |
| 8. Proposed Source of Funding<br><br><b>New York State Department of Labor</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                       |                                          |                                            |                               |                                          |                                  |                                          |                                          |                                           |                                        |                                         |
| 9. Timing of Impact<br><br><b>Immediate</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                       |                                          |                                            |                               |                                          |                                  |                                          |                                          |                                           |                                        |                                         |
| 10. Typed Name & Title of Preparer<br><br><b>THERESA LOLLO<br/>PRINCIPAL FINANCIAL ANALYST</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 11. Signature of Preparer<br><br> | 12. Date<br><br><b>OCTOBER 3, 2008</b>   |                                            |                               |                                          |                                  |                                          |                                          |                                           |                                        |                                         |

FINANCIAL IMPACT  
2008 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1940

GENERAL FUND

| TOWN  | 2008<br>PROPERTY TAX LEVY | 2008<br>COST TO AVG TAXPAYER | 2008 AV TAX<br>RATE PER \$100 | 2008 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$0                       | \$0.00                       |                               | \$0.000                         |

POLICE DISTRICT AND DISTRICT COURT

| TOWN  | 2008<br>PROPERTY TAX LEVY | 2008<br>COST TO AVG TAXPAYER | 2008 AV TAX<br>RATE PER \$100 | 2008 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$0                       | \$0.00                       |                               | \$0.000                         |

COMBINED

| TOWN  | 2008<br>PROPERTY TAX LEVY | 2008<br>COST TO AVG TAXPAYER | 2008 AV TAX<br>RATE PER \$100 | 2008 FEV TAX<br>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.

1940  
COUNTY OF SUFFOLK



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](mailto:sc.dol@suffolkcountyny.gov)  
FAX # (631) 853-6510  
[www.suffolkcountyny.gov/labor](http://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

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 RAPID RESPONSE  
SUPPLEMENTAL DISLOCATED WORKER FUNDS FROM THE NEW YORK STATE  
DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.

Thank you for your assistance.

\* \* \*

RWD:jk  
Attachment

cc: Jim Morgo, Chief Deputy County Executive

1940

COORDINATION OF GRANT APPLICATION OR CONTRACT  
**County of Suffolk** Date: August 13, 2008

Submitting Department/Agency: **Suffolk County Department of Labor**  
 Location: **Bldg. 17, No. County Complex  
 Veterans Memorial Highway  
 Hauppauge, NY 11788**

Contact Person in Dept/Agency: **Joanne Kandell** Telephone Number: **853-6610** Grant Application Due Date: **N/A**

INSTRUCTIONS: Applicant will complete all items on this form. If an item is not applicable enter "NA". If additional space is needed, insert an asterisk (\*) in the item box and attach additional information on an 8 1/2" x 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title:  
**ACCEPTING AND APPROPRIATING RAPID RESPONSE DISLOCATED WORKER FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)  
**NEW YORK STATE DEPARTMENT OF LABOR**

3. Grant/Contract Status (Check One)  
 a. \_\_\_ New Program Application  
 b. \_\_\_ Renewal Application  
 c. x **Supplemental (Specify) Rapid Response Supplemental Dislocated Worker**  
 d. \_\_\_ Extension of Funding Period  
 e. \_\_\_ Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment)  
**To integrate employment and training services into a comprehensive workforce delivery system for impacted workers.**

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program).  
**SUFFOLK COUNTY DEPARTMENT OF LABOR**

II. BUDGET INFORMATION

1. Term of Contract  
 FROM: **5/01/08** TO: **12/31/08**

2. Financial Assistance Requested

| SOURCE  | FIRST FUNDING CYCLE |             | SECOND FUNDING CYCLE |         | THIRD FUNDING CYCLE |         |
|---------|---------------------|-------------|----------------------|---------|---------------------|---------|
|         | Amount              | Percent     | Amount               | Percent | Amount              | Percent |
| Federal | \$                  | %           | \$                   | %       | \$                  | %       |
| State   | \$ <b>420,948</b>   | <b>100%</b> | \$                   | %       | \$                  | %       |
| Town    | \$                  | %           | \$                   | %       | \$                  | %       |
| County  | \$                  | %           | \$                   | %       | \$                  | %       |
| Total   | \$ <b>420,948</b>   | <b>100%</b> | \$                   | %       | \$                  | %       |

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3. EXPLANATION OF REQUESTED COUNTY FINANCIAL ASSISTANCE

| CATEGORY                                                                                                                                                                                                                                     | TOTAL REQUESTED | PERSONNEL COSTS REQUESTED | NON-PERSONNEL COSTS REQUESTED |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|---------------------------|-------------------------------|
| TOTAL COUNTY SHARE:                                                                                                                                                                                                                          | \$ -0-          | \$ -0-                    | \$ -0-                        |
| Cash Contribution:                                                                                                                                                                                                                           | \$ -0-          | \$ -0-                    | \$ -0-                        |
| a.                                                                                                                                                                                                                                           |                 |                           |                               |
| b. In-kind Contribution:                                                                                                                                                                                                                     | \$ -0-          | \$ -0-                    | \$ -0-                        |
| 4. Total Number of Positions Requested<br>-0-                                                                                                                                                                                                |                 |                           |                               |
| 5. Can This Program Be Re-funded by the Proposed Non-County Sources? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                     |                 |                           |                               |
| 6. Estimated Expected Additional Indirect costs (Costs to County not Delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)<br>-0- |                 |                           |                               |
| 7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinued (That is, program termination, reduced services, financial implication, layoffs, etc.)<br><br><b>Program terminates.</b>     |                 |                           |                               |
| 8. Attach a List of Potential Subcontractors, If Any, Outlining the Purpose of Each Subcontract (That is, 456 and 498 Account Items; use an additional 8 1/2" x 11" sheet).<br><br>N/A                                                       |                 |                           |                               |

III. COUNTY EXECUTIVE'S OFFICE REVIEW

|                                              |                                      |                          |      |
|----------------------------------------------|--------------------------------------|--------------------------|------|
| Intergovernmental Relations Division Review: | <input type="checkbox"/> Approved    | Signature of Coordinator | Date |
|                                              | <input type="checkbox"/> Disapproved |                          |      |

Comments

|                       |                                      |                              |      |
|-----------------------|--------------------------------------|------------------------------|------|
| Budget Office Review: | <input type="checkbox"/> Approved    | Signature of Budget Director | Date |
|                       | <input type="checkbox"/> Disapproved |                              |      |

Comments

RESOLUTION NO. AMENDING THE  
SUFFOLK COUNTY CLASSIFICATION AND SALARY PLAN  
IN CONNECTION WITH A NEW POSITION TITLE  
IN THE DEPARTMENT OF PUBLIC WORKS  
(PRETREATMENT PROGRAM COORDINATOR)

WHEREAS, the Department of Civil Service/Human Resources has completed a review of duties and responsibilities of a position; and

WHEREAS, on the basis of this review they have determined that the new title of Pretreatment Program Coordinator be created and the Pretreatment Program Director title be abolished; and

WHEREAS, there are sufficient unexpended and uncommitted funds in the Department of Public Works Budget to cover the cost; now, therefore be it

1<sup>st</sup> RESOLVED, that the Suffolk County Classification and Salary Plan and the Department of Public Works Operating Budget be and they are hereby amended as follows:

AMENDMENTS TO CLASSIFICATION AND SALARY PLAN

| <u>ADDITION</u> |           |                                  |              |           |
|-----------------|-----------|----------------------------------|--------------|-----------|
| <u>Spec No.</u> | <u>JC</u> | <u>Position Title</u>            | <u>Grade</u> | <u>BU</u> |
| 7682            | C         | Pretreatment Program Coordinator | 28           | 2         |
| <u>DELETION</u> |           |                                  |              |           |
| 7679            | C         | Pretreatment Program Director    | 30           | 2         |

AMENDMENTS TO OPERATING BUDGET

| <u>ADDITION</u>     |                 |           |                                                                                                |              |           |
|---------------------|-----------------|-----------|------------------------------------------------------------------------------------------------|--------------|-----------|
| <u>Position No.</u> | <u>Spec No.</u> | <u>JC</u> | <u>Position Title</u>                                                                          | <u>Grade</u> | <u>BU</u> |
| 61-8197-1600-0110   | 7682            | C         | Pretreatment Program Coordinator                                                               | 28           | 2         |
| <u>DELETION</u>     |                 |           |                                                                                                |              |           |
| 61-8197-1600-0100   | 7679            | C         | Pretreatment Program Director<br>Earmark (Industrial Waste Pretreatment<br>Program Specialist) | 30           | 2         |

2<sup>nd</sup> RESOLVED, that the provisions of the within resolution shall take effect within the first pay period immediately succeeding its adoption.

