

## LAID ON THE TABLE DECEMBER 16, 2008

LADS REPORT PREPARED BY:

Michele Gerardi

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2218. Authorizing the sale pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Matthew Carragher (SCTM No. 0900-123.00-04.00-014.000). (Co. Exec.) WAYS & MEANS

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2220. Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Islip, for affordable housing purposes (SCTM No. 0500-315.00-01.00-063.000). (Co. Exec.) LABOR, WORKFORCE, & AFFORDABLE HOUSING
2221. Authorizing the sale pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Jamshid Kerendian and Jahanshah Kerendian a/k/a Jahanshah Keredian, as joint tenants with right of survivorship (SCTM No. 0200-609.00-02.00-021.000). (Co. Exec.) WAYS & MEANS
2222. Authorizing the sale pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Neil M. Theisen and Joanne M. Theisen, his wife (SCTM No. 0200-051.00-06.00-051.000). (Co. Exec.) WAYS & MEANS
2223. Authorizing the sale pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Alan Sefardy and Jahanshah Kerendian a/k/a Jahanshah Keredian, as tenants in common (SCTM No. 0200-793.00-01.00-015.001). (Co. Exec.) WAYS & MEANS
2224. Authorizing the sale pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Alan Sefardy and Jahanshah Kerendian a/k/a Jahanshah Keredian, as tenants in common (SCTM Nos. 0200-793.00-01.00-017.001 and 0200-793.00-01.00-019.001). (Co. Exec.) WAYS & MEANS
2225. Authorizing the sale pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Tiana Feliciano (SCTM No. 0500-055.00-04.00-060.000). (Co. Exec.) WAYS & MEANS
2226. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 796-2008). (Co. Exec.) BUDGET & FINANCE
2227. Establishing a Task Force on Hate Crimes in Suffolk County. (Gregory) PUBLIC SAFETY
2228. Authorizing license agreement with Starflower Experiences, Inc., for Berkeley Jackson County Park, Huntington. (Co. Exec.) PARKS & RECREATION
2229. Accepting and appropriating a grant award from the State University of New York for a Community College Workforce Development Training Grants Program for Nana's House, Inc. 90% reimbursed by State funds at Suffolk County Community College. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

2230. Accepting and appropriating a grant award from the State University of New York for a Community College Workforce Development Training Grants Program for AFCO Systems 90% reimbursed by State funds at Suffolk County Community College. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
2231. Accepting and appropriating an amendment to the College Budget for a grant award from the State Education Department, the University of the State of New York, for an Adult Basic Education and Literacy Services Program, 100% reimbursed by State funds at Suffolk County Community College. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
2232. Authorizing the acquisition of farmland development rights under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) for the Gerard property – Wagner Farm - Town of Riverhead – (SCTM No. 0600-136.00-01.00-005.000 p/o). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
2233. Authorizing transfer of surplus County computer systems and hardware to the Long Island Maritime Museum. (Lindsay) PUBLIC WORKS & TRANSPORTATION
2234. Requesting that the Suffolk County Commissioner of Health Services, and the Board of Health, promote public health and fitness, and combat public health ailments, by promulgating regulations requiring chain restaurants to post caloric content on menus. (D’Amaro) HEALTH & HUMAN SERVICES
2235. Requesting that the Suffolk County Commissioner of Health Services, and the Board of Health, promote public health and combat coronary heart disease, by promulgating regulations banning the use of artificial trans fats in food establishments. (D’Amaro) HEALTH & HUMAN SERVICES
2236. To appoint Margarita Espada-Santos as a member of the Suffolk County Citizens Advisory Board for the Arts. (Montano) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

2208

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

Laid on Table 12/16/08

**RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED FRANCIS S. GABRESKI AIRPORT, HOLEY MOSES CHEESECAKE – LEASE AN EXISTING BUILDING (#337) AT THE AIRPORT, TOWN OF SOUTHAMPTON**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Francis S. Gabreski Airport, Holey Moses Cheesecake – Lease an Existing Building (#337) at the Airport, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves maintenance or repair involving no substantial changes in an existing structure or facility, and a lease renewal where there will be no material changes in permit conditions or scope of activities; and

**WHEREAS**, at its November 19, 2008 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Economic Development and Workforce Housing Aviation Division in connection with this project; and

**WHEREAS**, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1) and (26) and Chapter 279 of the Suffolk County Code; and

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated November 26, 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 Francis S. Gabreski Airport, Holey Moses Cheesecake – Lease an Existing Building (#337) – at the Airport, Town of Southampton constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1) and (26) and Chapter 279 of the Suffolk County Code, which project involves maintenance or repair to an existing structure or facility and a lease renewal where there will be no material change in lease conditions or scope of activities; 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:

2209  
Intro. Res. No. -2008  
Introduced by the Presiding Officer

Laid on Table 12/16/08

**RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED FRANCIS S. GABRESKI AIRPORT – HAMPTON JITNEY – LEASE 3 ACRES TO RELOCATE A BUS SHELTER AND PARKING LOT, TOWN OF SOUTHAMPTON**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Francis S. Gabreski Airport – Hampton Jitney – Lease 3 Acres to Relocate a Bus Shelter and Parking Lot, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves leasing 2.88 acres of property on the south side of the Gabreski Airport for relocation of an existing bus shelter and parking lot; and

**WHEREAS**, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Economic Development and Workforce Housing Aviation Division and subsequently sent out to all concerned parties; and

**WHEREAS**, at its November 19, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Economic Development and Workforce Housing Aviation Division; 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 November 26, 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 Francis S. Gabreski Airport – Hampton Jitney – Lease 3 Acres to Relocate a Bus Shelter and Parking Lot, Town of Southampton constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
- 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.) Only approximately ½ acre of vegetation will be removed for the project;
- 5.) All stormwater runoff must be contained on site and treated with best management practices as approved by the SCDPW; and
- 6.) All lighting must be dark skies compliant;

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:

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County Executive of Suffolk County

Date:

s:\res\s-hampton-jitney

2210

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

Laid on Table 12/16/08

**RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DEPARTMENT OF PUBLIC WORKS SEWER DISTRICT #2 – TALLMADGE WOODS – CP 8188 PROJECT, TOWN OF BROOKHAVEN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Department of Public Works Sewer District #2 – Tallmadge Woods – CP 8188 Project, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves replacement of pumps, replacement of instrumentation, repair of the effluent filter, repair of instrumentation and laboratory facilities. In addition, the gate at the entrance of the facility requires repair; and

**WHEREAS**, at its November 19, 2008 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Public Works in connection with this project; and

**WHEREAS**, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(2) and (20) and Chapter 279 of the Suffolk County Code; and

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated November 20, 2008 of said recommendations; and

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

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Department of Public Works Sewer District #2 – Tallmadge Woods – CP 8188 Project, Town of Brookhaven constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(2) and (20) and Chapter 279 of the Suffolk County Code, which project involves agency management concerning maintenance, repair and existing facility; 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:

2211

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

Laid on Table

12/16/08

**RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED FRANCIS S. GABRESKI AIRPORT OCEAN AVIATION – LEASING 3 ACRES TO CONSTRUCT 13 SMALL AIRCRAFT HANGARS ON THE NORTH SIDE OF THE AIRPORT, TOWN OF SOUTHAMPTON**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Francis S. Gabreski Airport Ocean Aviation – Leasing 3 Acres to Construct 13 Small Aircraft Hangars on the North side of the Airport, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the proposed construction of 13 small aircraft hangars in two buildings for general aviation aircraft on approximately 3 acres in the northern portion of Francis S. Gabreski Airport; and

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

**WHEREAS**, at its November 19, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Economic Development & Workforce Housing; and

**WHEREAS**, the CEQ recommended that the above activity be considered a Type I action, pursuant to the provisions of Title 6 NYCRR, Part 617.4(b)(10) and Chapter 279 of the Suffolk County Code; and

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated November 26, 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 Francis S. Gabreski Airport Ocean Aviation – Leasing 3 Acres to Construct 13 Small Aircraft hangars on the North Side of the Airport, Town of Southampton constitutes a Type I action, pursuant to the provisions of Title 6 NYCRR, Part 617.4(b)(10) 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 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 (no poor soil properties, no high groundwater and no unmanageable slopes);
- 4.) The proposed improvements are in conformance with the Gabreski Airport Master Plan which was previously reviewed by CEQ and approved by Suffolk County in 1990 after having undergone a SEQRA review which resulted in a Negative Declaration being issued;
- 5.) The project is in conformance with the 1992 Long Island Comprehensive Special Groundwater Protection Area Plan adopted by the N.Y.S. Department of Environmental Conservation which directs new industrial development be allowed in such areas where such uses already exist including Suffolk County Airport;
- 6.) The project is in conformance with the 1995 Central Pine Barrens Comprehensive Land Use Plan and standards within the CGA as demonstrated in Parts I, III and Appendix B of the EAF;
- 7.) The project is in conformance with the 1999 Town of Southampton Comprehensive Update Implementation Strategies Plan; LI200 Zoning and Aquifer Protection Overlay District requirements. The plan update specifically notes that the Gabreski site "offers the unique potential for both aviation and non-aviation development";
- 8.) As required by the Legislature in 1990, the facility will be hooked up to the existing on-site sewage treatment plant which was built by the County to accommodate the future growth at the airport as called for in the 1990 Airport Master Plan;
- 9.) All aspects of the proposal will meet the requirements of Articles 6, 7, and 12 of the Suffolk County Sanitary Code and obtain all necessary approval and permits from the Suffolk County Department of Health Services as called for by the Legislature in the 1990 Airport Master Plan. Suffolk County's regulations to protect the sole source aquifer, the deep recharge areas and water supply sensitive areas are some of the most stringent in the United States and, therefore, minimize any potential impacts to groundwater;
- 10.) All noise generated by planes at the airport currently meets the FAA standards and the Town of Southampton Noise Ordinance which does not regulate "noise of aircraft flight operations." The Department of Economic Development & Workforce Housing has also implemented a Voluntary Noise Abatement Program to further mitigate any noise on the surrounding community; and
- 11.) The aspect of cumulative growth at Gabreski Airport has been considered within all of the duly adopted State, County and Town plans that have

recommended channeling new growth into the previously disturbed and developed airport while preserving the undisturbed, natural outlying areas to the west, north and east of the site. This is a "Smart Growth" concept;

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:

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County Executive of Suffolk County

Date:

s:\resls-ocean-aviation

2212

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

Laid on Table 12/16/08

**RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED CR 50 STORMWATER REMEDIATION TO CHAMPLIN CREEK AT CR 50, UNION BLVD., TOWN OF ISLIP**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed CR 50 Stormwater Remediation to Champlin Creek at CR 50, Union Blvd., Town of Islip", pursuant to Section 6 of Local Law No. 22-1985 which project involves the installation of an NYSDEC approved stormwater treatment vault just off of the existing discharge point; and

**WHEREAS**, at its November 19, 2008 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Public Works in connection with this project; and

**WHEREAS**, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(2)(7) and (20) and Chapter 279 of the Suffolk County Code; and

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated November 20, 2008 of said recommendations; and

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

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed CR 50 Stormwater Remediation to Champlin Creek at CR 50, Union Blvd., Town of Islip constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(2)(7) and (20), which project involves rehabilitation of a primary non-residential facility involving less than 4,000 square feet to meet revised State stormwater standards; 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:

2213

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

Laid on Table 12/16/08

**RESOLUTION NO. -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED HIGHWAY AND DRAINAGE IMPROVEMENTS TO CR 11, PULASKI ROAD, FROM LARKFIELD ROAD TO NYS ROUTE 25A – CP 5095, TOWNS OF HUNTINGTON AND SMITHTOWN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Highway and Drainage Improvements to CR 11, Pulaski Road, from Larkfield Road to NYS Route 25A – CP 5095, Towns of Huntington and Smithtown", pursuant to Section 6 of Local Law No. 22-1985 which project involves highway, drainage and safety improvements to CR 11, Pulaski Road from Larkfield Road to NYS Route 25A as set forth in the EAF; and

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

**WHEREAS**, at its November 19, 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 November 26, 2008 of said recommendations; and

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

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Highway and Drainage Improvements to CR 11, Pulaski Road, from Larkfield Road to NYS Route 25A – CP 5095, Towns of Huntington and Smithtown 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 or the Suffolk County Code;

- 3.) The project is necessary to comply with the Suffolk County policy limiting direct discharge of stormwater runoff to surface water;
- 4.) Storm drainage infrastructure will be upgraded in the form of new inlet catch basins and connecting pipe which will discharge into existing County or town recharge basins, thus correcting existing drainage problems;
- 5.) During construction, all required erosion and sediment control devices will be employed in accordance with NYS Erosions and Sediment Control Guidelines; and
- 6.) 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\ls-pulaski-larkfield-roads

2214  
Intro. Res. No. -2008  
Introduced by Legislator Alden

Laid on Table 12/16/08

**RESOLUTION NO. -2008, TO APPOINT LYNDA  
A. MORAN AS A MEMBER OF THE SUFFOLK  
COUNTY CITIZENS ADVISORY BOARD FOR THE  
ARTS**

**WHEREAS**, the term of **Lillian Barbash**, as a member of the Suffolk County Citizens Advisory Board for the Arts, expired as of January 1, 2006, and she is currently a holdover member of said Board; now, therefore, be it

**1st RESOLVED**, that **Lynda A. Moran**, currently residing in East Islip, New York, is hereby appointed as a member of the Suffolk County Citizens Advisory Board for the Arts for a three year term of office to expire on January 1, 2012, pursuant to Section 68-3(C)(1) of the SUFFOLK COUNTY CODE; and be it further

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

DATED:

APPROVED BY:

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

Date of Approval:

LYNDA A. MORAN  
6 Wall Street, East Islip, New York 11730  
P.O.Box 419, East Islip, New York 11730  
631-298-1470 (H) 631-566-4179 (C)

2214

### PROFESSIONAL EXPERIENCE

Dec 2007 to Present – Executive Director, Islip Arts Council

Essentially, this position is to further the mission of the IAC: dedicated to leadership, advocacy and excellence in the arts by presenting, producing and promoting culturally responsive, high quality programs for diverse populations in varied artistic disciplines. In partnership with local, state, federal and private organizations, the goal is to facilitate these programs in response to the needs of our community and Long Island at large.

2004 – 2007 Publisher & Editor of The Pineapple Post, Division of Moran Publishing Company, Inc. The Pineapple Post, the oldest tourist book in Newport, RI, reports on activities, events, dining and lodgings and as an integral part of the Newport social scene we attend, sponsor, and arrange many cultural events.

1996 – 2005 President, Board of Trustees of Splashes of Hope, a non-profit organization of artists who hand-paint murals in healthcare facilities. As Board President, grew Splashes of Hope to a volunteer organization of 100+ volunteers and 15 artists. Created an Executive Board and Advisory Board, made up of dedicated business and professional leaders, which helped Splashes of Hope to grow into an international organization through fundraising and corporate support.

1983- 2000 Executive Vice President of Moran Publishing Company, publishers of: The New York Jury Verdict Reporter; Verdictsearch, a legal research service; Judicial Review of Damages; New York Medical Malpractice; The New York Civil Motion Citator, The New York Criminal Case Citator; The New York Matrimonial Case Citator, and The New York Tort Citator.

1979 – 1983 Cold Spring Harbor Laboratory – Editor of the Banbury Report Series. Hired by Dr. James Watson to edit a 15-volume series on biological risk assessment and cancer studies. Responsible for setting up meetings of world-renowned scientists and editing the proceedings of these meetings. Supervised a staff of assistant editor, editorial assistant, and freelancers.

1977-1979 Associate Editor and Manager of Editorial Operations, Technical Publishing Company, A Division of Dun & Bradstreet, Barrington, Illinois. Coordinated and supervised editorial functions required to develop training courses for Supervisory skills in technical fields. Supervised a staff of two editorial assistants.

1975 - 1977 Manager of Conferences, Illinois Institute of Technology, Chicago, Illinois. Established conference headquarters and supervised a staff of administrative assistant and secretary. Prepared budget analysis for conference. Planned technical sessions and social events for large engineering trade shows. Coordinated, copyedited and designed layout for the editions of proceedings that were published for each meeting/conference.

1/70 – 6/75 Elementary School Teacher and reading teacher  
Yonkers Public Schools and Timber Point Elementary School, East Islip

### EDUCATION

Touro College of LAW, J.D. – 1987

Adelphi University – M.A. – 1976

Mercy College – B.A. – English Literature & Language – 1969

### PROFESSIONAL AND COMMUNITY ASSOCIATION

President – Board of Trustees, East Islip Public Library '94- '95 (Member of the Board of Trustees from 1991– 95)

Rotary Club of Islip – Vice-President '08- July '09

Also held many different Board/staff positions District-wide from '93 to present.

Intro Res. No. 2215-08

Laid on Table 12/16/08

Introduced by Presiding Officer on the Request of the County Executive

RESOLUTION NO. TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #309

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
<b>BROOKHAVEN:</b>				
<b>0200-725.00-02.00-004.000</b>				
Item #8019454	2007/08	\$6767.09	0.00	\$6767.09

Dated:

Approved By:

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

Date of Approval:

2215

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

**ResolutionXXX**

Local Law

Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

4. Will the Proposed Legislation Have a Fiscal Impact?

**YES XXX**

NO

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

**County**

**Town**

Economic Impact

Village

School District

Other (Specify):

Library District

Fire District

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

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

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

Unknown

8. Proposed Source of Funding

To be refunded from the County General Fund

9. Timing of Impact

Variable

10. Typed Name & Title of Preparer

11. Signature of Preparer

12. Date

Angie M. Carpenter  
County Treasurer

**Additional back-up material regarding I.R. 2215 is on file in  
the Legislative Clerk's Office, Hauppauge.**

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2009, APPROVING THE REAPPOINTMENT OF WALTER KIRBY AS A MEMBER OF THE SUFFOLK COUNTY PUBLIC EMPLOYMENT RELATIONS BOARD**

**WHEREAS**, Walter Kirby was appointed a member of the Suffolk County Public Employment Relations Board by Resolution No. 104-2003 for a term which expired January 1, 2009 and it is the intent of the resolution to extend a second term to Walter Kirby; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the re-appointment of Walter Kirby, Bayshore NY 11706 as a member of the Suffolk County Public Employment Relations Board be and the same hereby is approved for a term of office expiring on January 1, 2016, said appointment having been made by the Suffolk County Executive pursuant to the provisions of Section 44-6 of the Suffolk County Administration Code; and be it further

**2<sup>nd</sup>** **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Article 8 of the New York Environmental Conservation Law and Section 617, 13(D) (15) (21) of Title 6 of the New York Code of Rules and Regulations (NYCRR) since such law constitutes routine or continuing agency administration and management and promulgation of the regulations, policies, procedures and legislative decision in connection with such action.

DATED:

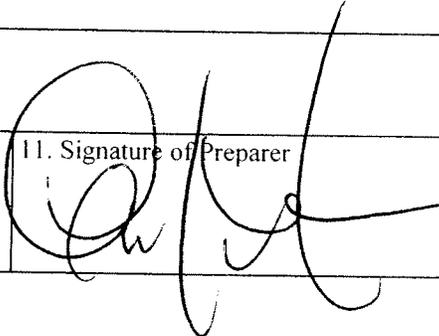
APPROVED BY:

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

Date:

2216

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>  X  </u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation APPROVING THE REAPPOINTMENT OF WALTER KIRBY AS A MEMBER OF THE SUFFOLK COUNTY PUBLIC EMPLOYMENT RELATIONS BOARD		
3. Purpose of Resolution: Same as above		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>  </u> No <u>  X  </u>		
5. If the answer to item 4 is "yes", on what will it impact?    (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify): Community College
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact NO IMPACT		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A.		
8. Proposed Source of Funding N/A		
9. Timing of Impact UPON APPROVAL		
10. Typed Name & Title of Preparer Allen M. Kovesdy Director of Management and Research	11. Signature of Preparer 	12. Date December 8, 2008

SIN FORM 175b (10/95)

Introductory Resolution No. 2217-08 Laid on Table 12/16/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,  
PURSUANT TO LOCAL LAW 16-1976, OF REAL  
PROPERTY ACQUIRED UNDER SECTION 46 OF THE  
SUFFOLK COUNTY TAX ACT  
**ESTATE OF MARY E. DODSON a/k/a MARY DODSON, by Bernadette  
Parks as Executor  
0200-527.00-01.00-020.000**

**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 527.00, Block 01.00, Lot 020.000, and acquired by tax deed on June 2, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 9, 2008, in Liber 12553, at Page 960, and otherwise known as and by Town of Brookhaven, known and designated as Lots 31 to 35 inclusive, in Block 3 on a certain map entitled "Map of Gordon Heights, Section 2" and filed in the Office of the Clerk of the County of Suffolk on May 5, 1931 as Map 1016; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on June 2, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 9, 2008 in Liber 12553 at Page 960.

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

**WHEREAS**, BERNADETTE PARKS as Executor, Estate of Mary E. Dodson a/k/a Mary Dodson, has made application of said above described parcel and BERNADETTE PARKS as Executor, Estate of Mary E. Dodson a/k/a Mary Dodson, has paid the application fee and \$55,906.42, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2008; and

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

**2<sup>nd</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ESTATE OF MARY E. DODSON a/k/a MARY DODSON, by Bernadette Parks as Executor, 98 Homestead Drive, Coram, New York 11763, 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

2217

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

November 10, 2008

Tax Map No.: 0200-527.00-01.00-020.000

Name of Last Legal Fee Owner: ESTATE OF MARY E. DODSON a/k/a MARY DODSON, by  
Bernadette Parks as Executor

TREASURER'S COMPUTATION..... \$55,906.42

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..... \$55,906.42

Monies Received..... \$55,906.42

RESOLUTION AMOUNT..... \$55,906.42

APPROVED:

*Karen Slater 11/18/08*

Accounting

DB:sc

PREPARED BY:

*Diane Bishop*

Diane Bishop

Redemption Unit

(631) 853-5932

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2217

1. Type of Legislation

Resolution X  
Tax Map Number 0200-527.00-01.00-020.000

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

Diane Bishop                      *Diane Bishop*                      11/10/08

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	527.00	01.00	020.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2003/04	10320.62
2004/05	11267.72
2005/06	10803.94
2006/07	10316.21
2007/08	8096.81

2217

TOTAL: 50805.30

B. INTEREST DUE	2438.91
C. TOTAL	53244.21
D. 5% LINE C	2662.21
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

-----  
\$55,906.42

*Handwritten signature and date: 11/18/08*

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 15-Oct-08

*Handwritten signature of Douglas W. Sutherland*  
\_\_\_\_\_  
Douglas W. Sutherland  
Chief Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 04/13/09

2217

- 9-97
- 13-97
- 10-97
- 3-98
- 10-98
- 12-99
- 0-99
- 4-00
- 0-00
- 9-01
- 1-01
- 6-04
- 4-05
- 7-05
- 7-05
- 2-05
- 1-05
- 0-08
- 5-08



2217

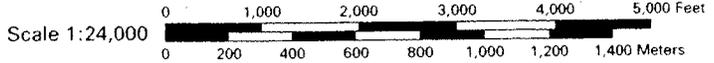


0200-527-01-20

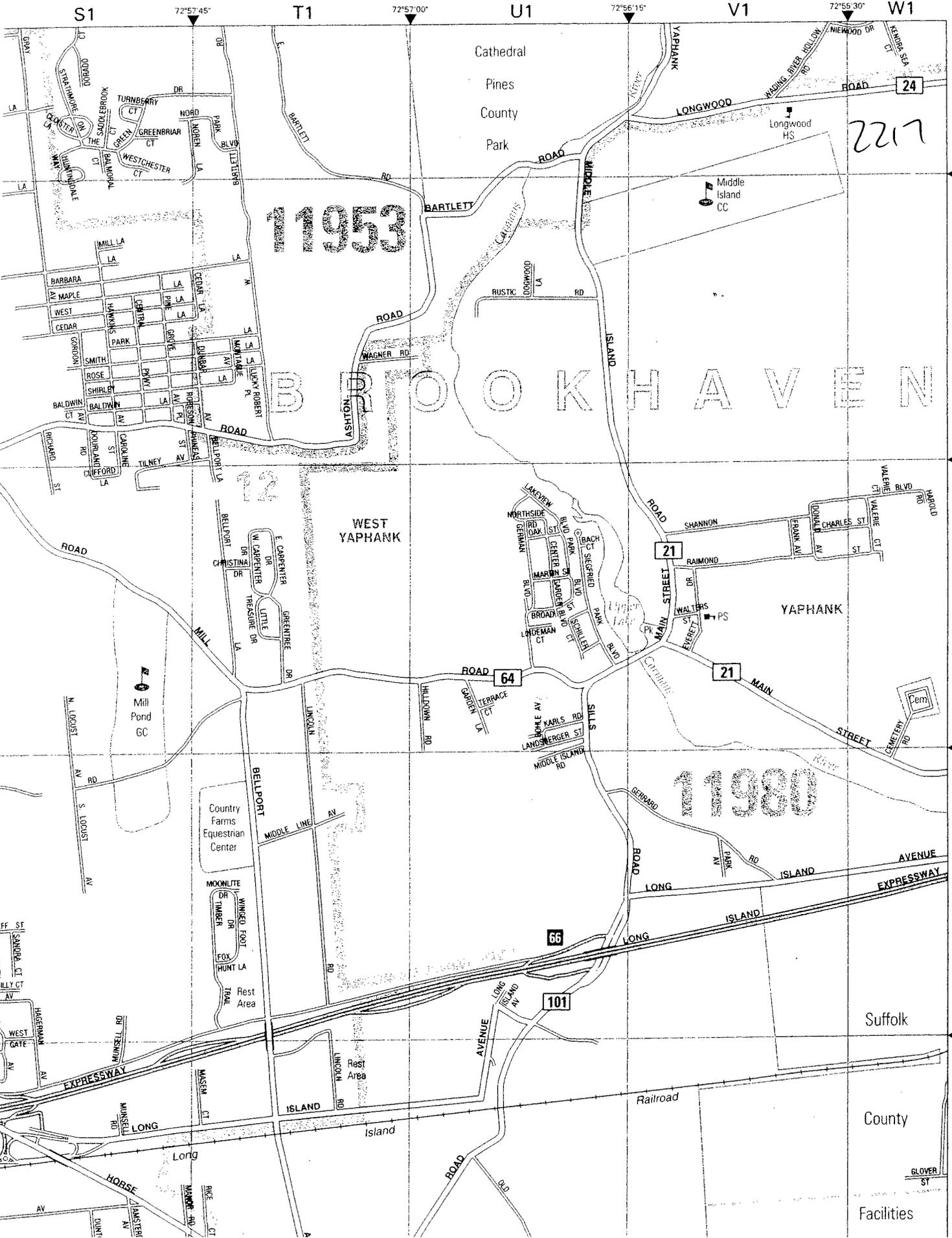
Copyright 2006, Pictometry International Corp.

