

## L A I D O N T H E T A B L E F E B R U A R Y 3 , 2 0 0 9

LADS REPORT PREPARED BY:

Michele Gerardi

Updated 2/6/2009

1024. Adopting Local Law No. -2009, A Charter Law to impose further controls on County debt and debt service payments. (Gregory) BUDGET & FINANCE
1025. Authorizing certain technical corrections to Adopted Resolution No. 926-2008. (Co. Exec.) WAYS & MEANS
1026. Creating a Silver Alert System in Suffolk County. (Stern) PUBLIC SAFETY
1027. Appointing Philip Schmitt as a member of the Suffolk County Soil and Water Conservation District. (Losquadro) ENVIRONMENT, PLANNING & AGRICULTURE
1028. Establishing new procedures for housing homeless sex offenders. (Schneiderman) PUBLIC SAFETY
1029. Authorizing the County Treasurer to borrow cash funds from other County funds for 2009. (Pres. Off.) BUDGET & FINANCE
1030. Adopting Local Law No. -2009, A Local Law to increase the application fee for dry-cleaning establishments. (Lindsay) CONSUMER PROTECTION
1031. Reappointing member of the Council on Environmental Quality (Michael Kaufman). (Viloria-Fisher) ENVIRONMENT, PLANNING & AGRICULTURE
1032. Approving the appointment of Anthony LaFerrera to the Suffolk County Citizens Corp Council. (Co. Exec.) PUBLIC SAFETY
1033. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act estate of Mary E. Dodson a/k/a Mary Dodson, by Bernadette Parks as executor (SCTM No. 0200-546.00-01.00-011.001). (Co. Exec.) WAYS & MEANS
1034. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Living Waters Evangelistic Ministries, Inc. (SCTM No. 0100-169.00-03.00-005.000). (Co. Exec.) WAYS & MEANS
1035. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Thomas J. Walsh and Beverly A. Walsh (SCTM No. 0100-186.00-01.00-037.000). (Co. Exec.) WAYS & MEANS
1036. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Mark R. Turrisi (SCTM No. 0200-486.00-06.00-007.000). (Co. Exec.) WAYS & MEANS
1037. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act David Machado (SCTM No. 0200-703.00-01.00-048.001). (Co. Exec.) WAYS & MEANS

1038. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Seth Shulman (SCTM No. 0300-057.00-05.00-041.000). (Co. Exec.) WAYS & MEANS
1039. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Paul Adams and Rafael Adams, as joint tenants with right of survivorship (SCTM No. 0600-012.00-02.00-004.001). (Co. Exec.) WAYS & MEANS
1040. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Beverly Macauley and Cheryl Caliguri, as tenants in common (SCTM Nos. 0803-004.00-03.00-005.000 and 0803-004.00-03.00-006.000). (Co. Exec.) WAYS & MEANS
1041. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Camillo Masia and Kathleen Mary Masia, his wife (SCTM No. 0400-190.00-01.00-038.000). (Co. Exec.) WAYS & MEANS
1042. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 800-2009). (Co. Exec.) BUDGET & FINANCE
1043. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 797-2009). (Co. Exec.) BUDGET & FINANCE
1044. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 798-2009). (Co. Exec.) BUDGET & FINANCE
1045. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 799-2009). (Co. Exec.) BUDGET & FINANCE
1046. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 312. (Co. Exec.) BUDGET & FINANCE
1047. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 310. (Co. Exec.) BUDGET & FINANCE
1048. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 311. (Co. Exec.) BUDGET & FINANCE
1049. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 801-2009). (Co. Exec.) BUDGET & FINANCE

1050. Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Brookhaven for affordable housing purposes (SCTM No. 0200-973.70-05.00-026.000). (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING
1051. Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Brookhaven for affordable housing purposes (SCTM No. 0200-824.00-09.00-033.000). (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING
1052. Amending the 2009 Operating Budget and transferring funds to the Middle Country Coalition for Smart Growth. (Beedenbender) BUDGET & FINANCE
1053. Terminating the Plan "C" Agreement between the County of Suffolk and Suffolk County Community College. (Viloria-Fisher) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1054. Authorizing certain technical correction to Adopted Resolution No. 1103-2008. (Co. Exec.) WAYS & MEANS
1055. Authorizing a lease amendment with Shelt Air Westhampton, LLC at Francis S. Gabreski Airport. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1056. Requesting legislative approval of a contract award for legal services for Medicaid Provider Compliance Reviews for the Department of Social Services. (Co. Exec.) HEALTH & HUMAN SERVICES
1057. Accepting and appropriating \$104,947 in 100% grant funding from the New York State Office of Temporary and Disability Assistance for Intensive Case Services for the continuation of the Intensive Case Services component of the Sanction Intervention Program in the Department of Social Services. (Co. Exec.) HEALTH & HUMAN SERVICES
1058. Permitting the Suffolk County Society for the Prevention of Cruelty to Animals to purchase fuel from the County. (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
1059. Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Brookhaven for affordable housing purposes (SCTM No. 0200-853.00-06.00-037.000). (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING
1060. Amending the 2009 Operating Budget to provide funding for the Babylon Village Sponge Project. (Horsley) BUDGET & FINANCE
1061. Amending the 2009 Operating Budget to partially restore funding for Cornell Cooperative Extension's 4H Youth Development and Farm Education Program, and Family and Consumer Sciences Program. (Romaine) BUDGET & FINANCE
1062. Accepting the donation of a Gold Star Families Monument and authorizing the placement and siting of the Gold Star Families Monument in Armed Forces Plaza. (Beedenbender) VETERANS & SENIORS

1063. To revise the selection process for Suffolk County's Poet Laureate. (Horsley) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1064. Authorizing execution of a Mutual Aid Agreement between the New York City and Suffolk County relating to firefighting and other emergency fire and rescue services. (Co. Exec.) PUBLIC SAFETY
1065. Accepting and appropriating one hundred percent Federal pass-through grant funds from the National Association of County and City Health Officials for the Suffolk County Medical Reserve Corps. (Co. Exec.) PUBLIC SAFETY
1066. Requesting legislative approval of a contract award to renovate, operate, maintain and manage a food catering concession within Coindre Hall located at West Neck Farm in Huntington. (Co. Exec.) PARKS & RECREATION
1067. Approving a license agreement for Jenine Vella to reside at West Sayville Gatehouse at Charles R. Dominy County Park, West Sayville. (Co. Exec.) PARKS & RECREATION
1068. To reappoint Gioacchino Balducci to the Suffolk County Motion Picture/Television Film Commission. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1069. To reappoint David Cohen to the Suffolk County Motion Picture/Television Film Commission. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1070. To reappoint Mitchell Kriegman to the Suffolk County Motion Picture/Television Film Commission. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1071. To reappoint Campbell Dalglish to the Suffolk County Motion Picture/Television Film Commission. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1072. To reappoint Ron Rudaitis to the Suffolk County Motion Picture/Television Film Commission. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1073. To reappoint Greg Pace to the Suffolk County Motion Picture/Television Film Commission. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1074. To reappoint Isabella Rupp to the Suffolk County Motion Picture/Television Film Commission. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1075. To reappoint Steven Taub to the Suffolk County Motion Picture/Television Film Commission. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1076. Establishing an Equestrian Task Force. (Eddington) PARKS & RECREATION

1077. Amending the 2009 Operating Budget and transferring funds to Literacy Suffolk, Inc. (Kennedy) BUDGET & FINANCE
1078. Amending the 2009 Operating Budget and transferring funds to Smithtown Veterans Youth Program, Inc. (Kennedy) BUDGET & FINANCE
1079. Amending the 2009 Operating Budget and transferring funds to Youth Development Association of Commack. (Stern) BUDGET & FINANCE
1080. Establishing a task force to study the feasibility of Suffolk County Community College assuming the operation of the Vanderbilt Museum. (Lindsay) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1081. Authorizing the County Executive to enter into a Memorandum Of Agreement (MOA) with the Federal Aviation Administration (NAVAIDS). (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1082. Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 7 – Medford with the owner of Springhill Suites @ Bellport (BR-1608). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
1083. Accepting and appropriating a grant in the amount of \$26,600 from the New York State Governor's Traffic Safety Committee grant (GTSC FFY 2009) Selective Traffic Enforcement Program (STEP) with 100% support Sheriff's Traffic Safety Initiative. (Co. Exec.) PUBLIC SAFETY
1084. Approving and authorizing a contract with the Long Island Convention and Visitors Bureau and Sports Commission to promote convention business and tourism in Suffolk County. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1085. Accepting and appropriating a grant in the amount of \$154,000.00 from the New York State Division of Criminal Justice Services for the Suffolk County Police Department's Operation Hot Wheels V Program with 85.55% support. (Co. Exec.) PUBLIC SAFETY
1086. Accepting and appropriating a grant in the amount of \$166,181 from the United States Department of Homeland Security, Federal Emergency Management Agency, for a Port Security Program with 75% support. (Co. Exec.) PUBLIC SAFETY
1087. Accepting and appropriating a grant in the amount of \$102,575 from the State of New York Governor's Traffic Safety Committee, to target speeding, aggressive and distracted driving, and commercial vehicle safety with 85.5% support. (Co. Exec.) PUBLIC SAFETY
1088. Accepting and appropriating a supplemental grant award in the amount of \$100,000 in State funding from the New York State Division of Criminal Justice Services for the Suffolk County Police Department's First Precinct Gang Task Force 2008 with 100% support. (Co. Exec.) PUBLIC SAFETY

1089. Accepting and appropriating \$8,750 additional Federal pass-through grant funds from the NYS Division of Criminal Justice Services to the Suffolk County Police Department for the S.T.O.P. Violence Against Women Program with 100% support. (Co. Exec.) PUBLIC SAFETY
1090. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Joseph Ambrose and Deborah Ambrose, his wife (SCTM No. 1000-106.00-10.00-003.000). (Co. Exec.) WAYS & MEANS
1091. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the St. Gabriel's addition property – Town of Shelter Island – (SCTM No. 0700-015.00-04.00-102.000 p/o). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1092. Amending the Suffolk County Classification and Salary Plan in connection with a new position title in Suffolk County Community College (College Personnel Officer). (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING
1093. Amending the Suffolk County Classification and Salary Plan in connection with a new position title in the Department of Economic Development and Workforce Housing (Economic Development Assistant). (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING
1094. To approve the lease of four (4) replacement fifteen (15) passenger vans in the Suffolk County Department of Labor, in compliance with Local Law No. 20-2003. (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING
1095. Authorizing funds for infrastructure improvements in connection with incubators for businesses in distressed areas (CP 6413). (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1096. Accepting and appropriating 100% State grant funds from the New York State Division of Criminal Justice Services to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the Aid to Labs – Toxicology Lab Combo Grant, FY2008. (Co. Exec.) HEALTH & HUMAN SERVICES
1097. Accepting and appropriating 100% Federal grant funds passed through the New York State Department of Health to the Suffolk County Department of Health Services for the Bathing Beach Water Quality Monitoring and Notification Program. (Co. Exec.) HEALTH & HUMAN SERVICES
1098. Amending the 2009 Adopted Operating Budget to reallocate funding within the Suffolk County Department of Health Services, Division of Patient Care Services for the Patient Navigator Program. (Co. Exec.) HEALTH & HUMAN SERVICES
1099. Amending the 2009 Operating Budget and transferring funds to BiasHELP, Inc. (Gregory) BUDGET & FINANCE
1100. Making a SEQRA determination in connection with the proposed rehabilitation of CR 17, Wheeler Road, from CR 100, Suffolk Avenue, to vicinity of Bretton Road, Town of Islip. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1101. Authorizing use of Makamah Preserve in Northport by Northport Running Club. (Cooper) PARKS & RECREATION
1102. Adopting Local Law No. -2009, A Local Law to amend Local Law No. 1-2000 to increase civil penalties for acts of bias in Suffolk County (“Marcelo Lucero’s Law”). (Horsley) PUBLIC SAFETY
1103. Amending Resolution No. 1133-2008, creating the Gaming Task Force. (Horsley) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1104. Authorizing the Department of Parks, Recreation, and Conservation to plan and design a dog park at Southaven County Park. (Browning) PARKS & RECREATION
1105. Amending the 2009 Operating Budget to strike \$500,000 in excess energy appropriations. (Cooper) BUDGET & FINANCE
1106. Amending the 2009 Operating Budget to strike \$500,000 in excess energy and parks appropriations. (Cooper) BUDGET & FINANCE
1107. To enhance efficiency in the selection and leasing process for County buildings. (Romaine) PUBLIC WORKS & TRANSPORTATION
1108. Accepting and appropriating a grant award from the New York State Education Department, the University of the State of New York, for a State Adult Literacy and Basic Adult Education Program entitled “College to Community Access Program” (CCAP), 100% reimbursed by State funds at Suffolk County Community College. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1109. Accepting and appropriating a grant award from the New York State Education Department, the University of the State of New York, for a General Educational Development Test Administration Program 100% reimbursed by State funds at Suffolk County Community College. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1110. Accepting and appropriating an amendment to the college budget for a grant award from the U.S. Department of Education for a Federal Work-Study Program 100% reimbursed by Federal funds at Suffolk County Community College. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1111. Authorizing the transfer of six (6) surplus County computers, monitors, mice, and keyboards to the Suffolk County Vanderbilt Museum. (Pres. Off.) PUBLIC WORKS & TRANSPORTATION
1112. Approving the appointment of Gregory F. Schimizzi to the Suffolk County Motion Picture/Television Film Commission. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1113. Adopting Local Law No. -2009, A Local Law specifying procedures and requirements for the use and acceptance of electronic agreements for the purchase and sale of home heating oil. (Co. Exec.) CONSUMER PROTECTION

1114. To implement Sunday bus service and extend weekday morning and evening service in Suffolk County. (Romaine) PUBLIC WORKS & TRANSPORTATION
1115. Authorizing the transfer of property to Suffolk County Department of Parks, Recreation and Conservation and creating a new Suffolk County Park (SCTM No. 0200-538.00-05.00-001.005). (Beedenbender) PARKS & RECREATION
1116. Approving cross bay ferry license for the Fire Island Ferries, Incorporated. (Pres. Off.) PUBLIC WORKS & TRANSPORTATION
1117. Approving lateral ferry license for Fire Island Ferries Incorporated. (Pres. Off.) PUBLIC WORKS & TRANSPORTATION
1118. Amending the Temporary Classification and Salary Plan for Licensed Practical Nurses. (Co. Exec.) \*\*ADOPTED WITH C/N ON 2/3/2009\*\*
1119. Re-appropriating unexpended funds in connection with the Comprehensive Shellfish Restoration Program for the Great South Bay. (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1120. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – Hamlet Greens, Hamlet Parks or Pocket Parks component – Grace Presbyterian Church property, Town of Brookhaven (SCTM No. 0200-392.00-03.00-017.000). (Beedenbender) ENVIRONMENT, PLANNING & AGRICULTURE

#### **PROCEDURAL MOTIONS**

- PM.02 To retain outside counsel in matters relating to the Suffolk County Vanderbilt Museum. (Pres. Off.) \*\*ADOPTED ON 2/3/2009\*\*
- PM.03 Authorizing remittance of monies from the maintenance fund to the Vanderbilt Museum. (Cooper) \*\*ADOPTED ON 2/3/2009\*\*
- PM.04 To set a public hearing regarding the authorization for approval to extend lateral ferry license for Fire Island Ferries, Inc. (Pres. Off.) \*\*ADOPTED ON 2/3/2009\*\*
- PM.05 To set a public hearing regarding the authorization for approval to extend cross bay ferry license for Fire Island Ferries Inc. (Pres. Off.) \*\*ADOPTED ON 2/3/2009\*\*

Intro. Res. No. 1024 -2009  
Introduced by Legislator Gregory

Laid on Table 2/3/09

**RESOLUTION NO. -2009, ADOPTING LOCAL LAW NO. -2009,  
A CHARTER LAW TO IMPOSE FURTHER CONTROLS ON COUNTY  
DEBT AND DEBT SERVICE PAYMENTS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on , 2009 a proposed local law entitled, "**A CHARTER LAW TO IMPOSE FURTHER CONTROLS ON COUNTY DEBT AND DEBT SERVICE PAYMENTS**"; now, therefore, be it

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

**LOCAL LAW NO. -2009, SUFFOLK COUNTY, NEW YORK**

**A CHARTER LAW TO IMPOSE FURTHER CONTROLS ON  
COUNTY DEBT AND DEBT SERVICE PAYMENTS**

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

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that Local Law 37-1989 (codified in sections C4-13 and C4-21 of the SUFFOLK COUNTY CHARTER) established a policy which required that any increase in the County's adopted capital budget and program during the fiscal year be offset by a corresponding reduction in the capital budget.

This Legislature further finds that Local Law 37-1989 was designed to prevent large, unplanned increases in the capital budget and program and maintain debt and debt service expenditures at manageable and prudent levels.

This Legislature determines that the County of Suffolk tightened the requirements of Local Law 37-1989 in 2006 by prohibiting the use of sewer district projects to offset increases for non-sewer district projects.

This Legislature further finds and determines that Local Law 37-1989 needs to be strengthened again to stop a fiscally unsound practice whereby federal and state aid included in the capital budget for certain projects is utilized as the required offset for increases in other capital projects.

This Legislature determines that using state and federal aid in this manner is clearly inconsistent with the spirit and intent of Local Law 37-1989 in that it allows the County's debt and debt service to increase without providing a genuine corresponding reduction in those costs. The inevitable result is higher debt and bigger debt service payments.

Therefore, the purpose of this law is to amend the SUFFOLK COUNTY CHARTER to prohibit the use of federal and state aid to offset increases in the County's adopted capital budget and program.

**Section 2. Amendments.**

Section C4-13 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

**C4-13. Modification of capital budget during fiscal year.**

\* \* \* \*

- D. A resolution that increases the capital budget may not utilize federal and state aid included in the capital budget to achieve the corresponding reduction that is required by Subsection A of this section.

Section C4-21 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

**C4-21. Modification of capital program.**

\* \* \* \*

- D. A resolution that increases the capital program may not utilize federal and state aid included in the capital program to achieve the corresponding reduction that is required by Subsection A of this section.

**Section 3. Applicability.**

This law shall apply to capital budget and program amendments occurring on or after the effective date of this law.

**Section 4. Severability.**

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

**Section 5. SEQRA Determination.**

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

**Section 6. Effective Date.**

This law shall take effect on the sixtieth (60) day immediately subsequent to filing in the Office of the Secretary of State.

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

DATED:

APPROVED BY:

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

Date:

s:\laws\cl-impose controls county debt

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



1024

GEORGE NOLAN  
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DATE: JANUARY 8, 2009  
TO: CLERK OF THE COUNTY LEGISLATURE  
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2009

TITLE: I.R. NO. -2009; A CHARTER LAW TO IMPOSE FURTHER CONTROLS ON COUNTY DEBT AND DEBT SERVICE PAYMENTS

SPONSOR: LEGISLATOR GREGORY

DATE OF RECEIPT BY COUNSEL: 1/08/09 PUBLIC HEARING: 3/03/09

DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED:

Sections C4-13 and C4-21 of the SUFFOLK COUNTY CHARTER require that resolutions increasing the adopted capital budget and program during a fiscal year also provide a corresponding reduction or offset costs. This proposed law would amend those charter sections to prohibit using federal and state aid included in the capital budget to achieve the required offset.

This law will take effect sixty (60) days after its filing with the Secretary of State.

GEORGE NOLAN  
Counsel to the Legislature

GN:

s:\rule28\28-cl to impose controls on county debt and debt service

1025  
Intro. Res. No. -2009  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 2/3/2009

**RESOLUTION NO. -2009, AUTHORIZING CERTAIN  
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.  
926-2008**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 926-2008; and

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

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

**1<sup>st</sup>** **RESOLVED**, that the Clerk of the Legislature shall make the following technical correction:

**Resolution No. 926-2008**

In the 8th RESOLVED paragraph change the Project No.:

**FROM:**

Project No.  
525-CAP-8240.117

**TO:**

Project No.  
525-CAP-8240.116

DATED:

APPROVED BY:

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

Date:

**RESOLUTION NO. -2009, CREATING A SILVER ALERT  
SYSTEM IN SUFFOLK COUNTY**

**WHEREAS**, senior citizens make up the fastest growing population sector in the United States; and

**WHEREAS**, senior citizens are vulnerable to dementia, Alzheimer's, and other cognitive disorders as they age, with millions currently living with these ailments across the country and millions more will be diagnosed in the future; and

**WHEREAS**, senior citizens and other individuals afflicted with dementia, Alzheimer's and other cognitive disorders are at an increased risk of wandering away from their loved ones and/or caretakers into a world that has become unfamiliar to them; and

**WHEREAS**, seniors and other individuals suffering from these disorders are at an increased risk of harm or abuse when they wander from their caretakers' supervision, with this risk increasing exponentially the longer they remain missing; and

**WHEREAS**, other states and counties across the United States have developed a Silver Alert System, similar in nature to the Amber Alert System, which allows local law enforcement to disseminate to media outlets vital information about senior citizens who have wandered from their caretakers, to aid in the search and safe return of these individuals to those responsible for them; and

**WHEREAS**, Suffolk County is a leader in providing essential services to protect our vulnerable populations; now, therefore be it

**1st RESOLVED**, that the Suffolk County Police Department is hereby authorized, empowered, and directed to develop a Silver Alert System that will provide vital information about missing senior citizens and other individuals suffering from Alzheimer's, dementia, and other cognitive disorders to the public in an effort to expedite the search and safe recovery of these individuals; and be it further

**2nd RESOLVED**, that the Suffolk County Police Department is hereby authorized, empowered and directed to create and maintain a database of individuals and organizations to be contacted when a senior citizen or other individual suffering from a cognitive disorder is reported missing; and be it further

**3rd RESOLVED**, that the Suffolk County Police Department will develop a system by which vital information shall be delivered to the members of the database and the public, via media or other outlets, regarding a missing senior citizen or other individual suffering from a cognitive disorder; and be it further

**4th RESOLVED**, that the Suffolk County Police Department will issue a Silver Alert each time a senior citizen or other individual suffering from a cognitive disorder is reported missing via 911; and be it further

**5th** **RESOLVED**, that the alert distributed to the public shall contain the following information:

- 1) the missing individual's name;
- 2) the missing individual's age;
- 3) a physical description of the missing individual;
- 4) the last location where the missing individual was seen; and
- 5) the description of any motor vehicle the missing individual may be driving and the direction in which it was last seen traveling;

and be it further

**6th** **RESOLVED**, the Suffolk County Police Department shall fully develop and implement the Silver Alert System within ninety (90) days of the effective date of this resolution; and be it further

**7th** **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

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

Date:

s:\reslr-silver alert system

1027  
Intro. Res. No. -2009  
Introduced by Legislator Losquadro

Laid on Table 2/3/09

**RESOLUTION NO. - 2009, APPOINTING PHILIP  
SCHMITT AS A MEMBER OF THE SUFFOLK COUNTY  
SOIL AND WATER CONSERVATION DISTRICT**

**WHEREAS**, the Suffolk County Board of Supervisors established a Soil and Water Conservation District by Resolution No. 245-1964; and

**WHEREAS**, the term of office of Lloyd W. Corwin as a member of the Soil and Water Conservation District expired on June 30, 2005 and he has been in holdover status since then; now, therefore, be it

**1st RESOLVED**, that **Philip Schmitt** residing in Riverhead, New York, be and he shall be appointed as a member of the Soil and Water Conservation District for a term to expire on June 30, 2011, said appointment having been made pursuant to the provisions of Section 6 of the NEW YORK SOIL CONSERVATION DISTRICTS LAW.

DATED:

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

s:\res\appt-schmitt-soil-water-conservation

1027

# Philip Schmitt

Riverhead, NY 11901

## Education

Holy Family High School: 1975

## Awards

Amherst Davis Memorial Farmer Citizen Award, March 8, 2003

Distinguished and Selfless Service to Long Island Agriculture and Community by Long Island Farm Bureau

## Work Experience

Philip A. Schmitt & Son Farms Inc.

*President*

1997 to Present

150 acre vegetable farm located in Riverhead, NY

Philip A. Schmitt & Son Farms Inc.

*Vice President*

1985 to 1997

## Volunteer Work

1998 to Present: Agricultural Advisory Committee for Riverhead Town

1998 to Present: Long Island Agricultural Stewardship Program

1990 to Present: Vegetable Advisory Committee for the L.I.H.R.L. and C.C.E.

2004 to 2006: Board Member: Cornell Cooperative Extension

2004 to 2006: Chairman of Agricultural Committee of Cornell Cooperative Extension

2000 to 2006: Member of Agricultural Committee of Cornell Cooperative Extension

2004 to 2005: Member of the Suffolk County Task Force for Nitrogen & Pesticide Reduction

1995 to 1997: President: Long Island Farm Bureau

1994 to 1996: Vice President: Long Island Farm Bureau

1988 to 1994: Board Member: Long Island Farm Bureau

1027

**References**

Joe Gergela, Executive Director  
Long Island Farm Bureau  
(631) 727-3777

Tom Twomey, Senior Partner  
Twomey, Latham, Shea, Kelley, Dubin and Quartararo Attorneys at Law LLP  
(631) 727.2180

**Languages**

English and Spanish

1028

Intro. Res. No. -2009  
Introduced by Legislator Schneiderman

Laid on Table 2/3/09

**RESOLUTION NO. -2009, ESTABLISHING NEW  
PROCEDURES FOR HOUSING HOMELESS SEX OFFENDERS**

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

**WHEREAS**, Resolution No. 1237-2006 established a policy that Suffolk County would not place or facilitate the placement of multiple sex offenders at the same residence in areas zoned for residential use; and

**WHEREAS**, the Suffolk County Department of Social Services ("DSS") has placed a trailer in the parking lot of the County Correctional Facility in Riverhead to provide emergency housing for up to twenty (20) homeless sex offenders, with a second trailer to accommodate any overflow in Westhampton; and

**WHEREAS**, the homeless sex offenders residing at the DSS trailers come from all across Suffolk County; and

**WHEREAS**, the New York State Legislature has recently passed a law, going into effect January 2009, that requires local social services officers to consider the following factors when placing sex offenders: the concentration of sex offenders in certain communities, the number of sex offenders residing at a particular property, the proximity of entities with a vulnerable population and the sex offender's proximity to family, friends or other supporting services; and

**WHEREAS**, by gathering all the homeless sex offenders of Suffolk County at the trailer in Riverhead, DSS is failing to consider these factors; and

**WHEREAS**, homeless sex offenders throughout the County should have access to emergency housing in closer proximity to their hometowns, where they will have better access to supporting services, family and friends to aid in their transition back to society; and

**WHEREAS**, the homeless sex offenders residing at the DSS trailers are supposed to be transported each morning to their hometown for services and then are returned to the trailer in the evening; and

**WHEREAS**, some of the sex offenders residing at the DSS trailers are now remaining in Riverhead during the day after they are released from the trailers each morning, leaving them in close proximity to schools, libraries and other public places with vulnerable populations; and

**WHEREAS**, it is bad public policy to solve the difficult problem of providing emergency housing to homeless sex offenders throughout Suffolk County by concentrating facilities solely in Riverhead; and

**WHEREAS**, emergency housing facilities for sex offenders should be available within each police precinct so as not to overburden any one community with this responsibility; now, therefore be it

**1st RESOLVED**, a policy is hereby established whereby the Suffolk County Department of Social Services shall place sex offenders in need of emergency housing services in a facility located in the same police precinct they are in at the time services are requested; and be it further

**2nd RESOLVED**, pursuant to this policy, if a sex offender requests emergency housing while in any of the five east end towns, placement will be arranged at the existing trailer at the Suffolk County Correctional Facility in Riverhead; and be it further

**3rd RESOLVED**, that the restrictions on the placement of sex offenders in areas zoned for residential use established by Resolution No. 1237-2006 shall remain in full force and effect; and be it further

**4th RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

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

Date:

s:\res\r-emergency sex offender housing in each police district

1029  
Intro Res. No. -2009  
Introduced by Presiding Officer Lindsay

Laid on Table 2/3/09

**RESOLUTION NO. -2009, AUTHORIZING THE COUNTY  
TREASURER TO BORROW CASH FUNDS FROM OTHER  
COUNTY FUNDS FOR 2009**

**WHEREAS**, the County Treasurer recommends that moneys be borrowed from a variety of County Funds to meet a temporary shortfall of cash during the remainder of 2009; and

**WHEREAS**, in accordance with Section 9-a of the NEW YORK GENERAL MUNICIPAL LAW, moneys can be temporarily advanced between funds, but must be repaid with interest by the end of the fiscal year; and

**WHEREAS**, the original intent of the Suffolk County Legislature and New York State Laws in creating said funds will not be circumvented by the enactment of the resolution; and

**WHEREAS**, the Suffolk County Legislature has previously granted the County Treasurer approval to temporarily borrow cash in Resolution Nos. 62-2008; 609-2007; 1011-2006; 1097-2005; 800-2004; 711-2003; 878-2002; and prior years; and

**WHEREAS**, it is prudent fiscal management for the County to borrow from its own funds since the County will not incur borrowing fees, such as the cost of issuance from such action; now, therefore be it

**1st RESOLVED**, that the County Treasurer is hereby authorized and empowered to borrow available cash from individual County Funds to the extent this cash is not needed for budgeted expenditures of said funds; and be it further

**2nd RESOLVED**, that any moneys borrowed from any County Fund pursuant to this resolution shall be repaid to said fund with interest at the prevailing rate from subsequent revenues as soon as it is fiscally practicable, but no later than December 31, 2009; and be it further

**3rd RESOLVED**, that the County Treasurer is hereby directed to provide the County Legislature, the County Executive, the County Comptroller, the County Executive Budget Office, and the Legislative Budget Review Office with a report within five business days following any transaction that increases or decreases the fund balance in any County Fund through an internal transfer between funds.

DATED:

APPROVED BY:

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

Date:

**UPDATED VERSION AS OF 1/15/2009**

Intro. Res. No. 1030-2009

Laid on Table 2/3/2009

Introduced by Presiding Officer Lindsay

**RESOLUTION NO.       -2009, ADOPTING LOCAL LAW NO.  
-2009, A LOCAL LAW TO INCREASE THE APPLICATION FEE  
FOR DRY-CLEANING ESTABLISHMENTS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on \_\_\_\_\_, 2009, a proposed local law entitled, "**A LOCAL LAW TO INCREASE THE APPLICATION FEE FOR DRY-CLEANING ESTABLISHMENTS**" now, therefore, be it

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

**LOCAL LAW NO.       -2009, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO INCREASE THE APPLICATION FEE FOR DRY-  
CLEANING ESTABLISHMENTS**

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

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that the Office of Consumer Affairs expends many man hours administering and reviewing applications for occupational licenses. As part of their review process, Consumer Affairs must conduct background checks for criminal convictions, child support judgments, and prior work experience. Consumer Affairs must also verify that applicants are financially responsible and possess all necessary insurance.

This Legislature also finds and determines that the application fee for occupational licenses in Suffolk County was increased in 2008, but, inadvertently, the application fee for dry-cleaning establishments was left unchanged.

This Legislature further finds and determines that the application fee for dry-cleaning establishments must be increased in order to maintain a uniform application fee process for occupational licenses in Suffolk County.

Therefore, the purpose of this law is to increase the application fee for the licensing of dry-cleaning establishments from \$25 to \$200 to reflect the costs incurred by the County of Suffolk in administering occupational licenses.

**Section 2. Amendment.**

Chapter 273 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**Chapter 273, DRY-CLEANING ESTABLISHMENTS**

\* \* \* \*

**§ 273-4. Issuance of license.**

- A. All applications for license shall be submitted in writing on forms furnished by the Office and shall be accompanied by a nonrefundable application fee in the amount of [~~\$25~~] \$200. The initial license fee to be paid upon issuance of the license, and the license fee to be paid every year thereafter, shall be \$200.

\* \* \* \*

**Section 3. Applicability.**

This law shall apply to all applications for licensing of dry-cleaning establishments received by the Office of Consumer Affairs on or after the effective date of this law.

**Section 4. Severability.**

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

**Section 5. SEQRA Determination.**

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

**Section 6. Effective Date.**

This law shall take effect on the sixtieth (60<sup>th</sup>) day immediately subsequent to filing in the Office of the Secretary of State.

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

DATED:

APPROVED BY:

---

County Executive of Suffolk County

Date:

s:\laws\I-dry-cleaners-fee

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



1030

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

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

DATE: January 14, 2009  
TO: CLERK OF THE COUNTY LEGISLATURE  
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

-----  
PROPOSED LOCAL LAW YEAR 2009

TITLE: I.R. NO. -2009; A LOCAL LAW TO INCREASE THE APPLICATION FEE FOR DRY-CLEANING ESTABLISHMENTS

SPONSOR: PRESIDING OFFICER LINDSAY

DATE OF RECEIPT BY COUNSEL: 1/13/09 PUBLIC HEARING: 3/3/09

DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

This proposed local law will increase the application fee for the licensing of dry-cleaning establishments administered by the Suffolk County Office of Consumer Affairs from \$25 to \$200. This increase will bring the fee into conformance with all occupational licenses issued by Consumer Affairs.

This law will apply to all license applications for dry-cleaning establishments received by the Office of Consumer Affairs on or after its effective date. This law will take effect 60 days after its filing in the Office of the Secretary of State.

A handwritten signature in black ink, appearing to read "George Nolan".

GEORGE NOLAN  
Counsel to the Legislature

GN:mjk

s:\rule28\28-dry-cleaner-fee

1031

Intro. Res. No. -2009  
Introduced by Legislator Vilorio-Fisher

Laid on Table 2/3/09

**RESOLUTION NO. -2009, REAPPOINTING MEMBER OF  
THE COUNCIL ON ENVIRONMENTAL QUALITY (MICHAEL  
KAUFMAN)**

**WHEREAS**, appointments to the Council on Environmental Quality (CEQ) are now within the exclusive purview of the County Legislature under Section 1-3 of the SUFFOLK COUNTY CHARTER; and

**WHEREAS**, the term of office of **Michael Kaufman** is set to expire on March 31, 2009; now, therefore, be it

**1st RESOLVED**, that **Michael Kaufman**, currently residing in Nissequogue, New York 11780, is hereby reappointed as a member of the Suffolk County Council on Environmental Quality, pursuant to Section 1-3(A) of the SUFFOLK COUNTY CHARTER, for a term of office to expire on March 31, 2014.

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15(A) of the SUFFOLK COUNTY CHARTER

s:\res\r-reappt-ceq-kaufman

1031

**Michael Kaufman**

**Nissequogue, New York 11780**

**Legal Experience:**

- 2000 - Present **Of Counsel, Andree & Kaufman**, Huntington, NY
- 2003 - Present **Outside Counsel for American Credit Card Processing**  
Specializing in credit card systems and processing
- 1990 - Present **Private Practice**; Commercial Business Law, Environmental Law; General Civil Practice;  
Counsel for small businesses.
- 1997 - 1998 **Revisor of Village of Head-of-the-Harbor Legal Code**  
Revised and updated entire Village legal code, including all zoning, subdivision and  
environmental laws.
- 1991 - 1992 **Revisor of Village of Nissequogue Legal Code**  
Revised and updated entire Village legal code, including all zoning, subdivision and  
environmental laws.
- 1991-1992 Implemented New York State Coastal Management Plan (CMP) for Villages of Nissequogue  
and Head-of-the-Harbor and helped establish a Joint Village/State/Federal Local Waterfront  
Revitalization Plan (LWRP).
- 1987 - 1990 **Berman & Freedman**, Garden City, NY: Municipal Land Use Law, Commercial Real Estate  
Development and Leasing, Commercial Business Law, General Civil Practice.
- 1986 - 1987 **Sprague, Dwyer, Aspland & Tobin**, Garden City, NY: Head of Mortgage Closing  
Department for Citibank, Real Estate Law General Civil Practice
- 1983 & 1984 **Legal Intern**, James Gowan, J.S.C. Suffolk County, NY

**Governmental Experience:**

- 1993 - Present  
and  
2006 - Present  
Vice Chairman **Member, Suffolk County Planning Department Council on Environmental Quality**;  
Appointed by the County Legislature; CEQ performs SEQRA review of all laws of Suffolk  
County, and all planning and construction activities of County; environmental reviews  
and EIS of county.
- 1993 - Present  
2006 - Present  
Vice Chairman **Member, Suffolk County Historic Trust**; Appointed by County Legislature; Historic Trust  
oversees management of historic mansions, parks, and Historic Trust properties.
- 2000 - Present **Suffolk County Member, North Shore Heritage Area Commission**; A New York State  
Heritage Commission dedicated to preserving and promoting the Historic North Shore of  
Long Island. Appointed by Suffolk County Legislature.
- 1993 - 1995 **Member, Local Government Advisory Committee of the Governor of New York's  
Coastal Erosion Task Force**; New York State Task force was organized to analyze coastal  
problems and guide future management of coast.

1031

- 1998 - 2003 **Member, New York State Department of Transportation Metropolitan Transportation Authority Long Island Transportation Plan 2000 Technical Advisory Committee (TAC):** The TAC reviews and directs development of Long Island Transportation Plan 2000 for DOT, MTA, and Federal government for future transportation needs of Long Island.
- 1997 - 2003 **Chairman, Land Use Committee of NYS DOT/MTA Long Island Transportation Plan 2000:** Developed land use component of LITP 2000.
- 1994 - 2000 **Member, New York State Department of State ONCA Planning Group:** A NYS regional coastal planning group for Long Island Sound.
- 1991 - Present **Chairman (1992 to 1994), Vice Chairman (1991), Member (Present) Nissequogue/Head-of-the-Harbor/New York State Local Waterfront Revitalization Program (LWRP):** A joint program with New York State designed to manage the coastline and be the primary coastal planning and permitting agency for New York State and the two villages (only such bi-municipal agency in the state, and identified as a model program).
- 1992 - Present **Member, Intergovernmental Planning Group (State, Town & Village) for dredging in Nissequogue River and Stony Brook Harbor:** A principal planner, designer and reviewer of 8 major multi-million dollar navigation channel dredgings and beach replenishments performed by Suffolk County.
- 2008 - Present **Vice Chairman, Suffolk County Vector Control & Pesticide Management Committee:** County Executive committee created to review and update pesticide control of west Nile Virus.

**Other Experience:**

- 1995 - 1996 Member, Suffolk County Parks Department Planning group. Developed County Master Golf Course Plan and Environmental Impact Statement.
- 1992 - 2000 Member, Planning Team of Inter-municipal Stormwater Management Project to protect Stony Brook Harbor and restore water quality. Obtained large NYS environmental protection grants to control runoff.
- 1997 Lecturer and Member of Organizing Committee, 1997 NYS Conference on the Environment: Meeting of statewide county, town and village governmental environmental officials.
- 1996 - Present Member, Stony Brook Harbor Task Force - Joint Village, Town, County and State task force to guide dredging.
- 1997 Three Village Hamlet Study of Town of Brookhaven. Planning and land use study for update of Brookhaven Master Plan.

**Education:**

- 1985 J.D. University of Miami School of Law, Coral Gables, Florida
- 1980 B.A. Cornell University, Ithaca, New York. Winner of National Science Foundation research Scholarship.

Intro. Res. No. 1032-09

Laid on Table 2/3/09

Introduced by the Presiding Officer on Request of the County Executive

**RESOLUTION NO. -2009,  
APPROVING THE APPOINTMENT  
OF ANTHONY LAFERRERA TO  
THE SUFFOLK COUNTY CITIZENS  
CORP COUNCIL**

**WHEREAS**, Resolution 1283-2004 authorized the creation of the Suffolk County Citizens Corp Council to develop and coordinate volunteer programs to assist in emergency response activities; and

**WHEREAS**, pursuant to Resolution 1283-2004 the Suffolk County Executive has appointed Anthony LaFerrera, residing North Babylon, New York 11703 as a member of the Suffolk County Citizens Corp Council; now, therefore, be it

**RESOLVED**, that the appointment of Anthony LaFerrera as a member of the Suffolk County Citizens Corp Council is hereby approved, said appointment effective the date of enactment of this resolution; and be it further

**RESOLVED**, that the term of this initial appointment shall be three years, consistent with the provisions of Resolution 1283-2004.

Dated:

APPROVED BY:

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

Date of Approval:

1032

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 <b>APPROVING THE APPOINTMENT OF ANTHONY LAFERRERA TO THE SUFFOLK COUNTY CITIZENS CORP COUNCIL</b>		
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 STEVE R. TRICARICO COUNTY EXECUTIVE ASSISTANT	11. Signature of Preparer 	12. Date December 30, 2008

SIN FORM 175b (10/95)

Introductory Resolution No. 1033-09 Laid on Table 2/3/09

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  
0200-546.00-01.00-011.001**

**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 546.00, Block 01.00, Lot 011.001, and acquired by tax deed on June 2, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 9, 2008, in Liber 12553, at Page 960, and otherwise known as and by Town of Brookhaven, known and designated as Lots 20-23 inclusive, in Block 20 on a certain map entitled "Map of Gordon Heights, Section 4" and filed in the Office of the Clerk of the County of Suffolk in June, 1931 as Map No. 1024; 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 \$26,152.08, 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: \_\_\_\_\_

1033

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

December 19, 2008

Tax Map No.: 0200-546.00-01.00-011.001

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

TREASURER'S COMPUTATION..... \$26,152.08

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..... \$26,152.08

Monies Received..... \$26,152.08

RESOLUTION AMOUNT..... \$26,152.08

APPROVED:

Karen A. Slatter '2/2008  
Accounting  
DB:sc

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

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

1033

Resolution

Tax Map Number 0200-546.00-01.00-011.001

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  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

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>		<u>LOT</u>
0200	546.00	01.00	1033	011.001

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2003/04	4846.09
2004/05	5264.40
2005/06	5043.13
2006/07	4833.39
2007/08	3778.75

TOTAL: 23765.76

B. INTEREST DUE	1140.99
C. TOTAL	24906.75
D. 5% LINE C	1245.34
E. FEE	
F. MISC	
G. MISC	

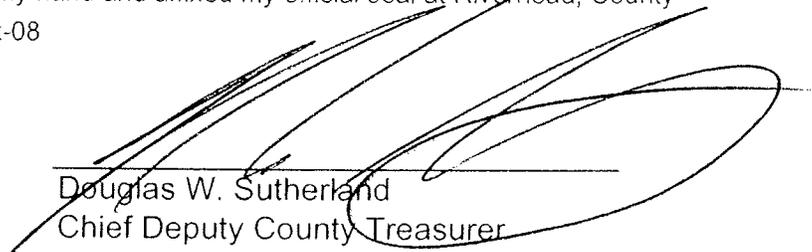
H. TOTAL DUE \$26,152.08

*01/25/09  
due to  
rounding  
@ 12/2/08*

CERTIFICATION BY COUNTY TREASURER

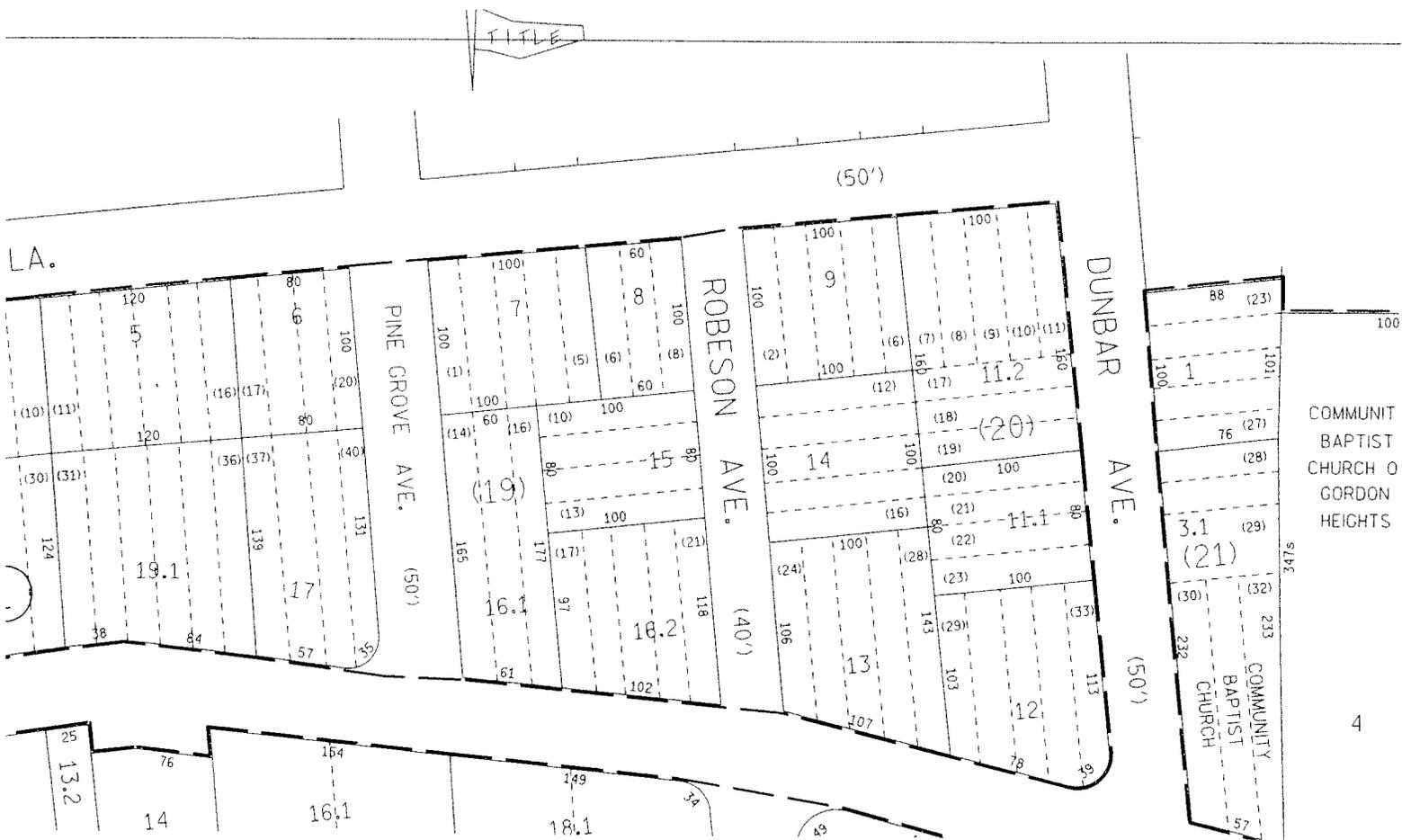
I, Douglas W. Sutherland, Chief Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my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

  
Douglas W. Sutherland  
Chief Deputy County Treasurer

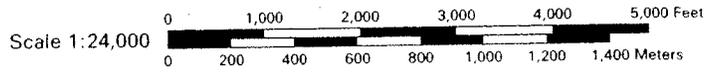
\*\*Interest and penalty computed to  
and including 04/13/09

1033

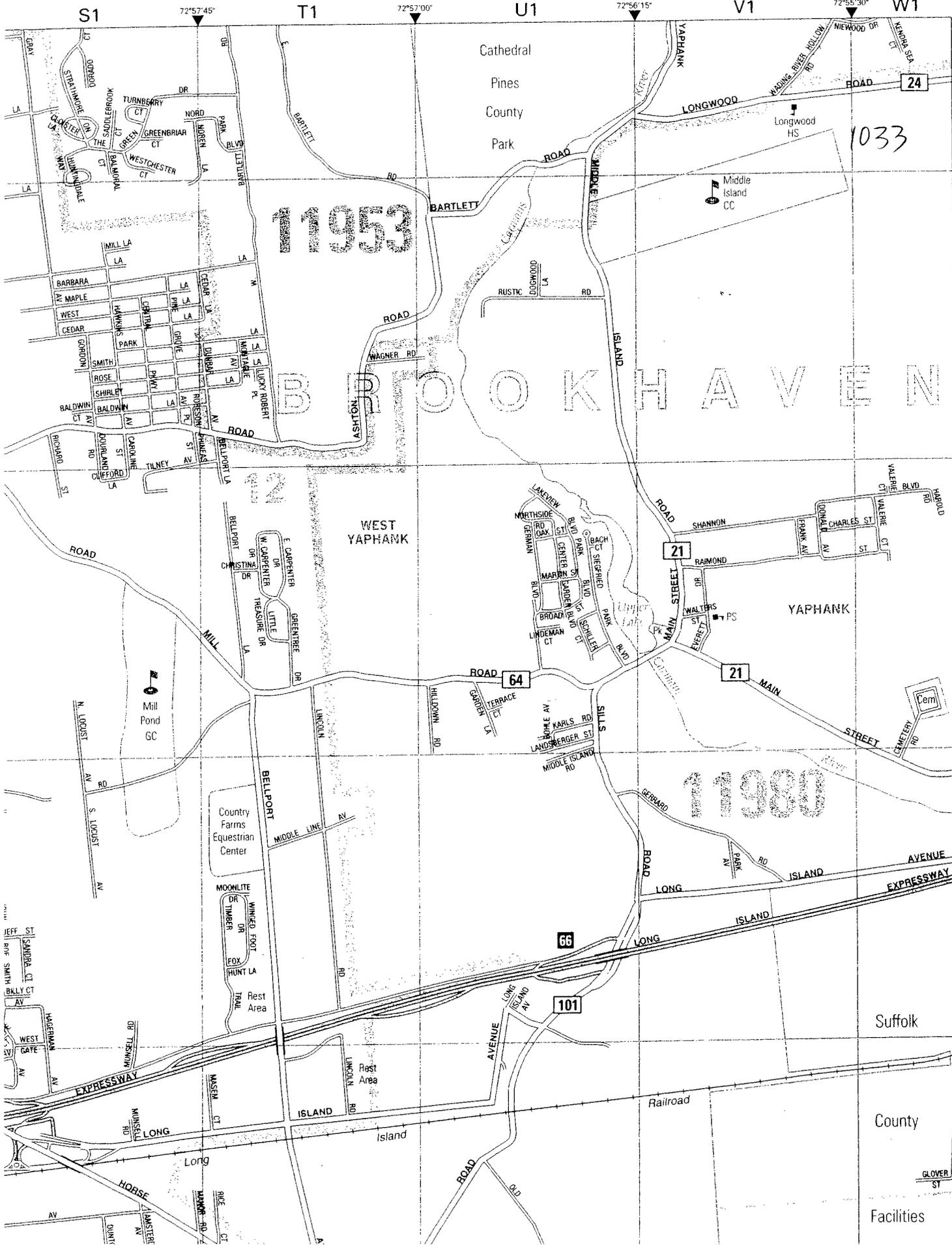


ance:  
ately  
vertically

0200-346-01-11.1



Joins Map 26



22

40°51'45"

21

40°51'00"

20

40°50'15"

19

40°49'30"

18

Joins Map 33

1033

1953

BROOKHAVEN

1980

Suffolk

County

Facilities

Cathedral  
Pines  
County  
Park

WEST  
YAPHANK

YAPHANK

Country  
Farms  
Equestrian  
Center

MOONLITE  
DR  
WINNED FOOT  
FOX  
HUNT LA

Rest Area

Rest Area

Longwood HS

Middle  
Island  
CC

WALTERS  
PS

GLOVER  
ST

S1

T1

U1

V1

W1

72°57'45"

72°57'00"

72°56'15"

72°55'30"

Introductory Resolution No. 1034-09 Laid on Table 2/3/09

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  
**LIVING WATERS EVANGELISTIC MINISTRIES, INC.**  
**0100-169.00-03.00-005.000**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 169.00, Block 03.00, Lot 005.000, and acquired by tax deed on July 9, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2008, in Liber 12557, at Page 861, and otherwise known as and by Town of Babylon, known and designated as Suffolk County Tax Map Number: District 0100, Section 169.00, Block 03.00, Lot 005.000; 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 9, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2008 in Liber 12557 at Page 861.

**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**, LIVING WATERS EVANGELISTIC MINISTRIES, INC., by Howard L. Brigham Jr., has made application of said above described parcel and LIVING WATERS EVANGELISTIC MINISTRIES, INC., by Howard L. Brigham Jr., has paid the application fee and JAMES M. McGAHAN, as Attorney, has paid \$6,227.87, 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 LIVING WATERS EVANGELISTIC MINISTRIES, INC., c/o James M. McGahan, Attorney at Law, 555 North Broadway, Jericho, New York 11753, 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: \_\_\_\_\_

1034

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

December 17, 2008

Tax Map No.: 0100-169.00-03.00-005.000

Name of Last Legal Fee Owner: LIVING WATERS EVANGELISTIC MINISTRIES, INC.

TREASURER'S COMPUTATION..... \$6,227.87

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..... \$6,227.87

Monies Received..... \$6,227.87

RESOLUTION AMOUNT..... \$6,227.87

APPROVED:

*Karen A. Slater 12/20/08*

Accounting  
CO:sc

PREPARED BY:

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

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1034

1. Type of Legislation

Resolution X  
Tax Map Number 0100-169.00-03.00-005.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

8. Proposed Source of Funding

N/A

9. Timing of Impact

2008

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

Cathy O'Neal      Cathy O'Neal      12/17/08

COMPUTATION BY SUFFOLK COUNTY TREASURER

1034

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0100	169.00	03.00	005.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	3257.34
2007/08	2443.88

2006/07 PROPERTY TAXES PAID BY ASSESSED OWNER

TOTAL: 5701.22

B. INTEREST DUE	230.08
C. TOTAL	5931.30
D. 5% LINE C	296.57
E. FEE	
F. MISC	
G. MISC	

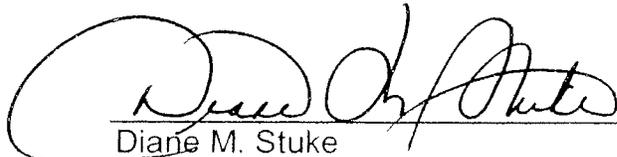
H. TOTAL DUE \$6,227.87

*10/26/08*

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

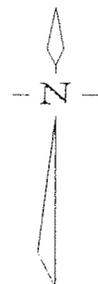
  
Diane M. Stuke

Deputy County Treasurer

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



1034



E. 2,154,000  
N 171,100



E. 2,154,000  
N 165,200

0100 169 03 005

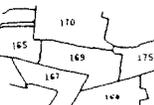
NOTICE

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



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

KEY  
MAP



TOWN OF BABYLON  
VILLAGE OF  
DISTRICT NO 0100

SECTION NO

169

PROPERTY MAP

COUNTY OF SUFFOLK

Gen A3

JAN 05 2009



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

December 31, 2008

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

Re: Tax Map No. 0100-169.00-03.00-005.000  
LIVING WATERS EVANGELISTIC MINISTRIES, INC.

Dear Mr. Zwirn:

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

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

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

Very truly yours,

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

CEK:sc

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

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

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

53

Introductory Resolution No. 1035-09 Laid on Table 2/3/09

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  
**THOMAS J. WALSH & BEVERLY A. WALSH**  
**0100-186.00-01.00-037.000**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 186.00, Block 01.00, Lot 037.000, and acquired by tax deed on July 9, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2008, in Liber 12557, at Page 861, and otherwise known as and by Town of Babylon, known as Suffolk County Tax Map Number: District 0100, Section 186.00, Block 01.00, Lot 037.000; 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 9, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2008 in Liber 12557 at Page 861.

**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**, THOMAS J. WALSH & BEVERLY A. WALSH have made application of said above described parcel and THOMAS J. WALSH & BEVERLY A. WALSH have paid the application fee and \$4,048.46, 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 THOMAS J. WALSH & BEVERLY A. WALSH, 282 Lido Promenade West, Lindenhurst, New York 11757, 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

1035

December 23, 2008

Tax Map No.: 0100-186.00-01.00-037.000

Name of Last Legal Fee Owner: THOMAS J. WALSH & BEVERLY A. WALSH

TREASURER'S COMPUTATION..... \$4,048.46

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..... \$4,048.46

---

Monies Received..... \$4,048.46

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RESOLUTION AMOUNT..... \$4,048.46

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APPROVED:

*Karen Slater 12/23/08*  
Accounting  
DB:sc

PREPARED BY:

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

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X  
Tax Map Number 0100-186.00-01.00-037.000

1035

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      12/29/08

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0100	186.00	01.00	037.000

1035

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	1776.20
2006/07	1896.81

2007/08 PROPERTY TAXES PAID BY OWNER

TOTAL: 3673.01

B. INTEREST DUE	182.66
C. TOTAL	3855.67
D. 5% LINE C	192.78
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE	\$4,048.46
--------------	------------

01 over due to rounding (12/29)

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. 12-Nov-08

  
 \_\_\_\_\_  
 Diane M. Stuke  
 Deputy County Treasurer

\*\*Interest and penalty computed to and including 05/11/09



Introductory Resolution No. 1036-09 Laid on Table 2/3/09

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

**MARK R. TURRISI**  
**0200-486.00-06.00-007.000**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 486.00, Block 06.00, Lot 007.000, and acquired by tax deed on October 15, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2008, in Liber 12569, at Page 171, and otherwise known as and by Town of Brookhaven, known as Suffolk County Tax Map Number: District 0200, Section 486.00, Block 06.00, Lot 007.000; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 15, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2008 in Liber 12569 at Page 171.

**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**, MARK R. TURRISI has made application of said above described parcel and MARK R. TURRISI has paid the application fee and \$1,949.91, 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 MARK R. TURRISI, 29 Degnon Blvd., Bay Shore, New York 11706, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

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

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

50.1

1036

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

December 19, 2008

Tax Map No.: 0200-486.00-06.00-007.000  
Name of Last Legal Fee Owner: MARK R. TURRISI

TREASURER'S COMPUTATION..... \$1,929.91

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

Recording Fees collected for County Clerk. . N/A

License Fee..... \$ 20.00

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... \$1,949.91

Monies Received..... \$1,949.91

RESOLUTION AMOUNT..... \$1,949.91

APPROVED:

PREPARED BY:



Diane Bishop  
Redemption Unit  
(631) 853-5932

Accounting  
DB:sc

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1036

1. Type of Legislation

Resolution   
Tax Map Number 0200-486.00-06.00-007.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

4. Will the Proposed Legislation have a fiscal impact? Yes  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      *Diane Bishop*      \_\_\_\_\_

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	486.00	06.00	007.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

1036

2005/06	648.90
2007/08	1122.80

2006/07 PROPERTY TAXES PAID BY INDIVIDUAL

TOTAL: 1771.70

B. INTEREST DUE	66.31
C. TOTAL	1838.01
D. 5% LINE C	91.90
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

-----  
\$1,929.91

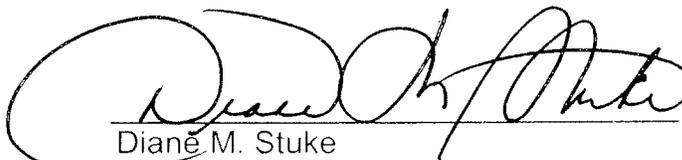
*KS*  
*12/23/08*

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.

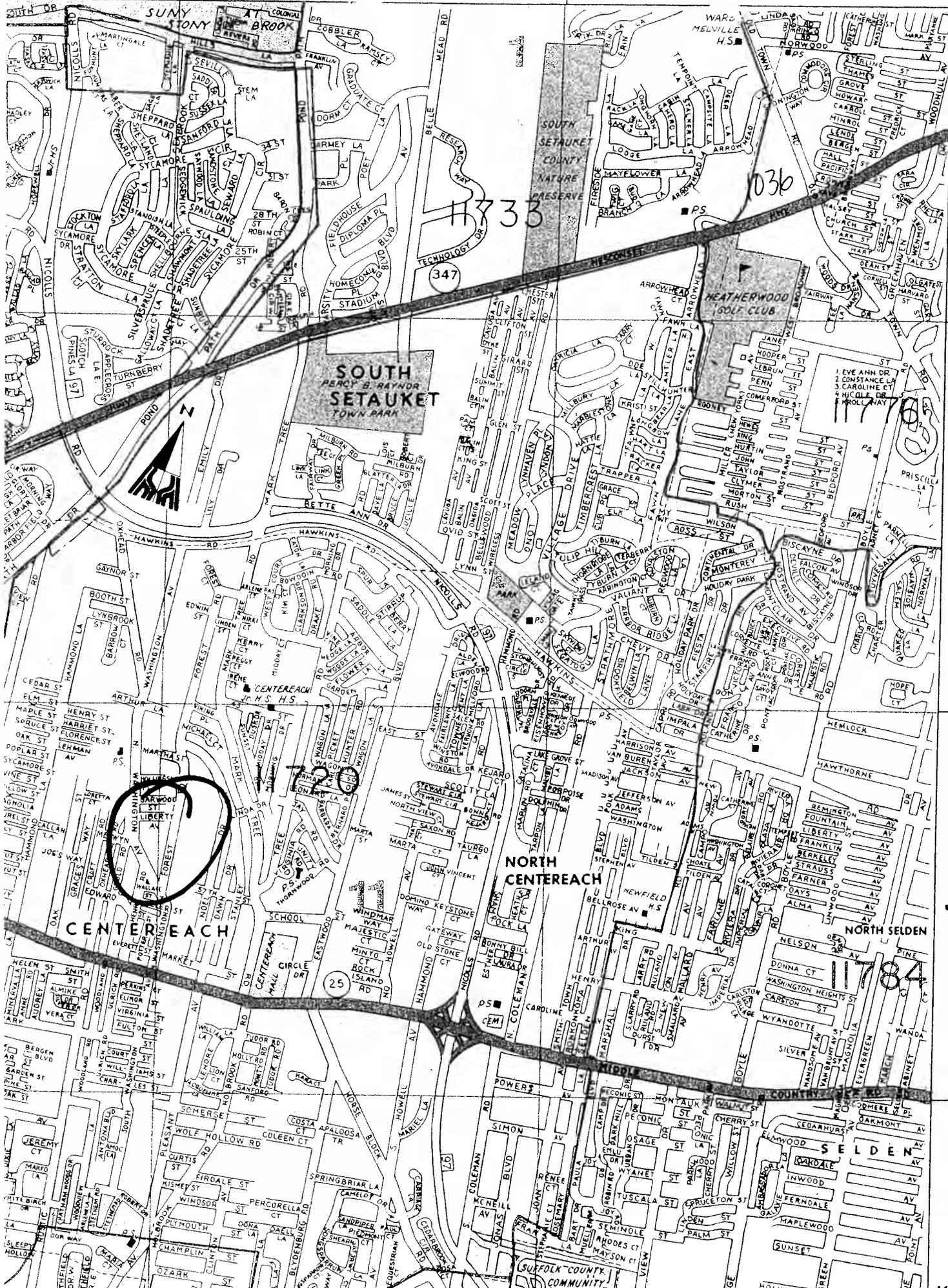
IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York.

05-Dec-08



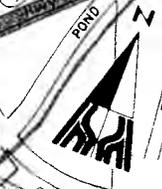
Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 06/03/09



FOR ADJOINING AREA SEE MAP NO 15 | SEE MAP NO 16

1200-486-00-00-06-00-007-000



733

720

036

11784

**SOUTH  
PERCY B. HAYDON  
SETAUKET  
TOWN PARK**

**HEATHERWOOD  
GOLF CLUB**

**CENTERREACH  
M.S. H.S.**

**NORTH  
CENTERREACH**

**CENTERREACH**

**NORTH SELDEN**

**SELDEN**

(SUSSEX COUNTY)  
COMMUNITY



Introductory Resolution No. 1037-09 Laid on Table 2/3/09

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  
**DAVID MACHADO**  
0200-703.00-01.00-048.001

**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 703.00, Block 01.00, Lot 048.001, and acquired by tax deed on October 15, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2008, in Liber 12569, at Page 171, and otherwise known as and by Town of Brookhaven, known as Suffolk County Tax Map Number: District 0200, Section 703.00, Block 01.00, Lot 048.001; 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 15, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2008 in Liber 12569 at Page 171.