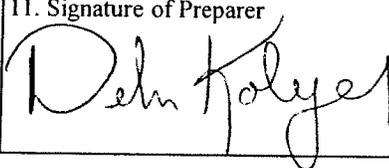
DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County  
Date:

(94)

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

|                                                                                                                                                                                                                                                                                                                                      |                                                                                      |                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|------------------|
| 1. Type of Legislation                                                                                                                                                                                                                                                                                                               |                                                                                      |                  |
| Resolution <u>X</u> Local Law _____                      Charter Law _____                                                                                                                                                                                                                                                           |                                                                                      |                  |
| 2. Title of Proposed Legislation                                                                                                                                                                                                                                                                                                     |                                                                                      |                  |
| AMENDING THE SUFFOLK COUNTY CLASSIFICATION AND SALARY PLAN IN CONNECTION WITH A NEW POSITION TITLE IN THE DEPARTMENT OF PUBLIC WORKS (PRETREATMENT PROGRAM COORDINATOR)                                                                                                                                                              |                                                                                      |                  |
| 3. Purpose of Proposed Legislation                                                                                                                                                                                                                                                                                                   |                                                                                      |                  |
| To add a new Pretreatment Program Coordinator title to the Classification and Salary Plan, to delete the Pretreatment Program Director title from the plan, and to amend the Department of Public Works Operating Budget to add one Pretreatment Program Coordinator position and delete one Pretreatment Program Director position. |                                                                                      |                  |
| 4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes _____                      No <u>X</u>                                                                                                                                                                                                               |                                                                                      |                  |
| 5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)                                                                                                                                                                                                                      |                                                                                      |                  |
| County                                                                                                                                                                                                                                                                                                                               | Town                                                                                 | Economic Impact  |
| Village                                                                                                                                                                                                                                                                                                                              | School District                                                                      | Other (Specify): |
| Library District                                                                                                                                                                                                                                                                                                                     | Fire District                                                                        |                  |
| 6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact                                                                                                                                                                                                                                                          |                                                                                      |                  |
| N/A                                                                                                                                                                                                                                                                                                                                  |                                                                                      |                  |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.                                                                                                                                                                                                                                     |                                                                                      |                  |
| Sufficient funding is included in the operating budget.                                                                                                                                                                                                                                                                              |                                                                                      |                  |
| 8. Proposed Source of Funding                                                                                                                                                                                                                                                                                                        |                                                                                      |                  |
| DPW Operating Budget.                                                                                                                                                                                                                                                                                                                |                                                                                      |                  |
| 9. Timing of Impact                                                                                                                                                                                                                                                                                                                  |                                                                                      |                  |
| 2008                                                                                                                                                                                                                                                                                                                                 |                                                                                      |                  |
| 10. Typed Name & Title of Preparer                                                                                                                                                                                                                                                                                                   | 11. Signature of Preparer                                                            | 12. Date         |
| DEBRA KOLYER<br>PRINCIPAL FINANCIAL ANALYST                                                                                                                                                                                                                                                                                          |  | March 10, 2008   |

SCIN FORM 175b (10/95)

FINANCIAL IMPACT  
2008 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1941

GENERAL FUND

| TOWN  | 2008<br>PROPERTY TAX LEVY | 2008<br>COST TO AVG TAXPAYER | 2008 AV TAX<br>RATE PER \$100 | 2008 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$0                       | \$0.00                       |                               | \$0.000                         |

POLICE DISTRICT AND DISTRICT COURT

| TOWN  | 2008<br>PROPERTY TAX LEVY | 2008<br>COST TO AVG TAXPAYER | 2008 AV TAX<br>RATE PER \$100 | 2008 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$0                       | \$0.00                       |                               | \$0.000                         |

COMBINED

| TOWN  | 2008<br>PROPERTY TAX LEVY | 2008<br>COST TO AVG TAXPAYER | 2008 AV TAX<br>RATE PER \$100 | 2008 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$0                       | \$0.00                       |                               | \$0.000                         |

NOTES:

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

COUNTY OF SUFFOLK



1941

STEVE LEVY

SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF CIVIL SERVICE/HUMAN RESOURCES  
NORTH COUNTY COMPLEX BLDG. 158  
P. O. Box 6100  
HAUPPAUGE, NY 11788-0099  
(631) 853-5500  
FAX (631) 853-6305

ALAN SCHNEIDER  
PERSONNEL DIRECTOR

*interoffice memorandum*

**TO:** Ben Zwirn, Deputy County Executive - Administration  
**FROM:** Cynthia DiStefano, Chief of Classification  
**DATE:** February 20, 2008  
**RE:** New Title Request

---

A draft of a resolution to amend the Classification and Salary Plan to add the title Pretreatment Program Coordinator at a Grade 28 is attached. We have determined that a new title is needed in the Department of Public Works for the person who coordinates the operations a major section of the County's Industrial Waste Pretreatment Program. Although the 2008 budget created a Grade 30 Pretreatment Program Director title, the title and grade are not appropriate because oversight is not maintained for the entire program. The draft seeks to create an appropriate title at a proper grade and eliminate the higher Director title from the Classification and Salary Plan.

Please initiate this resolution for an addition to and deletion from the Classification and Salary Plan. A draft of our proposed specification for the new title is attached for your reference.

An e-mail version of the resolution has been sent to CE RESO REVIEW saved under the title "Reso-DPW-Pretreatment Prog Coord 2-08."

Attachment

cc: Jeff Szabo, Deputy County Executive - Administration  
Gil Anderson, Commissioner of Public Works

1941

DISTINGUISHING FEATURES OF THE CLASS

An employee in this class is responsible for coordinating the operations of a major section of the County's Industrial Waste Pretreatment Program. The incumbent is responsible for maintaining compliance with industrial waste pretreatment regulations and requirements mandated by the United States Environmental Protection Agency's Clean Water Act and oversees a technical staff engaged in carrying out assignments. Work requires independent judgment and initiative and is subject to technical review through conferences and periodic operational reports. Does related work as required.

TYPICAL WORK ACTIVITIES

- Coordinates special environmental projects which directly affect the Department of Public Works Industrial Waste Pretreatment Program (DPW IWPP);
- Acts as the departmental representative with local, state, and federal agencies regarding industrial waste pretreatment;
- Ensures that the Pretreatment Program is properly executed in accordance with federal regulation;
- Determines when revisions and updates to the Suffolk County Sewer Use Code are necessary;
- Provides responses at USEPA Pretreatment Program compliance inspections, audits, inquires, and related correspondence;
- Approves Significant User Discharge Certification Permits;
- Coordinates the pollution control activities with other agencies and/or municipalities involved in environmental regulatory programs;
- Evaluates proposed significant industrial user discharges to determine applicable regulatory requirements are met, determines violators, and coordinates the enforcement of sewer discharge regulations;
- Coordinates and determines the appropriate monitoring procedures for the specific waste stream in order to confirm compliance with sewer discharge standards;
- Assists with budget preparation.