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0200-527-01-20



Joins Map 26



22  
40°51'45"  
21  
40°51'00"  
20  
40°50'15"  
19  
40°49'30"  
18

Joins Map 33

1953

BROOKHAVEN

1980

2217

72

64

21

21

66

101

Suffolk

County

Facilities

Cathedral  
Pines  
County  
Park

Longwood  
HS

Middle  
Island  
CC

WEST  
YAPHANK

YAPHANK

Country  
Farms  
Equestrian  
Center

Rest Area

Rest Area

Mill  
Pond  
GC

GLOVER  
ST

Introductory Resolution No. 2218-08 Laid on Table 12/16/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,  
PURSUANT TO LOCAL LAW 16-1976, OF REAL  
PROPERTY ACQUIRED UNDER SECTION 46 OF THE  
SUFFOLK COUNTY TAX ACT  
**MATTHEW CARRAGHER**  
**0900-123.00-04.00-014.000**

**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 Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0900, Section 123.00, Block 04.00, Lot 014.000, and acquired by tax deed on July 18, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 22, 2008, in Liber 12558, at Page 853, and otherwise known as and by Town of Southampton, known and designated as Suffolk County Tax Map Number: District 0900, Section 123.00, Block 04.00, Lot 014.000; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 18, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 22, 2008 in Liber 12558 at Page 853.

**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**, MATTHEW CARRAGHER has made application of said above described parcel and MATTHEW CARRAGHER has paid the application fee and \$5,169.27, 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 MATTHEW CARRAGHER, 67 Long Neck Blvd., Riverhead, New York 11901, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

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

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

50.1

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

2218

November 18, 2008

Tax Map No.: 0900-123.00-04.00-014.000

Name of Last Legal Fee Owner: MATTHEW CARRAGHER

TREASURER'S COMPUTATION..... \$5,169.27

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..... \$5,169.27

---

Monies Received..... \$5,169.27

---

RESOLUTION AMOUNT..... \$5,169.27

---

APPROVED:

  
Accounting  
DB:sc

PREPARED BY:

  
Diane Bishop  
Redemption Unit  
(631) 853-5932

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2218

1. Type of Legislation

Resolution   
Tax Map Number 0900-123.00-04.00-014.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

<input checked="" type="radio"/> County	<input type="radio"/> Town	<input type="radio"/> Economic Impact
<input type="radio"/> Village	<input type="radio"/> School District Other (Specify):	
<input type="radio"/> Library District	<input type="radio"/> 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

Diane Bishop      \_\_\_\_\_      \_\_\_\_\_

COMPUTATION BY SUFFOLK COUNTY TREASURER

2218

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0900	123.00	04.00	014.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	1095.09
2006/07	2050.39
2007/08	1576.82

TOTAL: 4722.30

B. INTEREST DUE	200.81
C. TOTAL	4923.11
D. 5% LINE C	246.16
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$5,169.27

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.

08-Oct-08



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 04/06/09



2218

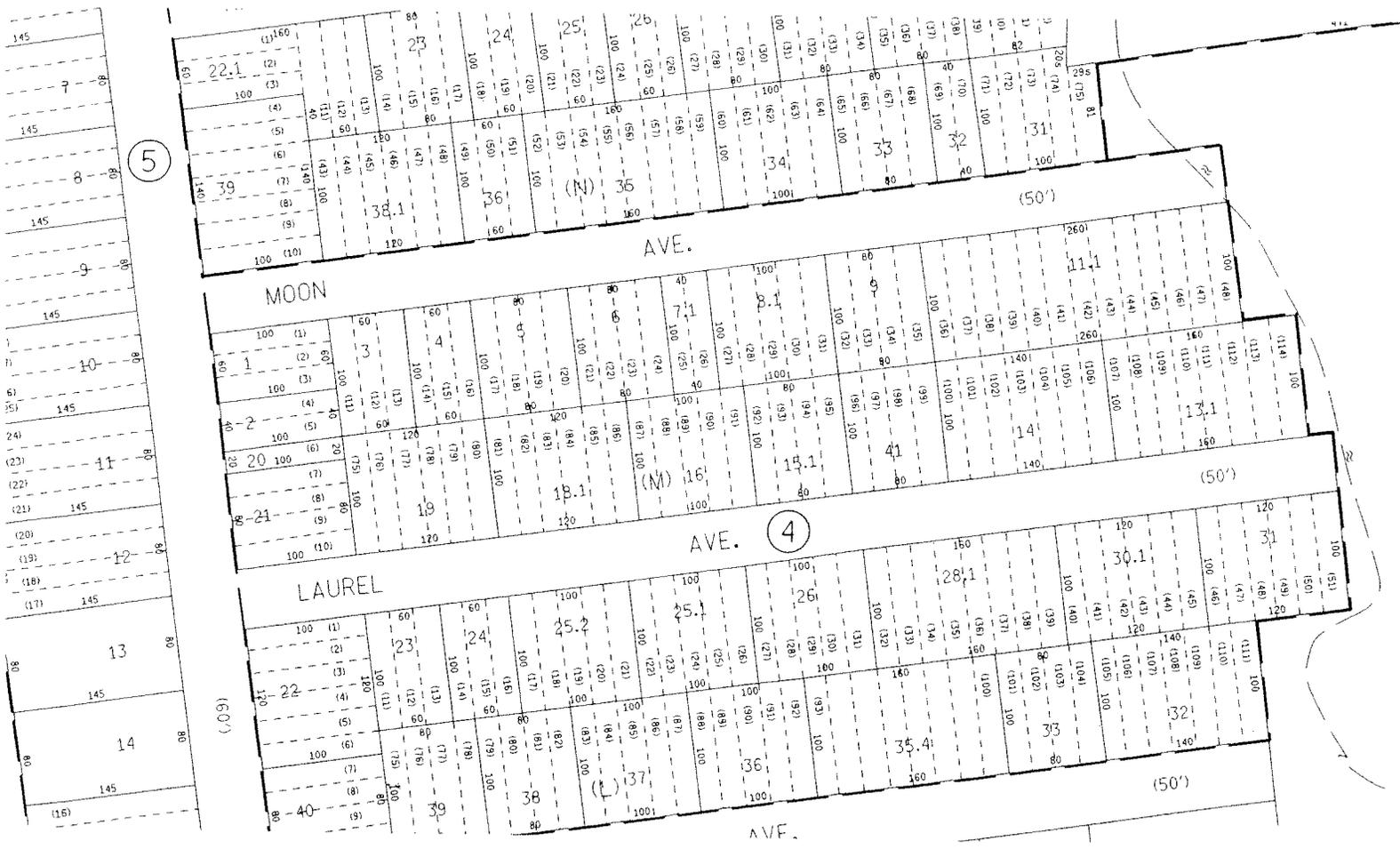
1070

0900 123 04 014

Joins Map 42

72°36'45" W2 72°36'00" X2 72°35'15" Y2 72°34'30" Z2

2218



0900 123 04 014

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 ISLIP FOR AFFORDABLE HOUSING PURPOSES (SCTM NO. 0500-183.00-01.00-045.000)**

**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 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 183.00, Block 01.00, Lot 045.000, and acquired by tax deed on January 27, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on January 29, 2003, in Liber 12232, CP 747 and otherwise known as and by the Town of Islip, known and designated as part of Lot 101 on a certain map entitled "Map of City of Modern Times", and filed in the Office of the Clerk of the County of Suffolk on January 22, 1859 as Map No. 380,

**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 Islip, 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

**1<sup>st</sup> RESOLVED**, the subject parcel shall be conveyed to the Town of Islip, 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.

**2<sup>nd</sup> 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.

**3<sup>rd</sup> RESOLVED**, that neither grantee nor any subsequent grantee shall bill or charge back to grantor any cost incurred or projected to be incurred for the cleaning up, removal and disposal of any debris, waste and /or contamination on said 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.

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

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

**6<sup>th</sup> RESOLVED**, that 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.

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

DATED:

APPROVED BY:

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

Date of Approval:

14

45

Exhibit "A"

June 13, 2006

2219

RESOLUTION

WHEREAS, the County of Suffolk occasionally makes available to the Town of Islip Community Development Agency properties owned by Suffolk County which can be conveyed, without consideration, to the Town of Islip Community Development Agency for affordable housing purposes under the provisions of Section 72-H General Municipal Law, and

WHEREAS, a recent review of county owned properties by the Town of Islip Community Development Agency determined that the following parcels would serve a valid public purpose through such a conveyance.

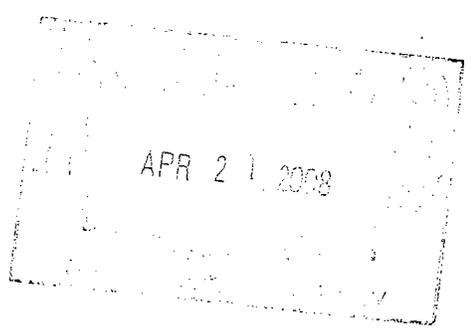
On motion by Councilperson Greene , seconded by Councilperson Flotteron,

BE IT THEREFORE RESOLVED that the Town of Islip hereby requests conveyance of the following properties for affordable housing purposes to the Town of Islip Community Development Agency.

- Tax Map Number: 0500-158-03-045- Hyde Park Avenue, Bay Shore - 12/21/07
- Tax Map Number: 0500-164-03-030- 3 Pine Street, Central Islip - 12/21/07
- Tax Map Number: 0500-183-01-045- 12 6<sup>th</sup> Avenue, Brentwood

UPON A VOTE being taken, the result was:

- Councilperson Pamela Greene - Aye
- Councilperson Christopher D. Bodkin - Aye
- Councilperson William J. Rowley - Aye
- Councilperson Steven J. Flotteron - Aye

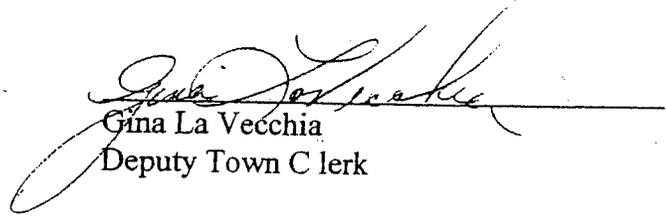


2219

STATE OF NEW YORK)  
  )SS  
COUNTY OF SUFFOLK)

I, Gina La Vecchia , Deputy Town Clerk of the Town of Islip, Suffolk County, New York  
DO HEREBY CERTIFY, that I have compared the foregoing with the original preamble and  
resolution adopted by the Town Board of the Town of Islip at a meeting of said Board held on  
the 13 day of June, 2006 and that the foregoing is a true transcript from said  
original resolution and the whole thereof and that the resolution adopted by said Board is on file  
in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Islip this  
18th day of April, 2008

  
Gina La Vecchia  
Deputy Town Clerk

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2219

**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

**S U M M A R Y   S T A T E M E N T**

SALES TO GOVERNMENTAL ENTITIES  
 TOWN OF ISLIP

Tax Map No.: 0500-183.00-01.00-045.000

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$63,343.78
Other Expenses (clean up cost)	<u>4,882.50</u>
Total	68,226.28

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



6122

TM# 0500-183.00-01.00-045.000



Suffolk County Department of Information Technology © 2008



Tm # 0500-183.00-01.00-045.000

2219

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

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

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

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

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

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

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

Loss of County investment  
Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2008

10. Name & Title of Preparer

  R. J. Bhatt    
LMS III

Signature of Preparer

  R. J. Bhatt  

Date

  11/20/08

NOV 25 2008

2219

COUNTY OF SUFFOLK



CHRISTOPHER E. KENT  
DIVISION DIRECTOR

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER  
COMMISSIONER

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

November 20, 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.: 0500-183.00-01.00-045.000  
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the  
Town of Islip for Affordable Housing Purposes.

Dear Mr. Zwirn:

Enclosed herewith are 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  
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

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 ISLIP FOR AFFORDABLE HOUSING  
PURPOSES  
(SCTM NO. 0500-315.00-01.00-063.000)**

**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 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 315.00, Block 01.00, Lot 063.000, and acquired by tax deed on October 16, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 21, 2003, in Liber 12279, CP 96 and otherwise known as and by the Town of Islip, known and designated as lots 357 to 360 inclusive on a certain map entitled "Map of Bay Shore Manor", and filed in the Office of the Clerk of the County of Suffolk on June 1, 1901 as Map No. 448.

**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 Islip, 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

**1<sup>st</sup> RESOLVED**, the subject parcel shall be conveyed to the Town of Islip, 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.

**2<sup>nd</sup> 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.

**3<sup>rd</sup> RESOLVED**, that neither grantee nor any subsequent grantee shall bill or charge back to grantor any cost incurred or projected to be incurred for the cleaning up, removal and disposal of any debris, waste and /or contamination on said 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.

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

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

**6<sup>th</sup> RESOLVED**, that 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.

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

DATED:

APPROVED BY:

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

Date of Approval:

Exhibit "A"  
RESOLUTION

2220

WHEREAS, the County of Suffolk occasionally makes available to the Town of Islip Community Development Agency property owned by Suffolk County which can be conveyed, without consideration, to the Town of Islip Community Development Agency for affordable housing purposes under the provisions of Section 72-H General Municipal Law, and

WHEREAS, a recent review of the county owned property by the Town of Islip Community Development Agency determined that the following parcel would create affordable housing through such a conveyance.

On motion by Councilman Edwards, seconded by Councilman Bodkin

BE IT THEREFORE RESOLVED that the Town of Islip hereby requests conveyance of the following property for affordable housing purposes to the Town of Islip Community Development Agency.

Tax Map Number: 0500-315-01-63 - 15 Holbrook Street, Bay Shore

UPON A VOTE being taken, the result was: Unanimously carried 5-0

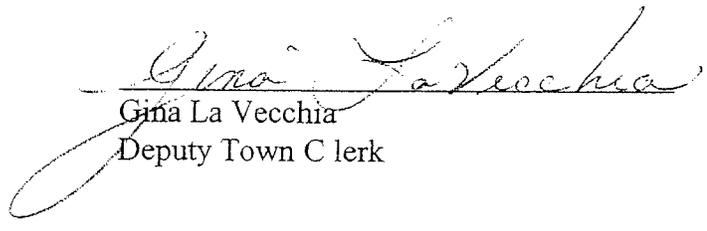
APR 30 2008

2220

STATE OF NEW YORK)  
  )SS  
COUNTY OF SUFFOLK)

I, Gina La Vecchia , Deputy Town Clerk of the Town of Islip, Suffolk County, New York  
DO HEREBY CERTIFY, that I have compared the foregoing with the original preamble and  
resolution adopted by the Town Board of the Town of Islip at a meeting of said Board held on  
the 29th day of April, 2008, and that the foregoing is a true transcript from said original  
resolution and the whole thereof and that the resolution adopted by said Board is on file  
in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Islip this  
30th day of April, 2008.

  
Gina La Vecchia  
Deputy Town Clerk

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STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

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

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

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

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

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

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

Loss of County investment  
Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2008

10. Name & Title of Preparer

Signature of Preparer

Date

R. J. Bhatt   
LMS III

RJBhatt

11/20/08

COUNTY OF SUFFOLK

Gen AB  
NOV 25 2008



2220

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

November 20, 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.: 0500-315.00-01.00-063.000  
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the  
Town of Islip for Affordable Housing Purposes.

Dear Mr. Zwirn:

Enclosed herewith are 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  
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:sib

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

2220

**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.: 0500-315.00-01.00-063.000

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$96,321.93
Other Expenses (cleanup cost)	<u>7,480.00</u>
Total	103,801.93

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



2220

NORTH

3RD

AVE.

ST.

HOLBROOK

AVE.

FREDERICK

5TH

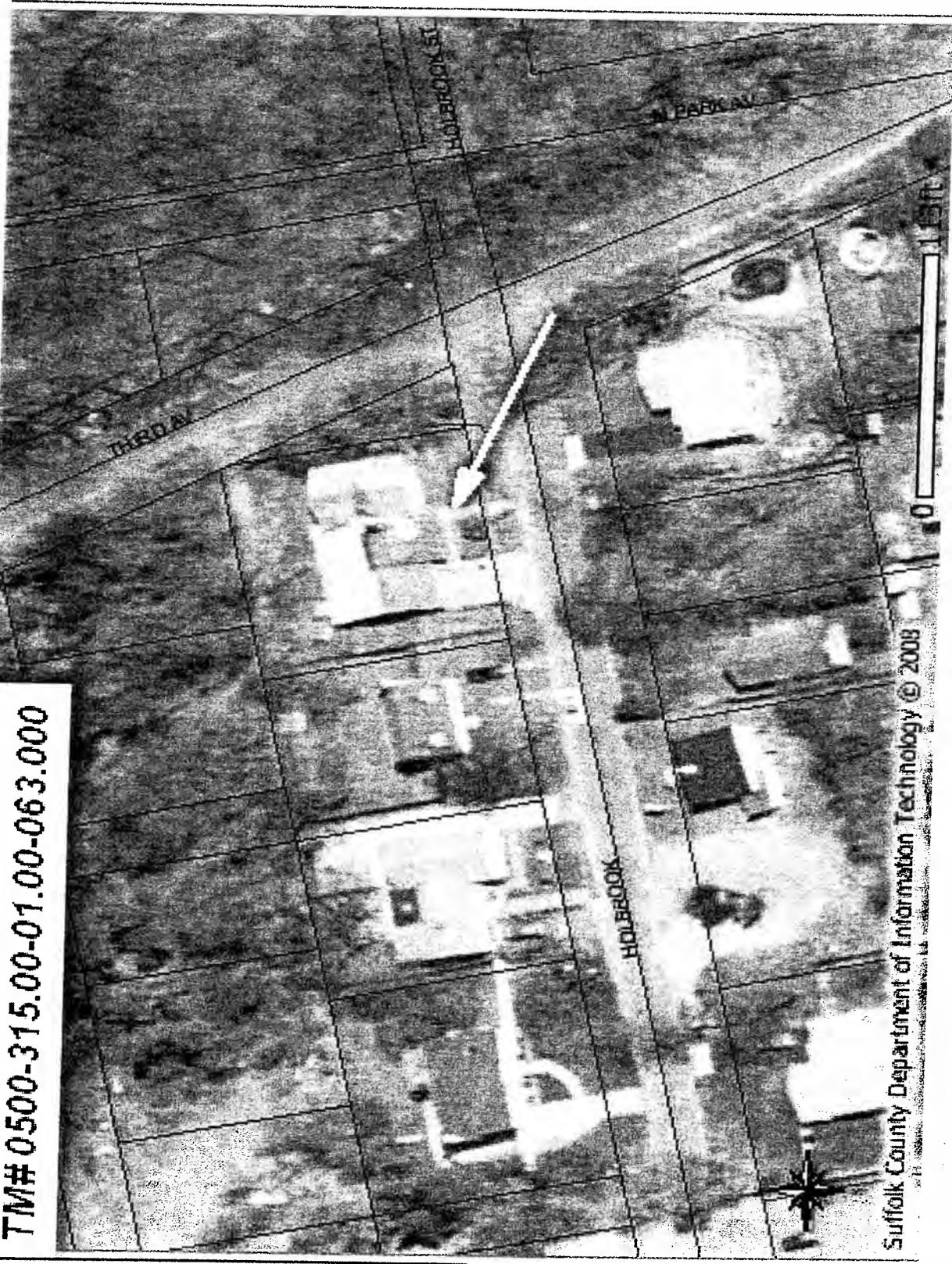
R.D. 39

R.D. 37

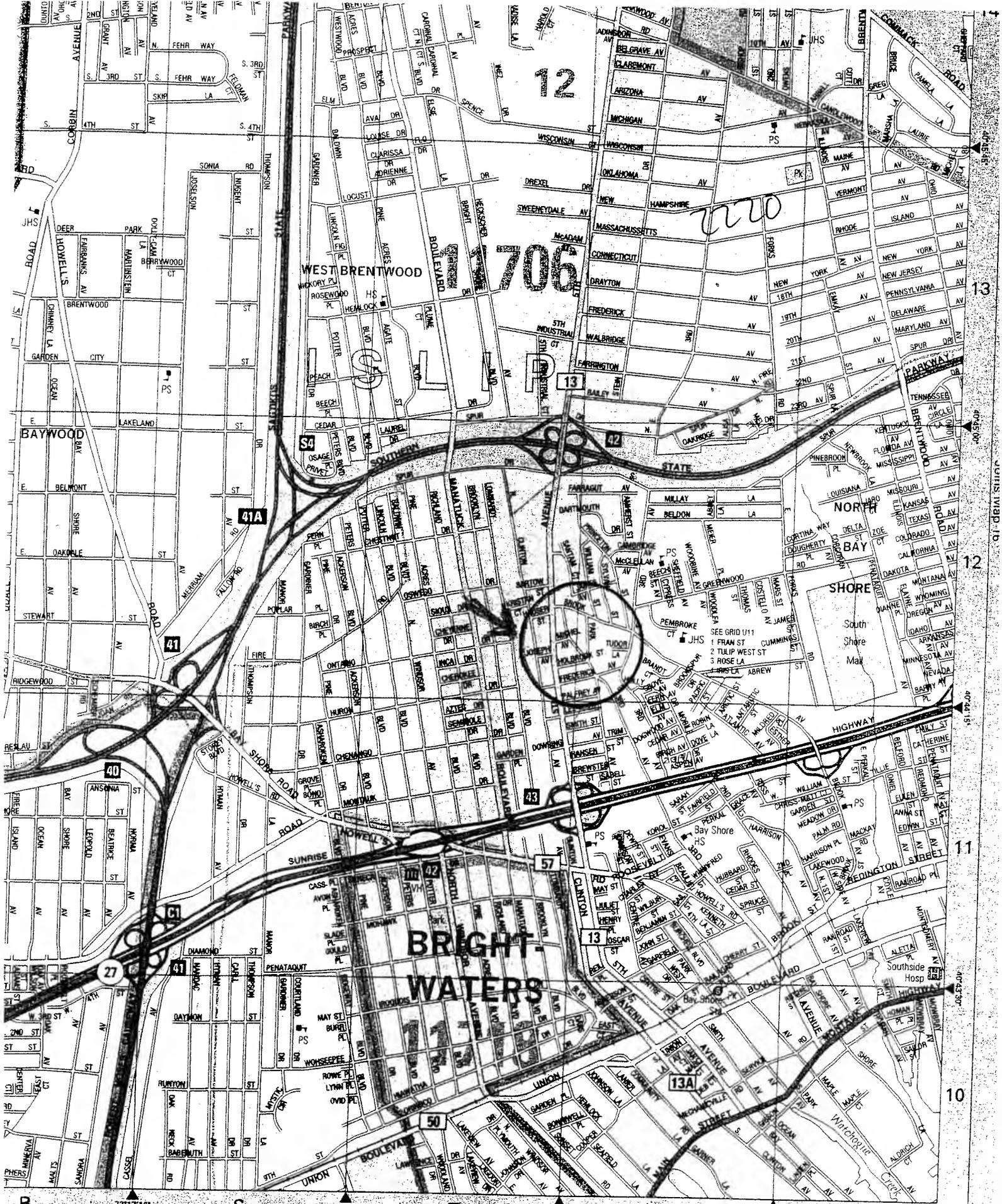
TM # 0500-315.00-01.00-063.000

2220

TM# 0500-315.00-01.00-063.000



Suffolk County Department of Information Technology © 2009



TM# 0500-315.00-01.00-063.000

Introductory Resolution No. 2221-08 Laid on Table 12/16/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,  
PURSUANT TO LOCAL LAW 16-1976, OF REAL  
PROPERTY ACQUIRED UNDER SECTION 46 OF THE  
SUFFOLK COUNTY TAX ACT  
**JAMSHID KERENDIAN and JAHANSHAH KERENDIAN a/k/a  
JAHANSHAH KEREDIAN, as Joint Tenants with Right of Survivorship  
0200-609.00-02.00-021.000**

**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 609.00, Block 02.00, Lot 021.000, and acquired by tax deed on August 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 18, 2006, in Liber 12465, at Page 374, and otherwise known as and by Town of Brookhaven, known and designated as Suffolk County Tax Map Number: District 0200, Section 609.00, Block 02.00, Lot 021.000; 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 August 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 18, 2006 in Liber 12465 at Page 374.