**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**, DAVID MACHADO has made application of said above described parcel and DAVID MACHADO has paid the application fee and \$1,475.08, 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 DAVID MACHADO, 818 Long Island Avenue, Medford, 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

1037

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

December 23, 2008

Tax Map No.: 0200-703.00-01.00-048.001  
Name of Last Legal Fee Owner: DAVID MACHADO

TREASURER'S COMPUTATION..... \$1,475.08

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..... \$1,475.08

Monies Received..... \$1,475.08

RESOLUTION AMOUNT..... \$1,475.08

APPROVED:

Karen Slater 12/30/08  
Accounting  
DB:sc

PREPARED BY:

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

1037

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution

Tax Map Number 0200-703.00-01.00-048.001

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  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*      12/29/08

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	703.00	01.00	048.001

1037

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	745.39
2007/08	608.48

2006/07 PROPERTY TAXES PAID BY INDIVIDUAL

TOTAL: 1353.87

B. INTEREST DUE	50.97
C. TOTAL	1404.84
D. 5% LINE C	70.24
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$1,475.08

*(Handwritten initials)*  
12/22/08

CERTIFICATION BY COUNTY TREASURER

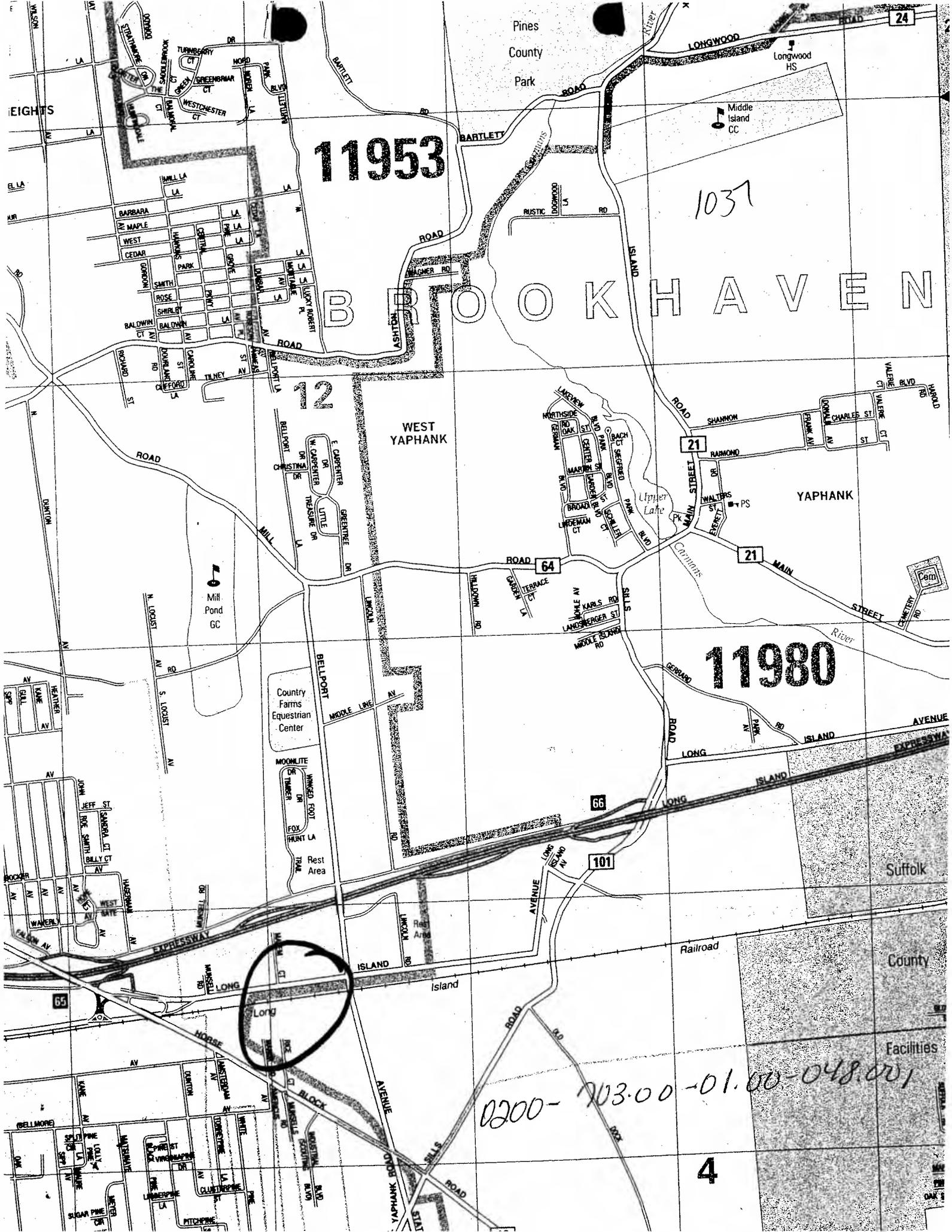
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 05-Dec-08



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 06/03/09



11953

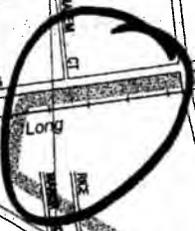
1037

# BROOKHAVEN

WEST YAPHANK

YAPHANK

11980



0200-703.00-01.00-048.00

4



Introductory Resolution No. 1038-09 Laid on Table 2/3/09

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  
**SETH SHULMAN**  
**0300-057.00-05.00-041.000**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of East Hampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0300, Section 057.00, Block 05.00, Lot 041.000, and acquired by tax deed on July 3, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 9, 2008, in Liber 12557, at Page 356, and otherwise known as and by Town of East Hampton, known as Suffolk County Tax Map Number: District 0300, Section 057.00, Block 05.00, Lot 041.000; 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 3, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 9, 2008 in Liber 12557 at Page 356.

**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**, SETH SHULMAN has made application of said above described parcel and SETH SHULMAN has paid the application fee and \$1,421.73, 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, 2009; 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 SETH SHULMAN, 303 Park Avenue South, New York, New York 10010, 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: \_\_\_\_\_

1038

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

December 23, 2008

Tax Map No.: 0300-057.00-05.00-041.000  
Name of Last Legal Fee Owner: SETH SHULMAN

TREASURER'S COMPUTATION.....	\$551.45
Taxes.....2008/2009.....	\$870.28
Recording Fees collected for County Clerk. .	N/A
License Fee.....	N/A
Repairs.....	N/A
Interest.....	N/A
Miscellaneous Expenses.....	N/A

TOTAL..... \$1,421.73

Monies Received..... \$1,421.73

RESOLUTION AMOUNT..... \$1,421.73

APPROVED:

Karen A. Slater 12/30/08  
Accounting  
DB:sc

PREPARED BY:

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

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1038

1. Type of Legislation

Resolution

Tax Map Number 0300-057.00-05.00-041.000

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

12/29/08

COMPUTATION Y SUFFOLK COUNTY TREA IRER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0300	057.00	05.00	041.000

1038

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	499.55
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TOTAL: 499.55

B. INTEREST DUE	25.64
C. TOTAL	525.19
D. 5% LINE C	26.26
E. FEE	
F. MISC	
G. MISC	

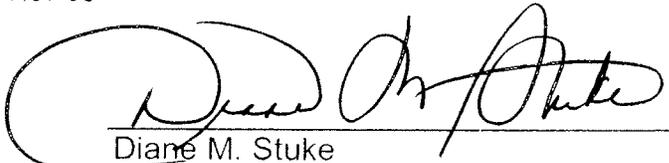
H. TOTAL DUE \$551.45

*12/22/08*

**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. 12-Nov-08



Diane M. Stuke  
Deputy County Treasurer

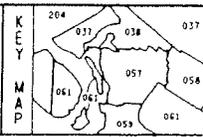
\*\*Interest and penalty computed to  
and including 05/11/09



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



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



TOWN OF EAST HAMPTON  
 VILLAGE OF  
 DISTRICT NO 0300

SECTION NO  
 057  
 PROPERTY MAP



RECEIVED TAXES  
 10 PANTON PLACE  
 EAST HAMPTON, NY 11937

**TOWN OF EAST HAMPTON - COUNTY OF SUFFOLK**  
**CONSOLIDATED REAL PROPERTY TAX BILL**  
 DECEMBER 1, 2008 - NOVEMBER 30, 2009 - TAXES BECOME A LIEN DECEMBER 1, 2008

OFFICE HOURS & PHONE  
 MON-FRI 9:00 AM TO 4:00 PM  
 631-324-2770

SWIS CODE 2489	SUFFOLK COUNTY TAX MAP NUMBER 472404	SECTION 057000	BLOCK 0005	LOT 041000	SUFFIX 0000	IF THE WORD "ARREARS" IS PRINTED HERE SEE COUNTY TREASURER'S NOTICE ON REVERSE SIDE.	<b>CHECK HERE FOR RECEIPT</b> <input type="checkbox"/>	BILL NUMBER 2008 098595
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PROPERTY DESCRIPTION	EXEMPTION DESCRIPTION	EXEMPTION ASSESSED VALUE	EXEMPTION FULL VALUE	TAX RATE	TOTAL TAX AMOUNT
p 3492 ction Blk Lot 20, 20a	Non Exempt	800	106,667	108.783	870.28

PROPERTY CODE	ROLL SECT.	PROPERTY TYPE	TOWN AID	SCHOOL AID	COUNTY AID	LAND ASSESSMENT	TOTAL ASSESSMENT
1	1	RES VACANT LAND	3118534	5043775	334151254	800	800



SUFFOLK COUNTY DIV. OF REAL PROPERTY  
 ATTN: DIANE BISHOP  
 PO BOX 6100  
 HAUPPAUGE, NY 11788

TAX SERVICE CODE	TAX PAYER CODE	MORTGAGE NUMBER
OWNER AS OF TAXABLE STATUS DATE ON MARCH 1, 2008		
SUFFOLK COUNTY PROPERTY		

2007-2008 TAX PAYMENT INFORMATION				NOTICE OF ASSESSED VALUE		
LEVY DESCRIPTION	EXEMPTION CODE	TAXABLE VALUE	TAX RATE PER \$1000	% OF CHANGE	TAX AMOUNT	TOTAL TAX AMOUNT
Kings School (617)		800	709.36	7.08	567.50	
East Hampton Library spring		800	7.96	6.13	6.37	

<b>TAX LEVIED</b>	<b>65.94%</b>	<b>FOR SCHOOL</b>	<b>573.87</b>
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<b>TAX LEVIED</b>	<b>3.44%</b>	<b>FOR COUNTY</b>	<b>29.93</b>
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LEVY DESCRIPTION	EXEMPTION CODE	TAXABLE VALUE	TAX RATE PER \$1000	% OF CHANGE	TAX AMOUNT	TOTAL TAX AMOUNT
General Town Outside Villag		800	230.62	69.75	184.50	
East Hampton Airport		800	0.00	-99.97	0.00	
Highway Outside Villag		800	32.33	7.60	25.86	

<b>TAX LEVIED</b>	<b>24.17%</b>	<b>FOR TOWN</b>	<b>210.36</b>
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LEVY DESCRIPTION	EXEMPTION CODE	TAXABLE VALUE	TAX RATE PER \$1000	% OF CHANGE	TAX AMOUNT	TOTAL TAX AMOUNT
Kings Fire District		800	38.98	5.18	31.18	
Cycling & Solid Waste Dis		800	24.70	11.12	19.76	
Wenger Waste Water		800	2.36	11,875.98	1.89	
-real-prop-tax-law		800	4.11	50.28	3.29	

<b>TAX LEVIED</b>	<b>6.45%</b>	<b>FOR OTHER</b>	<b>56.12</b>
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<b>ST HALF TAX</b>	<b>435.14</b>	<b>SECOND HALF TAX</b>	<b>435.14</b>	<b>TOTAL TAX LEVY</b>	<b>870.28</b>
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DEC 1, 2008 PAYABLE WITHOUT PENALTY TO JAN 10, 2009 - SEE REVERSE SIDE FOR PENALTY SCHEDULE  
 DUE DEC 1, 2008 PAYABLE WITHOUT PENALTY TO MAY 31, 2009 SEE REVERSE SIDE FOR PENALTY SCHEDULE AND COUNTY TREASURER'S NOTICE  
 THIS TAX MAY BE PAID IN ONE OR TWO INSTALLMENTS

**SECOND HALF - EAST HAMPTON TAX LEVY - 2008-2009**  
 ATTACH STUB AND RETURN WITH SECOND HALF PAYMENT - RETURN BOTH STUBS FOR PAYMENT OF TOTAL TAX, MAKE CHECK PAYABLE TO THE RECEIVER OF TAXES AND WRITE BILL NO. ON FACE OF THE CHECK.

AMOUNT DUE	BILL NO.
435.14	2008 098595

SUFFOLK COUNTY DIV. OF REAL PROPERTY



04634537

Introductory Resolution No. 1039-09 Laid on Table 2/3/09

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  
**PAUL ADAMS and RAFAEL ADAMS, as Joint Tenants with Right of  
Survivorship**  
0600-012.00-02.00-004.001

**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 Riverhead, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0600, Section 012.00, Block 02.00, Lot 004.001, and acquired by tax deed on March 31, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 4, 2008, in Liber 12546, at Page 617, and otherwise known as and by Town of Riverhead, known as Suffolk County Tax Map Number: District 0600, Section 012.00, Block 02.00, Lot 004.001; 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 March 31, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 4, 2008 in Liber 12546 at Page 617.

**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**, PAUL ADAMS and RAFAEL ADAMS, as Joint Tenants with Right of Survivorship, have made application of said above described parcel and PAUL ADAMS and RAFAEL ADAMS, as Joint Tenants with Right of Survivorship, have paid the application fee and \$11,587.10, 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 PAUL ADAMS and RAFAEL ADAMS, as Joint Tenants with Right of Survivorship, 6 Wells Lane, Stony Brook, New York 11790, 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

1039

December 19, 2008

Tax Map No.: 0600-012.00-02.00-004.001

Name of Last Legal Fee Owner: PAUL ADAMS and RAFAEL ADAMS, as Joint Tenants with  
Right of Survivorship

TREASURER'S COMPUTATION..... \$11,587.10

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

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TOTAL..... \$11,587.10

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Monies Received..... \$11,587.10

---

RESOLUTION AMOUNT..... \$11,587.10

---

APPROVED:

Karen Blotz 12/30/08  
Accounting  
DB:sc

PREPARED BY:

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

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

1039

Resolution   
Tax Map Number 0600-012.00-02.00-004.001

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  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            \_\_\_\_\_

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0600	012.00	02.00	004.001

1039

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	2618.87
2006/07	4226.75
2007/08	3601.14

TOTAL: 10446.76

B. INTEREST DUE	588.57
C. TOTAL	11035.33
D. 5% LINE C	551.77
E. FEE	
F. MISC	
G. MISC	

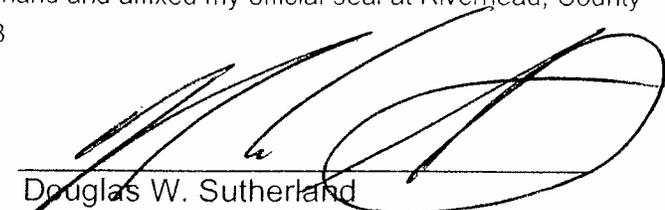
H. TOTAL DUE \$11,587.10

*10  
12/30/08*

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

  
\_\_\_\_\_  
Douglas W. Sutherland  
Chief Deputy County Treasurer

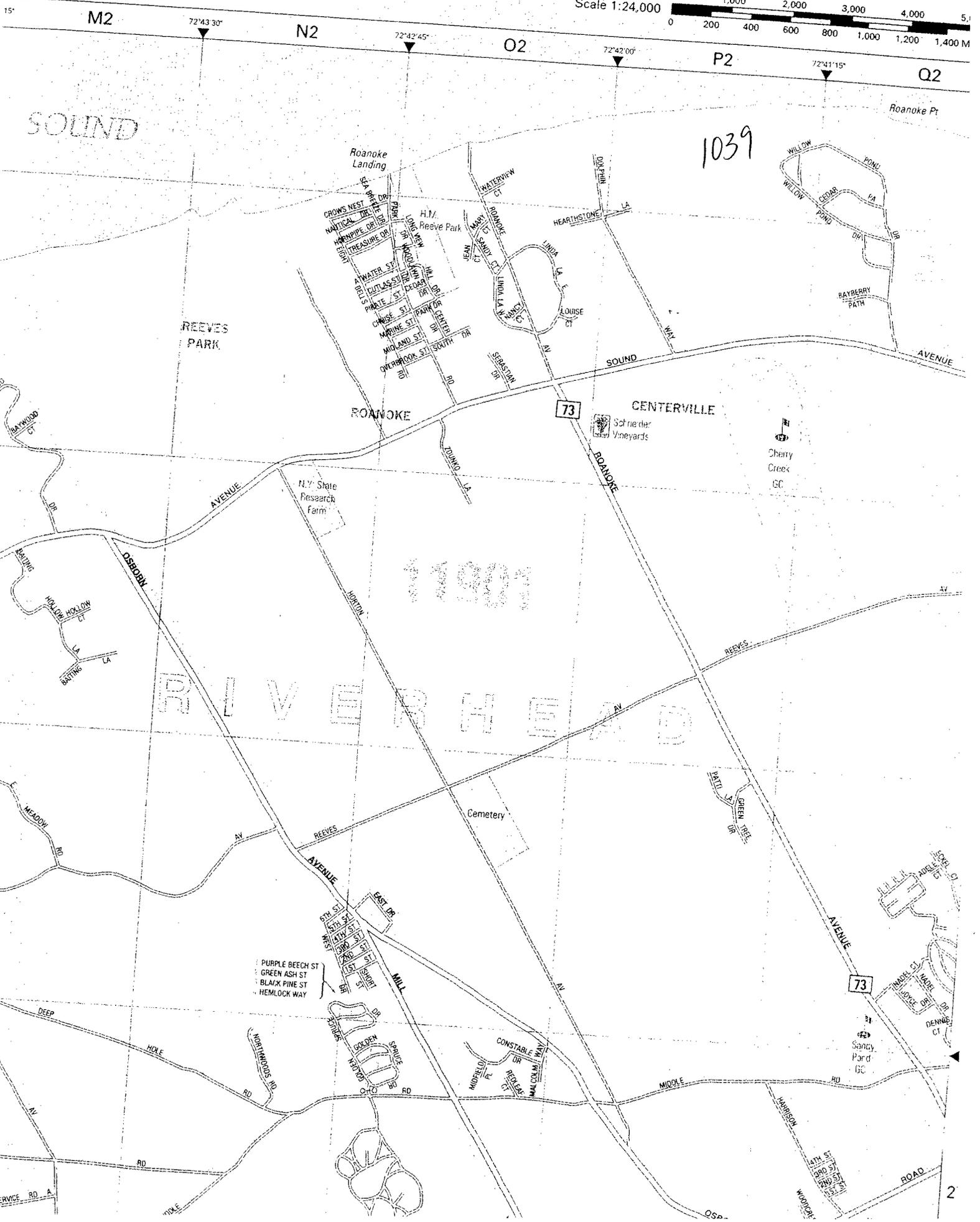
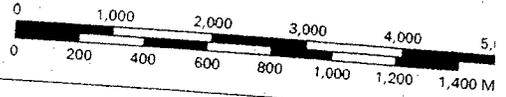
\*\*Interest and penalty computed to  
and including 04/13/09

dz

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

0000-012.00-02.00-004 001

Scale 1:24,000



0000-01200-0200-001001

SOUND

1039

L.D. 25

SCH.D. 2  
SCH.D. 3

SCH.D. 2  
SCH.D. 11

F.D. 42 W.D. 23

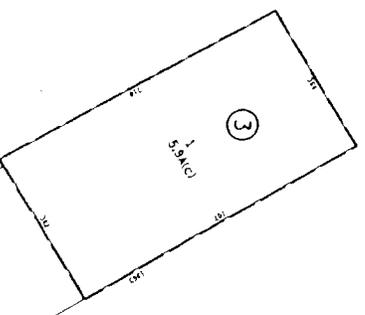
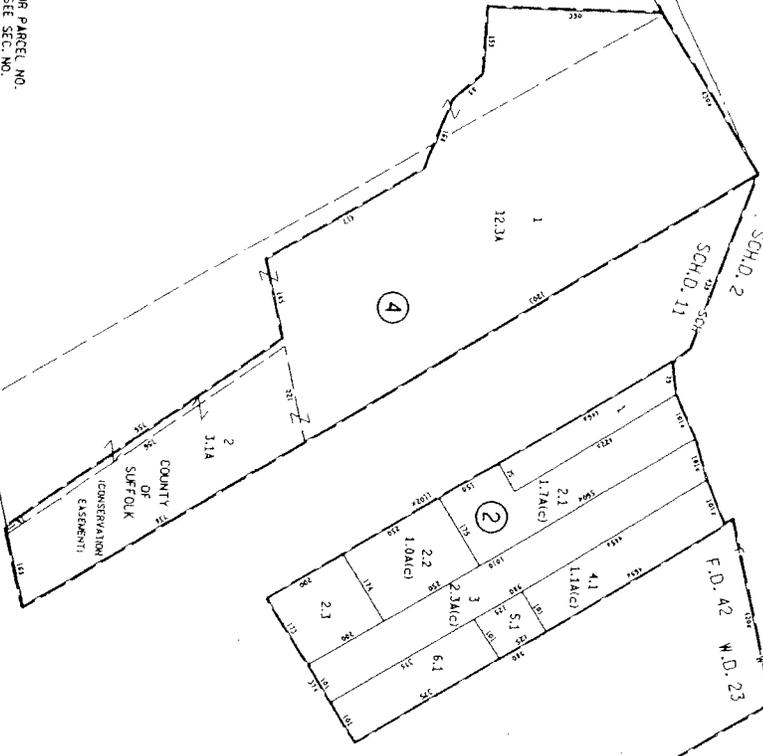
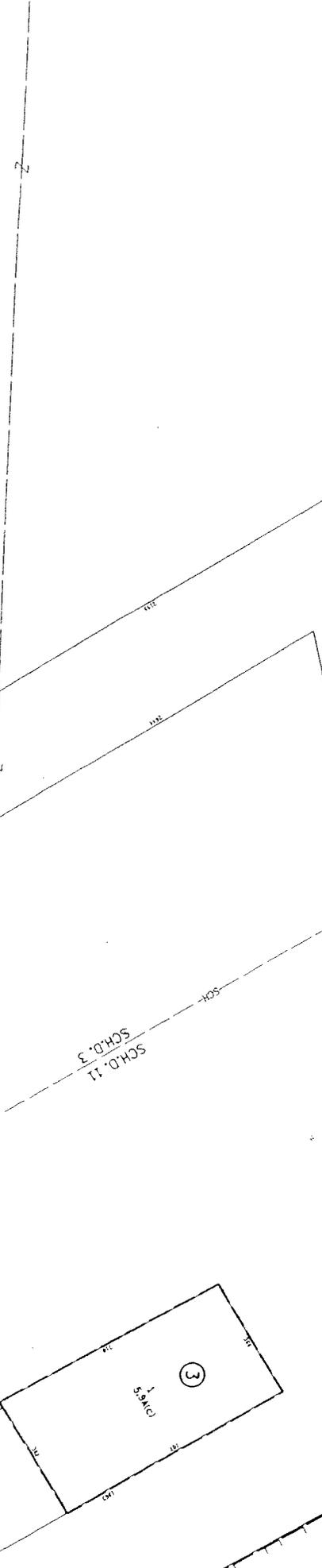
W.D. 23

FOR PARCEL NO.  
SEE SEC. NO.  
041-01-0106

FOR PARCEL NO.  
SEE SEC. NO.  
041-01-0123

FOR PARCEL NO.  
SEE SEC. NO.  
041-01-015

COUNTY OF  
SUFFOLK  
CONSERVATION  
EXERCISES



SEE SEC. NO. 041

UNTER

Introductory Resolution No. 1040-09

Laid on Table 2/3/09

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  
**BEVERLY MACAULEY and CHERYL CALIGURI, as Tenants in Common**  
**0803-004.00-03.00-005.000 and 0803-004.00-03.00-006.000**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of The Branch, Town of Smithtown, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0803, Section 004.00, Block 03.00, Lot 005.000 **and** District 0803, Section 004.00, Block 03.00, Lot 006.000, and acquired by tax deed on October 16, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2008, in Liber 12569, at Page 176, and otherwise known as and by;

PARCEL I – 0803-004.00-03.00-005.000, Incorporated Village of The Branch, Town of Smithtown, County of Suffolk and State of New York, known and designated as Suffolk County Tax Map Number: District 0803, Section 004.00, Block 03.00, Lot 005.000; and

PARCEL II – 0803-004.00-03.00-006.000, Incorporated Village of The Branch, Town of Smithtown, County of Suffolk and State of New York, known and designated as Suffolk County Tax Map Number: District 0803, Section 004.00, Block 03.00, Lot 006.000; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 16, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2008 in Liber 12569 at Page 176.

**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**, BEVERLY MACAULEY and CHERYL CALIGURI, have made application of said above described parcel and BEVERLY MACAULEY and CHERYL CALIGURI, have paid the application fee and will be paying \$66,360.54 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; and

**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 BEVERLY MACAULEY and CHERYL CALIGURI, as Tenants in Common, 17 Singer Lane, Smithtown, New York 11787, 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

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X

Tax Map Numbers 0803-004.00-03.00-005.000 and 0803-004.00-03.00-006.000

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

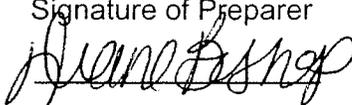
N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2008

10. Typed Name & Title of Preparer	Signature of Preparer	Date
<u>Diane Bishop</u>		_____

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1040

December 17, 2008

Tax Map No.: 0803-004.00-03.00-005.000

Name of Last Legal Fee Owner: BEVERLY MACAULEY and CHERYL CALIGURI, as Tenants  
in Common

TREASURER'S COMPUTATION..... \$61,288.08

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..... \$61,288.08

Monies to be Received.....\$61,288.08

RESOLUTION AMOUNT.....\$61,288.08

APPROVED:

PREPARED BY:



Diane Bishop  
Redemption Unit  
(631) 853-5932



Accounting  
DB:sc



SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1040

December 17, 2008

Tax Map Nos.: 0803-004.00-03.00-006.000

Name of Last Legal Fee Owner: BEVERLY MACAULEY and CHERYL CALIGURI, as Tenants  
in Common

TREASURER'S COMPUTATION..... \$5,072.46

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..... \$5,072.46

Monies to be Received.....\$5,072.46

RESOLUTION AMOUNT.....\$5,072.46

APPROVED:

PREPARED-BY:

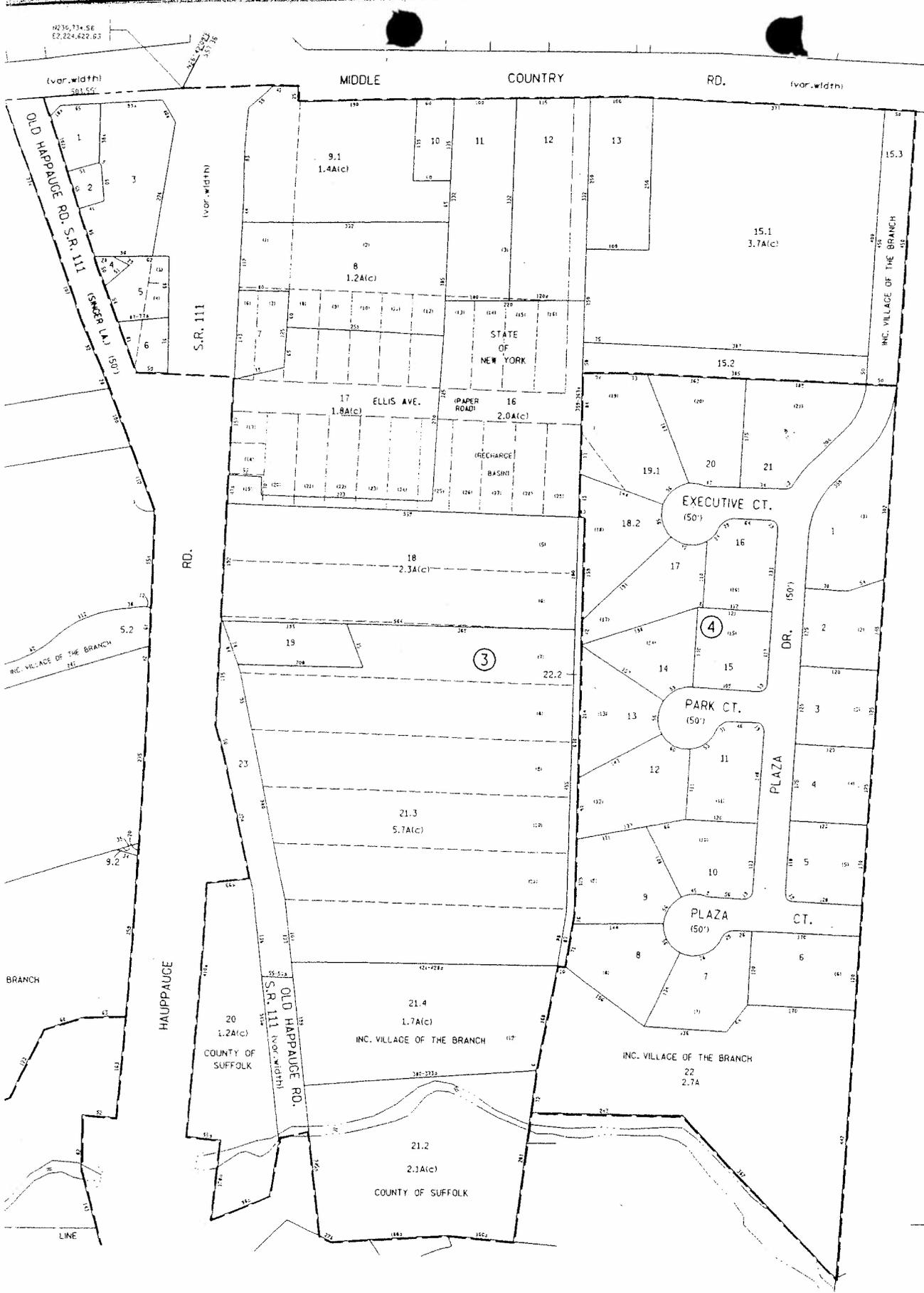


Diane Bishop  
Redemption Unit  
(631) 853-5932



Accounting  
DB:sc





1040  
N

0803-004.00-03.00-005.000  
006.000

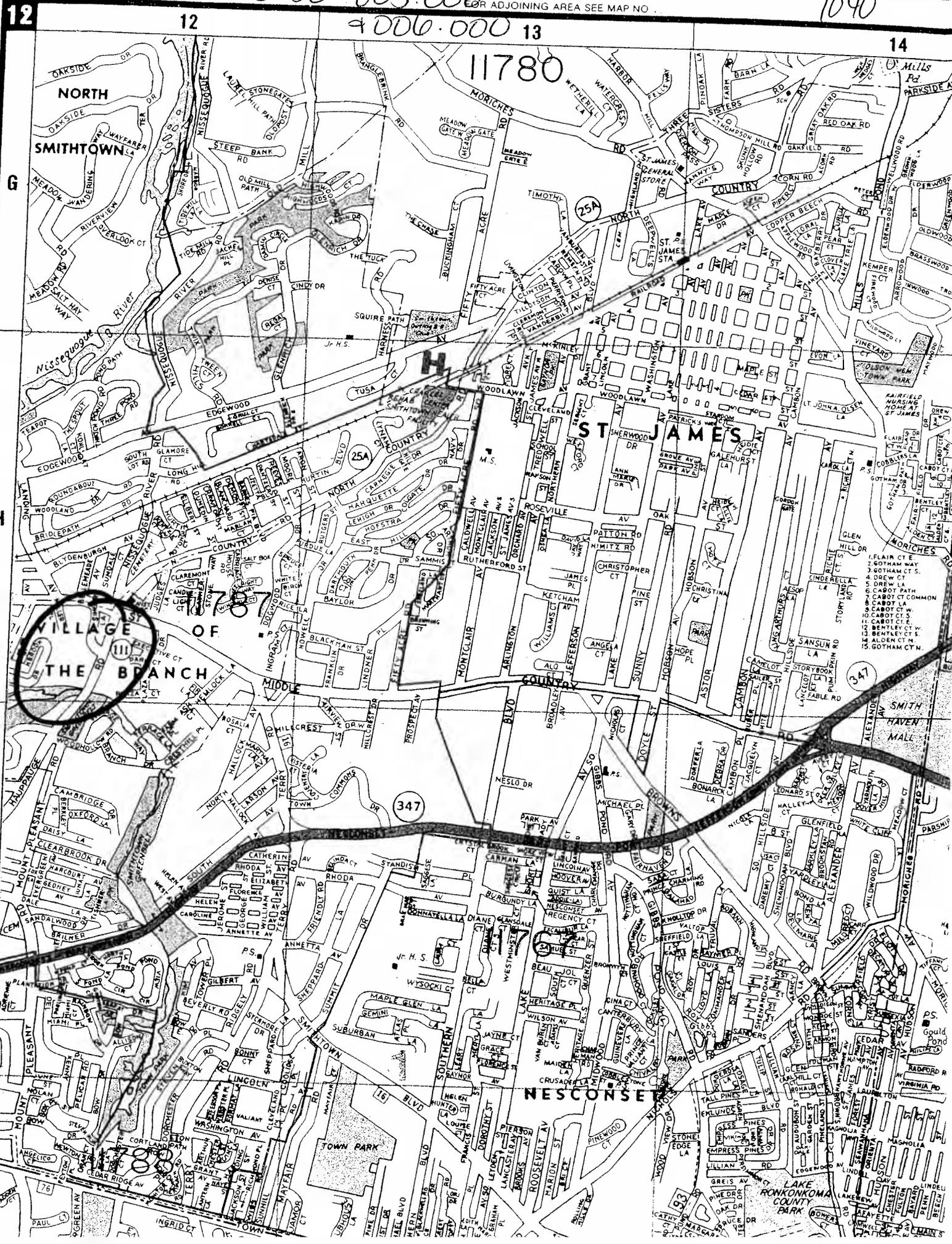
NOTICES: MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION OF THE REAL PROPERTY TAX SERVICE AGENCY.		COUNTY OF SUFFOLK Real Property Tax Service Agency County Center Riverhead, N.Y. 11901 SCALE 3/4" = 1"		KEY: 0800 - 077 0600 - 104 0600 - 076 002 004 005 006 007	TOWN OF SMITHTOWN	SECTION NO 004
		VILLAGE OF THE BRANCH	PROPERTY MAP			
		DISTRICT NO 0803				

CONVERSION DATE: AUG. 26, 1998

U803-094.DD-D3.00-005.000

OR ADJOINING AREA SEE MAP NO

1090



Introductory Resolution No. 1041-09 Laid on Table 2/3/09

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  
**CAMILLO MASIA and KATHLEEN MARY MASIA, his wife**  
**0400-190.00-01.00-038.000**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400, Section 190.00, Block 01.00, Lot 038.000, and acquired by tax deed on September 29, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 30, 2008, in Liber 12566, at Page 812, and otherwise known as and by Town of Huntington, known as Suffolk County Tax Map Number: District 0400, Section 190.00, Block 01.00, Lot 038.000; 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 September 29, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 30, 2008 in Liber 12566 at Page 812.

**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**, CAMILLO MASIA and KATHLEEN MARY MASIA have made application of said above described parcel and KATHLEEN MARY MASIA has paid the application fee and \$54,001.53, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2008; and

**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 CAMILLO MASIA and KATHLEEN MARY MASIA, his wife, 8 Hobson Place, Huntington, New York 11743, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

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

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

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1041

December 16, 2008

Tax Map No.: 0400-190.00-01.00-038.000

Name of Last Legal Fee Owner: CAMILLO MASIA and KATHLEEN MARY MASIA, his wife

TREASURER'S COMPUTATION..... \$54,001.53

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

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TOTAL..... \$54,001.53

---

Monies Received..... \$54,011.25 - \$9.72 overpayment

---

RESOLUTION AMOUNT..... \$54,001.53

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APPROVED:

Karen A. Slater 12/20/08

Accounting  
CO:sc

PREPARED BY:

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

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

1041

Resolution

Tax Map Number 0400-190.00-01.00-038.000

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

Cathy O'Neal      Cathy O'Neal      12/16/05

CO. STATEMENT BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0400	190.00	01.00	038.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

1041

2003/04	4714.31
2004/05	12665.64
2005/06	12081.19
2006/07	11348.15
2007/08	8854.34

TOTAL: 49663.63

B. INTEREST DUE	1766.40
C. TOTAL	51430.03
D. 5% LINE C	2571.50
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$54,001.53

**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.

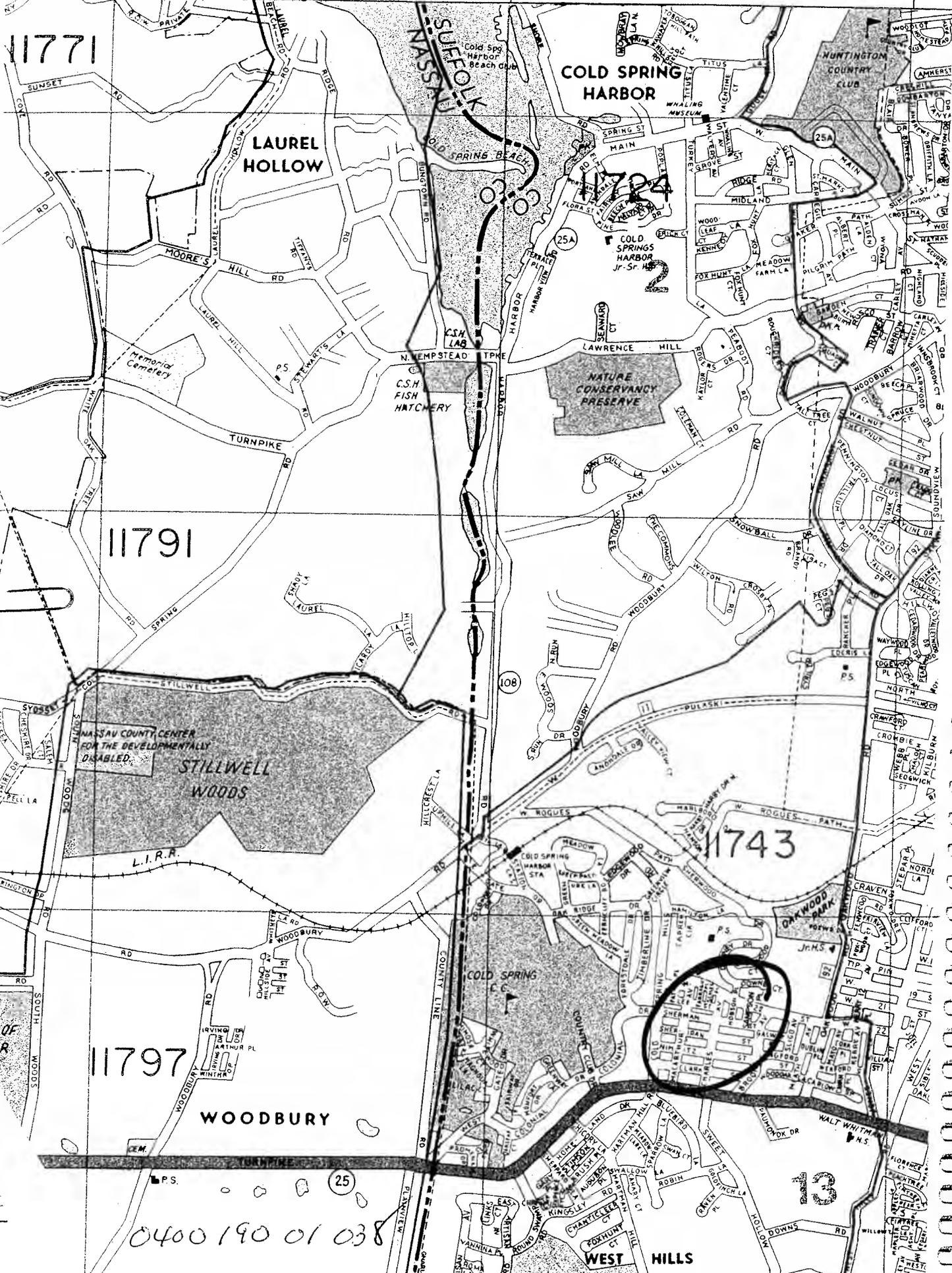
17-Nov-08

  
Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 05/16/09

1011

2



11771

LAUREL HOLLOW

COLD SPRING HARBOR

11791

STILLWELL WOODS

NATURE CONSERVANCY PRESERVE

11797

WOODBURY

11743

COLD SPRING HARBOR

13

WEST HILLS

0400 190 01 038



1041  
N

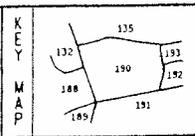


0400 190 01038

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



COUNTY OF SUFFOLK  
Real Property Tax Service Agency  
County Center Riverhead, N Y 11901  
SCALE IN FEET: 0 100 200



TOWN OF HUNTINGTON  
VILLAGE OF  
DISTRICT NO 0400

SECTION NO  
190  
PROPERTY MAP

CONVERSION DATE: MAR. 11, 1998

Intro. Res. # 1042-09

Laid on Table 2/3/09

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

RESOLUTION NO. \_\_\_\_\_ 2009  
TO READJUST, COMPROMISE, AND GRANT  
REFUNDS AND CHARGE-BACKS ON REAL  
PROPERTY CORRECTION OF ERRORS BY:  
COUNTY LEGISLATURE (CONTROL #800-2009)

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

RESOLUTION NO.

CONTROL#800-2009

(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	08/09		0200-825.00-03.00-007.000	14044.58	8114.61	5929.97
A	BROOKHAVEN	08/09		0200-153.00-01.00-026.000	17085.89	13634.77	3451.12
A	BROOKHAVEN	08/09		0200-108.00-07.00-031.000	16871.10	14007.11	2863.99
A	BROOKHAVEN	08/09		0200-118.00-06.00-002.000	17067.43	13394.36	3673.07
A	BROOKHAVEN	08/09		0200-164.00-05.00-018.000	16559.30	13379.87	3179.43
A	BROOKHAVEN	08/09		0200-795.00-01.00-019.011	12602.83	9281.81	3321.02
A	BROOKHAVEN	08/09		0200-856.00-03.00-012.001	14410.89	10632.23	3778.66
A	BROOKHAVEN	08/09		0200-859.00-0200-004.004	17440.81	12617.87	4822.94
A	BROOKHAVEN	08/09		0200-946.00-03.00-004.009	16829.55	12602.83	4226.72
A	BROOKHAVEN	08/09		0206-005.00-03.00-016.000	11096.02	8279.12	2816.90
A	BROOKHAVEN	08/09		0200-369.00-09.00-005.000	11393.28	8872.65	2520.63
A	BROOKHAVEN	08/09		0200-879.00-03.00-050.000	9244.72	6577.72	2667.00
A	BROOKHAVEN	08/09		0200-110.00-02.00-014.000	18804.77	13964.35	4840.42
A	BROOKHAVEN	08/09		0200-109.00-06.00-027.000	16899.64	14359.48	2540.16
A	BROOKHAVEN	08/09		0200-156.00-02.00-014.002	18875.32	16151.70	2723.62
A	HUNTINGTON	08/09		0400-222.00-02.00-044.000	6638.49	3256.11	3382.38
A	SMITHTOWN	08/09		0800-117.00-01.00-004.000	11519.56	6088.74	5430.82
A	SMITHTOWN	08/09		0800-071.00-02.00-045.000	7702.24	3362.63	4339.61

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

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

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

1. Type of Legislation

Resolution                          Local Law                                      Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation      Yes \_\_\_\_      No \_\_\_\_

**SEE NO. 2 ABOVE**

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

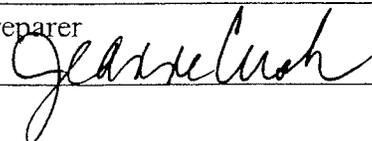
N/A

9. Timing of Impact

2009

10. Typed Name & Title of Preparer  
Jeanne Cush, Appraiser Tech II

11. Signature of Preparer



12. Date: 1/9/09

**Additional back-up material regarding I.R. 1042 is on file  
in the Legislative Clerk's Office, Hauppauge.**

Intro. Res. # 1043-09

Laid on Table 7/3/09

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

RESOLUTION NO. \_\_\_\_\_ 2009  
TO READJUST, COMPROMISE, AND GRANT  
REFUNDS AND CHARGE-BACKS ON REAL  
PROPERTY CORRECTION OF ERRORS BY:  
COUNTY LEGISLATURE (CONTROL #797-2009)

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

RESOLUTION NO.

CONTROL#797-2009

(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	08/09		0200-277-2-17.10	301284.05	207886.02	93398.03
A	BROOKHAVEN	08/09		0200-277-4-1	30907.00	26588.73	4318.27
A	BROOKHAVEN	08/09		0200-277-4-2	53675.09	46153.38	7521.71
A	BROOKHAVEN	08/09		0200-277-4-5	23476.92	20188.82	3288.10
A	BROOKHAVEN	08/09		0200-307-3-13.2	144485.47	108923.24	35562.33
A	BROOKHAVEN	08/09		0200-307-3-13.21	132199.81	126338.48	5861.33
A	BROOKHAVEN	08/09		0200-307-3-13.3	197823.57	132061.65	65761.92
A	BROOKHAVEN	08/09		0200-584-1-4.25	139563.17	52410.01	87153.16
A	BROOKHAVEN	08/09		0200-867-2-9.2	49459.29	17688.98	31770.31
A	BROOKHAVEN	08/09		0200-975.20-2-50.22	15913.27	12026.40	3886.87
A	HUNTINGTON	08/09		0400-72-5-67	7076.70	3565.85	3510.85
A	HUNTINGTON	08/09		0400-38-4-57	11025.46	8079.23	2946.23
A	HUNTINGTON	08/09		0400-77-2-1	17019.55	8314.80	8704.75
A	HUNTINGTON	08/09		0400-96-1-22	7267.90	4663.32	2604.58
A	HUNTINGTON	08/09		0400-159-2-64	6580.92	2415.32	4165.60
A	RIVERHEAD	07/08		0600-92-3-24	20478.78	15337.40	5141.38
A	RIVERHEAD	08/09		0600-97-1-1.3	16164.57	13150.19	3014.38
A	SMITHTOWN	08/09		0800-143-4-101	6159.07	2948.08	3210.99
A	SMITHTOWN	08/09		0800-107-2-3.1	34280.25	20798.29	13481.96

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

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1043

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

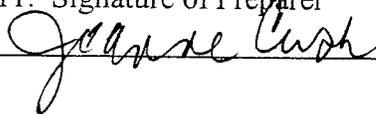
9. Timing of Impact

2009

10. Typed Name & Title of Preparer

Jeanne Cush R.P.A.T. II

11. Signature of Preparer



12. Date: December 29, 2008

**Additional back-up material regarding I.R. 1043 is on file in  
the Legislative Clerk's Office, Hauppauge.**

Intro. Res. # 1044-09

Laid on Table 2/3/09

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

RESOLUTION NO. \_\_\_\_\_ 2009  
TO READJUST, COMPROMISE, AND GRANT  
REFUNDS AND CHARGE-BACKS ON REAL  
PROPERTY CORRECTION OF ERRORS BY:  
COUNTY LEGISLATURE (CONTROL #798-2009)

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

RESOLUTION NO.

CONTROL #798-2009

(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	08/09		0200-054.00-04.00-011.002	8654.53	2137.61	6516.92
A	BROOKHAVEN	08/09		0200-946.00-04.00-003.000	21634.19	17555.39	4078.80
C	BROOKHAVEN	08/09		0200-764.00-02.00-030.000	8029.19	496.97	7532.22
C	BROOKHAVEN	08/09		0200-913.00-04.00-030.000	8673.48	1542.35	7131.13
A	BROOKHAVEN	08/09		0200-134.00-04.00-006.013	43916.53	30905.29	13011.24
A	BROOKHAVEN	08/09		0200-694.00-03.00-007.000	19192.72	14578.92	4613.80
A	BROOKHAVEN	08/09		0200-394.00-05.00-051.018	11609.94	7067.21	4542.73
A	BROOKHAVEN	08/09		0200-955.00-04.00-006.000	11013.60	6553.75	4459.85
A	BROOKHAVEN	08/09		0200-324.00-02.00-005.000	7028.68	2623.72	4404.96
A	BROOKHAVEN	08/09		0200-067.00-03.00-002.001	436117.00	428663.46	7453.54
A	BROOKHAVEN	08/09		0200-593.10-01.00-060.000	8912.53	6297.25	2615.28
A	BROOKHAVEN	08/09		0200-010.00-03.00-005.000	20162.23	12521.91	7640.32
A	BROOKHAVEN	08/09		0200-005.00-03.00-020.000	33269.56	30164.92	3104.64
A	BROOKHAVEN	08/09		0200-925.00-03.00-043.000	15665.12	11481.08	4184.04
A	BROOKHAVEN	08/09		0200-035.00-02.00-030.001	7406.62	855.06	6551.56
A	BROOKHAVEN	08/09		0206-016.00-07.00-002.000	5382.60	358.84	5023.76
A	BROOKHAVEN	08/09		0200-052.00-08.00-007.000	16349.22	12322.98	4026.24
A	BROOKHAVEN	08/09		0204-008.00-02.00-011.000	9819.14	7270.90	2548.24
A	BROOKHAVEN	08/09		0200-656.00-03.00-012.013	12000.28	8969.45	3030.83
A	HUNTINGTON	08/09		0400-189.00-01.00-040.009	11454.29	4508.83	6945.46
A	HUNTINGTON	08/09		0400-214.00-02.00-002.000	25797.41	22776.53	3020.88
A	HUNTINGTON	08/09		0400-220.00-02.00-051.000	5399.57	2774.40	2625.17
A	HUNTINGTON	08/09		0400-221.00-01.00-020.000	8475.33	3854.24	4621.09
A	HUNTINGTON	08/09		0400-236.00-02.00-111.000	6865.45	2918.31	3947.14

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

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1044

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

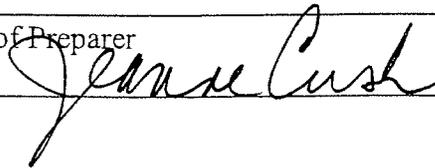
N/A

9. Timing of Impact

2009

10. Typed Name & Title of Preparer  
Jeanne Cush, Appraiser Tech II

11. Signature of Preparer



12. Date: 1/5/09

**Additional back-up material regarding I.R. 1044 is on file in  
the Legislative Clerk's Office, Hauppauge.**

**RESOLUTION NO. -2009, TO READJUST, COMPROMISE,  
AND GRANT REFUNDS AND CHARGE-BACKS ON REAL  
PROPERTY CORRECTION OF ERRORS BY: COUNTY  
LEGISLATURE (CONTROL NO. 799-2009)**

**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

RESOLUTION NO.

CONTROL# 799-2009

(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	08/09	N/A	208 21 5 12	8534.37	5878.78	2655.59
A	BROOKHAVEN	08/09	N/A	200 692 4 25.11	12322.69	9356.38	2966.31
A	BROOKHAVEN	08/09	N/A	200 629 5 59.1	11935.78	9356.38	2579.40
A	BROOKHAVEN	08/09	N/A	200 573 4 4	11677.83	8905.01	2772.82
A	HUNTINGTON	08/09	N/A	400 285 1 30	11500.66	5762.24	5738.42
A	HUNTINGTON	08/09	N/A	402 6 1 16	22534.02	16574.54	5959.48
A	HUNTINGTON	08/09	N/A	400 211 1 28	8596.43	3477.14	5119.29
A	HUNTINGTON	08/09	N/A	400 151 1 70	7494.55	4342.15	3152.40
A	HUNTINGTON	08/09	N/A	400 138 3 22.2	7210.48	3611.50	3598.98
A	HUNTINGTON	08/09	N/A	400 98 2 76	11130.61	5974.58	5156.03
A	HUNTINGTON	08/09	N/A	400 102 1 16	4930.60	2333.66	2596.94
A	HUNTINGTON	08/09	N/A	400 34 4 26.1	49205.05	26108.99	23096.06
C	ISLIP	08/09	N/A	500 478 3 47.1	23721.71	20477.81	3243.90
C	ISLIP	08/09	N/A	500 266 3 12	6953.02	4377.73	2575.29
A	ISLIP	08/09	N/A	500 272 1 21.1	8051.32	4331.12	3720.20
C	ISLIP	08/09	N/A	500 316 1 65.1	10885.21	5958.53	4926.68
A	ISLIP	08/09	N/A	500 14 3 26.4	1068708.13	678205.45	390502.68
C	ISLIP	08/09	N/A	500 91 1 23.7	5321.23	2719.05	2602.18
A	RIVERHEAD	08/09	N/A	600 199 1 22.3	374335.27	369122.18	5213.09
A	SMITHTOWN	08/09	N/A	800 83 1 45.2	6494.09	3379.93	3114.16

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

DATED:

APPROVED BY:

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

Date:

1045

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

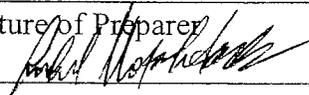
9. Timing of Impact

2009

10. Typed Name & Title of Preparer

R. Motschenbacher    RPAT. I

11. Signature of Preparer



12. Date January 6, 2009

**Additional back-up material regarding I.R. 1045 is on file in  
the Legislative Clerk's Office, Hauppauge.**

Intro Res. No. 1046-09  
Introduced by Presiding Officer on the Request of the County Executive

Laid on Table 2/3/09

RESOLUTION NO. TO READJUST, COMPROMISE, AND  
GRANT REFUNDS AND CHARGEBACKS ON CORRECTION  
OR ERRORS/COUNTY TREASURER BY: COUNTY  
LEGISLATURE #312

**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>HUNTINGTON:</b>				
0400-251.00-01.00-017.003	2007/08	\$12,210.43	0.00	\$12,210.43
0400-251.00-01.00-017.003	2008/09	\$12,535.39	0.00	\$12,535.39

Dated:

Approved By:

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

Date of Approval:

1046

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

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8. Proposed Source of Funding

To be refunded from the County General Fund

---

9. Timing of Impact

Variable

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10. Typed Name & Title of Preparer

Angie M. Carpenter  
County Treasurer

11. Signature of Preparer

*Angie M. Carpenter*

12. Date

*12/31/08*

**Additional back-up material regarding I.R. 1046 is on file in  
the Legislative Clerk's Office, Hauppauge.**

Intro Res. No. 1047-09 Laid on Table 2/3/09  
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 #310

**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>0200-406.00-01.00-004.003 ITEM #8731649</b>	<b>2007/08</b>	<b>\$35,565.90</b>	<b>0.00</b>	<b>\$35,565.90</b>

Dated:

Approved By:

---

Suffolk County Executive

Date of Approval:

1047

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

Angie M. Carpenter  
County Treasurer

11. Signature of Preparer

*Angie M. Carpenter*

12. Date

*12/18/08*

**Additional back-up material regarding I.R. 1047 is on file in  
the Legislative Clerk's Office, Hauppauge.**

Intro Res. No. 1048-09 Laid on Table 2/3/08  
 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 #311-2008

**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>
0200-229.00-02.00-003.001 (Item No. 0728451)	2008/09	\$6,584.97	0	\$6,584.97
0200-660.00-02.00-006.000 (Item No. 2607470)	2008/09	\$5,474.46	0	\$5,474.46
0200-951.00-01.00-025.001 (Item No. 3233880)	2008/09	\$8,574.63	0	\$8,574.63
0200-973.80-04.00-020.000 (Item No. 3400170)	2008/09	\$4,585.47	0	\$4,584.47
0200-973.80-01.00-026.000 (Item No. 3402620)	2008/09	\$4,854.33	0	\$4,854.33
0200-871.00-01.00-034.000 (Item No. 3650037)	2008/09	\$8,758.51	0	\$8,758.51
0200-978.80-02.00-018.000 (Item No. 3918660)	2008/09	\$6,991.03	0	\$6,991.03

Control #311  
 Suffolk County Treasurer

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
0200-908.00-02.00-043.000 (Item No. 4013410)	2008/09	\$6,711.69	0	\$6,711.69
0200-937.00-07.00-039.000 (Item No. 4804220)	2008/09	\$7,265.45	0	\$7,265.45
0200-645.00-02.00-028.000 (Item No. 5205330)	2008/09	\$7,166.62	0	\$7,166.62
0200-586.00-02.00-005.000 (Item No. 5427460)	2008/09	\$7,431.00	0	\$7,431.00
0200-336.00-08.00-018.000 (Item No. 5707890)	2008/09	\$7,575.66	0	\$7,575.66
0200-443.00-05.00-006.000 (Item No. 5911490)	2008/09	\$5,508.41	0	\$5,508.41
0200-696.00-05.00-001.002 (Item No. 8004974)	2008/09	\$390,263.23	0	\$390,263.23
0299-001.00-82.00-021.100 (Item No. 8221100)	2008/09	\$8,785.74	0	\$8,785.74
0299-001.00-82.00-021.100 (Item No. 8221100)	2007/08	\$8,490.66	0	\$8,490.66
0299-001.00-82.00-021.100 (Item No. 8221100)	2006/07	\$8,094.06	0	\$8,094.06
0299-001.00-82.00-021.100 (Item No. 8221100)	2005/06	\$7,600.11	0	\$7,600.11
0299-001.00-82.00-021.100 (Item No. 8221100)	2004/05	\$7,162.02	0	\$7,162.02
0299-001.00-82.00-021.100 (Item No. 8221100)	2003/04	\$6,731.34	0	\$6,731.34
0299-001.00-82.00-021.100 (Item No. 8221100)	2002/03	\$6,139.92	0	\$6,139.92
0299-001.00-82.00-021.100 (Item No. 8221100)	2001/02	\$6,158.38	0	\$6,158.38
0299-001.00-82.00-021.100 (Item No. 8221100)	2000/01	\$5,565.66	0	\$5,565.66
0299-001.00-82.00-021.100 (Item No. 8221100)	1999/00	\$5,265.15	0	\$5,265.15

Control #311  
Suffolk County Treasurer

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
0299-001.00-82.00-021.100 (Item No. 8221100)	1998/99	\$5,127.39	0	\$5,127.39
0299-001.00-82.00-021.100 (Item No. 8221100)	1997/98	\$4,973.79	0	\$4,973.79
0299-001.00-82.00-021.100 (Item No. 8221100)	1996/97	\$4,882.29	0	\$4,882.29
0200-570.00-04.00-029.000 (Item No. 9990020)	2008/09	\$12,897.00	0	\$12,897.00
0200-570.00-04.00-029.000 (Item No. 9990020)	2007/08	\$12,951.10	0	\$12,951.10
0200-775.00-03.00-008.000 (Item No. 9990014)	2008/09	\$13,842.05	0	\$13,842.05
0200-775.00-03.00-008.000 (Item No. 9990014)	2007/08	\$13,484.50	0	\$13,484.50

Dated:

Approved By:

---

Suffolk County Executive

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1048

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)

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

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

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

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

9. Timing of Impact  
Variable

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

Angie M. Carpenter  
County Treasurer

*Angie M. Carpenter*      12/26/08

**Additional back-up material regarding I.R. 1048 is on file in  
the Legislative Clerk's Office, Hauppauge.**

**RESOLUTION NO. -2009, TO READJUST, COMPROMISE,  
AND GRANT REFUNDS AND CHARGE-BACKS ON REAL  
PROPERTY CORRECTION OF ERRORS BY: COUNTY  
LEGISLATURE (CONTROL NO. 801-2009)**

**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

RESOLUTION NO.

CONTROL#801-2009

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

Key	Town	Year	Item No	S.C. Tax Map No	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
C	BABYLON	08/09	N/A	0100 04400 0200 014019	70412.76	10674.58	59738.18
A	BABYLON	08/09	N/A	0100 12800 0100 105000	7614.75	3056.43	4558.32
A	BABYLON	08/09	N/A	0100 13600 0400 058000	10239.60	6593.24	3646.36
A	BABYLON	08/09	N/A	0100 15700 0300 068000	7298.86	3974.91	3323.95
A	BABYLON	08/09	N/A	0100 20000 0300 065001	4393.30	1803.20	2590.10
C	BABYLON	08/09	N/A	0102 01800 0100 056000	7495.26	1312.75	6182.51
A	BABYLON	08/09	N/A	0103 02001 0100 301000	4539.81	941.86	3597.95
A	BROOKHAVEN	08/09	N/A	0200 17500 0300 008002	15629.59	12101.58	3528.01
A	BROOKHAVEN	08/09	N/A	0200 25000 0100 002003	16617.41	12454.38	4163.03
A	BROOKHAVEN	08/09	N/A	0200 15700 0600 001003	19834.93	14980.39	4854.54
A	BROOKHAVEN	08/09	N/A	0200 08600 0500 030000	22544.44	18875.32	3669.12
A	BROOKHAVEN	08/09	N/A	0205 00700 0100 002004	22711.39	19364.82	3346.57
A	BROOKHAVEN	08/09	N/A	0203 01500 0200 009000	26040.35	20983.97	5056.38
A	HUNTINGTON	08/09	N/A	0400 10900 0200 030000	6023.13	3240.55	5782.58
A	HUNTINGTON	08/09	N/A	0400 24600 0500 045000	19564.45	15484.30	4080.15
C	SOUTHOLD	08/09	N/A	1000 08800 0600 013035	10515.57	1472.18	9043.39

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

DATED:

APPROVED BY:

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

Date:

1049

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)

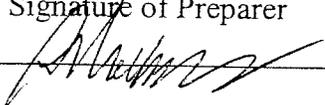
- County                      Town                      Economic Impact
- Village                      School District              Other (Specify):
- Library District              Fire District

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  
2009

10. Typed Name & Title of Preparer R. Motschenbacher RPAT. I	11. Signature of Preparer 	12. Date January 15, 2009
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**Additional back-up material regarding I.R. 1049 is on file in  
the Legislative Clerk's Office, Hauppauge.**

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2008, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSES (SCTM NO. 0200-973.70-05.00-026.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 973.70, Block 05.00, Lot 026.000, and acquired by tax deed on March 28, 2001, from Joseph Sawicki, Jr., the Chief Deputy County Treasurer of Suffolk County, New York, and recorded on March 29, 2001, in Liber 12110, CP 677 and otherwise known as and by Town of Brookhaven, known and designated as Lots 61 & 62 in Block 787 on a certain map entitled "Map of New York and Brooklyn Suburban Investment Company, Map 10" and filed in the Office of the Clerk of the County of Suffolk on August 5, 1890 as Map No. 102.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8. If the grantee shall fail to provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31 of each year commencing December 31, 2009, 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 Brookhaven for the purposes described herein shall be for the sum of One Dollar, and, upon payment of such sum, all subsequent grantees of such subject premises shall comply with all applicable state, federal, and local regulations pertaining to the price, income eligibility and marketing standards for affordable housing programs.

**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:

L X 10/11 1

1050

**ADOPTED**  
BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 220-A1-08  
MEETING: NOVEMBER 13, 2008

AMENDING RESOLUTION NO. 220-08  
AUTHORIZING THE TRANSFER OF  
FORECLOSED PROPERTIES FROM  
SUFFOLK COUNTY TO CHANGE THE  
NOT-FOR-PROFIT HOUSING AGENCY  
RECEIVING THE PROPERTIES

WHEREAS, Resolution No. 220-08 authorized the transfer of foreclosed properties from the County of Suffolk to the Town of Brookhaven for transfer to various not-for-profit housing agencies; and

WHEREAS, two of the properties authorized the transfer to the EOC (Economic Opportunity Council) instead of Habitat for Humanity; two of the properties authorized the transfer to the Long Island Housing Partnership instead of the Bellport Hagerman East Patchogue Alliance and a fifth parcel listed the wrong address for the Suffolk County Tax Map Number for the property;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Brookhaven that Resolution No. 220-08 is hereby amended with respect to the following five parcels to read as follows:

SCTM #	ADDRESS	NOT-FOR-PROFIT
#29 200-973.70-05.00-025.000	Donegan Ave., Patchogue	Habitat for Humanity of Suffolk
#30 200-973.70-05.00-026.000	550 Donegan Ave., Patchogue	Habitat for Humanity of Suffolk
#46 200-959.00-05.00-029.000	715 Michigan Avenue, Bellport	Bellport Hagerman East Patchogue Alliance
#47 200-959.00-06.00-017.000	819 Doane Avenue, Bellport	Bellport Hagerman East Patchogue Alliance
#55 200-973.80-10.00-012.000	603 Michigan Avenue, Bellport	Long Island Housing Partnership

and be it further

1050

**RESOLVED** that all the other terms and conditions of Resolution No. 220-08 shall remain unchanged.

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

**ADOPTED**  
BY THE BROOKHAVEN TOWN BOARD

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

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

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

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

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

Schedule A

1050

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

Schedule A

1050

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

*Mic. [unclear]*

Gen A19

COUNTY OF SUFFOLK

JAN 20 2009



1050

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

January 12, 2009

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

Re: Tax Map No.: 0200-973.70-05.00-026.000  
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the  
Town of Brookhaven for Affordable Housing Purposes.