FULL PERFORMANCE KNOWLEDGES, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS

Comprehensive knowledge of the principles, laws, regulations, techniques and practices of environmental quality and Industrial Waste Pretreatment; comprehensive knowledge of legal, administrative and procedural regulations applicable to the Department of Public Works Industrial Waste Pretreatment Program; thorough knowledge of emergency response techniques; thorough knowledge of the principles of firematic techniques; good knowledge of public administration and office management; ability to effectively coordinate the work of Industrial Waste Pretreatment Program personnel; ability to exercise sound judgment and discretion; ability to respond quickly and effectively when emergency situations arise; ability to organize and coordinate a support staff in a manner conducive to full performance and high morale; ability to express oneself clearly and concisely, both orally and in writing; physical condition commensurate with demands of the position.

MINIMUM QUALIFICATIONS

OPEN COMPETITIVE

Either:

- a) Graduation from a New York State or Regionally accredited college or university with a Bachelor's Degree, which includes or is supplemented by at least thirty (30) credit hours in the physical or biological sciences, and six (6) years of engineering experience in environmental programs, including four (4) years of supervisory experience in the field of industrial waste pretreatment activities; or,
- b) Graduation from a standard senior high school or possession of a high school equivalency diploma, and ten (10) years of engineering experience in environmental programs, including four (4) years of supervisory experience in the field of industrial waste pretreatment activities.

PROMOTIONAL

Two (2) years of permanent competitive status as an Industrial Waste Pretreatment Program Specialist.

SUFFOLK COUNTY  
Competitive

Rough Draft

1942

Intro. Res. No. -2008

Laid on Table 10/14/08

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2008, AMENDING RESOLUTION NO. 1186-2007, EXTENDING EXISTING ONE-QUARTER OF ONE PERCENT SALES AND COMPENSATING USE TAX FOR THE PERIOD BEGINNING DECEMBER 1, 2007, AND ENDING DECEMBER 31, 2030, PURSUANT TO THE AUTHORITY OF SECTION 1210-A OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK**

**WHEREAS**, Local Law No. 24 of 2007 extended the 1/4% County Drinking Water Protection Program for seventeen years on a modified basis; and

**WHEREAS**, Section 1210-A of the New York Tax Law, as amended by Chapter 674 of the Laws of 1988 and Chapter 157 of the Laws of 2000, and as further amended by Chapter 683 of the Laws of 2007, authorizes the County of Suffolk to impose within the territorial limits of the County an additional sales and compensating use tax at the rate of one-quarter of one percent for the period beginning December 1, 2007, and ending November 30, 2030; and

**WHEREAS**, Resolution No. 1186-2007 extended the existing one-quarter of one percent sales and compensating use tax for the period beginning December 1, 2007 and, inadvertently, extended that tax to December 31, 2030; and

**WHEREAS**, this resolution seeks to amend Resolution No. 1186-2007 to accurately reflect that the aforementioned tax is extended to November 30, 2030; now, therefore be it;

**1<sup>st</sup> RESOLVED**, that the title of Resolution No. 1186-2007 is amended to read as follows:

Extending Existing One-Quarter Of One Percent Sales And Compensating Use Tax For The Period Beginning December 1, 2007, and ending November 30, 2030, Pursuant To The Authority Of Section 1210-A Of Article 29 Of The Tax Law Of The State Of New York

and be it further

**2<sup>nd</sup> RESOLVED**, that the 4<sup>th</sup> WHEREAS clause of Resolution No. 1186-2007 is amended to read as follows:

**WHEREAS**, it is now desired to extend and impose such additional sales and compensating use tax rate from December 1, 2007, through November 30, 2030, as authorized by Section 1210-A of the Tax Law, as amended; now, therefore be it

and be it further

**3<sup>rd</sup> RESOLVED**, that the 1<sup>st</sup> RESOLVED clause of Resolution No. 1186-2007 is amended to read as follows:

**SECTION 1.** The first sentence of section 2 of Resolution No. 745-1968, as amended, is amended to read as follows:

**SECTION 2.** Imposition of sales tax.

On and after June 1, 2001, there is hereby imposed and there shall be paid a tax of four and one-quarter percent, provided, however, that on and after December 1, 2009, there is hereby imposed and there shall be paid a tax of three and one-quarter percent, and provided further, however, that on and after December 1, 2030 [January 1, 2031], there is hereby imposed and there shall be paid a tax of three percent, upon:

**SECTION 2.** Subdivision (i) of section 3 of Resolution No. 745-1968, as amended, is amended to read as follows:

(i) With respect to the additional tax of one-quarter of one percent imposed for the period beginning December 1, 200[0]Z, and ending November 30 [December 31], 20[13]30, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to December 1, 200[0]Z, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to August 1, 200[0]7, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to November 30, 200[0]Z. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December 1, 200[0]Z, any transaction which may not be subject to the additional tax imposed effective on that date.

**SECTION 3.** Section 4 of Resolution No. 745-1968, as amended, is amended to read as follows:

**SECTION 4.** Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after June 1, 2001, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator), manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the

services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period beginning December 1, 2000, and ending May 31, 2001, the tax shall be at the rate of four percent, for the period beginning June 1, 2001, and ending November 30, 2009, the tax shall be at the rate of four and one-quarter percent, for the period beginning December 1, 2009, and ending November 30 [December 31], 20[13]30, the tax shall be at the rate of three and one-quarter percent, and on and after December 1, 2030 [January 1, 2031], the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For the purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period beginning December 1, 2000, and ending May 31, 2001, the tax shall be at the rate of four percent, for the period beginning June 1, 2001, and ending November 30, 2009, the tax shall be at the rate of four and one-quarter percent, for the period beginning December 1, 2009, and ending November 30 [December 31], 20[13]30, the tax shall be at the rate of three and one-quarter percent, and on and after December 1, 2030 [January 1, 2031], the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period beginning December 1, 2000, and ending May 31, 2001, the tax shall be at the rate of four percent, for the period beginning June 1, 2001, and ending November 30, 2009, the tax shall be at the rate of four and one-quarter percent, for the period beginning December 1, 2009, and ending November 30 [December 31], 20[13]30, the tax shall be at the rate of three and one-quarter percent, and on and after December 1, 2030 [January 1, 2031], the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For the purposes or clauses (C), (D) and (E) of subdivision (a) of this section, for the period beginning December 1, 2000, and ending May 31, 2001, the tax shall be at the rate of four percent, for the period beginning June 1, 2001, and ending November 30, 2009, the tax shall be at the rate of four and one-quarter percent, for the period beginning December 1, 2009, and ending November 30 [December 31], 20[13]30, the tax shall be at the rate of three and one-quarter percent, and on and after December 1, 2030 [January 1, 2031], the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period beginning December 1, 2000, and ending May 31, 2001, the tax shall be at the rate of four percent, for the period beginning June 1, 2001, and ending November 30, 2009, the tax shall be at the rate of four and one-quarter percent, for the period beginning December 1, 2009, and ending November 30 [December 31], 20[13]30, the tax shall be at the rate of three and one-quarter percent, and on and after December 1, 2030 [January 1, 2031], the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

**SECTION 4.** Paragraph (C) of subdivision (1) of section 11 of Resolution No. 745-1968, as amended, is amended to read as follows:

(1)(C) With respect to the tax of one-quarter of one percent imposed for the period beginning December 1, 200[0] and ending November 30 [December 31], 20[13]30, in respect to the

use of property used by the purchaser in this County prior to December 200[0]Z.