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

**WHEREAS**, JAMSHID KERENDIAN and JAHANSHAH KERENDIAN a/k/a JAHANSHAH KEREDIAN, as Joint Tenants with Right of Survivorship, have made application of said above described parcel and JAMSHID KERENDIAN and JAHANSHAH KERENDIAN a/k/a JAHANSHAH KEREDIAN, as Joint Tenants with Right of Survivorship, have paid the application fee and \$7,920.28, 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 JAMSHID KERENDIAN and JAHANSHAH KERENDIAN a/k/a JAHANSHAH KEREDIAN, as Joint Tenants with Right of Survivorship, 6 Fairview Avenue, Great Neck, New York 11023, 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: \_\_\_\_\_

2221

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

December 2, 2008

Tax Map No.: 0200-609.00-02.00-021.000

Name of Last Legal Fee Owner: JAMSHID KERENDIAN and JAHANSHAH KERENDIAN a/k/a  
JAHANSHAH KEREDIAN, as Joint Tenants with Right of  
Survivorship

TREASURER'S COMPUTATION..... \$7,920.28

Taxes.....2008/2009..... OPEN

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... \$7,920.28

Monies Received..... \$7,920.28

RESOLUTION AMOUNT..... \$7,920.28

APPROVED:

Karen A. Slater 12/3/08  
Accounting  
DB:sc

PREPARED BY:

Diane Bishop  
Diane Bishop  
Redemption Unit  
(631) 853-5932

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2271

1. Type of Legislation

Resolution   
Tax Map Number 0200-609.00-02.00-021.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

<input checked="" type="checkbox"/> County	<input type="checkbox"/> Town	<input type="checkbox"/> Economic Impact
<input type="checkbox"/> Village	<input type="checkbox"/> School District Other (Specify):	
<input type="checkbox"/> Library District	<input type="checkbox"/> 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

Diane Bishop      *Diane Bishop*      12/2/08

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	609.00	02.00	021.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2221

2003/04	1498.91
2004/05	1592.62
2005/06	1266.70
2006/07	1349.04
2007/08	992.63

TOTAL: 6699.90

B. INTEREST DUE	843.22
C. TOTAL	7543.12
D. 5% LINE C	377.16
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

-----  
\$7,920.28

*9/16/08*

**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-Sep-08



Diane M. Stuke

Deputy County Treasurer

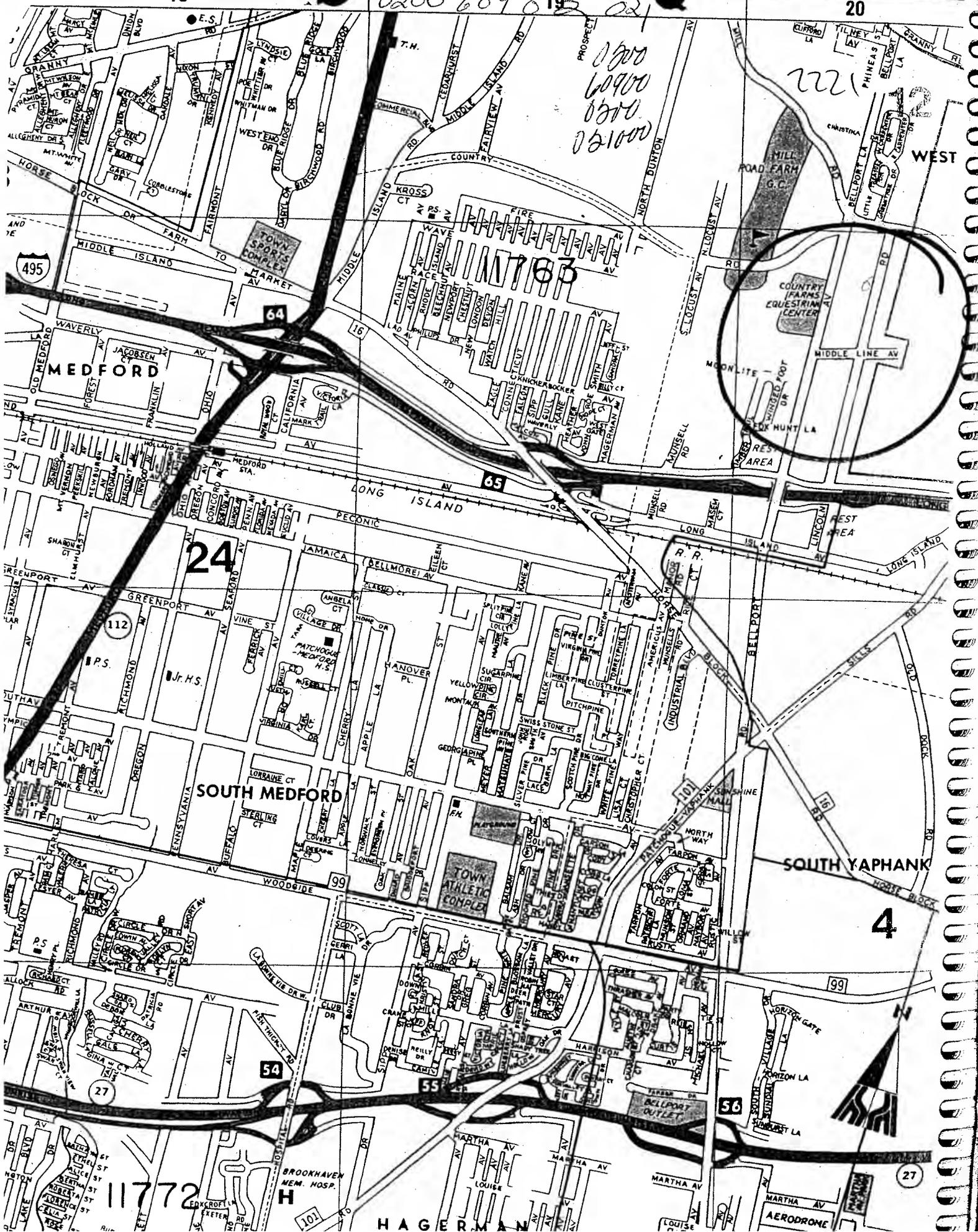
\*\*Interest and penalty computed to  
and including 03/15/09

18

20

0200 609 019 021

PROSPECT  
0200  
60900  
0200  
021000



24

SOUTH MEDFORD

SOUTH YAPHANK

4

11772

BROOKHAVEN MEM. HOSP.

HAGERMAN

56

27

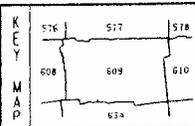




NOTICE  
 MAINTENANCE, ALTERATION, SALE OR  
 DISTRIBUTION OF ANY PORTION OF THE  
 SUFFOLK COUNTY TAX MAP IS PROHIBITED  
 WITHOUT WRITTEN PERMISSION OF THE  
 REAL PROPERTY TAX SERVICE AGENCY.



COUNTY OF SUFFOLK  
 Real Property Tax Service Agency  
 County Center Riverhead, N Y 11901  
 SCALE IN FEET: 0 50 100



TOWN OF BROOKHAVEN  
 VILLAGE OF  
 DISTRICT NO 0200

SECTION NO  
 609  
 PROPERTY MAP

Introductory Resolution No. 2222-08 Laid on Table 12/16/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,  
PURSUANT TO LOCAL LAW 16-1976, OF REAL  
PROPERTY ACQUIRED UNDER SECTION 46 OF THE  
SUFFOLK COUNTY TAX ACT  
**NEIL M. THEISEN and JOANNE M. THEISEN, his wife**  
**0200-051.00-06.00-051.000**

**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 051.00, Block 06.00, Lot 051.000, and acquired by tax deed on August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007, in Liber 12520, at Page 725, and otherwise known as and by Town of Brookhaven, known as and by Suffolk County Tax Map Number: District 0200, Section 051.00, Block 06.00, Lot 051.000; 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 August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007 in Liber 12520 at Page 725.

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

**WHEREAS**, NEIL M. THEISEN and JOANNE M. THEISEN, his wife, have made application of said above described parcel and NEIL M. THEISEN and JOANNE M. THEISEN, his wife, have paid the application fee and \$850.49, 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 NEIL M. THEISEN and JOANNE M. THEISEN, his wife, 7 Springfield Road, Sound Beach, New York 11789, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

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

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

50.1

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

2222

December 2, 2008

Tax Map No.: 0200-051.00-06.00-051.000

Name of Last Legal Fee Owner: NEIL M. THEISEN and JOANNE M. THEISEN, his wife

TREASURER'S COMPUTATION..... \$850.49

Taxes.....2008/2009..... OPEN

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

---

TOTAL..... \$850.49

---

Monies Received..... \$850.49

---

RESOLUTION AMOUNT..... \$850.49

---

APPROVED:

Karen Plater 12/3/08  
Accounting  
DB:sc

PREPARED BY:

Diane Bishop  
Diane Bishop  
Redemption Unit  
(631) 853-5932

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2222

1. Type of Legislation

Resolution   
Tax Map Number 0200-051.00-06.00-051.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

8. Proposed Source of Funding

N/A

9. Timing of Impact

2008

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

Diane Bishop                      *Diane Bishop*                      12/2/08

COMPUTATION BY SUFFOLK COUNTY TREASURER

2222

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	051.00	06.00	051.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05	291.83
2006/07	223.33
2007/08	235.75

2005/06 PROPERTY TAXES PAID BY INDIVIDUAL

TOTAL: 750.91

B. INTEREST DUE	59.08
C. TOTAL	809.99
D. 5% LINE C	40.50
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

\$850.49

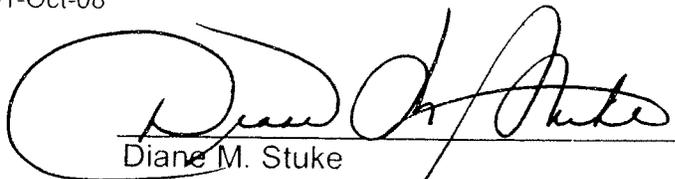
*8/12/08*

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.

01-Oct-08



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 03/30/09

Distance: approximately vertically

Scale 1:24,000  
0 1,000 2,000 3,000 4,000 5,000 Feet  
0 200 400 600 800 1,000 1,200 1,400 Meters

29

S1 T1 U1 V1 W1

31

30

30

29

29

28

28

27

ISLAND

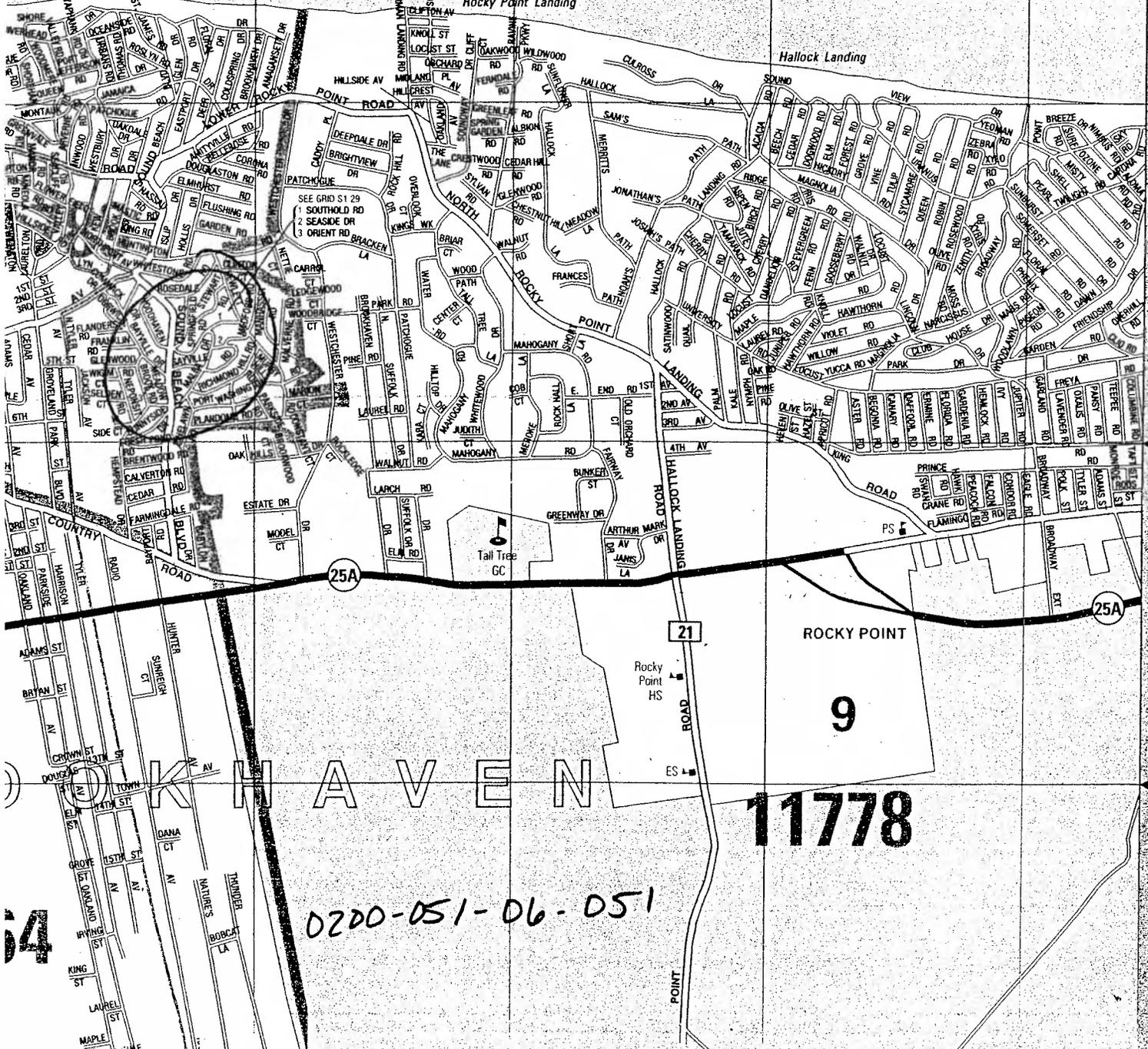
SOUND

*Handwritten scribble*

SOUND BEACH

Rocky Point Landing

Hallock Landing



Johns Map 31

4

OKHAVEN

11778

0200-051-06-051

21

25A

ROCKY POINT

9

Rocky Point HS

ES

POINT



Introductory Resolution No. **2223-08** Laid on Table **12/16/08**

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,  
PURSUANT TO LOCAL LAW 16-1976, OF REAL  
PROPERTY ACQUIRED UNDER SECTION 46 OF THE  
SUFFOLK COUNTY TAX ACT  
**ALAN SEFARDY and JAHANSHAH KERENDIAN a/k/a JAHANSHAH  
KEREDIAN, as Tenants in Common  
0200-793.00-01.00-015.001**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 793.00, Block 01.00, Lot 015.001, and acquired by tax deed on November 14, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 23, 2007, in Liber 12531, at Page 433, and otherwise known as and by Town of Brookhaven, known and designated as Suffolk County Tax Map Number: District 0200, Section 793.00, Block 01.00, Lot 015.001; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on November 14, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 23, 2007 in Liber 12531 at Page 433.

**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**, ALAN SEFARDY and JAHANSHAH KERENDIAN a/k/a JAHANSHAH KEREDIAN, as Tenants in Common, have made application of said above described parcel and ALAN SEFARDY and JAHANSHAH KERENDIAN a/k/a JAHANSHAH KEREDIAN, as Tenants in Common, have paid the application fee and \$1,029.68, 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 ALAN SEFARDY and JAHANSHAH KERENDIAN a/k/a JAHANSHAH KEREDIAN, as Tenants in Common, 6 Fairview Avenue, Great Neck, New York 11023, 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: \_\_\_\_\_

2223

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

December 2, 2008

Tax Map No.: 0200-793.00-01.00-015.001

Name of Last Legal Fee Owner: ALAN SEFARDY and JAHANSHAH KERENDIAN a/k/a  
JAHANSHAH KEREDIAN, as Tenants in Common

TREASURER'S COMPUTATION.....	\$1,029.68
Taxes.....2008/2009.....	OPEN
Recording Fees collected for County Clerk. .	N/A
License Fee.....	N/A
Repairs.....	N/A
Interest.....	N/A
Miscellaneous Expenses.....	N/A
<hr/>	
TOTAL.....	\$1,029.68
<hr/>	
Monies Received.....	\$1,029.68
<hr/>	
<u>RESOLUTION AMOUNT</u> .....	\$1,029.68
<hr/>	

APPROVED:

Karen A. Slater 12/3/08  
Accounting  
DB:sc

PREPARED BY:  
Diane Bishop  
Diane Bishop  
Redemption Unit  
(631) 853-5932

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2223

1. Type of Legislation

Resolution **X**  
Tax Map Number 0200-793.00-01.00-015.001

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2008

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

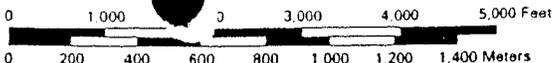
Diane Bishop      *Diane Bishop*      12/2/08





ice  
rely  
ically

Scale 1:24,000



Joins Map 33



Joins Map 33

0200-793-01-15.1

Introductory Resolution No. 2224-08 Laid on Table 12/16/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,  
PURSUANT TO LOCAL LAW 16-1976, OF REAL  
PROPERTY ACQUIRED UNDER SECTION 46 OF THE  
SUFFOLK COUNTY TAX ACT  
**ALAN SEFARDY and JAHANSHAH KERENDIAN a/k/a JAHANSHAH  
KEREDIAN, as Tenants in Common**  
0200-793.00-01.00-017.001  
0200-793.00-01.00-019.001

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the 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 793.00, Block 01.00, Lot 017.001, **and** District 0200, Section 793.00, Block 01.00, Lot 019.001, and acquired by tax deed on October 18, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 30, 2007, in Liber 12528, at Page 281, and otherwise known as and by;

PARCEL I – 0200-793.00-01.00-017.001, Town of Brookhaven, County of Suffolk and State of New York, known and designated as Suffolk County Tax Map Number: District 0200, Section 793.00, Block 01.00, Lot 017.001; and

PARCEL II – 0200-793.00-01.00-019.001, Town of Brookhaven, County of Suffolk and State of New York, known and designated as Suffolk County Tax Map Number: District 0200, Section 793.00, Block 01.00, Lot 019.001; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 18, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 30, 2007 in Liber 12528 at Page 281.