Dear Mr. Zwirn:

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

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

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

CEK:WRT:slb

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

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

1050

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

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES  
TOWN OF Brookhaven

Tax Map No.: 0200-973.70-05.00-026.000

Section 72-h, Gen'l Municipal Law

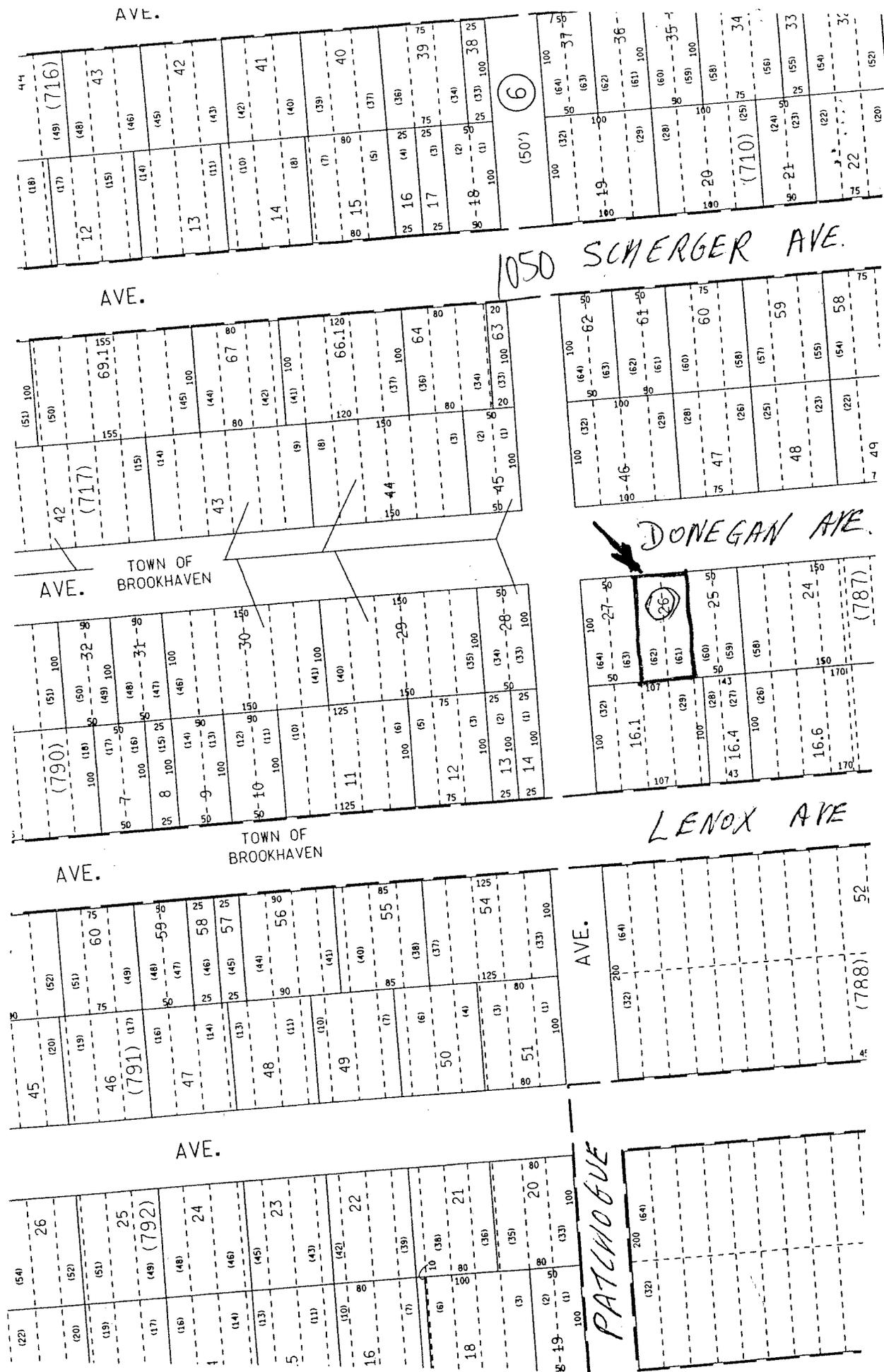
	<u>Amount</u>
County Investment	\$50,488.68

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

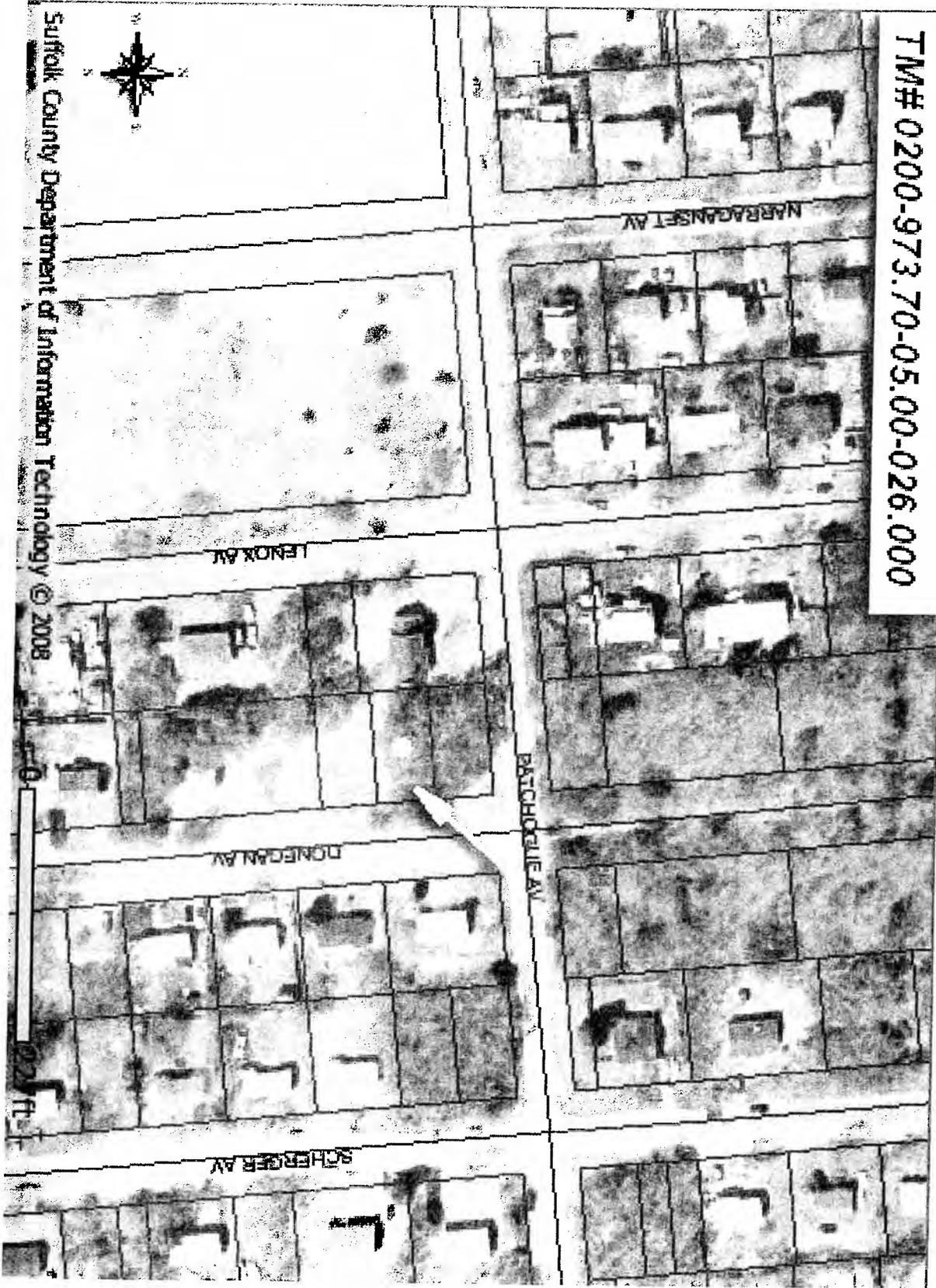
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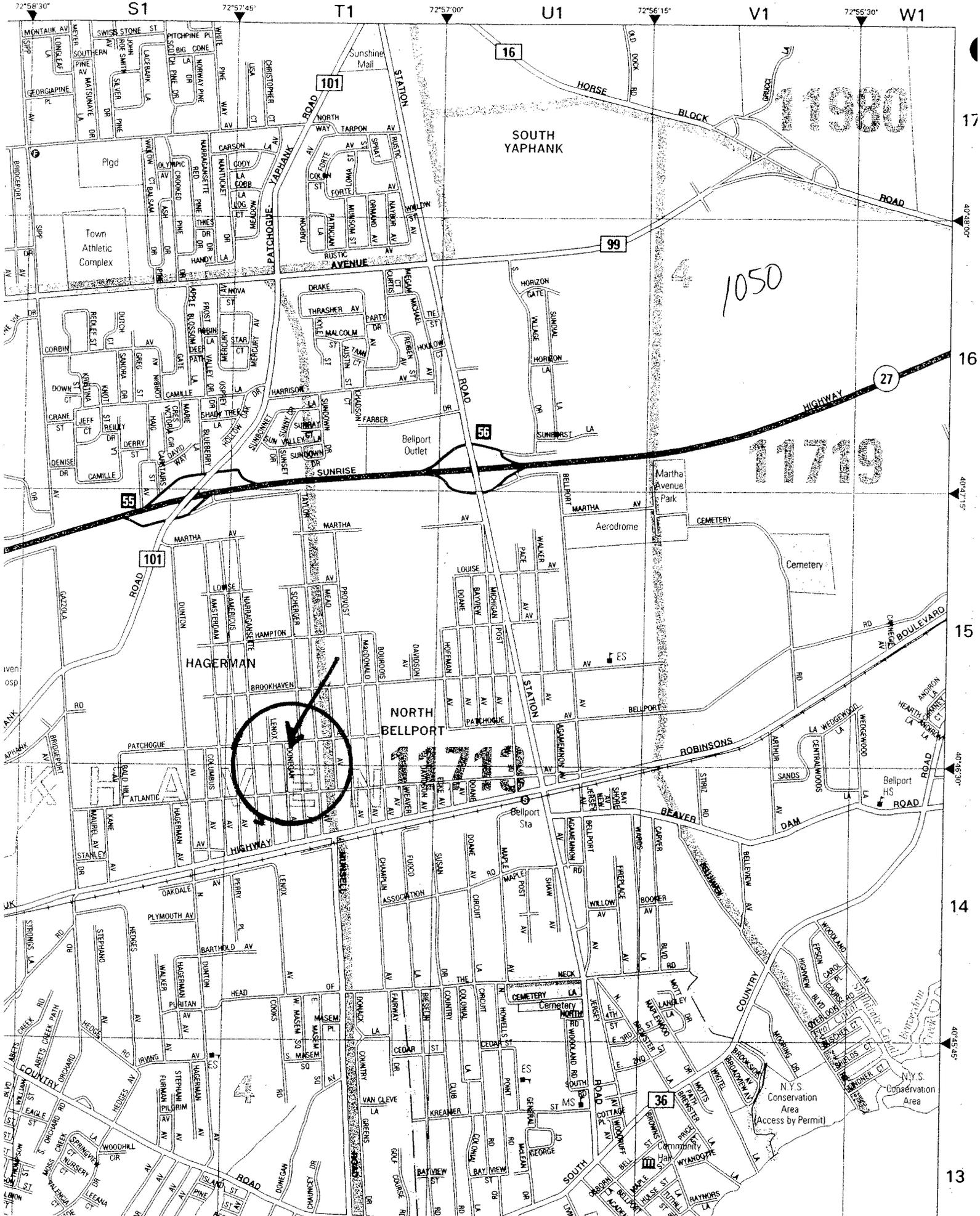
TM# 0200-973.70-05.00-026.000

1050

TM# 0200-973.70-05.00-026.000



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TM# 0200-973.70-05.00-026.000

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1050

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  
2009
  
10. Name & Title of Preparer                      Signature of Preparer                      Date  
 R. J. Bhatt                        R. J. Bhatt                        1/12/09   
LMS III

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2009, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSES (SCTM NO. 0200-824.00-09.00-033.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 824.00, Block 09.00, Lot 033.000, and acquired by tax deed on August 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004, in Liber 12341, CP 445 and otherwise known as and by the Town of Brookhaven, known and designated as Lots 3547 & 3548 on a certain map entitled "Map of Mastic Park, Section 4", and filed in the Office of the Clerk of the County of Suffolk on August 21, 1921 as Map No. 275,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8. If the grantee shall fail to provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31 of each year commencing December 31, 2009, 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 Brookhaven for the purposes described herein shall be for the sum of One Dollar, and, upon payment of such sum, all subsequent grantees of such subject premises shall comply with all applicable state, federal, and local regulations pertaining to the price, income eligibility and marketing standards for affordable housing programs.

**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"

1051

(JK-N)  
10/20/08

RESOLUTION NO. 563-08  
MEETING OF: JUNE 17, 2008

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

**ADOPTED**  
BY THE BROOKHAVEN TOWN BOARD

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

WHEREAS, the County of Suffolk wishes to transfer to the Town of Brookhaven from its foreclosure inventory various parcels of property as reflected in Schedule "A" attached hereto for the sole purpose of developing affordable housing and to provide eligible residents within the Town with viable homeownership; and

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

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

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

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

*Pamela J. Bethel*  
PAMELA J. BETHEL, TOWN CLERK DATED:  
DO NOT ACCEPT UNLESS THE DAMPED SEAL OF THE TOWN OF BROOKHAVEN IS APPLIED HERON

Schedule A

1051

Tri-Hamlet Properties

SCTM#	ADDRESS	TOWN	NFP
1 0200-816.00-02.00-26.0020	Rowlinson Drive	Shirley	EOC of Suffolk
2 0200-750.00-05.00-044.005	Franklin Ave	Mastic	Long Island Housing Partnership
3 0200-750.00-05.00-044.006	Franklin Ave	Mastic	Long Island Housing Partnership
4 0200-750.00-05.00-044.007	Franklin Ave	Mastic	Long Island Housing Partnership
5 0200-750.00-05.00-044.008	Franklin Ave	Mastic	Long Island Housing Partnership
6 0200-979.00-05.00-084.000	Beaver Ave	Mastic Beach	Habitat for Humanity of Suffolk
7 0200-979.00-05.00-085.000	Beaver Ave	Mastic Beach	Habitat for Humanity of Suffolk
8 0200-973.30-03.00-004.000	Harrison Drive	Shirley	Habitat for Humanity of Suffolk
9 0200-824.00-09.00-033.000	Carlton Ave	Mastic	Habitat for Humanity of Suffolk
10 0200-853.00-06.00-037.000	Patchogue Ave	Mastic	Habitat for Humanity of Suffolk
11 0200-824.00-04.00-035.000	Stuyvesant Ave	Mastic	Long Island Housing Partnership
12 0200-824.00-04.00-036.000	Stuyvesant Ave	Mastic	Long Island Housing Partnership
13 0200-967.00-03.00-057.000	Ranch Drive	Shirley	Habitat for Humanity of Suffolk
14 0200-975.00-04.00-027.002	Wavecrest Ave	Mastic Beach	Habitat for Humanity of Suffolk
15 0200-975.00-04.00-027.003	6 Wavecrest Ave	Mastic Beach	Habitat for Humanity of Suffolk
16 0200-821.00-04.00-022.001	1098 William Floyd Parkway	Shirley	Long Island Housing Partnership
17 0200-821.00-04.00-023.002	1094 William Floyd Parkway	Shirley	Long Island Housing Partnership
18 0200-821.00-04.00-02.0020	97 Forrest Ave	Shirley	EOC of Suffolk
19 0200-854.00-02.00-055.000	Main Street	Mastic	CDCLI
20 0200-976.90-03.00-049.000	3 Pine Road	Mastic Beach	CDCLI
21 0200-976.80-04.00-003.000	184 Mastic Road	Mastic Beach	CDCLI
22 0200-979.00-09.00-064.000	Cypress Drive	Mastic Beach	Long Island Housing Partnership
23 0200-979.00-09.00-065.000	142 Cypress Drive	Mastic Beach	Long Island Housing Partnership
24 0200-979.00-08.00-024.000	157 Cypress Drive	Mastic Beach	Long Island Housing Partnership

*Tessie  
Ingle*

COUNTY OF SUFFOLK

Gen A20

1051

JAN 20 2009



1051

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

January 13, 2009

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

Re: Tax Map No.: 0200-824.00-09.00-033.000  
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the  
Town of Brookhaven for Affordable Housing Purposes.

Dear Mr. Zwirn:

Enclosed herewith 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  
Brookhaven for affordable housing purposes.

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

CEK:WRT:slb

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

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

1051

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

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES  
TOWN OF BROOKHAVEN

Tax Map No.: 0200-824.00-09.00-033.000

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$1,826.42

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> |

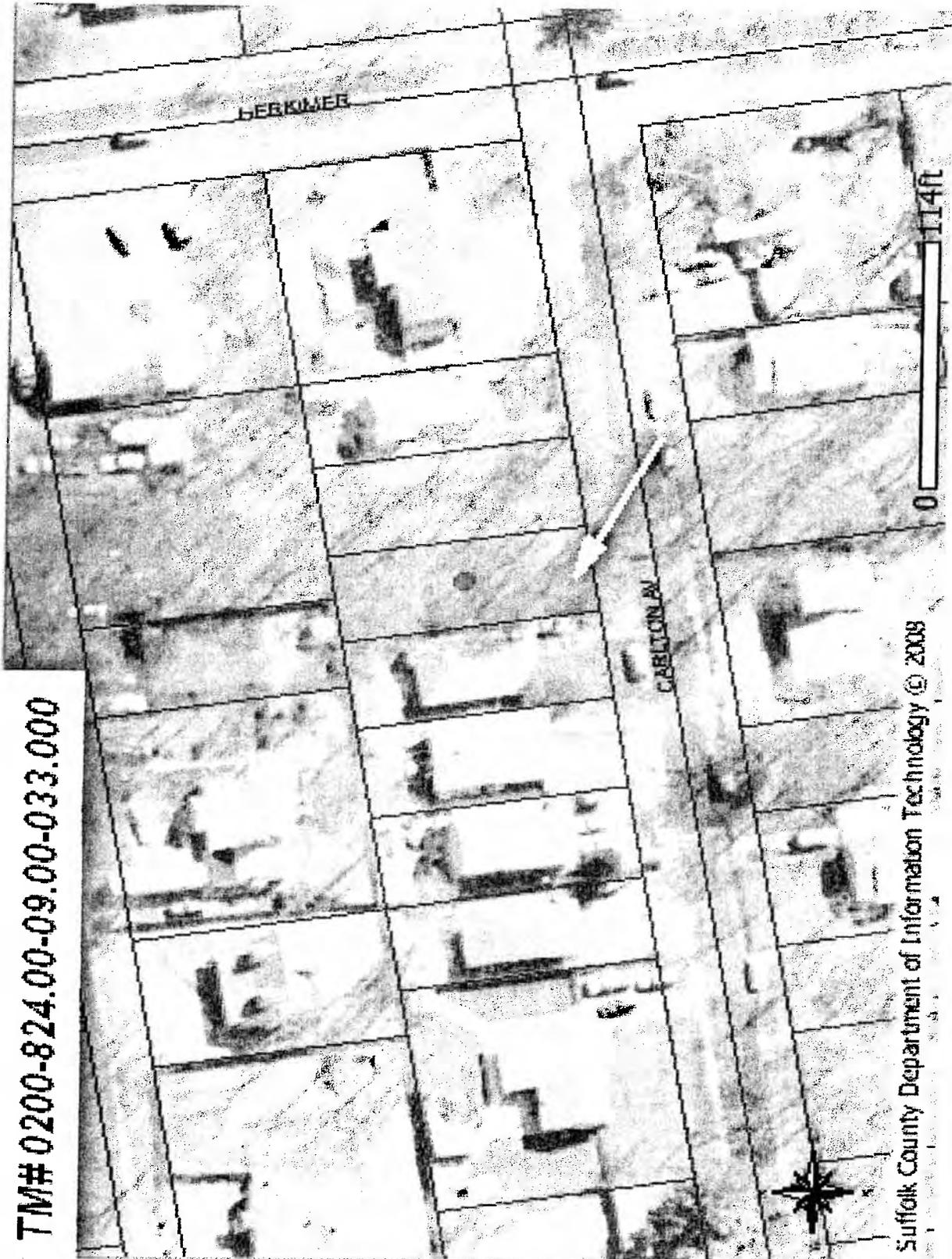
Wayne R. Thompson  
Property Manager  
(631) 853-5971

WRT:slb

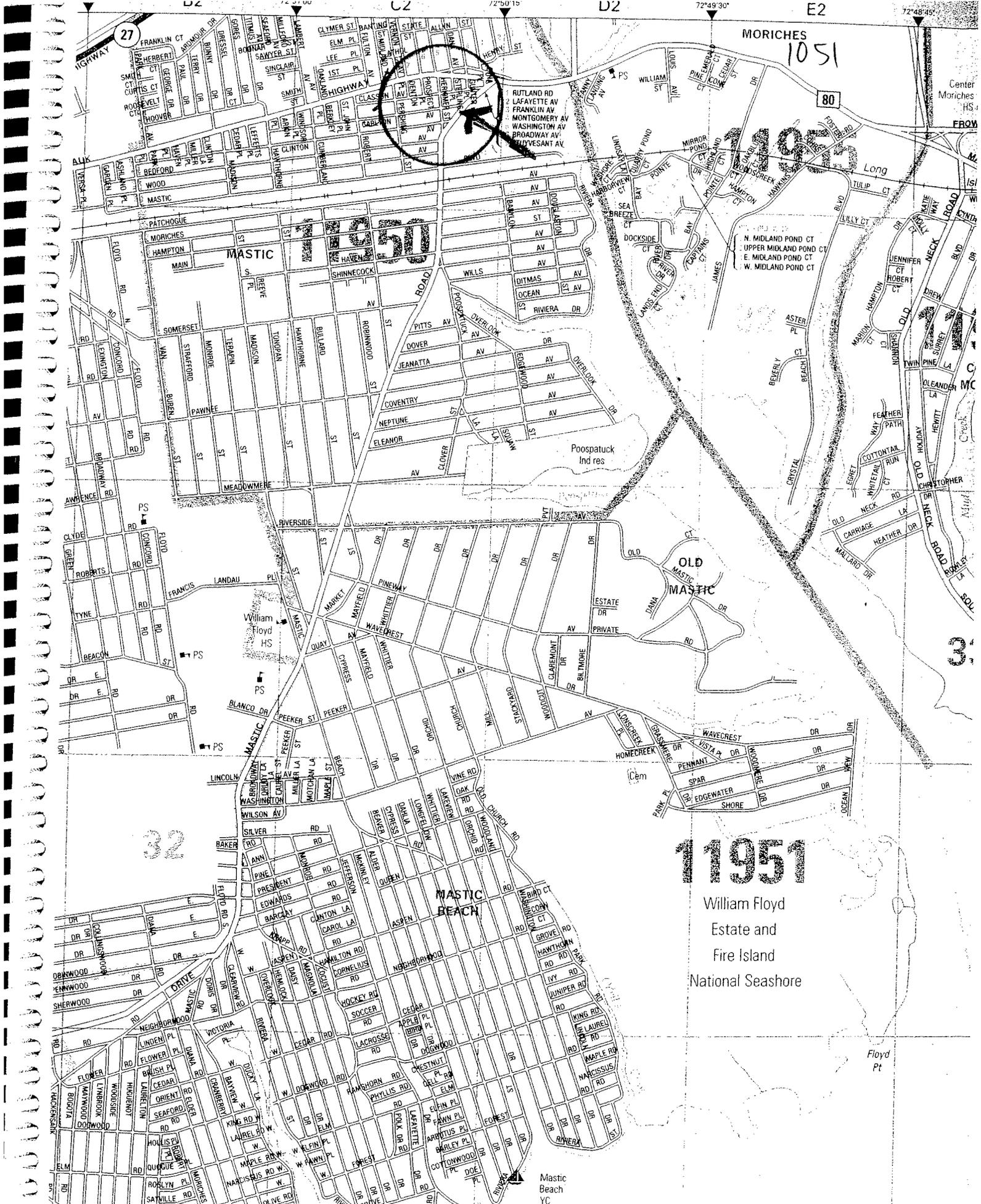


1051

TM# 0200-824.00-09.00-033.000



Suffolk County Department of Information Technology © 2009



**1951**  
 William Floyd  
 Estate and  
 Fire Island  
 National Seashore

M# 0200-824.00-09.00-033.000

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1051

1. Type of Legislation  
Resolution  Local Law \_\_\_\_\_ Charter Law \_\_\_\_\_
2. Title of Proposed Legislation  
Section 72-h, General Municipal Law authorizing the sale of County owned Real Estate to a Municipality
3. Purpose of Proposed Legislation  
Convey County owned parcel to the Town of Brookhaven for affordable housing purposes
4. Will the Proposed Legislation have a fiscal impact? Yes  No \_\_\_\_\_
5. If the answer to Item 4 is "yes", on what will it impact?  
(circle appropriate category)  
 County                      \_\_\_\_\_ Town                      \_\_\_\_\_ Economic Impact  
\_\_\_\_\_ Village                      \_\_\_\_\_ School District                      \_\_\_\_\_ Other (Specify):  
\_\_\_\_\_ Library District                      \_\_\_\_\_ Fire District
6. If the answer to item 4 is "yes", Provide detailed explanation of Impact  
Loss of County investment  
Loss of sale at public auction
7. Total Financial Cost of Funding over 5 years on each affected Political or other subdivision  
Unknown
8. Proposed Source of Funding  
Unknown
9. Timing of Impact  
2009
10. Name & Title of Preparer                      Signature of Preparer                      Date  
R. J. Bhatt                                            1/13/09  
LMS IV

1052

Intro. Res. No. -2009  
Introduced by Legislator Beedenbender

Laid on Table 2/3/2009

**RESOLUTION NO. -2009, AMENDING THE 2009  
OPERATING BUDGET AND TRANSFERRING FUNDS TO THE  
MIDDLE COUNTRY COALITION FOR SMART GROWTH**

**WHEREAS**, 2009 Operating Budget does not include sufficient funds for the Middle Country Coalition for Smart Growth; and

**WHEREAS**, the Middle Country Coalition for Smart Growth is a not-for-profit agency dedicated to protecting the interests of Suffolk County residents; and

**WHEREAS**, it is the desire of the Suffolk County Legislature to amend the 2009 Operating Budget and transfer \$5,000 to the contracted agency Middle Country Coalition for Smart Growth; and

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

**1<sup>st</sup> RESOLVED**, that the 2009 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	7320	JDV1	4980	Middle Country Girls Youth Lacrosse Association, Inc.	-\$5,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	ECD	6410	JDU1	4980	Middle Country Coalition for Smart Growth	+\$5,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the monies appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Middle Country Coalition for Smart Growth.

DATED:

APPROVED BY:

**UPDATED COPY AS OF 1/26/2009**

Intro. Res. No. 1053-2009

Laid on Table 2/3/2009

Introduced by Legislators Vioria-Fisher, Montano & Presiding Officer Lindsay

**RESOLUTION NO. -2009, TERMINATING THE PLAN  
"C" AGREEMENT BETWEEN THE COUNTY OF SUFFOLK  
AND SUFFOLK COUNTY COMMUNITY COLLEGE**

**WHEREAS**, the County of Suffolk ("County") and Suffolk County Community College ("Community College") entered into an amended Plan "C" Agreement in 1996, which agreement set forth the terms and conditions of the County sponsorship of the College; and

**WHEREAS**, under the terms of the Plan "C" Agreement the County maintains certain budget and fiscal controls over the Community College's operations; and

**WHEREAS**, the Board of Trustees of the State University of New York (SUNY) amended its rules and regulations in 2003 to conform with 1988 amendments to the New York Education Law, which provided greater fiscal autonomy for community colleges; and

**WHEREAS**, the 2003 amendments to the State regulations eliminated a local sponsor's authority to veto line item appropriations in a community college budget proposed by a college's board of trustees and permitted a college boards of trustees to transfer appropriations among budget items without the local sponsor's approval; and

**WHEREAS**, the County of Westchester and the New York Association of Counties brought suit against SUNY challenging these regulations; and

**WHEREAS**, on June 28, 2007 the New York Court of Appeals upheld lower court rulings finding that the SUNY regulations were consistent with New York Education Law and the State Legislature's "intent to grant community colleges greater flexibility and autonomy in the budget process by increasing their independence from the local sponsors"; and

**WHEREAS**, the Community College's Board of Trustees responded to the above cited State regulations and court decisions by bringing is own legal action to terminate the Plan "C" Agreement; and

**WHEREAS**, by an order dated November 10, 2008, the New York State Supreme Court (Justice Melvyn Tannenbaum) ruled that the Plan "C" Agreement is invalid, unenforceable and void; and

**WHEREAS**, this Legislature recognizes that the Plan "C" Agreement is now outdated as a consequence of the aforementioned State regulations and court decisions; and

**WHEREAS**, this Legislature must recognize State Law changes that granted community colleges greater autonomy and independence; and

**WHEREAS**, the Middle States Commission on Higher Education's re-accrediting team has expressed strong concerns about the level of control the County exerts over the Community College with regard to governance, budget oversight and accountability for college resources; and

**WHEREAS**, the Plan "C" Agreement provides that the agreement shall continue on a year-to-year basis unless either party notifies the other of a desire to terminate, with any termination subject to legislative approval; now, therefore be it

**1st RESOLVED**, that this Legislature hereby approves the termination of the existing Plan "C" Agreement as requested by the Suffolk County Community College Board of Trustees; and be it further

**2nd RESOLVED**, that the sponsor relationship between the County and Suffolk County Community College shall be governed by NEW YORK EDUCATION LAW § 6301 et. seq., and its implementing regulations, 8 NYCRR § 600 et. seq.; and be it further

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

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO THE TERMS OF THE PLAN "C" AGREEMENT  
DATED JANUARY 19, 1996

1054

Intro. Res. No. -2009  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 2/3/2009

**RESOLUTION NO. -2009, AUTHORIZING CERTAIN  
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.  
1103-2008**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 1103-2008; and

**WHEREAS**, this resolution when adopted contained a technical error; and

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

**1<sup>st</sup>** **RESOLVED**, that the Clerk of the Legislature shall make the following technical correction:

**Resolution No. 1103-2008**

In the 1<sup>st</sup> RESOLVED paragraph change the Revenue Code:

**FROM:**

Revenue Code  
001-3597

**TO:**

Revenue Code  
632-3597

DATED:

APPROVED BY:

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

Date:

**RESOLUTION NO. - 2009 AUTHORIZING A LEASE AMENDMENT  
WITH SHEL T AIR WESTHAMPTON, LLC AT FRANCIS S. GABRESKI AIRPORT**

**WHEREAS:** Suffolk County owns and through its Department of Economic Development and Workforce Housing operates and maintains Francis S. Gabreski Airport in Westhampton; and

**WHEREAS:** this Legislature adopted resolution 1236-2007 which authorized the County Executive to sign a lease with Long Island Jet Center East, Inc. for seven and a half (7.5) acres at Francis S Gabreski Airport; and

**WHEREAS:** in accordance with the provisions of the Lease Agreement, Long Island Jet Center East subsequently assigned the lease to Shelt Air Westhampton, LLC; and

**WHEREAS:** upon finalizing the site plan, it was determined that enhanced safety and aircraft maneuverability would be accomplished if a proposed hanger was shifted so that it would be in line with other hangers along the flight line and removed from the parking apron; and

**WHEREAS:** in order to shift the hanger to the proposed location, Shelt Air Westhampton, LLC has requested an additional 1.08 acres to be added to the leasehold; and

**WHEREAS:** this project is in compliance with the adopted 1990 Airport Master Plan Update, the 2008 Airport Master Plan Draft Update, the 1995 Central Pine Barrens Comprehensive Land Use Plan, the 1992 Long Island Comprehensive Special Groundwater Protection Area Plan, the 1999 Town of Southampton Comprehensive Update Implementation Strategies Plan and the Town of Southampton Aquifer Protection Overlay District requirements; and

**WHEREAS:** through Executive Order 26-2006, the County Executive created the Airport Conservation and Assessment Panel (ACAP), comprised mostly of local community group representatives, to evaluate applications for proposed leases, lease renewals, lease extensions, lease modifications and licenses and to issue formal recommendations to the County Executive, the CEQ and the County Legislature; and

**WHEREAS:** the Airport Conservation and Assessment Panel reviewed the proposed development and recommends that the lease be approved as noted in the Panel's written recommendations attached as Exhibit A; and

**WHEREAS:** the Suffolk County Legislature as SEQRA Lead Agency determined that the proposed development by Shelt Air Westhampton, LLC constitutes an Unlisted action under the provisions of Title 6 NYCRR Part 617 and Chapter 279 of the Suffolk County Code and will not have significant adverse impacts on the environment and therefore SEQRA is complete; and

**WHEREAS:** the lease amendment will increase the initial annual lease payment by ten thousand three hundred dollars (\$10,300); now therefore be it

1<sup>st</sup> **RESOLVED**, that the County Executive or his designee, is authorized to execute a lease amendment for the use of the above described property between the Shelt Air Westhampton LLC and the County of Suffolk, in substantial accordance with the agreement annexed as Exhibit B.

APPROVED BY:

\_\_\_\_\_  
Steve Levy  
County Executive of Suffolk County

Date:

1055

**Airport Conservation and Assessment Panel**  
**Report of**  
**October 3, 2008 Meeting**

**Sheltair Aviation Inc (formerly LI Jet Center East Inc.):**

**Airport Conservation and Assessment Panel Background:**

On May 9, 2006, Suffolk County Executive Order No. 26-2006 created the Airport Conservation and Assessment Panel (ACAP) The panel is charged with evaluating applications for leases, lease renewals, extensions and modifications, licenses, and issuing recommendations to the County Legislature, the CEQ and County Executive on the environmental, economic and community impacts of a lease or license application at Gabreski Airport and to report it's advisory findings and recommendations to the above parties.

The scope of the ACAP review shall be limited to assessing applications and proposals for the environmental compatibility and economic benefit to the people of the County of Suffolk and are in the public interest as a support, advance, or enhancement of a specifically articulated public policy objective.

A meeting of ACAP was held at 10:00 AM on October 3, 2008 to review the LI Jet Center East Inc. application submitted on September 9, 2008.

**Summary of SEQRA Recommendations/ACAP Findings:**

Based on our assessment of the rules governing the implementation of SEQRA, we find the subject application to be a Type 1 Action.

SEQRA (State Environmental Quality Review Act) provides that any Unlisted Action that exceeds 2.5 acres of physical alteration on a parcel of property that is substantially contiguous with any publicly owned or operated parkland or designated open space constitutes a Type I Action consistent with [NYCRR 617.4(b)(10)]. According to the EAF (p.7) the proposed action will disturb 3 acres of vegetation.

ACAP has previously understood the adjacent holdings of the Quogue Wildlife Refuge and the surrounding Pine Barrens Core preservation areas to constitute such qualifying open space and previously recommended a Type I designation for project such as this.

A Negative Declaration is recommended.

**ACAP Recommendations:**

1055

ACAP's approval of this application is contingent on the applicant's agreement to and/or meeting the following lease conditions:

The applicant agrees that the hangars to be constructed are for private owner operator use only; the applicant further agrees that no portion of the premises is intended to for sublease nor will it be subleased, for on-demand charter service or any other commercial use tenant.

Only stage three (3) or higher jets are to be used or stored on this site. LI Jet Center East, Inc. will not permit any long term commitments to use or storage of stage 2 jets.

Fuel storage area shall be modified to allow for storage of the deicing vehicle and deicing fluids/materials.

Any outstanding financial issues with the County of Suffolk must be resolved prior to the County entering into a lease agreement with the applicant.

Term of the lease is recommended to be 30 years. At the termination of the 30 years ownership of the buildings will revert back to the County. The tenant will then have the option to lease both the land and the existing buildings for an additional 30 year term based on market value at the time of renewal.

Any modification or alteration of this space must have the prior approval of ACAP, CEQ, the County of Suffolk and/or any other entity endowed in the future with oversight of airport lease applications.

Any proposed reassignment of the lease requires review and approval by ACAP, CEQ, the County of Suffolk and/or any other entity endowed in the future with oversight of airport lease applications.

Gabreski Airport Voluntary Noise Abatement Procedures – the applicant agrees to provide signage on site to inform users of their responsibility to conform to the current approved and any future voluntary noise abatement procedures. Documents informing users of voluntary noise abatement procedures must be provided to all subtenants and included in the applicant's lease and any/all subsequent subleases of individual hangars. Applicant agrees to conform with and to see to it that subtenants conform to current and any future approved Gabreski Airport voluntary noise abatement procedures.

Noise abatement procedure documents must be provided to all subtenants and be included in the applicant's lease and any/all subsequent subleases of individual hangars. Applicant further agrees to use their database

to dispense updated noise abatement information to their customers, and where possible provide updated materials to further educate customers on the avoidance of noise sensitive areas and recommended approaches and departures. Applicant agrees to actively market the noise abatement procedures both externally and internally.

Waste Oil Removal – the applicant is responsible to provide signage to outline the approved procedure for waste oil removal. Any instructions regarding the removal of waste oil from the site is to conform to regulations as determined by the NYSDEC and the County of Suffolk. Such language is to be included in the lease document.

Tenant will be required to connect to waste treatment lines when the system becomes available.

Lease boundaries are to provide for adequate setbacks. The County will inspect construction and insure the applicant meets all specifications.

Parking spaces - The number of parking spaces will be determined by Suffolk County and will conform to code and regulations to include appropriate handicapped access.

Tenants shall comply with Suffolk County Code Chapter 380 (L.L. 34-1999) which mandates the phase-out of pesticides in all County facilities, buildings and properties.

All storm water runoff must be contained on site and treated with best management practices as approved by the SCDPW.

All lighting on site must be dark skies compliant.

**Further Considerations:**

The review of this application raised an issue that is of growing concern to many members of the community whose enjoyment of their property is increasingly infringed upon by the presence of low-flying planes and helicopters.

As the CEQ and Legislature are aware, in written decisions and deliberations, ACAP demonstrated a commitment to striking a responsible compromise between the needs of general aviation airport users and the right of area citizens to enjoy the use of their property free from intrusion from noise pollution caused by aviation activities. However, the impact of the growing use and potential expansion of private helicopter usage at Gabreski airport is a long-range planning issue as that has yet to be brought to the attention of CEQ, County Planning Officials and the Legislature.

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ACAP strongly recommends that the County undertake an exploration of mitigation measures to alleviate the growing noise pollution and associated problems resulting from the area's increasing exposure to these aircraft. As a beginning, we suggest that an assessment of landing fees, hangar capacity limitations, and enhanced compliance with the voluntary noise abatement program as well as an assessment of approach and departure routes be considered for further discussion and investigation. We believe the Gabreski CAB is uniquely positioned to serve a useful purpose and to facilitate a thorough examination of this increasingly troubling issue.

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FRANCIS S. GABRESKI

AMENDMENT #1 TO LEASE AGREEMENT

between

COUNTY OF SUFFOLK

and

SHELTAIR WEST HAMPTON, LLC

Date: , 2009

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AMENDMENT #1 TO LEASE AGREEMENT

THIS AMENDMENT #1 TO AGREEMENT, made as of \_\_\_\_\_, 2009, by and between the COUNTY OF SUFFOLK, a municipal corporation whose address is COUNTY Center, Riverhead, New York (hereinafter the "COUNTY"), acting through its duly constituted Department of Economic Development and Workforce Housing, Aviation Division (hereafter "Airport Management"), located at Francis S. Gabreski Airport, Westhampton Beach, New York 11978 and SHELTAIR WEST HAMPTON, LLC, a Florida limited liability company authorized to do business in the State of New York (hereinafter called the "TENANT"), as assignee of L. I. JET CENTER EAST, INC., a New York Corporation ("L.I. JET");

WITNESSETH, THAT:

WHEREAS, the COUNTY is the owner of Francis S. Gabreski Airport (hereinafter called the "Airport"), located in Westhampton New York; and

WHEREAS, pursuant to the Agreement to Lease executed by and between the COUNTY and L.I. JET on or about January 8, 2008 ("Lease"), L.I. JET leased the Space from the County as defined in the Lease;

WHEREAS, pursuant to that certain Assignment & Assumption of Agreement, L.I. JET assigned its interest as tenant in the Lease to TENANT on or about March 21, 2008;

WHEREAS, the TENANT desires to lease additional space from the COUNTY pursuant to the same terms and conditions on the Lease, with an applicable increase in Annual Rent as more specifically set forth herein,

NOW, THEREFORE, in consideration of the mutual agreements and respective promises herein contained and made by the parties hereto, the parties hereby agree, effective as of \_\_\_\_\_ (the "Effective Date" of this Agreement) unless otherwise stated, as follows:

- 1. Section 2.01, as a portion of Section 2, entitled Space, is hereby deleted and replaced in its entirety as set forth below. In addition, Exhibits A and B referenced herein shall replace the Exhibits A and B originally attached to the Lease, and all references to Exhibits A and B throughout the Lease shall now refer instead to the Exhibits A and B attached hereto.

Section 2.01 On and after the Effective Date of Amendment #1, and in consideration of and subject to the terms, covenants, agreements, provisions, conditions, and limitations set forth in this Agreement, the COUNTY hereby agrees to lease to TENANT approximately 8.583 acres, , and made a part hereof and designated "Exhibit A," and as further identified on the survey map as identified as the ground area outlined in broken-line on the drawing attached hereto as "Exhibit B," together with all buildings, structures, improvements, additions, and permanent installations constructed and installed or to be constructed and installed therein, thereon or there under during the term of this Agreement, but excluding County structures that are currently used for the airfield lighting vault, emergency generator, including the area shown within the bollards and noted on Exhibit C ("COUNTY Exclusions").

2. Section 4.01, as a portion of Section 4, entitled Rent, is hereby deleted in its entirety and replaced as follows:

*Section 4.01* "Annual Rent" for the Space for the first year of the Term shall be ONE HUNDRED ELEVEN THOUSAND EIGHT HUNDRED AND TWO DOLLARS AND XX/100 (\$111,802.00) annually, or NINE THOUSAND THREE HUNDRED SIXTEEN DOLLARS AND 83/100 (\$9,316.33) Dollars per month, beginning on the Effective Date of Amendment #1. The Rent for the month containing the Effective Date of Amendment #1 shall be pro-rated such that for the first portion of the month, Rent shall be in accordance with the Lease, and commencing on the Effective Date of Amendment #1, the Rent shall be as set forth herein for the applicable remainder of the month.

3. Section 9.01 as a portion of Section 9, entitled Construction by TENANT, shall be deleted in its entirety and replaced as set forth below. In addition, Exhibit C referenced herein shall replace the Exhibit C originally attached to the Lease, and all references to Exhibit C throughout the Lease shall now refer instead to the Exhibit C attached hereto.

*Section 9.01* TENANT hereby agrees to: demolish and remove 8,481 square feet of existing building space, in addition to demolish and remove Building #309, and design, construct, and install a new 5,000 square foot FBO Office Building and customer lobby, and one (1) 21,800square foot hangar; relocation and construction of a 36,000 gallon fuel farm, including a 24,000 gallon tank capacity for Jet A fuel and 12,000 gallon tank capacity for AV gas; construction of approximately 3 acres of new aircraft parking and tie-down apron; and design construction, and installation of related facilities, parking (including parking for use by the COUNTY), improvements, and permanent installations therein, thereon, or thereunder in accordance with this Agreement and as more fully described in the "Site Plan" attached hereto as Exhibit C, located at the Airport, as shown in the legal description and survey attached hereto as Exhibits A & B. TENANT reserves the right to submit proposals for changes to the Site Plan to the COUNTY for its prior written approval, as the Interim Plans and Specifications are completed, and that the square footages set forth above may be modified by TENANT with the prior written approval of the COUNTY, with the caveat that modifications shall not deviate in any substantial form with the Site Plan. Such design, construction and installation shall be performed and completed in accordance with the Construction Schedule attached hereto as Exhibit D. Substantial completion of all design, construction and installation, as reasonably determined by the County, shall be performed in accordance with the "Construction Schedule." With respect to TENANT's obligation to substantially complete all work in accordance with said Construction Schedule, time is of the essence. By executing this Agreement, TENANT confirms that the Construction Schedule sets forth a reasonable time period for performing the "Construction Work", defined at *Section 9.04*.

4. The following shall be amended to the lease as **Section 69** entitled **Prevailing Wage Requirements**,

**Section 69: Prevailing Wage Requirements**

*Section 69.01* For purposes of this Lease, TENANT's construction of the Improvements constitutes a public works contract under Article 8 of the Labor Law. TENANT acknowledges and agrees to comply with the prevailing wage requirements for all of TENANT's Work in connection with the construction and preparation of the Improvements, including, but not limited to, the building, land, parking lot, and all other portions of the Premises.

*Section 69.02* No person performing, aiding in, or assisting in TENANT's construction of the Improvements shall be paid less than the said prevailing rates as defined and utilized under Section 220 of the Labor Law. TENANT, its contractors and subcontractors must publicly post on the work site, in a prominent and accessible place, a legible schedule of the prevailing wage rates and supplements.

*Section 69.03* TENANT, its contractors, and subcontractors shall file transcripts of original payrolls for the construction of the Improvements under this Lease, in connection with the construction and preparation of the entire Premises, with the Department, within ten (10) days after its first payroll, and every thirty days thereafter, said payroll transcripts to be subscribed and affirmed as true under penalty of perjury. TENANT, its contractors and subcontractors, shall keep their books open for inspection by representatives of the Suffolk County Department of Audit and Control and/or its representatives, including the Office of the District Attorney, on a monthly basis during the construction of the Improvements, to ensure that TENANT, its contractors and subcontractors are in compliance with these terms and conditions, provided that twenty-four (24) hour-notice is given to TENANT, its contractors and/or subcontractors prior to the inspection.

*Section 69.04* TENANT agrees that it shall include clauses in all of its agreements with its contractors and subcontractors for the construction of the Improvements stating that: (i) said contractors and subcontractors shall pay prevailing wages, as agreed to in this Lease between County of Suffolk and the TENANT; (ii) said contractors and subcontractors shall file transcripts of original payrolls for all work performed in connection with the construction and preparation of the Improvements under this Lease with the Department within ten (10) days after its first payroll, and every thirty days thereafter, said transcripts to be subscribed and affirmed as true under penalty of perjury and (iii) TENANT, its contractors, and subcontractors shall keep their books open for inspection by representatives of the Suffolk County Department of Audit and Control and/or its representatives, including the Office of the District Attorney, on a monthly basis during the construction of the Improvements to ensure that TENANT, its contractors and subcontractors are in compliance with these terms and conditions, provided that twenty-four (24) hour-notice is given to TENANT, its contractors and/or subcontractors prior to the inspection.

*Section 69.05* During the construction of the Improvements, TENANT shall maintain at the job site, and with County Department of Labor, a copy of all payrolls or transcripts thereof as would be required to be maintained pursuant to Section 220 of the New York Labor Law.

*Section 69.06* During the construction of the Improvements, TENANT shall provide to County employment attendance sheets for all employees, including employees of subcontractors, for each day on which work is performed on the site, upon a form reasonably acceptable to County, containing such information as the Commissioner of the Department of Labor reasonably deems appropriate, including job classification, hours of employment, wage rate and supplements payable, and employer.

5 In the event of a conflict between the terms of this Amendment, and the Lease, the terms of this Amendment shall control. In all other respects the Lease between the parties is hereby ratified.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and delivered as of the date first set forth above.

SHELTAIR WEST HAMPTON, LLC

COUNTY OF SUFFOLK

By: [Signature]

By: \_\_\_\_\_

Name: William J. McShane

Name: \_\_\_\_\_

Title: Vice President

Title: \_\_\_\_\_

Date: 1/12/2009

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

RECOMMENDED BY:

DEPARTMENT OF ECONOMIC DEVELOPMENT AND WORKFORCE HOUSING

DEPARTMENT OF ECONOMIC DEVELOPMENT AND WORKFORCE HOUSING AVIATION DIVISION

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
ANTHONY CEGLIO  
Airport Manager  
Date: \_\_\_\_\_

APPROVED AS TO LEGALITY  
CHRISTINE MALAFI  
Suffolk County Attorney

By: \_\_\_\_\_  
Basia Deren Braddish  
Asst. County Attorney  
Date: \_\_\_\_\_

ACKNOWLEDGEMENT

STATE OF NEW YORK }  
SS:  
COUNTY OF SUFFOLK }

On the 12<sup>th</sup> day of January in the year 2009 before me, the undersigned, personally appeared William J. McShane [name], Vice President [Title] personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Jane A. Ostendorff  
Notary Public, State of New York  
No. 01056040305  
Qualified In Suffolk County  
Commission Expires April 17, 2010

[Signature]  
Notary Public

STATE OF NEW YORK}

SS:

COUNTY OF SUFFOLK}

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2008 before me, the undersigned, personally appeared \_\_\_\_\_ [Name], \_\_\_\_\_ [Title], personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

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**EXHIBIT A**  
**LEGAL DESCRIPTION**

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**SUFFOLK COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT**

August 18, 2008

**Description of property**

To be leased to Sheltair Westhampton, LLC by the County of Suffolk

Tax Map Index Number: 0900-312.00-01.00- P/O 004.002

All that piece or parcel of land situate in the Town of Southampton, County of Suffolk, State of New York, as shown on a map prepared by L.K. McLean Associates, P.C. dated August 18, 2008 entitled "Map of Sheltair Westhampton, LLC Lease Parcel", said parcel being more particularly bounded and described as follows:

**Beginning at a point on the easterly boundary of Sheldon Way, at the northwest corner of the herein described lease parcel, said point of beginning also being the following ten (10) courses and distances from the intersection of the division line between the lands of Francis S. Gabreski Airport on the south and the lands of others on the north, with the easterly boundary of West Hampton-Riverhead Road CR 31;**

- 1) South 12° 55' 41" East, along a tie line through the lands of Francis S. Gabreski Airport, a distance of 3793.16 feet to a point at the intersection of the easterly boundary of the aforementioned northerly extension of Sheldon Way and the northwest corner of Lot 10 as shown on a map entitled " Map of Francis S. Gabreski Airport Phase IIA Lease Parcels" prepared BY L.K. McLean Associates, P.C. dated July 26 2005; thence
- 2) continuing along said boundary line, South 36° 14' 58" West, a distance of 308.55 feet to a point of curvature; thence
- 3) continuing along said boundary line on the arc of a curve to the left having a radius of 86.76 feet an arc length of 124.62 feet to a point of tangency; thence
- 4) continuing along said boundary line, South 46° 03' 22" East, a distance of 57.69 feet to a point of curvature; thence
- 5) continuing along said boundary line on the arc of a curve to the left having a radius of 4808.00 feet an arc length of 754.18 feet to a point; thence
- 6) continuing along said boundary line, South 55° 02' 37" East, a distance of 121.48 feet to a point; thence
- 7) continuing along said boundary line, South 26° 34' 35" West a distance of 81.85 feet to a point of curvature; thence
- 8) continuing along said boundary line on a curve to the left having a radius of 158.00 feet, an arc length of 41.24 feet to a point at the intersection of said boundary line with the southerly line of Lot 1 as shown on the aforementioned map; thence
- 9) continuing along said boundary line, South 86° 27' 08" West a distance of 29.85 feet to a point; thence
- 10) continuing along said boundary line, South 03° 21' 29" East a distance of 238.00 feet to the point of beginning;

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Thence from said point of beginning, North 86° 27' 08" East, along the northerly boundary of the subject property, a distance of 470.93 feet to a point;

Thence, South 03° 22' 22" East, a distance of 907.44 feet to a point;

Thence, South 86° 27' 08" West, along the southerly boundary of the subject parcel, a distance of 472.15 feet to a point on the easterly boundary of Sheldon Way;

Thence, North 03° 17' 09" West, along the easterly boundary of Sheldon Way, a distance of 417.12 feet to a point;

Thence, North 86° 34' 16" East, a distance of 110.77 feet to a point;

Thence, North 03° 17' 09" West, a distance of 67.97 feet to a point;

Thence, North 86° 34' 16" East, a distance of 85.16 feet to a point;

Thence, North 03° 33' 07" West, a distance of 198.61 feet to a point;

Thence, North 89° 32' 43" West, a distance of 54.91 feet to a point;

Thence, South 89° 01' 02" West, a distance of 41.33 feet to a point;

Thence, South 85° 01' 44" West, a distance of 28.93 feet to a point;

Thence, North 03° 17' 09" West, a distance of 97.67 feet to a point;

Thence, South 86° 42' 51" West, a distance of 70.00 feet to a point on the easterly boundary of Sheldon Way;

Thence, North 03° 21' 29" West, along the easterly boundary of Sheldon Way, a distance of 121.19 feet to the point or place of beginning.

Said parcel of land containing 373868± Sq. Ft. or 8.583 Acres, more or less.

Described By:	FPF	Date: October 26, 2005
Checked By:	RRF	Date: October 26, 2005
Revised By:	RRF	Date: July 16, 2007
Revised By:	RRF	Date: May 19, 2008
Revised By:	RRF	Date: August 18, 2008

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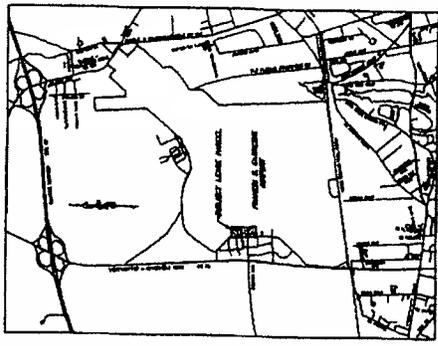
**EXHIBIT B**  
**SURVEY**

Survey No. 05893.000

**MAP OF  
SHELTAIR WESTHAMPTON, LLC  
LEASE PARCEL  
AT  
FRANCIS S. GABRESKI AIRPORT  
SITUATED AT  
WESTHAMPTON  
TOWN OF SOUTHAMPTON  
SUFFOLK COUNTY, NEW YORK  
APPROX 14, 2000  
OWNED BY  
COUNTY OF SUFFOLK**

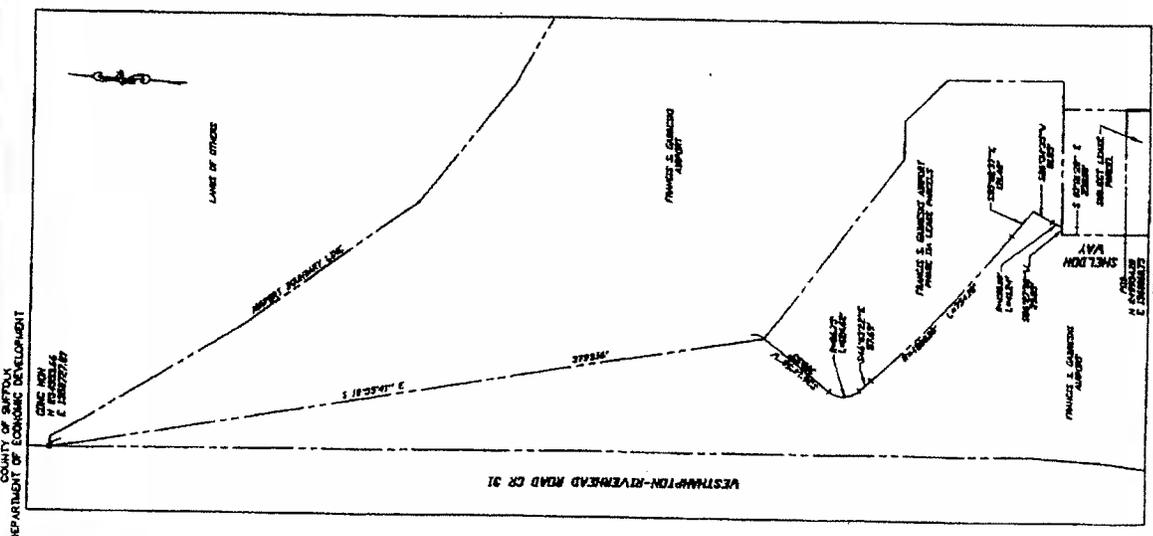
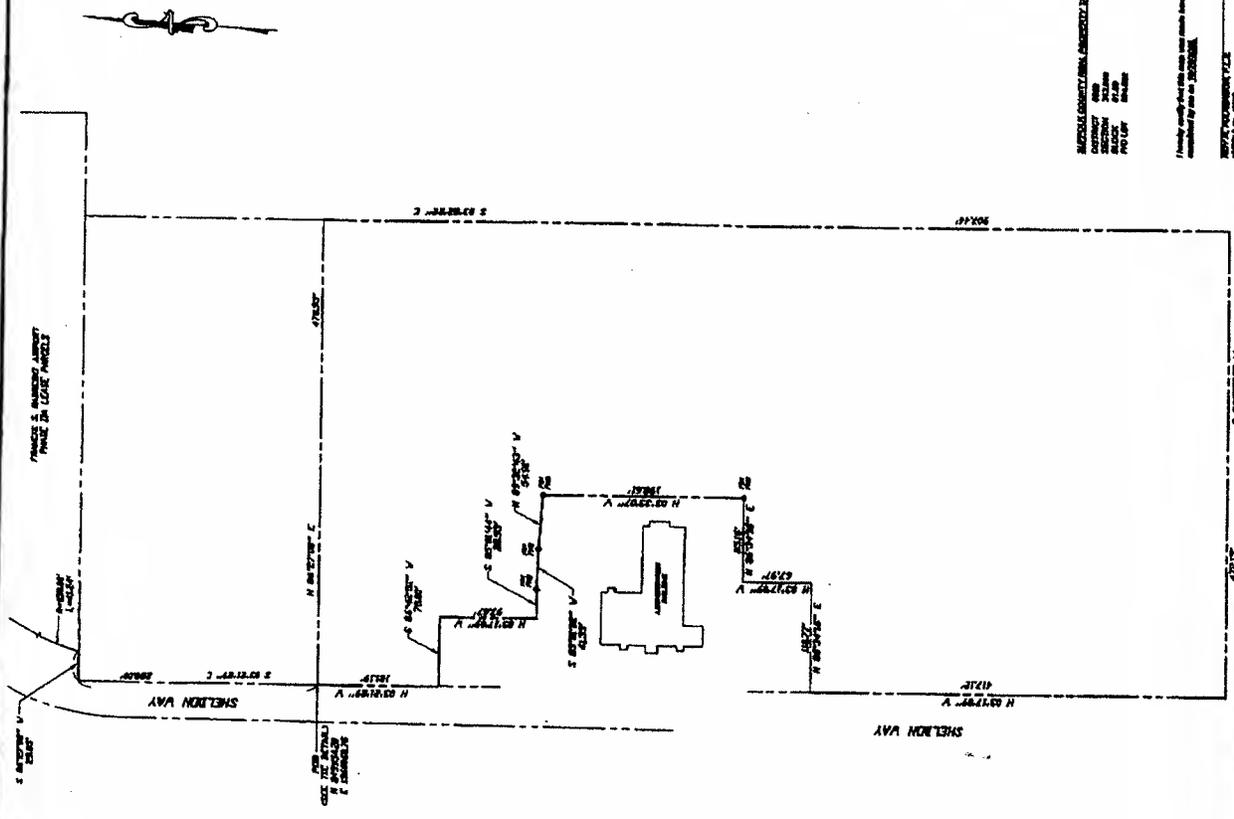


INCHES OF LEASE PARCEL = 30 FEET OR FEWER ACRES



- NOTES**
1. ALL DIMENSIONS ARE IN DECIMALS UNLESS OTHERWISE SPECIFIED.
  2. THE BOUNDARIES OF THE LEASE PARCEL ARE SHOWN BY A DASHED LINE AND ARE TO BE CONSIDERED AS SUCH UNLESS OTHERWISE SPECIFIED.
  3. CONVEYANCE OF THE LEASE PARCEL IS SUBJECT TO ALL EASEMENTS, RIGHTS AND INTERESTS OF RECORD AND TO ALL TAXES, LIENS AND ENCUMBRANCES OF RECORD.
  4. THE COUNTY OF SUFFOLK HAS REVIEWED THIS MAP AND HAS CONSIDERED IT TO BE A TRUE AND CORRECT REPRESENTATION OF THE FACTS AS STATED THEREON.
  5. THE COUNTY OF SUFFOLK HAS REVIEWED THIS MAP AND HAS CONSIDERED IT TO BE A TRUE AND CORRECT REPRESENTATION OF THE FACTS AS STATED THEREON.
  6. THE COUNTY OF SUFFOLK HAS REVIEWED THIS MAP AND HAS CONSIDERED IT TO BE A TRUE AND CORRECT REPRESENTATION OF THE FACTS AS STATED THEREON.
  7. THE COUNTY OF SUFFOLK HAS REVIEWED THIS MAP AND HAS CONSIDERED IT TO BE A TRUE AND CORRECT REPRESENTATION OF THE FACTS AS STATED THEREON.

**L. K. McLEAN ASSOCIATES, P.C.**  
CONSULTING ENGINEERS  
207 3RD AVENUE  
ROCHESTER, N.Y. 14609



MADE BY: DATE: 05/20/2009  
CHECKED BY: DATE: 05/20/2009  
DESIGNED BY: DATE: 05/20/2009  
DRAWN BY: DATE: 05/20/2009  
PROJECT NO.: 05893.000

MADE BY: DATE: 05/20/2009  
CHECKED BY: DATE: 05/20/2009  
DESIGNED BY: DATE: 05/20/2009  
DRAWN BY: DATE: 05/20/2009  
PROJECT NO.: 05893.000

COUNTY OF SUFFOLK  
DEPARTMENT OF ECONOMIC DEVELOPMENT  
CIVIC CENTER  
100 N. MAIN ST.  
SOUTHAMPTON, NY 11968

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**EXHIBIT C**  
**SITE PLAN**



COUNTY OF SUFFOLK



*K*  
*new Reso file*  
*1055*

Steve Levy  
SUFFOLK COUNTY EXECUTIVE  
DEPARTMENT OF PLANNING  
COUNCIL ON ENVIRONMENTAL QUALITY

R. Lawrence Swanson  
CHAIRPERSON

James Bagg  
CHIEF ENVIRONMENTAL ANALYST

MEMORANDUM

TO: Honorable Steve Levy, Suffolk County Executive  
Honorable William J. Lindsay, Presiding Officer

FROM: R. Lawrence Swanson, Chairperson

DATE: October 20, 2008

RE: CEQ Review of the Proposed Francis Gabreski Airport – Shelt Air Westhampton LLC Lease Amendment in the Town of Southampton.

On September 8<sup>th</sup>, 2008 the Department of Economic Development & Workforce Housing submitted an EAF regarding the Shelt Air Westhampton LLC Lease Amendment proposed at Francis Gabreski Airport which has an increase of 1.08 acres to enhance safety and security from the original project. Parts I and II of the EAF have also been revised to more clearly describe the extent of the proposed action and address environmental concerns.

At its October 15<sup>th</sup>, 2008 meeting, the CEQ reviewed the above referenced project. Pursuant to Chapter 279 of the Suffolk County Code, and based on the information received, as well as that given in a presentations by Mr. Anthony Ceglio, Gabreski Airport Manager, the council advises the Suffolk County Executive and Legislature, in CEQ Resolution No. 41-08, a copy of which is attached, that the project as proposed be considered an unlisted action under SEQRA that will not have significant adverse impacts on the environment as set forth in the EAF and the supporting materials submitted.

If the Legislature concurs with the Council on Environmental Quality’s recommendation that the project will not have a significant effect on the environment, the Presiding Officer should cause to be brought before the Legislature for a vote, a resolution determining that the proposed action is an unlisted action pursuant to SEQRA that will not have significant adverse impacts on the environment (negative declaration). However, if the Legislature has further environmental concerns regarding the project and needs additional information, then the Presiding Officer

should submit a resolution requiring a draft environmental impact statement (positive declaration), and authorize the initiating unit to prepare such a document.

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Enclosed for your information is a copy of the EAF, Parts I, and II, associated information and the CEQ Resolution No. 41-08 setting forth the council's recommendations. If the council can be of further help in this matter, please let us know.

JFB/cd

cc: All Suffolk County Legislators  
Tim Laube, Clerk of Legislature  
George Nolan, Attorney for the Legislature  
Carrie Meek Gallagher, Director of Environmental Affairs  
Christine Malafi, Suffolk County Attorney  
(Dept. Head and/or Presenter)

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RECOMMENDATION CONCERNING A SEQRA CLASSIFICATION  
AND DETERMINATION FOR THE PURPOSES OF  
CHAPTER 279 OF THE SUFFOLK COUNTY CODE  
FOR THE PROPOSED FRANCIS GABRESKI AIRPORT – SHELTA AIR  
WESTHAMPTON LLC LEASE AMENDMENT IN THE TOWN OF SOUTHAMPTON.

WHEREAS, at its October 15<sup>th</sup>, 2008 meeting, the Suffolk County Council on Environmental Quality reviewed the EAF and associated information submitted by the Suffolk County Department of Economic Development & Work Force Housing, Aviation Division of the Francis Gabreski Airport; and

WHEREAS, a presentation regarding the project was given at the meeting by Mr. Anthony Ceglie, Airport Manager of the Francis Gabreski Airport; and

WHEREAS, the project involves the redevelopment of the Shelta Air facility. Intended actions include demolition of the existing hangar/office building, removal of an underground heating oil tank, construction of a new 4,000 square foot FBO office building and customer lobby, removal of some asphalt surfaces, site grading, installation of one (1) new 22,800 square foot hangar (approximately 100 feet by 198 feet) which includes a 3,000 square foot lean-to entrance/office/storage area, new asphalt surfaces, and additional aircraft fuel storage capacity for servicing aircraft operations. The purpose of the project is to upgrade the outdated facility with improved structures and provide adequate service needs for aircraft that frequent the airport; now

Be It Therefore

RESOLVED, that in the judgment of the CEQ, based on the information received and presented, the above activity is an Unlisted action under the provisions of Title 6 NYCRR Part 617 and Chapter 279 of the Suffolk County Code; and

Be It Further

RESOLVED, that based on the information received, a quorum of the council recommends to the Suffolk County Executive and Legislature, pursuant to Chapter 279 of the Suffolk County Code, that the 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 (c) of Title 6 NYCRR which sets forth thresholds for determining significant adverse impact 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 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).

- In fact, approximately 95% of the site consists of urban and cut and fill land indicating prior disturbance;
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, including the removal of existing fuel tanks, the construction of the expanded fuel facility, storage of any toxic or hazardous materials and sewage discharge 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 necessary N.Y.S. D.E.C. stormwater permits will be obtained;
  11. Waste Oil Removal – the applicant is responsible to provide signage to outline the approved procedure for waste oil removal. Any instructions regarding the removal of waste oil from the site is to conform to regulations as determined by the NYSDEC and the County of Suffolk. Such language is to be included in the lease document;
  12. 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. The applicant will make their best effort to conform with and to see to it that subtenants conform to current and any future approved Gabreski Airport voluntary noise abatement procedures. Noise abatement procedure documents must be provided to all subtenants and be included in the applicant's lease and any/all subsequent subleases of individual hangars. Applicant further agrees to use their database to dispense updated noise abatement information to their customers, and where possible provide updated materials to further educate customers on the avoidance of noise sensitive areas and recommended approaches and departures;
  13. The aspect of cumulative growth at Gabreski Airport has been considered within all of the duly adopted State, County and Town plans that have recommend channeling new growth into the previously disturbed and developed airport while preserving the

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undisturbed, natural outlying areas to the west, north and east of the site. This is a  
"Smart Growth" concept;

and that the Legislature and County Executive adopt a SEQRA determination of non-significance  
(negative declaration)

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

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

(631) 853-5190  
fax (631) 853-4044

Motion by: Mr. Machtay	Seconded by: Mr. Kaufman	1055
CEQ Vote: Appointed Members: 8	Ayes: 8	
CAC Representatives: 0	Nays: None	
Total Voting: 8	Abstentions: None	
	Presiding: <u>Mr. Swanson</u>	

Further information may be obtained by contacting:

Council on Environmental Quality  
P.O. Box 6100  
Hauppauge, New York 11788  
James F. Bagg, Chief Environmental Analyst  
Tel: (631) 853-5203

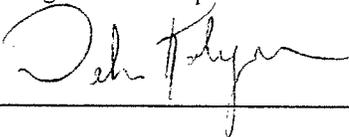
JFB/cd

cc: Honorable Steve Levy, Suffolk County Executive  
Honorable William J. Lindsay, Presiding Officer  
All Suffolk County Legislators  
Tim Laube, Clerk of Legislature  
Carrie Meek-Gallagher, Director of Environmental Affairs  
George Nolan, Attorney for the Legislature  
Christine Malafi, Suffolk County Attorney  
(Dept. Head and/or Presenter)



STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1055

1. Type of Legislation		
Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>		
2. Title of Proposed Legislation		
<b>RESOLUTION NO.        - 2009, AUTHORIZING A LEASE AMENDMENT WITH SHELT AIR WESTHAMPTON, LLC AT FRANCIS S. GABRESKI AIRPORT</b>		
3. Purpose of Proposed Legislation		
The proposed lease amendment would authorize an additional 1.08 acres allowing for a safer configuration of the proposed development.		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No <u>      </u>		
5. If the answer to item 4 is "yes", on what will it impact?    (circle appropriate category)		
County <u>  X  </u>	Town	Economic Impact
Village Library District	School District Fire District	Other (Specify):
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Additional revenue 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		
Revenue		
9. Timing of Impact		
Upon commencement of lease amendment agreement.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst		January 22, 2009

SCIN FORM 175b (10/95)

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

1055

**GENERAL FUND**

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

**COMBINED**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 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.



1055

# MEMORANDUM

**TO:** Ben Zwirn, Deputy County Executive  
Office of the County Executive

**FROM:** Carolyn E. Fahey, Intergovernmental Relations Coordinator  
Department of Economic Development & Workforce Housing

**DATE:** December 8, 2008

**SUBJECT:** **AUTHORIZING A LEASE AMENDMENT WITH SHELT AIR WESTHAMPTON, LLC**

\*\*\*\*\*

The Department of Economic Development and Workforce Housing, requests the submittal of the attached resolution authorizing an amendment to the lease of Shelt Air Westhampton, LLC. Through Resolution 1236-2007, Suffolk County approved a lease for 7.5 acres for the purpose of constructing new facilities. The proposed lease amendment authorizes an additional 1.08 acres allowing for a safer configuration of the proposed development.