**SECTION 5.** Subdivision (c) of section 14 of Resolution No. 745-1968, as amended, is amended to read as follows:

(c) Notwithstanding any other provision of this resolution or of Resolution No. 823-1984, [or] Resolution No. 1568-1988 or Resolution No. 650-2000 to the contrary, the net collections from the one-quarter percent rate of tax imposed pursuant to this resolution for the period beginning December 1, 200[0]Z, and ending November 30 [December 31], 20[13]30, shall, upon payment to the County of Suffolk, be deposited in a special drinking water protection reserve fund, as created pursuant to Article XII of the Suffolk County Charter, as amended, which fund shall be separate and apart from any other funds and accounts of the county. Moneys in such fund shall be deposited in one or more of the banks or trust companies designated, in the manner provided by law, as a depository of the funds of the county. Pending expenditure from such fund, moneys therein may be invested in the manner provided in Section 11 of the New York General Municipal Law. Any interest earned or capital gain realized on the moneys so deposited or invested shall accrue to and become part of such fund. Moneys in said fund may be appropriated from and transferred to or expended in any fiscal year only for the purposes of making payments pursuant to subdivisions (b) and (c) of section 1210-A of the New York Tax Law, to the extent that moneys in said fund are remaining, as authorized by Local Law No. [35-1999] 24-2007, for the following purposes:

- (i) for the purposes of specific environmental protection ([[open space acquisition] acquisition of: farmland development rights; open space, wetlands, woodlands, pine barrens and other lands for passive recreational uses; lands for hamlet greens, hamlet parks, pocket parks, historic parks, cultural parks and other lands for active/parkland recreational uses; land necessary for maintaining and protecting the quality of surface water, groundwater and coastal resources];
- (ii) for water quality protection and restoration program or programs and land stewardship initiatives;
- (iii) [for the purposes of specific environmental protection (farmland acquisition);]
- [(iv)] for the purposes of county-wide property tax protection; and
- [(v)] (iv) for the purpose of sewer taxpayer protection.

[**SECTION 6.** To the extent that any provision of Resolution No. 823-1984, Resolution No. 1568-1988 or Resolution No. 650-2000 is inconsistent with the provisions of this resolution, the provisions of this resolution shall control.]

**SECTION 6[7]**. That the Clerk of this Legislature is hereby directed to forward a certified copy of this Resolution by registered or certified mail to the New York State Commissioner of Taxation and Finance, and certified copies of this Resolution to the County Clerk, the New York Secretary of State, and the New York State Comptroller within five (5) days after enactment of this Resolution.

**SECTION 7[8]**. That this resolution shall take effect December 1, 2007.

and be it further

**4<sup>th</sup> RESOLVED**, that the Clerk, of this Legislature is hereby directed to forward a certified copy of this Resolution by registered or certified mail to the New York State Commissioner of Taxation and Finance, and certified copies of this Resolution to the County Clerk, the New York Secretary of State, and the New York State Comptroller within five (5) days after enactment of this Resolution.

**5<sup>th</sup> RESOLVED**, that this resolution shall take effect March 1, 2009.

[ ] Brackets denote deletion of language  
\_\_\_\_ Underlining denotes addition of new language

DATED: \_\_\_\_\_, 2008

APPROVED BY:

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

Date:

Intro Res. No. 1943-08

Laid on Table 10/14/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. 1943-08 - 2008, AUTHORIZING THE PURCHASE OF UP TO TWENTY THREE TRANSIT BUSES FOR SUFFOLK TRANSIT INCLUDING RELATED EQUIPMENT AND AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND ACCEPTING AND APPROPRIATING FEDERAL AID AND STATE AID AND COUNTY FUNDS (CP 5658)**

**WHEREAS**, the Federal Transit Administration (FTA) and the New York State Department of Transportation (NYSDOT) provide funds for mass transportation projects; and

**WHEREAS**, Resolution No. 480-2007 authorized the purchase of up to 32 buses for Suffolk Transit supported by FTA Grant Nos. NY-03-0448 and NY-90-X558 and also authorized the Purchasing Division to exercise an option off the original bid to purchase additional transit buses subject to the availability of additional Federal and State funds; and

**WHEREAS**, FTA Grant No. NY-90-X602 was awarded by the FTA on September 25, 2008 and executed by the County on September 29, 2008 and includes Federal funds for this project; and

**WHEREAS**, funds included in FTA Grant No. NY-90-X602 will allow the Purchasing Division to exercise the option off the original bid for buses for the purchase of up to 23 additional transit buses; and

**WHEREAS**, the grant agreements for the Federal and associated State financial assistance impose certain obligations upon the County, and require the County to commit resources necessary to initially cover the total project costs of the grants; and

**WHEREAS**, Federal reimbursement to the County will be 80% and State reimbursement to the County will be up to 50% of the non-federal share of federally funded projects, but not to exceed 10% of federally funded total project costs and the County will provide the remaining 10% local share of project costs; and

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

**WHEREAS**, the total cost of the purchase of the additional buses is estimated to be up to \$9,000,000 with the Federal and State shares amounting to 90% of the total cost; and

**WHEREAS**, sufficient funds have not been included within the 2008 Capital Budget and Program and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by federal and/or state aid; and

**WHEREAS**, that the County Legislature, by resolution of even date herewith, has authorized the issuance of \$900,000 in Suffolk County Serial Bonds to cover the County share of this purchase; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No. 5658  
 Project Title: Equipment for Public Transit Vehicles

|                            | <u>Total<br/>Est'd.<br/>Cost</u> | <u>Current<br/>2008<br/>Capital<br/>Budget &amp;<br/>Program</u> | <u>Revised<br/>2008<br/>Capital<br/>Budget &amp;<br/>Program</u> |
|----------------------------|----------------------------------|------------------------------------------------------------------|------------------------------------------------------------------|
| 5. Furniture and Equipment | \$95,148,508                     | 512,500B<br>512,500S<br>4,100,000F<br>21,847O                    | 1,098,000B<br>1,119,846S<br>8,958,772F<br>21,847O                |
| 6. TOTAL                   | <u>\$95,148,508</u>              | <u>\$5,146,847</u>                                               | <u>\$11,198,465</u>                                              |

and be it further

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

**3<sup>rd</sup> RESOLVED**, that it is hereby determined that this project has been classified as a priority ranking of thirty six (36) and 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

**4<sup>th</sup> RESOLVED**, that the Purchasing Division is authorized to exercise an option off the original bid to purchase additional buses including related equipment, pre and post delivery Buy America audits and inspection during manufacture for Suffolk Transit; and be it further

**5<sup>th</sup> RESOLVED**, that the proceeds of \$900,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

| <u>Proj. No.</u>                            | <u>Project Title</u>                                                                                                                                | <u>Amount</u> |
|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 525-CAP-5658.543<br>(Fund 001 Debt Service) | Purchase of up to twenty (23) transit buses including related equipment, pre and post delivery Buy America audits and inspection during manufacture | \$900,000     |

and be it further

**6<sup>th</sup> RESOLVED**, that the State Aid be and they are hereby appropriated as follows:

| <u>Proj. No.</u> | <u>Project Title</u>                                                                                                                                | <u>Amount</u> |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 525-CAP-5658.543 | Purchase of up to twenty (23) transit buses including related equipment, pre and post delivery Buy America audits and inspection during manufacture | \$900,000     |

and be it further

**7<sup>th</sup> RESOLVED**, that the Federal Aid be and they are hereby appropriated as follows:

| <u>Proj. No.</u> | <u>Project Title</u>                                                                                                                                | <u>Amount</u> |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 525-CAP-5658.543 | Purchase of up to twenty (23) transit buses including related equipment, pre and post delivery Buy America audits and inspection during manufacture | \$7,200,000   |

and be it further

**8<sup>th</sup> RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal aid in connection with this project.

DATED:

APPROVED BY

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

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1943

|                                                                                                                                                                                                                                                                                                                                                |                                                                                                                       |                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| 1. Type of Legislation                                                                                                                                                                                                                                                                                                                         |                                                                                                                       |                                      |
| Resolution <u>  X  </u> Local Law _____                      Charter Law _____                                                                                                                                                                                                                                                                 |                                                                                                                       |                                      |
| 2. Title of Proposed Legislation<br>RESOLUTION NO _____ - 2008, AUTHORIZING THE PURCHASE OF UP TO TWENTY THREE TRANSIT BUSES FOR SUFFOLK TRANSIT INCLUDING RELATED EQUIPMENT AND AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND ACCEPTING AND APPROPRIATING FEDERAL AID AND STATE AID AND COUNTY FUNDS (CP 5658)                             |                                                                                                                       |                                      |
| 3. Purpose of Proposed Legislation<br>SEE NO. 2 ABOVE                                                                                                                                                                                                                                                                                          |                                                                                                                       |                                      |
| 4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No _____                                                                                                                                                                                                                                          |                                                                                                                       |                                      |
| 5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)                                                                                                                                                                                                                                |                                                                                                                       |                                      |
| <u>County</u>                                                                                                                                                                                                                                                                                                                                  | Town                                                                                                                  | Economic Impact                      |
| Village                                                                                                                                                                                                                                                                                                                                        | School District                                                                                                       | Other (Specify):                     |
| Library District                                                                                                                                                                                                                                                                                                                               | Fire District                                                                                                         |                                      |
| 6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact<br><br>SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS. TOTAL COST IS ESTIMATED TO BE \$9,000,000. THE COUNTY WILL PROVIDE 10% SHARE OF THE PROJECT ESTIMATED TO BE UP TO \$900,000. |                                                                                                                       |                                      |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.<br><br>SEE ATTACHED DEBT SERVICE SCHEDULE.                                                                                                                                                                                                    |                                                                                                                       |                                      |
| 8. Proposed Source of Funding<br><br>Federal Transit Administration Aid-- 80% (\$7,200,000)<br>NYS Department of Transportation Funds—10% (\$900,000)<br>Suffolk County Serial Bonds—10% (\$900,000)                                                                                                                                           |                                                                                                                       |                                      |
| 9. Timing of Impact<br><br>2009                                                                                                                                                                                                                                                                                                                |                                                                                                                       |                                      |
| 10. Typed Name & Title of Preparer<br><br>Nicholas Paglia<br>Executive Technician                                                                                                                                                                                                                                                              | 11. Signature of Preparer<br><br> | 12. Date<br><br>September 30th, 2008 |

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

1943

**GENERAL FUND**

|       | 2009<br>PROPERTY TAX LEVY | 2009<br>COST TO AVG TAXPAYER | 2009 AV TAX<br>RATE PER \$100 | 2009 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | <b>\$202,875</b>          | <b>\$0.38</b>                |                               | \$0.001                         |

**POLICE DISTRICT AND DISTRICT COURT**

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

**COMBINED**

|       | 2009<br>PROPERTY TAX LEVY | 2009<br>COST TO AVG TAXPAYER | 2009 AV TAX<br>RATE PER \$100 | 2009 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | <b>\$202,875</b>          | <b>\$0.38</b>                |                               | \$0.001                         |

NOTES:

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

Suffolk County  
**Project Name**  
 General Obligation Serial Bonds  
 Level Debt

1943

Term of Bonds: 5  
 Amount to Bond: \$900,000

| Date      | Coupon | Principal    | Interest     | Total<br>Debt Service | Fiscal<br>Debt Service |
|-----------|--------|--------------|--------------|-----------------------|------------------------|
| 11/1/2007 |        |              |              |                       |                        |
| 5/1/2008  |        |              |              |                       |                        |
| 11/1/2008 | 4.125% | \$165,749.84 | \$37,125.00  | \$202,874.84          | \$202,874.84           |
|           |        |              | \$15,143.91  | \$15,143.91           |                        |
| 11/1/2009 | 4.125% | \$172,587.02 | \$15,143.91  | \$187,730.93          | \$202,874.84           |
|           |        |              | \$11,584.30  | \$11,584.30           |                        |
| 11/1/2010 | 4.125% | \$179,706.24 | \$11,584.30  | \$191,290.54          | \$202,874.84           |
|           |        |              | \$7,877.86   | \$7,877.86            |                        |
| 11/1/2011 | 4.125% | \$187,119.12 | \$7,877.86   | \$194,996.98          | \$202,874.84           |
|           |        |              | \$4,018.53   | \$4,018.53            |                        |
| 11/1/2012 | 4.125% | \$194,837.78 | \$4,018.53   | \$198,856.31          | \$202,874.84           |
|           |        |              |              |                       |                        |
|           |        | \$900,000.00 | \$114,374.20 | \$1,014,374.20        | \$1,014,374.20         |

COUNTY OF SUFFOLK 1943

SEP 16 2008



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.  
COMMISSIONER

LOUIS CALDERONE  
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Assistant Deputy County Executive

FROM: Gilbert Anderson, P.E., Commissioner *for*   
Department of Public Works

DATE: September 12, 2008

RE: CP 5658– Purchase of Public Transit Vehicles  
Resolution authorizing the purchase of up to twenty three transit buses for Suffolk Transit including related equipment and amending the 2008 Capital Budget and Program and accepting and appropriating federal aid (80%), state aid (10%) and county funds (10%) in connection with this purchase (cp 5658)

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This resolution will permit the County to exercise an option on contract to purchase up to 23 additional transit buses for Suffolk Transit, in addition to the buses authorized for purchase in Resolution No. 480-2007.

The SCIN Forms 175a and Statement of Financial Impact Form are attached.

This proposed resolution, with backup, will be forwarded electronically titled: "Reso-DPW-Purchase Option of Twenty Three Transit Buses."

Please initiate the process to have this resolution introduced at the next Suffolk County Legislature meeting. If you have any questions, please do not hesitate to contact Robert W. Shinnick, Director of Transportation Operations, at 24880.

TL:RWS:cfm  
Enclosures

Cc Jim Morgo, Chief Deputy County Executive, w/enc.  
Brendan Chamberlain, County Executive Assistant  
Linda Brandolf, DPW Capital Accounting, w/enc.  
Carmine Chiusano, Budget Office, Budget Office, w/enc.  
Don Fahey, Federal & State Aid Office, w/enc  
CE Reso Review List, e-mail

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

(943)