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

**WHEREAS**, ALAN SEFARDY and JAHANSHAH KERENDIAN a/k/a JAHANSHAH KEREDIAN, as Tenants in Common, have made application of said above described parcel and ALAN SEFARDY and JAHANSHAH KERENDIAN a/k/a JAHANSHAH KEREDIAN, as Tenants in Common, have paid the application fee and \$4,930.13, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2008; and

**1<sup>st</sup> - RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that

even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

**2<sup>nd</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ALAN SEFARDY and JAHANSHAH KERENDIAN a/k/a JAHANSHAH KEREDIAN, as Tenants in Common, 6 Fairview Avenue, Great Neck, New York 11023, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

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

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

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

2224

December 2, 2008

Tax Map No.: 0200-793.00-01.00-017.001

Name of Last Legal Fee Owner: ALAN SEFARDY and JAHANSHAH KERENDIAN a/k/a  
JAHANSHAH KEREDIAN, as Tenants in Common

TREASURER'S COMPUTATION..... \$1,987.69

Taxes.....2008/2009..... OPEN

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

---

TOTAL..... \$1,987.69

---

Monies Received..... \$1,987.69

---

RESOLUTION AMOUNT..... \$1,987.69

---

APPROVED:

  
Accounting  
DB:sc

PREPARED BY:

  
Diane Bishop  
Redemption Unit  
(631) 853-5932

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	793.00	01.00	017.001

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2224

2004/05	457.89
2005/06	477.60
2006/07	401.44
2007/08	428.34

TOTAL: 1765.27

B. INTEREST DUE	127.77
C. TOTAL	1893.04
D. 5% LINE C	94.65
E. FEE	
F. MISC	
G. MISC	

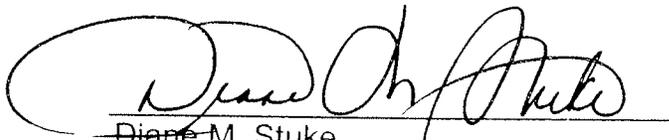
H. TOTAL DUE \$1,987.69

*DS*  
*12/3/08*

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. 17-Sep-08



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 03/16/09

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

2224

December 2, 2008

Tax Map No.: 0200-793.00-01.00-019.001

Name of Last Legal Fee Owner: ALAN SEFARDY and JAHANSHAH KERENDIAN a/k/a  
JAHANSHAH KERENDIAN, as Tenants in Common

TREASURER'S COMPUTATION..... \$2,942.44

Taxes.....2008/2009..... OPEN

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

---

TOTAL..... \$2,942.44

---

Monies Received..... \$2,942.44

---

RESOLUTION AMOUNT..... \$2,942.44

---

APPROVED:

*Karen Slater 12/3/08*

Accounting  
DB:sc

PREPARED BY:

*Diane Bishop*

Diane Bishop  
Redemption Unit  
(631) 853-5932

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	793.00	01.00	019.001

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2224

2004/05	669.66
2005/06	699.23
2006/07	602.15
2007/08	642.50

TOTAL: 2613.54

B. INTEREST DUE	188.78
C. TOTAL	2802.32
D. 5% LINE C	140.12
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

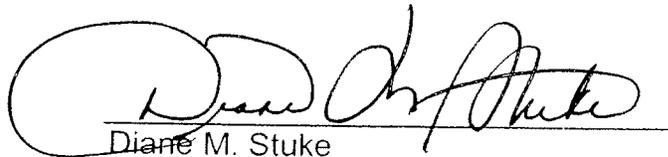
-----  
\$2,942.44

*AS*  
*12/16/08*

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. 17-Sep-08



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 03/16/09

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2224

1. Type of Legislation

Resolution X  
Tax Map Number 0200-793.00-01.00-017.001 and 0200-793.00-01.00-019.001

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

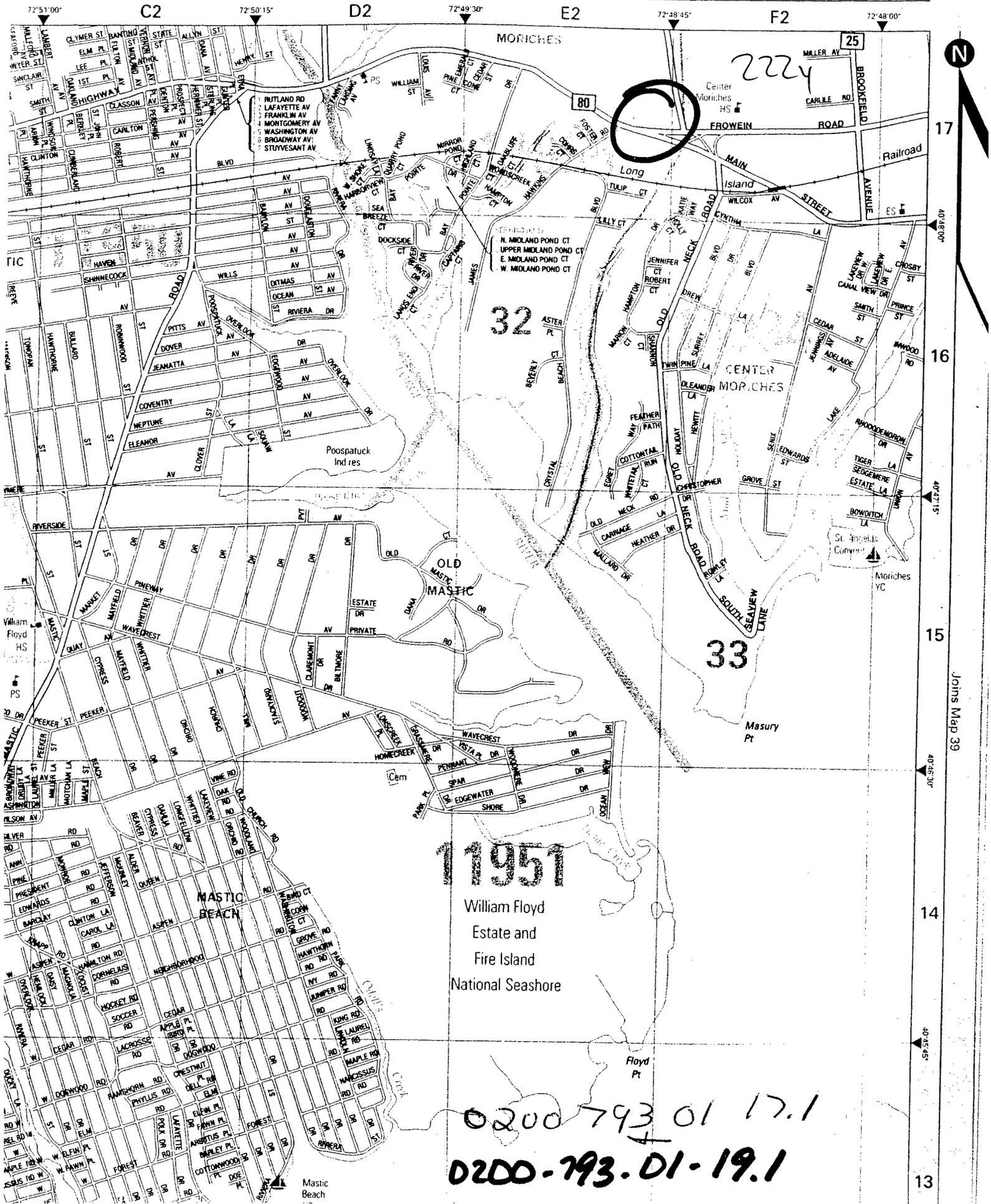
N/A

9. Timing of Impact

2008

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

Diane Bishop                      *Diane Bishop*                      \_\_\_\_\_



1951

William Floyd Estate and Fire Island National Seashore

0200-793-01-17.1  
0200-793-D1-19.1

Joins Map 39

- Revisions
- 03-13-93
- 02-02-92
- 04-09-89
- 05-06-81
- 06-12-01
- 06-16-01
- 06-02-01
- 01-16-02
- 01-29-02
- 09-25-02
- 02-02-04
- 12-03-04
- 12-06-04
- 12-10-04
- 05-18-08
- 06-30-05
- 03-13-06



2224  
2.5A

0200  
793  
01  
017.1  
20  
9.7A(c)

0200  
793  
01  
019.1

<b>LEGEND</b> Property or Pl. Line Denotes Common Owner Subdivision Lot Line Stream / Shore Parcel No.		Subdivision Lot No. 1121 Subdivision Block/Bag No. (21) Deed Dimension 62 Scaled Dimension 62 Deed Area 12.1 A(c) or 12.1A Calculated Area 12.1 A(c)	Block Line Block No. (2) County Line Town Line Range Line	School District Line SCH Fire District Line F Water District Line W Light District Line L Park District Line P Sewer District Line S	Hydrow District Line H Rainow District Line R Meter District Line M Ambulance District Line A Postoffice District Line PO	UNLESS DRAWN OTHERWISE, ARE WITHIN THE FOLLOW SCHOOL 33.74 SERE FIRE F.I.E.U. HYDRAN LIGHT L.F.I. WATER PARK P.F.I. REFUSE AMBULANCE AMB. AND. WASTE
		23				

SEE SEC. NO. 830

Introductory Resolution No. 2225-08

Laid on Table 12/16/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE,  
PURSUANT TO LOCAL LAW 16-1976, OF REAL  
PROPERTY ACQUIRED UNDER SECTION 46 OF THE  
SUFFOLK COUNTY TAX ACT  
**TIANA FELICIANO**  
**0500-055.00-04.00-060.000**

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 055.00, Block 04.00, Lot 060.000, and acquired by tax deed on July 18, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 22, 2008, in Liber 12558, at Page 867, and otherwise known as and by Town of Islip, Suffolk County Tax Map Number: District 0500, Section 055.00, Block 04.00, Lot 060.000; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 18, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 22, 2008 in Liber 12558 at Page 867.

**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**, TIANA FELICIANO, has made application of said above described parcel and TIANA FELICIANO, has paid the application fee and will be paying \$2,130.60 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; and

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

2<sup>nd</sup> - **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to TIANA FELICIANO, 3129 Rosario Lane, New Braunfels, Texas 78130, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

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

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

50.1

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

2225

October 29, 2008

Tax Map No.: 0500-055.00-04.00-060.000  
Name of Last Legal Fee Owner: TIANA FELICIANO

TREASURER'S COMPUTATION..... \$2,130.60

Taxes.....2006/2007..... PAID

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

Recording Fees collected for County Clerk.. N/A

License Fee ..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... \$2,130.60

Monies to be Received.....\$2,130.60

RESOLUTION AMOUNT.....\$2,130.60

APPROVED:

PREPARED BY:

*Cathy O'Neal*

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

*Karen A. Slater 12/3/08*  
Accounting  
CO:sc

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X  
Tax Map Number 0500-055.00-04.00-060.000

2225

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

Cathy O'Neal

Cathy O'Neal 12/2/08

COMPUTATION BY SUFFOLK COUNTY TREASURER

2225

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0500	055.00	04.00	060.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	1947.35
---------	---------

2006/07 AND 2007/08 PROPERTY TAXES PAID BY THE CIT GROUP

TOTAL: 1947.35

B. INTEREST DUE	81.79
C. TOTAL	2029.14
D. 5% LINE C	101.46
E. FEE	
F. MISC	
G. MISC	

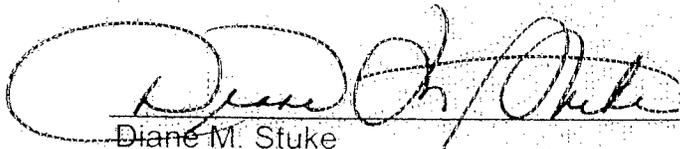
H. TOTAL DUE

\$2,130.60

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. 01-Oct-08



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 03/30/09

2225



7.2  
7.0A(c)

7.6  
3.4A(c)

7.10  
3.2A(c)

5  
7.8A(c)

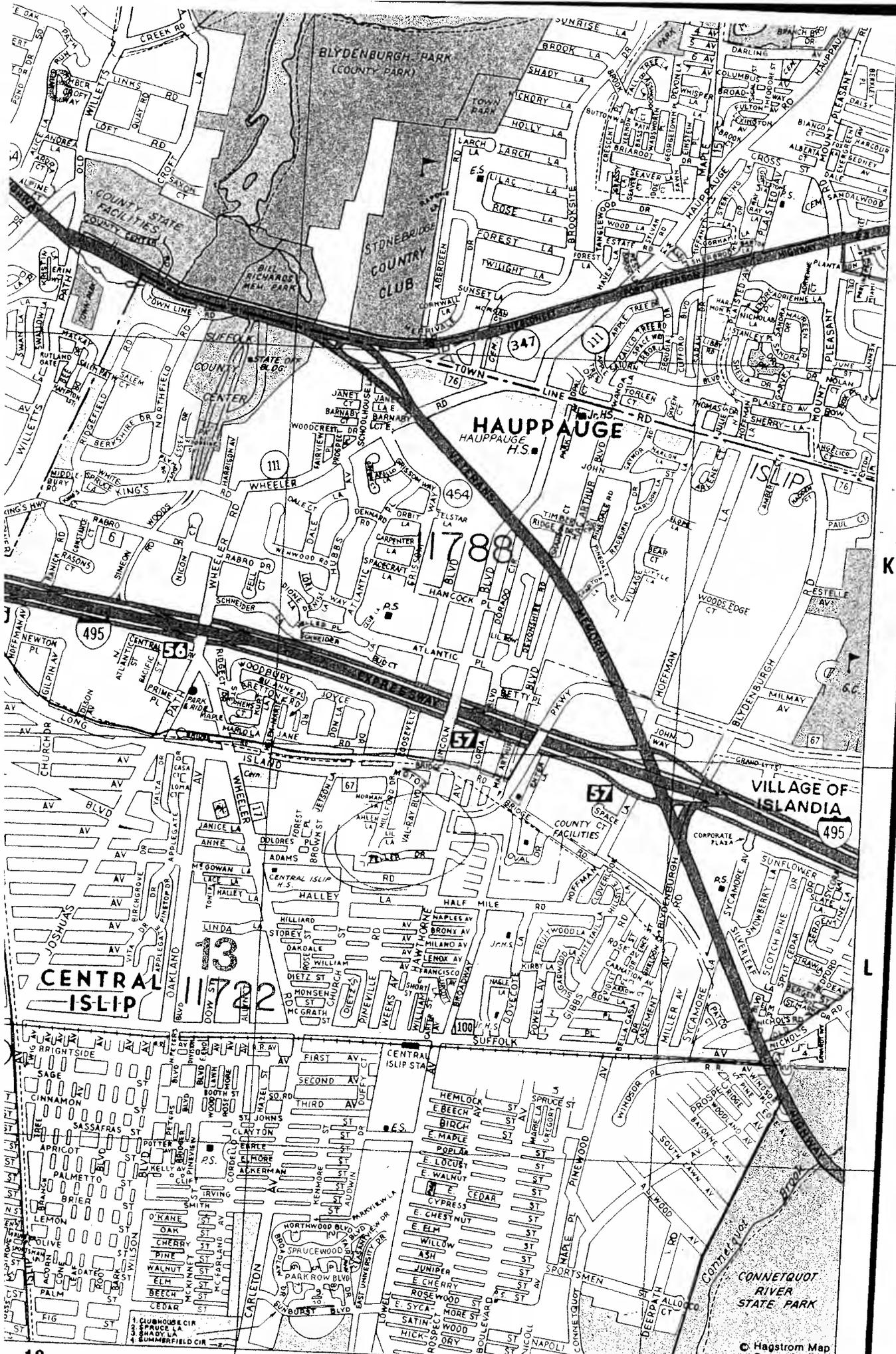
UNION FREE SCHOOL DIST. NO. 13

SEE SEC. NO. 78

FOR PARCEL NO.  
SEE SEC. NO.  
078-01-075

NOTICES 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:		K 039 L 054 M 055 N 056	040 055 056	041 056 057	TOWN OF ISLIP VILLAGE OF DISTRICT NO 0500	SECTION NO 055 PROPERTY MAP
		SCALE IN FEET:		MATCH SEE SEC. NO. 078		MATCH SEE SEC. NO. 079		

7275



FOR ADJOINING AREA SEE MAP NO 12 | SEE MAP NO 13

Intro. Res. # 2226-08

Laid on Table 12/16/08

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

RESOLUTION NO. \_\_\_\_\_ 2008  
TO READJUST, COMPROMISE, AND GRANT  
REFUNDS AND CHARGE-BACKS ON REAL  
PROPERTY CORRECTION OF ERRORS BY:  
COUNTY LEGISLATURE ( CONTROL #796 -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	BROOKHAVEN	07/08		0200-277-2-17.15	101375.01	98789.50	2585.51
C	BROOKHAVEN	07/08		0200-764-2-30	8063.46	501.20	7562.20
A	HUNTINGTON	07/08		0400-100-3-17	33440.66	19507.99	13932.67
C	RIVERHEAD	07/08		0600-97-1-1.3	15869.66	12909.12	2960.54
A	SMITHTOWN	06/07		0800-75-9-11.2	20356.78	17530.24	2826.54
A	SMITHTOWN	06/07		0800-166-6-3	15867.59	13297.76	2569.73

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

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

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

2226

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
2008, Jeanne Cush R.P.A.T. II		November 24,

**Additional back-up material regarding I.R. 2226 is on file in  
the Legislative Clerk's Office, Hauppauge.**

2227

Intro Res. No. -2008  
Introduced by Legislator Gregory

Laid on Table 12/16/08

**RESOLUTION NO. -2008, ESTABLISHING A  
TASK FORCE ON HATE CRIMES IN SUFFOLK  
COUNTY**

**WHEREAS**, the recent murder of Marcelo Lucero in Patchogue and the related attacks on two other individuals, who were allegedly targeted by their assailants because they were Hispanic, has led to an increased sensitivity to bias-related crimes in the County; and

**WHEREAS**, other bias-related crimes have occurred in recent years in Suffolk County, including high profile violent attacks on immigrant workers in Farmingville in 2000 and an arson in 2003; and

**WHEREAS**, studies conducted by the Federal Bureau of Investigations show that hate crimes against Latinos have been steadily increasing nationally over the past four (4) years; and

**WHEREAS**, following the murder of Mr. Lucero, members of the Hispanic community have stated that undocumented workers are reluctant to make reports when they are victims of crime because they fear reprisal; and

**WHEREAS**, the fact that only one verified hate crime was reported in Suffolk County in 2007 suggests that bias and hate crimes occurring in Suffolk County are failing to be reported and addressed; and

**WHEREAS**, in order to combat the occurrence of bias and hate crimes in the County, government officials need help from the entire community to determine how frequently these acts occur and how often are they reported to the police; and

**WHEREAS**, County leaders also need more information to determine why bias-related crimes are not reported to police so that appropriate actions may be taken to ensure that bias-related crimes are reported and investigated; and

**WHEREAS**, the Suffolk County Legislature wants to ensure that racial tensions are addressed within the community and hate crimes of all forms are reported, with all possible steps taken to address these problems and prevent their occurrence; and

**WHEREAS**, the Suffolk County Legislature wants to be a leader in determining the sources of hate crimes in the community and finding the best ways to combat them; now, therefore be it

**1st RESOLVED**, that a special Task Force on Hate Crimes in Suffolk County ("Task Force") is hereby created to examine the sources of racial tension in the County, to study and analyze the mechanisms used to report hate crimes in the County, and provide recommendations on current hate crime legislation; and be it further

**2nd**           **RESOLVED**, that this Task Force shall consist of the following thirteen (13) members:

- 1.) two (2) representatives from the County Legislature, to be selected by the Presiding Officer;
- 2.) a representative from the County Executive's office, to be selected by the County Executive;
- 3.) a Clergyman, to be selected by the County Legislature;
- 4.) two (2) representatives from the Suffolk County community at large, to be selected by the County Legislature;
- 5.) a representative from the Suffolk County Police Department Hate Crimes Unit;
- 6.) a representative from the Suffolk County District Attorney's Office;
- 7.) a representative from the Suffolk County Anti-Bias Task Force;
- 8.) a representative from one of the Suffolk County School Districts, to be selected by the County Legislature;
- 9.) a representative from the Suffolk County Human Rights Commission;
- 10.) a representative from the gay-lesbian-bisexual-transgender community in Suffolk County, to be selected by the County Legislature;
- 11.) a representative from the Suffolk County Hispanic Advisory Board;

and be it further

**3rd**           **RESOLVED**, that the chairperson of the Task Force shall be chosen from one of the representatives from the Legislature appointed to the Task Force by the Presiding Officer; and be it further

**4th**           **RESOLVED**, that the Task Force shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed, which meeting shall be convened by the chairman of the Task Force, for the purpose of organization and the appointment of a vice chairperson and a secretary; and be it further

**5th**           **RESOLVED**, that the members of said Task Force shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

**6th**           **RESOLVED**, that the Task Force shall hold regular meetings, keep a record of all its proceedings, and determine the rules of its own proceedings with special meetings to be called by the chairperson upon his or her own initiative or upon receipt of

a written request therefor signed by at least three (3) members of the Task Force. Written notice of the time and place of such special meetings shall be given by the secretary to each member at least four (4) days before the date fixed by the notice for such special meeting; and be it further

**7th**               **RESOLVED**, that seven (7) members of the Task Force shall constitute a quorum to transact the business of the Task Force at both regular and special meetings; and be it further

**8th**               **RESOLVED**, that the Task Force may submit requests to the County Executive and/or the County Legislature for approval for the provision of secretarial services, travel expenses, or retention of consultants to assist the Task Force with such endeavors, said total expenditures not to exceed Five Thousand (\$5,000.00) per fiscal year, which services shall be subject to Legislative approval; and be it further

**9th**               **RESOLVED**, that the Task Force may conduct such informal hearings and meetings at any place or places within the County of Suffolk for the purpose of obtaining necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary; and be it further

**10th**             **RESOLVED**, that the Task Force may delegate to any member of the Task Force the power and authority to conduct such hearings and meetings; and be it further

**11th**             **RESOLVED**, that the Task Force shall cooperate with the Legislative Committees of the County Legislature and make available to each Committee's use, upon request, any records and other data it may accumulate or obtain; and be it further

**12th**             **RESOLVED**, that the Task Force is hereby authorized, empowered, and directed to hold at least four (4) public hearings throughout the County of Suffolk to assemble the data and information necessary to complete the valuation, study, and report required with all reasonable efforts to be made to ascertain the views, wishes, and opinions of the residents of Suffolk County; and be it further

**13th**             **RESOLVED**, that said Task Force shall issue a written report, after a comprehensive study and analysis of the impact of racial tensions and hate crimes on Suffolk County, as well as the rate at which hate crimes occur in the County and the manners in which they may be reported; and be it further

**14th**             **RESOLVED**, that this special Task Force shall submit a written report of its findings and determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive no later than one hundred eighty (180) days subsequent to the effective date of this Resolution for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

**15th**             **RESOLVED**, that the Task Force shall expire, and the terms of office of its members terminate, as of one (1) year from the date of the enactment of the resolution at which time the Task Force shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

**16th**           **RESOLVED**, that this study shall not be performed by any outside consultant or consulting firm unless explicit approval and authorization for such consultant or consulting firm is granted pursuant to a duly enacted resolution of the County Legislature; and be it further

**17th**           **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 of Approval:

s:\res\l-task force hate crimes

Intro. Res. No. 2228 - 08  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 12/16/08

**RESOLUTION NO. -2008, AUTHORIZING LICENSE  
AGREEMENT WITH STARFLOWER EXPERIENCES FOR  
BERKELEY JACKSON COUNTY PARK, HUNTINGTON**

**WHEREAS**, Starflower Experiences, Inc., a not-for-profit organization having its principal office at 79 Martin Court, Jericho, New York, desires to enter into a license agreement with the County to act as a steward at Berkeley Jackson County Park in Huntington; and

**WHEREAS**, since 2002, Starflower Experiences, Inc. has acted as a steward by assisting in the maintenance and management of Berkeley Jackson County Park; and

**WHEREAS**, Starflower Experiences, Inc. is willing to use its own staff and volunteers in order to provide appropriate programs and projects intended to preserve and improve the natural resources at Berkeley Jackson County Park; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into a License Agreement for five (5) years with one five-year option periods with Starflower Experiences, Inc. for the non-exclusive use of the premises for the purpose of acting as a steward to assist in the maintenance and management of Berkeley Jackson County Park; and be it further

**2<sup>nd</sup> RESOLVED**, that Berkeley Jackson County Park shall be returned to the County of Suffolk at the conclusion of any agreements authorized pursuant to the 1<sup>st</sup> RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

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

DATED:

APPROVED BY:

---

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2228

1. Type of Legislation		
Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. -2008, AUTHORIZING LICENSE AGREEMENT WITH STARFLOWER EXPERIENCES FOR BERKELEY JACKSON COUNTY PARK, HUNTINGTON		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes</b> <u>  X  </u> <b>No</b> <u>      </u>		
5. If the answer to item 4 is "yes", on what will it impact?    (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify): DAV
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
The license agreement; if executed would be at no cost to the county.		
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		
2009		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		December 8th, 2008

SCIN FORM 175b (10/95)

FINANCIAL IMPACT  
2009 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

2229

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.

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2229

<p>1. Type of Legislation</p> <p>Resolution <u>X</u>      Local Law _____      Charter Law _____</p>		
<p>2. Title of Proposed Legislation</p> <p style="text-align: center;">AUTHORIZING LICENSE AGREEMENT WITH STARFLOWER EXPERIENCES FOR BERKELEY JACKSON COUNTY PARK, HUNTINGTON</p>		
<p>3. Purpose of Proposed Legislation</p> <p>See # 2 above.</p>		
<p>4. Will the Proposed Legislation Have a Fiscal Impact?      Yes ___      No <u>X</u></p>		
<p>5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)</p> <p>County                      Town                      Economic Impact</p> <p>Village                      School District              Other (Specify):</p> <p>Library District              Fire District</p>		
<p>6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact</p>		
<p>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</p> <p>N/A</p>		
<p>8. Proposed Source of Funding</p> <p>N/A</p>		
<p>9. Timing Impact</p> <p>N/A</p>		
<p>10. Typed Name &amp; Title of Preparer</p> <p><b>Tom Hroncich</b> <b>Parks Foundation Director</b> <b>Dept. of Parks, Recreation &amp; Conservation</b></p>	<p>11. Signature of Preparer</p>	<p>12. Date</p>

2228

Rev. 6/4/08; Law No. 08 -PK-  
Term: Jan 1, 2009 to Dec 31, 2013

STARFLOWER EXPERIENCES, INC.  
Berkeley Jackson County Park

**License Agreement**

**This License Agreement ("Agreement")** is between the **County of Suffolk ("County")**, a municipal corporation of the State of New York, acting through its duly constituted **Department of Parks, Recreation, and Conservation ("Department")** located at Montauk Highway, West Sayville, New York 11796 and its mailing address at P.O. Box 144, West Sayville, New York 11796, and **Starflower Experiences, Inc. ("Licensee")**, a not for profit New York Corporation having its principal office at 79 Martin Court, Jericho, New York 11753

The parties hereto desire to make available to the County, the services of a Steward to assist in the maintenance and management of the Berkeley Jackson County Park ("**Licensed Premises**") located on 210 Manor Road, Huntington, NY 11743.