Attached please find the draft resolution, signed lease agreement, written comments from the Airport Conservation and Assessment Panel (ACAP) and the required SCIN 175a and 175b. Electronic copies have been filed as required.

Thank you.

CEF/kmb  
Attachments

cc: Jim Morgo, Chief Deputy County Executive  
Patrick Heaney, Commissioner  
Brendan Chamberlain, County Executive Assistant  
Tony Ceglie, Francis S. Gabreski Airport Manager



Steve Levy  
Suffolk County Executive

Patrick Heaney  
Commissioner

**BETTER FOR BUSINESS...BETTER FOR LIFE**

1056

Intro. Res. No. -2009

Laid on Table 2/3/2009

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2009, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR LEGAL SERVICES FOR MEDICAID PROVIDER COMPLIANCE REVIEWS FOR THE DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, Local Law No. 3-1996 requires the County Legislature to approve any contract in excess of \$20,000 awarded pursuant to an RFP process in which only one party responds to the County's solicitation of proposals; and

**WHEREAS**, the Department of Social Services requested an RFP for "Auditing, Investigative and Legal Services for Medicaid Provider Compliance Reviews" for the Medicaid Fraud Waste and Abuse Program; and

**WHEREAS**, the Purchasing Division of the Department of Public Works advertised for these services and mailed the RFP to six (6) potential vendors and received only one response for Legal Services from DeProspro Petrizzo and Longo LLP with Levy Phillips Konigsberg LLP; and

**WHEREAS**, an independent evaluation committee reviewed the proposal from DeProspro Petrizzo and Longo LLP with Levy Phillips Konigsberg LLP and found their quality of work and experience satisfactory, and its cost proposal submission within the industry standards, and have recommended that the Department of Social Services enter into a contractual agreement with DeProspro Petrizzo and Longo LLP with Levy Phillips Konigsberg LLP; and

**WHEREAS**, there are sufficient funds in the 2009 Suffolk County Operating Budget to cover the cost of this contract; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that upon receiving a two-thirds vote of the County Legislature as required by Local Law No. 3-1996 that the Department of Social Services will enter into a contractual agreement with DeProspro Petrizzo and Longo LLP with Levy Phillips Konigsberg LLP for the provision of legal services for Medicaid Provider Compliance Reviews; and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with DeProspro Petrizzo and Longo LLP with Levy Phillips Konigsberg LLP.

DATED:

APPROVED BY:

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

Date:

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

1056

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation		
<b>REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR LEGAL SERVICES FOR MEDICAID PROVIDER COMPLIANCE REVIEWS FOR THE DEPARTMENT OF SOCIAL SERVICES</b>		
3. Purpose of Proposed Legislation		
To allow the Department of Social Services to enter into a contractual agreement with Levy, Phillips, Konigsberg LLP and DeProspro, Petrizzo and Longo, LLP for the provision of Legal Services for Medicaid Provider Compliance Reviews. This resolution is necessary per Local Law No. 3-1996, which requires Legislative approval for any proposed contract in excess of \$20,000 awarded pursuant to an RFP Process in which only one party responds to the County's solicitation of proposals.		
4. Will the Proposed Legislation Have a Fiscal Impact?    Yes _____    No <u>  X  </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political of other Subdivision.		
There is no financial cost to the County; costs are 100% reimbursable -		
8. Proposed Source of Funding.		
Federal and State Aid		
9. Timing of Impact.		
Immediate		
10. Typed Name & Title of Preparer Patricia A. Clark Director of Management and Research <i>Theresa Lollo</i>	11. Signature of Preparer <i>Theresa Lollo</i> <i>Theresa Lollo</i>	12. Date <i>12/18/08</i> <i>1/22/09</i>

SCIN FORM 175b (10/95)  
*Principal Financial  
analyst*

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

1056

**GENERAL FUND**

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

**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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

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

**NOTES:**

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



1056

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF SOCIAL SERVICES

Janet DeMarzo  
Commissioner

## Memorandum

**To:** Ben Zwirn, Assistant Deputy County Executive  
County Executive Office

**From:** Janet DeMarzo, Commissioner  
Department of Social Services

**Date:** December 18, 2008

**Subject:** **REQUEST FOR LEGISLATION:**  
Requesting Legislative Approval of a Contract Award

I am requesting that the attached legislative resolution be submitted to the Suffolk County Legislature at the first meeting of 2009:

**“REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD  
FOR LEGAL SERVICES FOR MEDICAID PROVIDER COMPLIANCE  
REVIEWS FOR THE DEPARTMENT OF SOCIAL SERVICES”**

The Department of Social Services has issued an RFP for "Auditing, Investigative, and Legal Services for Medicaid Provider Compliance Reviews" for the Medicaid Fraud, Waste, and Abuse program. The RFP sought providers for Auditing, Investigation, and Legal Services. In response to the RFP, the law firm of DeProspo Petrizzo and Longo LLP with Levy Phillips Konigsberg LLP was the only submission for the provision of Legal Services. This resolution is necessary in order to comply with Local Law 3-1996, which requires the Suffolk County Legislature to approve the award of any contract in excess of \$20,000, awarded pursuant to the Request for Proposals (RFP) process, in which only one party responds to the County's solicitation of proposals.

The Department of Social Services, as part of the Office of Medicaid Inspector General's Provider Fraud demonstration project, has retained the Bonadio Group for Auditing Services, and is in contract with Salient Corporation for Data Mining Services. Social Services and The Bonadio Group are analyzing data gathered from two completed pharmacy audits and are expecting preliminary findings within the next thirty days. Social Services is awaiting the approval for 15 additional audits from the Office of Medicaid Inspector General.

Attached please find the above referenced resolution, the introduction form (SCIN Form 175a), the fiscal impact statement (SCIN Form 175b), the grant approval letter from NYS and related back-up material. The e-copies relating to this resolution are titled "Reso-DSS-MA Fraud Legal Services Contract." If you have any questions, please contact Patricia Clark at 854-9939.

Enc.  
c: D. Fahey  
J. Morgo

ec: CE Reso. Review Distribution List  
BOX 18100

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2009, ACCEPTING AND APPROPRIATING \$104,947 IN 100% GRANT FUNDING FROM THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE FOR INTENSIVE CASE SERVICES FOR THE CONTINUATION OF THE INTENSIVE CASE SERVICES COMPONENT OF THE SANCTION INTERVENTION PROGRAM IN THE DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the New York State Office of Temporary and Disability Assistance has designated Suffolk County as the recipient of 100% Federal funding in the amount of \$104,947 to continue the intensive services component of the Education and Assistance Corporation's Sanction Intervention Program; and

**WHEREAS**, the purpose of the grant is to provide funds to perform intensive case services for non-compliant families to overcome barriers to employment and assist in the improvement of the economic well being of families; and

**WHEREAS**, the Sanction Intervention Program specifically targets non-compliant individuals to encourage and facilitate work rule compliance; and

**WHEREAS**, non-compliant individuals will be referred to this program by the staff of Department of Social Services to begin the intensive review of individual and family barriers and determine the best course of action to take; and

**WHEREAS**, this program is 100% funded; and

**WHEREAS**, it is in the best interest of Suffolk County to accept these funds; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to accept the following funds:

<b><u>REVENUES:</u></b>		<b><u>\$104,947</u></b>
001-4610	FEDERAL AID: Administration	\$104,947

and, be it further

**2<sup>nd</sup> RESOLVED**, that total funds in the amount of \$104,947 be and they are hereby appropriated as follows:

ORGANIZATIONS:

\$104,947

Department of Social Services  
Housing, Adult and Employment Services  
001-DSS-6008

4000 – Contractual Expenses

\$104,947

4980 – GYD1 – Education & Assistance Corporation, Inc

\$104,947

and, be it further

3<sup>rd</sup> **RESOLVED**, that the deadline for expending funds is December 31, 2009 in conformance with the terms of the grant award; and be it further

4<sup>th</sup> **RESOLVED**, that the County Executive and the Commissioner of Social Services be and they hereby are authorized to execute a contract with the Education & Assistance Corporation, Inc. for the Sanction Intervention Program.

DATED: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_

County Executive of Suffolk County

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

1057

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 ACCEPTING AND APPROPRIATING \$104,947 IN 100% GRANT FUNDING FROM THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE FOR INTENSIVE CASE SERVICES FOR THE CONTINUATION OF THE INTENSIVE CASE SERVICES COMPONENT OF THE SANCTION INTERVENTION PROGRAM IN THE DEPARTMENT OF SOCIAL SERVICES		
3. Purpose of Proposed Legislation The purpose of this Resolution is to use 100% Federal Funds to continue the Intensive Case Services component of the Sanction Intervention Program with the Education & Assistance Corporation, Inc. The additional funding will be used to provide intensive case services to assist TANF eligible recipients who are non-compliant with federal work requirements become fully engaged in work activities.		
4. Will the Proposed Legislation Have a Fiscal Impact?    Yes      No <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political of other Subdivision. 100% funded.		
8. Proposed Source of Funding. Federal Aid		
9. Timing of Impact. Immediate		
10. Typed Name & Title of Preparer Patricia A. Clark Director of Management and Research	11. Signature of Preparer <i>Theresa Lollo</i>	12. Date 12/18/08 1/22/09

~~SCIN FORM 175b (10/95)~~  
*Theresa Lollo*  
*Principal Financial Analyst*

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

1057

**GENERAL FUND**

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

**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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

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

**NOTES:**

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1057

David A. Paterson  
Governor

NEW YORK STATE  
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE  
40 NORTH PEARL STREET  
ALBANY, NY 12243-0001

David A. Hansell  
Commissioner

### Local Commissioners Memorandum

#### Section 1

<b>Transmittal:</b>	08-LCM-13
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Center for Employment and Economic Supports
<b>Date:</b>	December 1, 2008
<b>Subject:</b>	Funding for Intensive Case Services for Noncompliant Families (ICS3)
<b>Contact Person(s):</b>	<u>Program Related Questions:</u> Libby McGinn (518) 486-6106 or <a href="mailto:Elizabeth.McGinn@otda.state.ny.us">Elizabeth.McGinn@otda.state.ny.us</a>  <u>Fiscal Related Questions:</u> Regions 1-4 James Carroll 1-800-343-8859, extension 4-7549 or <a href="mailto:James.Carroll@otda.state.ny.us">James.Carroll@otda.state.ny.us</a> Region 5 Michael Borenstein 631-854-9704 or <a href="mailto:Michael.Borenstein@otda.state.ny.us">Michael.Borenstein@otda.state.ny.us</a> Region 6 Marian Borenstein 212-961-8250 or <a href="mailto:Marian.Borenstein@otda.state.ny.us">Marian.Borenstein@otda.state.ny.us</a>
<b>Attachments:</b>	<u>Attachment A: Allocations</u> <u>Attachment B: Budget Instructions</u> <u>Form 1: Program Narrative for Noncompliant Participants</u> <u>Form 2: Program Narrative for Not Fully Engaged Participants</u> <u>Form 3: Budget Form for Noncompliant Participants</u> <u>Form 3A: Budget Narrative Form for Noncompliant Participants</u> <u>Form 4: Budget Form Not Fully Engaged Families</u> <u>Form 4A: Budget Narrative Form for Not Fully Engaged Families</u>
<b>Attachment Available On – Line:</b>	yes

#### Section 2

##### I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to inform social services districts (districts) that \$5.4 million in federal Temporary Assistance for Needy Families (TANF) funds are being made available to support services to noncompliant and other at-risk families in receipt of public assistance through the Intensive Case Services (ICS) program.

The ICS program seeks to provide enhanced outreach, case management and other services to help recipients of public assistance achieve economic independence and to ensure that program requirements appropriately address client circumstances. Intensive case services support district efforts to identify and address factors that may contribute to program noncompliance and to engage each individual in appropriate work or work-preparation activities to improve the economic well-being of families. Now beginning in its third program year, the ICS program has enhanced district's efforts to implement creative strategies to more accurately identify and address barriers to full engagement.

The program end date for ICS2 is December 31, 2008, with final claims due by February 15, 2009. The end date for the ICS2 program will not be extended.

This LCM includes base allocations for the ICS3 program and includes instructions describing the plan submission and approval process for districts to receive their respective allocations, a description of program goals and expected outcomes, and program reporting requirements. Base ICS3 allocations will be made available to districts, contingent upon OTDA plan approval, for the program period beginning January 1, 2009 through December 31, 2009, with final claims due February 15, 2010. OTDA may use prior year unexpended ICS funds to provide supplemental ICS allocations to districts to assist supporting program services for the January 1, 2009 through December 31, 2009 program period. Additional information on the supplemental ICS allocation should be available in March 2009.

**II. Background**

A primary goal of public assistance employment programs is to help adults enter the workforce to improve the economic well-being of their families. Additionally, the employment-related changes authorized by the Deficit Reduction Act of 2005 (Public Law 109-171) and the final TANF rule published by the Department of Health and Human Services on February 5, 2008 require the State and districts to meet effectively higher federal work participation rate requirements as of October 1, 2006. Each of these goals is hindered when adults who are able to work or participate in appropriate treatment/rehabilitation services to restore the ability to work are not actively engaged in appropriate job preparation or rehabilitation services.

Noncompliance with program requirements may be attributed to a number of factors. Research studies and outreach efforts conducted by some districts have indicated that certain individuals who are sanctioned for noncompliance with work requirements face barriers to participation that contribute to the lack of full engagement. For example, individuals may have work outcomes that are affected by cognitive functioning and physical or mental health conditions. In such instances, a referral for a vocational assessment or treatment may be highly beneficial to establish appropriate employment goals. In other instances, noncompliance may be due to factors such as lack of comfort relying on child care services, caretaker needs of household members, unreported employment or lack of motivation to secure financial independence.

1057

Starting in SFY 2006-2007, New York has made a significant investment by providing a total of \$32 million in federal TANF funds to support intensive case services, including enhanced outreach and case management for noncompliant and not fully engaged participants, to ensure program expectations address client specific needs and to help adults best contribute to their family's well-being. Supporting district efforts to secure full engagement in appropriate activities for all public assistance recipients continues to be a priority for OTDA.

The \$5.4 million in federal TANF funds made available by this LCM includes \$3 million dollars available by the SFY 2008-2009 enacted State Budget and \$2.4 million in unspent ICS funds from SFY 2006-2007. OTDA may use prior year unexpended ICS funds to provide supplemental ICS allocations to districts to support services for the January 1, 2009 to December 31, 2009 program period and districts should refer to Section IV of this LCM for additional information on the methodology used to allocate funds.

These program awards are intended to allow districts to continue existing intensive case services and/or enhance current efforts to fully engage public assistance recipients through the provision of targeted services such as enhanced outreach efforts, comprehensive assessments, support services, home visits, and/or additional scheduled office visits to address individual and family issues. It is recommended that ICS service models emphasize the relationship between the case manager and client, have a high degree of face-to-face contact and use 'seasoned' staff members, as these approaches are useful in identifying and addressing factors contributing to an individual's inability to fully engage in work activities or other program requirements. Intensive case services also may include helping individuals access community services that may improve program participation.

### **III. Description of Services Sought**

#### **A. Eligible Participants**

No changes have been made to the eligibility criteria required to be served through the ICS program. Participants served under the ICS Program must be eligible to receive TANF-funded non-assistance services and must be in receipt of TANF (case types 11 or 12) or Safety Net MOE (case type 16 or 17 with state charge code 63 or 64). This includes two-parent families eligible for TANF-funded non-assistance as described in 06 LCM-09. Eligible participants also must be:

- individuals who are noncompliant (subject to penalty or in sanction status for failure to comply) with work requirements, or
- individuals who are not fully engaged in countable work activities, including those employed part time (up to 20% of a district's allocation may be spent on efforts to target this population).

**B. Program Goals**

Services provided through the ICS program are intended to help identify the most appropriate set of activities and services for clients with the goal of helping adults who are capable of working to enter the workforce so they may improve the economic security of their families. Additionally, the services are intended to help each district and the State achieve the required work participation rates, which typically require full-time program engagement. Services funded under this initiative are intended to support these program goals by enabling districts to achieve contact with clients, identify the most appropriate service strategy for each client, and develop strategies to fully engage clients in appropriate work or work-preparation activities. For example, ICS funds may be used to enable districts or community-based organizations to conduct home visits or other enhanced outreach efforts that provide the opportunity to thoroughly explain program requirements, conduct in-depth assessments of family circumstances, and establish employment/self-sufficiency plans for families that are most appropriate.

Up to 20% of a district's allocation may be used to provide intensive case services to help eligible individuals who are not fully engaged in countable work activities to increase hours of program participation or work. For this population, ICS funds may be used to identify and address barriers to full-time participation and to develop strategies that will increase participation. For example, districts could elect to use up to 20% of the ICS allocation to support job development activities to help current part-time workers obtain full-time employment.

**C. Services**

All services provided with these funds must meet the definition of TANF non-assistance services (as described in 00 LCM-20 and federal TANF regulations at 45 CFR §260.31). Projects may continue to support services implemented under the SFY 2006-2007 and/or SFY2007-2008 ICS program, or to enhance or modify such services. At least 80% of each district's allocation must be used to support services targeting TANF-eligible, noncompliant participants and districts may use their entire allocation to serve this eligible population. Additionally, districts are permitted to use up to 20% of their allocation to serve eligible participants who are not currently subject to penalty, but who are not fully engaged in countable work activities, including recipients who may be working part-time.

Approvable program plans must include, but are not limited to:

- enhanced outreach to ensure that public assistance recipients fully understand work requirements, the impact of noncompliance on the family's ability to become financially stable, the reason(s) for sanction and the methods for curing the sanction, if any;
- enhanced assessments, such as in-home functional assessment, to investigate a family's barriers to program compliance, including unmet needs and how client/family barriers affect the individual's ability to engage in work or work-preparation activities; and

- enhanced case management services, including the development of or modification of employment plans that identify barriers to program participation, identify services including community resources recommended to help the family to address barriers to program participation and outline client expectations regarding program participation.

Other services that may help eligible participants increase participation in work or work-preparation activities include:

- specialized assessments, including vocational assessments such as a diagnostic vocational evaluation for individuals with work limitations and providing appropriate services for the ICS target population;
- helping eligible individuals navigate program requirements and address barriers which impact the individual's ability to participate in work activities, and to identify where there may be duplication of services or conflicting requirements and help coordinate program services;
- subsidized job opportunities, including supported work, for previously noncompliant individuals assessed to be ready to enter employment; and
- other services that support full participation in work or work-preparation activities. These services may include, but are not necessarily limited to: provision of a job coach; job development, including employer outreach; client mentoring to enable those who are working to increase hours of employment; and, expanded employability evaluations by a medical professional.

Intensive case services may be provided through a combination of home visits, office appointments, telephone contacts with families, mailed notices and the use of community-based organizations to support outreach and/or case management efforts. Districts should ensure that contact letters sent to noncompliant participants as part of the ICS program include information on the benefits of program compliance as well as the services that are available to help the individual address barriers and comply with employment requirements.

Districts are required to use two different methods for contacting families, including mail delivery, telephone contact attempts or home visit attempts before any action is taken to discontinue a family's public assistance benefits for failure to comply with an eligibility requirement that is included as a component of an ICS program plan. Districts that intend to use these funds to support home visits should review the requirements outlined in 18 NYCRR 351.28 and 95 ADM-24 to ensure the process that is developed is consistent with State requirements. For example, home visits should generally be scheduled in advance, consistent with the applicable requirements.

**Note:** The State appropriation language that authorizes the ICS program for the program period beginning January 1, 2009, specifically **prohibits the use of ICS funds to support anti-fraud related activities**. Therefore, ICS3 program plans and budget forms/narratives submitted in response to this LCM cannot include the use of ICS funds for anti-fraud related activities.

**IV. Funding/Allocations**

The base ICS3 allocations provided in **Attachment A** are based on a minimum allocation of \$5,000 to each district with the balance allocated using the same percentages of each district's share of noncompliant family cases receiving public assistance as compared to all such cases statewide used to allocate the SFY 2007-2008 ICS funds made available via 07 LCM-07. OTDA may use prior year unexpended ICS funds to provide supplemental ICS allocations to districts to assist supporting program services for the January 1, 2009 through December 31, 2009 program period. Additional information on the supplemental ICS allocation should be available in March 2009. However, the methodology used to develop supplemental ICS allocations may not provide an additional minimum allocation to all districts. For example, OTDA may use each district's share of the noncompliant, TANF-eligible caseload as a percentage of all such cases statewide to allocate the unexpended prior year ICS funds. Additional information on the supplemental ICS allocation should be available in March 2009.

District allocations are available beginning January 1, 2009 to provide services consistent with a plan approved by OTDA. The deadline for expending ICS3 funds is December 31, 2009 and final claims must be submitted by February 15, 2010.

**V. Plan Format**

Districts must submit plans consisting of a Program Narrative(s), Budget Form(s) and Budget Narrative(s) to OTDA for approval. OTDA staff will review the submission to determine that services are directly related to the provision of allowable program services and activities to eligible participants and that the minimum required level of intensive case services are provided.

**A. Program Narrative (Form 1 for Noncompliant/Form 2 for Not Fully Engaged)**

A program narrative will need to be submitted for each targeted population (see Forms 1 and 2). Each program narrative should not exceed five pages in 12-pitch font using standard one inch margins. Additionally, each program narrative should be comprehensive and address each of the following:

- a listing of the specific goals of the project for TANF-eligible, public assistance recipients;
- a description of the process that will be used to identify and refer TANF-eligible, public assistance recipients targeted for intensive case services;
- an explanation of the methods of outreach that will be used to initiate contact with TANF-eligible, public assistance recipients targeted for services, and identification of the two different types of outreach that will be used;
- a description of the case management services and other activities that will be provided following successful client contact;

- an estimate of the number of participants to be served during the program period;
- a list of the project staff (including provider agency staff as well as district staff) and their duties under the ICS program; and
- a description of the process that the district will use to collect and report ICS program outcomes.

Districts that opt to serve TANF-eligible participants who are currently compliant, but are not fully engaged in countable work activities, with up to 20% of their allocation will need to complete the separate program narrative (Form 2) to describe the outreach, case management and other services to be provided to this population and the respective budget form/narrative (Forms 4 and 4A), as described below.

**B. Budget and Budget Narrative Forms: Forms 3 and 3A (noncompliant), 4 and 4A (not fully engaged)**

The budget and budget narrative forms (see Forms 3/3A and 4/4A) should identify staff and services to be funded through the project and the estimated cost (see **Attachment B** for instructions regarding budget preparation). Additionally, a district may use no more than 20% of the funds to provide services to eligible participants in families who are not subject to penalty, but who are not fully engaged in work activities. If districts opt to serve both eligible populations, a separate budget form must be completed for each. The combined budgets should not exceed the total allocations included in Attachment A.

**VI. Project Submission Process and Deadline**

Completed proposals must be submitted by **December 20, 2008**, to be eligible for funding under this initiative. District allocations are available beginning January 1, 2009, for completed and approved plans. Completed proposals should be e-mailed by December 20, 2008 to Libby McGinn at [Elizabeth.McGinn@otda.state.ny.us](mailto:Elizabeth.McGinn@otda.state.ny.us) or mailed to the following address:

Ms. Libby McGinn  
NYS Office of Temporary and Disability Assistance  
Employment and Advancement Services Bureau  
40 North Pearl Street, 11<sup>th</sup> Floor  
Albany, New York 12243-0001

**VII. Outcome Measures and Reporting Requirements**

Districts currently report ICS Program Outcomes via the TANF Reporting and Control System (TRACS). The ICS3 program will use the **TRACS 2** system to report the number of participants served and other program related performance measures. Claiming information for districts receiving ICS3 funds is provided in Section VIII below.

OTDA will use the program outcomes and expenditures reported via TRACS2 to measure program performance and also may use such information to evaluate eligibility for additional funds that may become available. Furthermore, ICS program outcomes and expenditure data reported via TRACS2 also will be used to update the quarterly performance and expenditure data that is entered into the Performance and Accountability Matrices and posted on the OTDA website.

Districts participating in the ICS3 program will be required to report the following information on a quarterly basis to OTDA for each target population:

***Participants served during reporting quarter***

- Number of targeted participants successfully contacted (served).

***Participants successfully contacted during reporting quarter***

- Number of participants contacted by letter/call-in
- Number of participants contacted by phone call
- Number of participants contacted by home visit
- Number of participants contacted by other means

***Engagement outcomes for reporting quarter***

- Number of participants successfully engaged following contact
- Number of participants engaged in necessary treatment
- Number of participants that remain unengaged without good cause
- Number of participants with newly reported income
- Number of participants that remain engaged in work activities or necessary treatment in the quarter following placement

***Cases closed during the reporting quarter***

- Number of cases closed due to income from employment obtained during the reporting quarter
- Number of cases closed because district was unable to locate family
- Number of cases closed for failure to respond to outreach (excludes household's district was unable to locate)
- Number of cases closed because of newly reported income prior to reporting quarter
- Number of cases closed at the request of the family
- Number of cases closed for any reason other than those listed

Districts will receive more detailed reporting instructions for ICS3 funds with plan approval.

## **VIII. Claiming Instructions**

Those districts that have their ICS3 plan approved will claim reimbursement for their expenditures using the following instructions:

The Special Project name is ICS3. The administrative and/or contracted costs associated with approved projects under ICS3 should be reported as F-17 functional code expenditures and claimed in a column labeled ICS3 on the Schedule D-17, "Distribution of Allocated Costs to Other Reimbursable Programs (LDSS-3274)." The information

from the Schedule D-17 is entered into TRACS where an LDSS-3922 Reimbursement Claim for Special Projects will be completed.

District staff working only part time on ICS3 must be time studied and only those costs should be charged to ICS3.

The LDSS-3922 for ICS3 should be submitted on a monthly basis to the Bureau of Financial Services using the TRACS system. Districts must retain the signed LDSS-3922 which supports the ICS3 claims submitted via TRACS for audit purposes. Instructions for completing the Schedule D-17 are found in Fiscal Reference Manual (FRM) Volume 3, Chapter 18. Instructions for completing the LDSS-3922 are found in FRM, Volume 2, Chapter 3.

The costs should be reported on the LDSS-3922 in the "Administration Costs" and "Total Costs" columns and claimed at 100% federal share. Reimbursement for all expenditures is available up to the limit of the approved project budget.

The starting date for expending these ICS funds is January 1, 2009 and the deadline is December 31, 2009. Final claims are due by February 15, 2010.

Questions of a fiscal nature can be directed to the OTDA Bureau of Financial Services by contacting:

Regions 1-4, James Carroll at 1-800-343-8859, extension 4-7549.  
Email: [James.Carroll@otda.state.ny.us](mailto:James.Carroll@otda.state.ny.us)

Region 5, Michael Borenstein at (631) 854-9704.  
Email: [Michael.Borenstein@otda.state.ny.us](mailto:Michael.Borenstein@otda.state.ny.us)

Region 6, Marian Borenstein at (212) 961-8250.  
Email: [Marian.Borenstein@otda.state.ny.us](mailto:Marian.Borenstein@otda.state.ny.us)

#### **IX. Additional Information**

Districts that intend to change the services supported by ICS funds must submit a plan modification to OTDA for approval within 30 calendar days of implementing such changes. The reimbursement of costs incurred under the ICS program continues to be contingent on OTDA's approval of the district's ICS plan in accordance with the requirements outlined in this LCM.

#### **Issued By:**

**Name:** Russell Sykes  
**Title:** Deputy Commissioner  
**Division/Office:** Center for Employment and Economic Supports

**Funding for Intensive Case Services For Noncompliant Families (ICS 3)  
2009 Program Funding**

District	District Share of \$4,320,000 (80% of Funding)	District Share of \$1,080,000 (20% of Funding)	Total Allocation
ALBANY	\$42,279	\$10,569	\$52,848
ALLEGANY	\$17,870	\$4,468	\$22,338
BROOME	\$41,976	\$10,494	\$52,470
CATTARAUGUS	\$8,814	\$2,204	\$11,018
CAYUGA	\$13,932	\$3,483	\$17,415
CHAUTAUQUA	\$39,081	\$9,770	\$48,851
CHEMUNG	\$21,624	\$5,406	\$27,030
CHENANGO	\$5,885	\$1,472	\$7,357
CLINTON	\$16,759	\$4,190	\$20,949
COLUMBIA	\$6,710	\$1,678	\$8,388
CORTLAND	\$11,255	\$2,814	\$14,069
DELAWARE	\$4,354	\$1,088	\$5,442
DUTCHESS	\$21,035	\$5,259	\$26,294
ERIE	\$253,754	\$63,439	\$317,193
ESSEX	\$7,905	\$1,977	\$9,882
FRANKLIN	\$9,084	\$2,271	\$11,355
FULTON	\$6,474	\$1,619	\$8,093
GENESEE	\$7,973	\$1,993	\$9,966
GREENE	\$8,040	\$2,010	\$10,050
HAMILTON	\$4,017	\$1,004	\$5,021
HERKIMER	\$7,686	\$1,922	\$9,608
JEFFERSON	\$9,841	\$2,460	\$12,301
LEWIS	\$5,582	\$1,396	\$6,978
LIVINGSTON	\$11,087	\$2,771	\$13,858
MADISON	\$4,589	\$1,147	\$5,736
MONROE	\$208,759	\$52,190	\$260,949
MONTGOMERY	\$5,178	\$1,295	\$6,473
NASSAU	\$63,320	\$15,830	\$79,150
NIAGARA	\$39,602	\$9,901	\$49,503
ONEIDA	\$29,822	\$7,456	\$37,278
ONONDAGA	\$81,046	\$20,261	\$101,307
ONTARIO	\$15,379	\$3,845	\$19,224
ORANGE	\$27,533	\$6,883	\$34,416
ORLEANS	\$9,050	\$2,262	\$11,312

**Funding for Intensive Case Services For Noncompliant Families (ICS 3)  
2009 Program Funding**

OSWEGO	\$13,191	\$3,298	\$16,489
OTSEGO	\$5,296	\$1,324	\$6,620
PUTNAM	\$4,269	\$1,067	\$5,336
RENSSELAER	\$36,942	\$9,236	\$46,178
ROCKLAND	\$14,134	\$3,533	\$17,667
ST. LAWRENCE	\$9,286	\$2,321	\$11,607
SARATOGA	\$4,387	\$1,097	\$5,484
SCHENECTADY	\$20,261	\$5,065	\$25,326
SCHOHARIE	\$5,347	\$1,336	\$6,683
SCHUYLER	\$6,491	\$1,623	\$8,114
SENECA	\$4,724	\$1,181	\$5,905
STEUBEN	\$30,176	\$7,544	\$37,720
SUFFOLK	\$83,958	\$20,989	\$104,947
SULLIVAN	\$12,686	\$3,171	\$15,857
TIOGA	\$8,595	\$2,149	\$10,744
TOMPKINS	\$10,784	\$2,696	\$13,480
ULSTER	\$14,437	\$3,609	\$18,046
WARREN	\$5,481	\$1,371	\$6,852
WASHINGTON	\$5,061	\$1,265	\$6,326
WAYNE	\$9,319	\$2,330	\$11,649
WESTCHESTER	\$95,775	\$23,943	\$119,718
WYOMING	\$5,616	\$1,404	\$7,020
YATES	\$4,657	\$1,164	\$5,821
REST OF STATE	\$1,478,168	\$369,543	\$1,847,711
NEW YCRK CITY	\$2,841,832	\$710,457	\$3,552,289
NEW YORK STATE	\$4,320,000	\$1,080,000	\$5,400,000



1057

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF SOCIAL SERVICES

Janet DeMarzo  
Commissioner

**Memorandum**

**To:** Ben Zwirn, Assistant Deputy County Executive  
Brendan Chamberlain, County Executive Assistant

**From:** Janet DeMarzo, Commissioner, Department of Social Services

**Date:** December 18, 2008

**Subject:** **REQUEST FOR LEGISLATIVE RESOLUTION:**  
Sanction Intervention Program

I am requesting that the attached legislative resolution be submitted to the Suffolk County Legislature at the first meeting of 2009:

**“ACCEPTING AND APPROPRIATING \$104,947 IN 100% GRANT FUNDING FROM THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE FOR INTENSIVE CASE SERVICES FOR THE CONTINUATION OF THE INTENSIVE CASE SERVICES COMPONENT OF THE SANCTION INTERVENTION PROGRAM IN THE DEPARTMENT OF SOCIAL SERVICES.”**

The purpose of this resolution is to accept \$104,947 in 100% grant funding to continue the intensive case services component of the Sanction Intervention Program, which is currently under contract to the Education & Assistance Corporation, Inc (EAC). The funding must be used to provide intensive case services to assist TANF eligible recipients who are non-compliant with Federal work requirements become fully engaged in appropriate work or work preparation activities. Non-compliant individuals will be referred to EAC by DSS staff. EAC addresses individual and family barriers by providing coordinated community based services that will support compliance in work or work preparation activities.

Continuation of this grant and the intensive care provided under the Sanction Intervention Program is important to meet the TANF participation rate.

Attached please find the above referenced resolution, the introduction form (SCIN Form 175a), the fiscal impact statement (SCIN Form 175b), and the allocation letter from the state. If you have any questions, please contact Patricia Clark at 854-9939.

Thank you.

Enc.  
c: Don Fahey  
ec: CE Reso. Review Distribution List

1058

Intro. Res. No. -2009

Laid on Table 2/3/09

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION No. -2009, PERMITTING THE SUFFOLK COUNTY SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS TO PURCHASE FUEL FROM THE COUNTY**

**WHEREAS**, the Suffolk County Society for the Prevention of Cruelty to Animals (SPCA) wishes to purchase fuel from the County under the County's Fuel Management/Preventive Maintenance Inventory Control System which was authorized by Resolution 1233-1997; and

**WHEREAS**, the County agrees to provide the services requested by the SPCA; and

**WHEREAS**, the SPCA agrees to pay for all costs associated with retrofitting their vehicles to conform to the County's Fuel Management/Preventive Maintenance Inventory Control System; and

**WHEREAS**, the SPCA will reimburse the County for the cost of fuel used by SPCA vehicles, in addition to a fifteen percent (15%) administrative fee; and

**WHEREAS**, the County and the SPCA are permitted to enter into joint cooperation Agreements, now therefore be it

**1<sup>st</sup> RESOLVED**, that the SPCA at their own expense, will conform with the County's Fuel Management/Preventive Maintenance Inventory Control System and reimburse the County for the cost of fuel used by their vehicles, plus a fifteen percent (15%) administrative fee; and be it further

**2<sup>nd</sup> RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute any and all agreements with the SPCA on behalf of the County of Suffolk providing for their participation in the above referenced program, 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 Vol. 6 of the New York Code of Rules and Regulations (NYCRR) Section 617.5 (c) (20) (27) in that the resolution concerns purchase or sale of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibility under SEQRA.

DATED: \_\_\_\_\_, 2009

APPROVED BY:

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

Date of Approval:



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

1058

**GENERAL FUND**

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

**COMBINED**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 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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**COUNTY OF SUFFOLK  
CONTRACTS INVENTORY FORM**

**CONTRACT TYPE**

<input type="checkbox"/> Legislative	Resolution Number: _____
<input type="checkbox"/> Non Monetary	
<input checked="" type="checkbox"/> Revenue	<input type="checkbox"/> Grant
	<input type="checkbox"/> Other (Specify) _____
<input type="checkbox"/> Capital	
<input type="checkbox"/> Fees for Services	
<input checked="" type="checkbox"/> Other (Specify)	<u>Reimbursement of cost of fuel purchase plus 15% admin fee</u>

**CONTRACT AWARDED BY**

<input type="checkbox"/> Competitive Bid
<input type="checkbox"/> RFP
<input type="checkbox"/> Waiver of RFP

**IFMS Information**

	<u>Gasoline</u>	<u>Admin Fee</u>
Fund	016	259
Agency	DPW	DPW
Organization	5130	8195
Object	2777	2777
SCS Encumbrance No.	0	

Contractor Name Suffolk County Society for the Prevention fo Cruelty to Animals  
 Contractor Federal ID No. 11-2990626

**Term of Contract**

Start Date 02/01/09  
 End Date 01/31/19  
 If Multi-year Contract give beginning date 02/01/09

Current Budget Year Amount: \$0.00  
 Previous Budget Year Amount: \$0.00  
 Total Contract Amount: \$0.00

Note: If Multi-year Contract, Total Contract Amount is the value of all years.

Dept Contact Person: Laura Conway  
 Dept Contact Phone No.: 852-4030

Brief Description: SPCA to Purchase fuel from County  
No cost to the County

For Budget Office Use Only

1058

**Agreement for Purchase of Fuel**

This Memorandum of Understanding ("Agreement") is between the **County of Suffolk ("County")**, a municipal corporation of the State of New York, acting through its duly constituted **Department of Public Works ("Department")**, located at 335 Yaphank Avenue, Yaphank, New York 11980; and

**Suffolk County Society for the Prevention of Cruelty to Animals ("SPCA")**, having its principal offices located at 363 Route 111, Suite 5, Smithtown, New York 11787.

The parties hereto desire to enter into this Agreement to enable the SPCA to purchase fuel from the County at no cost to the County, as set forth in Exhibit D. This Agreement is subject to approval of the Suffolk County Legislature and approval of the governing body for the SPCA.

**Term of Agreement:** February 1, 2009 through January 31, 2019.

**Payment Terms:** Revenue to the County, as set forth in Exhibit D, attached.

**Terms and Conditions:** Shall be as set forth in Exhibits A through F, attached hereto and made a part hereof.

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

**Suffolk County Society for the Prevention of Cruelty to Animals**

**County of Suffolk**

By: \_\_\_\_\_  
Stephen G. Laton  
Chief of Operations  
Fed. Tax ID #

By: \_\_\_\_\_

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

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

**Approved: Department of Public Works**

**Approved as to Legality:**  
**Christine Malafi, County Attorney**

By: \_\_\_\_\_  
Gilbert Anderson, P.E.  
Commissioner

By: \_\_\_\_\_  
Basia Deren-Braddish  
Assistant County Attorney

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

**Recommended:**

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

By: \_\_\_\_\_  
Laura Conway, CPA  
Chief Accountant

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

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**List of Exhibits**

**Exhibit A      General Terms and Conditions**

1. Responsibilities of the Parties
2. Term and Termination
3. Indemnification
4. Insurance
5. Independent Contractor
6. Severability
7. Merger; No Oral Changes
8. Set-Off Rights
9. Governing Law
10. No Implied Waiver
11. Conflicts of Interest
12. Cooperation on Claims
13. Assignment and Subcontracting
14. No Intended Third Party Beneficiaries
15. Certification as to Relationships
16. Publications and Publicity

**Exhibit B      Suffolk County Legislative Requirements**

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 Address

**Exhibit C      Notices and Contact Persons**

**Exhibit D      Program and Payment Terms**

1. Program
2. General Payment Terms and Conditions
3. Agreement Subject to Appropriation of Funds
4. Specific Payment Terms and Conditions

**Exhibit E      Suffolk County Legislative Resolution**

**Exhibit F      SCPA Resolution**

**Exhibit A**  
**General Terms and Conditions**

**Whereas**, the SCPA wishes to purchase fuel (gas and diesel) under the County's Fuel Management/Preventive Maintenance Inventory Control System; and

**Whereas**, the Department is willing to provide the services requested by the SCPA; and

**Whereas**, the SCPA will be responsible to pay for all costs associated with retrofitting their vehicles to conform to the County's Fuel Management/Preventive Maintenance Inventory Control System; and

**Whereas**, the SCPA will also be responsible for reimbursing the County for the cost of fuel used by their vehicles, in addition to a fifteen percent (15%) administrative fee; and

**Whereas**, this Agreement for the purchase of fuel from the County by the SCPA at no cost to the County is subject to approval of the Suffolk County Legislature and approval of the governing body for the SCPA;

**Now Therefore**, in consideration of the mutual provisions and covenants hereafter set forth, the parties hereto agree as follows:

**1. Responsibilities of the Parties**

The responsibilities of the parties and associated payment terms are set forth in Exhibit D, entitled "Program and Payment Terms."

**2. Term and Termination**

**a. Term**

This Agreement shall cover the period set forth on page one of this Agreement, unless sooner terminated as provided below. Upon receipt of a Termination Notice, as that term is defined below, pursuant to the following paragraphs, the SCPA shall promptly discontinue all services affected, unless otherwise directed by the Termination Notice.

**b. Termination for Cause**

This Agreement may be terminated in whole or in part in writing by the County in the event of failure by the SCPA to fulfill any of the terms and conditions under this Agreement; provided that no such termination shall be effective unless SCPA is given five (5) calendar days' written notice of intent to terminate ("Notice of Intent to Terminate"), delivered in accordance with the Exhibit in this Agreement entitled "Notices and Contact Persons." During such five (5) day period, the SCPA will be given an opportunity for consultation with the County 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 County, the SCPA shall be given an additional five (5) days to cure all failures to fulfill its obligations under this Agreement. In the event that the SCPA has not cured all its failures to fulfill its obligations to the satisfaction of the County by the end of the combined ten (10) day period, the County may issue a Termination Notice, effective immediately.

**c. Termination for Convenience**

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

**3. Indemnification**

**a. General**

The SCPA 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 attorneys' fees, arising out of the acts or omissions or the negligence of the SCPA in connection with the services described or referred to in this Agreement. The SCPA 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 SCPA, its officers, officials, employees, subcontractors or agents, if any, in connection with the services described or referred to in this Agreement.

**b. Federal Copyright Act**

The SCPA hereby represents and warrants the SCPA, will not infringe upon any copyrighted work or material in accordance with the Federal Copyright Act during the performance of this Contract. Furthermore, the SCPA 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 SCPA in connection with the services described or referred to in this Agreement. The SCPA 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 SCPA, its officers, officials, employees, sub-contractors, lessees, licensees, invitees or agents, if any, in connection with the services described or referred to in this Agreement.

**4. Insurance**

- a. The SCPA agrees to procure, pay the entire premium for and maintain throughout the term of this Agreement, insurance in amounts and types specified by the County and as may be mandated and increased from time to time. The SCPA agrees to require that all of its sub contractors, in connection with work performed for the SCPA related to this Agreement, procure,

pay the entire premium for and maintain throughout the term of this Agreement insurance in amounts and types equal to that specified by the County for the SCPA. Unless otherwise specified by the County and agreed to by the SCPA, in writing, such insurance shall be as follows:

- i. **Commercial General Liability** insurance, including contractual 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.
  - ii. **Automobile Liability** insurance (if any vehicles are used by the SCPA in the performance of this 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 SCPA shall furnish to the County, prior to its execution of this 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 Agreement shall be void and of no effect unless the SCPA shall provide and maintain coverage during the term of this Agreement for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.
- b. All policies providing such coverage shall be issued by insurance companies with an A.M. Best rating of A- or better.
  - c. The SCPA shall furnish to the County 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 SCPA shall furnish a Declaration Page and endorsement page evidencing the County's status as an additional insured on said policy.
  - d. All such Declaration Pages, certificates and other evidence of insurance shall provide for the County of Suffolk to be notified in writing thirty (30) days prior to any cancellation, nonrenewal or material change in said policies. Such Declaration Pages, certificates, policies and other evidence of insurance and notices shall be mailed to the Department at its address as set forth in this Agreement in the paragraph entitled "Notices and Contact Persons" or at such other address of which the County shall have given the SCPA notice in writing.
  - e. In the event the SCPA shall fail to provide the Declaration Pages or certificates of insurance or to maintain any insurance required by this Agreement, the County may, but shall not be required to, obtain such policies and deduct the cost thereof from payments due the SCPA under this Agreement or any other agreement between the County and the SCPA.
  - f. If the SCPA is a town or other municipal corporation and has a self-insurance program under which it acts as a self-insurer for any of such required coverage, it may provide self-funded coverage and certificates or other evidence of such self-insurance in lieu of insurance issued by insurance companies.

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**5. Independent Contractor**

It is expressly agreed that the SCPA status hereunder is that of an independent Contractor. Neither the SCPA, nor any person hired by the SCPA shall be considered employees of the County for any purpose.

**6. Severability**

It is expressly agreed that if any term or provision of this Agreement, or the application thereof to any person or circumstance, shall be held invalid or unenforceable to any extent, the remainder of this 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 Agreement shall be valid and shall be enforced to the fullest extent permitted by law.

**7. Merger; No Oral Changes**

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

**8. 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 SCPA under this contract up to any amounts due and owing to the County with regard to this contract 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.

**9. Governing Law**

This 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.

**10. No Implied Waiver**

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

**11. Conflicts of Interest**

- a. The SCPA agrees that it will not during the term of this Agreement engage in any activity that is contrary to and/or in conflict with the goals and purposes of the County.

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- b. The SCPA 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 SCPA 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.

**12. 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 Agreement.

**13. Assignment and Subcontracting**

- a. The SCPA shall not assign, transfer, convey, sublet, or otherwise dispose of this Agreement, or any of its right, title or interest therein, or its power to execute the 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 SCPA shall not enter into subcontracts for any of the work contemplated under this Agreement without obtaining prior written approval of the County. Such subcontracts shall be subject to all of the provisions of this Agreement and to such other conditions and provisions as the County may deem necessary, provided, however, that notwithstanding the foregoing, unless otherwise provided in this 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 Agreement. No approval by the County of any subcontract shall provide for the incurrence of any obligation by the County in addition to the total agreed upon price. The SCPA shall be responsible for the performance of any subcontractor for the delivery of service.

**14. No Intended Third Party Beneficiaries**

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

**15. Certification as to Relationships**

The parties to this Agreement hereby certify that, other than the funds provided in this 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 Agreement, and any partners, members, directors, or shareholders of five percent (5%) (or more) of any party to this Agreement.

**16. Publications and Publicity**

- a. The SCPA shall not issue or publish any book, article, report or other publication related to the program provided pursuant to this Agreement without first obtaining written prior approval from

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the County. Any such printed matter or other publication shall contain the following statement in clear and legible print:

“This program is fully or partially funded by the Suffolk County Executive’s Office.”

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

**End of Text for Exhibit A**

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

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

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

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

**2. Living Wage Law**

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

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

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

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

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

The SCPA 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 SCPA shall not use County funds to assist, promote, or deter union organizing.
- b. No County funds shall be used to reimburse the SCPA 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 SPCA services are performed on County property the SPCA must adopt a reasonable access agreement, a neutrality agreement, fair communication agreement, nonintimidation agreement and a majority authorization card agreement.

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

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

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

#### 4. Lawful Hiring of Employees Law

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

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

An updated affidavit shall be submitted by each such employer, owner, contractors and subcontractors no later than January 1 of each year for the duration of any contract and upon the renewal or

amendment of the contract, and whenever a new contractor or subcontractor is hired under the terms of the contract.

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

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

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

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

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

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**8. Non Responsible Bidder**

The SCPA represents and warrants that it has read and is familiar with the provisions of Suffolk County Code Chapter 143, Article II, §§143-5 through 143-9. Upon signing this Agreement the SCPA 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 SCPA represents that it shall not use any of the moneys received under this Agreement, either directly or indirectly, in connection with the prosecution of any civil action against the County of Suffolk or any of its programs, funded by the County, in part or in whole, in any jurisdiction or any judicial or administrative forum.

**10. Suffolk County Local Laws**

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

**End of Text for Exhibit B**

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**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 Agreement shall be in writing and shall be given to the County or the SCPA 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 First Class or Certified Mail in Postpaid Envelope or by  
Courier Service or by Fax or by Email**

Suffolk County Department of Public Works  
335 Yaphank Avenue  
Yaphank, New York 11980  
Att. Revenue Unit

**For the SCPA:**

**By First Class 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 Agreement, attention of the person who executed this Agreement or such other designee as the parties may agree in writing.

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

In the event the SCPA 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 Agreement, the SCPA shall immediately deliver to the County Attorney, at the address set forth below, copies of all papers filed by or against the SCPA.

Any communication or notice regarding termination shall be in writing and shall be given to the County or the SCPA 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 First Class and Certified Mail in Postpaid Envelope or by  
Nationally Recognized Courier Service or Personally and by First Class Mail**

Gilbert Anderson, P.E., Commissioner  
Suffolk County Department of Public Works  
335 Yaphank Avenue  
Yaphank, New York 11980

and

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

**For SCPA:**

**By First Class 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 Agreement, attention to the person who executed this Agreement or such other designee as the parties may agree in writing.

3. 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.
4. 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).

**End of Text for Exhibit C**

**Exhibit D**  
**Description of Program and Payment Terms**

**1. Program**

The SCPA shall purchase fuel (gas and diesel) from the County at Department of Public Work's maintenance facility under the County's Fuel Management/Preventive Maintenance Inventory Control System.

The SCPA will be responsible to pay for all costs associated with retrofitting their vehicles to conform to the County's Fuel Management/Preventive Maintenance Inventory Control System.

**2. Payment Terms**

The SCPA shall assume and be responsible to pay for all fuel usage as reported by the Department's Fleet Services Unit.

A bill will be generated 15 days after the end of the month for the total amount of fuel consumed by the SCPA during the month.

A report will accompany the bill detailing the amount billed. The report will contain vehicle IDs, transaction dates, the number of gallons consumed per transaction, the cost of each transaction, the total cost per vehicle and the total amount billed for the month, including a fifteen percent (15%) administrative fee.

Payment is due in full 45 days after the end of the month in which the expense was incurred. Balances left unpaid after the due date will be assessed a late fee.

**3. Agreement Subject to Appropriation of Funds**

This Agreement is subject to the amount of funds appropriated and any subsequent modifications thereof by the Suffolk County Legislature, and no liability shall be incurred by the County under this Agreement beyond the amount of funds appropriated by the Legislature for the Services covered by this Agreement.

**End of Text for Exhibit D**

COUNTY OF SUFFOLK

JAN 20 2009



1058

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.  
COMMISSIONER

THOMAS LAGUARDIA, P.E.  
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE  
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive  
FROM: Thomas LaGuardia, P.E. Chief Deputy Commissioner  
SUBJECT: **A Draft Resolution Permitting the Suffolk County Society for the Prevention of Cruelty to Animals to Purchase Fuel from the County**  
DATE: January 7, 2009

Attached is a draft resolution (filed as Reso DPW SPCA – Fuel Purchase) and the appropriate forms (filed as Reso-backup DPW SPCA – Fuel Purchase), which will enable the Suffolk County Society for the Prevention of Cruelty to Animals (SPCA) to purchase fuel from the County.

This will be done at no cost to the County. The SPCA shall assume and be responsible to pay all fuel usage, as reported by the Department's Fleet Services Unit, in addition to a fifteen percent (15%) administrative fee.

The SPCA will also be responsible for making their own arrangements with the County designated fuel dispensing vendor and pay all costs to retrofit their vehicles to conform to the County's Fuel Management/Preventative Maintenance Inventory Control System. They will also be responsible to pay for any future costs associated with maintaining and/or upgrading the system.

TL:LC  
Encl.

cc: Jim Morgo, Chief Deputy County Executive  
Brendan Chamberlain, County Executive Assistant  
Gilbert Anderson, P.E., Commissioner  
Louis Calderone, Deputy Commissioner  
Laura Conway, CPA, Chief Accountant  
Ed Farrell, Acting Director of Highway Maintenance  
Carmine Chiusano, Assistant Budget Director  
CE RESO REVIEW

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2009, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSES (SCTM NO. 0200-853.00-06.00-037.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 853.00, Block 06.00, Lot 037.000, and acquired by tax deed on May 17, 1988, from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and recorded on May 18, 1988, in Liber 10605, CP 450 and otherwise known as and by the Town of Brookhaven, known and designated as Lots 6620 and 6621 on a certain map entitled "Map of Mastic Park, Section 8", and filed in the Office of the Clerk of the County of Suffolk on March 13, 1922 as Map No. 245,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8. If the grantee shall fail to provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31 of each year commencing December 31, 2009, 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 Brookhaven for the purposes described herein shall be for the sum of One Dollar, and, upon payment of such sum, all subsequent grantees of such subject premises shall comply with all applicable state, federal, and local regulations pertaining to the price, income eligibility and marketing standards for affordable housing programs.

**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

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(JK-N)  
10/20/08

RESOLUTION NO. 563-08  
MEETING OF: JUNE 17, 2008

**ADOPTED**  
BY THE BROOKHAVEN TOWN BOARD

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

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

WHEREAS, the County of Suffolk wishes to transfer to the Town of Brookhaven from its foreclosure inventory various parcels of property as reflected in Schedule "A" attached hereto for the sole purpose of developing affordable housing and to provide eligible residents within the Town with viable homeownership; and

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

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

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

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

*Pamela J. Bethel*

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

Schedule A

1059

Tri-Hamlet Properties

	SCTM#	ADDRESS	TOWN	NFP
1	0200-818.00-02.00-26.0020	Rowlinson Drive	Shirley	EOC of Suffolk
2	0200-750.00-05.00-044.005	Franklin Ave	Mastic	Long Island Housing Partnership
3	0200-750.00-05.00-044.006	Franklin Ave	Mastic	Long Island Housing Partnership
4	0200-750.00-05.00-044.007	Franklin Ave	Mastic	Long Island Housing Partnership
5	0200-750.00-05.00-044.008	Franklin Ave	Mastic	Long Island Housing Partnership
6	0200-979.00-05.00-084.000	Beaver Ave	Mastic Beach	Habitat for Humanity of Suffolk
7	0200-979.00-05.00-065.000	Beaver Ave	Mastic Beach	Habitat for Humanity of Suffolk
8	0200-973.30-03.00-004.000	Harrison Drive	Shirley	Habitat for Humanity of Suffolk
9	0200-824.00-09.00-033.000	Carlton Ave	Mastic	Habitat for Humanity of Suffolk
10	0200-853.00-08.00-037.000	Patchogue Ave	Mastic	Habitat for Humanity of Suffolk
11	0200-824.00-04.00-035.000	Stuyvesant Ave	Mastic	Long Island Housing Partnership
12	0200-824.00-04.00-036.000	Stuyvesant Ave	Mastic	Long Island Housing Partnership
13	0200-967.00-03.00-057.000	Ranch Drive	Shirley	Habitat for Humanity of Suffolk
14	0200-975.00-04.00-027.002	Wavecrest Ave	Mastic Beach	Habitat for Humanity of Suffolk
15	0200-975.00-04.00-027.003	6 Wavecrest Ave	Mastic Beach	Habitat for Humanity of Suffolk
16	0200-821.00-04.00-029.0040	1098 William Floyd Parkway	Shirley	Long Island Housing Partnership
17	0200-821.00-04.00-029.0045	1094 William Floyd Parkway	Shirley	Long Island Housing Partnership
18	0200-821.00-04.00-02.0020	97 Forrest Ave	Shirley	EOC of Suffolk
19	0200-854.00-02.00-055.000	Main Street	Mastic	CDCLI
20	0200-976.90-03.00-049.000	3 Pine Road	Mastic Beach	CDCLI
21	0200-976.80-04.00-003.000	184 Mastic Road	Mastic Beach	CDCLI
22	0200-979.00-09.00-084.000	Cypress Drive	Mastic Beach	Long Island Housing Partnership
23	0200-979.00-09.00-085.000	142 Cypress Drive	Mastic Beach	Long Island Housing Partnership
24	0200-979.00-08.00-024.000	157 Cypress Drive	Mastic Beach	Long Island Housing Partnership

*Toussie  
Ingraham*

1059

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

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES  
TOWN OF BROOKHAVEN

Tax Map No.: 0200-853.00-06.00-037.000

Section 72-h, Gen'l Municipal Law

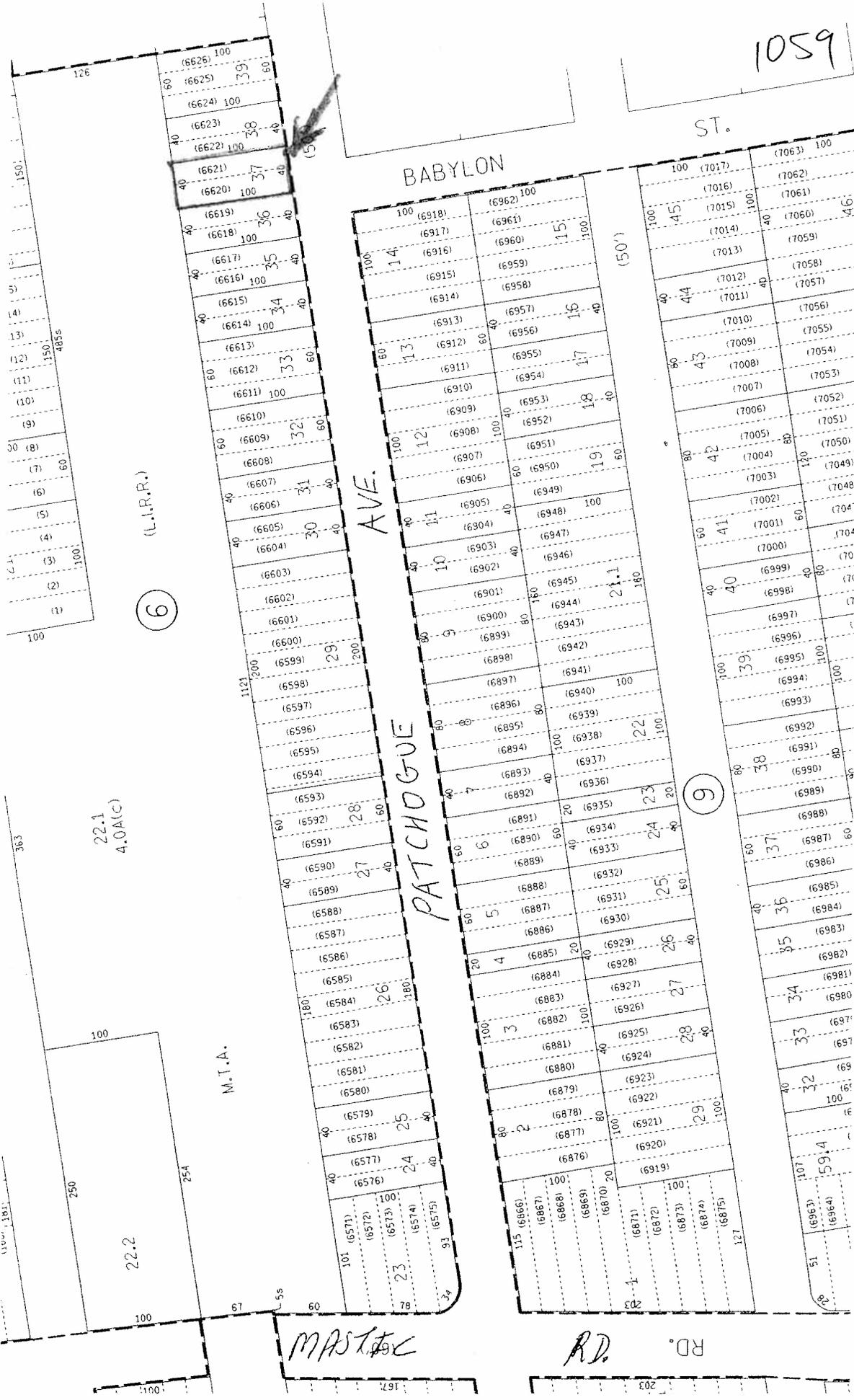
	<u>Amount</u>
County Investment	\$3,004.52

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> |

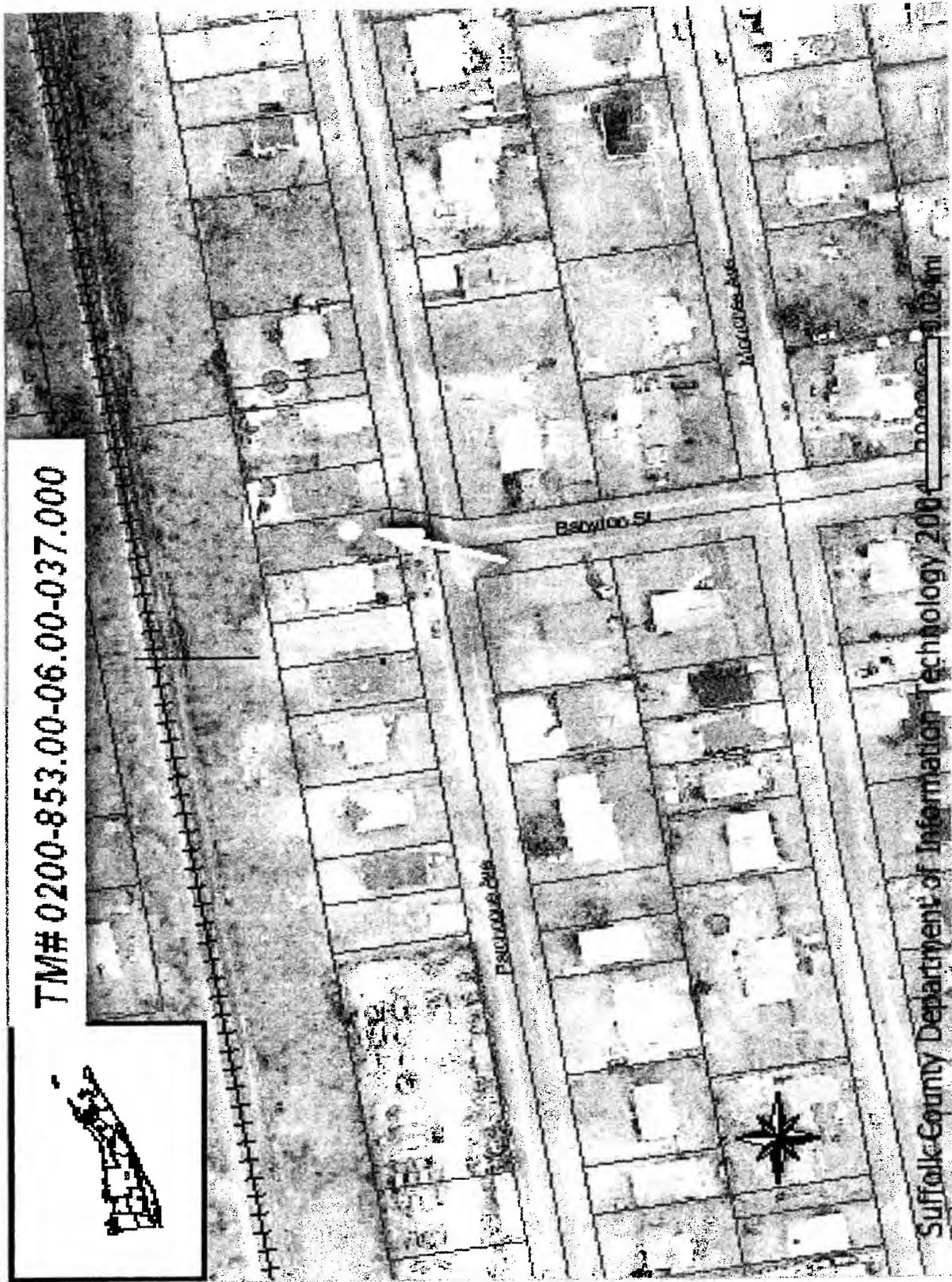
Wayne R. Thompson  
Property Manager  
(631) 853-5971

WRT:slb



MA# 0200-853.00-06.00-037.000

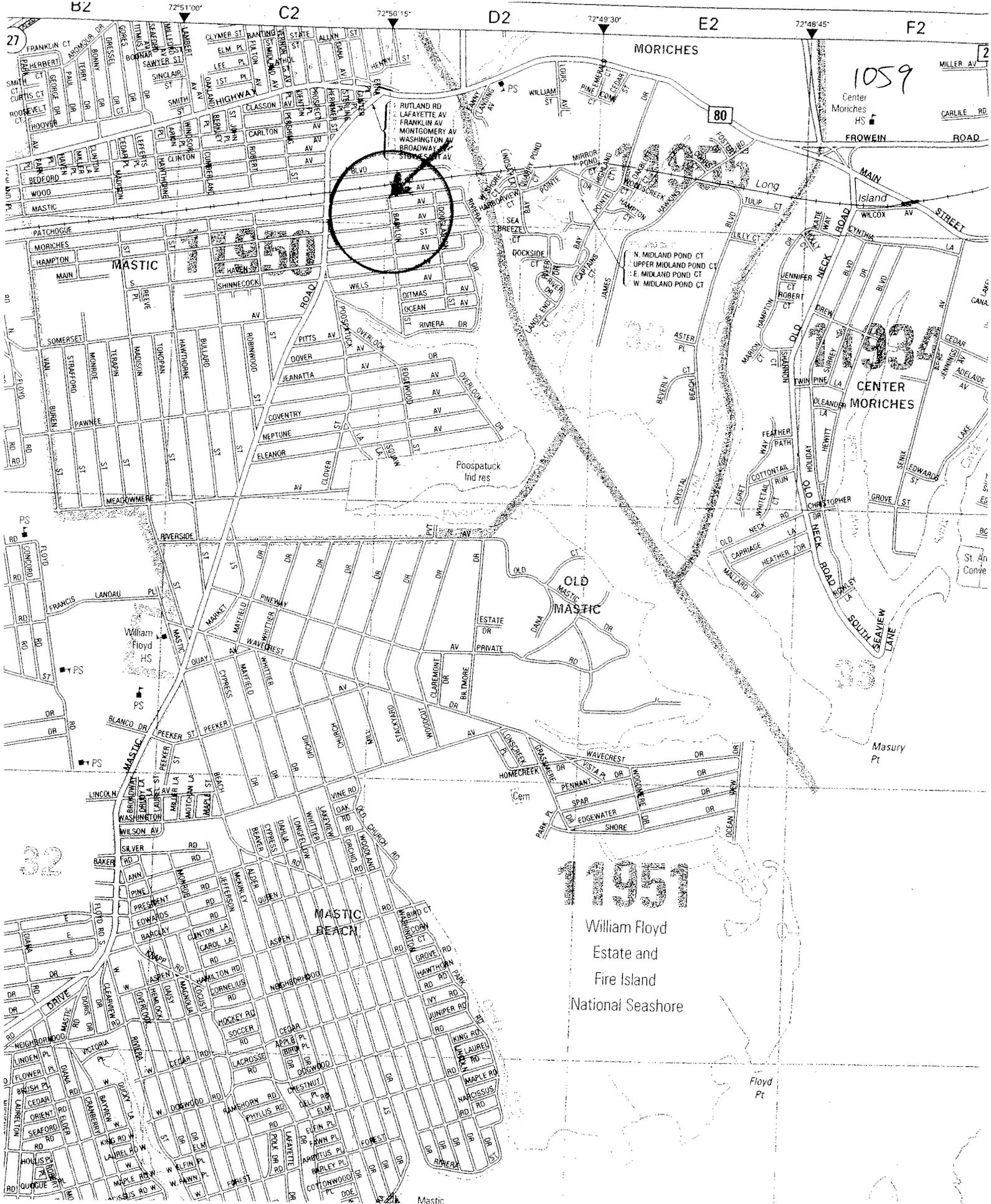
1059



TM# 0200-853.00-06.00-037.000



Suffolk County Department of Information Technology 200



Rutland Rd  
 Lafayette Av  
 Franklin Av  
 Montgomery Av  
 Washington Av  
 Broadway  
 Stokes St Av

1951

William Floyd  
 Estate and  
 Fire Island  
 National Seashore

Tm# 0200-853.00-06.00-037.000

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1059

1. Type of Legislation

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

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

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

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

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

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

Loss of County investment  
Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2009

10. Name & Title of Preparer

R. J. Bhatt  
LMS IV

Signature of Preparer

RJBhatt

Date

1/20/09

COUNTY OF SUFFOLK

Gen 25

JAN 22 2009



1059

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

January 20, 2009

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

Re: Tax Map No.: 0200-853.00-06.00-037.000  
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the  
Town of Brookhaven for Affordable Housing Purposes.