**STATUS----2008 CP 5658**

|                                                                                           |      | County (B)     | State (S)      | Federal (F)      | Other (O) | Total            |
|-------------------------------------------------------------------------------------------|------|----------------|----------------|------------------|-----------|------------------|
| Adopted 2008 Capital Budget                                                               |      | 512,500        | 512,500        | 4,100,000        | 0         | 5,125,000        |
| Reso: 487-2008<br>Disabled American Veterans-1 Van<br>Amendment                           | .542 | 0              | 0              | 0                | 6,663     |                  |
| Revised 2008 Capital Budget<br>Accept and Appropriate                                     |      | 512,500        | 512,500        | 4,100,000        | 6,663     | 5,131,663        |
|                                                                                           |      | 0              | 6,662          | 53,300           | 6,663     | 66,625           |
| <b>Balance</b>                                                                            |      | <b>512,500</b> | <b>505,838</b> | <b>4,046,700</b> | <b>0</b>  | <b>5,065,038</b> |
| Reso: 488-2008<br>Town of Brookhaven-3 vans<br>Amendment                                  | .540 | 0              | 0              | 0                | 15,184    |                  |
| Revised 2008 Capital Budget<br>Accept and Appropriate                                     |      | 512,500        | 512,500        | 4,100,000        | 15,184    | 5,140,184        |
|                                                                                           |      | 0              | 15,184         | 121,472          | 15,184    | 151,840          |
| <b>Balance</b>                                                                            |      | <b>512,500</b> | <b>490,654</b> | <b>3,925,228</b> | <b>0</b>  | <b>4,928,382</b> |
| Reso: 488-2008<br>Suffolk Transit-up to 33 Vans<br>No Amendment<br>Accept and Appropriate | .541 | 0              | 0              | 0                | 0         | 0                |
|                                                                                           |      | 198,000        | 198,000        | 1,584,000        | 0         | 1,980,000        |
| <b>Balance</b>                                                                            |      | <b>314,500</b> | <b>292,654</b> | <b>2,341,228</b> | <b>0</b>  | <b>2,948,382</b> |
| Reso: -2008<br>Suffolk Transit-up to 23 Buses<br>Amendment                                | .543 | 585,500        | 607,346        | 4,858,772        | 0         | 6,051,618        |
| Revised 2008 Capital Budget<br>Accept and Appropriate                                     |      | 1,098,000      | 1,119,846      | 8,958,772        | 21,847    | 11,198,465       |
|                                                                                           |      | 900,000        | 900,000        | 7,200,000        | 0         | 9,000,000        |
| <b>Balance</b>                                                                            |      | <b>0</b>       | <b>0</b>       | <b>0</b>         | <b>0</b>  | <b>0</b>         |

September 12, 2008

1944  
Intro. Res. No. - 2008

Laid on Table 10/14/08

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 KASPER PROPERTY - HAUPPAUGE SPRINGS (TOWN OF SMITHTOWN - SCTM#0800-155.00-04.00-041.000)**

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

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

**WHEREAS**, Resolution No. 621-2004, authorized planning steps for the acquisition of said property; and

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

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

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

**WHEREAS**, based upon the Environmental Trust Review Board approved value, an offer to acquire the subject property was made to and accepted by the owner of said property; and

**WHEREAS**, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Property Acquisition and Management and approved as to legality by the Office of the County Attorney; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Nine Hundred Sixty Thousand Dollars (\$960,000.00+), at \$100,000.00 per acre for 9.6± 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:

| <u>PARCEL:</u> | <u>SUFFOLK COUNTY</u>  | <u>ACRES:</u> | <u>REPUTED OWNER</u>                  |
|----------------|------------------------|---------------|---------------------------------------|
| <u>No. 1</u>   | <u>TAX MAP NUMBER:</u> | <u>9.6±</u>   | <u>AND ADDRESS:</u>                   |
|                | District 0800          |               | Richard J. Kasper, as Trustee         |
|                | Section 155.00         |               | The Benjamin P. Kasper and            |
|                | Block 04.00            |               | Sanderina R. Kasper Irrevocable Trust |
|                | Lot 041.000            |               | P.O. Box 2160                         |
|                |                        |               | St. James, NY 11780                   |

; and, be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(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 Nine Hundred Sixty Thousand Dollars (\$960,000.00+), subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$960,000.00+, 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

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

**5<sup>th</sup> RESOLVED**, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and One (1) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

**6<sup>th</sup> 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;

**7<sup>th</sup> 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.

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

DATED:

APPROVED BY:

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

Date of Approval:

COUNTY OF SUFFOLK

Gen C

1944



SEP 29 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

September 25, 2008

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

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Kasper property (Hauppauge Springs), in the Town of Smithtown, under the New Suffolk County Drinking Water Protection Program. The purchase price is \$960,000.00+ for 9.6+ acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent  
Director

CEK:pd

Att.

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

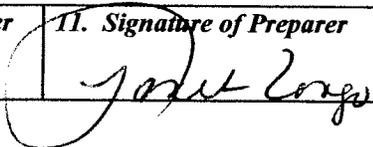
LOCATION  
H. LEE DENNISON BLDG. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

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

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

1944

|                                                                                                                                                                                              |                                                                                     |                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|--------------------------------------|
| 1. Type of Legislation                                                                                                                                                                       |                                                                                     |                                      |
| Resolution                                                                                                                                                                                   | <input checked="" type="checkbox"/>                                                 | Local Law                            |
|                                                                                                                                                                                              |                                                                                     | <input type="checkbox"/> Charter Law |
| 2. Title of Proposed Legislation                                                                                                                                                             |                                                                                     |                                      |
| Authorizing the acquisition under the New Suffolk County Drinking Water Protection Program, of the Kasper property (Hauppauge Springs), SCTM#0800-155.00-04.00-041.000, (Town of Smithtown). |                                                                                     |                                      |
| 3. Purpose of Proposed Legislation                                                                                                                                                           |                                                                                     |                                      |
| See No. 2 above                                                                                                                                                                              |                                                                                     |                                      |
| 4. Will the Proposed Legislation Have a Fiscal Impact?    YES ___    NO <u>X</u>                                                                                                             |                                                                                     |                                      |
| 5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)                                                                                                   |                                                                                     |                                      |
| County                                                                                                                                                                                       | Town                                                                                | Economic Impact                      |
| Village                                                                                                                                                                                      | School District                                                                     | Other (Specify):                     |
| Library District                                                                                                                                                                             | Fire District                                                                       |                                      |
| 6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:                                                                                                                 |                                                                                     |                                      |
| N/A                                                                                                                                                                                          |                                                                                     |                                      |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.                                                                                             |                                                                                     |                                      |
| N/A                                                                                                                                                                                          |                                                                                     |                                      |
| 8. Proposed Source of Funding                                                                                                                                                                |                                                                                     |                                      |
| New Suffolk County Drinking Water Protection Program                                                                                                                                         |                                                                                     |                                      |
| 9. Timing of Impact                                                                                                                                                                          |                                                                                     |                                      |
| N/A                                                                                                                                                                                          |                                                                                     |                                      |
| 10. Typed Name & Title of Preparer                                                                                                                                                           | 11. Signature of Preparer                                                           | 12. Date                             |
| Janet M. Longo<br>Acquisition Supervisor                                                                                                                                                     |  | September 25, 2008                   |

Intro. Res. No. 1945-08  
Introduced by Presiding Officer Lindsay on Request of County Executive

Laid on the Table 10/14/08

**RESOLUTION NO. 2008  
ACCEPTING AND APPROPRIATING 100% STATE GRANT  
FUNDS AWARDED THROUGH THE NEW YORK STATE  
DIVISION OF CRIMINAL JUSTICE SERVICES BUREAU OF  
JUSTICE FUNDING TO THE SUFFOLK COUNTY  
DEPARTMENT OF PROBATION.**

WHEREAS, Suffolk County has received State funds in the amount of \$417,000.00 from the NYS Division of Criminal Justice Services; and

WHEREAS, Suffolk County ranks as one of the highest among all counties outside of New York City for the number of parolees which is further compounded by a 56% recidivism rate for parolees within two years of release; and

WHEREAS, the need to link parolees to community services as part of the reentry process is critical for reducing recidivism; and

WHEREAS, \$417,000.00 is dedicated to the Local Reentry Task Force Initiative that is not currently in the 2008 Operating Budget; and

WHEREAS, the Suffolk County Probation Department has requested \$417,000.00 of said grant funding to fund community services for parolees referred to the Suffolk County Reentry Task Force to address the needs of parolees who are transitioning from prison into the community; and

WHEREAS, The Reentry Task Force Grant will run for 12 months beginning July 1, 2008 and ending June 30, 2009; now therefore be it