**Term of License Agreement:** January 1, 2009 through December 31, 2013, with one five-year option period to renew the License Agreement from January 1, 2014 through December 31, 2018, at the sole discretion of the Commissioner.

**Total Cost of License Agreement:** No Cost to County

**Terms and Conditions:** Shall be as set forth in Exhibits "A" through "F" attached.

**In Witness Whereof**, the parties hereto have executed this License Agreement as of the latest date written below.

**Starflower Experiences, Inc.**

**County of Suffolk**

By: \_\_\_\_\_  
Laurie Farber  
Executive Director

By: \_\_\_\_\_  
Jeffrey Szabo  
Deputy County Executive

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Approved as to Legality;**  
**Christine Malafi**  
**County Attorney**

**Approved:**  
**Suffolk County Department of**  
**Parks, Recreation & Conservation**

By: \_\_\_\_\_  
Marisa G. Marletti-Schifano  
Assistant County Attorney

By: \_\_\_\_\_  
John W. Pavacic  
Commissioner

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## List of Exhibits

### Exhibit A

#### General Terms and Conditions

1. License
2. Term and Termination of License Agreement
3. Claims for Compensation; Renegotiation of Terms; Licensee's Right to Terminate
4. Indemnification and Attorney's Fees
5. Conduct of License Employees/Volunteers
6. Preservation of Features; Soil and Vegetation Removal
7. License is not a Lease
8. Compliance with Law
9. Fire Safety Standards
10. Hazardous Substances and Waste
11. Inspection of Premises/Remediation of Unsatisfactory Conditions
12. Illegal or Objectionable Conduct
13. Change in Park Facilities
14. Insurance
15. Independent Contractor
16. Severability
17. Merger; No Oral Changes
18. Set-Off Rights
19. Non-discrimination in Services
20. Governing Law
21. No Implied Waiver
22. Conflicts of Interest
23. Cooperation on Claims
24. Confidentiality
25. Assignment and Subcontracting
26. No Intended Third Party Beneficiaries
27. Certification as to Relationships
28. Publications and Publicity
29. Copyrights and Patents
30. Fundraising/Contribution
31. Public Access
32. Lawful Hiring of Employees Law in Connection with Contracts for Construction or Future Construction

### Exhibit B

#### Suffolk County Legislative Requirements for Contracts

1. Contractor's/Vendor's Public Disclosure Statement
2. Living Wage Law
3. Use of County Resources to Interfere with Collective Bargaining Activities  
Local Law No. 26-2003
4. Lawful Hiring of Employees Law

5. Gratuities
6. Prohibition Against Contracting with Corporations that Reincorporate Overseas
7. Child Sexual Abuse Reporting Policy
8. Non Responsible Bidder
9. Use of Funds in Prosecution of Civil Actions Prohibited
10. Suffolk County Local Laws Website

### **Exhibit C**

#### **Notices and Contact Persons**

1. Operational Notices
2. Notices Relating to Termination and/or Litigation
3. Accidents

### **Exhibit D**

#### **Description of Services**

1. Use of Licensed Premises
2. Operational Plan; Operations Schedule; Schedule of Charges
  - a. Operational Plan
  - b. Operation Schedule
  - c. Special Events
3. County Property; Maintenance; Repairs and Alterations
4. Licensee Provided Services
  - a. Maintenance and Repair
  - b. Personnel
  - c. Sanitary Condition of Premises/Grounds
  - d. Responsible Principal
  - e. Qualifications and Licenses
  - f. Chemicals, Fungicides, Herbicides and Pesticides
  - g. Security
  - h. Safety
5. County Responsibilities
  - a. Refuse and Garbage; Costs
  - b. Maintenance
  - c. Extermination
6. Advertising
7. Accounting and Record Keeping

### **Exhibit E**

**Resolution No. \_\_\_\_\_**

### **Exhibit F**

**Site Map**

**Exhibit A  
General Terms and Conditions**

**Whereas**, the County, acting by and through the Department, owns, operates and maintains a park system within the County of Suffolk and in connection with such ownership, operation and maintenance, the Commissioner of the Department ("Commissioner") supervises and manages the facilities as necessary, desirable and convenient for the use of the public for healthful recreation; and

**Whereas**, since 2002, Starflower Experiences, Inc. has acted as a Steward and assisted the County with maintenance and management of the Berkeley Jackson County Park; and

**Whereas**, Starflower Experiences, Inc., with its own staff and volunteers, is willing to provide appropriate programs and projects intended to preserve and improve the natural resources at the Berkeley Jackson County Park; and

**Whereas**, the Licensee desires to obtain from the County a License, as described in the attached Exhibits "A " through "F" for the Licensed Premises;

**Now, Therefore**, in consideration of the mutual covenants and conditions herein contained, it is agreed by the parties hereto, as follows:

**1. License**

- a. The County grants to the Licensee, and the Licensee accepts from the County, a non-exclusive, non-transferable License, to include, but not limited to, assisting in cleaning and maintaining hiking trails; production of an accurate map; developing a monitoring system to reduce vandalism of the Licensed Premises (as defined below), subject to the terms and conditions in Exhibits A through F hereof. The Licensee will develop appropriate educational programs and projects intended to preserve and improve the natural resources of Suffolk County.
- b. "Licensed Premises" means all natural resources, trails and property in connection with the Berkeley Jackson County Park.
- c. Licensee agrees to conduct and use the Licensed Premises for no purposes other than as herein stated. Any service or activity not described in this License Agreement must be approved in advance in writing by the Commissioner.

**2. Term and Termination of License Agreement**

**a. Term**

This License Agreement shall cover the period provided on the first page hereof, unless sooner terminated as provided herein.

**b. Option Periods**

It is agreed by the parties hereto that it is at the sole discretion of the Commissioner, acting in the best interests of the County, to grant permission to exercise option periods (if any) to extend the License Agreement.

Notification of Licensee's desire to renew must be received by the Commissioner no later than six months prior to expiration of the License Agreement. Each option period may be exercised, at the discretion of the Commissioner, by a written amendment signed by all parties.

**c. Termination for Cause**

- i. This License Agreement may be terminated in whole or in part in writing by the Commissioner in the event of failure by the Licensee to fulfill any of the terms and conditions under this License Agreement; provided that no such termination shall be effective unless the Licensee is given five (5) calendar days' written notice of intent to terminate ("Notice of Intent to Terminate"), delivered in accordance with Exhibit C in this License Agreement entitled "Notices and Contact Persons." During such five (5) day period, the Licensee will be given an opportunity for consultation with the Commissioner and an opportunity to cure all failures of its obligations prior to termination. Prior to issuance of a written termination notice ("Termination Notice") by the Commissioner, the Licensee shall be given an additional five (5) days to cure all failures to fulfill its obligations under this License Agreement. In the event that the Licensee has not cured all its failures to fulfill its obligations to the satisfaction of the Commissioner by the end of the combined ten (10) day period, the Commissioner may issue a Termination Notice, effective immediately.
- ii. The foregoing notwithstanding, in the event of an emergency or other condition deemed in the sole discretion of the Commissioner to be dangerous, this License Agreement may be terminated immediately.

**d. Termination for Convenience**

- i. The Commissioner shall have the right to terminate this License Agreement at any time and for any reason deemed to be in County's best interest, provided that no such termination shall be effective unless Licensee is given thirty (30) calendar days' written notice of termination.
- ii. Upon giving of a notice pursuant to the foregoing sub-paragraph, Licensee shall promptly discontinue all services affected unless otherwise directed by the notice of termination.
- iii. In such event of termination, the County shall pay Licensee for the services rendered through the date of termination.

**e. Licensee's Personal Property**

Upon expiration or termination of this License Agreement, unless otherwise directed by the Commissioner, the Licensee shall have twenty-four (24) hours to remove all personal property of the Licensee and any personal property of the Licensee not so removed within twenty-four (24) hours of the effective date of termination, shall be considered as having been abandoned by the Licensee to the County, and title thereto shall vest in the County.

**f. Return of Possession to County upon Termination**

- i. In the event of termination of this License Agreement, or if Licensee abandons the Licensed Premises, or if this License Agreement shall be taken from Licensee as a result of any execution against Licensee in any proceeding in which the Licensee shall have no appeal or further appeal, then the Commissioner may, without service of process or any notice to enter the Licensed Premises and take over use, occupancy and control.
- ii. In the event the Commissioner reenters the Licensed Premises, Licensee shall remain liable to the County:
  - a) For all fees and other sums due and owing from Licensee pursuant to the terms of this License Agreement; and
  - b) For all costs incurred to secure the Licensed Premises and to place it in the physical condition in which the Licensee is obligated to leave it upon expiration of this License Agreement; and
  - c) For all costs incurred to remove the Licensee and any effects or personal property of the Licensee, and any party present upon or occupying any part of the Licensed Premises.
  - d) The Licensee expressly waives any and all claims for damages and loss against the County and its officials, officers, employees, servants and agents for or on account of any act done or caused to be done in exercising this right; and the County shall have the right to sell any personal property so seized or remove and recover by such sale or legal process any and all sums due to the County under the terms of this License, and if there is a deficiency, may resort to any remedy available.
  - e) In addition to the remedies set forth in this License Agreement, the County has the right to resort to any other remedies available at law or in equity.

**g. Surrender of Licensed Premises upon Expiration**

- i. Upon expiration of this License Agreement, the Licensee shall pay the County any and all sums due no later than the date of expiration of the License Agreement.
- ii. Licensee shall return the Licensed Premises in fully serviceable condition, subject to reasonable wear and tear.

**3. Claims For Compensation; Renegotiation of Terms; Licensee's Right to Terminate**

- a. The Licensee hereby expressly waives any and all claims for compensation for any and all loss or damages sustained by reason of any interference by any public agency or official in the operation of this License Agreement; any such interference shall not relieve the Licensee from any obligation hereunder.
- b. The Licensee hereby expressly waives any and all claims for compensation for any and all loss or damage sustained by reason of any defect, deficiency or impairment of the gas and electrical apparatus, heating equipment, water supply equipment, or wires furnished for the Licensed Premises, or by reason of any loss or impairment of light, current, or water supply which may occur from time to time for any cause, or for any loss or damage sustained by the Licensee resulting from fire, water, storm, tornadoes, civil commotion, riots, acts of God or other disasters; and the Licensee hereby expressly waives all rights, claims, and demands and forever releases and discharges the County, the Commissioner, the Department and their officers, employees and agents from any and all demands, claims, actions and causes of action arising from any of the enumerated causes whatsoever.
- c. Notwithstanding any other provisions of this License Agreement to the contrary, in the event that the facility cannot be operated or that there is substantial impairment in Licensee's ability to operate caused by interference by any public agency or official, for one hundred and eighty (180) days, Licensee has the following options:
  - i. Licensee may request that the terms of the License Agreement be renegotiated, subject to the sole discretion of the Commissioner and subject to written amendment of this License Agreement, signed by both parties.
  - ii. Licensee may terminate the License Agreement upon thirty (30) days prior written notice. In the event of termination by Licensee, such termination shall be deemed an abandonment of the Licensed Premises and the Licensee shall leave the Licensed Premises in serviceable and operable condition, subject to reasonable wear and tear.
- d. The Licensee acknowledges and agrees that it shall not be entitled nor shall it make a claim for lost profits or loss of anticipated earnings due to termination of this License Agreement for any reason.

**4. Indemnification and Attorneys' Fees**

- a. The Licensee agrees that it shall protect, indemnify and hold harmless the County and its officers, officials, members, employees, agents and invitees from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, costs, expenses, suits or actions and costs, including reasonable attorneys' fees, and shall defend the County in any suit, including appeals, or at the County's option, pay reasonable attorney's fees for defense of any such suit arising out of the acts or omissions or negligence of the Licensee, its agents, employees or subcontractors in connection with the services described or referred to in this License Agreement.
- b. The Licensee hereby represents and warrants the Licensee will not infringe upon any copyrighted work or material in accordance with the Federal Copyright Act during the performance of this License Agreement. Licensee shall procure a music license agreement from artists' representatives such as SESAC, BMI or ASCAP authorizing the reproduction of music at the Licensed Premises. Furthermore, the Licensee agrees that it shall protect, indemnify and hold harmless the County and its officers, officials, employees, contractors, agents and other persons from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, costs, expenses, suits or actions and reasonable attorney's fees, arising out of the acts or omissions or the negligence of the Licensee in connection with the services described or referred to in this License Agreement. The Licensee shall defend the County and its officers, officials, employees, contractors, agents and other persons in any suit, including appeals, or, at the County's option, pay reasonable attorney's fees for defense of any such suit arising out of the acts or omissions or negligence of the Licensee, its officers, officials, employees, subcontractors, lessees, licensees, invitees or agents, if any, in connection with the services described or referred to in this License Agreement.
- c. The risk of loss, damage or destruction from any peril to the furniture, fixtures, equipment or other personal property of the Licensee shall be borne by the Licensee. The Licensee waives any right of action and subrogation against the County.
- d. If any action or proceeding be commenced, arising out of or related to this License Agreement, in which action or proceeding the County is a party, or in which it becomes necessary for County to defend or uphold this License Agreement, all sums paid by County for the expense of any litigation to prosecute or defend the rights created by this License Agreement (including reasonable counsel fees), shall be paid by the Licensee, together with interest thereon at the rate of six per cent per annum.

**5. Conduct of Licensee's Employees/Volunteers**

The Commissioner shall inform the Licensee of any employee of the Licensee whose conduct the Commissioner deems detrimental to the best interests of the County or the public using the Licensed Premises. The Licensee shall immediately take any and all action necessary and appropriate to remedy the conduct. In the event the Licensee fails to remedy the conduct,

within a reasonable period of time under the circumstances, this License Agreement may be terminated by the Commissioner.

**6. Preservation of Features; Soil and Vegetation Removal**

In conducting its activities hereunder, the Licensee shall preserve and avoid damage to and destruction of natural, historic or cultural features, including, but not limited to, rare or endangered plants or animals, habitats, trees, shrubs and other vegetation. The Licensee shall not disturb soil or clear vegetation without obtaining the prior written approval of the Commissioner.

**7. License is not a Lease**

It is expressly understood and agreed that no interest in real or personal property is leased or granted to the Licensee; that this is a License and not a lease; that the Licensee's right to occupy and to operate the Licensed Premises shall continue only so long as the Licensee shall comply strictly and promptly with each and all the undertakings, provisions, covenants, agreements, stipulations, and conditions contained herein.

**8. Compliance with Law**

The Licensee shall comply, at the Licensee's sole cost and expense, with all applicable Federal, State, County and local laws, rules, regulations, codes, ordinances, requirements and County policies in effect on the date of execution of this License Agreement, and as may be adopted or amended from time to time. Such laws, rules, regulations and policies include but are not limited to:

Suffolk County Code Chapter 380 (Pest Control)

Organic Parks Maintenance Plan and any other County policies relating to pesticides.

Suffolk County Code §378-4 (Prohibited Acts) regarding acts prohibited on County parkland.

Suffolk County Sanitary Code

**9. Fire Safety Standards**

- a. The Licensee shall not use or permit the storage of any turpentine, benzene, naphtha or other similar substances or explosives of any kind, or any substance or thing prohibited in the standard policies of fire insurance companies licensed to do business in the State of New York, in any buildings erected or to be erected on the Licensed Premises.
- b. In addition, the Licensee shall provide a list of all stored flammable materials necessary for its operation, subject to inspection and approval by the Suffolk County Fire Marshal. Storage shall be in a location and manner acceptable to the Commissioner and the Suffolk County Fire Marshal.

**10. Hazardous Substances and Waste**

- a. The Licensee shall not generate, treat, release, store, discharge, dispose of, transport, recycle, use, reuse, handle or permit hazardous substances or hazardous waste on the Licensed Premises without prior written permission of the Department and all such substances shall be handled in the manner required or recommended by any government or quasi-governmental authority.
- b. In the event the Licensee receives any notice, advice, summons or complaint from any governmental or quasi-governmental agency or any other person or entity with regard to health, safety, environment, and hazardous materials on, under or affecting the Licensed Premises, then the Licensee shall immediately notify the Department. The Licensee shall conduct, complete and pay for all investigations, studies, sampling, and testing and all remedial, removal, and actions necessary to clean and remove all hazardous material on, under, from or affecting the Licensed Premises arising from the Licensee's or the Licensee's agents', servants', contractors' employees' and invitees' acts or omissions in accordance with all applicable federal, state and local laws, ordinances, rules, regulations and policies.
- c. The Licensee shall indemnify, defend and save harmless the Department, the County and its officers, officials, members, employees, agents and invitees from and against all liabilities, obligations, claims, damages, penalties, causes of actions, costs and expenses (including reasonable attorney's fees) whatsoever imposed upon or incurred by or asserted against the Department or County and its officers, officials, members, employees, agents and invitees arising from the Licensee's or the Licensee's agents', servants', contractors', and invitees' acts or omissions or negligence, by reason of:
  - i. the presence, disposal, escape, seepage, leakage, spillage, discharge, emission, release, or threatened release of any hazardous material on, under, from or affecting the Licensed Premises or any other property; or
  - ii. any personal injury (including wrongful death) or property damage (real or personal) arising out of or related to such hazardous materials; or
  - iii. any lawsuit brought or threatened or settlement reached, provided, however that the Licensee will be given the opportunity, if available with no adverse effect to the County, to contest any such settlement on the grounds therefore with the opposing person or entity, after paying same, or governmental order relating to such hazardous materials; or
  - iv. any violations of laws, ordinances, rules, orders, or regulations which are based upon or any way related to such hazardous materials, health, safety or environment including attorney or consultant fees, investigation and laboratory fees, court costs, and litigation expenses.

This provision shall survive the termination or expiration of this License Agreement.

**11. Inspection of Premises/Remediation of Unsatisfactory Conditions**

- a. It is agreed that the Licensed Premises may be inspected at any time by the Commissioner, by authorized representatives of the Commissioner, or representatives of the Suffolk County Department of Health Services or the Suffolk County Department of Fire, Rescue and Emergency Services.
- b. The Licensee agrees that upon notification by the Commissioner that any part of the Licensed Premises or facilities thereof is unsatisfactory, the Licensee shall, where such condition is caused by the Licensee or is within the Licensee's control, remedy the same within a reasonable time, except in the event of dangerous health and/or safety conditions impacting upon persons or animals, which shall be corrected immediately. Where applicable, notice of the unsatisfactory condition shall also serve as a notice to cure and/or notice of intent to terminate.
- c. In the event that the Licensee fails to remedy the unsatisfactory condition, the County may terminate this License Agreement, in the sole discretion of the Commissioner, and termination of this License Agreement shall be governed by the paragraph entitled "Term and Termination of License Agreement".

**12. Illegal or Objectionable Conduct:**

- a. The Licensee agrees not to use, or suffer or permit any person to use in any manner whatsoever, the said Licensed Premises or any part thereof or any building thereon for any illegal purpose, or for any purpose in violation of any federal, state, County or municipal law, ordinance, rule, order or regulation now in effect or hereafter enacted, amended or adopted, and will protect, defend, indemnify and forever hold harmless the County and any individual members thereof and their agents, from and against any damage, penalty, fine, judgment, expense or charge suffered, imposed, assessed, or incurred for any violation or breach of any law, ordinance, rule, order or regulation occasioned by any act, neglect or omission of the Licensee, or any employee, person or occupant for the time being of said premises; and in the event of any violation, the Commissioner may terminate this License Agreement.
- b. The Licensee agrees not to use, or suffer or permit any person to use in any manner whatsoever, the Licensed Premises or any part thereof or any building thereon for any purpose in violation of any ordinance, rule or regulation of the Department now in effect or hereafter enacted, amended or adopted, and in the event of any violation, or in case the County or its representatives shall deem any conduct on the part of the Licensee, any person or occupant for the time being of the premises, the Licensee or the operation thereof to be objectionable or improper, the Commissioner may terminate this License Agreement.

### 13. Change In Park Facilities

It is understood that the County may from time to time make changes in the location and capacities of park facilities and methods of operations and may change the amount charged for the use of same or may discontinue certain park facilities or their use by the public during the term of this License Agreement. The Licensee shall not make any claims for loss of profits or anticipated earnings as a result of any changes in the park facilities.

### 14. Insurance

- a. The Licensee agrees to procure, pay the entire premium for and maintain throughout the term of this License Agreement insurance coverage in amounts and types specified by the County and as may be mandated and increased from time to time. The Licensee agrees to require that all of its subcontractors, in connection with work performed for the Licensee related to this License Agreement, procure, pay the entire premium for and maintain throughout the term of this License Agreement insurance in amounts and types equal to that specified by the County for the Licensee. Unless otherwise specified by the County and agreed to by the Licensee, in writing, such insurance will be as follows:
  - i. **Commercial General Liability Insurance**, including contractual liability coverage and product liability coverage, in an amount not less than Two Million Dollars (\$2,000,000.00) per occurrence for bodily injury and Two Million Dollars (\$2,000,000.00) per occurrence for property damage. Special events will require additional insurance as mandated by the Suffolk County Division of Risk Management.
  - ii. **Automobile Liability Insurance** (if any vehicles are used in the performance of this License Agreement) in an amount not less than Five Hundred Thousand Dollars (\$500,000.00) per person, per accident for bodily injury and not less than One Hundred Thousand Dollars (\$100,000.00) for property damage per occurrence.
  - iii. **Workers' Compensation and Employer's Liability Insurance** in compliance with all applicable New York State laws and regulations and **Disability Benefits Insurance** if required by law. The Licensee shall furnish to the County, prior to its execution of this License Agreement, the documentation required by the State of New York Workers' Compensation Board of coverage or exemption from coverage pursuant to §§57 and 220 of the Workers' Compensation Law. In accordance with General Municipal Law §108, this License Agreement shall be void and of no effect unless the Licensee shall provide and maintain coverage during the term of this License Agreement for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law; and

- b. All policies providing such coverage shall be issued by insurance companies with an A.M. Best rating of A- or better.
- c. The Licensee shall furnish to the Commissioner, Declaration Pages for each such policy of insurance, and, upon request, a true and certified original copy of each such policy, evidencing compliance with the aforesaid insurance requirements. In the case of commercial general liability insurance, the County of Suffolk shall be named as an additional insured and the Licensee shall furnish a Declaration Page and endorsement page evidencing the County's status as an additional insured on said policy.
- d. Any such Declaration Page and endorsement shall provide for the County of Suffolk to be notified in writing thirty (30) days prior to any cancellation, nonrenewal, or material change in said policies. Such Declaration Pages, endorsements and notices shall be mailed to the Department at its address set forth in the Exhibit C entitled "Notices and Contact Persons," or at such other address of which the County shall have given the Licensee notice in writing.
- e. In the event the Licensee shall fail to provide the Declaration Pages or endorsement or to maintain any insurance required by this License Agreement, the County may, but shall not be required to, obtain such policies and charge the cost thereof to the Licensee.
- f. If any of the insurance policies required under the provisions of this License Agreement are subject to deductibles and/or self-insurance retentions, such deductibles and self insurance retentions shall be the sole responsibility of the Licensee. Proof of ability to fund deductible or self insured retentions will be required.
- g. The Licensee shall not use or occupy or permit the Licensed Premises to be used or occupied, nor do or permit anything to be done in, on or about the Licensed Premises, in whole or in part, in any manner that would in any way make void or voidable any insurance coverage required to be carried by the Licensee or the County hereunder with respect thereto, or that may make it impossible to obtain fire or other insurance coverage thereto.
- h. If such policies expire without renewal or are terminated for any reason, the Commissioner may immediately terminate this License Agreement.
- i. In the event the Licensee, its employees or contractors do anything in or on the Licensed Premises, or bring anything into or onto the Licensed Premises, or keep anything at the Licensed Premises, which will in any way increase the County's rate of fire insurance on the Licensed Premises, the Licensee agrees to pay on demand any such increase. The Licensee agrees to notify Commissioner concerning any requirements or recommendations made by any insurance company with respect to use, handling, storage, transport or disposal of hazardous materials as defined herein.
- j. The Licensee shall not use or occupy or permit the Licensed Premises to be used or occupied, nor do or permit anything to be done in, on or about the Licensed Premises,

in whole or in part, in any manner that would in any way make void or voidable any insurance coverage required to be carried by the Licensee or the County hereunder with respect to the Licensed Premises, or that may make it impossible to obtain fire or other insurance coverage with respect to the Licensed Premises.