Dear Mr. Zwiirn:

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  
Brookhaven for affordable housing purposes.

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

CEK:WRT:slb

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

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

1060

Intro. Res. No. -2009  
Introduced by Legislator Horsley

Laid on Table 2/3/2009

**RESOLUTION NO. -2009, AMENDING THE 2009  
OPERATING BUDGET TO PROVIDE FUNDING FOR THE  
BABYLON VILLAGE SPONGE PROJECT**

**WHEREAS**, untreated Stormwater discharge from Ross Road in the Village of Babylon threatens the ecosystems of Boyd's Pond and the Great South Bay; and

**WHEREAS**, the 2008 Omnibus provided \$10,000 for the Village of Babylon's Wastewater / Stormwater Runoff project, which included the installation of a Stormwater filter vault unit at the Ross Road discharge pipe site (a/k/a Sponge Project); and

**WHEREAS**, this funding was to be utilized to purchase and install one filter vault, and required inspection and engineering; and

**WHEREAS**, the Mayor of the Village of Babylon signed an agreement with Suffolk County on September 3, 2008 to receive funding for the Sponge Project; and

**WHEREAS**, the Village of Babylon was instructed by the Department of Environment and Energy not to commence the Sponge Project until final County approval was authorized; and

**WHEREAS**, the County Attorney signed the agreement on October 3, 2008, the Commissioner of the Department Environment and Energy signed the agreement on October 24, 2008, the Deputy County Executive signed the agreement on December 16, 2008, and the Village of Babylon did not receive a fully executed contract until December 22, 2008; and

**WHEREAS**, the Village of Babylon did not have adequate time remaining in 2008 to commence and complete the Sponge Project at the Ross Road discharge pipe site; and

**WHEREAS**, it is the desire of this Legislature that the installation of a Stormwater filter vault unit at the Ross Road discharge pipe site occur in 2009 so as to prevent further environmental damage; and

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

**1<sup>ST</sup> RESOLVED**, that the 2009 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>OBJECT NAME</u>	<u>AMOUNT</u>
001	EVE	8715	0000	4560	Fees For Services: Non-Employ	-\$10,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EVE	8210	JCZ1	4980	BABYLON VILLAGE (SPONGE PROJECT)	+\$10,000

and be it further

**2<sup>ND</sup> RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Village of Babylon's Sponge Project.

DATED:

APPROVED BY:

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

Date:

1061

Intro. Res. No. -2009  
Introduced by Legislator Romaine

Laid on Table 2/3/2009

**RESOLUTION NO. -2009, AMENDING THE 2009  
OPERATING BUDGET TO PARTIALLY RESTORE FUNDING  
FOR CORNELL COOPERATIVE EXTENSION'S 4H YOUTH  
DEVELOPMENT & FARM EDUCATION PROGRAM, AND  
FAMILY & CONSUMER SCIENCES PROGRAM**

**WHEREAS**, Cornell Cooperative Extension's 4H Youth Development & Farm Education Program goals include helping young people become self-directing, productive and contributing members of society; and

**WHEREAS**, Cornell Cooperative Extension's Family & Consumer Sciences Program goals include helping Suffolk County residents maintain healthy lifestyles, manage resources and raise responsible children; and

**WHEREAS**, the Adopted 2009 Operating Budget did not provide funding to continue Suffolk County's support for Cornell Cooperative Extension's 4H Youth Development & Farm Education Program and for the Family & Consumer Sciences Program; and

**WHEREAS**, the elimination of the basic funding for Cornell Cooperative Extension's Family & Consumer Sciences and 4H Youth Development & Farm Education programs jeopardizes more than \$1.2 million in grants, contracts, state and federal funding for these services; and

**WHEREAS**, it is the desire of this Legislature to provide basic funding support for Cornell Cooperative Extension's 4H Youth Development & Farm Education Program and for the Family & Consumer Sciences Program in 2009, so these programs are not terminated; and

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

**1<sup>st</sup> RESOLVED**, that the 2009 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>OBJECT NAME</u>	<u>AMOUNT</u>
001	DPW	5631	0000	3150	Gasoline & Motor Oil	-\$235,000
001	DPW	1494	0000	3050	Fuel For Heating	-\$34,800

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	HSV	8750	HS11	4980	CCE- FAMILY & CONSUMER SCIENCES PROGRAM	+\$188,500
001	HSV	8750	HSG1	4980	CCE- 4H YOUTH & DEVELOP & FARM ED PROG	+\$81,300

and be it further

**2<sup>nd</sup> RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding Cornell Cooperative Extension's 4H Youth Development & Farm Education Program and the Family & Consumer Sciences Program.

DATED:

APPROVED BY:

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

Date:

T:\BROIR 2009 OB Amendment Cornell Cooperative Extension HSG1 & HSH1.doc

**RESOLUTION NO. -2009, ACCEPTING THE  
DONATION OF A GOLD STAR FAMILIES MONUMENT AND  
AUTHORIZING THE PLACEMENT AND SITING OF THE GOLD  
STAR FAMILIES MONUMENT IN ARMED FORCES PLAZA**

**WHEREAS**, the word monument comes from the Latin word "monere", which means to remind; and

**WHEREAS**, Armed Forces Plaza currently has monuments to the women who served our country, and the veterans of World War II, Korea, Vietnam, and the Persian Gulf; and

**WHEREAS**, it is the desire of several veterans service organizations and the Organization of Gold Star Parents to add a monument to Gold Star families at Armed Forces Plaza in Hauppauge; and

**WHEREAS**, Gold Star families have lost a loved one who was on active duty serving in the United States Military; and

**WHEREAS**, the Gold Star Families monument will serve as a reminder to all of the loss and sacrifice made by the parents of citizen soldiers; and

**WHEREAS**, on the last Sunday in September, the United States of America observes Gold Star Mother's Day; and

**WHEREAS**, the Gold Star Families Monument will serve as the focal point of a ceremony for Gold Star Families to be held every year; and

**WHEREAS**, the AMVETS NYS Service Foundation has agreed to donate the monument to Suffolk County for placement in Armed Forces Plaza; and

**WHEREAS**, it is the desire of Suffolk County to accept this donation for placement in Armed Forces Plaza; now, therefore be it

**1st RESOLVED**, that the AMVETS New York State Service Foundation is hereby authorized to submit plans, designs and specifications and to place a monument at the Armed Forces Plaza at the H. Lee Dennison Executive Office Building in Hauppauge, pursuant to Section 72 of the NEW YORK GENERAL MUNICIPAL LAW and Section 215(1) of the NEW YORK COUNTY LAW, subject to approval of site and design and construction supervision by the Suffolk County Department of Public Works and by the Suffolk County Review Committee for County Siting of Memorials and Symbols; and be it further

**2nd RESOLVED**, that the Gold Star Families Monument shall be placed in Armed Forces Plaza; and be it further

**3rd RESOLVED**, that the Department of Public Works is hereby authorized, empowered, and directed to install all footings and lighting necessary for the placement of the monument in Armed Forces Plaza; and be it further

**4th**           **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 N.Y.C.R.R.) 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:

1063  
Intro. Res. No. -2009  
Introduced by Legislator Horsley

Laid on Table 2/3/09

**RESOLUTION NO. -2009, TO REVISE THE SELECTION  
PROCESS FOR SUFFOLK COUNTY'S POET LAUREATE**

**WHEREAS**, the County of Suffolk biennially designates a Poet Laureate based upon a recommendation of a seven member panel; and

**WHEREAS**, the seven member panel has proven to be unwieldy and the selection process has been mired in past controversies; and

**WHEREAS**, it is important to streamline the selection process for a Poet Laureate; now, therefore be it

**1st RESOLVED**, that Chapter 697 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

**Chapter 697, POET LAUREATE**

**§ 697-1. Designation biennially; selection panel.**

- A. Effective June 2009, biennially a Poet Laureate shall be designated for Suffolk County, to be honored at the first meeting of the Suffolk County Legislature in June every two years, and who shall be known as the "Suffolk County Poet Laureate" for the period of June 1 to May 31 of the following two year period. The Suffolk County Legislature shall select the Poet Laureate based on the recommendation of a panel consisting of past and present Suffolk County Poet Laureates.
- B. The Poet Laureate Panel shall not recommend to the Legislature any person who has been designated as Suffolk's Poet Laureate in the preceding ten year period.

**§ 697-2. Written report.**

The Suffolk County Poet Laureate selection panel shall issue a written report to the Chairperson of the Economic Development, Higher Education, and Energy Committee, or any successor committee thereto, and the Clerk of the Suffolk County Legislature, identifying the individual chosen by the panel as the Poet Laureate, said report to include the criteria used in the selection process, and to be issued no later than April 1 of the year in which the Poet Laureate is to be so designated.

and be it further

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

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

DATED:

APPROVED BY:

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

Date:

s:\res\Amend Chapter 697 - Poet Laureate

**RESOLUTION NO. -2009, AUTHORIZING  
EXECUTION OF A MUTUAL AID AGREEMENT  
BETWEEN NEW YORK CITY AND SUFFOLK  
COUNTY RELATING TO FIREFIGHTING AND  
OTHER EMERGENCY FIRE AND RESCUE  
SERVICES**

**WHEREAS**, Section 209 of New York General Municipal Law establishes a procedure for local governments to collaborate and share equipment and personnel in responding to local emergencies; and

**WHEREAS**, Suffolk County and New York City wish to set forth the protocol for working together to provide firefighting and other emergency fire and rescue services on a mutual-aid basis; and

**WHEREAS**, Suffolk County seeks to adopt, by resolution, an agreement with New York City setting forth the terms and conditions of such collaboration in the form of a mutual aid agreement; and

**WHEREAS**, Suffolk County, by its Department of Fire Rescue and Emergency Services, and New York City have negotiated and agreed to the terms of a mutual aid agreement; now, therefore be it

**1st RESOLVED**, that the County Executive and the Commissioner of Fire Rescue and Emergency Services are authorized to execute the "Mutual Aid Agreement" between New York City and Suffolk County relating to the establishment of a protocol for the provision of firefighting and other emergency and rescue services, in substantially the form of which is annexed hereto, and, as stated therein, to continue unless terminated by either party, at any time, for any reason or no reason, upon sixty (60) days written notice to the other party; 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/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

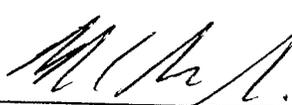
APPROVED BY:

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

Date of Approval:

1064

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>		
2. Title of Proposed Legislation		
<b>RESOLUTION NO.-2009,                      AUTHORIZING EXECUTION OF A MUTUAL AID AGREEMENT BETWEEN NEW YORK CITY AND SUFFOLK COUNTY RELATING TO FIREFIGHTING AND OTHER EMERGENCY FIRE AND RESCUE SERVICES</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  </u> No <u>  </u> X <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		
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		
2009		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		January 22nd, 2009

SCIN FORM 175b (10/95)

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

1064

**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.

## MUTUAL AID AGREEMENT

1064

AGREEMENT made as of the 1st day of January, 2009, by and between THE CITY OF NEW YORK, acting through the New York City Fire Department ("FDNY"), with its headquarters at 9 MetroTech Center, Brooklyn, New York 11201-3857, and the New York City Office of Emergency Management ("NYC OEM"), with its principal offices located at 165 Cadman Plaza East, Brooklyn, New York 11201, and THE COUNTY OF SUFFOLK ("County"), acting by and through the Suffolk County Department of Fire, Rescue and Emergency Services ("SCFRES"), with its principal offices located at Building C0110, P.O. Box 127, Yaphank, New York 11980.

WHEREAS, the parties to this Agreement desire to establish a protocol for the provision of firefighting and other emergency fire and rescue services on a mutual-aid basis pursuant to §209 of the New York General Municipal Law,

NOW, THEREFORE, IT IS HEREBY AGREED, by and between the undersigned parties, as follows:

1. **Definitions.** For purposes of this Agreement:
  - A. **Mutual Aid Coordinator** shall mean the person or entity designated in this Agreement as responsible for requesting and organizing a response to a request for Mutual Aid Assistance under this agreement.
  - B. **Contributing Jurisdiction** shall mean any municipality that provides Mutual Aid Assistance pursuant to this Agreement, including municipalities that provide Mutual Aid Assistance through the coordination of SCFRES.
  - C. **Receiving Jurisdiction** shall mean a jurisdiction that requests and receives Mutual Aid Assistance;
  - D. **Mutual Aid Assistance** shall mean any firefighting or other emergency fire and rescue services, but not including emergency medical service, requested and provided pursuant to this Agreement.
2. **Mutual Aid Assistance**
  - A. The procedures and protocols set forth in this Agreement may be activated for catastrophic events, mass casualty incidents or other emergencies or disasters that require the response of resources above and beyond the capacity of the affected jurisdiction.
  - B. The terms and conditions of this Agreement shall apply only when Mutual Aid Assistance is requested and coordinated through the Mutual Aid Coordinators designated pursuant to this Agreement.
  - C. This Agreement shall not be construed to require the provision of Mutual Aid Assistance and does not create a legally binding obligation to provide such assistance. The procedures and protocols set forth herein shall guide the response to requests for Mutual Aid Assistance but shall not

give rise to liability on the part of any party for failure to comply with such procedures and protocols or for actions taken or not taken in response to a request for Mutual Aid Assistance.

**3. Designation of Mutual Aid Coordinators**

- A. All Mutual Aid Assistance pursuant to this agreement shall be requested and coordinated through the Mutual Aid Coordinators designated pursuant to this Agreement.
- B. NYC OEM shall act as the Mutual Aid Coordinator for The City of New York. SCFRES shall act as the Mutual Aid Coordinator for the municipal fire departments located in Suffolk County.
- C. The Mutual Aid Coordinators may be contacted 24 hours/day, 7 days/week, utilizing the contact information annexed hereto in Attachment A, or such other contacts as may be designated in writing.

**4. Mutual Aid Personnel Qualifications, Apparatus, Equipment and Supplies**

- A. Upon receiving a request for Mutual Aid Assistance, the Suffolk County Mutual Aid Coordinator shall identify which of its Contributing Jurisdiction(s) it will make available for Mutual Aid Assistance. Only Contributing Jurisdictions previously determined by the Suffolk County Mutual Aid Coordinator as having sufficient personnel possessing the qualifications set forth on Attachment B hereto, or such other qualifications as may be mutually agreed upon by the Parties, and sufficient apparatus, equipment and supplies meeting the requirements set forth on Attachment C hereto, or such other apparatus, equipment and supplies as may be mutually agreed upon by the Parties, shall be designated to provide Mutual Aid Assistance.
- B. Upon receiving a request for Mutual Aid Assistance, the Contributing Jurisdiction shall determine whom among its personnel it will make available to provide Mutual Aid Assistance. The Contributing Jurisdiction shall ensure that each of its personnel to be made available for Mutual Aid Assistance possess the qualifications set forth on Attachment B hereto, or such other qualifications as may be mutually agreed upon by the Parties, and such other qualifications and training as may otherwise be required by applicable laws, rules and regulations, including the regulations promulgated by the United States Occupational Safety and Health Administration and the Office of Fire Prevention and Control of the New York State Department of State.
- C. The Contributing Jurisdiction shall ensure that all apparatus, equipment and supplies to be made available for Mutual Aid Assistance meet the requirements set forth on Attachment C hereto, and such other requirements as may otherwise be required by applicable laws, rules and regulations, including the regulations promulgated by the United States Occupational Safety and Health Administration and the Office of Fire Prevention and Control of the New York State Department of State.

5. **Procedure**

- A. Each request for Mutual Aid Assistance shall contain the following information:
1. the requesting party's name, title, and telephone number;
  2. the nature of the fire or other emergency that has prompted the request for Mutual Aid Assistance;
  3. the type and quantity of units requested (e.g., number of Engine, Ladder and Rescue companies);
  4. any specialized units or equipment requested (Hazardous Materials Unit, Marine Unit, Decontamination Unit);
  5. the time of arrival requested for the Mutual Aid Assistance; and
  6. an estimate of the period of time during which the Contributing Jurisdiction's units and personnel would be required.
- B. Each Mutual Aid Coordinator who receives a request for Mutual Aid Assistance shall immediately confirm its receipt of such request and verify its authenticity. Such Mutual Aid Coordinator shall respond to such request as soon as possible by:
1. accepting the request, and indicating the Contributing Jurisdiction that will respond as requested;
  2. declining the request, and indicating that the Contributing Jurisdiction cannot or will not respond as requested; or
  3. indicating that it cannot provide the Mutual Aid Assistance requested, but that it is willing to provide alternate Mutual Aid Assistance, and requesting the Receiving Jurisdiction to accept or decline such proffered alternate Mutual Aid Assistance.
- C. Each Mutual Aid Coordinator organizing a response to a request for Mutual Aid Assistance shall designate an officer-in-charge of the Contributing Jurisdiction units as well as an appropriate mobilization area to assemble the personnel, apparatus, equipment and supplies for such assistance and to await direction from the Receiving Jurisdiction as to response location(s).
- D. All Contributing Jurisdiction apparatus and personnel, when operating in the Receiving Jurisdiction, shall be supervised by the officer-in-charge designated by the Contributing Jurisdiction, through the units' chain of command. The Contributing Jurisdiction's officer-in-charge shall operate under Receiving Jurisdiction incident command and take direction from Receiving Jurisdiction incident command personnel.

6. **Liability and Reimbursement of Expenses and Losses**

- A. In accordance with §209 of the New York General Municipal Law, the personnel of a Contributing Jurisdiction providing Mutual Aid Assistance pursuant to this Agreement shall have the same immunities and privileges as if such duties were performed within the area regularly served and protected by such personnel.
- B. In accordance with §209 of the New York General Municipal Law, while responding to a call for Mutual Aid Assistance under this Agreement, a

Contributing Jurisdiction providing Mutual Aid Assistance pursuant to this Agreement shall be liable for the negligence of its personnel in the same manner and to the same extent as if such negligence occurred in the performance of their duties within the area regularly served and protected by such Contributing Jurisdiction.

- C. In accordance with §209 of the New York General Municipal Law, any loss or damage to, or expense incurred by a Contributing Jurisdiction in the operation of, fire apparatus or other equipment providing Mutual Aid Assistance pursuant to this Agreement, and any cost of any materials used in connection with the provision of Mutual Aid Assistance, shall be a charge against the Receiving Jurisdiction, and all claims for reimbursement shall be submitted within sixty (60) days from the date of the fire or other incident in connection with which the expense or loss was incurred. The claim shall identify the fire or other incident and set forth in detail the items lost, damaged or used in connection with the provision of Mutual Aid Assistance.
1. Claims by for reimbursement from The City of New York (as Receiving Jurisdiction) shall be filed with the Office of the Comptroller of the City of New York, Municipal Building, One Centre Street, New York, NY 10007, in accordance with the provisions of New York State General Municipal Law §50-i. A copy of such claim shall be mailed to FDNY Bureau of Legal Affairs, at the address for FDNY set forth above, for informational purposes only.
  2. Claims for reimbursement from any other Receiving Jurisdiction by The City of New York (as Contributing Jurisdiction) shall be mailed to the Fire Department of such Receiving Jurisdiction, addressed to the principal offices of such Fire Department, with a copy to the SCFRES, at the address first set forth above.
- D. Nothing contained in this Agreement shall be construed to preclude any Contributing Jurisdiction from waiving any claim for reimbursement.

## 7. General Provisions

- A. **Term.** This Agreement shall remain in effect until terminated, provided, however, that either party may terminate this Agreement, with or without cause, upon sixty (60) days written notice to the other party.
- B. **Applicable Law and Judicial Forum.** This Agreement shall be deemed to have been executed in New York City and shall be governed by and construed in accordance with the laws of the State of New York. The parties agree that any disputes arising hereunder shall be adjudicated in the federal or state courts located in New York County, and agree to take all actions necessary to effectuate such agreement.
- C. **Notice.** Except as otherwise provided herein, any notice required or provided for purposes of this Agreement shall be mailed by first class mail, or hand delivered against receipt, as follows: for FDNY, to FDNY's

Chief of Operations, at the address for FDNY first set forth above; for the County of Suffolk, to the Commissioner for SCFRES, at the address first set forth above.

- D. **Third Parties.** This Agreement shall not be construed to create any rights in any third parties, including the officers, employees and agents of the parties.
- E. **Merger.** This Agreement sets forth the entire agreement between the parties and supersedes any and all prior agreements or understandings, whether written or oral.
- F. **Modification.** This Agreement may not be amended or modified except by a writing signed by authorized representatives of the parties.
- G. **Separability.** If any term or condition of this Agreement or the application thereof to any person or circumstances shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such term or condition to persons or circumstances other than those as to which it is held invalid or unenforceable shall not be affected hereby, and each term and condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

IN WITNESS WHEREOF, the undersigned, as authorized representatives of the parties, have duly executed three copies of this Agreement as of the day and year first written above.

**The City of New York Fire Department**

**County of Suffolk**

By: \_\_\_\_\_  
Nicholas Scoppetta  
Fire Commissioner  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Jeffrey W. Szabo  
Deputy County Executive  
Date: \_\_\_\_\_

**The City of New York  
Office of Emergency Management**

**Approved: Department of Fire, Rescue and  
Emergency Services**

By: \_\_\_\_\_  
Joseph Bruno  
Commissioner  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Joseph F. Williams  
Commissioner  
Date: \_\_\_\_\_

**Approved as to Legality: \_\_\_\_\_  
Christine Malafi, County Attorney**

By: \_\_\_\_\_  
Dennis M. Brown  
Assistant County Attorney  
Date: \_\_\_\_\_

1064

[ACKNOWLEDGEMENTS ATTACHED]

ACKNOWLEDGEMENTS

1064

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

On this \_\_\_\_\_ day of \_\_\_\_\_, 2008, before me personally came NICHOLAS SCOPPETTA, to me personally known, who, being by me duly sworn, did depose and say that that he is the Fire Commissioner of the City of New York, and that he executed the foregoing Mutual Aid Agreement for and on behalf of The City of New York, the municipal corporation described therein, for the purposes therein mentioned.

\_\_\_\_\_  
NOTARY PUBLIC

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

On this \_\_\_\_\_ day of \_\_\_\_\_, 2008, before me personally came JOSEPH BRUNO, to me personally known, who, being by me duly sworn, did depose and say that that he is the Commissioner of Emergency Management of the City of New York, and that he executed the foregoing Mutual Aid Agreement for and on behalf of The City of New York, the municipal corporation described therein, for the purposes therein mentioned.

\_\_\_\_\_  
NOTARY PUBLIC

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

On this \_\_\_\_\_ day of \_\_\_\_\_, 2008, before me personally came JEFFREY W. SZABO, to me personally known, who, being by me duly sworn, did depose and say that that he is the Deputy County Executive for the County of Suffolk and that he executed the foregoing Mutual Aid Agreement for and on behalf of The County of Suffolk pursuant to §C11-3 of the County Government Law of Suffolk County.

\_\_\_\_\_  
NOTARY PUBLIC

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

On this \_\_\_\_\_ day of \_\_\_\_\_, 2008, before me personally came JOSEPH F. WILLIAMS, to me personally known, who, being by me duly sworn, did depose and say that he is the Commissioner of the Suffolk County Department of Fire, Rescue and Emergency Services, the municipal corporation described herein and which executed the foregoing Mutual Aid Agreement for and on behalf of The County of Suffolk pursuant to §C11-3 of the County Government Law of Suffolk County.

\_\_\_\_\_  
NOTARY PUBLIC

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ATTACHMENT A

MUTUAL AID COORDINATORS

*For The City of New York:*

NYC Office of Emergency Management

WATCH COMMAND	Primary	*****
	Backup	*****
	FAX	*****

\*\*\*\*\*  
\*\*\*\*\*

*For The County of Suffolk:*

Suffolk County Fire Marshal	Primary:	*****
	Backup:	*****
	FAX:	*****

\*\*\*\*\*  
\*\*\*\*\*

*For security reasons, the contact information required by this attachment shall be set forth in a separate document, the confidentiality of which shall be maintained.*

ATTACHMENT B

1064

**MUTUAL AID PERSONNEL  
MINIMUM QUALIFICATIONS AND TRAINING**

**ENGINE COMPANY**

**Engine Company Firefighter**

1. Active member of fire department providing mutual aid
2. Medically qualified to wear SCBA and perform interior structural firefighting
3. Review of FDNY Evolutions program (for Mutual Aid Assistance to New York City)
4. Completion of training objectives equivalent to Firefighter II level as established by NFPA 1001. Completion of the following combined courses or their equivalents will meet this requirement:
  - Basic Firefighter Training (42 hours)
  - Intermediate Firefighter Training (36 hours)
  - Advanced Firefighter Training (24 hours)
  - Hazardous Materials First Responder Operations (15 hours)
  - Accident Victim Extrication Training (16 hours)
  - Certified First Responder (40 hours)
5. Completion of the following New York State Department of State Office of Fire Prevention and Control ("OFPC") courses, or an equivalent:
  - Firefighter Survival (9 hours)
  - FAST Operations (16 hours)
  - Mask Confidence (14 hours)

(Note: Firefighters certified as a Basic Firefighter under the New York State Minimum Standard for Firefighting Personnel shall be considered to have completed the training requirements under items 4 and 5)

**Engine Company Chauffeur**

1. Completion of Engine Company Firefighter requirements
2. Two additional years of experience
3. Qualified as a chauffeur on apparatus designated as a mutual aid engine
4. Completion of a recognized Emergency Vehicle Operators Course
5. Completion of OFPC training course Apparatus Operator: Pump (24 hours) or equivalent

**Engine Company Officer**

1. Current or previous service as a Company or Chief Officer
  2. Completion of an officer training program equivalent to OFPC Introduction to Fire Officer (27 hours)
- 
-

## LADDER COMPANY

1064

### Ladder Company Firefighter

1. Completion of Engine Company Firefighter requirements.
2. Completion of OFPC Ladder Company Operations course or equivalent (16 hours)
3. Familiar with all operations and tools on ladder apparatus designated as a mutual aid ladder

### Ladder Company Chauffeur

1. Completion of Ladder Company Firefighter requirements
2. Two additional years of experience
3. Completion of a recognized Emergency Vehicle Operator Course
4. Qualified as a chauffeur on apparatus designated as a mutual aid ladder

### Ladder Company Officer

1. Current or previous service as a Company or Chief Officer
2. Completion of an officer training program equivalent to OFPC Introduction to Fire Officer (27 hours)

## RESCUE COMPANY

### Rescue Company Firefighter

1. Completion of Engine Company Firefighter requirements
2. Two additional years of experience
3. Familiarity with all operations and tools on a rescue apparatus designated as a mutual aid rescue
4. Required training should provide a minimum of "operations" level capability as defined by NFPA 1670 "Operations and Training for Technical Rescue Incidents." Suggested NYS training (or equivalent) that may be used to identify those who comply include:
  - Rescue Technician Basic
  - Confined Space: Awareness and Safety
  - Confined Space Rescue
  - Hazardous Materials Technician
  - Basic Structural Collapse Operations
  - Medium Construction Related to Building Failure
  - Medium Structural Collapse Operations: Tools
  - Shoring Concepts
  - Interior Rescue Shoring
  - Exterior Rescue Shoring
  - Heavy Rescue Rigging
  - Void Search and Rescue Concepts
  - Void search and Rescue
  - Trench Collapse Concepts
  - Basic Trench Collapse Operations
  - Intermediate Rope Rescue

### Rescue Company Chauffeur

1. Completion of Rescue Company Firefighter requirements
2. Completion of a recognized Emergency Vehicle Operator Course
3. Qualified as a chauffeur on apparatus designated as a mutual aid rescue

### **Rescue Company Officer**

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1. Two additional years of experience
2. Current or previous service as a Company or Chief Officer
3. Completion of an officer training program equivalent to OFPC Introduction to Fire Officer (27 hours)

### **HAZARDOUS MATERIALS COMPANY**

#### **Hazardous Materials Company Firefighter**

1. Completion of Engine Company Firefighter requirements
2. Two additional years of experience
3. Familiarity with all operation and tools on Hazardous Materials apparatus designated for Hazardous Materials Mutual Aid Assistance
4. Completion of training to the Hazardous Materials Technician level

#### **Hazardous Materials Company Chauffeur**

1. Completion of Hazardous Materials Company Firefighter requirements
2. Completion of a recognized Emergency Vehicle Operator course
3. Qualified as a chauffeur on apparatus designated for Hazardous Materials Mutual Aid Assistance

#### **Hazardous Materials Company Officer**

1. Completion of Hazardous Materials Company Chauffeur requirements
  2. Two additional years of experience
  3. Current or previous service as a Company or Chief Officer
  4. Completion of an officer training program equivalent to OFPC Introduction to Fire Officer (27 hours)
  5. Completion of a Hazardous Materials related Command course equivalent to OFPC Hazardous Materials Incident Command (24 Hours)
- 
-

## ATTACHMENT C

1064

### APPARATUS, EQUIPMENT AND SUPPLIES FOR MUTUAL AID ASSISTANCE

#### Engines

All apparatus shall be equipped, at a minimum, in compliance with NFPA 1901 (1999 edition). In addition, apparatus shall meet the following requirements.

- Minimum pump capacity - 1000 Gallons Per Minute
- Minimum tank capacity - 500 Gallons
- Maximum tank capacity - 1000 Gallons
- Minimum enclosed crew seating - 6
- Special Adapters (for Mutual Aid Assistance to New York City):
  - 2 sets of double males and double females - 2½ providing department thread x 2 ½ NYC Corp thread
  - 2 sets of double males and double females - 2½ providing department thread x 3 ½ NYC Corp thread
  - 2 sets of double males and double females - 2½ providing department thread x 4 ½ NYC Corp thread
- FDNY hydrant wrench (for Mutual Aid Assistance to New York City)
- Portable Radios with the capability of communicating with responding fire department apparatus.
- Whenever possible, apparatus should have locking doors on the passenger compartment and the equipment compartments.

#### Aerial Apparatus

All apparatus shall be equipped, at a minimum, in compliance with NFPA 1901 (1999 edition). In addition, apparatus must meet the following requirements.

- Minimum Enclosed Crew Seating - 6
  - Special Adapters (for Mutual Aid Assistance to New York City):
    - 2 sets of double males and double females - 2½ providing department thread x 2½ NYC Corp thread
  - Portable radios with the capability of communicating with responding fire department apparatus.
  - Aerial apparatus shall be limited to conventional ladder trucks, straight frame or tillered) and tower ladders. Snorkels and quints are not acceptable.
  - Whenever possible, apparatus should have locking doors on the passenger compartment and the equipment compartments.
- 
-

1064

**Personal Protective Equipment-**

All PPE must have complied with the appropriate standard at the time of purchase. PPE will include the following:

- Helmet
- Hood
- Coat
- Bunker Pants
- Boots
- Gloves
- SCBA and two spare bottles

ATTACHMENT A

1064

MUTUAL AID COORDINATORS

*For The City of New York:*

**NYC Office of Emergency Management**

WATCH COMMAND	Primary	(718) 422-8700
	Backup	(212) 374-5500
	FAX	(718) 422-8710

Communications frequency in case of primary/backup telephone communications failure is the NYC OEM ALERT Channel.

*For The County of Suffolk:*

**SCFRES**

FIRE RESCUE COMMUNICATIONS CENTER	Primary:	(631) 924-5252
	Backup:	(631) 852-4815
	FAX:	(631) 852-4814

Communications frequency in case of primary/backup telephone communications failure is [INSERT].

COUNTY OF SUFFOLK



1064

JAN 13 2009

JOSEPH F. WILLIAMS  
COMMISSIONER

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

WARREN HORNE  
CHIEF FIRE MARSHAL

JOHN M. SEARING, PE  
DEPUTY COMMISSIONER

EDWARD C. SCHNEYER  
DIRECTOR OF EMERGENCY PREPAREDNESS

**DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES**

TO: Ben Zwirn, Deputy County Executive  
Intergovernmental Relations

FROM: Joseph F. Williams  
Commissioner

DATE: January 7, 2009

SUBJECT: SUFFOLK-FDNY FIRE SERVICES MUTUAL AID AGREEMENT

Please find enclosed the necessary documents to authorize the execution of a mutual aid agreement between New York City and Suffolk County in relation to firefighting and other emergency fire and rescue services. A copy of the agreement is attached for your reference only.

If you have any questions regarding this resolution, please contact Edward Schneyer of my office at (631) 852-4904.

Thank you.

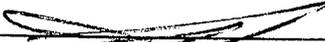
JFW:ko

cc: J. Morgo, Chief Deputy County Executive  
Enclosures

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1064

1. Type of Legislation		
Local Law: _____ Charter Law: _____ Resolution: <u>  X  </u>		
2. Title of Proposed Legislation		
Authorizing execution of a mutual aid agreement between New York City and Suffolk County relating to firefighting and other emergency fire and rescue services		
3. Purpose of Proposed Legislation		
To establish a protocol for the provision of firefighting and other emergency fire and rescue services on a mutual-aid basis pursuant to §209 of the New York General Municipal Law.		
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		
n/a		
9. Timing of Impact		
Immediate		

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Joseph F. Williams, Commissioner		1/6/08

Intro Res. No. 1065-09  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 2/3/09

**RESOLUTION NO. - 2009 ACCEPTING AND APPROPRIATING ONE HUNDRED PERCENT FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS FOR THE SUFFOLK COUNTY MEDICAL RESERVE CORPS.**

**WHEREAS**, the National Association of County and City Health Officials (NACCHO), has awarded the Suffolk County Department of Fire, Rescue and Emergency Services (FRES) funds to provide reference and field guidebooks for the Volunteer Members of the Suffolk County Medical Reserve Corps.

**WHEREAS**, NACCHO has received a grant from the Department of Health and Human Services (Grant Number: 1 MRCSG061001-03, CFDA Number: 93.008) (the "Grant") to build the capacity of local Medical Reserve Corps ("MRC") units;

**WHEREAS**, pursuant to the terms of the Grant, NACCHO has agreed, among other things, to provide funding support to the Suffolk County MRC unit, a component of the Suffolk County Citizen Corps Council and to encourage this unit to provide certain information to the Office of the Surgeon General's Civilian Volunteer Medical Reserve Corps ("OSG/CVMRC");

**WHEREAS**, pursuant to the terms of the Grant, NACCHO desires to provide funding to FRES in exchange for FRES agreeing, among other things, to undertake the activities indicated in their capacity building application or oversee such activities;

**WHEREAS**, FRES houses an MRC unit that is registered in good standing with the OSG/CVMRC;

**WHEREAS**, FRES maintains responsibility for the Suffolk County Citizen Corps Council pursuant to Resolution 1283-2004. The MRC is a component of the Citizen Corps Council Program;

**WHEREAS**, the MRC was created to allow for accredited health care professionals to volunteer in public health matters during times of natural or manmade crisis;

**WHEREAS**, this is a grant program, effective immediately to July 31, 2009 in which Suffolk County has been awarded \$5,000 from NACCHO;

**WHEREAS**, \$ 5,000 of said funds have not been included in the 2009 Operating Budget, now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and County Treasurer be and that they hereby are authorized to accept \$5,000 and appropriate said grant funds as follows:

REVENUES:

AMOUNT

001-4089 Federal Aid: Other

\$ 5,000

ORGANIZATIONS:

Medical Reserve Corps  
001-FRE-3400- \$ 5,000

3000 – Supplies, Materials & Other Expense

3100 Instructional Supplies

\$ 5,000

DATED:

APPROVED BY:

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

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1065

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
<p><b>RESOLUTION NO. - 2009 ACCEPTING AND APPROPRIATING ONE HUNDRED PERCENT FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS FOR THE SUFFOLK COUNTY MEDICAL RESERVE CORPS.</b></p>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <input checked="" type="checkbox"/> No _____		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
<input checked="" type="radio"/> County	<input type="radio"/> Town	<input type="radio"/> Economic Impact
<input type="radio"/> Village	<input type="radio"/> School District	<input type="radio"/> Other (Specify): DAV
<input type="radio"/> Library District	<input type="radio"/> Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Suffolk County FRES to receive \$5,000 in grant funds to purchase field guidebooks for volunteer members of the Medical Reserve Corps.		
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		January 23rd, 2009

SCIN FORM 175b (10/95)

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

1065

**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.

COUNTY OF SUFFOLK

JAN 14 2009



1065

JOSEPH F. WILLIAMS  
COMMISSIONER

JOHN M. SEARING, PE  
DEPUTY COMMISSIONER

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

WARREN HORST  
CHIEF FIRE MARSHAL

EDWARD C. SCHNEYER  
DIRECTOR OF EMERGENCY PREPAREDNESS

**DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES**

TO: Ben Zwirn, Deputy County Executive  
Intergovernmental Relations

FROM: Joseph F. Williams  
Commissioner

DATE: January 9, 2009

SUBJECT: National Association of County & City Health Officials (NACCHO) Funding

Please find enclosed the necessary documents to accept and appropriate one hundred percent federal pass through grant funds from NACCHO to be used for the Suffolk County Medical Reserve Corps.

If you have any questions regarding this resolution, please contact Tom O'Hara of my office at (631) 852-4908.

Thank you.

JFW:to

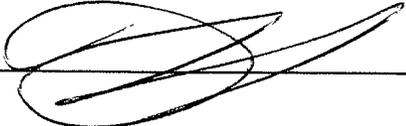
Enclosures

- cc: J. Morgo, Chief Deputy County Executive
- J. Searing, Deputy Commissioner
- E. Schneyer, Director of Emergency Preparedness
- R. Meyer, Asst. Commissioner, DHS
- R. Delagi, Chief, Pre-Hospital Medical Ops., EMS

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1065

1. Type of Legislation  Local Law: _____ Charter Law: _____ Resolution: <u>  X  </u>		
2. Title of Proposed Legislation  Accepting and appropriating one hundred percent federal pass-through grant funds from the National Association of County and City Health Officials for the Suffolk County Medical Reserve Corps.		
3. Purpose of Proposed Legislation  The potential for overwhelming the public health care system during times of a natural or manmade disaster.		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
<input checked="" type="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: This is a one time only grant to purchase reference and guide books for Suffolk County Medical Reserve Corps Volunteers.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision  \$5,000		
8. Proposed Source of Funding  National Association of County and City Health Officials		
9. Timing of Impact  Immediate		

10. Typed Name & Title of Preparer  Joseph F. Williams, Commissioner	11. Signature of Preparer  	12. Date  1/9/09
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1065

**National Association of County and City Health Officials**

**AGREEMENT**

National Association of County and City Health Officials  
1100 17<sup>th</sup> Street, NW, Second Floor, Washington, DC 20036-4636  
(202)783-5550 FAX (202)783-1583

**CONTRACT # MRC 090227**

This Agreement is entered into, effective as of the date of the later signature indicated below (the "Effective Date"), by and between the **National Association of County and City Health Officials** ("NACCHO"), with its principal place of business at 1100 17<sup>th</sup> St., N.W., Suite 200, Washington, DC 20036, and **Suffolk County** ("Organization"), with its principal place of business at **PO Box 127, Yaphank, NY 11980**.

WHEREAS, NACCHO has received a grant from the Department of Health and Human Services (Grant Number: 1 MRCSG061001-03, CFDA Number: 93.008) (the "Grant") to build the capacity of local Medical Reserve Corps ("MRC") units;

WHEREAS, pursuant to the terms of the Grant, NACCHO has agreed, among other things, to provide support to MRC units and to encourage these units to provide certain information to the Office of the Surgeon General's Office of the Civilian Volunteer Medical Reserve Corps ("OSG/OCVMRC");

WHEREAS, Organization either houses or is itself an MRC unit that is registered in good standing with the OSG/OCVMRC;

WHEREAS, pursuant to the terms of the Grant, NACCHO desires to provide funding to Organization in exchange for Organization agreeing, among other things, to undertake the activities indicated in their capacity building application or oversee such activities and to provide certain information to the OSG/OCVMRC.

NOW, THEREFORE, NACCHO and Organization, intending to be legally bound, in consideration of the promises and mutual covenants and obligations contained herein, hereby agree as follows:

1. ORGANIZATION'S OBLIGATIONS: In consideration for the payment described in Section 3, below, Organization agrees, during the Term of this Agreement, to be an MRC Unit in Good Standing by meeting the following criteria below. If Organization houses an MRC Unit, Organization will insure that the unit is an MRC Unit in Good Standing by meeting the following criteria below.
  - a. Have 501c(3) or comparable status or be housed in an organization capable of and willing to receive federal funds on its behalf;
  - b. Monitors and provide updates to the MRC Unit's profile on the MRC web site no less often than once every three months;
  - c. Provides the OSG/OCVMRC with regular updates of programs and plans;
  - d. Actively works towards National Incident Management System ("NIMS")

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**National Association of County and City Health Officials**

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**AGREEMENT**

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National Association of County and City Health Officials  
1100 17<sup>th</sup> Street, NW, Second Floor, Washington, DC 20036-4636  
(202)783-5550 FAX (202)783-1583

compliance;

- e. Agrees to participate in MRC Unit Technical Assistance assessments;
  - f. Utilizes capacity building award funds for approved purposes, and as indicated in their capacity building award application;
  - g. Maintains Registered status with the OSG/OCVMRC; and
  - h. Agrees to participate in an evaluation review by NACCHO
2. TERM OF AGREEMENT: The term of the Agreement shall be begin on January 1, 2009 and shall continue until July 31, 2009 (the "Term").
  3. PAYMENT FOR SERVICES: In consideration for the agreements by Organization set forth in Section 1, above, NACCHO shall pay Organization Five Thousand Dollars (\$5,000). Payment will be made before the expiration of the Term of the Agreement.
  4. REVISIONS AND AMENDMENTS: Any revisions or amendments to this Agreement must be made in writing and signed by both parties.
  5. ASSIGNMENT: Organization may not assign this Agreement nor delegate any duties herein without the expressed written approval of NACCHO.
  6. INTERFERING CONDITIONS: Organization shall promptly and fully notify NACCHO of any condition that interferes with, or threatens to interfere with, the successful carrying out of Organization's duties and responsibilities under this Agreement, or the accomplishment of the purposes thereof. Such notice shall not relieve Organization of said duties and responsibilities under this Agreement.
  7. RESOLUTION OF DISPUTES: Should any disputes arise between the parties during the Term of this Agreement, the parties shall make a good faith attempt to resolve such disputes through dialogue and negotiation. If such efforts fail to resolve the differences, the disputes will be submitted to arbitration in the District of Columbia before a single arbitrator in accordance with the rules then obtaining of the American Arbitration Association. The arbitration award shall be final and binding upon the parties. If a dispute should arise about an arbitration award, judgment may be entered therein in any court of competent jurisdiction.
  8. ENTIRE AGREEMENT: This Agreement contains all agreements, representations, and understandings of the parties and supersedes and replaces any and all previous understandings, commitments, or agreements, oral or written.
  9. PARTIAL INVALIDITY: If any part, term, or provision of this Agreement shall be held

1065

National Association of County and City Health Officials

AGREEMENT

National Association of County and City Health Officials
1100 17th Street, NW, Second Floor, Washington, DC 20036-4636
(202)783-5550 FAX (202)783-1583

void, illegal, unenforceable, or in conflict with any law, that part, term or provision shall be restated to effectuate the parties' intentions, and the validity of the remaining portions or provisions shall not be affected.

- 10. GOVERNING LAW: This Agreement shall be governed by and construed in accordance with the laws of the District of Columbia (without regard to its conflict of law rules).
11. COMPLIANCE WITH FEDERAL LAWS AND REGULATIONS: Organization's use of funds under this Agreement is subject to the directives of and full compliance with 45 C.F.R. Part 74 (Uniform Administrative Requirements for Awards and Subawards to Institutions of Higher Education, Hospitals, Other Non-Profit Organizations, and Commercial Organizations) and OMB Circular A-110 (Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations). It is the Organization's responsibility to understand and comply with all requirements set forth therein.
12. DEBARRED OR SUSPENDED ORGANIZATIONS: Pursuant to OMB Circular A-110, Organization certifies to the best of its knowledge that its is not presently and will execute no subcontract with parties listed on the General Services Administration's List of Parties Excluded from Federal Procurement or Nonprocurement Programs in accordance with E.O.s 12549 and 12689, "Debarment and Suspension."
13. AUDITING: Organization agrees to permit independent auditors to have access to its books, records and financial statements for the purpose of monitoring compliance with this contract.
14. NOTICE: All notices under this Agreement shall be in writing and shall be sent via facsimile and first class mail, postage prepaid, to the addresses below. Either party may update its address by providing written notice to the other party pursuant to the terms of this provision.

TO NACCHO:
National Association of County and City Health Officials
Attn: Contracts Specialist
1100 17th Street, N.W., Second Floor
Washington, D.C. 20036
Tel. (202) 507-4272
Fax (202) 783-1583

AGREEMENT

National Association of County and City Health Officials
1100 17th Street, NW, Second Floor, Washington, DC 20036-4636
(202)783-5550 FAX (202)783-1583

TO ORGANIZATION:
Suffolk County
Jeffrey W. Szabo
Deputy County Executive
PO Box 127
Yaphank, NY 11980
Tel. 6318534990
Ext.

17. AUTHORITY TO BIND PARTY: Each party hereby represents and warrants that the person signing this Agreement on its behalf as the authority to bind such party.

NACCHO: ORGANIZATION:
Authorized Signature: Authorized Signature:
By: By:
Name: John Mericsko Name: Jeffrey W. Szabo
Title: Chief Financial Officer Title: Deputy County Executive
Organization: National Association of County and City Health Officials Organization: Suffolk County
Address: 1100 17th Street, NW Address: PO Box 127
Second Floor Yaphank, NY 11980
Washington, DC 20036
Phone: 202-507-4246 Phone:
Fax: 202-783-1583 Fax:
EIN: 52-1426663 EIN: 11-6000464
Date: Date:

1065

**National Association of County and City Health Officials**

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**AGREEMENT**

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National Association of County and City Health Officials  
1100 17<sup>th</sup> Street, NW, Second Floor, Washington, DC 20036-4636  
(202)783-5550 FAX (202)783-1583

**CERTIFICATION OF NON-DEBARMENT OR SUSPENSION**

By my signature I attest that **Suffolk County** has not been debarred or suspended pursuant to OMB Circular A-110 and will not subcontract with parties listed on the General Services Administration's List of Parties Excluded from Federal Procurement or Nonprocurement Programs in accordance with E.O.s 12549 and 12689 "Debarment and Suspension."

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
ORGANIZATION	DATE SIGNED

Intro. Res. No. 1066-09 Laid on Table 2/3/2009  
Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2009, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD TO RENOVATE, OPERATE, MAINTAIN AND MANAGE A FOOD CATERING CONCESSION WITHIN COINDRE HALL LOCATED AT WEST NECK FARM IN HUNTINGTON**

**WHEREAS**, the Department of Parks, Recreation and Conservation advertised on October 16, 2008 for a food catering contract at Coindre Hall located at West Neck Farm and distributed five (5) RFP packets to potential vendors; and

**WHEREAS**, the Department of Parks, Recreation and Conservation received only one (1) response, from Lessings, Inc.; and

**WHEREAS**, section C38-3(A) of the SUFFOLK COUNTY CHARTER and Suffolk County Standard Operating Procedure I-15B 6.A.(10) ("Procedures for Development and Approval of RFP's and Consultant Contracts") require the approval of at least two-thirds of the entire membership of the County Legislature when only one response to an RFP is received; and

**WHEREAS**, an independent evaluation committee reviewed the proposal from Lessings, Inc. and found the provider's quality of work and experience to be satisfactory and its submitted cost proposal to be acceptable, and have recommended that the Department of Parks, Recreation, and Conservation enter into a contractual agreement with the provider; now therefore be it

**1<sup>st</sup> RESOLVED**, that upon receiving at least a two-thirds vote of the County Legislature as required by section C38-3(A) of the SUFFOLK COUNTY CHARTER and Suffolk County Standard Operating Procedure I-15B 6.A.(10), that the Department of Parks, Recreation, and Conservation enter into a contractual agreement with Lessings, Inc. to renovate, operate, maintain and manage a food catering concession within Coindre Hall located at West Neck Farm in Huntington.

DATED:

APPROVED BY:

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

Date of Approval:

1066

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>		
2. Title of Proposed Legislation		
<b>RESOLUTION NO. -2009, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD TO RENOVATE, OPERATE, MAINTAIN AND MANAGE A FOOD CATERING CONCESSION WITHIN COINDRE HALL LOCATED AT WEST NECK FARM IN HUNTINGTON</b>		
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		
Suffolk County would receive a percentage of gross revenue from the concessionaire; to be determined by contract terms.		
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		January 22nd, 2009

SCIN FORM 175b (10/95)

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

1066

**GENERAL FUND**

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

**COMBINED**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 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.

COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

1066

DEPARTMENT OF  
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC  
COMMISSIONER

TRACEY BELLONE  
DEPUTY COMMISSIONER

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

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

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

**DATE: January 16, 2009**

**RE: INTRODUCTORY RESOLUTION REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD TO RENOVATE, OPERATE, MAINTAIN AND MANAGE A FOOD CATERING CONCESSION WITHIN COINDRE HALL LOCATED AT WEST NECK FARM IN 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-Requesting Approval of Contract for Coindre Hall Catering.doc."

The Department of Parks, Recreation and Conservation advertised on October 16, 2008 for a food catering contract at Coindre Hall located at West Neck Farm. Five (5) RFP packets were distributed to potential vendors. However, there was only one (1) response which was from Lessings, Inc.

After reviewing Lessings' proposal, an independent evaluation committee found its terms acceptable and recommended that the Departments of Parks, Recreation and Conservation enter into an agreement with Lessings to renovate, operate, maintain and manage a food catering concession within Coindre Hall. This resolution requests Legislative approval of the contract award to Lessings, Inc.

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

Enclosures



STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1066

<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;">REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD TO RENOVATE, OPERATE, MAINTAIN AND MANAGE A FOOD CATERING CONCESSION WITHIN COINDRE HALL LOCATED AT WEST NECK FARM IN 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 <u>X</u>      No</p>		
<p>5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)</p> <p><u>County</u>                      Town                      Economic Impact</p> <p>Village                      School District              Other (Specify):</p> <p>Library District              Fire District</p>		
<p>6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact</p> <p>To be determined.</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 Malanga</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>

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2009, APPROVING A LICENSE AGREEMENT FOR JENINE VELLA TO RESIDE AT WEST SAYVILLE GATEHOUSE AT CHARLES R. DOMINY COUNTY PARK, WEST SAYVILLE**

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

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

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

**WHEREAS**, in accordance with the policies set forth by the aforementioned resolutions, the Commissioner of the Department of Parks, Recreation, and Conservation has recommended that Jenine Vella, Insurance Contract Analyst for Risk Management, be approved to enter into a license agreement to reside at West Sayville Gatehouse at Charles R. Dominy County Park, West Sayville; 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 with Jenine Vella to reside at West Sayville Gatehouse at Charles R. Dominy County Park, West Sayville, in accordance with the provisions set forth in Section 723-1 of the SUFFOLK COUNTY CODE; and be it further

**2<sup>nd</sup>** **RESOLVED**, that Charles R. Dominy County Park and grounds on said premises shall be returned to the County of Suffolk at the conclusion of the License Agreement authorized pursuant to the 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:



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

1067

**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.

COUNTY OF SUFFOLK



1067

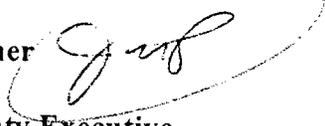
STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF  
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC  
COMMISSIONER

TRACEY BELLONE  
DEPUTY COMMISSIONER

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

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

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

**DATE:** January 16, 2009

**RE:** INTRODUCTORY RESOLUTION APPROVING A LICENSE  
AGREEMENT FOR JENINE VELLA TO RESIDE AT UNIT 102,  
WEST SAYVILLE GATEHOUSE AT CHARLES R. DOMINY  
COUNTY PARK, WEST SAYVILLE

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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-Approving License for Unit 102 at Charles R. Dominy County Park.doc".

In accordance with the procedures set forth by Resolution Nos. 1250-2002 and 1368-2004, I recommend that the County enter into a license agreement with Jenine Vella, who works as an Insurance Contract Analyst for Risk Management, to reside at Unit 102, West Sayville Gatehouse, Charles R. Dominy County Park, West Sayville.

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

Enclosures



STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>X</u> Local Law _____      Charter Law _____ <span style="float: right; font-size: 1.5em; margin-left: 20px;">1067</span>		
2. Title of Proposed Legislation  APPROVING A LICENSE AGREEMENT FOR JENINE VELLA TO RESIDE AT UNIT 102, WEST SAYVILLE GATEHOUSE AT CHARLES R. DOMINY COUNTY PARK, WEST SAYVILLE		
3. Purpose of Proposed Legislation See #2.		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>X</u> No		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
<input type="checkbox"/> County  <input type="checkbox"/> Village  <input type="checkbox"/> Library District	<input type="checkbox"/> Town  <input type="checkbox"/> School District  <input type="checkbox"/> Fire District	<input type="checkbox"/> Economic Impact  <input type="checkbox"/> Other (Specify):
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  N/A		
8. Proposed Source of Funding  N/A		
9. Timing Impact  Monthly, during the agreement term.		
10. Typed Name & Title of Preparer  <b>Tom Malanga</b> <b>Parks Foundation Director</b> <b>Dept. of Parks, Recreation &amp; Conservation</b>	11. Signature of Preparer	12. Date

1068  
Intro. Res. No. -2009

Laid on Table 2/3/09

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2009, TO  
REAPPOINT GIOACCHINO BALDUCCI  
TO THE SUFFOLK COUNTY MOTION  
PICTURE/ TELEVISION FILM  
COMMISSION**

**WHEREAS**, the term of **Gioacchino Balducci** as a member of the Suffolk County Motion Picture/Television Film Commission has expired as of December 31, 2007 and he is currently a holdover member of said Commission: now, therefore, be it

**1st RESOLVED**, that **Gioacchino Balducci**, residing at Montauk, NY, is hereby reappointed as a member of the Suffolk County Motion Picture/Television Film Commission for a four year term of office to expire December 31, 2011, said appointment being made by the Suffolk County Executive pursuant to the provisions of Section 58-4 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.

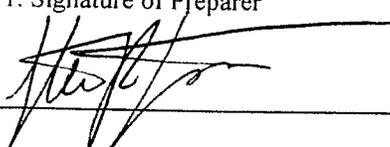
DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1068

1. Type of Legislation Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>		
2. Title of Proposed Legislation <b>TO REAPPOINT GIOACCHINO BALDUCCI TO THE SUFFOLK COUNTY MOTION PICTURE/TELEVISION FILM COMMISSION</b>		
3. Purpose of Proposed Legislation Term of Gioacchino Balducci as a member of the Suffolk County Motion Picture/Television Commission expired December 31, 2007. Resolution is to reappoint for a four year term expiring December 31, 2011.		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>      </u> No <u>  X  </u>		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District <input type="checkbox"/>	
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  N/A		
10. Typed Name & Title of Preparer  Steve R. Tricarico County Executive Assistant	11. Signature of Preparer 	12. Date  January 21, 2009

SCIN FORM 175b (10/95)



JAN 14 2009

1068

## Memo

**To:** Ben Zwirn, Deputy County Executive

**From:** Patrick Heaney, Commissioner, Economic Development and Workforce Housing *PH*

**Date:** January 13, 2009

**Re:** TO REAPPOINT GIOACCHINO BALDUCCI TO THE SUFFOLK COUNTY MOTION PICTURE/ TELEVISION FILM COMMISSION

I am requesting that subject resolution be introduced to the Suffolk County Legislature.

**Cc:** Brendan Chamberlain, Director, Intergovernmental Relations  
Carolyn Fahey, Intergovernmental Relations Coordinator  
Michelle Isabelle-Stark, Program Coordinator, Cultural Affairs



Steve Levy  
Suffolk County Executive

Patrick Heaney  
Commissioner

● Page 1

**BETTER FOR BUSINESS... BETTER FOR LIFE**

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1069  
Intro. Res. No. -2009

Laid on Table 2/3/09

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2009, TO  
REAPPOINT DAVID COHEN TO THE  
SUFFOLK COUNTY MOTION PICTURE/  
TELEVISION FILM COMMISSION**

**WHEREAS**, the term of **David Cohen** as a member of the Suffolk County Motion Picture/Television Film Commission has expired as of December 31, 2008 and he is currently a holdover member of said Commission: now, therefore, be it

**1st RESOLVED**, that **David Cohen**, residing at Melville, NY, is hereby reappointed as a member of the Suffolk County Motion Picture/Television Film Commission for a four year term of office to expire December 31, 2012, said appointment being made by the Suffolk County Executive pursuant to the provisions of Section 58-4 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:

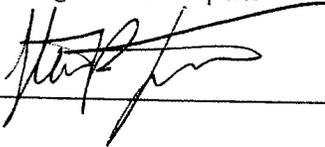
APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1069

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation <b>TO REAPPOINT DAVID COHEN TO THE SUFFOLK COUNTY MOTION PICTURE/TELEVISION FILM COMMISSION</b>		
3. Purpose of Proposed Legislation Term of David Cohen as a member of the Suffolk County Motion Picture/Television Commission expired December 31, 2008. Resolution is to reappoint for a four year term expiring December 31, 2012.		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes</b> _____ <b>No</b> <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 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		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Steve R. Tricarico County Executive Assistant		January 21, 2009

SCIN FORM 175b (10/95)



1069

JAN 14 2009

# Memo

**To:** Ben Zwim, Deputy County Executive

**From:** Patrick Heaney, Commissioner, Economic Development and Workforce Housing 

**Date:** January 13, 2009

**Re:** TO REAPPOINT DAVID COHEN TO THE SUFFOLK COUNTY MOTION PICTURE/ TELEVISION FILM COMMISSION

I am requesting that subject resolution be introduced to the Suffolk County Legislature.

**Cc:** Brendan Chamberlain, Director, Intergovernmental Relations  
Carolyn Fahey, Intergovernmental Relations Coordinator  
Michelle Isabelle-Stark, Program Coordinator, Cultural Affairs



Steve Levy  
Suffolk County Executive

Patrick Heaney  
Commissioner

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1070

Intro. Res. No. -2009

Laid on Table 2/3/09

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2009, TO  
REAPPOINT MITCHELL KRIEGMAN TO  
THE SUFFOLK COUNTY MOTION  
PICTURE/ TELEVISION FILM  
COMMISSION**

**WHEREAS**, the term of **Mitchell Kriegman** as a member of the Suffolk County Motion Picture/Television Film Commission has expired as of December 31, 2008 and he is currently a holdover member of said Commission: now, therefore, be it

**1st RESOLVED**, that **Mitchell Kriegman**, residing at Water Mill, NY, is hereby reappointed as a member of the Suffolk County Motion Picture/Television Film Commission for a four year term of office to expire December 31, 2012, said appointment being made by the Suffolk County Executive pursuant to the provisions of Section 58-4 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:

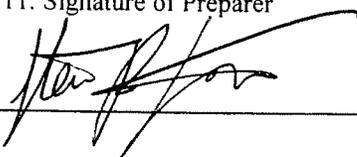
APPROVED BY:

County Executive of Suffolk County

Date:

1070

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 <b>TO REAPPOINT MITCHELL KRIEGMAN TO THE SUFFOLK COUNTY MOTION PICTURE/TELEVISION FILM COMMISSION</b>		
3. Purpose of Proposed Legislation Term of Mitchell Kriegman as a member of the Suffolk County Motion Picture/Television Commission expired December 31, 2008. Resolution is to reappoint for a four year term expiring December 31, 2012.		
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 <input type="checkbox"/>	
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  N/A		
10. Typed Name & Title of Preparer  Steve R. Tricarico County Executive Assistant	11. Signature of Preparer 	12. Date  January 21, 2009

SCIN FORM 175b (10/95)



JAN 14 2009

1070

## Memo

**To:** Ben Zwirn, Deputy County Executive

**From:** Patrick Heaney, Commissioner, Economic Development and Workforce Housing 

**Date:** January 13, 2009

**Re:** TO REAPPOINT MITCHELL KRIEGMAN TO THE SUFFOLK COUNTY MOTION PICTURE/ TELEVISION FILM COMMISSION

I am requesting that subject resolution be introduced to the Suffolk County Legislature.

**Cc:** Brendan Chamberlain, Director, Intergovernmental Relations  
Carolyn Fahey, Intergovernmental Relations Coordinator  
Michelle Isabelle-Stark, Program Coordinator, Cultural Affairs



Steve Levy  
Suffolk County Executive

Patrick Heaney  
Commissioner

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1071  
Intro. Res. No. -2009

Laid on Table 2/3/09

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2009, TO  
REAPPOINT CAMPBELL DALGLISH TO  
THE SUFFOLK COUNTY MOTION  
PICTURE/ TELEVISION FILM  
COMMISSION**

**WHEREAS**, the term of **Campbell Dalglish** as a member of the Suffolk County Motion Picture/Television Film Commission has expired as of December 31, 2007 and he is currently a holdover member of said Commission: now, therefore, be it

**1st RESOLVED**, that **Campbell Dalglish**, residing at E. Patchogue, NY, is hereby reappointed as a member of the Suffolk County Motion Picture/Television Film Commission for a four year term of office to expire December 31, 2011, said appointment being made by the Suffolk County Executive pursuant to the provisions of Section 58-4 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:

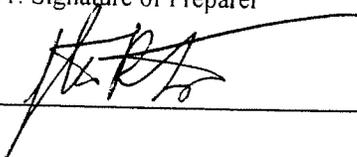
APPROVED BY:

County Executive of Suffolk County

Date:

1071

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation <b>TO REAPPOINT CAMPBELL DALGLISH TO THE SUFFOLK COUNTY MOTION PICTURE/TELEVISION FILM COMMISSION</b>		
3. Purpose of Proposed Legislation Term of Campbell Dalglish as a member of the Suffolk County Motion Picture/Television Commission expired December 31, 2007. Resolution is to reappoint for a four year term expiring December 31, 2011.		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes _____ No <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District <input type="checkbox"/>	
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		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Steve R. Tricarico County Executive Assistant		January 21, 2009

SCIN FORM 175b (10/95)



1071

JAN 14 2009

# Memo

**To:** Ben Zwirn, Deputy County Executive

**From:** Patrick Heaney, Commissioner, Economic Development and Workforce Housing *PH*

**Date:** January 13, 2009

**Re:** TO REAPPOINT CAMPBELL DALGLISH TO THE SUFFOLK COUNTY MOTION PICTURE/ TELEVISION FILM COMMISSION

I am requesting that subject resolution be introduced to the Suffolk County Legislature.

**Cc:** Brendan Chamberlain, Director, Intergovernmental Relations  
Carolyn Fahey, Intergovernmental Relations Coordinator  
Michelle Isabelle-Stark, Program Coordinator, Cultural Affairs



Steve Levy  
Suffolk County Executive

Patrick Heaney  
Commissioner

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1072

Intro. Res. No. -2009

Laid on Table 2/3/09

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2009, TO  
REAPPOINT RON RUDAITIS TO THE  
SUFFOLK COUNTY MOTION PICTURE/  
TELEVISION FILM COMMISSION**

**WHEREAS**, the term of **Ron Rudaitis** as a member of the Suffolk County Motion Picture/Television Film Commission has expired as of December 31, 2008 and he is currently a holdover member of said Commission: now, therefore, be it

**1st RESOLVED**, that **Ron Rudaitis**, residing at Huntington, NY, is hereby reappointed as a member of the Suffolk County Motion Picture/Television Film Commission for a four year term of office to expire December 31, 2012, said appointment being made by the Suffolk County Executive pursuant to the provisions of Section 58-4 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:

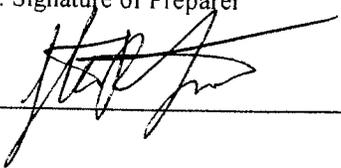
APPROVED BY:

County Executive of Suffolk County

Date:

1072

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation <b>TO REAPPOINT RON RUDAITIS TO THE SUFFOLK COUNTY MOTION PICTURE/TELEVISION FILM COMMISSION</b>		
3. Purpose of Proposed Legislation Term of Ron Rudaitis as a member of the Suffolk County Motion Picture/Television Commission expired December 31, 2008. Resolution is to reappoint for a four year term expiring December 31, 2012.		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes</b> _____ <b>No</b> <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District <input type="checkbox"/>	
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		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Steve R. Tricarico County Executive Assistant		January 21, 2009

SCIN FORM 175b (10/95)



JAN 14 2009

1072

# Memo

**To:** Ben Zwirn, Deputy County Executive

**From:** Patrick Heaney, Commissioner, Economic Development and Workforce Housing 

**Date:** January 13, 2009

**Re:** TO REAPPOINT RON RUDAITIS TO THE SUFFOLK COUNTY MOTION PICTURE/ TELEVISION FILM COMMISSION

I am requesting that subject resolution be introduced to the Suffolk County Legislature.