**1. RESOLVED** that the County Executive is authorized to execute any Agreement with the NYS Division of Criminal Justice Services, as necessary, to secure said grant funds; and further

**2. RESOLVED** that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of \$417,000.00 as follows:

| <u>REVENUES</u>                                                       | <u>AMOUNT</u> |
|-----------------------------------------------------------------------|---------------|
| 001-3321- Reentry Task Force<br>Division of Criminal Justice Services | \$417,000.00  |

APPROPRIATIONS

AMOUNT

Suffolk County Criminal Justice Coordinating Council  
Reentry Task Force  
001-PRO- 3172

|                                                                   |                      |
|-------------------------------------------------------------------|----------------------|
| <u>3000 Supplies, Material and Other Expenses</u>                 | <u>\$ 11,000.00</u>  |
| 3310 Emergency Clothing, Food                                     | \$ 5,000.00          |
| 3370 Medical, Dental, lab Supplies                                | \$ 6,000.00          |
| <u>4300 Travel Other</u>                                          | <u>\$ 5,000.00</u>   |
| 4340 Mandated Travel for Task Force Members to Statewide Training | \$ 5,000.00          |
| <u>4500 Fees For Service</u>                                      | <u>\$ 44,000.00</u>  |
| 4560 Fees For Service: Non-Employee                               | \$ 44,000.00         |
| <u>4900 Contractual Expenses</u>                                  | <u>\$ 357,000.00</u> |
| 4980 Contracted Agencies for Transportation                       | \$ 31,000.00         |
| 4980 Contracted Agencies for Case Management Services             | \$126,000.00         |
| 4980 Contracted Agencies for Housing                              | \$ 70,000.00         |
| 4980 Contracted Agencies Treatment Services                       | \$130,000.00         |

**3. RESOLVED**, that the County Executive be and hereby is authorized to execute related agreements and be it further;

**4. RESOLVED** that the reporting categories for the County Integrated Financial Management System (IFMS) for the Probation Department is PR54,

DATED:

APPROVED BY:

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

Date of Approval:

1945

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COUNTY OF SUFFOLK



RECEIVED  
SEP 10 2008

BY:.....

CRIMINAL JUSTICE COORDINATING COUNCIL

STEVE LEVY  
Suffolk County Executive

JOHN K. DESMOND  
Chairperson

8/26/2008

Ben Zwiern,  
Assistant Deputy County Executive

Enclosed please find 2 copies of a resolution packet prepared by the Suffolk County CJCC to accept \$417,000 grant funding from the NYS Division of Criminal Justice Services effective July 1, 2008 through June 30, 2009. The grant is to continue the work of the Suffolk County Reentry Task Force in enhancing services for offenders returning from prison to Suffolk County.

A copy of the grant award letter and a draft of the award contract are attached. Please note that the services will continue to be provided by a variety of Suffolk County agencies on a fee for service basis. The services fall into four categories: Transportation; Case Management; Housing; and Treatment. Services will be provided to offenders referred to the Suffolk County Reentry Task Force operated through the Criminal Justice Coordinating Council. Referrals to the agencies will be made by the Reentry Coordinator based upon offender needs and residences. The grant proposal, submitted to DCJS, identified 14 service provider agencies.

Please feel free to contact me at 2-6825 if you have any questions. Thank you.

Robert C. Marmo, Ph.D.  
Chief Planner  
CJCC

**Award Contract**

**Project No.**  
RE08-1014-E00

**Grantee Name**  
Suffolk County

1945

**State Aid**  
08/26/2008

**Budget Summary by Participant**

Suffolk County - Version 1

| #     | Travel and Subsistence                  | Number | Unit Cost  | Total Cost | Grant Funds | Matching Funds |
|-------|-----------------------------------------|--------|------------|------------|-------------|----------------|
| 1     | Mandatory Travel for Task Force Members | 1      | \$5,000.00 | \$5,000.00 | \$5,000.00  | \$0.00         |
| Total |                                         |        |            | \$5,000.00 | \$5,000.00  | \$0.00         |

| #     | All Other Expenses          | Number | Unit Cost    | Total Cost   | Grant Funds  | Matching Funds |
|-------|-----------------------------|--------|--------------|--------------|--------------|----------------|
| 1     | Emergency Clothing and Food | 1      | \$5,000.00   | \$5,000.00   | \$5,000.00   | \$0.00         |
| 2     | Case Management             | 1      | \$126,000.00 | \$126,000.00 | \$126,000.00 | \$0.00         |
| 3     | Housing                     | 1      | \$70,000.00  | \$70,000.00  | \$70,000.00  | \$0.00         |
| 4     | Medication                  | 1      | \$6,000.00   | \$6,000.00   | \$6,000.00   | \$0.00         |
| 5     | Treatment Services          | 1      | \$130,000.00 | \$130,000.00 | \$130,000.00 | \$0.00         |
| 6     | Transportation              | 1      | \$31,000.00  | \$31,000.00  | \$31,000.00  | \$0.00         |
| Total |                             |        |              | \$368,000.00 | \$368,000.00 | \$0.00         |

| Total Project Costs | Total Cost   | Grant Funds  | Matching Funds |
|---------------------|--------------|--------------|----------------|
|                     | \$373,000.00 | \$373,000.00 | \$0.00         |

**Version 2**

| #     | Consultant Services           | Number | Unit Cost   | Total Cost  | Grant Funds | Matching Funds |
|-------|-------------------------------|--------|-------------|-------------|-------------|----------------|
| 1     | Reentry Coordinator Assistant | 1      | \$44,000.00 | \$44,000.00 | \$44,000.00 | \$0.00         |
| Total |                               |        |             | \$44,000.00 | \$44,000.00 | \$0.00         |

| Total Project Costs | Total Cost  | Grant Funds | Matching Funds |
|---------------------|-------------|-------------|----------------|
|                     | \$44,000.00 | \$44,000.00 | \$0.00         |

| Total Contract Costs | Total Cost   | Grant Funds  | Matching Funds |
|----------------------|--------------|--------------|----------------|
|                      | \$417,000.00 | \$417,000.00 | \$0.00         |

1945

**Award Contract**

State Aid

**Project No.****Grantee Name**

RE08-1014-E00

Suffolk County

08/26/2008

**Work Plan****Goal**

The goal of this project is to ensure the successful Reentry into the community for offenders returning to Suffolk County from a period of imprisonment or subsequent reincarceration on a violation and/or a new charge.

**Objective #1**

Each parolee referred to the task force will be assessed for substance abuse, mental health, and other service needs.

**Task #1 for Objective #1**

Task Force members will work with parole to make sure that reentry participants are properly assessed and connected to services upon return to the community. All efforts will be made to have appointments scheduled and transportation arranged for any treatment related activity for when the parolee reports to parole within the first 24 hours of release.

**# Performance Measure**

This can be measured by documentation of services needs identified for the parolees referred to and 1 accepted by the task force. In addition, monthly progress reports from treatment providers will be collected to identify dates and types of service provided.

**Objective #2**

To ensure that each reentry participant have access to needed services upon release from incarceration without having to be added to a wait list.

**Task #1 for Objective #2**

The Reentry Task Force members, and their respective agency staff, will work with parole to secure the timely acquisition of health benefits or other financial assistance appropriate for the parolee to access treatment services upon return to the community. For those paroles without benefits or Medicaid, Reentry Enhancement funds will be used to provide the necessary services immediately until the appropriate benefits can be obtained.

**# Performance Measure**

1 This can be measured by documenting the dates of referral to reentry, the date the parolee is accepted into the reentry program, and the date when services begin.

**Objective #3**

To expand the current transitional housing available for parolees including those with co-occurring mental health and substance abuse disorders.