- k. If such policies expire without renewal or are terminated for any reason, the resulting failure to maintain the coverage may cause an immediate default of this License Agreement without the necessity for any action on the part of the County.

**15. Independent Contractor**

It is expressly agreed that the Licensee's status hereunder is that of an independent contractor. Neither the Licensee nor any person hired by the Licensee shall be considered employees of the County for any purpose.

**16. Severability**

It is expressly agreed that if any term or provision of this License Agreement, or the application thereof to any person or circumstance, shall be held invalid or unenforceable to any extent, the remainder of this License Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and every other term and provision of this License Agreement shall be valid and shall be enforced to the fullest extent permitted by law.

**17. Merger; No Oral Changes**

It is expressly agreed that this License Agreement represents the entire agreement of the parties, that all previous understandings are merged in this License Agreement. No modification of this License Agreement shall be valid unless written in the form of an Amendment and executed by both parties.

**18. Set-Off Rights**

The County shall have all of its common law, equitable, and statutory rights of set-off. These rights shall include, but not be limited to, the County's option to withhold, for the purposes of set-off, any moneys due to the Licensee under this contract up to any amounts due and owing to the County with regard to this License Agreement and/or any other contract with any County 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 County for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The County shall exercise its set-off rights in accordance with normal County practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the County agency, its representatives, or the County Comptroller, and only after legal consultation with the County Attorney.

**19. Non-discrimination in Services**

During the performance of this License Agreement:

- a. The Licensee shall not, on the grounds of race, creed, color, national origin, sex, age, disability, sexual orientation, military status or marital status:
  - i. deny any individual any services or other benefits provided pursuant to this License Agreement; or
  - ii. provide any services or other benefits to an individual that are different, or are provided in a different manner, from those provided to others pursuant to this License Agreement; or
  - iii. subject an individual to segregation or separate treatment in any matter related to the individual's receipt of any service(s) or other benefits provided pursuant to this License Agreement; or
  - iv. restrict an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any services or other benefits provided pursuant to this License Agreement; or
  - v. treat an individual differently from others in determining whether or not the individual satisfies any eligibility or other requirements or condition which individuals must meet in order to receive any aid, care, service(s) or other benefits provided pursuant to this License Agreement.
- b. The Licensee shall not utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, creed, color, national origin, sex, age, disability, sexual orientation, military status or marital status, or have the effect of defeating or substantially impairing accomplishment of the objectives of this License Agreement in respect to individuals of a particular race, creed, color, national origin, sex, age, disability, sexual orientation, military status or marital status, in determining:
  - i. the types of service(s) or other benefits to be provided, or
  - ii. the class of individuals to whom, or the situations in which, such service(s) or other benefits will be provided; or
  - iii. the class of individuals to be afforded an opportunity to receive services.

**20. Governing Law**

This License Agreement shall be governed by and construed in accordance with the laws of the State of New York, without regard to conflict of laws. Venues shall be designated in Suffolk County, New York or the United States District Court for the Eastern District of New York.

**21. No Implied Waiver**

No waiver shall be inferred from any failure or forbearance of the County to enforce any provision of this License Agreement in any particular instance or instances, but the same shall otherwise remain in full force and effect notwithstanding any such failure or forbearance.

**22. Conflicts of Interest**

- a. The Licensee agrees that it will not during the term of this License Agreement engage in any activity that is contrary to and/or in conflict with the goals and purposes of the County.
- b. The Licensee is charged with the duty to disclose to the County the existence of any such adverse interests, whether existing or potential. This duty shall continue so long as the Licensee is retained on behalf of the County. The determination as to whether or when a conflict exists or may potentially exist shall ultimately be made by the County Attorney after full disclosure is obtained.

**23. Cooperation on Claims**

Each of the parties hereto agrees to render diligently to the other party, without additional compensation, any and all cooperation, that may be required to defend the other party, its employees and designated representatives against any claim, demand or action that may be brought against the other party, its employees or designated representatives in connection with this License Agreement.

**24. Confidentiality**

Any records, reports or other documents of the County or any of its agencies used by the Licensee pursuant to this License Agreement or any documents created as a part of this License Agreement shall remain the property of the County and shall be kept confidential in accordance with applicable laws, rules and regulations.

**25. Assignment and Subcontracting**

- a. The Licensee shall not assign, transfer, convey, sublet, or otherwise dispose of this License Agreement, or any of its right, title or interest therein, or its power to execute this License Agreement, or assign all or any portion of the monies that may be due or become due hereunder, to any other person or corporation, without the prior consent in writing of the County, and any attempt to do any of the foregoing without such consent shall be of no effect.
- b. The Licensee shall not enter into subcontracts for any of the work contemplated under this License Agreement without obtaining prior written approval of the Commissioner. Such subcontracts shall be subject to all of the provisions of this License Agreement and to such other conditions and provisions as the Commissioner may deem

necessary, provided, however, that notwithstanding the foregoing, unless otherwise provided in this License Agreement, such prior written approval shall not be required for the purchase of articles, supplies, equipment and services which are incidental to, but necessary for, the performance of the work required under this License Agreement. No approval by the Commissioner of any subcontract shall provide for the incurrence of any obligation by the County. The Licensee shall be responsible for the performance of any subcontractor for the delivery of service.

- c. Any contract agreed to between the Licensee and any subcontractor for the performance of any services required under this License Agreement shall subject the subcontractor to the same insurance requirements, indemnification requirements, Suffolk County Legislative requirements, and music license requirements to which the Licensee is subject.

## 26. No Intended Third Party Beneficiaries

This License Agreement is entered into solely for the benefit of the County and the Licensee. No third party shall be deemed a beneficiary of this License Agreement, and no third party shall have the right to make any claim or assert any right under this License Agreement.

## 27. Certification as to Relationships

The parties to this License Agreement hereby certify that, other than the funds provided in this License Agreement and other valid Agreements with the County, there is no known relationship within the third degree of consanguinity, life partner, or business, commercial, economic, or financial relationship between the parties, the signatories to this License Agreement, and any partners, members, directors, or shareholders of five percent (5%) (or more) of any party to this License Agreement.

## 28. Publications and Publicity

- a. The Licensee shall not issue or publish any book, article, report or other publication related to the Services provided pursuant to this License Agreement without first obtaining written prior approval from the Commissioner. Any such printed matter or other publication shall contain the following statement in clear and legible print:

"This publication is fully or partially funded by the Suffolk County Executive's Office."

- b. The Commissioner shall have the right of prior approval of press releases and any other information provided to the media, in any form, concerning the Services provided pursuant to this License Agreement.

**29. Copyrights and Patents**

**a. Copyrights**

If the work of the Licensee under this License Agreement should result in the production of original books, manuals, films or other materials for which a copyright may be granted, the Licensee may secure copyright protection. However, the County reserves, and the Licensee hereby gives to the County, and to any other municipality or government agency or body designated by the County, a royalty-free, nonexclusive license to produce, reproduce, publish, translate or otherwise use any such materials.

**b. Patents**

If the Licensee, under this License Agreement, makes any discovery or invention in the course of or as a result of work performed under this License Agreement, the Licensee may apply for and secure for itself patent protection. However, the County reserves, and the Licensee hereby gives to the County, and to any other municipality or government agency or body designated by the County, a royalty-free, nonexclusive license to produce or otherwise use any item so discovered or patented.

**30. Fundraising/Contribution**

- a. Any planned fundraising activities to occur on the Licensed Premises must first be presented in writing for authorization by the Commissioner at least thirty (30) days prior to the scheduled event.
- b. The County will require all proceeds generated by activities on the Licensed Premises to be utilized to benefit the people of Suffolk County through maintenance and upkeep of the Licensed Premises as well as programs conducted for the public at the site.

**31. Public Access**

The Licensee acknowledges and agrees that public access to the Licensed Premises and surrounding grounds will not be restricted and shall be made available equally and at no cost to all residents of Suffolk County.

**32. Lawful Hiring of Employees Law in Connection with Contracts for Construction or Future Construction**

This License Agreement is subject to the Lawful Hiring of Employees Law of the County of Suffolk, Suffolk County Code Chapter 234, as more fully set forth in the Exhibit entitled "Suffolk County Legislative Requirements." In accordance with this law, the Licensee or employer, as the case may be, and any subcontractor or owner, as the case may be, agree to maintain the documentation mandated to be kept by this law on the Construction Site at all times. The Licensee or employer, as the case may be, and any subcontractor or owner, as the case may be, further agree that employee sign-in sheets and register/log books shall be kept

Rev. 6/4/08; Law No. 08 -PK-  
Term: Jan 1, 2009 to Dec 31, 2013

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STARFLOWER EXPERIENCES, INC.  
Berkeley Jackson County Park

on the Construction Site at all times during working hours and all covered employees, as defined in the law, shall be required to sign such sign-in sheets/register/log books to indicate their presence on the Construction Site during such working hours.

**End of Text for Exhibit "A"**

**Exhibit B**  
**Suffolk County Legislative Requirements**

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

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

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

**2. Living Wage Law**

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

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

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

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

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

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

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

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

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

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

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

**4. Lawful Hiring of Employees Law**

This License Agreement is subject to the Lawful Hiring of Employees Law of the County of Suffolk (Local Law 52-2006). It provides that all covered employers, (as defined), and the owners thereof, as the case may be, that are recipients of compensation from the County through any grant, loan, subsidy, funding, appropriation, payment, tax incentive, contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or an awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit a completed sworn affidavit (under penalty of perjury), the

form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees (as defined) and with respect to the alien and nationality status of the owners thereof. The affidavit shall be executed by an authorized representative of the covered employer or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement with the County; and shall be made available to the public upon request.

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

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

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

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

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

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

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

**5. Gratuities**

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

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

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

**7. Child Sexual Abuse Reporting Policy**

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

**8. Non Responsible Bidder**

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

**9. Use of Funds in Prosecution of Civil Actions Prohibited**

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

**10. Suffolk County Local Laws Website**

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

**End of Text for Exhibit B**

**Exhibit C**  
**Notices and Contact Persons**

**1. Operational Notices**

Any communication, notice, claim for payment, reports, insurance, or other submission necessary or required to be made by the parties regarding this License Agreement shall be in writing and shall be given to the County or the Licensee or their designated representative at the following addresses or at such other address that may be specified in writing by the parties and must be delivered as follows:

**For the Department:**

**By Regular or Certified Mail in Postpaid Envelope or by  
Courier Service or by Fax or by Email**

Suffolk County Department of Parks, Recreation and Conservation  
P.O. Box 144  
West Sayville County Golf Course  
Montauk Highway, West Sayville, N.Y. 11796  
Attention: Contracts Unit

**For the Licensee:**

**By Regular or Certified Mail in Postpaid Envelope or by  
Courier Service or by Fax or by Email**

At the address set forth on page one of this License Agreement, attention of the person who executed this License Agreement or such other designee as the parties may agree in writing.

**2. Notices Relating to Termination and/or Litigation**

- a. In the event the Licensee receives a notice or claim or becomes a party (plaintiff, petitioner, defendant, respondent, third party complainant, third party defendant) to a lawsuit or any legal proceeding related to this License Agreement, the Licensee shall immediately deliver to the County Attorney, at the address set forth below, copies of all papers filed by or against the Licensee.
- b. Any communication or notice regarding termination shall be in writing and shall be given to the County or the Licensee or their designated representative at the following addresses or at such other addresses that may be specified in writing by the parties and must be delivered as follows:

**For the County:**

**By Regular and Certified Mail in Postpaid Envelope or by Nationally  
Recognized Courier Service or Personally and by First Class Mail**

Suffolk County Department of Parks, Recreation and Conservation  
P.O. Box 144  
West Sayville County Golf Course  
Montauk Highway, West Sayville, N.Y. 11796  
Attention: Commissioner

and

Christine Malafi, County Attorney  
Suffolk County Department of Law  
H. Lee Dennison Building  
100 Veterans Memorial Highway  
Hauppauge, New York 11788

**For Licensee:**

**By Regular and Certified Mail in Postpaid Envelope or by  
Nationally Recognized Courier Service or Personally and by First Class  
Mail**

At the address set forth on page one of this License Agreement, attention to the person who executed this License Agreement or such other designee as the parties may agree in writing.

- c. Notices shall be deemed to have been duly delivered (i) if mailed by registered or certified mail, upon the seventh business day after the mailing thereof; or (ii) if by nationally recognized overnight courier service, upon the first business day subsequent to the transmittal thereof; or (iii) if personally, pursuant to New York Civil Practice Law and Rules Section 311; or (iv) if by fax or email, upon the transmittal thereof. "Business Day" shall be defined as any day except a Saturday, a Sunday, or any day in which commercial banks are required or authorized to close in Suffolk County, New York.
- d. Each party shall give prompt written notice to the other party of the appointment of successor(s) to the designated contact person(s) or his or her designated successor(s).

**3. Accidents**

In addition to the requirements set forth above in this Exhibit "C," the Licensee shall immediately notify the Commissioner and Park Police of any incident involving bodily injury, property damage, or illegal behavior. The Licensee shall make such notification by telephone to the Park Police and by contemporaneous written notification to the Commissioner stating the date, time, place, and facts of such incident, and the participants involved.

**End of Text for Exhibit "C"**

**Exhibit D**  
**Description of Services**

**1. Use of Licensed Premises**

- a. The Licensee's use of the Licensed Premises is to be non-exclusive, with the Licensee being granted use of the Licensed Premises at the sole discretion of the Commissioner. The facility shall at all times be operated in a manner that meets the approval and is satisfactory to the Commissioner and shall conform to rules and directives of the Department.
- b. The Licensee agrees that in consideration of the use of the Licensed Premises, it will help preserve and foster public appreciation for the unique features and value of the Licensed Premises at its own cost and expense. The Licensee will assist the Department by maintaining the nature/hiking trails and trail signage within the Licensed Premises and work on the production of an accurate map. The Licensee will become familiar with the history and ecology of the park named herein and may prepare inventories of flora and fauna.
- c. The Department is to approve in advance and in writing, specifics regarding Licensee's programs and exhibits. All plans and/or curriculum are to be submitted to the Commissioner for approval prior to the commencement of any programs at the Licensed Premises. No animals are to be utilized for program purposes without prior consent of the Commissioner.
- d. The Licensee will assist the County in its efforts to eliminate ATVs from the Licensed Premises. The Licensee shall restore areas damaged by ATVs.
- e. All space, equipment and furnishings (if any) covered by this License Agreement and used by the Licensee shall be maintained, cleaned and operated safely by the Licensee at its own cost and expense as directed by the Commissioner and as otherwise in accordance with the provisions of this License Agreement and any other recognized and accepted standards of operation.
- f. The Licensee will assist in the maintenance and management of the Licensed Premises.
- g. The Licensee shall at all times keep the Licensed Premises covered by this License Agreement in a clean and litter free condition.

**2. Operational Plan; Operations Schedule; Special Events**

- a. **Operational Plan.** The Licensee agrees to submit to the Department an operating schedule for approval by the Commissioner which includes date and times the Licensed Premises will be opened to the public for their enjoyment, as well as a detailed

schedule of special events, exhibits, and programs, no later than January 30<sup>th</sup> of each year of the License Agreement.

- b. **Operation Schedule.** The Licensee agrees to adhere to a schedule that is established in January of every year.
- c. **Special Events.** The Licensee shall submit written plans for any special event or promotion to the Commissioner for written approval at least thirty (30) days in advance of such event. "Special event" shall mean any event outside the Licensee's ordinary course of business.

### 3. **County Property; Maintenance; Repairs, and Alterations**

- a. The Licensee will assist the Department by maintaining the nature/hiking trails.
- b. A written maintenance plan outlining specific projects and work program must be submitted to the Department for approval by January 30<sup>th</sup> of each year of the contract and reviewed by the Commissioner or his/her designee by February 15<sup>th</sup>. Maintenance performed by the Licensee shall be subject to review and prior approval of the Department.
- c. Other than ordinary routine maintenance, all work must be approved by the Commissioner.

### 4. **Licensee Provided Services**

- a. **Maintenance and Repair.** Licensee, in conjunction with the Department, shall, throughout the term of the License Agreement, maintain and keep in serviceable condition all new or existing facility improvements, equipment and furnishings at its own cost and expense. In the event the License is terminated or expires, the Licensee is responsible, and will remain liable, for all costs and expenses associated with returning facility improvements, equipment and furnishings to a serviceable condition.
- b. **Personnel.** Licensee shall provide sufficient personnel to carry out the License at Licensee's own cost and expense, as deemed adequate for its operation. Sufficiency shall be determined by the Commissioner.
- c. **Sanitary Condition of Premises/Grounds.** The Licensee is responsible for the appearance of all areas covered under this License and shall at all times keep the premises covered by this License in a clean, litter-free and sanitary condition to the satisfaction of the Commissioner and shall cleanse, fumigate, disinfect and deodorize the premises covered by this License whenever directed to do so by the Commissioner.
- d. **Responsible Principal.** The Licensee undertakes and agrees that at least one (1) principal will be designated by the Licensee, who will be responsible for the activities on the Licensed Premises and who has the authority to act on behalf of the Licensee with regard to said operation thereof. If a manager is to be employed, the Licensee agrees

to employ a manager who is satisfactory to the Commissioner, who shall be held accountable to the same minimum standard of participation as set forth above. Licensee agrees to furnish the name, home address and home and cell telephone numbers of the responsible principal or manager so that he/she can be reached at all times. The Licensee agrees that it shall furnish such information for another responsible person to serve as a second contact person in the event that such principal or manager becomes unavailable or is unable to be reached.

- e. **Qualifications and Licenses.** The Licensee specifically represents and warrants that it has and shall possess, and that, to the extent applicable, its employees, agents and subcontractors have and shall possess, the required education, knowledge, experience and character necessary to qualify them individually for the particular duties they perform and that the Licensee has and shall have, and to the extent applicable, its employees, agents and subcontractors have and shall have, all required authorizations, certificates, certifications, registrations, licenses, permits or other approvals required by the State, County or local authorities for the services provided pursuant to this License Agreement.
- f. **Chemicals, Fungicides, Herbicides and Pesticides.**
- i. All chemicals, fungicides, herbicides and pesticides (if any) applied to the Licensed Premises shall be approved by the Commissioner prior to use. The Licensee shall comply with Suffolk County Code Chapter 380 (Pest Control), the Organic Parks Maintenance Plan and any other applicable federal, state, and local laws. The Licensee shall apply for any necessary exemptions from Suffolk County Code Chapter 380. All notice and reporting requirements shall be adhered to.
  - ii. The Licensee is required to adhere to an Integrated Pest Management Program (IPM), which shall be approved by the Commissioner and which minimizes potential negative impact upon the environment or wildlife.
  - iii. The Licensee shall keep and maintain detailed records of all chemicals, pesticides, herbicides and fungicides stored and applied to the facilities throughout the term of this License Agreement as may be required by and duly enacted local law or legislative resolution, and shall comply with Local Law 20-2000 entitled "A Local Law to Adopt Countywide Pesticide Notice Provisions".
- g. **Security.** The Licensee shall provide security for the Licensed Premises in a manner appropriate to the nature of the operation.
- h. **Safety.** The Licensee shall conduct its operations safely in a manner to eliminate the possibility of injury or damage to life or property. The Licensee shall follow all applicable safety laws, regulations and County policies. The Licensee shall ensure that patrons comply with all applicable safety laws, rules, regulations and County policies. The Licensee shall ensure that any volunteers and private citizens participating in activities sponsored and/or directed by the Licensee or performing work on behalf of the

Licensee are made aware of the nature of work which is to be performed and shall follow all prescribed safety guidelines and procedures.

**5. County Responsibilities**

- a. **Refuse and Garbage; Costs.** The County will be responsible for all refuse and garbage costs. All refuse and garbage is to be collected and deposited in such locations and containers as is satisfactory to the Commissioner.
- b. **Maintenance.** The County shall be primarily responsible for maintenance and restoration of the grounds. The County is responsible for grounds maintenance, which includes grass cutting and snow removal.
- c. **Extermination.** The County shall provide exterminating services in accordance with County regulations at its expense as required by the Commissioner.

**6. Advertising**

- a. All advertising and signage under this agreement is subject to prior review and approval by the Department and must reflect the County's ownership of the Licensed Premises. Said approval shall not be unreasonably withheld or delayed.
- b. All brochures, media advertisement, and similar copy to be released, disseminated to the public or distributed in any manner shall be in good taste, consistent with County's mission and policies, reflect the County's ownership of the Licensed Premises. Such materials shall be provided to the Commissioner no less than forty-eight (48) hours prior to the release, dissemination or distribution of the material. The Commissioner reserves the right to reasonably and promptly object to the form and content of any such material, and the Licensee agrees to discontinue or withhold the release, dissemination and distribution of any such material unless and until there has been resolution of the objection.

**7. Accounting and Record Keeping; Inspection of Records**

The Licensee agrees, if requested by the Commissioner, to keep the books of account and records of all operations conducted under this License Agreement and to establish a system of bookkeeping and accounts which are in accordance with generally accepted accounting principles.

End of Text for Exhibit "D"

COUNTY OF SUFFOLK



*Handwritten signature*

NOV 13 2008

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF  
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC  
COMMISSIONER

TRACEY BELLONE  
DEPUTY COMMISSIONER

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

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

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

**DATE:** November 10, 2008

**RE:** INTRODUCTORY RESOLUTION AUTHORIZING LICENSE AGREEMENT  
WITH STARFLOWER EXPERIENCES FOR BERKELEY JACKSON COUNTY  
PARK, HUNTINGTON

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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-Authorizing License with Starflower Experiences for Berkeley Jackson County Park.doc."

Starflower Experiences, Inc. has assisted the Parks Department with maintenance and management of Berkeley Jackson County Park in Huntington. The Department would like to enter into a license agreement with Starflower in order to establish a formalized description of services and requirements. A draft of the license agreement is attached.