**Cc:** Brendan Chamberlain, Director, Intergovernmental Relations  
Carolyn Fahey, Intergovernmental Relations Coordinator  
Michelle Isabelle-Stark, Program Coordinator, Cultural Affairs



Steve Levy  
Suffolk County Executive

Patrick Heaney  
Commissioner

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1073

Intro. Res. No. -2009 Laid on Table  
Introduced by the Presiding Officer on request of the County Executive

2/3/09

**RESOLUTION NO. -2009, TO  
REAPPOINT GREG PACE TO THE  
SUFFOLK COUNTY MOTION PICTURE/  
TELEVISION FILM COMMISSION**

**WHEREAS**, the term of **Greg Pace** as a member of the Suffolk County Motion Picture/Television Film Commission has expired as of December 31, 2008 and he is currently a holdover member of said Commission: now, therefore, be it

**1st RESOLVED**, that **Greg Pace**, residing at West Islip, NY, is hereby reappointed as a member of the Suffolk County Motion Picture/Television Film Commission for a four year term of office to expire December 31, 2012, said appointment being made by the Suffolk County Executive pursuant to the provisions of Section 58-4 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:

1073

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 <b>TO REAPPOINT GREG PACE TO THE SUFFOLK COUNTY MOTION PICTURE/TELEVISION FILM COMMISSION</b>		
3. Purpose of Proposed Legislation Term of Greg Pace as a member of the Suffolk County Motion Picture/Television Commission expired December 31, 2008. Resolution is to reappoint for a four year term expiring December 31, 2012.		
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 <input type="checkbox"/>	
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		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Steve R. Tricarico County Executive Assistant		January 21, 2009

SCIN FORM 175b (10/95)



JAN 14 2009

# Memo

1073

**To:** Ben Zwirn, Deputy County Executive

**From:** Patrick Heaney, Commissioner, Economic Development and Workforce Housing 

**Date:** January 13, 2009

**Re:** TO REAPPOINT GREG PACE TO THE SUFFOLK COUNTY MOTION PICTURE/TELEVISION FILM COMMISSION

I am requesting that subject resolution be introduced to the Suffolk County Legislature.

**Cc:** Brendan Chamberlain, Director, Intergovernmental Relations  
Carolyn Fahey, Intergovernmental Relations Coordinator  
Michelle Isabelle-Stark, Program Coordinator, Cultural Affairs



Steve Levy  
Suffolk County Executive

Patrick Heaney  
Commissioner

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1074

Intro. Res. No. -2009

Laid on Table 2/3/09

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2009, TO  
REAPPOINT ISABELLA RUPP TO THE  
SUFFOLK COUNTY MOTION PICTURE/  
TELEVISION FILM COMMISSION**

**WHEREAS**, the term of **Isabella Rupp** as a member of the Suffolk County Motion Picture/Television Film Commission has expired as of December 31, 2007 and she is currently a holdover member of said Commission: now, therefore, be it

**1st RESOLVED**, that **Isabella Rupp**, residing at Southampton, NY, is hereby reappointed as a member of the Suffolk County Motion Picture/Television Film Commission for a four year term of office to expire December 31, 2011, said appointment being made by the Suffolk County Executive pursuant to the provisions of Section 58-4 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:

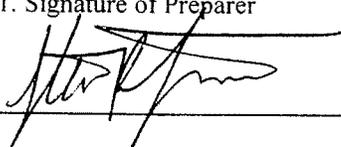
APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1074

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation <b>TO REAPPOINT ISABELLA RUPP TO THE SUFFOLK COUNTY MOTION PICTURE/TELEVISION FILM COMMISSION</b>		
3. Purpose of Proposed Legislation Term of Isabella Rupp as a member of the Suffolk County Motion Picture/Television Commission expired December 31, 2007. Resolution is to reappoint for a four year term expiring December 31, 2011.		
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 <input type="checkbox"/>	
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		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Steve R. Tricarico County Executive Assistant		January 21, 2009

SCIN FORM 175b (10/95)



1074

JAN 14 2009

# Memo

**To:** Ben Zwirn, Deputy County Executive  
**From:** Patrick Heaney, Commissioner, Economic Development and Workforce Housing   
**Date:** January 13, 2009  
**Re:** TO REAPPOINT ISABELLA RUPP TO THE SUFFOLK COUNTY MOTION PICTURE/ TELEVISION FILM COMMISSION

I am requesting that subject resolution be introduced to the Suffolk County Legislature.

**Cc:** Brendan Chamberlain, Director, Intergovernmental Relations  
Carolyn Fahey, Intergovernmental Relations Coordinator  
Michelle Isabelle-Stark, Program Coordinator, Cultural Affairs



Steve Levy  
Suffolk County Executive

Patrick Heaney  
Commissioner

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1075

Intro. Res. No. -2009  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table

2/3/09

**RESOLUTION NO. -2009, TO  
REAPPOINT STEVEN TAUB TO THE  
SUFFOLK COUNTY MOTION PICTURE/  
TELEVISION FILM COMMISSION**

**WHEREAS**, the term of **Steven Taub** as a member of the Suffolk County Motion Picture/Television Film Commission has expired as of December 31, 2007 and he is currently a holdover member of said Commission: now, therefore, be it

**1st RESOLVED**, that **Steven Taub**, residing at Melville, NY, is hereby reappointed as a member of the Suffolk County Motion Picture/Television Film Commission for a four year term of office to expire December 31, 2011, said appointment being made by the Suffolk County Executive pursuant to the provisions of Section 58-4 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:

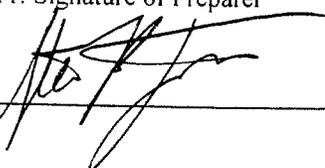
APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date:

1075

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 <b>TO REAPPOINT STEVEN TAUB TO THE SUFFOLK COUNTY MOTION PICTURE/TELEVISION FILM COMMISSION</b>		
3. Purpose of Proposed Legislation Term of Steven Taub as a member of the Suffolk County Motion Picture/Television Commission expired December 31, 2007. Resolution is to reappoint for a four year term expiring December 31, 2011.		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes</b> _____ <b>No</b> <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 <input type="checkbox"/>	
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  N/A		
10. Typed Name & Title of Preparer  Steve R. Tricarico County Executive Assistant	11. Signature of Preparer 	12. Date  January 21, 2009

SCIN FORM 175b (10/95)



JAN 14 2009

1075

## Memo

**To:** Ben Zwirn, Deputy County Executive

**From:** Patrick Heaney, Commissioner, Economic Development and Workforce Housing 

**Date:** January 13, 2009

**Re:** TO REAPPOINT STEVEN TAUB TO THE SUFFOLK COUNTY MOTION PICTURE/ TELEVISION FILM COMMISSION

I am requesting that subject resolution be introduced to the Suffolk County Legislature.

**Cc:** Brendan Chamberlain, Director, Intergovernmental Relations  
Carolyn Fahey, Intergovernmental Relations Coordinator  
Michelle Isabelle-Stark, Program Coordinator, Cultural Affairs



Steve Levy  
Suffolk County Executive

Patrick Heaney  
Commissioner

• Page 1

**BETTER FOR BUSINESS...BETTER FOR LIFE**

H. Lee Dennison Bldg., 2nd Floor · Hauppauge, Long Island, NY 11788-0099 · phone: 631-853-4800 fax: 631-853-4888 · [www.suffolkcountyny.gov/exec/econ](http://www.suffolkcountyny.gov/exec/econ)

**RESOLUTION NO. -2009, ESTABLISHING AN  
EQUESTRIAN TASK FORCE**

**WHEREAS**, equestrian activity has been an established part of Suffolk County's culture and economy for generations; and

**WHEREAS**, according to the Long Island Farm Bureau, the equine industry represents nearly \$1 billion in the Long Island economy and Suffolk County ranks eighth (8<sup>th</sup>) among the counties of New York in horse population size; and

**WHEREAS**, while the equestrian community is a large economic force in Suffolk County, many of its members maintain small properties for their equestrian businesses and activities with high operating costs, which has led to difficulties in maintaining these companies as economically viable; and

**WHEREAS**, many individual equestrian businesses in Suffolk County are located on properties less than ten (10) acres in size, preventing them from qualifying as farms; and

**WHEREAS**, the problems attendant to running small and medium size stables and equestrian businesses within Suffolk County are compounded by local zoning boards, which have individualized standards as to how many horses may be allowed per acre of property; and

**WHEREAS**, in order to address the variety of issues facing the average member of the equestrian industry in Suffolk County, representatives from local government, equestrian organizations, and County officials need to come together to discuss the problems faced by this community and devise possible solutions; now, therefore be it

**1st RESOLVED**, that a special Suffolk County Equestrian Task Force is hereby created to study and analyze issues relating to the benefits of maintaining the equine industry in Suffolk County, as well as the economic and zoning issues associated with said maintenance, including, but not limited to: the creation of horse intensive zoning, the expansion of government preservation programs that consider the size and location of the property as well as the number of horses maintained there, the feasibility of developing shared or cooperative programs to reduce the costs of necessary purchases, and to examine ways to allow horses easier and access to various parks and trail systems; and be it further

**2nd RESOLVED**, that this Equestrian Task Force shall consist of the following ten (10) members:

- 1.) a representative from the County Legislature, to be selected by the Presiding Officer;
- 2.) the Suffolk County Planning Commissioner, or his designee;

- 3.) the Suffolk County Environment and Energy Commissioner, or his designee;
- 4.) the Suffolk County Parks Commissioner, or his designee;
- 5.) a representative from the Suffolk County Supervisors Association representing the five (5) west end towns;
- 6.) a representative from the East End Supervisors Association;
- 7.) two (2) representatives of the equestrian community, to be selected by the Suffolk County Legislature, with one (1) of those representatives recommended by the Nassau Suffolk Horsemen's Association;
- 8.) a representative of the Suffolk County Village Officials Association; and
- 9.) a representative from the Long Island Farm Bureau, to be selected by the Suffolk County Legislature.

**3rd**               **RESOLVED**, that the chairperson of the Equestrian Task Force shall be selected by a majority of the membership of said Task Force; and be it further

**4th**               **RESOLVED**, that the Equestrian 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 Equestrian 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 six (6) 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 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 said Task Force shall issue a written report, after a comprehensive study and analysis of the impact of the equestrian industry in Suffolk County, the potential for losses associated with the gradual disbanding of the local equestrian community, the problems facing the equine industry and the potential solutions and costs associated with aiding the equine industry to ensure their continued existence and prosperity in Suffolk County; and be it further

**13th**             **RESOLVED**, that this 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

**14th**             **RESOLVED**, that the Task Force shall expire, and the terms of office of its members terminate, as of December 31, 2009 at which time the Task Force shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

**15th**             **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

**16th**             **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:

1077

Intro. Res. No. -2009  
Introduced by Legislator Kennedy

Laid on Table 2/3/2009

**RESOLUTION NO. -2009, AMENDING THE 2009  
OPERATING BUDGET AND TRANSFERRING FUNDS TO  
LITERACY SUFFOLK, INC.**

**WHEREAS**, the 2009 Operating Budget does not include sufficient funds for Literacy Suffolk, Inc.; and

**WHEREAS**, Literacy Suffolk, Inc. is not-for-profit agency that provides valuable services to Suffolk County residents; and

**WHEREAS**, there are excess funds in Social Security due to the restricted hiring policy imposed by the County Executive; and

**WHEREAS**, it is the desire of the Suffolk County Legislature to amend the 2009 Operating Budget and transfer \$65,000 to the contracted agency Literacy Suffolk, Inc.; and

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

**1<sup>st</sup> RESOLVED**, that the 2009 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>OBJECT NAME</u>	<u>AMOUNT</u>
001	EMP	9030	0000	8330	Social Security	-\$65,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	HSV	4005	JAM1	4980	Literacy Suffolk, Inc	+\$65,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding Literacy Suffolk, Inc.

DATED:

APPROVED BY:

1078

Intro. Res. No. -2009  
Introduced by Legislator Kennedy

Laid on Table 2/3/2009

**RESOLUTION NO. -2009, AMENDING THE 2009  
OPERATING BUDGET AND TRANSFERRING FUNDS TO  
SMITHTOWN VETERANS YOUTH PROGRAM, INC.**

**WHEREAS**, the 2009 Operating Budget does not include sufficient funds for Smithtown Veterans Youth Program, Inc.; and

**WHEREAS**, Smithtown Veterans Youth Program, Inc. is a not-for-profit agency that provides Suffolk County residents with a valuable service; and

**WHEREAS**, it is the desire of the Suffolk County Legislature to amend the 2009 Operating Budget and transfer \$5,000 to the contracted agency Smithtown Veterans Youth Program, Inc.; and

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

**1<sup>st</sup> RESOLVED**, that the 2009 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	7320	JFM1	4980	Smithtown Alumni Assn	-\$5,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	7320	DDK1	4980	Smithtown Veterans Youth	+\$5,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the monies appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding Smithtown Veterans Youth Program, Inc.

DATED:

APPROVED BY:

\_\_\_\_\_

1079

Intro. Res. No. -2009  
Introduced by Legislator Stern

Laid on Table 2/3/2009

**RESOLUTION NO. -2009, AMENDING THE 2009  
OPERATING BUDGET AND TRANSFERRING FUNDS TO  
YOUTH DEVELOPMENT ASSOCIATION OF COMMACK**

**WHEREAS**, the 2009 Operating Budget does not include sufficient funds for Youth Development Association of Commack, Inc.; and

**WHEREAS**, Youth Development Association of Commack, Inc. is a not-for-profit agency that provides Suffolk County residents with a valuable service; and

**WHEREAS**, it is the desire of the Suffolk County Legislature to amend the 2009 Operating Budget and transfer \$8,000 to the contracted agency Youth Development Association of Commack, Inc.; and

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

**1<sup>st</sup> RESOLVED**, that the 2009 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	7320	GQD1	4980	Suffolk Jewish Comm Center	-\$8,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	7320	AZB1	4980	Yth Devlpmt Assn of Commack Inc.	+\$8,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the monies appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding Youth Development Association of Commack, Inc.

DATED:

APPROVED BY:

**UPDATED VERSION AS OF 1/28/2009**

Intro. Res. No. 1080-2009

Laid on Table 2/3/2009

Introduced by Presiding Officer Lindsay and Legislators Vilorio-Fisher and Horsley

**RESOLUTION NO.                   -2009, ESTABLISHING A TASK  
FORCE TO STUDY THE FEASIBILITY OF SUFFOLK COUNTY  
COMMUNITY COLLEGE ASSUMING THE OPERATION OF THE  
VANDERBILT MUSEUM**

**WHEREAS**, William K. Vanderbilt, II, in his will, bequeathed to the County of Suffolk his estate in the Town of Huntington, together with all furnishings, exhibits, works of art, artifacts and memorabilia found there to be maintained as a public park and educational facility; and

**WHEREAS**, pursuant to the terms of the will, the County of Suffolk has operated the Suffolk County Vanderbilt Museum ("Vanderbilt Museum") for nearly 60 years; and

**WHEREAS**, the Vanderbilt will also provided for a maintenance fund, the income from which was to be used to maintain and operate the Museum; and

**WHEREAS**, the maintenance fund of the Vanderbilt Museum suffered severe financial setbacks in late 2008 which jeopardizes the Museum's ability to continue operations; and

**WHEREAS**, the County Legislature and the trustees of the Vanderbilt Museum are exploring all options to ensure the continued viability of the Vanderbilt Museum; and

**WHEREAS**, one option that deserves further study is having Suffolk County Community College assume responsibility for the operation of the Museum; and

**WHEREAS**, with its proven ability to thrive as an educational facility, the Community College has the administrative expertise needed to run an educational venture like the Vanderbilt Museum; and

**WHEREAS**, the Vanderbilt Museum could potentially be a valuable asset to the Community College, creating further educational opportunities not currently available to its students and furthering the Community College's outreach throughout Suffolk County; now, therefore be it

**1st                   RESOLVED**, that a special task force is hereby created to study and analyze the feasibility of Suffolk County Community College assuming operation of the Vanderbilt Museum, focusing on the legal, fiscal and educational issues attendant with the establishment of such a relationship; and be it further

**2nd                   RESOLVED**, that this Task Force shall consist of the following seven (7) members:

- 1.) a representative from the current administration of the Vanderbilt Museum;
- 2.) a representative from the Board of Trustees of the Vanderbilt Museum;

- 3.) the Presiding Officer of the Suffolk County Legislature, or designee;
- 4.) the Chair of the Economic Development, Higher Education & Energy Committee, or designee;
- 5.) a representative from the administration of Suffolk County Community College;
- 6.) a representative of the Suffolk County Community College Board of Trustees; and
- 7.) the County Executive, or designee;

and be it further

**3rd**           **RESOLVED**, that the chairperson of the Task Force shall be selected by the Presiding Officer of the Legislature; 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 four (4) 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 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 clerical services involving the month-to-month operation of this Task Force, as well as supplies and postage as necessary, will be provided by the staff of the County Legislature; and be it further

**10th**           **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

**11th**           **RESOLVED**, that said Task Force shall issue a written report, after a comprehensive study and analysis of the feasibility of Suffolk County Community College assuming the operation of the Vanderbilt Museum, along with the legal, fiscal and educational impact such a relationship would have on both entities; and be it further

**12th**           **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 twenty (120) 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

**13th**           **RESOLVED**, that the Task Force shall expire, and the terms of office of its members terminate, as of December 31, 2009 at which time the Task Force shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

**14th**           **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

**15th**           **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

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

Date:

**RESOLUTION NO - 2009, AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO A MEMORANDUM OF AGREEMENT (MOA) WITH THE FEDERAL AVIATION ADMINISTRATION (NAVAIDS)**

**WHEREAS**, the County of Suffolk owns and operates Francis S. Gabreski Airport, a general aviation airport in Westhampton Beach, New York; and

**WHEREAS**, through the Federal Aviation Administration (FAA) the airport is supplied with two Navigational Aids (NAVAIDS): a Visual Approach Slope Indicator (VASI) and an Airport Surface Observation System (ASOS) at no charge to the county; and

**WHEREAS**: the NAVAIDS assist the airport in operating efficiently and enhance the facility for aircraft use in optimum conditions; and

**WHEREAS**: the FAA has maintained these systems at Francis S. Gabreski Airport through prior agreements; and

**WHEREAS**: both parties agree the establishment, operation, and maintenance of these is in the primary interest of safety and direct support of the ongoing operation of Francis S. Gabreski Airport; and

**WHEREAS**: said facilities will be operated and maintained by the FAA at no cost to the County; and

**WHEREAS**: the agreement for the VASI expired on September 30, 2008 and the agreement for the ASOS will expire in 2021; and

**WHEREAS**: the FAA has requested that both NAVAIDS be included into one MOA extending the term of agreement to September 30, 2028; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County Legislature hereby authorizes the County Executive or his designee to execute a Memorandum of Agreement with the Federal Aviation Administration in substantial conformance with the attached Exhibit A.

Dated:

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

Date of Approval:

DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

1089

**MEMORANDUM OF AGREEMENT**

**Agreement Number DTFAEA-09-L-00013**

This agreement is made and entered into by the **County of Suffolk**, hereinafter referred to as Airport, for itself, its successors and assigns, and the Federal Aviation Administration, hereinafter referred to as the FAA.

WITNESSETH

WHEREAS, the parties listed above have entered into an Airport Improvement Grant Agreement; and

WHEREAS, the parties listed above have entered into an agreement providing for the construction, operation, and maintenance of FAA owned navigation, communication and weather aids for the support of Air Traffic Operations; and

WHEREAS, the parties consider it desirable to work in cooperation with each other in the technical installation and operation of air navigational aids; and

WHEREAS, both parties agreed the establishment, operation, and maintenance of systems for air traffic control, navigation, communication, and weather reporting is in the primary interest of safety and direct support of the ongoing operation of the **Francis S. Gabreski Airport, West Hampton Beach, NY.**

NOW, THEREFORE, the parties mutually agree as follows:

**1. TERMS AND CONDITIONS:**

It is mutually understood and agreed that the Airport requires FAA navigation aid facilities in order to operate their business and that the FAA requires navigation, communication and weather aid facilities at the Airport in order to support Air Traffic Operations. Thus, in the interest of both parties it is hereby agreed that the Airport will allow the FAA to construct, operate, and maintain FAA owned navigation, communication and weather aid facilities in areas on the Airport that have been mutually determined and agreed upon for the term commencing on **1 October 2008** and continuing though **30 September 2028**. The FAA can terminate this agreement, in whole or part at any time by giving at least (60) day's notice in writing. Said notice shall be sent by certified or registered mail.

1081

(a) Together with a right-of-way for ingress to and egress from the premises; a right-of-way for establishing and maintaining pole lines or under ground lines for extending electrical power and/or telecommunications lines to the premises; including a right-of-way for subsurface power, communication and/or water lines to the premises; all right-of-ways to be over the area referred to as **Francis S. Gabreski Airport**, to be routed reasonably determined to be the most convenient to the FAA and as not to interfere with Airport operations. The Airport shall have the right to review and comment on plans covering access and utility rights-of-way under this paragraph.

(b) And the right to grading, conditioning, and installing drainage facilities, and seeding the soil of the premises, and the removal of all obstructions from the premises which may constitute a hindrance to the establishment and maintenance of navigational aid systems. The Airport shall have the right to review and comment on plans covering work permitted under this paragraph.

(c) And the rights to make alterations, attach fixtures, and erect additions, structures or signs, in direct support of the Airport. The Airport shall have the right to review and comment on plans covering work permitted under this paragraph.

(d) And the right to park, without cost, all official and privately owned vehicles used for the maintenance and operation of the air navigational facilities. Parking shall be provided adjacent to the navigational aid facility or as near as possible without interfering with the operation of the Airport.

## **2. CONSIDERATION:**

The FAA shall pay the Airport no monetary consideration, it is mutually agreed that the rights extended to the FAA herein are in consideration of the obligations assumed by the FAA in its establishment, operation, and maintenance of navigational aid facilities upon the premises.

## **3. PURPOSE:**

It is understood and agreed that the use of the herein described premises, known as, **Francis S. Gabreski Airport** shall be related to the FAA's activities in support of Air Traffic operations.

## **4. FAA FACILITIES:**

The FAA facilities covered by this agreement are identified on the most current approved Airport Layout Plan (ALP) and/or other pertinent drawings that is made part of this agreement by reference and shown on the attached FAA "List of Facilities".

**5. TITLE TO IMPROVEMENTS:**

1081

Title to the improvements constructed for use by the FAA during the life of this agreement shall be in the name of the FAA.

**6. HAZARDOUS SUBSTANCE CONTAMINATION:**

The FAA agrees to remediate, at its sole cost, all hazardous substance contamination on the FAA facility premises that is found to have occurred as a direct result of the installation, operation, relocation and/or maintenance of the FAA's facilities covered by this agreement. The Airport agrees to remediate or have remediated at its sole cost, any and all other hazardous substance contamination found on the FAA facility premises. The Airport also agrees to save and hold the U. S. Government harmless for any and all costs, liabilities and/or claims by third parties that arise out of hazardous contamination found on the FAA facility premises that are not directly attributable to the installation, operation and/or maintenance of the facilities on the attached FAA "List of Facilities."

**7. INTERFERENCE WITH FAA OPERATIONS:**

The Airport agrees not to erect or allow to be erected any structure or obstruction of whatsoever kind or nature within the Airport's boundaries that may interfere with the proper operation of the navigational aid facilities installed by the FAA, as it is not in the best interest of the Airport or the FAA.

**8. FUNDING RESPONSIBILITY FOR FAA FACILITIES:**

The Airport agrees that any relocation, replacement, or modification of any existing or future FAA's navigational aid systems made necessary by Airport improvements or changes, which interferes with the technical and/or operational characteristics of the facility, will be at the expense of the Airport, with the exception of any such improvements or changes which are made at the request of the FAA. In the event such relocations, replacements, or modifications are necessary due to causes not attributable to either the Airport or the FAA, funding responsibility shall be determined by mutual agreement between the parties.

**9. NON-RESTORATION:**

It is hereby agreed between the parties, that upon termination of its occupancy, the FAA shall have no obligation to restore and/or rehabilitate, either wholly or partially, the property which is the subject matter of this agreement. It is further agreed that the FAA may abandon in place any or all of the structures and equipment installed in or located upon said property by the FAA during its tenure. Such abandoned equipment shall become the property of the Airport.

1081

**10. SPECIAL STIPULATION IF REQUIRED FOR THE INSTALLATION AND/OR OPERATION OF AUTOMATED SURFACE OBSERVING SYSTEM (ASOS) UNDER THE TERM OF THIS LEASE.**

- a. Lessor shall maintain vegetation to less than 10 inches in height within 100 feet of the FAA's ASOS site(s).
- b. Lessor shall notify FAA's airport operation maintenance office when construction or agricultural tilling, mowing, harvesting, etc activity is scheduled or occurs that produces abnormal amounts of dust at the FAA's ASOS sensor equipment site(s).
- c. Lessor shall not construct within 50 feet adjacent to FAA's ASOS sensor(s) site, major paved surfaces, irrigated or drainage areas, or test/run-up facilities that may significantly alter temperature, humidity or wind measurement.
- d. Lessor shall not create topographical surface changes (excavation or mounding) within 500 feet of ASOS sensor(s). Smooth and gradual surface changes are essential to representative wind measurement.
- e. Lessor agrees not to degrade wind speed/direction or temperature/humidity measurements; electronically interfere with the UHF data-link line-of-sight between ASOS sensor site(s) and FAA's ASOS ACU processor located in ATCT; that Lessor shall not intentionally interrupt the steady supply of electrical power to the FAA ASOS sensor site(s) and ASOS processor, located in the ATCT. Lessor shall have no liability to Government for any loss, damage or expense sustained or incurred by reason of any change, failure, inadequacy, unsuitability or defect in the supply or character of the electrical power furnished to the FAA ASOS sensor site(s) and ASOS processor.

**11. NOTICES:**

All notices/correspondence shall be in writing, reference the Agreement number, and be addressed as follows:

COUNTY OF SUFFOLK  
 AVIATION DIV. ~~D.P.W.~~  
 Sheldon Way & Cook St.  
 Westhampton Beach, NY 11978

FEDERAL AVIATION ADMINISTRATION  
 ATTN: REAL ESTATE, ASO-053  
 1 Aviation Plaza  
 Jamaica, NY 11434

SED/10717

1081

**12. Previous Lease(s)/Agreement(s)**

This agreement supersedes Land Lease numbers DTFA05-01-L-16240 and DTFA05-94-L-62289. The aforesaid leases are hereby terminated.

**13. The following clauses are incorporated by reference:**

- 1. OFFICIALS NOT TO BENEFIT (10/96)
- 2. COVENANT AGAINST CONTINGENT FEES (8/02)
- 3. ANTI-KICKBACK (10/96)

**14. SIGNATURES:**

The Airport and the FAA hereby agree to the provisions outlined in this agreement as indicated by the signatures herein below of their duly authorized representative (s). This agreement is effective upon the date of signature by the last party thereof.

**County Of Suffolk**

**UNITED STATES OF AMERICA,  
FEDERAL AVIATION ADMINISTRATION**

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

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

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

TIN: \_\_\_\_\_



Federal Aviation Administration

1081

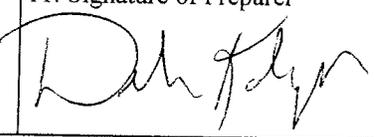
If agreement is made with a State, County, Municipality or other public authority, the following certificate shall be executed by an authorized official.

I, \_\_\_\_\_ certify that I  
am the \_\_\_\_\_ of the  
\_\_\_\_\_  
(State, County, Municipality, or other Public Authority)  
named in the foregoing agreement; that \_\_\_\_\_  
who signed said agreement on behalf of \_\_\_\_\_  
\_\_\_\_\_  
was then \_\_\_\_\_ of said  
\_\_\_\_\_  
that said agreement was duly signed for and in behalf of said \_\_\_\_\_  
\_\_\_\_\_  
by the authority of its governing body, and is within the scope of its powers

\_\_\_\_\_  
(Signature) (Corporate Seal)

1081

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		
AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO A MEMORANDUM OF AGREEMENT (MOA) WITH THE FEDERAL AVIATION ADMINISTRATION (NAVAIDS)		
3. Purpose of Proposed Legislation		
Allows Suffolk County to enter into an agreement with the Federal Aviation Administration for the continuance use of two navigational aids at no cost to the county.		
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 Village Library District	Town School District Fire District	Economic Impact Other (Specify):
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
No cost to the County. Through the Federal Aviation Administration, the airport is provided with two Navigational Aids. One is a Visual Approach Slope Indicator and the other is an Airport Surface Observation System. The Federal Aviation Administration has requested that both NAVIDS be included in one MOA extending the term to September 30, 2028.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
Upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst		January 26, 2009

SCIN FORM 175b (10/95)

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

1081

**GENERAL FUND**

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

**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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

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

**NOTES:**

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



JAN 05 2009

1081

# MEMORANDUM

**TO:** - Ben Zwirn, Deputy County Executive  
 Connie Corso, Budget Director

**FROM:** Carolyn E. Fahey, Intergovernmental Relations Coordinator  
 Department of Economic Development & Workforce Housing

**DATE:** January 5, 2009

**SUBJECT:** **Resolution Authorizing the County Executive to enter into a Memorandum of Agreement with the Federal Aviation Administration**

\*\*\*\*\*

The FAA currently provides and maintains two (2) Navigational Aids at Francis S. Gabreski Airport; the Visual Approach Slope Indicator (VASI) and the Airport Surface Observation System (ASOS). These NAVAIDS assist the airport in operating efficiently and enhance the facility for aircraft use in optimum conditions. The current agreement with the FAA for the VASI expired on September 30, 2008 and the ASOS expires in 2021. The FAA has requested that both NAVAIDS be included into one MOA extending the term of agreement for both to September 30, 2028.

The attached resolution authorizes the County Executive to execute the agreement with the FAA.

Attached please find the draft resolution and required backup. Electronic copies have been filed as requested.

CEF/kmb  
Attachments

cc: Jim Morgo, Chief Deputy County Executive  
 Patrick A. Heaney, Commissioner  
 Anthony Ceglie, Francis S. Gabreski Airport Manager  
 Brendan Chamberlain, County Executive Assistant



Steve Levy  
Suffolk County Executive

Patrick Heaney  
Commissioner

**BETTER FOR BUSINESS...BETTER FOR LIFE**



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Federal Aviation Administration  
Eastern Region

1 Aviation Plaza  
Jamaica, New York 11434

1087

November 4, 2008

County of Suffolk  
Aviation Div. D.P.W  
Anthony Ceglie  
Airport Manager  
Sheldon Way & Cook St.  
Westhampton Beach, NY 11978

Dear Mr. Ceglie:

A current review of our records shows that this agency has installed two (2) facilities (NAVAIDS) which are covered under separate lease agreements (see Clause # 11 and List of Facilities) at Francis S. Gabreski Airport, West Hampton Beach, State of New York.

In the interest of saving both time and money, the FAA has decided to use the new format of a Memorandum of Agreement (MOA) which covers NAVAID facilities installed by this agency and contains similar terms and conditions provided under the existing no-cost land leases. There are many sound reasons for this decision. The airports are in constant flux and it is very labor intensive for both the airport and the FAA to attempt to keep the paperwork up. The current lease process requires legal descriptions of the property the government is leasing. Those legal descriptions are many times inaccurate or quickly outdated. The FAA does not have the resources to continually update and redo legal descriptions, hence the burden often times falls on the airport sponsor. The new Memorandum of Agreement (MOA) process eliminates the use of legal descriptions and relies on a List of Facilities and the Airport Layout Plan to identify where our facilities are located. If available please provide this office a copy of your most recent ALP (Airport Layout Plan).

It is our belief that the airport sponsor will benefit from the new process as much as the FAA does. It will no longer be necessary for the airport sponsor to ensure that the legal descriptions are accurate, thus saving time and money. Many airports have a very cumbersome process for lease approvals, airports that are currently under the new system find that their approvals go through much quicker.

Our national legal counsel has reviewed and approved the MOA document and has assured us that this document is legal and binding. Rest assured that you are as protected by using this document as you are using a land lease.

**RECEIVED**  
NOV 10 2008  
SC Dept. of Economic Dev.  
Aviation Division

1081

Remember that this document will only apply to Navigational Aids that are currently addressed under on airport no-cost land leases. It in no way affects other cost leases you may have with the FAA.

A proposed new MOA bearing Contract No. DTFAEA-09-L-00013 is enclosed. If it meets with your approval, please execute all copies and return three copies to this office. The remaining copy may be retained for your reference, pending receipt of a copy accepted on behalf of the Government. We require the original for our records.

We wish to express our appreciation for your willingness to work with us on this new process. If you have questions or concerns please feel free to contact Mrs. Anabell Soto, FAA Contractor Representative, NetStar-1, at the above address, email [Anabell.CTR.Soto@FAA.gov](mailto:Anabell.CTR.Soto@FAA.gov) or telephone (718) 553-3422.

Sincerely,



Mario Ascrizzi  
Real Estate Contracting Officer – ASO 53

Enclosures

1082

Intro Res. No. -2009

Laid on Table 2/3/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2009, AUTHORIZING  
EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD  
OF SUFFOLK COUNTY SEWER DISTRICT NO. 7 – MEDFORD  
WITH THE OWNER OF SPRINGHILL SUITES @ BELLPORT (BR-1608)

WHEREAS, Springhill Suites @ Bellport, is located outside the boundary of Suffolk County Sewer District No. 7 – Medford; and

WHEREAS, Springhill Suites @ Bellport, has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 7 – Medford; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity available on a interim basis; and once the Stage 3 expansion of the Sewage Treatment Plant is complete the District will have wastewater treatment capacity in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 7 – Medford and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; and

WHEREAS, such connection has been approved by the Suffolk County Sewer Agency, Resolution 23B-2008; and

WHEREAS, Springhill Suites @ Bellport, will pay the connection fee to the Medford 7 Associates as part of the agreement for expanding the District; and

WHEREAS, pursuant to Section 617.9 of the SEQRA regulations, a Negative Declaration has been issued by the Lead Agency; now, therefore, be it

RESOLVED, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 7 – Medford and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

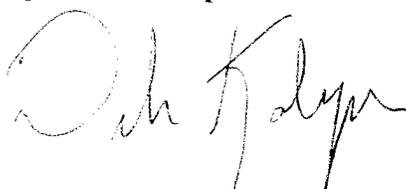
DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County  
Date of Approval

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1082

<b>1. Type of Legislation</b> Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____											
<b>2. Title of Proposed Legislation</b> <b>RESOLUTION NO. ___-2009, AUTHORIZING EXECUTION OF AGREEMENY BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 7- MEDFORD WITH THE OWNER OF SPRINGHILL SUITES @ BELLPORT(BR-1608)</b>											
<b>3. Purpose of Proposed Legislation</b> To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 7 – Medford with the owner of Springhill Suites @ Bellport, a firm seeking to discharge 19,200 GPD.											
<b>4. Will the Proposed Legislation Have a Fiscal Impact?</b> Yes <input checked="" type="checkbox"/> No _____											
<b>5. If the answer to Item 4 is "yes," on what will it impact? (circle appropriate category)</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">County</td> <td style="width: 33%;">Town</td> <td style="width: 33%;">Economic Impact</td> </tr> <tr> <td>Village</td> <td>School District</td> <td>Other (Specify): Sewer District</td> </tr> <tr> <td>Library District</td> <td>Fire District</td> <td></td> </tr> </table>			County	Town	Economic Impact	Village	School District	Other (Specify): Sewer District	Library District	Fire District	
County	Town	Economic Impact									
Village	School District	Other (Specify): Sewer District									
Library District	Fire District										
<b>6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact</b> The connection fee for this project will be paid to the Medford 7 Associates, as per Sewer Agency Resolution No. 13-1989 to expand SCSD #7.											
<b>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</b> N/A											
<b>8. Proposed Source of Funding</b> Connection Fees											
<b>9. Timing of Impact</b> 2009											
<b>10. Typed Name &amp; Title of Preparer</b> Debra Kolyer Principal Financial Analyst	<b>11. Signature of Preparer</b> 	<b>12. Date</b> 1/26/09									

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

1082

**GENERAL FUND**

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

**COMBINED**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 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.

1082

SUFFOLK COUNTY SEWER AGENCY  
AMENDED RESOLUTION NO. **23B - 2008**  
AUTHORIZING THE CONNECTION OF  
SPRINGHILL SUITES @ BELLPORT (BR 1608)  
TO SUFFOLK COUNTY SEWER DISTRICT NO. 7 - MEDFORD

WHEREAS, *Springhill Suites @ Bellport* is a proposed 128 room hotel, in Bellport, New York, situated on property identified on the Suffolk County Tax Map as District 0200, Section 813.00, Block 01.00, Lot 008.031 (the "Premises"), and

WHEREAS, the sewage flow from the *Springhill Suites @ Bellport* is expected to be nineteen thousand two hundred gallons per day (19,200 GPD), and

WHEREAS, *Springhill Suites @ Bellport* is not located within the boundaries of Suffolk County Sewer District No. 7 - Medford (the "District"), and

WHEREAS, *Springhill Suites @ Bellport* has applied to this Agency for permission to purchase and connect its nineteen thousand two hundred gallons per day (19,200 GPD) of flow to the sanitary sewerage facilities of the District, which volume is required by the SC Department of Health Standards, and

WHEREAS, *Springhill Suites @ Bellport* is willing to participate in Medford 7 Associates (M7A), a consortium of developers who will construct a proposed Stage 3 expansion of SCSD #7 – Twelve Pines, at no cost to the District, and

WHEREAS, that in consideration of the expansion of the District's sewage treatment plant by M7A, *Springhill Suites @ Bellport* shall receive a credit against the connection fee payable to the District for the connection of *Springhill Suites @ Bellport's* property to the sanitary sewerage facilities of the District, and

WHEREAS, the proposed expansion of the District is currently under review and the construction is not expected to begin until early in 2009, and the District's sewage treatment plant has sufficient interim capacity to accept the additional sewage which is expected to emanate from *Springhill Suites @ Bellport*, and

WHEREAS, the connection of *Springhill Suites @ Bellport* to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County,

NOW, THEREFORE, IT IS

1<sup>st</sup> RESOLVED, that *Springhill Suites @ Bellport* be permitted to connect to the sanitary sewerage facilities of the District, upon such terms and conditions as the Administrative Head of the District may impose, subject to the terms and conditions hereof, and it is further

2<sup>nd</sup> RESOLVED, that nineteen thousand two hundred gallons per day (19,200 GPD) of interim capacity in the District's sewage treatment plant be allocated to *Springhill Suites @ Bellport*, and it is further

3<sup>rd</sup> RESOLVED, that the connection authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further

4<sup>th</sup> RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the owner of Springhill Suites @ Bellport, the District, the Suffolk County Department of Public Works ("DPW"), the Suffolk County Department of Health Services, the County of Suffolk and this Agency, which agreement shall contain such terms and conditions as the Administrative Head of the District shall determine, and it is further

5<sup>th</sup> RESOLVED, that the connection fee to be paid for Springhill Suites @ Bellport shall be paid to M7A in consideration of the expansion of the District's sewage treatment plant by M7A, and it is further

6<sup>th</sup> RESOLVED, that Springhill Suites @ Bellport shall, at its sole cost, expense and effort, construct a sewage collection facility for Springhill Suites @ Bellport, and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

7<sup>th</sup> RESOLVED, that no Certificate of Occupancy shall be issued for any portion of Springhill Suites @ Bellport until the sewage collection facility for Springhill Suites @ Bellport has been completed and Springhill Suites @ Bellport has been connected to the sanitary sewerage facilities of the District, all to the satisfaction of DPW, and it is further

8<sup>th</sup> RESOLVED, that the developer of Springhill Suites @ Bellport shall furnish a Letter of Credit, in form, wording and amount, and on such terms and conditions, as determined by this Agency's staff, as security for the construction of the sewage collection facility for Springhill Suites @ Bellport, as well as for all of the developer's obligations under the Connection Agreement, and it is further

9<sup>th</sup> RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to the developer of Springhill Suites @ Bellport if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

10<sup>th</sup> RESOLVED, that if M7A does not complete construction of the Stage 3 expansion by a date to be determined by the Agency staff, the connection fee of Thirty dollars (\$30.00) per gallon per day (\$576,000.00) shall be paid directly to the District by Springhill Suites @ Bellport, and the interim approval to connect directly to the District shall become final.

(Amended - Suffolk County Sewer Agency meeting 12/15/08)

COUNTY OF SUFFOLK

DEC 30 2008



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

1082

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.  
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.  
COMMISSIONER

LOUIS CALDERONE  
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive  
FROM: *Thomas LaGuardia*  
Thomas LaGuardia, P.E., Chief Deputy Commissioner, SCDPW  
DATE: December 23, 2008  
SUBJECT: **Introductory Resolution Calling for Approval of the Connection of Springhill Suites @ Bellport (BR-1608) to Suffolk County Sewer District No. 7 – Twelve Pines**

Attached is a draft resolution filed as **Reso-DPW-SA 23B-2008** Springhill Suites @ Bellport (BR-1608) and appropriate forms with the backup filed as **Backup-DPW-SA 23B-2008** Springhill Suites @ Bellport (BR-1608). This is a resolution authorizing the execution of a connection agreement by the Administrative Head of Suffolk County Sewer District No. 7 – Twelve Pines with Springhill Suites @ Bellport (BR-1608).

Project Facts	
Type/units:	Hotel/128 rooms
Acreage:	4.6 acres
Flow:	19,200 GPD
Sewer District:	SCSD No. 7 - Twelve Pines
Groundwater Zone:	I
SEQRA:	Complete
RPTM:	0200 81300 0100 008031
Legislative District:	3 <sup>rd</sup>

TL:BW:cap  
cc: Jim Morgo, Chief Deputy County Executive  
Gilbert Anderson, P.E. Commissioner, SCDPW  
Ben Wright, P.E.  
John Donovan, P.E.  
Laura Conway  
Linda Spahr, Esq.  
Debra Kolyer, County Executive's Office  
E-mail to CE Reso Review

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

**RESOLUTION NO. -2009, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$26,600 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT (GTSC FFY2009) SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) WITH 100% SUPPORT FOR SHERIFF'S TRAFFIC SAFETY INITIATIVE**

**WHEREAS**, the New York State Governor's Traffic Safety Committee has made \$26,600 in funds available to Suffolk County for the (GTSC FFY2009) Selective Traffic Enforcement Program (STEP) to be administered by the Suffolk County Sheriff's Office; and

**WHEREAS**, this program provides high visibility to reduce aggressive driving and speeding in an effort to save lives and reduce motor vehicle accidents; and

**WHEREAS**, the operational period of the program is from October 1, 2008 through September 30, 2009; and

**WHEREAS**, said grant funds have not been included in the 2008 and 2009 Operating Budget; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Executive and Sheriff are authorized to execute any Agreement with the State of New York, as necessary, to secure said grant funds; and be it further

**2<sup>nd</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of \$26,600.00 as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-SHF-3114 Federal Aid: Sheriff – Traffic Safety Initiative	\$26,600

APPROPRIATION:

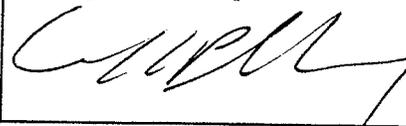
Suffolk County Sheriff's Office  
Sheriff Traffic Safety Initiative  
001-SHF-3114

<u>1000-Personal Services</u>	<u>\$22,000</u>
1120-Overtime Salaries	\$22,000
<u>3000-Supplies, Materials &amp; Others</u>	<u>\$4,600</u>
3500 Other Unclassified Supplies	\$4,600



1083

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 ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$26,600 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT (GTSC FFY2009) SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) WITH 100% SUPPORT FOR SHERIFF'S TRAFFIC SAFETY INITIATIVE		
3. Purpose of Proposed Legislation - See number 2 above.		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>  X  </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact. \$26,600 of grant money will be used to implement and carry out the STEP Program and support the Sheriff's Office traffic safety initiative.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  n/a		
8. Proposed Source of Funding - New York State Governor's Traffic Safety Committee (Gtsc FFY2009) Grant.		
9. Timing of Impact - FY 2009		
10. Typed Name & Title of Preparer Michael P. Sharkey Chief of Staff	11. Signature of Preparer 	12. Date: 1/6/2009

COUNTY OF SUFFOLK



1083

OFFICE OF THE SHERIFF

VINCENT F. DEMARCO  
SHERIFF

**To:** Ben Zwirn, Deputy County Executive

**From:** Michael P. Sharkey, Chief of Staff *MS*

**Date:** 1/6/2009

**Re:** Selective Traffic Enforcement (STEP) Grant program, Request for Legislation

The Sheriff's Office is a successful applicant for the New York State, Governor's Traffic Safety Committee [GTSC], Local Grant Program With 100% Support for Sheriff's Traffic Safety Initiative. The GTSC has made \$26,600 in funds (GTSC FFY2009) available for the Sheriff's Office STEP Program.

Fatalities and personal injuries resulting from motor vehicle crashes continue to be a serious societal problem. A large percentage of these traffic crashes can be directly attributed to speeding, aggressive driving and distracted driving behaviors. While public information and education efforts help prevent some of these incidents, directed traffic law enforcement is the proven key to reducing these behaviors and their resulting crashes.

The Sheriff's Office agrees to participate in the Governors Traffic Safety Committee FFY 2009 "STEP" To Reduce Unsafe Driving Behaviors Program. The STEP program targets identified crash causing violations including but not limited to speeding, aggressive driving, and distracted driving.

The Sheriff's Office will use a portion of the funding to participate in the statewide Operation Safe Stop (School Bus Safety) program. This will be carried out by highly visible enforcement including traffic details, checkpoints, saturation patrols, dedicated roving patrols, and corridor enforcement to reduce the crash problem.

An e-mail version of the resolution was sent to CE RESO REVIEW, saved under the title "Reso-Sheriff-Step Grant Jan '09".

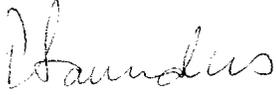
Thank you for your consideration in reviewing this draft resolution.

cc: Jim Morgo, Chief Deputy County Executive

Att.

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1083

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$26,600 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT (GTSC FFY2009) SELECTIVE TRAFFIC ENFORCMENT PROGRAM (STEP) WITH 100% SUPPORT FOR SHERIFF'S TRAFFIC SAFETY INITIATIVE</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		
No Impact. This resolution accepts State funds for the Sheriff's Traffic Safety Initiative. Sufficient funds exist within the 2009 Operating Budget to support any associated fringe benefit costs.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
This resolution provides \$26,600, to be expended between October 1, 2008 and September 30, 2009.		
8. Proposed Source of Funding		
New York State Governor's Traffic Safety Committee, Selective Traffic Enforcement Program		
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		1/26/09

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

1083

**GENERAL FUND**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
<b>TOTAL</b>		<b>\$0.00</b>		<b>\$0.000</b>

**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
<b>TOTAL</b>		<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

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

**NOTES:**

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

Intro Res. No. 1084-09

Laid on the Table 2/3/09

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION No. – 2009, APPROVING AND AUTHORIZING  
A CONTRACT WITH THE LONG ISLAND CONVENTION AND VISITORS  
BUREAU AND SPORTS COMMISSION TO PROMOTE CONVENTION  
BUSINESS AND TOURISM IN SUFFOLK COUNTY**

**WHEREAS**, section 1202-o of the NEW YORK STATE TAX LAW authorizes Suffolk County to impose a tax upon persons occupying hotel or motel rooms in Suffolk County; and

**WHEREAS**, section 1202-o of the NEW YORK STATE TAX LAW requires that two-thirds of the revenue generated by this tax be delivered to a tourism promotion agency which the County contracts with to administer programs to promote convention business and tourism; and

**WHEREAS**, section 327-13 of the SUFFOLK COUNTY CODE requires that no such contract shall be executed without the prior approval of the County Legislature; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County Executive, or his designee, be and hereby is authorized to execute an agreement with the Long Island Convention and Visitors Bureau and Sports Commission located at 330 Motor Parkway, Suite 203, Hauppauge, NY, 11788 to provide services for the promotion of tourism convention and sports event business in Suffolk County, in accordance with the terms of this resolution and in substantial conformance with the form annexed; 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 Section 617.5 (c) 20 and 27 of Title 6 of the New York Code of rules and Regulations (NYCRR) and within the meaning of Section 8-0109 (2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as routine or continuing agency administration and management and the promulgation of regulations, rules, policies, procedures and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality is hereby directed to circulate any appropriate SEQRA notices of non-applicability or non-significance in accordance with this law.

Dated:

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

Date of Approval:

**TOURISM AND CONVENTION BUSINESS PROMOTION AGREEMENT**

This **Agreement** ("**Agreement**") is between the **County of Suffolk** ("**County**"), a municipal corporation of the State of New York, having its principal office at the County Center, Riverhead, New York 11901, acting through its duly constituted **Department of Economic Development/Workforce Housing** ("**Department**"), located at H. Lee Dennison Building, 2<sup>nd</sup> Floor, 100 Veterans Memorial Highway, Hauppauge, New York (mailing address: Box 6100, Hauppauge, New York 11788-0099) and the **Long Island Convention and Visitors Bureau, Inc.** ("**Bureau**"/ "**Contractor**" ), a New York not-for-profit corporation, having its principal place of business at 330 Vanderbilt Motor Parkway, Suite 203, Hauppauge, New York 11788.

The parties hereto desire that the Bureau provide services for the promotion of tourism, convention and sports events ("**Services**"), pursuant to the Laws of Suffolk County, Article II, Chapter 327.

**Term of Agreement:** January 1, 2009 to December 31, 2010 with one one-year extension at the discretion of the County.

**Total Cost of Agreement:** Shall be as described in paragraph 3 of Exhibit A.

**Terms and Conditions:** Shall be as set forth in Exhibits A through D and other exhibits collectively referred to as the "Suffolk County Legislative Requirements Exhibit for Contracts" attached hereto and made part hereof.

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

**Long Island Convention and Visitors Bureau, Inc.**

**County of Suffolk**

By: \_\_\_\_\_  
Name  
Title

By: \_\_\_\_\_  
Deputy County Executive

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

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

Fed. Taxpayer ID No.

**Department of Economic Development and Workforce Housing**  
**Approved:**

**Approved as to Legality:**

**Christine Malafi,**  
**Suffolk County Attorney**

By: \_\_\_\_\_ Date \_\_\_\_\_  
Patrick Heaney  
Commissioner

By: \_\_\_\_\_  
Jacqueline Caputi  
Assistant County Attorney

**Recommended:**

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

By: \_\_\_\_\_ Date \_\_\_\_\_  
Name  
Title

List of Exhibits

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**Exhibit A**

**General Terms and Conditions**

1. Bureau Responsibilities
2. Business Plan/Destination Marketing Strategy and Plan/Suffolk County Specialty Tourism Marketing Strategy and Plan/Financial Plan/Reports
3. Payment and Compensation
4. Inconsistent Provisions
5. Term and Termination
6. Contact Persons/Notice Requirements
7. Liason
8. Conflicts of Interest
9. Accounting Procedures; Financial Statements and Audit Requirements
10. Insurance
11. Indemnification
12. Independent Contractor
13. Assignment/Subcontract
14. Set-Off Rights
15. Certification
16. Civil Actions
17. Severability; No Implied Waiver
18. Merger; No Oral Changes
19. Governing Law
20. Confidentiality
21. Non-Discrimination and Affirmative Action
22. Non-Discrimination in Services
23. Agreement Subject to Appropriation of Funds
24. Offset of Arrears or Default
25. Nonsectarian Declaration
26. Cooperation on Claims
27. Copyrights
28. Publications and Publicity

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

1. Gratuities
2. Contractor's/Vendor's Public Disclosure Statement
3. Living Wage Law
4. Child Sexual Abuse Reporting Policy
5. Prohibition Against Contracting with Corporations that Reincorporate Overseas
6. Local Law No 26-2003
7. Non Responsible Bidder
8. Suffolk County Local Laws

**Exhibit C**  
**Technical Services Requirements:**  
**Business Plan/Destination Marketing Strategy and Plan/Suffolk County**  
**Specialty Tourism Marketing Strategy and Plan/Financial Plan (the "Plan").**

**Exhibit D**  
**Suffolk County Resolution No. 1350-2004**

**Exhibit A  
General Terms and Conditions**

**Whereas**, the County desires to stimulate economic growth by fostering tourism and convention activities within Suffolk County; and

**Whereas**, Local Law No. 14-1992, entitled "A Local Law to Impose a Hotel and Motel Tax in Suffolk County" (Article II of Chapter 327 of the Suffolk County Code, hereinafter referred to as "Local Law"), provides for a tax on receipts from hotel and motel rooms within Suffolk County as a source of revenue, in part, to support the tourism and convention businesses located in Suffolk County; and

**Whereas**, the Local Law directs the County to enter into a contract with a tourism promotion agency to administer programs designed to develop, encourage, solicit and promote convention business and tourism in Suffolk County as mandated by §1202-o(5) of the Tax Law of New York State; and

**Whereas**, the Bureau is a tourism promotion agency which devotes all of its efforts in Suffolk and Nassau Counties to the furtherance of activities which attract visitors to Long Island, and

**Whereas**, the Bureau is able and willing to perform the services which are required by said Local Law; and

**Whereas**, the County desires to enter into a contract with the Bureau to carry out the services that are listed in said Local Law, on the terms and conditions stated herein.

**Now Therefore**, in consideration of the premises and the mutual covenants contained herein, the County and the Bureau agree as follows:

**1. Bureau Responsibilities**

- a. The County engages the Bureau to administer programs designed to develop, encourage, solicit and promote convention business, tourism and sporting events within the County of Suffolk.
- b. During the term of this Agreement, if the Bureau should elect to use the website domain 'longisland.travel' within their tourism promotion, and is restricted at any time from using that website domain, the County shall be notified immediately.
- c. All sums paid to the tourism promotion agency shall be expended on Suffolk County tourism, and/or historic or cultural areas, programs or activities as required under Tax Law §1202-o(5).
- d. Such programs shall include, but not be limited to, the following:
  - i. Promoting the cultural and natural resources and places of business within Suffolk County, its Towns and its Villages, and

**Promotion of Tourism, Convention and Sports Event Business**

stimulating economic growth by attracting conventions, meetings, sporting events and visitors to Suffolk County.

- ii. The development and execution of an annual marketing and advertising program designed to solicit conventions, meetings, tour groups and individual visitors to Suffolk County.
- iii. Producing, distributing, and evaluating, on an annual basis, the collateral materials for visitors containing information about area hotels, restaurants, attractions, shopping activities and visitor services.
- iv. Operating two tourist information centers serving visitors to Suffolk County, or such other number of centers as may be mutually agreed upon by the parties in writing.
- e. The Bureau shall perform such services as may be necessary to accomplish the work required to be performed under and in accordance with this Agreement. The Bureau specifically represents and warrants that it has and shall possess, and that 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.
- f. The Bureau agrees it will use the Suffolk County hotel/motel tax revenues in a manner so as to avoid any conflict of interest between the personal, professional or business interests of any officer or member of the Board of Directors with the interests of the Bureau.
- g. Semi-annually, as directed by the Department, the Bureau shall submit a written report to the Department regarding the effectiveness of the Bureau's efforts in increasing sales tax revenue and tourism. Such reports shall include verifiable statistics.
- h. The Bureau shall comply with any and all legal requirements imposed upon contract agencies that do business with the County of Suffolk.

**2. Business Plan/Destination Marketing Strategy and Plan/Suffolk County Specialty Tourism Marketing Strategy and Plan/Financial Plan/Reports**

- a. The Bureau shall adhere to the Business Plan/Destination Marketing Strategy and Plan/Suffolk County Specialty Tourism Marketing Strategy and Plan/Financial Plan (the "Plan", attached hereto as Exhibit C), which shall clearly delineate how the funds received under this Agreement will be utilized by the Bureau. Such Plan shall be provided to the Department on such date as specified by the Department. Any changes to same, which relate to County funding, shall be subject to the approval of the Department.

**Promotion of Tourism, Convention and Sports Event Business**

- b. The Plan shall provide that the funds received by the Bureau under this Agreement will be segregated from funds received from members of the tourism agency and the Bureau shall not use the funds received under this Agreement to direct visitors to any particular business but such funds shall be used to promote tourism within the targeted region.
- c. The Plan shall include a separate budget and marketing plan for those funds from Suffolk County which exceed the amount received by the Bureau from Nassau County, combined with the 3.3% of total Suffolk County hotel and motel tax funds received by the Bureau to be dedicated to cultural tourism program development and promotion. Such funds will support the Suffolk Specialty Tourism Marketing Strategy and Plan and marketing is to be specifically dedicated to events and natural, cultural, and recreational attractions within Suffolk County.
- d. The Bureau shall provide to the Department, on an annual basis, a copy of its Budget on such date as specified by the Department and any revisions to the Budget shall also be provided to the Department on such date as specified by the Department. The submission by the Bureau to the Department of such Budget, as well as any revisions to the Budget, shall include category detail.
- e. The Bureau shall establish internal controls wherein the governing board of the Bureau shall review and approve all expenditures of employees relating to travel, entertainment, marketing, and other expenses associated with promoting tourism in Suffolk County.
- f. The Bureau shall require that all checks expending Suffolk County hotel/motel tax monies be executed with dual signatures and hereby affirmatively states that a policy has been established instituting such measures to assure that the requirement of dual signatures is enforced.
- g. The Bureau shall submit annually to the Suffolk County Executive and the Clerk of the Suffolk County Legislature an audited financial report and a copy of the agency's by-laws.
- h. The Bureau agrees to comply with Suffolk County Resolution No. 1350-2004, adopting Local Law No. 2-2005, "A Local Law to Require Greater Oversight of the Designated Tourism Promotion Agency Administering the Hotel/Motel Tax Program", attached hereto as Exhibit D, as now in effect or amended hereafter or with any other Suffolk County Local Law that may become applicable during the term of this Agreement with regard to the administration of the Hotel/Motel Tax Program.

**3. Payment and Compensation**

- a. The County shall pay to the Bureau sixty-six and two-thirds percent (66 2/3%) of the tax receipts that are received by the County under the Local Law. Said receipts received by the County in each calendar quarter year,

**Promotion of Tourism, Convention and Sports Event Business**

shall be paid to the Bureau within thirty (30) days after the end of said calendar quarter year. Such receipts shall be used by the Bureau solely for the performance of the services described herein and apportioned under the following formula:

- i. 3.3% of the tax receipts received by the County and paid to the Bureau shall be budgeted specifically for cultural tourism programming described in the Suffolk County Specialty Tourism Marketing Strategy and Plan, and shall complement the cultural tourism strategies and programs of the Department of Economic Development and Workforce Housing, Office of Cultural Affairs.
  - ii. Of the balance of tax receipts remaining, any funds received by the Bureau from Suffolk County that exceed funds received from Nassau County shall be applied to the Suffolk County Specialty Tourism Marketing Strategy and Plan.
- b. After the obligations of paragraph a. above have been satisfied, the remaining tax receipts received by the Bureau from Suffolk County and equal to those funds received from Nassau County shall be applied to the Long Island Regional Destination Marketing Strategy and Plan.
  - c. It is expressly agreed that the total payment to the Bureau is limited to the actual collection of receipts, and shall include a pro rata portion of the penalties or interest which may be collected by the County for noncompliance with the Local Law.

**4. Inconsistent Provisions**

The provisions of this Exhibit A shall prevail over inconsistent provisions of any other Exhibit and over any other document not specifically referred to in this Agreement or made part thereof by this Agreement or by subsequent amendment in writing and signed by both parties, except to the extent that such provisions of this Exhibit A are specifically referred to and amended or superseded by such Exhibit or Amendments.

**5. Term and Termination****a. Term**

This Agreement shall cover the period set forth on page one of this Agreement, unless sooner terminated as provided below. Upon receipt of a Termination Notice, as that term is defined below, the Contractor shall promptly discontinue all Services affected, unless otherwise directed by the Termination Notice.

**b. Termination for Cause**

**Promotion of Tourism, Convention and Sports Event Business**

- i. A failure to maintain the amount and types of insurance required by this Agreement may result in immediate termination of this Agreement, in the sole discretion of the County.
- ii. Failure to comply with federal, state or local laws, rules, regulations, or County policies or directives, may result in immediate termination of this Agreement, in the sole discretion of the County.
- iii. If the Contractor becomes bankrupt or insolvent or falsifies its records or reports, or misuses its funds from whatever source, the County may terminate this Agreement in whole or with respect to any identifiable part of the program, effective immediately, or, at its option, effective at a later date specified in the notice of such termination to the Contractor.
- iv. In the event of a failure on the part of Contractor to observe any of the other terms and conditions of this Agreement, this Agreement may be terminated in whole or in part in writing by the County provided that no such termination shall be effective unless Contractor is given five (5) calendar days' (or longer, at the County's option) written notice of intent to terminate ("Notice of Intent to Terminate"), delivered in accordance with the Exhibit entitled "Notices and Contact Persons." The notice to cure and intent to terminate shall call attention to the existence of the failure and particularize the claimed failure in reasonable detail. During such five (5) day period, (or longer, at the County's option) the Contractor will be given an opportunity for consultation with the County and an opportunity to cure all failures of its obligations prior to termination by the County. In the event that the Contractor has not cured all its failures to fulfill its obligations to the satisfaction of the County by the end of the (5) day period (or longer, at the County's option), the County may issue a written termination notice ("Termination Notice"), effective immediately.

**c. Termination for Emergencies**

An emergency or other condition involving possible loss of life, threat to health and safety, destruction of property or other condition deemed to be dangerous, in the sole discretion of the County, may result in immediate termination of this Agreement, in whole or with respect to any identifiable part of the program, in the sole discretion of the County.

**d. Termination for Convenience**

The County shall have the right to terminate this Agreement at any time and for any reason deemed to be in its best interest, provided that no such termination shall be effective unless the Contractor is given thirty (30) calendar days' prior written notice termination notice

**Promotion of Tourism, Convention and Sports Event Business**

("Termination Notice"). Bureau shall have an opportunity for consultation with the Commissioner of the Department prior to termination.

**e. Payments upon Termination**

- i. Upon receiving a Termination Notice, the Contractor shall promptly discontinue all services affected unless otherwise directed by the Termination Notice.
- ii. Upon termination, any monies received by the Bureau pursuant to this Agreement, but not yet encumbered for goods or services obtained and/or contracted for pursuant to this Agreement shall be returned to the County within fifteen (15) business days. Upon termination, any funds paid to the Bureau by the County which were used by the Bureau in a manner that failed to comply with the terms and conditions of this Agreement must be promptly reimbursed. If there is no response or if satisfactory repayments are not made, the County may recoup such payments from any amounts due or becoming due to the Bureau from the County under this Agreement or otherwise. The provisions of this subparagraph shall survive the expiration or termination of the Agreement.
- iii. In the event of the Bureau's dissolution, insolvency or cessation of business, this Agreement shall terminate, effective seven (7) days after receipt of notice from the County, and all unallocated and/or unappropriated funds received from the County shall be accounted for and promptly paid to the County.

**6. Notices and Contact Persons**

**1. Notices Relating to Payments, Reports, Insurance, or Other Submissions**

Any communication, notice, claim for payment, report, insurance, or other submission necessary or required to be made by the parties regarding this Agreement shall be in writing and shall be given to the County or the Bureau 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 First Class and Certified Mail, Return Receipt Requested in  
Postpaid Envelope  
or by Courier Service or by Fax or by Email**

Department of Economic Development and Workforce Housing

**Promotion of Tourism, Convention and Sports Event Business**

H. Lee Dennison Building  
100 Veterans Memorial Highway  
Hauppauge, New York 11788  
Attn: Commissioner

**For the Bureau:  
By First Class and Certified Mail, Return Receipt Requested in  
Postpaid Envelope  
or by Courier Service or by Fax or by Email**

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

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

In the event the Bureau 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 Agreement, the Contractor shall immediately deliver to the County Attorney, at the address set forth below, copies of all papers filed by or against the Contractor.

Any communication or notice regarding termination shall be in writing and shall be given to the County or the Contractor 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 First Class and Certified Mail, Return Receipt Requested in  
Postpaid Envelope  
or by Nationally Recognized Courier Service or Personally and by  
First Class Mail**

Department of Economic Development and Workforce Housing  
H. Lee Dennison Building  
100 Veterans Memorial Highway  
Hauppauge, New York 11788  
Attn: Commissioner

and

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

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

**Promotion of Tourism, Convention and Sports Event Business**

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

3. Notices shall be deemed to have been duly delivered (i) if mailed, 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.
4. 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).

**7. Liaison**

The County may designate an employee or employees who may act as liaison with the Bureau in the performance of the services provided herein. Such liaison is not authorized to participate in the day-to-day operation and/or management of the tourism agency. The Bureau shall designate an employee or employees who may act as liaison with the County.

**8. Conflicts of Interest**

- a. Bureau agrees that it will not during the term of this Agreement engage in any activity that is contrary to and/or in conflict with the goals and purposes of the County.
- b. Bureau may not simultaneously represent other clients in matters or proceedings adverse to the County or its agencies without the prior written approval of the County. The representation of any individual in a dispute concerning the legal relationship between the individual and the County or its agencies would also create a conflict that will require disqualification.
- c. Bureau 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 Bureau 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.
- d. The Bureau, during the term of this Agreement, shall maintain on file a "Policy on Conflicts of Interest" that is consistent with the policy of the

**Promotion of Tourism, Convention and Sports Event Business**

County. The Bureau shall provide the County with a copy of same and shall, on an annual basis, collect "Conflict of Interest Statements" from all directors and employees of the Bureau. Such "Conflict of Interest Statements" shall be kept on file at the Bureau and made available to the County upon request.

**9. Accounting Procedures; Financial Statements and Audit Requirements**

- a. The Bureau shall maintain its accounting records in accordance with generally accepted accounting principles. Such records shall be retained for a period of seven (7) years and shall at all times be available, upon reasonable prior notice, for audit and inspection by the Suffolk County Comptroller or his duly designated representative.
- b. All payments made under this Agreement are subject to audit by the Suffolk County Comptroller pursuant to Article V of the Suffolk County Charter. The Contractor further agrees that the County Comptroller and the Department shall have access to and the right to examine, audit, excerpt, copy or transcribe any pertinent transactions or other records relating to services under this Agreement. If the Contractor fails to cooperate with an audit by the Comptroller, the County shall have the right to suspend or partially withhold payments under this Agreement or under any other agreement between the parties until such cooperation is forthcoming. If such an audit discloses overpayments by the County to the Contractor, within thirty (30) days after the issuance of an official audit report by the Comptroller or his duly designated representatives, the Contractor shall repay the amount of such overpayment by check to the order of the Suffolk County Treasurer or shall submit a proposed plan of repayment to the Comptroller. If there is no response or if satisfactory repayments are not made, the County may recoup overpayments from any amounts due or becoming due to the Contractor from the County under this Agreement or otherwise. The provisions of this subparagraph shall survive the expiration or termination of the Agreement.
- c. The Bureau shall submit to the County within 120 days after the close of each annual fiscal period, a report on the overall financial condition and operations of the Bureau, including a balance sheet and statement of income and expenses, audited by a Certified Public Accountant. Such report shall be submitted to the County Executive, County Comptroller, County Legislature and the Department.
- d. Payments made under this Agreement are subject to revisions based on audits and inspections conducted by the Comptroller of the County or his duly designated representative.