**Task #1 for Objective #3**

The Reentry Task Force member agencies will create or expand transitional housing for parolees including those with co-occurring disorders. The transitional housing will allow parolees to obtain safe and secure housing upon release and to begin employment and or treatment.

**# Performance Measure**

This goal can be measured by documenting the number of transitional housing beds created. In addition, the

1945

1 number of parolees who enter into the transitional housing beds will be documented as well.

**Objective #4**

To reduce that percentage of parolees who are rearrested and/or violated within 1 year of release from the 70% standard identified by their risk score.

**Task #1 for Objective #4**

To document the re-arrest and violations for all parolees on reentry.

**# Performance Measure**

This can be measured by documenting the re-arrest and violations for all parolees on reentry. This can be compared to the 70% recidivism standard for the high risk parolees as defined by their risk scores upon release.

**Additional back-up material regarding I.R. 1945 is  
on file in the Legislative Clerk's Office, Hauppauge.**

1946  
Intro. Res. No. - 2008  
Introduced by the Presiding Officer, on request of the County Executive

Laid on Table 10/14/08

**RESOLUTION NO. -2008 AUTHORIZING ACQUISITION OF  
LAND UNDER THE OLD SUFFOLK COUNTY DRINKING  
WATER PROTECTION PROGRAM [C12- 5(E)(1)(a)] -  
FOR THE KERENDIAN PROPERTY - CARLLS RIVER  
WATERSHED ADDITION (TOWN OF BABYLON -  
SCTM#0100-083.00-01.00-154.000)**

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

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

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

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

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

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

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

**WHEREAS**, based upon the Environmental Trust Review Board approved value, an offer to acquire the subject property was made to and accepted by the owner of said property; and

**WHEREAS**, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property, and the Director of Real Property.

Acquisition and Management and approved as to legality by the Office of the County Attorney; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(a), as amended and effective as of November 30, 2000, for a total purchase price of Eighty Five Thousand Dollars (\$85,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

| <u>PARCEL:</u> | <u>SUFFOLK COUNTY TAX MAP NUMBER:</u> | <u>ACRES:</u> | <u>REPUTED OWNER AND ADDRESS:</u> |
|----------------|---------------------------------------|---------------|-----------------------------------|
| No. 1          | District 0100                         | 0.229±        | Jahanshah Kerendian               |
|                | Section 083.00                        |               | 6 Fairview Avenue                 |
|                | Block 01.00                           |               | Great Neck, NY 11023              |
|                | Lot 154.000                           |               |                                   |

; and, be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Eighty Five Thousand Dollars (\$85,000.00), subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$85,000.00, subject to a final survey, from previously appropriated funds in MY-176-LAW-GDHI under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and, be it further

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

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

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

DATE:

APPROVED BY:

---

County Executive of Suffolk County

Date of Approval:

# COUNTY OF SUFFOLK



1946

**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 19, 2008

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

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Kerendian property (Carlls River Watershed Addition), in the Town of Babylon, under the Old Suffolk County Drinking Water Protection Program. The purchase price is \$85,000.00 for 0.229+ acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent  
Director

CEK:pd

Att.

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

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

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

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

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

1946

|                                                                                                                                                                                                             |                                     |                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|
| 1. Type of Legislation                                                                                                                                                                                      |                                     |                          |
| Resolution                                                                                                                                                                                                  | <input checked="" type="checkbox"/> | Local Law                |
|                                                                                                                                                                                                             |                                     | <input type="checkbox"/> |
|                                                                                                                                                                                                             |                                     | Charter Law              |
|                                                                                                                                                                                                             |                                     | <input type="checkbox"/> |
| 2. Title of Proposed Legislation                                                                                                                                                                            |                                     |                          |
| Authorizing the acquisition under the Old Suffolk County Drinking Water Protection Program, of the Kerendian property (Carlls River Watershed Addition), SCTM#0100-083.00-01.00-154.000, (Town of Babylon). |                                     |                          |
| 3. Purpose of Proposed Legislation                                                                                                                                                                          |                                     |                          |
| See No. 2 above                                                                                                                                                                                             |                                     |                          |
| 4. Will the Proposed Legislation Have a Fiscal Impact?    YES ___    NO <u>X</u>                                                                                                                            |                                     |                          |
| 5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)                                                                                                                  |                                     |                          |
| County                                                                                                                                                                                                      | Town                                | Economic Impact          |
| Village                                                                                                                                                                                                     | School District                     | Other (Specify):         |
| Library District                                                                                                                                                                                            | Fire District                       |                          |
| 6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:                                                                                                                                |                                     |                          |
| N/A                                                                                                                                                                                                         |                                     |                          |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.                                                                                                            |                                     |                          |
| N/A                                                                                                                                                                                                         |                                     |                          |
| 8. Proposed Source of Funding                                                                                                                                                                               |                                     |                          |
| Old Suffolk County Drinking Water Protection Program                                                                                                                                                        |                                     |                          |
| 9. Timing of Impact                                                                                                                                                                                         |                                     |                          |
| N/A                                                                                                                                                                                                         |                                     |                          |
| 10. Typed Name & Title of Preparer                                                                                                                                                                          | 11. Signature of Preparer           | 12. Date                 |
| Janet M. Longo<br>Acquisition Supervisor                                                                                                                                                                    |                                     | September 19, 2008       |

1947

Intro. Res. No. -2008

Laid on Table 10/14/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2008, AUTHORIZING CERTAIN  
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.  
608-2008**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 608-2008; and

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

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

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

**Resolution No. 608-2008**

In the 7<sup>th</sup> RESOLVED paragraph change the Project Number:

**FROM:**

Project No.  
525-CAP-8713.111

**TO:**

Project No.  
525-CAP-8713.510

DATED:

APPROVED BY:

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

Date:

1948

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

Laid on Table 10/14/08

**RESOLUTION NO. -2008, TO PREVENT WINDFALL PROFITS BY LANDLORDS DOING BUSINESS WITH THE DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the County of Suffolk is cognizant of the problems associated with the placement of public assistance recipients in substandard, over-crowded housing; and

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

**WHEREAS**, some landlords rent a single family residence to multiple unrelated public assistance recipients, and thereby receive multiple monthly payments from the Department of Social Services which far exceed the fair market rental value of the single family residence; and

**WHEREAS**, allowing landlords to illegally house multiple unrelated public assistance recipients in a single family residence is a disastrous public policy - - for the recipients that live in dangerous over-crowded conditions; for the surrounding communities that must deal with the inevitable health and social problems that result from these arrangements; and for the taxpayers that must foot the bill for the landlord's financial windfall; and

**WHEREAS**, this practice reduces the availability of a single family residences and discriminates against families seeking public assistance housing; and

**WHEREAS**, the County of Suffolk must continue to take proactive steps to prevent unscrupulous landlords from "gaming the system" in a manner that fattens their bottom line but harms everyone else; now, therefore be it

**1st RESOLVED**, that the Commissioner of the Department of Social Services is hereby authorized, empowered, and directed to institute a system to track public assistance payments to unrelated public assistance recipients residing in the same single-family residence; and be it further

**2nd RESOLVED**, that the Commissioner of Department of Social Services is further directed to implement a policy whereby the County of Suffolk shall not make multiple monthly payments for rental housing costs attributable to unrelated public assistance recipients residing at the same residence or address, so as to pay more than 20% above the fair market rental value of said single-family housing; and be it further

**3rd RESOLVED**, that the fair market rental value of any residence shall be based on use that complies with applicable building and zoning codes; and be it further

**4<sup>th</sup> RESOLVED**, that residences licensed or certified by the State of New York as housing for the disabled, the mentally ill, or provides rehabilitation services are exempt from the provisions 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-dss rentals