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

Enclosures



2229

Introductory Resolution No. -2008  
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 12/16/08

**RESOLUTION NO. - 2008, ACCEPTING AND APPROPRIATING A GRANT AWARD FROM THE STATE UNIVERSITY OF NEW YORK FOR A COMMUNITY COLLEGE WORKFORCE DEVELOPMENT TRAINING GRANTS PROGRAM FOR NANA'S HOUSE, INC. 90% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE**

**WHEREAS**, Suffolk County Community College has received a grant award from the State University of New York, in the amount of \$4,752, including indirect costs, for a Community College Workforce Development Training Grants Program for NANA's House, Inc. for the period of October 7, 2008 through August 21, 2009; and

**WHEREAS**, a cash match in the amount of \$528 provided by NANA's House, Inc. will increase the program total to \$5,280, including indirect costs; and

**WHEREAS**, the program will provide funds for the case management staff of NANA's House, Inc. with two training modules containing communication, conflict resolution and diversity awareness components that better enable them to respond to the needs of families residing at their shelters; and

**WHEREAS**, the Board of Trustees of Suffolk County Community College accepted the grant on December 11, 2008 by Resolution No. 2008.70; and

**WHEREAS**, the College anticipates spending the \$5,280, including indirect costs, in accordance with the terms of said grant award before August 21, 2009; now therefore be it

**1<sup>st</sup> RESOLVED**, that said grant award from the State University of New York, for a Community College Workforce Development Training Grants Program for NANA's House, Inc., in the amount of \$4,752, including \$615 in indirect costs, be accepted; and be it further

**2<sup>nd</sup> RESOLVED**, that a cash match from NANA's House, Inc. in the amount of \$528 be accepted for the operation of the Community College Workforce Development Training Grants Program for NANA's House, Inc.; and be it further

**3<sup>rd</sup> RESOLVED**, that said program, in the amount of \$5,280, including \$615 in indirect costs, be appropriated for the operation of the project as follows:

REVENUES:

State Aid: WDT-NANA's House, Inc.: 818-GRT-3299-09  
Private Aid: WDT: NANA's House, Inc.: 818-GRT-2564-09

AMOUNT:

\$ 4,752  
\$ 528

APPROPRIATIONS:

WDT: NANA's House, Inc.: 818-GRT-GT46-09

AMOUNT:

\$ 4,665

Suffolk County Community College  
Workforce Development Training: NANA's House, Inc.  
818-GRT-GT46-09

<u>1000-Personal Services</u>	<u>\$ 4,309</u>
1160-Part-time Instructors-Day	4,309
<u>8000-Employee Benefits</u>	<u>\$ 356</u>
8330-Social Security	330
8350-Unemployment Insurance	26

DATED:

APPROVED BY:

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

# Suffolk

COUNTY COMMUNITY COLLEGE

2229

NOV 25 2008

To: Ben Zwiirn, Deputy County Executive  
✓ Brendan Chamberlain, Director, Intergovernmental

From: Charles K. Stein, V. P. for Business and Financial Affairs

Date: November 21, 2008

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

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

Proposal Grant Award  Subcontract \_\_\_\_\_

Project Name: WDT: NANA's House, Inc.

Funders: State University of New York,  
Comm. College Workforce Dev. Training Grants  
Program  
NANA's House, Inc.

Amount of Grant: \$ 4,752  
NANA's House: \$ 528

Full Time Positions: None

Please call me if there are questions regarding this request.  
An e-mail version of the resolution was sent to CE RESO REVIEW:  
**File name: Reso-SCCC-WDT NANA's House Award.doc**

Cc: M. David Arma, Professional Assistant 2  
J. Lombardo, Director, Corporate Training  
J. Bullard, Jr., Associate Dean for Financial Affairs  
J. B. Whitten, Vice President for Workforce & Economic Development  
J. Canniff, Vice President for Academic and Campus Affairs



2229

**RESOLUTION NO. 2008. ACCEPTING A GRANT AWARD FOR A WORKFORCE DEVELOPMENT TRAINING GRANT FOR NANA'S HOUSE, INC.**

WHEREAS, Suffolk County Community College has received a grant award from the State University of New York, in the amount of \$4,752, including indirect costs, for a Community College Workforce Development Training Grants Program for NANA's House, Inc. for the period of October 7, 2008 through August 21, 2009, and

WHEREAS, the program provides for the case management staff of NANA's House, Inc. with two training modules containing communication, conflict resolution and diversity awareness components that better enable them to respond to the needs of families residing at their shelters, and

WHEREAS, matching funds, in the amount of \$528, provided by NANA's House, Inc., will increase the program total to \$5,280, including indirect costs, be it therefore

RESOLVED, that matching funds, in the amount of \$528, provided by NANA's House, Inc., be accepted for the operation of the Community College Workforce Development Training Grants Program, and be it further

RESOLVED, that a grant award, in the amount of \$4,752, including indirect costs, from the State University of New York, for a Community College Workforce Development Training Grants Program for NANA's House, Inc. during the 2008-2009 fiscal year, is hereby accepted, and the College president or her designee is authorized to execute a contract with the administering agency.

Project Director: Maureen David Arma

\* \* \* \* \*

2228

Board of Trustees Meeting  
Date: December 11, 2008

ABSTRACT

Grant Proposal \_\_\_\_\_ Grant Award X

Funding Source State University of New York  
Comm. College Workforce Development Training Grants Program

Project Title: NANA's House, Inc.

Project Director: Maureen David Arma

Project Period: October 7, 2008 - August 21, 2009

Campus: Corporate Training Center

Amount of Award: \$ 4,752  
Match/Fees: \$ 528 Match: NANA's House, Inc.  
Total Program Budget: \$ 5,280  
In-kind Contribution: \$ 5,300 NANA's House, Inc.

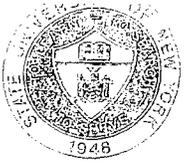
Full-Time Positions/Reassigned Time: none

No. of Students to be Served: 80 - 100

Type of Student to be Served: Non-traditional, adult incumbent workers of  
NANA's House, Inc.

Description of Project:

NANA's House, Inc. is a not-for-profit organization founded in 1999 as a grassroots response to the problem of homelessness and underemployment among a growing number of families in Suffolk County. NANA's House operates three shelters and a food pantry in the Shirley, Mastic and Center Moriches communities of Suffolk County. These shelters provide temporary housing and short term solutions to the immediate problem of these families in obtaining nutrition, shelter and clothing. The shelters are staffed 24 hours per day by Case Managers. NANA's House staff also guide these families through the process of upgrading job skills and securing permanent housing. The training program would provide the case management staff of NANA's House with two new modules of training. These courses contain invaluable communication, conflict resolution and diversity awareness components that better able shelter staff members to respond to the needs of families residing at their shelters.



THE STATE UNIVERSITY of NEW YORK

2228

Office of the Vice Chancellor for Community Colleges

Memorandum

State University Plaza Albany, New York 12246

518 443 5134 fax - 518 443 5250

www.suny.edu

To: President Shirley Pippins
From: Dennis Golladay
Date: October 7, 2008
Re: Workforce Development Training Grant

From: Suffolk County Community College
Company: NANA's House
Amount: \$ 4,752

I am pleased to inform you that your contract training proposal named above has been approved for funding. The program may commence immediately.

Please note that this award is from FY 2009 funding and therefore the program must be concluded and all funds expended and invoiced no later than August 21, 2009. A final report should be submitted with your final invoice. (The report format is in the program guidelines sent earlier.)

You may request 50% of the approved funding in advance to support project startup and operation by submitting an invoice according to your own standard format. (Please make the invoice to SUNY and include an invoice number for reference, the name of the company, the date, your college name and authorized signature.) Send it to Dr. Dennis Golladay, Vice Chancellor for Community Colleges, State University of New York, SUNY Plaza, Albany, New York 12246. The balance of the project funding will be paid at the conclusion of the project upon submittal of a final invoice and the final project report.

At the end of April, all projects will be reviewed and funds may be de-obligated from projects not operating according to plan and re-committed to other projects. Campuses may voluntarily de-obligate funds that will not be completely spent or may request that unspent funds be re-obligated to other projects. This policy ensures that the available funds will be fully utilized.

As we are often requested to provide a report on the program for the Governor and Legislature, we will continue to be looking for substantive final reports which emphasize specific program outcomes and benefits.

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If you need any additional assistance, please contact Denise Bukovan at 518.443.5143, [denise.bukovan@suny.edu](mailto:denise.bukovan@suny.edu).

We are thankful that our Governor and Legislators continue to support this important program which has a significant statewide impact. Best wishes for the success of your project and thank you for your ongoing efforts to serve the employers of your region.

Cc: Business Office: Joy Branahl  
Project Contact: Maureen Arma<sup>v</sup>

2228

**“NANA’S HOUSE”**  
**Never Alone, Never Afraid Inc.**  
14 Herkimer Street  
Mastic, New York 11950  
Main Office: 631 874-9100  
Fax: 631 874-5434

August 20, 2008

Dennis Golladay  
Vice Chancellor for Community Colleges  
SUNY System Administration  
SUNY Plaza N 110  
Albany, NY 12246

Re: SUNY Workforce Development Grant Application for NANA’s House, Inc.

Dear Vice Chancellor Golladay:

For over a decade NANA’s House, Inc. has been committed to providing a community based resource to the growing problem of hunger and homelessness in Suffolk County. NANA’s House operates three Emergency Housing Shelters and a Food Pantry serving the Shirley, Mastic and Center Moriches communities.

As an emergency shelter and food pantry, NANA’s serves over 100 individuals per month. Each shelter houses approximately 5 to 7 families of varying sizes and needs. Each shelter is manned 24 hours by Case Management staff. Increasingly, our staff experiences on-the-job burnout and would benefit from improved communication, stress management and diversity awareness skills.

The Corporate Training Center of Suffolk County Community College has agreed to supply our training under this project and we have pledged a 10% cash match.

Thank you for your consideration,

*Paula Gilroy, MSW*  
Assistant Operations Manager

*“Empowering families through Love, Support and Education”*

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2228

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>ACCEPTING AND APPROPRIATING A GRANT AWARD AMENDMENT FROM THE STATE UNIVERSITY OF NEW YORK FOR A COMMUNITY COLLEGE WORKFORCE DEVELOPMENT TRAINING GRANTS PROGRAM FOR NANA'S HOUSE, INC. 90% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>XX</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		
Provides state and private funds for a Workforce Development Training Grants Program for Nana's House Inc.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
State University of New York		
9. Timing of Impact		
THE RESOLUTION IS EFFECTIVE UPON ADOPTION.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst		12/8/08

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

2229

**GENERAL FUND**

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

**COMBINED**

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX 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.

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Introductory Resolution No. -2008

Laid on the Table 12/16/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2008, ACCEPTING AND APPROPRIATING A GRANT AWARD FROM THE STATE UNIVERSITY OF NEW YORK FOR A COMMUNITY COLLEGE WORKFORCE DEVELOPMENT TRAINING GRANTS PROGRAM FOR AFCO SYSTEMS 90% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE**

**WHEREAS**, Suffolk County Community College has received a grant award from the State University of New York, in the amount of \$35,648, including indirect costs, for a Community College Workforce Development Training Grants Program for AFCO Systems for the period of October 7, 2008 through August 21, 2009; and

**WHEREAS**, a cash match in the amount of \$4,000 provided by AFCO Systems will increase the program total to \$39,648, including indirect costs; and

**WHEREAS**, the program will provide funds for training AFCO's engineers in data center cooling methods utilizing computational fluid dynamics to test cooling designs for potential clients to virtually pre-assess each customer's data center enclosure needs, thereby optimizing performance and energy use without compromising the integrity of the client's operation; and

**WHEREAS**, the Board of Trustees of Suffolk County Community College accepted the grant on December 11, 2008 by Resolution No. 2008. ; and

**WHEREAS**, the College anticipates spending the \$39,648, including indirect costs, in accordance with the terms of said grant award before August 21, 2009; now therefore be it

**1<sup>st</sup> RESOLVED**, that said grant award from the State University of New York, for a Community College Workforce Development Training Grants Program for AFCO Systems, in the amount of \$35,648, including \$4,248 in indirect costs, be accepted; and be it further

**2<sup>nd</sup> RESOLVED**, that a cash match from AFCO Systems in the amount of \$4,000 be accepted for the operation of the Community College Workforce Development Training Grants Program for AFCO Systems; and be it further

**3<sup>rd</sup> RESOLVED**, that said program, in the amount of \$39,648, including \$4,248 in indirect costs, be appropriated for the operation of the project as follows:

<u>REVENUES:</u>	<u>AMOUNT:</u>
State Aid: WDT-AFCO Systems: 818-GRT-3301-09	\$ 35,648
Private Aid: WDT: AFCO Systems: 818-GRT-2565-09	\$ 4,000

<u>APPROPRIATIONS:</u>	<u>AMOUNT:</u>
WDT: AFCO Systems: 818-GRT-GT47-09	\$ 35,400

Suffolk County Community College  
Workforce Development Training: AFCO Systems  
818-GRT-GT47-09

<u>1000-Personal Services</u>	<u>\$ 30,549</u>
1570-Full-time Overload - Evening	30,549
<u>8000-Employee Benefits</u>	<u>\$ 4,851</u>
8100- Teachers' Retirement System	2,331
8330-Social Security	2,337
8350-Unemployment Insurance	183

DATED:

APPROVED BY:

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

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**RESOLUTION NO. 2008. ACCEPTING A GRANT AWARD FOR A  
WORKFORCE DEVELOPMENT TRAINING GRANT FOR AFCO SYSTEMS**

WHEREAS, Suffolk County Community College has received a grant award from the State University of New York, in the amount of \$35,648, including indirect costs, for a Community College Workforce Development Training Grants Program for AFCO Systems for the period of October 7, 2008 through August 21, 2009, and

WHEREAS, the program provides for training AFCO's engineers in data center cooling methods utilizing computational fluid dynamics to test cooling designs for potential clients to virtually pre-assess each customer's data center enclosure needs, thereby optimizing performance and energy use without compromising the integrity of the client's operation, and

WHEREAS, matching funds, in the amount of \$4,000, provided by AFCO Systems, will increase the program total to \$39,648, including indirect costs, be it therefore

RESOLVED, that matching funds, in the amount of \$4,000, provided by AFCO Systems., be accepted for the operation of the Community College Workforce Development Training Grants Program, and be it further

RESOLVED, that a grant award, in the amount of \$35,648, including indirect costs, from the State University of New York, for a Community College Workforce Development Training Grants Program for AFCO Systems during the 2008-2009 fiscal year, is hereby accepted, and the College president or her designee is authorized to execute a contract with the administering agency.

Project Directors: Maureen David Arma

\* \* \* \* \*

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Board of Trustees Meeting  
Date: December 11, 2008

ABSTRACT

Grant Proposal \_\_\_\_\_ Grant Award X

Funding Source State University of New York  
Comm. College Workforce Development Training Grants Program

Project Title: Community College Workforce Development Training Grants  
Program for AFCO Systems

Project Director: Maureen David Arma

Project Period: October 7, 2008 - August 21, 2009

Campus: Corporate Training Center

Amount of Award: \$ 35,648

Match/Fees: \$ 4,000 Match: AFCO Systems

Total Program Budget: \$ 39,648

In-kind Contribution: \$25,000 AFCO Systems

Full-Time Positions/Reassigned Time: none

No. of Students to be Served: 25

Type of Student to be Served: AFCO Systems employees

Description of Project:

AFCO Systems designs and builds data center enclosures for data center computer equipment and servers at its plant in Farmingdale, New York. AFCO's goal is to design highly efficient or "green" server cooling solutions for data centers which will result in reduced costs for data center operators. Current demand on data centers is to achieve faster service at lower costs. In order to do this, they must increase the capacity of servers and do so as efficiently as possible. This program will provide training in developing a virtual testing method utilizing computational fluid dynamics to test cooling designs for potential clients. AFCO would then have the ability to virtually pre-assess each customer's data center enclosure needs, thereby optimizing performance and energy use without compromising the integrity of the client's operations.



THE STATE UNIVERSITY of NEW YORK

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Office of the  
Vice Chancellor for  
Community Colleges

Memorandum

State University Plaza  
Albany, New York  
12246

518 443 5134  
fax - 518 443 5250

www.suny.edu

To: President Shirley Pippins  
From: Dennis Golladay *D Golladay*  
Date: October 7, 2008  
Re: Workforce Development Training Grant

From: Suffolk County Community College  
Company: AFCO Systems  
Amount: \$ 35,648

I am pleased to inform you that your contract training proposal named above has been approved for funding. The program may commence immediately.

Please note that this award is from FY 2009 funding and therefore the program must be concluded and all funds expended and invoiced no later than August 21, 2009. A final report should be submitted with your final invoice. (The report format is in the program guidelines sent earlier.)

You may request 50% of the approved funding in advance to support project startup and operation by submitting an invoice according to your own standard format. (Please make the invoice to SUNY and include an invoice number for reference, the name of the company, the date, your college name and authorized signature.) Send it to Dr. Dennis Golladay, Vice Chancellor for Community Colleges, State University of New York, SUNY Plaza, Albany, New York 12246. The balance of the project funding will be paid at the conclusion of the project upon submittal of a final invoice and the final project report.

At the end of April, all projects will be reviewed and funds may be de-obligated from projects not operating according to plan and re-committed to other projects. Campuses may voluntarily de-obligate funds that will not be completely spent or may request that unspent funds be re-obligated to other projects. This policy ensures that the available funds will be fully utilized.

As we are often requested to provide a report on the program for the Governor and Legislature, we will continue to be looking for substantive final reports which emphasize specific program outcomes and benefits.

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If you need any additional assistance, please contact Denise Bukovan at 518.443.5143,  
denise.bukovan@suny.edu.

We are thankful that our Governor and Legislators continue to support this important program which has a significant statewide impact. Best wishes for the success of your project and thank you for your ongoing efforts to serve the employers of your region.

Cc: Business Office: Joy Branahl  
Project Contact: Maureen Arma

August 13, 2008

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Dennis Golladay  
Vice Chancellor for Community Colleges,  
State University of New York, Office of Community Colleges  
SUNY Plaza, N102  
Albany, NY 12246.

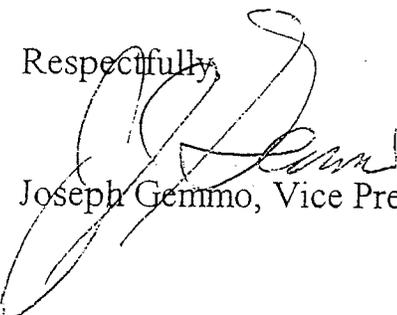
Dear Chancellor Golladay:

As Vice President of Finance for the AFCO Systems Group, I am writing a letter of support for the Community College Workforce Development Training Grant proposal by Suffolk County Community College.

The proposed training program will provide "hands-on" courses in Computational Fluid Dynamics Modeling and New Product Development processes that will enable our Company to remain competitive and grow its New York State operations. The Company is creating a new Customer Service and Support business that will provide "high-end" services to our data center customers, thus enabling them to reduce their overall energy consumption, while maintaining their commitments to their customers. This grant will provide us the needed training to grow our business and help achieve our goal of doubling our revenue within the next few years and increase employment. These new tools are critical for helping data center operators reduce their overall energy consumption.

We are fully supportive of this project and will commit up to \$4,000 in cash or 10% of SUNY's award and an additional \$25,000 of in-kind support through employee release time in the amount of \$5,000 and physical resources such as software leasing (\$20,000). We will also commit the time of 25 employees to undergo the training that will take place under this grant.

Respectfully,

  
Joseph Gemmo, Vice President of Finance

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2230

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>ACCEPTING AND APPROPRIATING A GRANT AWARD FROM THE STATE UNIVERSITY OF NEW YORK FOR A COMMUNITY COLLEGE WORKFORCE DEVELOPMENT TRAINING GRANTS PROGRAM FOR AFCO SYSTEMS 90% REIMBURSED BY STATE FUNDS AT SUFFOLK COMMUNITY COLLEGE</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes XX No</b>		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
<input checked="" type="radio"/> <b>County</b>	<input type="radio"/> <b>Town</b>	<input type="radio"/> <b>Economic Impact</b>
<input type="radio"/> <b>Village</b>	<input type="radio"/> <b>School District</b>	<input type="radio"/> <b>Other (Specify):</b>
<input type="radio"/> <b>Library District</b>	<input type="radio"/> <b>Fire District</b>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
State and Private aid has been provided for a Workforce Development Training Grants Program for AFCO Systems.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
State University of New York & AFCO Systems		
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		12/8/08

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

2230

**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.





2231

Introductory Resolution No. -2009  
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 12/16/08

**RESOLUTION NO. - 2009 ACCEPTING AND APPROPRIATING AN AMENDMENT TO THE COLLEGE BUDGET FOR A GRANT AWARD FROM THE STATE EDUCATION DEPARTMENT, THE UNIVERSITY OF THE STATE OF NEW YORK, FOR AN ADULT BASIC EDUCATION AND LITERACY SERVICES PROGRAM, 100% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE**

**WHEREAS**, the 2008-2009 College operating budget provides \$90,000, including indirect costs, for an Adult Basic Education and Literacy Services Program, from the State Education Department, the University of the State of New York, for the period of July 1, 2008 through June 30, 2009; and

**WHEREAS**, the grant award has been increased by \$8,900, bringing the total amount of the grant award to \$98,900, including indirect costs; and

**WHEREAS**, it is necessary to amend the College budget in the amount of \$900 to provide for the increase in the grant award; and

**WHEREAS**, no matching funds are required as the program is 100% reimbursed by State funds; and

**WHEREAS**, the Board of Trustees of Suffolk County Community College accepted the amendment to the 2008-2009 College budget for the increase in the grant award in the amount of \$900 on December 11, 2008 by Resolution No. 2008. ; and

**WHEREAS**, the College anticipates spending the increase in the grant award in the amount of \$8,900 in accordance with the terms of said grant before July 31, 2009; now therefore, be it

**1<sup>st</sup> RESOLVED**, that said 2008-2009 College budget be amended to reflect the increase in the grant award from the State Education Department, the University of the State of New York, for an Adult Basic Education and Literacy Services Program in the amount of \$8,900, and said amount be accepted and appropriated for the operation of the program as follows:

<u>REVENUES:</u>	<u>AMOUNT:</u>
State Aid: 818-GRT-3209-09: GED: ALE	\$ 8,900

<u>APPROPRIATIONS:</u>	<u>AMOUNT:</u>
GED: ALE: 818-GRT-GC50-09	\$ 8,900

Suffolk County Community College  
Adult Basic Education and Literacy Services Program  
818-GRT-GC50-09

<u>1000-Personal Services</u>	<u>\$ 8,222</u>
1160-Part-time Instructors - Day	4,687
1170-Part-time Instructors - Evening	3,535

<u>8000-Employee Benefits</u>	\$ 678
8330-Social Security	629
8350-Unemployment Insurance	49

DATED:

APPROVED BY:

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

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

2231

**RESOLUTION NO. 2008. AMENDING THE COLLEGE BUDGET FOR AN  
ADULT BASIC EDUCATION AND LITERACY SERVICES PROGRAM GRANT  
(GED)**

WHEREAS, the 2008-2009 College operating budget provides \$90,000, including indirect costs, in anticipation of an Adult Basic Education and Literacy Services Program grant, and

WHEREAS, the actual award included an additional amount of \$8,900, bringing the total amount of the grant award to \$98,900, including indirect costs, and

WHEREAS, no matching funds are required, be it therefore

RESOLVED, that the 2008-2009 College budget be amended to reflect an increase in the amount of \$8,900, for an Adult Basic Education and Literacy Services Program grant, and the College president or her designee is authorized to execute a contract with the administering agency.

Project Director: Nina Leonhardt

\* \* \* \* \*

2231

Board of Trustees Meeting  
Date: December 11, 2008

ABSTRACT

Grant Proposal  Grant Award

Funding Source: The State Education Department  
The University of the State of New York

Project Title: Adult Basic Education and Literacy Services Program

Project Director: Nina Leonhardt

Project Period: July 1, 2008 through June 30, 2009

Campus/Location: College-wide

Amount of Award: \$98,900

Match/Fees: none

Total Program Budget: \$98,900

Full-Time Positions: Professional Assistant 2, 12 month  
Reassigned /Overload Time: none

No. of Students to be Served: 500

Type of Student to be Served: Educationally disadvantaged adults

Description of Project:  
The Adult Education Program provides educational opportunities for adults in need of basic education. Opportunities to prepare for the GED, develop family literacy, acquire life and workplace skills, and participate in occupational/vocational education are included. SCCC will carry out these adult literacy services in the Suffolk County Local Workforce Investment Area.