**10. Insurance**

- a. The Bureau agrees to procure, pay the entire premium for and maintain throughout the term of this Agreement, insurance in amounts and types

**Promotion of Tourism, Convention and Sports Event Business**

specified by the County. The Bureau agrees to require that all if its subcontractors, in connection with work performed for the Bureau related to this Agreement, procure, pay the entire premium for and maintain throughout the term of this Agreement insurance in amounts and types equal to that specified by the County for the Bureau. Unless otherwise specified by the County and agreed to by the Bureau, in writing, such insurance shall be as follows:

- i. **Commercial General Liability** insurance, including contractual 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.
  - ii. **Automobile Liability** insurance (if any vehicles are used by the Contractor in the performance of this 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. **Worker's 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. Contractor shall furnish to the County, prior to its execution of this 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 Agreement shall be void and of no effect unless the Bureau shall provide and maintain coverage during the term of this Agreement for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.
- b. All policies providing such coverage shall be issued by insurance companies with an A.M. Best rating of A- or better.
  - c. The Bureau shall furnish to the County 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 Bureau shall furnish a Declaration Page and endorsement page evidencing the County's status as an additional insured on said policy.
  - d. All such Declaration Pages, certificates and other evidence of insurance shall provide for the County of Suffolk to be notified in writing thirty (30) days prior to any cancellation, nonrenewal or material change in said policies. Such Declaration Pages, certificates, policies and other evidence

**Promotion of Tourism, Convention and Sports Event Business**

of insurance and notices shall be mailed to the Department at its address set forth in the paragraph entitled "Notices and Contact Persons" or at such other address of which the County shall have given the Bureau notice in writing.

- e. In the event Bureau shall fail to provide the Declaration Pages or certificates of insurance or to maintain any insurance required by this Agreement, the County may, but shall not be required to, obtain such policies and deduct the cost thereof from payments due Bureau under this Agreement or any other agreement between the County and Bureau.

**11. Indemnification**

The Bureau 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 attorneys' fees, arising out of the acts or omissions or the negligence of the Bureau in connections with the services described or referred to in this Agreement. The Bureau shall defend the County in any suit, including appeals, or at the County's option, pay reasonable attorneys' fees for defense of any such suit arising out of the acts or omissions or negligence of the Bureau, its officers, officials, employees, subcontractors or agents, if any, in connection with the services described or referred to in this Agreement.

**12. Independent Contractor**

- a. It is expressly agreed that the Bureau's status under this Agreement is that of an independent Contractor. Neither the Bureau nor any persons hired by it shall be considered employees of the County for any purpose whatsoever. An evident and distinct separation shall be maintained between the administration of the Bureau and the County. All steps shall be taken to avoid even an appearance that the County directs the management process of the Bureau.
- b. The Bureau personnel are not authorized to undertake any County function or activity on behalf of the County, except as authorized by this Agreement. The Bureau personnel shall not engage in activities that would reasonably lead visitors to conclude that they are employees of the County.

**13. Assignment/Subcontract**

- a. The Bureau shall not assign, transfer, convey, subcontract, or otherwise dispose of this Agreement, or any right, title or interest therein, or the power to execute this Agreement, or all or any portion of the moneys that may be due or become due to the Bureau under the terms of this Agreement, to any other person or corporation without the prior consent in writing of the

**Promotion of Tourism, Convention and Sports Event Business**

Department, and any attempt to do any of the foregoing without such consent shall be of no effect. This subparagraph is limited to professional services related to marketing services, advertising services, public relations, promotional services and design work, with a cumulative value of more than \$10,000.00 per subcontractor. Notwithstanding the above, prior written approval from the Department is not necessary if an advertised RFP competitive procurement process is utilized and the award of any contract pursuant to such process for \$10,000.00 or more is approved by the Bureau's Executive Committee and/or Board of Directors, as applicable.

- b. The Bureau shall be wholly responsible for the entire performance of this Agreement, whether or not subcontractors are used. Any subcontract which the Bureau enters into with respect to performance under this Agreement shall not relieve the Bureau in any way of responsibility for performance of its duties. Further, the County shall consider the Bureau to be the sole point of contact with regard to contractual matters, including payment of any and all charges resulting from the Agreement.

**14. 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 Bureau under this contract up to any amounts due and owing to the County with regard to this contract 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.

**15. Certification**

The parties to this Agreement hereby certify that, other than the funds provided in this 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 Agreement, and any partners, members, directors, or shareholders of five percent (5%) (or more) of any party to this Agreement.

**16. Civil Actions**

The Bureau represents that it shall not use any of the moneys received under this Agreement, either directly or indirectly, in connection with the prosecution of any civil action against the County of Suffolk or any of its programs, funded by the County, in part or in whole, in any jurisdiction or any judicial or administrative forum.

**17. Severability; No Implied Waiver**

- a. It is expressly agreed that if any term or provision of this Agreement, or the invalid or unenforceable, the remainder of this 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 Agreement shall be valid and shall be enforced to the fullest extent permitted by law.
- b. No waiver shall be inferred from any failure or forbearance of the County to enforce any provision of this Agreement in any particular instance or instances, but the same shall otherwise remain in full force and effect notwithstanding any such failure or forbearance.

**18. Merger; No Oral Changes**

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

**19. Governing Law**

This Agreement shall be governed by and construed in accordance 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.

**20. Confidentiality**

- a. Any records, reports or other documents of the County, its departments or agencies that are used by the Bureau pursuant to this Agreement, or any documents created as a part of this Agreement, or any other information obtained or acquired by the Bureau pursuant to this Agreement, shall remain the property of the County and shall be kept confidential and not disclosed without the prior consent of the County; any conversations or communications to which the Bureau was either a party or has knowledge of pursuant to this Agreement shall be kept confidential and not disclosed without the prior consent of the County.
- b. The Bureau acknowledges that in the absence of the foregoing representations, the County would not enter into this Agreement, and consequently, any breach of these representations shall be a material breach of this Agreement entitling the County to equitable (including injunctive) relief, compensatory and punitive damages, as well as litigation costs, including actual attorney fees and expenses paid or incurred.

**Promotion of Tourism, Convention and Sports Event Business**

**21. Non-Discrimination and Affirmative Action**

- a. In accordance with Article 15 of the New York State Executive Law (also known as the Human Rights Law) and all other County, State and Federal administrative, statutory and constitutional nondiscrimination provisions, the Bureau agrees it shall not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, age, disability, sexual orientation, military status, or marital status, and will undertake or continue existing programs of affirmative action to ensure that women and minority group members are afforded equal employment opportunities with discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgrades, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation.
- b. The Bureau shall include the provisions of paragraph a. above in every subcontract, in such a manner that the provisions will be binding upon each subcontractor for all work in connection with the Suffolk County contract.

**22. Non-Discrimination in Services**

During the performance of this Agreement the Bureau agrees it will not, on the grounds of race, creed, color, national origin, sex, age, disability, sexual orientation, military status or marital status, deny any individual any service(s) or other benefits provided under the program or provide any service(s) or other benefits to an individual which are different, or are provided in a different manner from those provided to others under the program.

**23. Agreement Subject to Appropriation of Funds**

This Agreement is subject to the amount of funds appropriated and any subsequent modifications thereof by the Suffolk County Legislature, and no liability shall be incurred by the County under this Agreement beyond the amount of funds appropriated by the Legislature for the Services covered by this Agreement.

**24. Offset of Arrears or Default**

The Bureau warrants that it is not, and shall not be during the term of this Agreement, in arrears to the County for taxes or upon debt or contract and is not, and shall not be during the term of this Agreement, in default as surety, Bureau or otherwise on any obligation to the County, and the Bureau agrees that the County may withhold the amount of any such arrearage or default from amounts payable to the Bureau under this Agreement.

**25. Nonsectarian Declaration**

The Bureau agrees that all services performed under this Agreement are secular in nature, that no funds received pursuant to this Agreement will be used for

**Promotion of Tourism, Convention and Sports Event Business**

sectarian purposes or to further the advancement of any religion, and that no services performed under this program will discriminate on the basis of religious belief. Furthermore, the Bureau agrees that all program services are and will be available to all eligible individuals regardless of religious belief or affiliation.

**26. Cooperation on Claims**

The Bureau agrees to render diligently to the County any and all cooperation, without additional compensation, that may be required to defend the County, its employees or designated representatives against any claims, demand, or action that may be brought against the County, its employees or designated representatives in connection with this Agreement.

**27. Copyrights**

If the work of the Bureau under this Agreement should result in the production of original books, manuals, films or other materials for which a copyright may be granted, the Bureau may secure copyright protection. However, the County reserves, and the Bureau 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.

**28. Publications and Publicity**

- a. The Bureau shall not issue or publish any book, article, report or other publication related to the Services provided pursuant to this Agreement without first obtaining written prior approval from the County. 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** Bureau shall not issue press releases or any other information provided to the media, in any form, concerning the Services provided pursuant to this Agreement without first obtaining written approval from the Department.

**End of Text for Exhibit A**

Promotion of Tourism, Convention and Sports Event Business

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

**1. Gratuities**

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

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

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

**3. Living Wage Law**

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

**4. Child Sexual Abuse Reporting Policy**

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

**Promotion of Tourism, Convention and Sports Event Business**

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

The Bureau represents that it is in compliance with 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.

**6. Local Law No. 26-2003**

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

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

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

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

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

**7. Lawful Hiring of Employees Law**

This Agreement is subject to the Lawful Hiring of Employees Law of the County of Suffolk (Local Law 52-2006). It provides that all covered employers, (as defined), and the owners thereof, as the case may be, that are recipients of compensation from the County through any grant, loan, subsidy, funding,

**Promotion of Tourism, Convention and Sports Event Business**

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

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

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

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

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

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

**Promotion of Tourism, Convention and Sports Event Business**

**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.

**8. Non Responsible Bidder**

The Bureau represents and warrants that it has read and is familiar with the provisions of Suffolk County Code §§143-5 through 143-9. Upon signing this Agreement the Bureau certifies that it has 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. Suffolk County Local Laws**

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

**End of Text for Exhibit B**

Exhibit C  
Technical Services Requirements



***2009 Marketing Plan  
and  
Operating Budget***

As Approved by the Board of Directors  
September 16, 2008

*Marketing Plan for Tourism Development  
Fiscal Year 2009*

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## I. Mission Statement

The core mission of the Long Island Convention and Visitors Bureau and Sports Commission is to promote Suffolk and Nassau Counties as a region to stimulate economic growth by attracting meetings, conventions, sporting events and tourists to Long Island.

## II. Introduction

### Marketing

The LICVB began 2008 focusing its limited resources and efforts on programs that had proven successful in 2007 in

- Driving off-Island business and overnight visitation;
- Stimulating increased occupancies, expenditures and hotel tax revenues;
- Generating awareness of Long Island as a domestic leisure travel destination choice among targeted audiences within a 250-mile drive radius, and
- Building on the foundations laid in 2007 to generate more awareness and visitation from international markets.

In 2007, the Bureau's \$530,00 in consumer advertising expenditures generated a record of 39,147 requests for the *Long Island Travel Guide*. In the spring of 2008, the LICVB contracted with the independent research firm, Campbell Rinker, Inc., to conduct a conversion study and analysis of those results. Campbell Rinker, Inc. conducted telephone interviews with 400 consumers who had responded to the Bureau's advertising and requested a copy of the travel guide to determine the percentage of conversions and identify the return-on-investment. With a statistical probability of +/- 4.9%, Campbell Rinker, Inc. concluded that the Bureau's consumer advertising expenditures generated 39 times more in visitor spending.

As in the past, the LICVB began 2008 by continuing to employ a number of marketing strategies with integrated disciplines to extend a brand awareness of the Long Island product to potential visitors. These marketing strategies included providing key support to the Bureau's sales initiatives. However, facing a dramatically different and continually changing travel environment combined with a transition in its sales staff, the LICVB has adopted a flexible approach to its marketing initiatives to better adapt to this changing landscape. Critical to the future success of the Bureau's marketing initiatives is the development of a stronger online presence and the employing of a significantly more aggressive interactive strategy. To better undertake this endeavor, the LICVB contracted with Aristotle, Inc. to assist the Bureau in the development of a comprehensive online and interactive marketing plan for 2009.

### Sales

Fully staffed with four sales managers throughout 2007, the Bureau was able to aggressively implement a significantly expanded program of sales activities including attendance at additional trade shows, increased sales calls, familiarization tours, client e-blasts and well attended client luncheons and receptions in Albany and Manhattan. The returns on these investments were reflected in increased sales lead development and definite client bookings.

**Promotion of Tourism, Convention and Sports Event Business**

However, at the onset of 2008, the Bureau had to adjust its sales programs and re-deploy its resources when its staffing was reduced to three sales managers. The staffing situation has had an unquestionable impact on sales productivity through the first half of 2008. Despite this, the Bureau's sales team has continued its aggressiveness in the market place in an attempt to attain its sales goals by the end of the year.

As with all effective marketing plans, this plan cannot, nor should it be considered a static document. It is intended to be a roadmap providing focus and direction to the bureau's collective marketing efforts. As such, it must remain a flexible document to better take advantage of unforeseen opportunities that present themselves – or address unanticipated challenges.

**Marketing and Sales Challenges**

Three major challenges will continue to confront Long Island's tourism industry as a whole in 2009:

- Spiraling gasoline prices;
- The national economy, and
- The continued expansion of hotel rooms to Long Island's inventory without a major new product to drive demand.

Quantifiable objectives represent targets for progress and as with all elements of the marketing plan, will be monitored regularly to enhance successful attainment.

**2008 Mid-Year Business Indicators**

Insofar as the 2009 Marketing and Sales Plan is developed for approval in September of 2008, it's important to review the efficacy of the Bureau's programs and strategies through the first seven months of the current Fiscal Year compared to the same timeframe of the previous year. In line with this, we focus on the pace comparisons of three primary work disciplines: advertising fulfillment, website visitation and sales activities.

**Advertising Fulfillment – January - June**

**2007:** 29,660 advertising-generated requests for the *Long Island Travel Guide*.  
**2008:** 32,499 advertising-generated requests for the *Long Island Travel Guide*. **+10%**

**Website Traffic – January - June**

**2007:** 793,877 unique visitors to [www.discoverlongisland.com](http://www.discoverlongisland.com).  
**2008:** 841,203 unique visitors to [www.discoverlongisland.com](http://www.discoverlongisland.com). **+6%**

<b>International Website Traffic:</b>	<b>Total <u>2007</u></b>	<b>1<sup>st</sup> Half <u>2008</u></b>	<b>% <u>Diff.</u></b>
United Kingdom:	9,447	12,457	+32%
Canada:	9,653	11,147	+15%

## Law No.

## Promotion of Tourism, Convention and Sports Event Business

Germany:	6,819	8,718	+28%
France:	2,782	3,475	+25%
Ireland:	1,569	2,865	+83%

**Sales Activity – January - June**

2007: 176 Sales leads developed.

2008: 99 Sales leads developed.

2007: 63 Definite business booked.

2008: 49 Definite business booked.

2007: 6,762 Definite room nights generated.

2008: 4,942 Definite room nights generated.

Smith Travel Research provides an additional look at business activity within the Long Island lodging sector by comparing room occupancies and average rates

<b>Occupancies – January - June:</b>	<b><u>2007</u></b>	<b><u>2008</u></b>
Long Island:	67.3%	69.4%
Nassau County:	71.8%	73.3%
Suffolk County:	64.4%	67.7%

**Average**

<b>Daily Rates – January - June:</b>	<b><u>2007</u></b>	<b><u>2008</u></b>
Long Island:	\$122.51	\$125.28
Nassau County:	\$125.58	\$133.14
Suffolk County:	\$120.31	\$119.71

<b>Demand – January - June:</b>	<b><u>2007</u></b>	<b><u>2008</u></b>
Long Island:	+ 7.4%	
Nassau County:	+ 8.1%	
Suffolk County:	+ 6.9%	

### III. Positioning Statement

As a site for meetings, conventions and sporting events and as a destination for leisure travelers, Long Island offers a wide array of quality meeting venues, sports facilities and lodging properties surrounded by a wealth and depth of easily accessible, unique, and quality natural and manmade attractions that provide enriching experiences year-round with exceptional value and broad-based appeal.

### V. Market Segment Overview

#### Meetings and Conventions

In 2007, Meeting Planners International's (MPI) reported trends toward more meetings, increased budgets and higher attendance rates. Additionally, while attendance rates were expected to climb, the length of those meetings would remain the unchanged.

Planners credited competitive pricing and flexibility in contracts, clauses and attrition as the number one motivator in developing vendor loyalty. RFP responsiveness was no longer viewed as value-added, but rather timely responses, consultative relationships and reward programs had become an expectation.

That was 2007. In 2008, the landscape had changed dramatically with the national economy firmly, if not arguably in a recession. The latest *MeetingNews* survey of 344 corporate and association meeting planners showed that a majority of planners are now having their budgets slashed. At the same time, attendance was likewise dropping sharply according to almost half of the meeting planners surveyed. Today's corporate environment is trending towards fewer meetings being conducted with cutbacks on the remaining programs.

Third party meeting planning companies are likewise feeling the crunch as corporations rein in their travel and meeting budgets. According to *MeetingNews* interviews with DMCs, the volume of meetings may remain somewhat steady, but many will shorten with less planning lead times.

In a May report, Travel Industry Association of America identified that **one quarter of all airline passengers said they had cancelled at least one trip during the past year – a number that equates to 12 million business trips not taken**.

Some elemental trends from 2007 appear to remain:

- the average duration of a typical meeting was three days across all meeting segments.
- the median planning cycle was reported to be four to six months for corporate and independent meeting planners, and seven to 12 months for association planners.
- More planners overall are using boutique hotels, conference centers, independent hotels and special venues.

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- Rates were sourced as the leading factor in hotel selection with meeting room technology remaining steady and guestroom technology falling slightly.
- Both surveys expect hotel rates to continue to rise resulting in meeting planners adjusting the duration of their programs, reducing catering budgets and booking less expensive properties to offset the higher rates.

In 2008 the bureau significantly increased its sales programming and Internet advertising to increase market share and leverage the Island's assets. Despite the need to re-deploy its sales resources with the staffing transition encountered early in 2008, the Bureau will continue its aggressive posture in the market place in 2009. Emphasis will continue to be placed on positioning the Island as an "affordable alternative to New York City" with competitive hotel room rates and a host of value related benefits to meeting planners.

**Sports Events**

For over a decade, the LICVB has been the single entity responsible for proactively developing sports travel to the Long Island region. In 2008, Nassau County decided to focus resources on a country-centric sports development program and hired the Bureau's primary sports development specialist. While the loss of an experienced specialist in this field created a unique void in the Bureau's sales program, the LICVB nevertheless continues to maintain an aggressive and proactive program addressing this important market segment for the Long Island region.

The impact of the recessive national economy on sports development cannot be understated. Long the most popular of amateur sporting events, high school and college sports are being severely impacted rising fuel costs. School districts have found the price of diesel fuel for their school buses has more than doubled during the past year and spiraling energy costs are also hitting district heating costs especially hard. Additionally, as spectators account for 84% of sports event travelers and a quarter of all sports events-travelers attend events to watch their children or grand-children play, the cost of gasoline is impacting travel decisions by this segment of the market as well.

Long Island maintains a rich tradition of hosting quality domestic and international sports events – a tradition that continues due to

- the Island's close proximity to New York City;
- a diverse selection of quality sports venues and
- an assortment of hotel properties available at varying price points.

Despite this, and primarily because of the current national economy compounded by runaway energy costs, it should be anticipated that growth of the sports business on Long Island in the coming year will be modest at best. Even under the best of economies, Long Island has – and continues to face challenges posed by

- a lack of facility availability,
- increased competition from destinations with significant capital growth in facilities and venues, and
- price sensitivity to lodging rates and facility costs associated with doing business in the New York Metro area.

**Promotion of Tourism, Convention and Sports Event Business****Group Tour & Travel - Domestic**

As directed by the Board of Directors, the Bureau significantly reduced the programs targeting the domestic tour and travel market segment in 2007. The LICVB has maintained a minor presence in this market through its participation in the Heartland, U.S.A. trade show, the American Bus Association's annual market place and through minor advertising in *Group Tour Magazine*.

The resources previously allocated to developing the domestic tour and travel market were re-allocated to a new program targeting the development of international market segment that represents the only market segment affording an opportunity for potential significant growth.

**Tour & Travel – International**

The LICVB's efforts to initiate international tourism development in late 2006 proved to be fortuitous as the U.S. dollar continued to decline in value to the British Pound Sterling and the European Euro. While the United States as a whole suffered a 17% decrease in overseas visitors since 9/11, New York City has enjoyed significant gains with over 17.5million overseas visitors in 2007 alone.

As New York City's nearest neighbor, Long Island's products match up well with experiences sought most especially by both United Kingdom and German travelers, whose travel patterns include longer stays and more exploration than domestic leisure travelers. More importantly, their expenditures are almost three times that of their domestic counterparts and Europeans are unfazed by the current increased prices for U.S. gasoline as it remains far below the cost of their own petrol prices.

In 2007, the LICVB translated its website, [www.discoverlongisland.com](http://www.discoverlongisland.com) into German and Spanish. The Bureau's 2008 international strategies included

- Translation of its website into French;
- Extending and/or expanding its strategic partnerships with NYC & Co. and ILOVENVY;
- Increased exposure of Long Island to overseas consumers through the generation of positive editorial treatment of Long Island as an international destination and
- Attendance at two international travel trade shows:
  - Travel Industry Association's (TIA) International POW WOW
  - World Travel Mart in London

An indicator of the Bureau's success in generating awareness and interest in Long Island as an "add-on" destination among potential international visitors can be seen in the increased visitation to the LICVB website during the first half of 2008 over all of 2007. During the first six months of 2008, visitors to the website from the United Kingdom increased 32% over the whole of 2007 while visitors from Germany increased 28% and French visitation increased 25%.

**General Leisure Traveler**

In July 2007, gasoline prices averaged \$3.19 a gallon nationwide. By July 2008, the price of a gallon had increased to over \$4.08 a gallon and AAA reported that for the first time in a decade, the number of Americans traveling during the Fourth of July holiday would drop. The reduction in holiday travelers was expected to be most felt in the Northeast with an expected decline of 1.6% - the second largest decline in the United States according to AAA.

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Meanwhile, the domestic airline industry is suffering staggering losses due to spiraling oil prices. Most airline business models were predicated on \$50/barrel oil prices – not \$140/barrel. By May 2008, seven airlines had already gone out of business. Those carriers still in business have significantly increased fares, reduced capacity and worked to generate revenue through a plethora of esoteric charges for everything from seat assignments to check baggage – all in an effort to remain financially afloat in some capacity. The combination of security measures with increased costs and dramatically poor service has turned off the traditional traveling public. Travel Industry Association of America reported that in 2007, 41 million air trips were avoided because of the hassle of flying alone.

Despite these challenges, it is still anticipated that the majority of leisure travelers will still travel at least twice during the year for short getaway vacations that allow them to re-charge their batteries or reconnect with family and friends or significant others. For the most part however, they will make frugal choices in lodging, dining out and other discretionary expenditures. Price and value will be the most important drivers in their decision-making processes.

More than 38 million potential visitors reside within a 250-mile drive radius of Long Island and almost 23 million of these consumers reside in the New York Metropolitan Statistical Area. As such, Long Island is uniquely positioned in many ways to continue to target these leisure travel consumers. The LICVB will continue to generate image awareness of Long Island while seeking ways to target potential overnight visitors within the New York metro area.

Long Island will once again host the U.S. Open Championship at Bethpage Black in 2009. This four day event will provide the Island with the ability to showcase Long Island to a global audience of golf enthusiasts. The LICVB will look for ways to leverage this event to better generate awareness of Long Island as a leisure travel destination.

**Business Partnerships**

As a private, non-profit business corporation, the LICVB serves as a business resource for conventions and meetings and leisure travelers to Long Island. Revenue generated through the partnership allows the bureau to conduct normal business activities utilizing private sector funds unencumbered by the intense scrutiny afforded public funds.

In 2009, the Bureau will provide two educational opportunities for its member partners and seek to develop new services tied to the interactivity of the new website as key components of membership development and retention.

## Goals & Objectives

**The overall goal of the LICVB & Sports Commissions' marketing and sales efforts will be to maximize Long Island's return on its investment by positioning Long Island as a preferred site for meetings and conventions, sporting events and as a leisure travel destination and driving overnight visitation.**

### Domestic Leisure Travel Consumer Objectives

#### Objective A:

Influence off-Island consumer travel-making decisions by implementing aggressive and cost-effective integrated marketing strategies and programs.

#### SITUATION:

Since 2005, the LICVB has focused its marketing strategies on creating image awareness of Long Island as a leisure travel destination and stimulating travel consumers to seek more and in-depth information about the Island's tourism assets and experiences. These steps are essential to driving incremental overnight visitation. Traditional advertising strategies were focused on audiences within a 250-mile drive radius of Long Island and were combined with interactive initiatives that significantly increased fulfillment inquiries for the Bureau's travel guides and driving visitation to the website, [www.discoverlongisland.com](http://www.discoverlongisland.com). In 2008, the LICVB contracted with an independent research firm to conduct a conversion study of the Bureau's consumer advertising expenditures based on 2007 programs and expenditures. The results of this study identified the Bureau's consumer advertising expenditures generated 39 times more in visitor spending.

Driving visitors to the Bureau's website, [www.discoverlongisland.com](http://www.discoverlongisland.com) has also been a marketing priority since 2005. In addition to identifying a return-on-advertising investment, two other key marketing findings came out of the recent conversion study:

- Visitors to Long Island who had visited [www.discoverlongisland.com](http://www.discoverlongisland.com)
    - ◆ stayed longer and
    - ◆ spent more
- than those visitors who hadn't visited the website.

In 2009, the Bureau's marketing program will feature a major emphasis on enhancing Long Island's online presence and leveraging Interactive marketing to better drive awareness, brand extension and ultimately, visitation.

While the Bureau's past marketing practices have proven their value, the uncertainty of the national economy combined with out-of-control petroleum prices and an uncertain future of the nation's airline industry dictate the need to be flexible with future marketing endeavors. In addition to initiating a stronger online interactive marketing program, the LICVB will continue to employ traditional marketing strategies to generate greater awareness of the Bureau's website and drive requests for the *Long Island Travel Guide*. However, the Bureau will also look to the possibility, as may be necessary, of further consolidating its limited marketing to a radius that includes the boroughs of New York City. In line with this The LICVB will continue to seek

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proven advertising outlets as well as develop new marketing initiatives to drive consumer fulfillment inquiries and increase visitation to its website.

**Strategy: Advertising**

Develop parallel strategies that

- Generate top-of-mind awareness of Long Island as a vacation destination to off-Island travel consumers through image-building and response-driven advertising, and
- Communicates the affordability of get-away vacation opportunities on Long Island to New York metro residents.
- Seek opportunities to leverage the 2009 U.S. Open at Bethpage to generate awareness of Long Island as a tourism destination among key target audiences.

**Advertising objectives:**

- Raise the profile of Long Island as a tourism destination by developing creative and compelling messages that resonate with leisure travel consumers
- Drive consumer inquiries for travel information to Long Island
- Increase website traffic to LICVB website

**Advertising strategies:**

- Primary: Entice consumers within a 250-mile drive radius to choose Long Island as a leisure travel destination, thereby generating direct overnight tourism-related expenditures.
- Secondary: Motivate potential visitors to request collateral information for planning a visit to Long Island, while creating a strong level of consumer awareness of Long Island as a destination in the leisure market place.
- Tertiary: Remind potential visitors in the New York Metro area of the value of real vacation get-away opportunities on Long Island.

**Media objective:**

- Incorporate an integrated media strategy that reaches the largest number of potential visitors to Long Island in best-opportunity markets.
- Compel potential visitors to request informational materials.
- Drive traffic to LICVB web site, [www.discoverlongisland.com](http://www.discoverlongisland.com).

**Media strategies:**

- Place print advertising messages primarily in high-quality, travel-oriented media publications with response-oriented mechanisms in place.
- Participate in cost-effective cooperative print advertising programs offered through the New York State Department of Tourism.
- Continue cost-effective pay-per-response interactive advertising programs.
- Place 30-second broadcast television schedules in select DMAs targeting consumers with a demonstrated propensity to travel.
- Explore media strategies to leverage the 2009 U.S. Open at Bethpage.
- Explore media strategies incorporating radio and transit to reach New York metro travel consumers.

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**Tactic (Creative Development):**

- Produce compelling consumer print and television advertising creative that emotionally connects and resonates with leisure travel consumers and influences decision-making process.
- Create individualized advertising creative that focuses on
  - Long Island as a regional visitor destination and
  - Suffolk County as a separate segment of the Long Island vacation-experience.

**Tactics (Print Advertising):**

- Select from geographically-targeted editions of high quality, travel-oriented print media outlets that reach consumers in a “travel” frame of mind.
- Select media that will extend Long Island’s brand image while driving consumer inquiries and web traffic to discoverlongisland.com.
- Focus on print media that enhance consumer response options and offer a mechanical means of tracking inquiries, such as bingo cards and BRCs.

**Tactics (Cooperative Advertising)**

- Leverage limited financial resources by participating in New York State cooperative print advertising programs in proven-effective media outlets.

**Tactics (Internet Advertising):**

- Utilize online pay-per-performance advertising mediums to generate inquiries, drive web traffic and generate customer data.

**Tactics (Television Advertising):**

- Use television to generate Long Island brand awareness and with sufficient reach and frequency to drive direct inquiries and stimulate web traffic to discoverlongisland.com.
- Focus on regional television buys within a 250 mile drive radius that cost-effectively reaches target markets in conjunction with print ads.

**Tactics (Other):**

- Explore cost-effective media options targeting New York metro area travel consumers.

**Strategy: Public Relations**

Enhance and support the consumer marketing objectives by increasing awareness of Long Island as a travel destination through the generation of positive editorial coverage in off-Island travel, lifestyle and trade publications.

**Tactic (Press Releases):** Create an average of two press releases per month highlighting Long Island as a destination for leisure overnight travel and for business and sports related events. Press releases take an overall thematic approach and in some rare instances may highlight certain events that promote Long Island as a world-class venue for events and travel.

**Tactic (Media Profiling):** Utilize *PR Newswire* media package to create detailed journalist contact lists that better target media outlets and specific coverage areas based on a range of factors, such as region, reader interest, publication type, special interest, etc.

**Tactic (International Press Relations):** Develop partnerships with New York State Division of Tourism International Office to assist select international travel writers on story starts to develop international press exposure.

**Tactic (Familiarization Tours):** Work with pre-screed travel writers to arrange itineraries and tours of Long Island to better educate the travel media about Long Island’s attributes through direct contact.

**Tactic (Visual Imagery):** Continue to build the LICVB photo library through professional photographic and video services as well as through arrangements with private photographers so as to more vividly portray Long Island’s attributes.

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**Tactic (E-newsletter):** Extend image-building messages and story lines about leisure travel to Long Island through internally written and edited e-newsletter distributed six times per year to the Bureau's opt-in consumer database.

**Tactic (Press Kit):** Update LICVB press kit to include updated press releases and a photo CD to highlight Long Island's tourism opportunities.

**Strategy: Partnership Opportunities**

Seek out opportunities to develop strategic partnerships and promotional relationships with tourism-related entities including, but not limited to, transportation companies, travel associations, publications, or local visitors councils that share the same goals of promoting tourism to Long Island. The intent is to seek out low or no-cost partnering opportunities that leverage the strength of the LICVB with the strengths of complementary organizations.

**Tactic (Partnership Promotions):** Work with partners on promotions that enhance the image of the Long Island region as a destination for tourism. Partners have in the past encompassed Winterfest organizers, American Express, Southwest Airlines, and Cross Sound Ferry.

**Strategy: Research**

Identify applicable market research opportunities that will assist the LICVB in its mission of promoting Long Island as a destination for business and leisure, to determine the effectiveness of its strategies, and potential trends affecting marketing decisions.

**Tactic (Primary Research):** Seek opportunity to contract with a travel research firm to identify consumer or market trends that can be used to enhance the LICVB's marketing efforts.

**Strategy: Collateral Development**

The LICVB intends to continue publishing a print version of its *Long Island Travel Guide* as well as print version of its Calendar of Events for distribution for 2009. These image-building materials are solid marketing pieces that motivate consumer travel to Long Island and aid in navigating its tourism attributes.

**Tactic (Long Island Travel Guide):** Continue to partner with Island Publications, Inc. to produce annual *Long Island Travel Guide*. The Travel Guide includes rich imagery and thematic editorial content to guide visitors to Long Island.

**Tactic (Long Island Calendar of Events):** Produce four (4) Calendar of Events rack brochures to serve as informational pieces highlighting Long Island events.

**Tactic (Long Island Drive Map):** Seek out an opportunity to produce a proprietary road map of Long Island for distribution through fulfillment department and at visitor information centers.

**Strategy: Fulfillment**

Continue to utilize the *Long Island Travel Guide* as the Island's primary fulfillment collateral for its advertising and marketing campaign while ensuring that the information department incorporates the most expedient fulfillment delivery systems possible.

**Tactic (Expanded Distribution):** Look to expand distribution of the Long Island Travel Guide at strategic locations which may include the NYS Thruway, Bridgeport Ferry Terminal and Tanger Outlet Center.

**Strategy: Visitor Centers**

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Continue to operate visitor information centers at Valley Stream, Long Island Islip Mac Arthur Airport and at Hauppauge office headquarters.

**Tactic:** Interact directly with the public to provide information and direction to Long island attractions and accommodations.

**Objective B:**

Influence consumer travel-making decisions by implementing an aggressive Interactive Marketing Plan to significantly increase Long Island's online presence.

**SITUATION:**

In 2005, the LICVB launched a newly designed website that more effectively aided visitors in planning a visit to Long Island through advanced features and enhanced content. Website traffic grew dramatically along with average time spent on the site and pages viewed. In the three years since that re-launch, both technology and consumer attitudes towards it has continued to evolve dramatically. Leveraging a destination's online presence is critical to the success in attracting visitors.

In 2008, the LICVB contracted with Aristotle Inc., a well-known web consulting firm in the travel and tourism industry, for a comprehensive analysis of its website design and its online marketing efforts. Aristotle was expected to spend up to four months analyzing, researching and developing a strategic plan to aid the Bureau in developing a comprehensive interactive and online marketing plan for 2009. Included in this plan of action will be the redesign and re-development of the Bureau's current website to act as a more effective portal on Long Island's tourism assets and influence consumer travel decisions.

**Strategy: Internet Marketing Plan**

The Internet Marketing Plan is intended to provide a prioritized and focused direction to the Bureau's current and future interactive and online marketing strategies to more effectively influence consumer and B2B travel decisions.

**Tactic (Website Re-design/Re-development):** Re-design and re-develop a new Long Island website that is interactive, engaging, and customer-focused while generating specific customer interest data that better informs future interactive and online marketing decisions.

**Tactic (Website Content):** Incorporate website content that reflects current trends in tourism marketing, as well as seasonal opportunities and potential pay-per-click opportunities.

**Tactic (Website Navigation):** Using keyword research, build new navigation for the website as well as planning for expansion of the website over the coming year.

**Tactic (Tracking):** Incorporate better visitor tracking and reporting to identify efficacy of landing pages in driving visitors to take desired actions and to better identify customer interests.

**Tactic (Interactive and Web 2.0):** Incorporate newer technologies that may be used to better engage visitors on the website including audio/video, blogging, RSS, trip planning and others.

**Tactic (Customer Communications):** Develop better means to capture customer data and increase communications and contact with customers on a regular, timely and consistent basis.

**Tactic (Search Engine Marketing):** Identify and populate website content with key words and phrases that provide the highest ranking opportunities among major search engines.

**Tactic (Integrated Marketing):** Integrate and leverage traditional marketing disciplines with online marketing strategies.

**Objective C:**

Secure additional grant funding to continue and expand on the niche salt-water fishing campaign resultant from a thematic New York State Empire Development matching grant received in 2008. **Program objective is contingent upon securing additional grant in 2009.**

**SITUATION:**

In 2008, the LICVB received a \$50,000 matching grant through New York State Empire Development to develop a thematic marketing concept promoting Long Island's boating and deep-water fishing industry. The LICVB developed a micro-website, [www.fishonlongisland.com](http://www.fishonlongisland.com), as well as an advertising and marketing program to promote Long Island saltwater fishing. Expecting a similar grant will be made available in 2009, the LICVB will continue this program.

**Strategy: Advertising**

Focusing on Long Island's salt water fishing attributes, develop a print and online advertising campaign in select markets that will match the LICVB's overall goal of driving overnight visitation to Long Island.

**Tactic (Print Advertising):** Develop and place limited advertising in print media targeting saltwater fishing travel enthusiasts.

**Tactic (Online):** Identify online mediums targeting saltwater fishing enthusiasts for limited advertising placement.

**Strategy: Interactive**

Leverage the Bureau's website [www.discoverlongisland.com](http://www.discoverlongisland.com) and a separately created micro-site to provide greater awareness of the Island's outdoor fishing and boating leisure activities and assets.

**Tactic (Website Enhancement):** Continue to make limited enhancements to the [www.fishonlongisland.com](http://www.fishonlongisland.com) website to further drive interest in Long Island salt water fishing opportunities.

**Strategy: Public Relations**

Support advertising and interactive on-line marketing through the development of positive editorial treatment in off-Island niche media targeting outdoor, boating and fishing enthusiasts.

**Tactic (Press releases):** Develop niche-specific storylines focused on the Long Island saltwater fishing experience.

**Tactic (Editorial Familiarization Tours):** Invite select outdoor travel writers to participate in organized familiarization tour of Long Island's saltwater fishing assets.

## Meetings & Conventions Objectives

### Objective:

Drive overnight visitation through the procurement of meetings, conventions and sports on state, regional, national and international level. **Increase lead generation from a projected 2008 year-end total of 240 leads by 5% to 252 leads in 2009.**

### SITUATION:

The meetings and events industry has changed dramatically from 2007 to 2008. In 2007, attendance at meetings was high, the trend was to have more meetings and budgets were increased. Due to the general economy and the significant increase in fuel costs in 2008, budgets for meetings and events have been cut significantly and attendance is down. Rate negotiation has become the deciding factor in choosing a venue for 2008 and is predicted to continue in 2009.

Long Island should remain a competitive destination for the corporate meetings, government and association markets due to a number of attributes including its close proximity to New York City and competitive hotel rates compared to NYC; air accessibility; parking amenities, etc. However, the continued lack of a convention center prohibits Long Island from gaining substantial share in this area. Additionally, the Island continues to experience new hotel development with little meeting and convention space.

In 2009, the LICVB will continue to aggressively pursue corporate meetings business through a high level of trade show activity and integration of sales and marketing disciplines while continually evaluating market segments for productivity.

### Strategy:      **Direct Sales**

Continue to identify business prospects in Washington D.C., New York City, New Jersey and Albany while fostering new opportunities in the Chicago and Connecticut markets.

**Tactic (Trade Show):** Attend trade shows to generate awareness and develop sales leads.

- SGTP (Society of Government Travel Professionals) Expo
- ESSAE Annual Meeting
- Agenda Expo NY
- PAMPI Education Day
- MPIGNY NY Mix
- Conference Direct Expo
- ESSAE Trade Show
- Helms Briscoe Annual Business Conference
- MPI World Congress
- Diplomatic Expo
- Meetings Quest - Chicago
- Association Forum of Chicagoland

**Tactic (Non-Tradeshow Direct Sales):** Generate product awareness to key meeting planners through educational luncheons, group presentations, familiarization tours and industry networking events.

- Meeting Planners Evening Reception – NYC
- Meeting Planners Luncheon- Connecticut Meeting Planners

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- FAM Tour - Connecticut Meeting Planners
- NJMPI Golf Networking Event
- MPIGNY Golf Networking Event
- NSO/CVB Pfizer Day
- ESSAE Autumn Harvest Reception
- ESSAE Holiday Reception
- Prospect Group Presentations – scheduled as necessary

**Tactic (Sales Calls):** Conduct sales calls in target territories.

- New York City
- Albany
- New Jersey
- Chicago
- Connecticut

**Tactic (Direct Telemarketing):** Continue to employ direct phone/e-correspondence telemarketing to meeting planners and corporate travel agents to develop sales leads.

- Create concrete monthly telemarketing goals for staff

**Tactic (Association Memberships):** Evaluate and continue existing industry memberships and identify new associations that provide networking opportunities and offer valuable resources allowing access to new prospects.

- ASAE
- Association Forum of Chicagoland
- ESSAE
- HSMIA
- MPICAC
- MPICRV
- MPIGNY
- MPINENY
- MPINJ
- NRF
- NYBA
- NYSAE
- PAMPI
- PMPI
- SGMP
- Westfield MPI

**Tactic (Trade Publications/Sourcebooks/Professional Development):** Maintain subscriptions to trade publications, e-newsletters, industry sourcebooks, sustain industry recognized certifications and attend professional development seminars on a continual basis to remain current on industry trends and new developments.

- Subscriptions/Sourcebooks/Mailing Lists
- Professional Development Programs

**Tactic (E-Marketing):** Develop e-mail campaign to create awareness that introduces meeting planners to the B2B section of the website and increases inquiries and on-line RFP submissions.

- E-newsletter quarterly to maintain contact and exposure
- Develop e-postcard specific to sales initiatives

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- Send standardized postcards and e-postcards prior to and immediately following scheduled sales programs including tradeshows, sales calls, sales blitzes and educational luncheons/receptions.

**Strategy: Meeting Incentives Booklet**

**Tactic (Collateral):** Continue to produce, maintain and actively promote the Meeting Incentives Booklet with savings and incentives offered by member partner hotels, attractions and other members that have an interest in the corporate group meetings market.

- Meeting Incentives Booklet

**Tactic (E-Marketing):** Collaborate B2B e-marketing efforts to increase awareness and ensure the cross-promotion of Meeting Incentives Booklet on-line.

- Maintain PDF of most current version of Meeting Incentives Booklet on B2B section of website

**Strategy: Internet**

Increase internet exposure through state and industry affiliates and associations.

**Tactic (Hot Deals):** Continue to encourage member partner participation in the HotNewYorkDeals.com program

- Committee meetings
- E-reminders to members

**Tactic (New York State):** Work closely with the New York State Association of CVBs to promote awareness of Long Island as a corporate meetings destination in a collaborative state-wide effort.

- [www.nymeetings.com](http://www.nymeetings.com)

**Tactic (Association Memberships):** Maintain accurate Bureau listings on all association membership websites.

**Strategy: Collateral**

Produce, maintain, distribute and expand inventory of sales and marketing materials and promotional items that effectively promote awareness of Long Island as a meetings destination and supports sales initiatives.

- Long Island Meeting Planners Guide
- Rack Card - quick sell piece highlighting corporate meeting selling points of Long Island
- Reprints - Purchase reprints of Long Island focused articles for inclusion in sales kit
- Tradeshow Enhancements/Promotional Giveaways

**Strategy: Public Relations**

Develop a comprehensive public relations campaign that targets industry trade publications and decision makers to generate knowledge of Long Island's product offerings as a competitive meetings-destination.

- E-newsletter/updates
- Press releases
- Maintain accurate distribution database and email database

**Strategy: Advertising**

Elevate awareness of Long Island as a competitive meetings destination.

**Tactic (Advertising - Creative):** Create an ad that carries a message and design that can be universally placed in print mediums and internet based programs.

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- Develop new meetings and conventions ad

**Tactic (Advertising - Print):**

- ESSAE Resource Newsletter
- ESSAE Membership Directory
- LIBN Meeting Planners Guide
- MPIGNY Membership Directory
- MPICAC Membership Directory
- NJMPI Membership Directory
- Small Meetings Market
- Association Forum of Chicagoland Program

**Tactic (Advertising - Internet):** Identify viable internet marketing opportunities that target corporate, government and association meeting planners and key decision makers.

- MPI Global Marketplace Enhanced Listing
- Chicago MPI Website Banner Ad
- CT River Valley MPI Website Banner Ad
- MPIGNY Website Banner Ad
- MPINJ Website Banner Ad
- PAMPI Website Banner Ad
- Potomac MPI Website Banner Ad
- Westfield CT/NY MPI Website Banner Ad
- ESSAE On-line Directory

**Tactic (Advertising - Other)**

- Agenda Expo NY – Tote Insert
- ESSAE Tote Bag Sponsorship

**2009 MEETINGS & CONVENTIONS  
PROPOSED CALENDAR OF SALES INITIATIVES**

*\*Note:* Italicized items represent new programs for 2009

JANUARY	FEBRUARY	MARCH	APRIL
	ESSAE Annual Meeting	<i>* Connecticut Meeting Planners Luncheon</i> <i>* Conference Direct Expo</i> Agenda Expo NYC	PAMPI Education Day PA MPIGNY NY Mix NYC <i>*Diplomatic Expo</i>
MAY	JUNE	JULY	AUGUST
<i>*FAM Tour Connecticut</i>	ESSAE Expo NY NJMPI Golf Event	MPIGNY Golf Event	MPI World Congress NSO/CVB Pfizer Day NYC Helms Briscoe Annual Business Conference
SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
<i>* SGTP Expo</i> ESSAE Autumn Reception NYS Meeting Planners Evening Reception NYC	Meetings Quest Chicago		ESSAE Holiday Reception Chicagoland Forum

## Sports Development Objectives

**Objective:**

Drive awareness and demand for Long Island as a site for national and international sporting events through marketing, sales and public relations strategies and tactics targeting sports event rights holders.

**SITUATION:**

Long Island continues to have an excellent reputation in the sporting events industry as one of the leading sports destinations in America. The Island is home to a unique collection of exceptional athletic facilities that meet the standards for domestic and international sport events, a strong volunteer data base, experienced event professionals and its proximity to the number one media market in the nation – New York City.

Despite these attributes, Long Island continues to face the challenge of venue availability. Although the Island has a variety of public and private sporting venues, availability for prospective events is not abundant. Additionally, price sensitivity to Long Island's hotel rates has impacted decision-makers over the years, especially in the youth sports market.

Unquestionably, the national economic environment combined with endless spiraling gas prices will certainly have a negative impact on travel in the sports market. Considering that 84% of sports travelers are spectators; friends and family of the athletes, room night production for amateur and youth sports is predicted to be negatively impacted nationwide.

With these considerations, the LICVB will continue to position Long Island in the forefront for event consideration for regional, national and international sports events through continued participation in tradeshow and industry events. Direct sales activities will be augmented through select print and internet advertising, as well as, interactive marketing to event-rights holders.

### Strategy: Direct Sales

Continue to engage market segments and advance overall awareness of Long Island as one of the leading sports destinations in the United States.

**Tactic (Industry Conferences/Trade Shows):** Attend industry conferences/trade shows to interface with event rights holders and expand existing prospect base.

- National Association of Sports Commissions (NASC) Sports Event Symposium
- TEAMS Conference
- ECAC Conference

**Tactic (Non-Trade Show Direct Sales):** Conduct individual regional sports sales trips/sales calls/presentations to create new and reinforce existing relationships and identify new events available to bid.

- New York State Federation of Secondary Schools Athletic Association Presentation
- New York State Public High School Athletic Association Sales Trip
- Public School Athletic League

**Tactic (Non-Tradeshow Direct Sales):** Generate product awareness to key sports event planners through educational lunch presentation.

- Sports Planner Educational Luncheon – NYC

**Tactic (Industry Memberships):** Continue to build relationships and contacts through worthwhile sports association memberships.

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- National Association of Sports Commissions (NASC)
- National Council of Youth Sports (NCYS)

**Tactic (Trade Publications/Sourcebooks/Professional Development):** Maintain subscriptions to trade publications, e-newsletters, industry sourcebooks, sustain industry recognized certifications and attend professional development seminars on a continual basis to remain current on industry trends and new developments.

- Subscriptions/Sourcebooks
- Professional Development Programs

**Strategy: Internet**

As part of the Bureau's new Interactive Marketing Plan for 2009, the LICVB will develop new interactive strategies to efficiently and effectively keep Long Island in the forefront rights-holders.

**Tactics:** Create website awareness campaign designed to introduce rights holders to the website and the online RFP functionality.

- Develop e-newsletter program to maintain contact and exposure
- Develop e-postcard specific to sales initiatives
- Send standardized e-postcards prior to and immediately following scheduled sales programs including tradeshow and sales calls

**Strategy: Collateral**

Maintain current inventory of collateral marketing pieces to support sports sales initiatives.

- Sports Facilities Guide

**Strategy: Public Relations**

Develop a comprehensive; structured public relations/media plan that allows for maximum exposure of Long Island as an attractive venue for sporting events/conferences.

**Tactic:** Maintain visibility and increase knowledge of current sports developments on Long Island among industry executives on a consistent basis.

- Press Releases
- E-updates to industry decision makers

**Strategy: Print Advertising**

Position Long Island in the industry as a viable destination for sporting events on the state, national and international level and maintain awareness of the Island's history in hosting major sporting events.

**Tactic:** Identify appropriate print mediums in domestic and international industry specific publications that will reach key decision makers and enhance visibility and overall awareness of Long Island as a destination for virtually any type of sporting event.

- SportsBusiness Journal
- Sports Travel Magazine
- Sports Events Magazine
- Sports Destination Management Magazine
- Trade Directory Listings

**Strategy: Internet Advertising**

**Tactic:** Increase exposure through the implementation of e-marketing programs.

- SportsBusiness Journal - HTML "push-out" e-mail Banners

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**Strategy: Direct Mail**

Continue to identify existing/new venues and determine interest in attracting outside events.

Maintain a current volunteer database to support events procured by the bureau.

**Tactic:** Survey Towns/Villages and public/private organizations to identify new/existing venues.

- Town Supervisors
- Village Mayors
- School Superintendents

**Tactic:** Annual mailing to Centralized Volunteer Database to maintain current listing.

**2009 SPORTS DEVELOPMENT  
PROPOSED CALENDAR OF SALES INITIATIVES**

*\*Note:* Italicized items represent new programs for 2009

<b>JANUARY</b>	<b>FEBRUARY</b>	<b>MARCH</b>	<b>APRIL</b>
			NASC Sports Symposium
<b>MAY</b>	<b>JUNE</b>	<b>JULY</b>	<b>AUGUST</b>
<i>*Sports Luncheon-NYC</i>			NYSPPHSAA Sports Sales Trip NYSFSSAA Presentation
<b>SEPTEMBER</b>	<b>OCTOBER</b>	<b>NOVEMBER</b>	<b>DECEMBER</b>
ECAC Conference	TEAMS Conference		

## Domestic and International Tour & Travel Trade Objectives

### **Objective A: Domestic Tour Operator**

Maintain an awareness of Long Island as a destination for inclusion in overnight tour packages through limited sales and marketing strategies targeting key domestic tour operators.

#### **SITUATION:**

The Bureau will maintain a reduced program and efforts to develop the domestic tour operator market and focus the bulk of its resources on expanding its international tourism development programs. The price of fuel will impact domestic travel as it never has in the past. The surrounding 200 mile radius will be the area of concentration for Long Island with primary concentration in the New York City metropolitan areas and Connecticut. Considering the fuel increase, motor coach should be the alternative travelling option however the motor coach travel industry will need to market their product around culinary and winery tours, eco tours, green tours, nature tours, “experiential” tours in order to capture the next generation of baby boomers and/or generation X segment, who are notoriously known to be independent and prefer customized itineraries. The senior market will decline a bit which could hurt the motor coach industry unless they reinvent their tour packages.

#### **Strategy: Direct Sales**

Generate awareness of Long Island’s group tour product offerings through direct sales contacts at key industry programs targeting North American and Canadian group tour operators.

**Tactics (Trade Shows):** Attend the key group travel trade shows to generate awareness and develop sales leads for member partners catering to the group tour market segment.

- American Bus Association
- New York Times Travel Show

#### **Strategy: Public Relations**

Create awareness of Long Island as a destination for motor coach tour operators through the generation of positive editorial content targeting travel trade media and highlighting Long Island’s tourism assets.

#### **Strategy: Industry Associations and Subscriptions**

Maintain awareness of group tour industry trends; provide for participation in sales development opportunities, and development of key tour operator relationships through select and targeted trade association memberships.

### **Objective B: International Travel**

Expand and build on opportunities established in 2008 to develop the international long-haul travel markets, specifically the United Kingdom and Germany.

#### **SITUATION:**

The weak dollar is driving demand for “new” U.S. product, specifically for New York City’s surrounding areas. This surge allows Long Island to leverage its proximity to NYC. In the past

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year, NYC has seen an explosion of tourists from the international arena. New York City is predicting 9 million international visitors by December 2008 as the U.S. exchange rate continues to be unsurpassed. In addition, the direct air service from major European cities, will keep JFK as the number one destination for foreign travelers.

In 2009, the Bureau will continue pursuing the UK and German markets since Long Island's products match up well with experiences sought by both. Their travel patterns include longer stays and more exploration than domestic leisure travelers. More importantly, their expenditures are almost three times that of their domestic counterparts. We will monitor the demand from other markets such as Italy, France and Eastern Europe in order to determine our position. As the threat of an economic recession looms in the U.S., more hoteliers will open their inventory to the international leisure traveler.

With the aforementioned in mind, in 2008 the LICVB implemented a number of strategies that allowed the Bureau to tap into this significant market of opportunity. These included

- Attendance at two international travel trade shows: Travel Industry Association's (TIA) International POW WOW, and World Travel Market in London;
- Long Island product being marketed overseas by three of the top international receptive operators resulting in an increase demand from other international operators/receptive.
- Development of strategic partnerships with NYC & Company – travel agent training academy launched in the UK and Germany – March 2008
- Continued partnership with Division of New York State Tourism
- Conducted a familiarization tour in conjunction with New York State Division of Tourism for winners of the I Love NY competition (England and Scotland)

The program for 2009 will work to build on the successes of 2008 in developing a foothold in the international marketplace by branding Long Island as the complementary destination to New York City.

**Strategy: Partnership Marketing**

Continue to leverage existing alliances and form new strategic partnerships with existing industry affiliates that are interested in exploring international opportunities.

**Tactic:** Partner with British Airways Holidays and promote Long Island at their reservations headquarters in London. Continuously partner with the airline carriers international tour operators overseas to promote Long Island.

**Tactic:** Leverage partnership with Empire State Dept. of Economic Development and New York City and Company to increase direct awareness of Long Island products among international travel producers.

**Strategy: Public Relations**

Create awareness of Long Island as a destination for international visitors through the generation of positive editorial content targeting international travel trade media and highlighting Long Island's tourism assets.

**Tactic:** Continue to work with the Marketing Communications Department and identify possible international trade to provide press releases.

**Strategy: Direct Sales**

Continue to engage international tour producers and advance overall awareness of Long Island as an international leisure travel destination.

Promotion of Tourism, Convention and Sports Event Business

**Tactic (Industry Trade Shows):** Attend select industry trade shows to generate awareness of Long Island's tourism assets and to position the Island in relation to New York City.

- ITB Berlin, Berlin, Germany
- Travel Industry Associations International POW WOW, Miami, FL
- World Travel Mart, London, UK

**2009 Domestic and International Tour & Travel  
Calendar of Sales Initiatives**

**Note: International programs are italicized.**

JANUARY	FEBRUARY	MARCH	APRIL
American Bus Assoc. Business Exchange – Charlotte, North Carolina January 8-12, 2009	NY Times Travel Show New York City February 2009	<i>ITB Berlin- Berlin, Germany March 11-15, 2009</i>	
MAY	JUNE	JULY	AUGUST
<i>TIA's International POW WOW, Miami, FL May 16-20, 2009</i>	<i>Sales Calls</i>		<i>Sales Calls</i>
SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
		<i>World Travel Market, London, UK November 9-12, 2009</i>	

**Suffolk Specialty Tourism  
Marketing Plan**

**Objective A:**

Create a greater awareness of Suffolk County as a premier leisure travel destination and site for corporate meetings and sporting events within the Long Island region.

**SITUATION:**

Growth in hotel tax revenue collected by Suffolk County since 2002 has been erratic and ranged from a high of 12% in 2004 to no growth between 2004 and 2005. Since 2005, growth in revenue has been continuously positive but inconsistent. On the other hand, Nassau County has enjoyed consistent average growth of 5% per year since 2005. Despite the overall challenges created by the national economy and petroleum prices, the LICVB is projecting Suffolk County will generate approximately \$543,100 more annual hotel tax in 2009 than Nassau County. This projected differential will be the basis of the 2009 Suffolk Specialty Tourism Marketing Strategy and Budget.

**Positioning:** As in the past, the LICVB will continue to position Suffolk County within the framework of the stronger Long Island regional brand. This approach leverages the overall financial resources invested in the regional plan's creative concepts and media placement. This has been achieved through the use of the same creative advertising images, tone and manner of the regional ads, but with the addition of a headline in the Suffolk advertisements that reads, "*Long Island's Suffolk County*". Further, this concept has been incorporated in both print and television advertising.

With the aforementioned in mind, the Bureau will continue to execute the following strategies in line with its obligations to Suffolk County.

**Strategy:      Integrated Marketing**

Utilize a combination of marketing disciplines to generate awareness of Suffolk County's diverse product offerings and events.

**Tactic (Advertising):** Raise awareness of Suffolk County as a Long Island county destination within the Long Island region and leverage the resources invested in the regional concept and media placement. While the creative concept replicates the regional ads, the body copy will be Suffolk-centric emphasizing only those visitor products or experiences to be found in Suffolk County.

**Advertising objectives:**

- Generate consumer inquiries resulting from advertising media placement.
- Develop awareness of Suffolk County as a Long Island destination within a regional destination.
- Drive traffic to website, [www.discoverlongisland.com](http://www.discoverlongisland.com).

**Media objective:**

- Maximize reach and frequency against best opportunity markets within a 250-mile radius of central Long Island.
- Seek opportunities to communicate the affordability of get-away vacations on Long Island to New York metro residents.

**Promotion of Tourism, Convention and Sports Event Business**

**Media strategies:**

- Elevate image of Suffolk County as a travel destination within the Long Island region through selection of quality media venues with response oriented media designed to bolster inquiry levels.

**Tactics (Media Placement):** Utilize a print media mix of women's service, family, travel, lifestyle and special interest magazines. Select from regionally targeted editions.

- Utilize a mix of electronic media (cable television) targeting consumers with a propensity to travel within the northeastern region.
- Consider low cost media mix targeting New York metro residents.

**Tactic (Creative Development):** Develop a creative platform that works in conjunction with the familial continuity of the Long Island regional creative – but differentiates Suffolk County.

- Develop consumer, advertising creative to generate awareness of Suffolk County as a separate segment of the Long Island vacation experience.

**Tactic (Internet):** Incorporate elements within the new re-design/re-development of the DiscoverLongIsland.com web site that provides direct information on Suffolk's many product offerings. Such enhancements will represent one third of the total annual investments in the LICVB's website and Internet presence.

**Tactic (Research):** Conduct research studies and/or obtain such market intelligence to better inform marketing decisions. This tactic will be a shared endeavor and the investment will represent one third of a comprehensive Long Island market research study.

**Strategy: Corporate Group, Sporting Event and Film Production Sales:**

Drive overnight visitation through the procurement of meetings, conventions, sports events and film and commercial production.

**Tactic (Sales Activities):** Feature Suffolk County meeting and sport facilities in all regional sales programs and activities targeting corporate meeting planners, sports events-rights holders and film and commercial film production companies.

**Strategy: Matching Grants Program**

Continue to leverage limited financial resources through a bureau administered Matching Grants program, following Empire State Economic Development Commission (ESEDC) guidelines, to provide tourism marketing assistance to Suffolk County DMOs (destination marketing organizations) and other regional tourism promotion organizations within the county. This program is not available to private sector, for-profit commercial interests, but rather to chambers of commerce, tourism councils and other like-destination marketing organizations and will require accountability in generating hotel tax revenues through overnight visitation.

**Tactic:** Work with Suffolk County Department of Cultural Affairs and Film Commission to identify potential grant applicants.

**Tactic:** Notify potential grant applicants in January and provide criteria for qualification, application and accountability.

**Objective B: Cultural Tourism Enhancement**

Leverage limited financial resources to generate better travel consumer awareness of Suffolk County's cultural attributes.

**Situation:**

The LICVB is contractually obligated to set aside 3.3% of the hotel taxes generated in Suffolk County and paid to the LICVB to develop and implement an annual cultural tourism marketing

**Promotion of Tourism, Convention and Sports Event Business**

program. Based on projected tax revenues to be paid to the LICVB in 2008, the value of this program is estimated to be approximately \$44,372.

**Cultural Tourism Promotion:** Suffolk County possesses a depth of unique and diverse cultural and historical product offering ranging from performing arts and historic mansions and museums to world-renowned festivals and events. Although travel decisions are predicated on the broader appeal of a destination, potential visitors want to know of the varied products and activities available to enhance their overall experience and travel. While the cost to advertise to niche audiences is extremely expensive, advertising will be among the mix of marketing disciplines utilized to fulfill this obligation.

**Film Production Promotion:** Attracting on-location film, television and video production to Suffolk County provides an opportunity to stimulate a significant niche segment of the tourism industry. While the LICVB is neither a member of nor directed by the Suffolk County Film Commission, the Bureau provides marketing and sales services to attract this niche segment as part of its cultural tourism marketing programs.

**Strategy: Long Island Culture & Wine Winterfest Promotion**

Utilize a combination of marketing disciplines to support 2008 Winterfest activities that attract visitors during a traditionally low-visitation time period.

**Tactic (Advertising):** Support Winterfest through off-Island advertising in NYC, Connecticut and Westchester area newspapers, beginning in mid-January.

**Tactic (Public Relations):** Generate positive editorial support in local/regional media through press releases, press invitations, direct-to-consumer e-newsletter and other informational materials.

**Tactic (Interactive/Website):** Create a Winterfest home page promotion on the LICVB website for incorporation in traditional marketing messages.

**Tactic (Partner Participation):** Promote development of special Winterfest packages and rates among LICVB partners in Suffolk County.

**Strategy: Film Production Sales**

Assist Suffolk County Film Commission in the generation and development of direct relationships with key decision-makers of location film, television and video production companies by co-operatively participating with Suffolk County at select targeted tradeshows.

**Tactic (Direct Sales):** Co-operatively attend two tradeshow/conferences targeting representatives of on-location film, television and video production companies.

- Association of Film Commissioners' *Locations* Trade Show, Santa Monica, CA, April.
- American Film Market, Santa Monica, CA, October

**Strategy: Cultural and Historic Advisory Committee**

Work with the Suffolk County Department of Cultural Affairs and Film Commission to create a Cultural and Historic Advisory Committee to seek quality input into the marketing needs of the cultural and historical communities and further program development.

## Membership Development

**Objective A:**

Initiate a proactive program of work to increase awareness of the benefits and services the LICVB offers to the tourism community with the goal of increasing membership retention and attracting new members.

**SITUATION:**

LICVB membership and dues collected year-to-date 2008 were on par with expectations, following a substantial decline in 2007 from 2006 when the LICVB purged inactive/unpaid members from its records. For several years prior, inactive members had remained on the LICVB roster. In 2008, retention efforts were made to contact recent unpaid/inactive members with limited results. Efforts are currently underway to increase paid membership and this will remain a primary objective of the Bureau Membership Department in 2009.

**Strategy:      Membership Retention**

One of the most logical areas where the LICVB can actively pursue membership is through local tourism businesses that once held membership in the LICVB and for various reasons became inactive. An effort to update the contact information of these prior members followed by an active solicitation through phone calls and mailings will be a priority for 2009.

**Tactic (Data Search):** Complete a full search query of all past LICVB members to obtain prospects for renewals.

**Tactic (Update Prior Membership List):** Undertake an effort to call all prior members on the query list with the goal of updating contact information and initiating a first contact to determine interest level and willingness to receive LICVB membership information.

**Tactic (Follow-up):** All contacted interested businesses will receive personalized follow-up mailings emphasizing the urgency of re-joining the LICVB and the immediate benefits the Bureau offers to membership businesses, along with the membership kit.

**Tactic (Closing):** Initiate final calls to make certain that materials were received and to answer questions. Request that prospects return as LICVB members.

**Tactic (Membership Renewal Drive):** Use the opportunity presented by the annual membership renewal drive to re-educate and re-emphasize importance of LICVB membership to the tourism industry.

**Strategy:      Membership Education**

One of the main goals of 2009 is to effectively communicate to the LICVB membership the value of their association with the Bureau and the immediate and urgent benefits they receive, especially during uncertain economic times. This will be accomplished through direct staff contact with members to keep them updated on opportunities available, through organized membership programs and direct communications via organized mailings.

**Tactic (Direct Communication):** All staff will be encouraged to meet with members to discuss ways that the LICVB can benefit their business and to discuss marketing and sales initiatives and how they can best leverage their LICVB membership.

**Tactic (E-Newsletter):** Communicate upcoming programs and initiatives, as well as industry statistics and Bureau activities and benefits through the tri-annual member newsletter.

**Tactic (Educational Program):** Develop a one-day educational program for membership in the off-season to educate members about relevant tourism-related business topics.

**Promotion of Tourism, Convention and Sports Event Business**

**Tactic (Annual Networking Event):** Offer membership the opportunity to meet at an annual event where they can network with other tourism-related businesses and discuss issues related to the industry.

**Tactic (New Member Orientation):** Invite new members to visit with Bureau staff to gain a better understanding of LICVB functions and to discuss membership benefits and activities.

**Tactic (Government Action Day):** Provide members the opportunity to be involved in the state legislative process in Albany through Government Action Day in February.

**Objective B:**

Attract new membership to the LICVB by actively seeking out potential members and effectively communicating to them the value of membership in the LICVB and the programs and services it offers to the tourism community.

**SITUATION:**

From January to June of 2008, the LICVB added a dozen new members to its roster totaling \$2900 in new dues. Attraction of new membership will be a priority in 2009 and the Membership Department will initiate several new programs to ensure that new membership continues to increase.

**Strategy: Direct Sales**

Attract new membership to the LICVB through direct sales, networking, mailings and one-on-one communications with potential new members.

**Tactic (Prospecting):** Develop a quarterly new prospect list in various categories of the tourism industry. These could include golfing, restaurants, wineries, boating, catering, transportation or other categories.