OFFICE OF CURRICULUM AND INSTRUCTIONAL SUPPORT  
ADULT EDUCATION AND WORKFORCE DEVELOPMENT TEAM  
89 WASHINGTON AVE., ROOM 307 EB  
ALBANY, NEW YORK 12234  
(518) 474-8940; FAX: (518) 486-1751  
[HTTP://WWW.NYSED.GOV/WORKFORCE/](http://www.nysed.gov/workforce/)

2231

June 30, 2008

Ms. Nina Leonhardt  
Suffolk County Community College  
533 College Rd  
Selden, NY 11784

Re: NYS Education Department RFP - 2008-2013 Adult Basic Education and Literacy Services Programs

Dear Ms. Leonhardt:

The State Education Department (SED) has reviewed the proposal submitted by your organization in response to the SED RFP listed above.

Based on that review, SED is recommending that Suffolk County Community College be awarded up to \$98,900 for July 1, 2008 through June 30, 2009 to carry out adult literacy services in the Suffolk County Local Workforce Investment Area. Pending satisfactory performance, the availability of funding, and the continuation of the current federal WIA legislation, subsequent awards will be for the five twelve-month program periods of July 1 through June 30, through 2013. The above award amount may have been adjusted to eliminate proposed expenditures that were unallowable or inappropriate. Your Regional Coordinator, identified below, will contact you regarding the submission of your final budget. Final budgets will still undergo intensive review and approval.

SED will negotiate New York State contracts with not-for-profit agencies for the provision of these services. Since many of the proposals we are recommending for funding will result in New York State contracts, our recommendations are subject to the review and approval of the NYS Attorney General and the NYS Comptroller. You should be aware that no work should be initiated until SED's recommendations have been approved by the Attorney General and the Comptroller.

For not-for-profit agencies, we will prepare an agreement, have it properly signed by the not-for-profit agency and SED, and then submit the documents for review and approval to the NYS attorney General and the NYS Comptroller. Not-for profit organizations should become familiar with OMB-Circular A-122, "Cost Principals for Non-Profit Organizations."

Other successful agencies and organizations, such as school districts and BOCES, will be funded through SED's FS-10 budget process. These agencies, as explained above, will be contacted by their regional coordinators regarding the submission of their final FS-10 budgets.

2231

All funded organizations should review important fiscal information regarding SED funding available at <http://www.oms.nysed.gov/cafe/guidance.html>.

If we can be of further assistance regarding this matter you may contact the regional coordinator identified below at (518) 474-8940.

Sincerely,

Tom Orsini  
Team Leader

cc: Sue Lyons

CF121  
 ENTRY DATE 10/28/08  
 PROJECT 2338091083  
 SED CODE 580211591800  
 NYC DOC #

GRANTS FINANCE  
 PROJECT STATUS REPORT  
 WIA, TITLE 2, ADULT EDUCATION & LIT  
 SUFFOLK COUNTY COMM COLL

2231  
 RUN DATE 10/28/08

BUDGET DETAIL INFORMATION			
PROF SALARY	15	44,453.00	BEGIN DATE 07/01/08
NON PROF SALARY	16	27,170.00	END DATE 06/30/09
PURCH SERVICES	40	0.00	AMENDMENT #
SUPP & MATERIAL	45	0.00	CONTRACT # C401098
TRAVEL EXPENSE	46	0.00	STOP DATE
EMP BENEFITS	80	24,771.00	REFUND CHECK #
INDIRECT COST	90	2,506.00	IND COST RATE 8.0
BOCES SERVICES	49	0.00	INT ELIG N
REMODELING	30	0.00	
EQUIPMENT	20	0.00	

BUDGET SUMMARY INFORMATION			
FUNDYEAR	BUDGET SPLITS	PAID TO DATE	OUTSTANDING ENC
233809	98,900.00	19,780.00	79,120.00
233808	0.00	0.00	0.00
233807	0.00	0.00	0.00
	0.00	0.00	0.00
	0.00	0.00	0.00
<b>TOTAL</b>	<b>98,900.00</b>	<b>19,780.00</b>	<b>79,120.00</b>

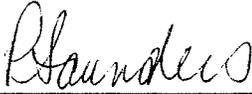
LOG AND CONTRACT DATES			
BUDGET	RECEIVED	ENTERED	APPROVED
INTERIM	08/07/08	08/07/08	10/23/08
FINAL			

CASH DETAIL										
ENTRY	DOC #	TRANS	ENC	RPT	LINE	AMOUNT	FUNDYR	MIR	PD DT	STA'
102808	306715F	INIT	001	10/08	01	19,780.00	233809	102308		ENT

THIS BUDGET HAS BEEN PROCESSED BY THE NEW YORK STATE  
 EDUCATION DEPARTMENT. THIS SUMMARY REPLACES THE SIGNED COPY.

2231

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		
<b>ACCEPTING AND APPROPRIATING AN AMENDMENT TO THE COLLEGE BUDGET FOR A GRANT AWARD FROM THE STATE EDUCATION DEPARTMENT, THE UNIVERSITY OF THE STATE OF NEW YORK, FOR AN ADULT BASIC EDUCATION AND LITERACY SERVICES PROGRAM, 100% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>XX</u> 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		
Additional grant funds have been awarded for the Adult Education Program.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
State Education Department, State University of New York		
9. Timing of Impact		
THE RESOLUTION IS EFFECTIVE UPON ADOPTION.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst		12/8/08

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

2231

**GENERAL FUND**

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

**COMBINED**

	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX 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.

# Suffolk

COUNTY COMMUNITY COLLEGE

2231

DEC 03 2008

To: ✓ Ben Zwirn, Deputy County Executive  
Brendan Chamberlain, Director, Intergovernmental

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

Date: November 26, 2008

Subject: Request for a Resolution Accepting and Appropriating an Amendment to the 2008-2009 College budget for a Grant Award

Enclosed are the application and requisite forms to request acceptance and appropriation of an amendment to the 2008-2009 College budget for an increase in a grant award at Suffolk County Community College.

Grant Proposal \_\_\_ Grant Award

Project Name: Adult Basic Education and Literacy Services Program

Funding Source: The State Education Department  
The University of the State of New York

Total Amount of Grant Award: \$98,900

Amount of Amendment: \$ 8,900

Full Time Positions: Prof. Ass't 2, 12 mo

Please call me if there are questions regarding this request.  
An e-mail version of the resolution was sent to CE RESO REVIEW:  
**File name: Reso-SCCC-GED Amend 09.doc**

cc: N. Leonhardt, Associate Dean, Office of Continuing Education  
J. Bullard, Jr., Associate Dean for Financial Affairs  
J. Whitten, Vice President for Workforce & Econ. Development  
J. Canniff, Vice President for Academic and Campus Affairs



2232

Intro. Res. No. - 2008

Laid on Table

12/16/08

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

**RESOLUTION NO. -2008 AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) FOR THE GERARD PROPERTY - WAGNER FARM (TOWN OF RIVERHEAD) -SCTM#0600-136.00-01.00-005.000 p/o)**

**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. 165-2002, authorized planning steps for the acquisition of farmland development rights of the subject property; and

**WHEREAS**, pursuant thereto, said acquisition is to be made in accordance with the procedures set forth in Chapter 8 of the Suffolk County Code which provides that the same shall be consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation of the Suffolk County Farmland Committee; and

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

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

**WHEREAS**, contracts to acquire said farmland development 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 the farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Farmland component, for a total purchase price of Eight Hundred Seventy Three Thousand Dollars (\$873,000.00±), at Ninety Thousand Dollars (\$90,000.00) per acre for 9.7± acres, subject to a final survey; and

hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u>		<u>ACRES:</u>	<u>REPUTED OWNER</u>
	<u>TAX MAP NUMBER:</u>			<u>AND ADDRESS:</u>
No. 1	District	0600	9.7±	Lloyd Gerard
	Section	136.00		6 Basketneck Lane
	Block	01.00		P.O. Box 146
	Lot	005.000 p/o		Remsenburg, NY 11960

; 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) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Eight Hundred Seventy Three Thousand Dollars (\$873,000.00±), at Ninety Thousand Dollars (\$90,000.00) per acre for 9.7± acres, 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 \$873,000.00±, 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 December 1, 2007, Farmland component, Section C12-2(A)(1)(f) 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 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.

DATED:

APPROVED BY:

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County Executive of Suffolk County

Date of Approval:

05

# COUNTY OF SUFFOLK



**STEVE LEVY**  
SUFFOLK COUNTY EXECUTIVE

8002 8 1 AUN

2232

**CARRIE MEEK GALLAGHER**  
COMMISSIONER  
**CHRISTOPHER E. KENT**  
DIRECTOR

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

November 10, 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 farmland development rights of the Gerard property (Wagner Farm), in the Town of Riverhead, under the New Suffolk County Drinking Water Protection Program-Farmland. The purchase price is \$873,000.00± for 9.7± acres, at \$90,000.00 per acre.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent  
Director

CEK:pd

Att.

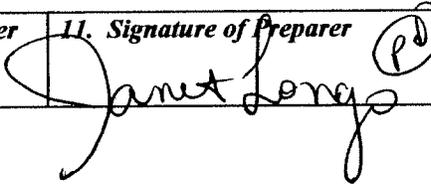
- cc: Jim Morgo, Chief Deputy County Executive
- Jeff Szabo, Deputy County Executive
- Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
- Thomas A. Isles, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation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

LOCATION  
H. LEE DENNISON BLDG. - 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**

1. Type of Legislation			2232
Resolution	<input checked="" type="checkbox"/>	Local Law	<input type="checkbox"/>
2. Title of Proposed Legislation Authorizing the acquisition of the farmland development rights under the New Suffolk County Drinking Water Protection Program-Farmland, of the Gerard property (Wagner Farm), SCTM#0600-136.00-01.00-005.000 p/o, (Town of Riverhead).			
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-Farmland			
9. Timing of Impact  N/A			
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer 	12. Date November 10, 2008	

2233

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

Laid on Table 12/16/08

**RESOLUTION NO. -2008, AUTHORIZING TRANSFER OF  
SURPLUS COUNTY COMPUTER SYSTEMS AND HARDWARE  
TO THE LONG ISLAND MARITIME MUSEUM**

**WHEREAS**, the Suffolk County Department of Public Works has submitted to the Purchasing Department a list of surplus computer systems and hardware which have been declared surplus; and

**WHEREAS**, this equipment has been taken out of service because of obsolescent technology; and

**WHEREAS**, the Long Island Maritime Museum has requested the donation of these computer systems and hardware 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 Department of Public Works is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following organization, for use within its facilities for nominal consideration:

**TO:**

Long Island Maritime Museum  
86 West Avenue  
W. Sayville, NY 11796

Contact:  
Telephone: 631-854-4973

**COMPUTER SERIAL NO:**

8HHCM11 (Item 73)  
DK7KR11 (Item 116)  
4F5WS01 (Item 119)  
94VLR11 (Item 120)  
XB5090F2412 (Item 156)  
FC5050HY444 (Item. 157)

**MONITOR:**

Item Nos. 78, 141, 143, 153, 179  
181

**PRINTER:**

Item Nos. 106, 154

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 organization 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-computer-boy-scout-troop-242

2234

Intro. Res. No. -2008  
Introduced by Legislator D'Amaro

Laid on Table 12/16/08

**RESOLUTION NO. -2008, REQUESTING THAT THE SUFFOLK COUNTY COMMISSIONER OF HEALTH SERVICES, AND THE BOARD OF HEALTH, PROMOTE PUBLIC HEALTH AND FITNESS, AND COMBAT PUBLIC HEALTH AILMENTS, BY PROMULGATING REGULATIONS REQUIRING CHAIN RESTAURANTS TO POST CALORIC CONTENT ON MENUS**

**WHEREAS**, it is widely recognized that excessive caloric intake leads directly to significant public health problems including obesity, diabetes and other health related ailments, and these significant public health problems result not only in the sickness and death of loved ones, but also heavily burden the health care system, and impose substantial costs on taxpayers; and

**WHEREAS**, although consumers have a right to accurate nutritional information when deciding which foods and beverages to ingest, most chain restaurants do not make caloric content information readily available to consumers when they order, and most foods prepared and served in chain restaurants do not have food labels that consumers may consult to make informed, healthier choices about portion size and the amount of calories they ingest; and

**WHEREAS**, the posting on chain restaurant menus of the caloric content of all available foods will make this health related information available to consumers at the "time of decision;" when they order food and beverages in chain restaurants, and will enable consumers to make informed, healthier choices about portion size and the amount of calories they ingest; and

**WHEREAS**, the posting on chain restaurant menus of the caloric content of all available foods will encourage such restaurants to reduce the caloric content of foods and beverages; and

**WHEREAS**, the Board of Health of Suffolk County is empowered to adopt and promulgate rules and regulations affecting public health within the County and, at the request of the Commissioner of Health Services, is charged with considering any matter relating to the preservation and improvement of public health; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that this Legislature hereby requests that the Commissioner of Health Services and the Board of Health promulgate binding regulations requiring all chain restaurants in the County (defined as those restaurants: (i) having at least 15 locations in Suffolk County; and (ii) doing business nationally under common ownership or control, or operating as part of a franchise, or doing business under the same or similar name) to post on any and all menus, including, without limitation, sign menus, menus distributed off-premises, and drive through menu boards, the total caloric content for all available food items and/or food item combinations listed thereon, as prominently as the food item, or food item combination, name or picture, and its price, and in close proximity to the food item name or picture, and its price; and be it further

**2<sup>nd</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) 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,



2235

Intro. Res. No. -2008  
Introduced by Legislator D'Amaro

Laid on Table 12/16/08

**RESOLUTION NO. -2008, REQUESTING THAT THE SUFFOLK COUNTY COMMISSIONER OF HEALTH SERVICES, AND THE BOARD OF HEALTH, PROMOTE PUBLIC HEALTH AND COMBAT CORONARY HEART DISEASE, BY PROMULGATING REGULATIONS BANNING THE USE OF ARTIFICIAL TRANS FATS IN FOOD ESTABLISHMENTS**

**WHEREAS**, it is widely recognized that the ingestion of artificial trans fatty acids or partially hydrogenated oils ("trans fats") raise low-density lipoprotein ("LDL") or "bad" cholesterol and lower high-density lipoprotein ("HDL") or "good" cholesterol, thereby increasing the risk of many serious public health problems, including coronary heart disease; and

**WHEREAS**, these significant public health problems result not only in the sickness and death of loved ones, but also heavily burden the health care system, and impose substantial costs on taxpayers; and

**WHEREAS**, several recent studies have clearly established the direct link between coronary heart disease and trans fats, including an April 2006 study published in the New England Journal of Medicine which found that "[o]n a per calorie basis, trans fats appear to increase the risk of coronary heart disease more than any other macronutrient, conferring a substantially increased risk at low levels of consumption..."; and

**WHEREAS**, according to the National Heart, Lung, and Blood Institute of the National Institutes of Health, more than 12.5 million Americans have coronary heart disease and more than 500,000 Americans die of coronary heart disease each year, making it one of the leading causes of death in the United States; and

**WHEREAS**, artificial trans fats are found in vegetable shortening, hard margarine and partially hydrogenated oils, which are often used in the food preparation process by restaurants and other food establishments; and

**WHEREAS**, the American Heart Association has issued a high priority recommendation that food establishments replace partially hydrogenated oils and artificial trans fats with low saturated fat alternatives; and

**WHEREAS**, although, in 2006, the FDA required the disclosure of artificial trans fat content on food labels, foods prepared and served in restaurants and other food establishments do not have food labels that consumers may consult to make intelligent and knowing decisions about the amount of trans fats they will ingest; and

**WHEREAS**, other jurisdictions, including Albany County, New York City, Boston and the State of California, have imposed bans on the use of trans fats in food establishments; and

**WHEREAS**, Nassau County, acting through its Board of Health, has also enacted a ban on trans fats in food establishments, which ban is presently being phased in; and

**WHEREAS**, the Board of Health of Suffolk County is empowered to adopt and promulgate rules and regulations affecting public health in the County and, at the request of the Commissioner of Health Services, is charged with considering any matter relating to the preservation and improvement of public health; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that this Legislature hereby requests that the Commissioner of Health Services and the Board of Health promulgate binding regulations phasing in a ban of the use of trans fats by all restaurants, and other food establishments, that prepare and/or serve food in Suffolk County, and that provide sufficient penalties and monetary fines for the use of trans fats after such ban is effective to deter their use; and be it further

**2<sup>nd</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) 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\request-bd-health-ban-trans-fat

2236

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

Laid on Table 12/16/08

**RESOLUTION NO. -2008, TO APPOINT  
MARGARITA ESPADA-SANTOS AS A MEMBER  
OF THE SUFFOLK COUNTY CITIZENS ADVISORY  
BOARD FOR THE ARTS**

**WHEREAS**, the term of **John Clark**, as a member of the Suffolk County Citizens Advisory Board for the Arts, expired as of June 30, 2000; now, therefore, be it

**1st RESOLVED**, that **Margarita Espada-Santos**, currently residing in Central Islip, New York, is hereby appointed as a member of the Suffolk County Citizens Advisory Board for the Arts to fill the unexpired term, said term to expire on June 30, 2009, pursuant to Section 68-3(C)(1) of the SUFFOLK COUNTY CODE; and be it further

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

DATED:

APPROVED BY:

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

Date of Approval:

# Margarita Espada-Santos

2236

23 Anne Lane, Central Islip, NY 11722  
Telephone (631) 232-6491 Cell 516 983-4437

E-Mail: teatroyerbabruja@yahoo.com  
www.teatroyerbabruja.org

## RESEARCH AREAS:

Actor training including Classic (Golden Age and Shakespeare), Pantomime, Commedia dell arte, Grotesque, Creative Movements, Mask Making and Performance.

## EDUCATION:

M.F.A. Theater, Dramaturgy, State University of New York at Stony Brook, NY, 1998.  
B.A. Theater and Education, Puerto Rico University, Puerto Rico, 1990.  
Certificate Theater Teacher, New York State and Puerto Rico, 1990-present.

## PROFESSIONAL EXPERIENCE:

Founder, Executive & Artistic Director of Teatro Experimental Yerbabruja, Inc., 2004-present.  
A nonprofit arts organization based on Long Island. Mission: To advance cultural understanding, within the diverse Long Island communities that we serve, by using the theatrical and other performing, and visual, arts as tools to promote constructive social change; and to provide opportunities for emerging artists.

### Selected Activities of this organization:

Producer: Spring Community Arts Festival, Long Island, May 2006 and 2007.  
Director: Stories from Latin America, Long Island, June 2007.  
Producer: Experimentation of a Crazy Life, Puerto Rico, June 2007  
Director and Acting: Broken Identities, Suffolk Community College, Oct. 2008;  
Director: Un Extraño ser con Alas, community theater program, Long Island, Oct. 2005.  
Acting: Puerto Rico Adentro, Puerto Rico, July 2005.  
Producer and Acting: Cannibal is the World, Puerto Rican Theater Festival, May 2002.

## OTHER PROFESSIONAL ACTIVITIES:

Guest Artist: New York State Senator Owen H. Johnson, Hispanic Heritage Awards Ceremony, Sept. 2008  
Guest Artist: New York State Senator Caesar Trunzo, Hispanic Heritage Awards Ceremony, Sept. 2007.  
Guest Artist: County of Suffolk, Hispanic Heritage Awards Ceremony, Oct. 2007 and 2008.  
Theater Grants Panelist: New York State Council of the Arts (NYSCA), NY, 2006-present.  
Art Grants Panelist: Huntington Arts Council, NY, 2006-present.  
Board Member: Islip Arts Council, NY, 2006-2008.

## TEACHING EXPERIENCE

Suffolk County Community College, Mask Workshops, Oct. – Nov. 2007.  
Artistic Residency, Art in Education Program, Central Islip High School, Long Island, 2006-present.  
Eastern Suffolk BOCES, Parent Child Home Program, home visitor, translator/interpreter, 2002-present.  
State University of New York at Stony Brook, acting classes, Stony Brook, NY, 2000-2004.  
Department of Education, Theater Teacher, Puerto Rico, 1990-2000.  
Turabo University, Instructor: stage movements, pantomime, Puerto Rico, 1994

## AWARDS AND DISTINCTIONS:

Town of Islip Proclamation for outstanding work of Teatro Experimental Yerbabruja, Sept. 2007.  
Suffolk County Legislator Ricardo Montano Proclamation for outstanding work in the arts, Oct. 2007.  
Woman of the Year Award, Latin American Chamber of Commerce and Industry of New York, Dec. 2006.  
Town of Hempstead Award, Woman of the Year for outstanding work with the community, NY, 2006.  
New Leaders Fellowships, Theater Communication Group, Minneapolis, June 2007.  
National Association of Latino Art Fellowship, Leadership Institute, San Antonio TX, 2005.  
Burghardt Turner Fellowship, Stony Brook University, 1995-1998.  
Turner Research Summer Award, for research at Yuyackani Theater, Peru and Cali, Colombia, 1996-1997.  
Excellence Artist Award, Institute of Puerto Rican Culture, Puerto Rico, 1995.  
Art and Community Award, Cantera, San Juan, Puerto Rico, 1995.

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**SELECTED INTERNATIONAL TRAINING AND PERFORMANCES:**

Leadership Institute, Not for Profit Training, National Association of Latino Artists, San Antonio, TX, June 2006.  
 Theater and Border, Theater Festival, Venezuela, May 2004.  
 Performance Theory and Practice, International Latino Theatre Festival, Los Angeles, CA, Nov. 2002.  
 Physical Theater, California - Teatro del Obstáculo, Víctor Varela, Nov. 2002.  
 Image Theater/ Forum Theater / Augusto Boal, workshop and performance, Brazil, 2001.  
 Mask Training and Movement Laboratory, International Theater School, Jacques Lecoq, Paris, France, 1988.  
 Suzuki Method, NY, 1998.  
 Katakaly and Bali Mask, Andres Pérez, Colombia, 1997.  
 Latin-America Theater- Collaborative Theater, Enrique Buenaventura, Santiago García, Colombia, 1997.  
 Actor Dramaturgy, Physical Theater, Latin-American Mask, Grupo Yuyackani. Cuba, 1988 Perú, 1996.  
 Anthropology Theater, Eugenio Barba, Odin Theater, Denmark, 1995.  
 Bread and Puppets, Peter Schumann Workshop/ Performance, Puerto Rico, 1989

**PUBLICATIONS AND PRESENTATIONS:**

**Invited Presentations, Lectures and Papers**

Community Theater and Civic Dialogue, Stony Brook University, Nov. 2008  
 Art as a tool for Social Changes, Suffolk Community College, Oct. 2008.  
 Celebrating the Arts, Legislative Conference of the NYS Hispanic Task Force, Albany, NY, Apr. 2006.  
 Building Bridges Between Long Island's Cultural Organizations & its Latino/Hispanic Communities, Jan. 2006.  
 Anthropology Theater: an inside look of Eugenio Barba's works. Stony Brook, NY, Oct. 2003.  
 Invited lecturer: "The *Theater of Risk*" - University of Puerto Rico, May 2002 and June 2004.  
 Invited lecturer: "*The Alternative Theater in Puerto Rico*" conference, *Caribbean 2000: Regional and/or National Definitions, Identities and Culture* at Puerto Rico University, Apr. 1997.

**Selected Articles in Spanish Language**

"El Encuentro con el Obstáculo," Revista de Teatro Latinoamericano Conjunto, Cuba, 2003.  
 "Colectivo Yerbabruja," Caribbean 2000. Regional and/or National Definition, Identities and Cultures.  
 Fiet, Lowell. Rockefeller Foundation Fellowship in the Humanities. Puerto Rico University, 1996.  
 "Teatro del Riesgo," Claridad Newspaper, July 2002.  
 "Caníbal es el Mundo, un acercamiento al proceso creativo," Claridad Newspaper, May 2002.  
 "Mascaras y Performance," Claridad Newspaper, Nov. 2000.  
 "Mixta con Todos, Performance en Teatro Yerbabruja," Claridad Newspaper, May 2000.

**PROFESSIONAL ASSOCIATIONS:**

America for the Arts  
 National Association of Latino Artists  
 Theater Communications Group, Inc.  
 Association for Theater in Higher Education  
 The Caribbean and Latin America School of International Theater-UNESCO Cathedra  
 Puerto Rican Coalition for a Better Community  
 Long Island Arts in Education Round Table