**Tactic (Cold-Calling):** Develop an in-house program of cold-calling to the prospect list with a dedicated script provided to in-house staff or a college intern and follow-up with new member materials and closing calls.

**Tactic (Networking):** Seek opportunities for attracting new membership through networking at trade shows and other events sponsored by organizations in which the bureau is a member or in which potential exists to attract new members.

**Tactic (Membership Committee):** Following the virtual dissolution of the Membership Committee in 2008, as nearly all committee members left their tourism-related jobs, the Membership Department will look to re-engage a new Membership Committee to assist in strategies and plans for increasing value to members..

**Tactic (Membership Dues):** Review current member dues scales to ensure that LICVB member dues are in line with current and equivalent CVB dues.

**Tactic (Outreach):** Encourage staff to meet directly with new members to discuss marketing and sales initiatives and how they can best leverage their LICVB membership.

**Domestic Leisure Travel Marketing**  
**Budget Detail**

**OPERATING EXPENSES:**

<b>Advertising-Creative Production</b>	<b>\$ 33,500</b>
<b>Advertising – Media</b> .....	
<b>Mail Program (58% of Total Advertising)</b>	<b>\$ 76,800</b>
Postage (In-House)	\$ 48,300
Fulfillment (Greater Data/Deliveries)	\$ 28,500
<b>Brochures</b>	<b>\$ 11,750</b>
Calendar of Events	11,750
<b>Brochure Distribution (66% of Total)</b>	<b>\$ 3,300</b>
NYS Thruway Program (Destinations NY)	2,200
CTM Sports & Corporate Tri-State Distribution	1,100
<b>Internet/Website (66% of Total)</b> .....	
Redesign/redevelopment of website	80,400
Maintenance	11,880
Search Engine Optimization and Marketing	2,300
<b>Research (66% of Total)</b> .....	
<b>Public Relations (66% of Total)</b>	<b>\$ 2,700</b>
PR Newswire Media Service	1,900
Editorial FAMs	800
<b>Photography/Video (66% of Total)</b> .....	
<b>Promotional Items</b>	<b>\$ 1,500</b>
<b>Meetings-Receptions/FAMS</b>	<b>\$ 2,500</b>
<b>Tradeshaw/Registrations</b>	<b>\$ 4,200</b>
DMAI (CEO Forum & Annual Conf.)	
TIA's Marketing Outlook Forum	
NYSHTA Gov. Action Day	
NYCVBA	

Promotion of Tourism, Convention and Sports Event Business

ESTO

DMAI Destination Mgmt./Mktg Institute

<b>Travel &amp; Entertainment</b>	<b>\$ 13,540</b>
DMAI, TIA, NYCVBA, TIC, ESTO	
<b>Telephone</b>	<b>\$ 21,200</b>
<b><u>TOTAL OPERATING:</u></b>	<b>\$ 648,370</b>

## 2009 MEETINGS & CONVENTIONS BUDGET DETAIL

### REVENUE:

<b>Co-op - Tradeshow</b>	<b>15,965</b>
Agenda Expo NY (1)	900
PAMPI Education Day (1)	390
MPIGNY NY Mix	1,350
ESSAE (7)	7,735
Helms Briscoe Annual Fair (1)	995
MPI World Congress (1)	1,100
Association Forum of Chicagoland – Holiday Showcase (1)	1,500
Diplomatic Expo	800
SGTP	300
<b>Co-op - Other</b>	<b>2,040</b>
Meeting Planners Evening Reception - NYC (6)	540
Fam Tour - Connecticut Meeting Planners	1,150
NJMPI Golf Networking Event (1)	350
<b>TOTAL REVENUE – MEETINGS/CONVENTIONS</b>	<b>18,005</b>

### OPERATING EXPENSES:

<b>Tradeshow &amp; Registration Fees .....</b>	
Agenda Expo NY	3,775
PAMPI Education Day	960
MPIGNY NY Mix	1,900
ESSAE (4 Booths)	9,175
NJMPI Golf Networking Event	775
MPIGNY Golf Networking Event	1,090
Helms Briscoe Annual Fair	3,195
MPI World Congress	4,920
ESSAE Autumn Harvest	75
Conference Direct	2,800
Meetings Quest - Chicago	3,235
Association Forum of Chicagoland – Holiday Showcase	5,617
Diplomatic Expo	2,900
SGTP Expo	900
Networking Functions - MPIGNY, MPINJ, NYSAE (12)	720
Professional Development Training - Staff	1,400
Tradeshow Enhancements	1,500

## Law No.

## Promotion of Tourism, Convention and Sports Event Business

<b>Travel &amp; Entertainment</b>	<b>25,778</b>
ESSAE Annual Meeting	650
Meeting Planners Evening Reception - NYC	400
Agenda Expo NY	400
PAMPI Education Day	640
MPIGNY NY Mix	320
ESSAE Trade Show	805
NJMPI Golf Networking Event	650
MPIGNY Golf Networking Event	130
Helms Briscoe Annual Fair	1,115
MPI World Congress	2,455
NSO/CVB Pfizer Day - NYC	70
ESSAE Autumn Harvest	722
Conference Direct	1,415
Meetings Quest - Chicago	1,260
ESSAE Holiday Reception	760
Association Forum of Chicagoland – Holiday Showcase	1,060
Diplomatic Expo	1,308
SGTP Expo	1,725
Sales Calls - NJ	160
Sales Calls – NYC (10)	500
Sales Calls - Albany	600
Sales Calls - Chicago	600
Fam Tour - Connecticut Meeting Planners	3,925
Luncheon – Connecticut Meeting Planners	710
Client Presentations	600
Industry Networking Functions (12)	2,000
Mileage	500
Client Entertainment	300
<b>Meetings &amp; Receptions</b>	<b>18,475</b>
<i>Meeting Planners Evening Reception - NYC (50 ppl)</i>	7,450
<i>Fam Tour – Connecticut Meeting Planners – (18 ppl) (2 ½ days)</i>	4,630
<i>General Managers Breakfast (1)</i>	850
ESSAE Annual Meeting	50
ESSAE Holiday Reception	50
Corporate Luncheon Presentations (2)	1,600
<b>Promotional Items</b>	<b>1,500</b>
<b>Association Memberships</b>	<b>5,420</b>
ASAE	395
Association Forum of Chicagoland	360
ESSAE	190
SGTP	475
HSMAI	350
MPICAC	375
MPICRV	85
MPIGNY (2)	750

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MPINE	160
MPINJ	90
NRF	225
NYBA	900
NYSAE	250
PAMPI	135
PMPI	85
SGMP	300
Westfield MPI	85
MPINENY (Albany Area)	85
RCMA	100
<b>Advertising - Creative</b>	<b>10,400</b>
Creative – New Meetings & Conventions Ad	4,000
Creative – Redesign Rack Card	1,800
Creative and production costs - ad revisions	1,500
Costs associated with resizing print and internet ads (10-12)	1,600
Creative – Postcard	1,500
<b>Advertising - Print</b>	<b>23,795</b>
ESSAE Resource Newsletter – ½ Page (6 insertions @ 295ea)	1,770
ESSAE Tradeshow - Back Cover - 4c	2,300
LIBN Meeting Planners Guide - 4c Full Page	5,500
MPIGNY Membership Directory - 4c Tabbed Full Page	2,650
NJMPI Membership Directory - 4c ½ Page	1,300
Small Meetings Market - 4c ½ Page (4 insertions @ 1975ea)	7,900
Association Forum of Chicagoland – Holiday Showcase	375
MPICAC Directory 2009-2010	2,000
<b>Advertising - Internet</b>	<b>10,665</b>
Chicago MPI Website Banner Ad – Home Rotating (12 months)	1,700
CT River Valley MPI Website Banner Ad – Home Page (3 months)	300
MPIGNY Website Banner Ad – Home Page (12 months)	2,200
MPINJ Website Banner Ad – Events Page (6 months)	2,000
PAMPI Website Banner Ad – Home Page (3 months)	575
Potomac MPI Website Banner Ad – Home Page (6 months)	1,400
Westfield CT/NY MPI Banner Ad – Full Page (3 months)	1,500
ESSAE On-line Directory	200
NBTA Global Marketplace (website)	395
ASAE Global Marketplace (website)	395
<b>Advertising - Other</b>	<b>4,200</b>
Agenda Expo NY – Tote Insert	600
ESSAE Tote Bag Sponsorship	1,600
MPINJ Copper Sponsorship	2,000
<b>Subscriptions</b>	<b>400</b>
Subscriptions/Sourcebooks/Mailing Lists	400

Promotion of Tourism, Convention and Sports Event Business

<b>Printing</b>	<b>4,300</b>
Meeting Incentives Booklet In-house Update (twice annually)	1,000
Rack Cards – 4c double-sided – 2,500 quantity	1,200
Reprints - Trade Articles	600
Postcard 1,000 quantity	1,500
<b>Brochures</b>	<b>3,750</b>
LIBN Meeting Planners Guide - 1,500 copies	3,750
<b><u>TOTAL OPERATING EXPENSES- MEETINGS/CONVENTIONS:</u></b>	<b>153,620</b>

**2009 SPORTS DEVELOPMENT  
BUDGET DETAIL**

**OPERATING EXPENSES:**

<b>Tradeshow &amp; Registration Fees</b>	<b>7,170</b>
National Association of Sports Commissions Sports Event Symposium	1,030
TEAMS	2,780
Intercollegiate Athletic Forum	1,250
Certified Sports Event Executive - 2 Module Training Sessions (CSEE)	400
Industry Networking Functions (3@70ea)	210
Professional Development Training - Staff	1,500
<b>Travel &amp; Entertainment</b>	<b>6,465</b>
National Association of Sports Commissions Sports Event Symposium (NASC)	1,535
TEAMS	1,635
AAU Presentation	100
Intercollegiate Athletic Forum	200
NYSFSSAA Presentation	100
Sports Sales Trip - NYSPHSAA (NY)	425
Sports Luncheon	370
Client Entertainment	700
Mileage	1,500
<b>Meetings &amp; Receptions</b>	<b>6,375</b>
Sports Luncheon	1,375
Committee Meetings (25ppl @ \$16 ea x 5 meetings)	2,000
Sports Event Program Co-op	1,500
Sports Event Program Co-op	1,500
<b>Promotional Items</b>	<b>1,000</b>
<b>Association Memberships</b>	<b>1,070</b>
National Association of Sports Commissions (NASC)	700

## Law No.

**Promotion of Tourism, Convention and Sports Event Business**

National Council of Youth Sports (NCYS)	150
National Sports Marketing Network (NSMN)	100

<b>Advertising - Creative</b>	<b>9,000</b>
Creative and production costs - revisions/resizing	2,000
Creative-New Sports Ad	4,000
Sports Facility Guide- updates	3,000

<b>Advertising - Print</b>	<b>22,590</b>
SportsBusiness Journal	9,000
Sports Travel Magazine Mid-Atlantic Issue (1/2page 4c)	2,600
Sports Events Magazine (1/2 page 4c x 3)	5,610
Sports Destination Management (1/2 page ad 4c x 2)	4,380
NARCH Journal	1,000

<b>Advertising - Internet</b>	<b>1,500</b>
SportsBusiness Journal – Sports Business Daily HTML push-out emails	1,500

**Subscriptions****1,075**

Sports Market Place Sourcebook	275
Team Marketing Report (TMR)	300
(2) Subscriptions (TBD)	500

<b>Printing</b>	<b>2,800</b>
Reprints - Trade Articles	600
Sports Facility Guide- updates	2,200

**TOTAL OPERATING – SPORTS DEVELOPMENT :** **\$59,045**

Promotion of Tourism, Convention and Sports Event Business

**Domestic and International Tour & Travel  
2009 Budget Detail**

**REVENUE:**

<b>Co-op - Tradeshow</b>	<b>\$ 9,985</b>
(Participation includes registration, furniture, joint appointments and booth costs)	
TIA International POW WOW (3)	5,985
NY Times Travel Show (5)	4,000
<b><u>TOTAL REVENUE – DOMESTIC/INTERNATIONAL</u></b>	<b>\$ 9,985</b>

**OPERATING EXPENSES:**

<b>Brochure Distribution</b>	<b>\$ 2,595</b>
Destinations of NYS Co-op Mailing 1,250 Travel agents, AAA, operators	1,595
Mailing – Intl Operators & Domestic Operators	1,000
<b>Association Memberships</b>	<b>\$ 1,775</b>
American Bus Association	475
Travel Industry Association	1,300
<b>Tradeshow &amp; Registration Fees</b>	<b>\$ 31,000</b>
(Includes labor, electric, furniture, drayage, décor, receptions and booth costs)	
American Bus Association ABA – (January 8-12, 2009)	1,300
NY Times Travel Show – (February 6-8, 2009)	6,500
ITB Berlin International (March 11-15, 2009)	4,500
TIA International POW WOW Double Booth (May 16-20, 2009)	13,700
World Travel Market (November 9-12, 2009)	5,000
<b>Travel and Entertainment</b>	<b>\$ 12,460</b>
(Includes airfare, lodging, meals, client entertainment, airport transportation)	
ABA (January 8-12, 2009)	1,550
NY Times Travel Show (February 6-9, 2008)	1,000
ITB Berlin International (March 11-15, 2009)	3,675
TIA International POW WOW (May 16-20, 2009)	1,985
World Travel Market (November 9-12, 2009)	3,550
Client Entertainment	200
Mileage	500
<b>International FAM Tours / Presentations</b>	<b>\$ 4,000</b>
(Includes and/or presentation, meals, décor, giveaways, lodging, trans, etc.)	
FAM Trip (1)	3,000
Intl Tour Operator Reservations Office .....	

Promotional Items	\$ 500
<b>TOTAL OPERATING:</b>	<b>\$ 52,330</b>

**Suffolk Specialty Tourism Marketing**  
**Budget Detail**

**OPERATING EXPENSES (Marketing Sales):**

<b>Cultural Tourism Program</b>	<b>\$ 43,104</b>
Advertising-Creative	2,800
Advertising-Media	34,904
Tradeshaw & Registration Fees	
➤ Film Production Location Shows (1)	3,000
Travel & Entertainment	
➤ Film Production Location Shows (1)	2,400

<b>Advertising-Creative Production</b>	<b>\$ 8,300</b>
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**Advertising – Media**.....

<b>Mail Program (42% of Total)</b>	<b>\$ 51,200</b>
Postage	32,200
Fulfillment House	19,000

<b>Matching Grants</b>	<b>\$ 50,000</b>
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<b>Brochures (33% of Regional Costs)</b>	<b>\$ 5,800</b>
Calendar of Events	5,800

<b>Brochure Distribution (33% of Regional Costs)</b>	<b>\$ 1,650</b>
NY State Thruway Program (Destinations NY)	1,100
CTM Tri-State Distribution	550

<b>Public Relations (33% of Regional Costs)</b>	<b>\$ 1,350</b>
Cision Media Service	900
Editorial FAMs	450

<b>Internet/Website (33% of Regional Costs)</b> .....	
Re-design & Re-development (33% of Regional Costs)	39,600
Maintenance	6,120
Search Engine Optimization and Marketing	1,150

Research .....

Photography/Video (33% of Total) .....

**TOTAL OPERATING (Marketing & Sales):**

**\$ 487,802**

**Membership Services  
Budget Detail**

**REVENUE:**

**\$ 124,500**

New Members

7300

Renewals

90,100

Telephone (Visitor Center)

100

Vending Machines (Visitor Center)

2,000

Member Programs (Networking & Educational)

5,000

Travel Guide Commission

20,000

**OPERATING EXPENSES:**

**Internet/Website**

**\$1000**

E-Newsletter Maintenance

**Meetings and Receptions**

**\$ 12,570**

Annual Meeting

2,800

Board Meeting Expenses

2,100

Annual Networking Event

2,000

Member Programs

5,670

**Associations and Professional Memberships**

**\$ 5,000**

NYSTVA, ASAE, IACVB, NYSHTA,

NYACVB, NYSTPA, HIA

**TOTAL OPERATING:**

**\$ 18,570**

**Visitor Services  
Budget Detail**

**OPERATING EXPENSES:**

<b>Office Expenses</b>	<b>\$ 500</b>
<b>Repairs &amp; Maintenance</b>	<b>\$ 4,200</b>
Chalet cleaning	2,500
General R&M Indoor	500
General R&M Outdoor	1,200
<b>Promotional</b>	<b>\$ 1,500</b>
Shirts - Information Center Staff	1,500
<b>Post Card Mailing Program</b>	
Promotional post card for Greater Data list	<b>\$ 1,600</b>
<b><u>TOTAL OPERATING:</u></b>	<b>\$ 7,800</b>

End of Text for Exhibit C

Exhibit D

Intro Res. No. 2038-2004

Laid on Table 11/16/2004

Introduced by Legislator Caracciolo

**RESOLUTION NO. 1350 -2004, ADOPTING LOCAL LAW NO. 2  
-2005, A LOCAL LAW TO REQUIRE GREATER OVERSIGHT OF  
THE DESIGNATED TOURISM PROMOTION AGENCY  
ADMINISTERING THE HOTEL/MOTEL TAX PROGRAM**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a regular meeting held on December 1, 2004, a proposed local law entitled, "**A LOCAL LAW TO REQUIRE GREATER OVERSIGHT OF THE DESIGNATED TOURISM PROMOTION AGENCY ADMINISTERING THE HOTEL/MOTEL TAX PROGRAM,**" and said local law in final form is the same as when presented and introduced; now, therefore, be it designated

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

**LOCAL LAW NO. 2 -2005, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO REQUIRE GREATER OVERSIGHT OF THE DESIGNATED  
TOURISM PROMOTION AGENCY ADMINISTERING THE HOTEL/MOTEL  
TAX PROGRAM**

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

**Section 1. Legislative Intent.**

This Legislature hereby finds that there have been allegations of misuse of tax dollars by the currently designated tourism promotion agency.

This Legislature further finds that greater oversight is required in order to assure Suffolk taxpayers that hotel/motel taxes are being spent in the most effective manner possible.

This Legislature further finds and determines that the designated tourism promotion agency must be held to the highest standards of accountability similar to those that are required of governmental entities.

Therefore, the purpose of this legislation is to require greater oversight and accountability of the designated tourism promotion agency in Suffolk County.

**Section 2. Amendments.**

Section 327-13(A) of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

**Chapter 327**

HOTELS AND MOTELS

\* \* \* \*

Section 327-13. Tourism promotion agency.

- A. The County of Suffolk shall enter into a contract, as mandated by the Tax Law § 1202-o(5), with a tourism promotion agency to administer programs designed to develop, encourage, solicit and promote convention business and tourism within the County of Suffolk. The promotion of convention business and tourism shall include any service, function or activity, whether or not performed,

**Promotion of Tourism, Convention and Sports Event Business**

sponsored or advertised by the tourism promotion agency with the intent to attract transient guests to the county. The County Executive, or his designated representative, is hereby authorized to negotiate and enter into such a contract.

(1) Such contract shall provide that all sums paid to the tourism promotion agency shall be expended on Suffolk County tourism, and/or historic or cultural areas, programs or activities as required under Tax Law § 1202-o(5).

(2) Such contract shall provide that the tourism promotion agency must adhere to a business, marketing and/or financial plan which clearly delineates how the moneys received under such contract shall be utilized.

(3) Such contract shall provide that the tourism promotion agency shall require the establishment of internal controls where the governing board of such tourism promotion agency review and approve all expenditures relating to travel, entertainment, marketing, and other expenses associated with promoting tourism in Suffolk County, and shall further require that all checks expending Suffolk County hotel/motel tax monies be executed with dual signatures, and that such policy that has been established by the existing tourism promotion agency of requiring dual signatures be enforced.

(4) Such contract shall provide that the tourism promotion agency shall submit annually to the Suffolk County Executive and the Clerk of the Suffolk County Legislature an audited financial report and a copy of the agency's by-laws.

(5) Such contract shall provide that the tourism promotion agency shall comply with any and all legal requirements imposed upon contract agencies that do business with the County of Suffolk.

\* \* \* \*

**Section 3. Applicability.**

This law shall apply to contracts entered into with a tourism promotion agency after the effective date of this law.

**Section 4. Severability.**

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

**Section 5. SEQRA Determination.**

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

Promotion of Tourism, Convention and Sports Event Business

**Section 6. Effective Date.**

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

[ ] Brackets denote deletion of existing language.

\_\_\_ Underlining denotes addition of new language.

DATED: December 21, 2004

APPROVED BY:

/s/Steve Levy  
County Executive of Suffolk County

after a public hearing duly held on January 13, 2005

Date: January 18, 2005

Filed with the Secretary of State on February 7, 2005

**End of Exhibit D**

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

1084

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>		
2. Title of Proposed Legislation RESOLUTION NO. 2009 APPROVING AND AUTHORIZING A CONTRACT WITH THE LONG ISLAND CONVENTION AND VISITORS BUREAU AND SPORTS COMMISSION TO PROMOTE CONVENTION BUSINESS AND TOURISM IN SUFFOLK COUNTY		
3. Purpose of Proposed Legislation  To receive legislative approval to enter into an agreement with the Long Island Convention and Visitors Bureau and Sports Commission for the promotion of convention business and tourism in Suffolk County.		
4. Will the Proposed Legislation Have a Fiscal Impact?    Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
5. If the Answer to Item 4 is "yes", on what will it impact? (Circle the appropriate category)		
<input checked="" type="checkbox"/> County  Village  Library District	Town  School District  Fire District	Economic Impact  Other (specify):
6. If the Answer to Item 5 is "yes", Provide Detailed Explanation of Impact.  Two-thirds of revenue generated by the Hotel Motel Tax is used to contract with an agency to promote convention business and tourism in Suffolk County. Agreement is funded through Fund 192-Hotel Motel Tax.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision  N/A		
8. Proposed Source of Funding  Fund 192 Hotel Motel Room Tax		
9. Timing of Impact  Upon adoption and execution of agreement.		
10. Typed Name and Title of Preparer  Debra Kolyer Principal Financial Analyst	11. Signature of Preparer  	12. Date  January 26, 2009

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

1084

**GENERAL FUND**

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

**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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

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

**NOTES:**

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

1084

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>  X  </u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation Resolution Approving and Authorizing a Contract to Long Island Convention and Visitors Bureau and Sports Commission to Promote Convention Business and Tourism in Suffolk County		
3. Purpose of Proposed Legislation To get legislative approval for tourism promotion contract with the Long Island Convention and Visitors Bureau and Sport Commission.		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes</b> _____ <b>No</b> <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 <input type="checkbox"/>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding Hotel/Motel Tax		
9. Timing of Impact		
10. Typed Name & Title of Preparer  Michelle Isabelle-Stark	11. Signature of Preparer	12. Date  January 12, 2009

SCIN FORM 175b (10/95)



JAN 12 2009

1084

## Memo

**To:** Ben Zwirn, Deputy County Executive

**From:** Patrick Heaney, Commissioner 

**Date:** January 12, 2009

**Re:** APPROVING AND AUTHORIZING A CONTRACT TO LONG ISLAND CONVENTION AND VISITORS BUREAU AND SPORT COMMISSION TO PROMOTE CONVENTION BUSINESS AND TOURISM IN SUFFOLK COUNTY

I am requesting that subject resolution be introduced to the Suffolk County Legislature.

**Cc:** Brendan Chamberlain, Director, Intergovernmental Relations  
Carolyn Fahey, Intergovernmental Relations Coordinator  
Michelle Isabelle-Stark, Program Coordinator, Cultural Affairs



Steve Levy

Suffolk County Executive

Patrick A. Heaney  
Commissioner

• Page 1

**BETTER FOR BUSINESS... BETTER FOR LIFE**

H. Lee Dennison Bldg., 2nd Floor • Hauppauge, Long Island, NY 11788-0099 • phone: 631-853-4800 fax: 631-853-4888 • [www.suffolkcountyny.gov/exec/econ](http://www.suffolkcountyny.gov/exec/econ)

Intro. Reso. No. 1085-09  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 2/3/09

**RESOLUTION NO. -2009, ACCEPTING & APPROPRIATING  
A GRANT IN THE AMOUNT OF \$154,000.00 FROM THE NEW  
YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES  
FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S  
OPERATION HOT WHEELS V PROGRAM WITH 85.55%  
SUPPORT.**

**WHEREAS**, the New York State Division of Criminal Justice Services has made \$154,000.00 in State Motor Vehicle Theft and Insurance Fraud Prevention Program funds available to Suffolk County for the continuance of the Suffolk County Police Department's Operation Hot Wheels Program; and

**WHEREAS**, this program is designed to reduce the incidence of motor vehicle theft and insurance fraud within Suffolk County; and

**WHEREAS**, the operational period of the program will be from January 1, 2009 through December 31, 2009; and

**WHEREAS**, said grant funds have not been included in the 2009 Suffolk County Operating Budget; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

<b>REVENUE:</b>	<b><u>Amount</u></b>
001-3377-State Aid: Operation Hot Wheels V	\$154,000

**ORGANIZATIONS:**

**Police Department (POL)  
Operation Hot Wheels V  
001-POL-3606**

<b><u>1000-Personnel Services</u></b>	<b><u>\$148,200</u></b>
1120-Overtime Salaries	148,200
<b><u>4000-Utilities</u></b>	<b><u>\$3,800</u></b>
4015-Cellular Communications	3,800
<b><u>4300-Travel</u></b>	<b><u>\$2,000</u></b>
4340-Travel Other Contracts	2,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the employee benefits associated with the overtime salaries for this grant are included in the 2009 Suffolk County Operating Budget; and be it further

**3rd RESOLVED**, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the New York State Division of Criminal Justice Services.

**DATED:**

**APPROVED BY:**

---

**County Executive of Suffolk County**  
**Date of Approval:**

COUNTY OF SUFFOLK

JAN 16 2009



1085

STEVE LEVY  
COUNTY EXECUTIVE

RICHARD DORMER  
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

**TO:** Ben Zwiirn, Deputy County Executive  
Suffolk County Executive's Office

**FROM:** Edward Webber, Chief of Support Services *EW*  
Suffolk County Police Department

**DATE:** January 15, 2009

**SUBJECT:** Resolution Packet & SCIN Forms for  
Operation Hot Wheels V  
DCJS # MV08464023  
Contract # C464023

---

Attached please find two copies of the following for the New York State Division of Criminal Justice Services sponsored Operation Hot Wheels V project:

1. Grant Resolution.
2. Grant SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the proposed contract between Suffolk County and the New York State Division of Criminal Justice Services

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW. The original grant contract will be submitted for signature upon approval of the resolution.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, 852-6601.

Thank you for your assistance with this project.

EW/sck

cc: Don Fahey, Federal & State Aid Claims Coordinator  
Jim Morgo, Chief Deputy County Executive



**ACCREDITED LAW ENFORCEMENT AGENCY**

www.joinscpd.com

30 YAPHANK AVENUE, YAPHANK, NEW YORK 11980 – (631) 852-6000



STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1085

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$154,000.00 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S OPERATION HOT WHEELS V PROGRAM WITH 85.55% SUPPORT.</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)		
<div style="border: 1px solid black; border-radius: 50%; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center; margin: 5px;">County</div>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
No impact. The resolution provides \$154,000, and requires a 14.45% match which is included in the 2009 Operating budget.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
Funds provided by this grant must be expended between January 1, 2009 and December 31, 2009.		
8. Proposed Source of Funding		
New York State Division of Criminal Justice Services		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst		1-26-09

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

1085

**GENERAL FUND**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
<b>TOTAL</b>		<b>\$0.00</b>		\$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
<b>TOTAL</b>		<b>\$0.00</b>		\$0.000

**COMBINED**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 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.

1085

3. Explanation of Requested County Financial Assistance			
Category	Total Requested	Personnel Costs Requested	Non-Personnel Costs Requested
TOTAL COUNTY SHARE:	\$ 26,009	\$	\$26,009
A. Cash Contribution	\$ 26,009	\$	\$26,009
B. In-Kind Contribution	\$	\$	\$
4. Total Number of New Positions Requested      0		5. Can This Program Be Refunded by the Proposed Non-County Sources?	
		X	YES
			NO
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)			
Some additional indirect costs resulting from administrative oversight may be incurred.			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?			
In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet).			
<b>III. COUNTY EXECUTIVE'S OFFICE REVIEW</b>			
1. Intergovernmental Relations Division Review:	Approved	2. Signature of Coordinator	3. Date
	Disapproved		
4. Comments			
5. Budget Office Review:	Approved	6. Signature of Budget Director	7. Date
	Disapproved		
8. Comments			



GRANT BUDGET ANALYSIS

COUNTY BUDGET YEAR 2009

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings <i>58</i>				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees 4770 Special Services				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance		<p><b>26,009</b> 23,860 2,149</p>		<p>These expenses are not eligible for funding under this program.</p>
OTHER (List Source & Brief Explanation)				

I certify that the above in-kind contribution are not currently being used to support other grants

DETAIL LISTING OF 1000 ACCOUNT

PERSONAL SERVICES

TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %		
				GRANTOR	COUNTY	IN-KIND
Detective						
Detective Sergeant		88.68/hr OT 98.07/hr OT	Various Various	100 100		
Detective Lieutenant		109.17/hr OT	Various	100		
1085						

1085

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

1. Type of Legislation  
Resolution  X                       Local Law                           Charter Law    

2. Title of Proposed Resolution  
Accepting & appropriating a grant in the amount of \$154,000.00 from the New York State Division of Criminal Justice Services for the Suffolk County Police Department's Operation Hot Wheels V program with 85.55% Support.

3. Purpose of Proposed Legislation  
To accept \$154,000.00 from the New York State Division of Criminal Justice Services for the continuation of the Suffolk County Police Department's Operation Hot Wheels program, a multi-pronged approach to reducing vehicle theft and insurance fraud in Suffolk County.

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

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

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

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:

The County will have \$154,000.00 available for the continuation of the Suffolk County Police Department's Operation Hot Wheels program, for overtime and equipment.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:  
Non-reimbursable employee benefit costs of approximately \$26,009 will be incurred through December 31, 2009. Additional costs will only be incurred if the program receives additional funding in subsequent years.

8. Proposed Source of Funding  
New York State Division of Criminal Justice Services: Motor Vehicle Theft and Insurance Fraud Prevention Program

9. Timing of Impact  
Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Susan C. Krause		1/14/2009
Grants Technician		



1085

STATE OF NEW YORK  
DIVISION OF CRIMINAL JUSTICE SERVICES  
Four Tower Place  
Albany, New York 12203-3764  
<http://criminaljustice.state.ny.us>

DAVID A. PATERSON  
GOVERNOR

DENISE E. O'DONNELL  
COMMISSIONER

December 16, 2008

Ms. Sarah Furey  
Grants Analyst  
Suffolk County Police Department  
30 Yaphank Avenue  
Yaphank, NY 11980

**Re: MV08464023 - Operations Hot Wheels V**

Dear Ms. Furey:

I am pleased to advise you that the Suffolk County Police Department has been awarded \$154,000 in SFY 2008/09 grant funds upon the recommendation of the New York State Motor Vehicle Theft and Insurance Fraud Prevention Board (the Board). This funding is available through the Motor Vehicle Theft and Insurance Fraud Demonstration Program (MVTIFDP) to support the program proposal described in your recent grant application.

Over \$7 million in grant funding was requested as compared to the \$4.9 million available for awards in this cycle. As a result of this overwhelming response, the Board was able to recommend funding for only a limited number of programs. The significant competition for program funding necessitated award reductions from requested levels. We will work with you to help structure your proposed program consistent with the award amount.

Please be aware, in these times of serious fiscal crisis in New York State there is no guarantee of future funding for this program. All grantees should make every effort to manage funds efficiently and seek ways to sustain in their program with other resources wherever possible. We are pleased to have been able to provide funding assistance this year for your program.

The Statewide Plan of Operation for motor vehicle theft and insurance fraud, as legislated by Article 36-A of the Executive Law, requires a coordinated approach to detect, prevent, deter and reduce motor vehicle theft and insurance fraud. The Division of Criminal Justice Services (DCJS) utilized the Plan in its assessment of the applications. DCJS requires that all MVTIFP grantees develop a strategy that included a threat assessment describing the scope of the motor vehicle theft and insurance fraud problem and the coordinated efforts that would be utilized to effectively combat these crimes. An evaluation of these efforts will be incorporated into the project work plan for the 2008/2009 grant period.

1085

All grant recipients are required to enter investigative targets in the Secure Automated Fast Event Tracking Network (SAFETNet) as a special condition of the award. During the 2008/09 funding cycle, grantees will be expected to produce substantiated information, both statistical and programmatic, on the effectiveness of the initiatives implemented by the grant program. This information is essential to demonstrate the success of your program and may influence the continued support of your program initiatives in future funding cycles.

The primary contact for your project will receive a contract preparation package from the DCJS Office of Program Development and Funding (OPDF) Criminal Justice Program Representative assigned to this project. The Criminal Justice Program Representative will assist your office in the development of the 2008/2009 MVTIFP grant contract. If you have any questions related to the Motor Vehicle Theft and Insurance Fraud Prevention Program, please call the MVTIF Program staff at (518) 457-8404.

On behalf of the Board and DCJS, congratulations on your award. We look forward to continuing to work with you to reduce motor vehicle theft and insurance fraud in New York State.

Very truly yours,



Denise E. O'Donnell

cc: Mr. Jeffrey W. Szabo, Deputy County Executive & Chief of Staff, Suffolk County

**Additional back-up material regarding 1085 is on file in the  
Legislative Clerk's Office, Hauppauge.**

Intro. Reso. No. 1086-09

Laid on Table 2/3/09

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

**RESOLUTION NO. -2009, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$166,181 FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY, FOR A PORT SECURITY PROGRAM WITH 75% SUPPORT.**

**WHEREAS**, The United States Department of Homeland Security, Federal Emergency Management Agency, has awarded \$166,181 in Port Security Grant funds to the Suffolk County Police Department to purchase specialized equipment; and

**WHEREAS**, said project is designed to enhance the Suffolk County Police Department Marine Bureau's capabilities in the areas of prevention, deterrence, and response to maritime incidents; and

**WHEREAS**, the operational period of the Project will be from August 1, 2008, through July 31, 2011; and

**WHEREAS**, said grant requires matching funds totaling \$55,394, which are available in the 2009 Police Department's Asset Forfeiture Fund; and

**WHEREAS**, said grant funds totaling \$166,181 have not been included in the 2009 Suffolk County Operating Budget; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
115-4351-Federal Aid: Port Security Grant Program FY-2008	\$166,181

ORGANIZATIONS:

Police Department (POL)	
Port Security 2008	
115-POL-3603	
<u>2000-Equipment</u>	<u>\$166,181</u>
2090-Radio and Communication	124,781
2500-Other equipment not otherwise	41,400

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the United States Department of Homeland Security, Federal Emergency Management Agency.

DATED:

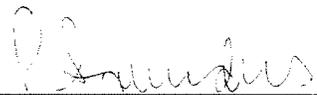
APPROVED BY:

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

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1086

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$166,181 FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY FOR A PORT SECURITY PROGRAM WITH 75% SUPPORT.</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"/> <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		
No impact. The resolution provides \$166,181, and requires a 25% match that will be made available through the Police Department's Asset Forfeiture Funds.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
Funding provided by this grant must be expended between August 1, 2008 and July 31, 2011.		
8. Proposed Source of Funding		
United States Department of Homeland Security, Federal Emergency Management Agency.		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst		1-26-09

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

1086

**GENERAL FUND**

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

COUNTY OF SUFFOLK

JAN 16 2009



1086

STEVE LEVY  
COUNTY EXECUTIVE

RICHARD DORMER  
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive  
Suffolk County Executive's Office

FROM: Edward Webber, Chief of Support Services *EW*  
Suffolk County Police Department

DATE: January 8, 2009

SUBJECT: Resolution Packets & SCIN Forms for  
Port Security 2008 Grant Program  
DHS Project #2008-GB-T8-0051

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Attached please find two copies of the following for the Port Security 2008 Grant Program:

1. Grant Resolution.
2. Grant SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the contract between the Department of Homeland Security, Federal Emergency Management Agency, and Suffolk County.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW.

This Grant Program requires a 25% match, which will be taken from the Suffolk County Police Department Asset Forfeiture Fund.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, at 852-6601.

Thank you for your assistance with this project.

EW/sck  
Att.

cc: Don Fahey, Federal & State Aid Claims Coordinator  
Jim Morgo, Chief Deputy County Executive



**ACCREDITED LAW ENFORCEMENT AGENCY**  
www.joinscpd.com  
30 YAPHANK AVENUE, YAPHANK, NEW YORK 11980 – (631) 352-6000



<b>COORDINATION OF GRANT APPLICATION OR CONTRACT</b> County of Suffolk		<b>DATE</b> March 25, 2008 <b>REV:</b> January 8, 2009
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank	
Contact Person In Department/Agency Sarah Furey Sr. Grants Analyst	Telephone Number 852-6042	Grant Application Due Date 3/17/2008

1086

**Instructions:** Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (\*) in the item box and attach additional information on an 8 1/2" X 11" sheet cross referenced to the item.

**I. BACKGROUND INFORMATION**

1. Grant Title **Port Security 2008**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) Department of Defense Appropriations Act of 2002, Public Law 107-117; The Security and Accountability For Every Port Act of 2006 (SAFE Port Act), Public Law 109-347; and The U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act of 2007, Public Law 110-28 administered by the Department of Homeland Security - FEMA.

3. Grant/Contract Status (Check One Box)  
 A.  New Program Application  
 B.  Renewal Application  
 C.  Supplemental (Specify) \_\_\_\_\_  
 D.  Extension of Funding Period  
 E.  Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)  
 Grant funding will allow the Suffolk County Police Department to purchase six Forward Looking Infrared Radar (FLIR) thermal imaging units with displays to be installed on six of the SCPD Marine Bureau's patrol and response vessels. This will enhance night operations and improve response capabilities in the event of a Maritime incident. The Grant will also allow the SCPD to purchase interoperable portable radios for the SCPD Marine Bureau. This will allow each officer to be permanently issued a radio and thusly increase the response time of off duty officers in the event of an emergency.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.) Police

**II. BUDGET INFORMATION**

1. Term of Contract From: 8/1/2008 To: 7/31/2011

2. Financial Assistance Requested

SOURCE	FIRST FUNDING CYCLE		SECOND FUNDING CYCLE		THIRD FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$166,181	75 %	\$	%	\$	%
State	\$	%	\$	%	\$	%
Private	\$	%	\$	%	\$	%
County	\$55,394	25%	\$	%	\$	%
<b>Total</b>	<b>\$221,575</b>	<b>100%</b>	<b>\$</b>	<b>%</b>	<b>\$</b>	<b>%</b>

3. Explanation of Requested County Financial Assistance			
<i>Category</i>	<i>Total Requested</i>	<i>Personnel Costs Requested</i>	<i>Non-Personnel Costs Requested</i>
TOTAL COUNTY SHARE:	\$55,394	\$0	\$55,394
A. Cash Contribution	\$55,394	\$	\$55,394 1086
B. In-Kind Contribution	\$	\$	\$
4. Total Number of New Positions Requested      0		5. Can This Program Be Refunded by the Proposed Non-County Sources?	
		X	YES                      NO
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)			
Some additional indirect costs resulting from administrative oversight may be incurred.			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?			
In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Department.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).			
<i>III. COUNTY EXECUTIVE'S OFFICE REVIEW</i>			
1. Intergovernmental Relations Division Review:	Approved	2. Signature of Coordinator	3. Date
	Disapproved		
4. Comments			
5. Budget Office Review:	Approved	6. Signature of Budget Director	7. Date
	Disapproved		
8. Comments			

GRANT BUDGET ANALYSIS

COUNTY BUDGET YEAR 2009

CATEGORY

APPROPRIATION NUMBER  
GRANTOR FUNDS

APPROPRIATION NUMBER  
COUNTY FUNDS

APPROPRIATION NUMBER  
IN-KIND CONTRIBUTION

REMARKS

1000 PERSONAL SERVICES:  
1100 Permanent Salaries  
1110 Interim Salaries  
1120 Overtime Salaries

2000 EQUIPMENT:  
2010 Furniture & Fixtures  
2020 Office Machines  
2070 Cameras & Photographic  
2090 Radio and Communication  
2500 Other Equip Not Otherwise

3000 SUPPLIES MATERIALS & OTHERS:  
3010 Office Supplies  
3020 Postage  
3030 Photostat, Photograph, Blueprint  
3040 Printing  
3160 Computer Software  
3500 Other Unclassified  
3680 Repairs: Special Equipment

4000 UTILITIES:  
4010 Telephone & Telegraph  
4210 Computer Services

4300 TRAVEL:  
4310 Employee Misc - Expenses  
4330 Travel Employee Contracts  
4340 Travel Other Contracts

166,181  
  
124,781  
41,400

55,394  
  
41,594  
13,800

1086

GRANT BUDGET ANALYSIS

COUNTY BUDGET YEAR 2009

CATEGORY

APPROPRIATION NUMBER  
GRANTOR FUNDS

APPROPRIATION NUMBER  
COUNTY FUNDS

APPROPRIATION NUMBER  
IN-KIND CONTRIBUTION

REMARKS

4400 FEES FOR FACILITIES  
4410 Rent: Offices & Buildings

4500 FEES FOR SERVICES:  
4560 Fees for Services, Non-Employees  
4770 Special Services

4900 CONTRACTED SERVICES (LIST)

8000 EMPLOYEE BENEFITS:  
8280 Retirement  
8300 Insurance: Worker Compensation  
8330 Social Security  
8360 Health Insurance  
8380 Dental Insurance

OTHER (List Source & Brief Explanation)

1086

I certify that the above in-kind contribution are not currently being used to support other grants

DETAIL LISTING OF 1000 ACCOUNT

PERSONAL SERVICES

TITLE OF POSITION

GRADE /  
STEP

SALARY

EMPLOYEE NAME

SOURCE OF FUNDING BY %	
GRANTOR	COUNTY
	IN-KIND

NONE

1084

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1086

1. Type of Legislation  
Resolution X                      Local Law                           Charter Law     

2. Title of Proposed Resolution  
Accepting and appropriating a grant in the amount of \$166,181 from the United States Department of Homeland Security, Federal Emergency Management Agency, for a port security program with 75% support.

3. Purpose of Proposed Legislation  
To accept \$166,181 from the Department of Homeland Security, Federal Emergency Management Agency to purchase specialized equipment that will be used by the Suffolk County Police Department's Marine Bureau to enhance their capabilities in the areas of prevention, deterrence, and response to maritime incidents.

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

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

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

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:  
  
The County will have \$166,181 available to purchase specialized equipment that will enhance the SCPD Marine Bureau's ability to prevent, deter, and respond to maritime incidents with 75% support. Matching funds will come from the existing Suffolk County Police Department Asset Forfeiture Fund.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:  
Matching costs of approximately \$55,394 will be incurred in purchasing the equipment; however, the matching funds will be taken from the Suffolk County Police Department's Asset Forfeiture Fund. The grant requires that the County provide 25% in matching funds.

8. Proposed Source of Funding  
Department of Homeland Security, Federal Emergency Management Agency.

9. Timing of Impact  
Immediate

10. Typed Name & Title of Preparer    11. Signature of Preparer    12. Date  
Susan C. Krause  
Grants Technician                      *SK*                      1/9/2009

**Additional back-up material regarding 1086 is on file in the  
Legislative Clerk's Office, Hauppauge.**

Intro. Reso. No. 1087-09

Laid on Table 2/3/09

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

**RESOLUTION NO. -2009, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$102,575 FROM THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE, TO TARGET SPEEDING, AGGRESSIVE AND DISTRACTED DRIVING, AND COMMERCIAL VEHICLE SAFETY WITH 85.8% SUPPORT.**

**WHEREAS**, the State of New York Governor's Traffic Safety Committee has awarded \$102,575 in Federal Highway Safety pass-through funds to the Suffolk County Police Department to perform targeted enforcement of speeding and aggressive and distracted driving behaviors, commercial vehicle safety, and to fund Operation Safe Stop; and

**WHEREAS**, the operational period of the program will be from October 1, 2008 through September 30, 2009; and

**WHEREAS**, said grant funds totaling \$102,575 have not been included in the 2009 Suffolk County Operating Budget; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
115-4398-Federal Aid: STEP 09	\$102,575
 <u>ORGANIZATIONS:</u>	
	Police Department (POL) STEP 09 115-POL-3604
<u>1000-Personal Services</u>	<u>\$96,750</u>
1120-Overtime Salaries	96,750
 <u>2000-Equipment</u>	 <u>\$ 5,825</u>
2500-Other equipment not otherwise	5,825

and be it further

**2<sup>nd</sup> RESOLVED**, that the fringe benefits associated with the overtime salaries for this grant are included in the 2009 Suffolk County Operating Budget; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the State of New York Governor's Traffic Safety Committee.

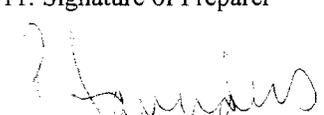
DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County  
Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1087

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$102,575 FROM THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE, TO TARGET SPEEDING, AGGRESSIVE AND DISTRACTED DRIVING, AND COMMERCIAL VEHICLE SAFETY WITH 85.8% SUPPORT.</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"/> <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		
No impact. The resolution provides \$102,575, and requires a 14.2% match which is included in the 2009 Operating budget.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
The funds provided by this grant must be expended between October 1, 2008 and September 30, 2009.		
8. Proposed Source of Funding		
New York State Governor's Traffic Safety Committee		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst		1-26-09

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

1087

**GENERAL FUND**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
<b>TOTAL</b>		<b>\$0.00</b>		\$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
<b>TOTAL</b>		<b>\$0.00</b>		\$0.000

**COMBINED**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 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.

COUNTY OF SUFFOLK



1087

STEVE LEVY  
COUNTY EXECUTIVE

RICHARD DORMER  
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

**TO:** Ben Zwirn, Deputy County Executive  
Suffolk County Executive's Office

**FROM:** Edward Webber, Chief of Support Services  
Suffolk County Police Department 

**DATE:** January 12, 2009

**SUBJECT:** Resolution Packets & SCIN Forms for  
STEP (Selective Traffic Enforcement Program)-09  
Governor's Traffic Safety Committee Project # PT-5200611

---

Attached please find two copies of the following for the STEP-09 grant program

1. Grant Resolution.
2. Grant SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the proposed contract between Suffolk County and the Governor's Traffic Safety Committee.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW. The original grant contract will be submitted for signature upon approval of the resolution.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, at 852-6601.

Thank you for your assistance with this project.

EW/sck  
Att.

cc: Don Fahey, Federal & State Aid Claims Coordinator  
Jim Morgo, Chief Deputy County Executive



**ACCREDITED LAW ENFORCEMENT AGENCY**

www.joinscpd.com

30 YAPHANK AVENUE, YAPHANK, NEW YORK 11980 – (631) 852-6000



<b>COORDINATION OF GRANT APPLICATION OR CONTRACT</b> County of Suffolk		<b>DATE 5/6/2008</b> <b>REV 1/9/2009</b>
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank	1087
Contact Person In Department/Agency Sarah Furey Sr. Grants Analyst	Telephone Number 852-6042	Grant Application Due Date 5/15/2008

**Instructions:** Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (\*) in the item box and attach additional information on an 8 1/2" X 11" sheet cross referenced to the item.

**I. BACKGROUND INFORMATION**

1. Grant Title STEP (Selective Traffic Enforcement Program) 09

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) Public Law 109-59, National Highway Traffic Safety Administration, passed through the State of New York Governor's Traffic Safety Committee.

3. Grant/Contract Status (Check One Box)  
 A.  New Program Application  
 B.  Renewal Application  
 C.  Supplemental (Specify) \_\_\_\_\_  
 D.  Extension of Funding Period  
 E.  Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment).  
 This grant will allow the Suffolk County Police Department to continue to perform selective traffic law enforcement projects targeting speeding, aggressive and distracted driving, routine commercial vehicle traffic safety enforcement as well as Operation Safe Stop.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.) Suffolk County Police Department

**II. BUDGET INFORMATION**

1. Term of Contract From: 10/01/2008 To: 9/30/2009

2. Financial Assistance Requested

SOURCE	FIFTH FUNDING CYCLE		SIXTH FUNDING CYCLE		SEVENTH FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$65,600	84.5%	\$88,325	85%	\$102,575	85.8%
State	\$	%	\$	%	\$	%
Private	\$	%	\$	%	\$	%
County	\$12,037	15.5%	\$15,047	15%	\$16,980	14.2%
<b>Total</b>	<b>\$77,637</b>	<b>100%</b>	<b>\$103,372</b>	<b>100%</b>	<b>\$119,555</b>	<b>100%</b>

1087

<b>3. Explanation of Requested County Financial Assistance</b>			
<i>Category</i>	<i>Total Requested</i>	<i>Personnel Costs Requested</i>	<i>Non-Personnel Costs Requested</i>
TOTAL COUNTY SHARE:	\$16,980	\$	\$16,980
A. Cash Contribution	\$16,980	\$	\$16,980
B. In-Kind Contribution	\$	\$	\$
4. Total Number of New Positions Requested      0		5. Can This Program Be Refunded by the Proposed Non-County Sources?	
		X	YES
			NO
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)			
Some additional indirect costs resulting from administrative oversight may be incurred.			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?			
In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet).			
<b>III. COUNTY EXECUTIVE'S OFFICE REVIEW</b>			
1. Intergovernmental Relations Division Review:	Approved	2. Signature of Coordinator	3. Date
	Disapproved		
4. Comments			
5. Budget Office Review:	Approved	6. Signature of Budget Director	7. Date
	Disapproved		
8. Comments			

GRANT BUDGET ANALYSIS		COUNTY BUDGET YEAR 2007		Page 1 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1140 Interim Salaries 1120 Overtime Salaries	96,750 96,750			
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2090 Radio and Communication 2500 Other Equip Not Otherwise	5,825 5,825			
3000 SUPPLIES MATERIALS & OTHERS: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3160 Computer Software 3310 Clothing and Accessories 3500 Other Unclassified 3680 Repairs: Special Equipment 3770 Advertising				1087
4000 UTILITIES: 4010 Telephone & Telegraph 4210 Computer Services				
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts				

GRANT BUDGET ANALYSIS		COUNTY BUDGET YEAR 2007		Page 2 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees 4770 Special Services				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance		16,980 15,577 1,403		These expenses are not eligible for reimbursement under this program
OTHER (List Source & Brief Explanation)				1087

I certify that the above in-kind contribution are not currently being used to support other grants

DETAIL LISTING OF 1000 ACCOUNT		PERSONAL SERVICES		Page 3 of 3
TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %
				GRANTOR COUNTRY IN-KIND
Police Officer	6	79.17/hr OT	Various	100%
Sergeant		93.39/hr OT	Various	100%

1087

1087

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation  
Resolution X                      Local Law                           Charter Law     

2. Title of Proposed Resolution  
Accepting and appropriating a grant in the amount of \$102,575 from the State of New York Governor's Traffic Safety Committee, to target speeding, aggressive and distracted driving, and commercial vehicle safety with 85.8% support.

3. Purpose of Proposed Legislation  
To accept \$102,575 from the State of New York Governor's Traffic Safety Committee to fund the Suffolk County Police Department's Aggressive Driving and Speed Enforcement Program, targeting speeding and aggressive and distracted driving behaviors.

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

5. If the answer to Item 4 is "Yes," on what will it impact?  
(Circle appropriate category)  
County                                      Town                                      Economic Impact  
Village                                      School District                      Other (specify):  
Library District                      Fire District:

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:  
Non-reimbursable fringe benefit costs of approximately \$16,980 will be incurred through September 30, 2009. Additional costs will only be incurred if the program receives additional funding in subsequent years.

8. Proposed Source of Funding  
National Highway Traffic Safety Administration, Department of Justice, passed through the State of New York Governor's Traffic Safety Committee.

9. Timing of Impact  
Immediate

10. Typed Name & Title of Preparer    11. Signature of Preparer    12. Date  
Susan C. Krause                      *SCK*                      1/9/2009  
Grants Technician

**Additional back-up material regarding 1087 is on file in the  
Legislative Clerk's Office, Hauppauge.**

Intro. Reso. No. 1088-09

Laid on Table 2/3/09

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2009 ACCEPTING AND APPROPRIATING A SUPPLEMENTAL GRANT AWARD IN THE AMOUNT OF \$100,000 IN STATE FUNDING FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S FIRST PRECINCT GANG TASK FORCE 2008 WITH 100% SUPPORT.**

**WHEREAS**, the New York State Department of Criminal Justice Services has made \$100,000 in State funds available to Suffolk County to continue an integrated program to prevent, deter and reduce gang-related crime in the area served by the Suffolk County Police Department's First Precinct; and

**WHEREAS**, the operational period of the Program will be from September 1, 2008, through September 30, 2009; and

**WHEREAS**, said grant funds have not been included in the 2009 Suffolk County Operating Budget; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

<b><u>REVENUES:</u></b>	<b><u>AMOUNT</u></b>
115-3371-State Aid: 1 <sup>st</sup> Precinct Gang Task Force 2008 Supplemental 2	\$100,000

**ORGANIZATIONS:**

**Police Department (POL)  
1<sup>st</sup> Precinct Gang Task Force 2008 Supplemental 2  
115-POL-3605**

<b><u>1000 – Personal Services</u></b>	<b><u>\$83,860</u></b>
1120 – Overtime Salaries	83,860

<b><u>4300 – Travel</u></b>	<b><u>\$ 1,423</u></b>
4310 - Employee Miscellaneous Expense	1,059
4330 – Travel Employee Contracts	364

**Employee Benefits  
Retirement  
115-EMP-9010**

<b><u>8000-Employee Benefits</u></b>	<b><u>\$13,501</u></b>
8280 – Employee Retirement System	13,501

**Employee Benefits  
Social Security  
115-EMP-9030**

<b><u>8000 – Employee Benefits</u></b>	<b><u>\$ 1,216</u></b>
8330 – Social Security	1,216

and be it further

**2<sup>nd</sup> RESOLVED**, County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the New York State Division of Criminal Justice Services.

DATED:

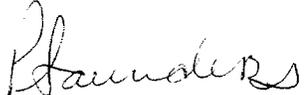
APPROVED BY:

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

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1088

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>ACCEPTING AND APPROPRIATING A SUPPLEMENTAL GRANT AWARD IN THE AMOUNT OF \$100,000 IN STATE FUNDING FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S FIRST PRECINCT GANG TASK FORCE 2008 WITH 100% SUPPORT.</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		
No impact. The resolution provides \$100,000.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
The funds provided in this grant must be expended between September 1, 2008 and September 30, 2009.		
8. Proposed Source of Funding		
New York State Department of Criminal Justice Services		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst		1-26-09

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

1088

**GENERAL FUND**

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

NOTES:

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

COUNTY OF SUFFOLK

JAN 16 2009



STEVE LEVY  
COUNTY EXECUTIVE

RICHARD DORMER  
POLICE COMMISSIONER

1088

POLICE DEPARTMENT

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive  
Suffolk County Executive's Office

FROM: Edward Webber, Chief of Support Services   
Suffolk County Police Department

DATE: January 13, 2009

SUBJECT: Resolution Packet & SCIN Forms for  
The First Precinct Gang Task Force Grant Program 2008 Supplemental 2  
DCJS Project # LG04048590

---

Attached please find two copies of the following for the Division of Criminal Justice Services pass-through grant funded 1<sup>st</sup> Precinct Gang Task Force 2008 Supplemental 2 Grant Program:

1. Grant Resolution
2. Grant SCIN Forms
3. Request for Introduction of Legislation
4. Financial Impact Statement
5. Copy of the Award Letter from the New York State Division of Criminal Justice Services
6. Copy of the Grant Contract between the New York State Division of Criminal Justice Services and Suffolk County.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW. The original grant contract will be submitted for signature upon approval of the resolution.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, at 852-6601.

Thank you for your assistance with this project.

EW/sck

cc: Don Fahey, Federal & State Aid Claims Coordinator  
Jim Morgo, Chief Deputy County Executive



**ACCREDITED LAW ENFORCEMENT AGENCY**

www.joinscpd.com

30 YAPHANK AVENUE, YAPHANK, NEW YORK 11980 – (631) 852-6000





1088

3. Explanation of Requested County Financial Assistance			
<i>Category</i>	<i>Total Requested</i>	<i>Personnel Costs Requested</i>	<i>Non-Personnel Costs Requested</i>
TOTAL COUNTY SHARE:	\$ NONE	\$0	\$0
A. Cash Contribution	\$0	\$0	\$0
B. In-Kind Contribution	\$0	\$0	\$0
4. Total Number of New Positions Requested     0		5. Can This Program Be Refunded by the Proposed Non-County Sources?	
		X	YES
			NO
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)			
Some additional indirect costs resulting from administrative oversight may be incurred.			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?			
In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Department.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet).			
<b>III. COUNTY EXECUTIVE'S OFFICE REVIEW</b>			
1. Intergovernmental Relations Division Review:	Approved	2. Signature of Coordinator	3. Date
	Disapproved		
4. Comments			
5. Budget Office Review:	Approved	6. Signature of Budget Director	7. Date
	Disapproved		
8. Comments			

GRANT BUDGET ANALYSIS

COUNTY BUDGET YEAR 2009

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries	83,860  83,860			
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2070 Cameras & Photographic 2090 Radio and Communication 2500 Other Equip Not Otherwise				
3000 SUPPLIES MATERIALS & OTHERS: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3160 Computer Software 3500 Other Unclassified 3680 Repairs: Special Equipment				
4000 UTILITIES: 4010 Telephone & Telegraph 4210 Computer Services				1088
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts	1,423 1,059 364			

GRANT BUDGET ANALYSIS

COUNTY BUDGET YEAR 2009

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees 4770 Special Services				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Benefit Fund Contribution	14,717 13,501 1,216			
OTHER (List Source & Brief Explanation)				1088

I certify that the above in-kind contribution are not currently being used to support other grants

DETAIL LISTING OF 1000 ACCOUNT				PERSONAL SERVICES			Page 3 of 3
TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	GRANTOR	COUNTY	IN-KIND	
Various Police Officers on Overtime	6	79.17/hr OT	To be determined	100%			1088

**Additional back-up material regarding 1088 is on file in the  
Legislative Clerk's Office, Hauppauge.**

Intro. Reso. No. 1089-09  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 2/3/09

**RESOLUTION NO. -2009, ACCEPTING AND APPROPRIATING \$8,750 ADDITIONAL FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES TO THE SUFFOLK COUNTY POLICE DEPARTMENT FOR THE S.T.O.P. VIOLENCE AGAINST WOMEN PROGRAM WITH 100% SUPPORT.**

**WHEREAS**, the New York State Division of Criminal Justice Services has awarded to Suffolk County \$116,040 in federal funds under the S.T.O.P. Violence Against Women Formula Grant Program for the period 8/1/08 – 7/31/09; and

**WHEREAS**, the funds will allow the continuation of existing services and will enhance the collaborative project between Suffolk County and community based organizations, addressing sexual assault and domestic violence against women through a coordinated effort; and

**WHEREAS**, the S.T.O.P. Violence Against Women Program will utilize these federal funds to continue specialized units in the Police and in the Probation Departments and to provide victim services through contracts with the Victims Information Bureau of Suffolk County, Retreat, and the Suffolk County Coalition Against Domestic Violence; and

**WHEREAS**, this program plan includes \$8,750 in funding for the Suffolk County Police Department to purchase additional panic alarm kits that can be installed in the homes of victims of domestic violence and sexual assault; and

**WHEREAS**, \$8,750 of the \$116,040 has not been included in the 2009 Operating Budget to implement this initiative; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-4320-Federal Aid: Criminal Justice Programs	\$8,750

ORGANIZATIONS:

Suffolk County Police Department (POL)  
STOP Violence Against Women 2008  
001-POL-3200

<u>2000 Equipment</u>	<u>\$8,750</u>
2090-Radio & Communication	8,750

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute related agreements.

DATED:

APPROVED BY:

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

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1089

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation		
<p><b>ACCEPTING AND APPROPRIATING \$8,750 ADDITIONAL FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES TO THE SUFFOLK COUNTY POLICE DEPARTMENT FOR THE S.T.O.P. VIOLENCE AGAINST WOMEN PROGRAM WITH 100% SUPPORT.</b></p>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes <u>XX</u> No</b>		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 40px; display: flex; align-items: center; justify-content: center; margin: 0 auto;"> <b>County</b> </div>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
No impact. The resolution provides \$8,750.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
The funds provided by this grant must be expended between August 1, 2008 and July 31, 2009.		
8. Proposed Source of Funding		
New York State Department of Criminal Justice Services		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst		1-26-09

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

1089

**GENERAL FUND**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
<b>TOTAL</b>		<b>\$0.00</b>		\$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
<b>TOTAL</b>		<b>\$0.00</b>		\$0.000

**COMBINED**

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 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.

COUNTY OF SUFFOLK



1089

STEVE LEVY  
COUNTY EXECUTIVE

RICHARD DORMER  
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive  
Suffolk County Executive's Office

FROM: Edward Webber, Chief of Support Services  
Suffolk County Police Department

DATE: January 14, 2009

SUBJECT: Resolution Packets & SCIN Forms for  
S.T.O.P. Violence Against Women 2008  
DCJS #VW08543643 / VW07543642

Attached please find two copies of the following for the S.T.O.P. Violence Against Women 2008 Grant Program

1. Grant Resolution.
2. Grant SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the proposed contract between Suffolk County and the New York State Division of Criminal Justice Services.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, at 852-6601.

Thank you as always for your assistance with this project.

EW/sck

Att.

cc: Don Fahey, Federal & State Aid Claims Coordinator  
Jim Morgo, Chief Deputy County Executive



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30 YAPHANK AVENUE, YAPHANK, NEW YORK 11980 – (631) 852-6000



<b>COORDINATION OF GRANT APPLICATION OR CONTRACT</b> County of Suffolk		<b>DATE</b> January 14, 2009
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank, NY 11980	
Contact Person In Department/Agency Sarah Furey Senior Grants Analyst	Telephone Number 852-6042	Grant Application Due Date N/A

1089

**Instructions:** Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (\*) in the item box and attach additional information on an 8 1/2" X 11" sheet cross referenced to the item.

**I. BACKGROUND INFORMATION**

1. Grant Title: S.T.O.P. Violence Against Women 2008

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) Consolidated Appropriations Act of 2008, Public Law 110-161, administered by the New York State Department Of Criminal Justice Services.

3. Grant/Contract Status (Check One Box)  
 A.  New Program Application  
 B.  Renewal Application  
 C.  Supplemental (Specify) \_\_\_\_\_  
 D.  Extension of Funding Period  
 E.  Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)  
 This grant will allow the Suffolk County Police Department to purchase panic alarm kits which can be installed in the homes of victims of domestic violence and sexual assault.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)  
 The Probation Department

**II. BUDGET INFORMATION**

1. Term of Contract From: 08/1/08 To: 07/31/09

2. Financial Assistance Requested

SOURCE	FOURTH FUNDING CYCLE		FIFTH FUNDING CYCLE		SIXTH FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$10,000	100%	\$10,000	100%	\$8,750	100%
State	\$		\$	%	\$	%
Private	\$	%	\$	%	\$	%
County	\$	%	\$	%	\$	%
<b>Total</b>	\$10,000	100%	\$10,000	100%	\$8,750	100%

3. Explanation of Requested County Financial Assistance			
Category	Total Requested	Personnel Costs Requested	Non-Personnel Costs Requested
TOTAL COUNTY SHARE:	\$NONE	\$0	\$0
A. Cash Contribution	\$0	\$0	\$0
B. In-Kind Contribution	\$0	\$0	\$0
4. Total Number of New Positions Requested 0		5. Can This Program Be Refunded by the Proposed Non-County Sources?	
		X YES NO	
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)			
Some additional indirect costs resulting from administrative oversight may be incurred.			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?			
In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet).			
N/A			
III. COUNTY EXECUTIVE'S OFFICE REVIEW			
1. Intergovernmental Relations Division Review:	Approved	2. Signature of Coordinator	3. Date
	Disapproved		
4. Comments			
5. Budget Office Review:	Approved	6. Signature of Budget Director	7. Date
	Disapproved		
8. Comments			



GRANT BUDGET ANALYSIS

COUNTY BUDGET YEAR 2009

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings <i>1089</i>				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance				
OTHER (List Source & Brief Explanation)				

I certify that the above in-kind contribution are not currently being used to support other grants



1089

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution  X  Local Law      Charter Law    

2. Title of Proposed Resolution

Accepting and appropriating \$8,750 additional Federal pass-through grant funds from the NYS Division of Criminal Justice Services to the Suffolk County Police Department for the S.T.O.P. Violence Against Women Program with 100% support.

3. Purpose of Proposed Legislation

To accept \$8,750 from the NYS Division of Criminal Justice Services to the Suffolk County Police Department for the purchase of panic alarms that can be installed in the homes of victims of domestic violence and sexual abuse.

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

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

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

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:

Acceptance of the grant will allow the Suffolk County Police Department to provide panic alarms to the victims of domestic violence and sexual abuse.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:

None

8. Proposed Source of Funding

Office on Violence Against Women, Department of Justice, pass-through funding through the NYS Division of Criminal Justice Services.

9. Timing of Impact

Immediate

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

Susan C. Krause  
Grants Technician

1/14/2009

**Additional back-up material regarding 1089 is on file in the  
Legislative Clerk's Office, Hauppauge.**

Introductory Resolution No.

1090-09

Laid on Table

2/3/09

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2009, SALE OF COUNTY-OWNED  
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976  
JOSEPH AMBROSE and DEBORAH AMBROSE, his wife  
(SCTM NO. 1000-106.00-10.00-030.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Southold, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 1000 Section 106.00 Block 10.00 Lot 030.000 and acquired by Tax Deed on May 31, 1995 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 8, 1995 in Liber 11728 at Page 335 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Southold under SCTM# 1000-106.00-10.00-030.000,

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

**WHEREAS**, Joseph Ambrose and Deborah Ambrose, his wife, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$1,600.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$1,500.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, the Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of \$1,600.00, pursuant to said purchase offer; and

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

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

**3<sup>rd</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 Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Joseph Ambrose and Deborah Ambrose, his wife, Cedar Drive, P.O. Box 1276, Mattituck, New York 11952.

DATED:

APPROVED BY

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

Date of Approval:

1090

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

**SUMMARY STATEMENT**

**DIRECT SALE:**

Suffolk County Local Law 13-1976

Tax Map No. 1000-106.00-10.00-030.000

<b>ADJOINING OWNER</b>	<b>BID</b>	<b>BID</b>	<b>BID</b>
Joseph and Deborah Ambrose Cedar Drive P.O. Box 1276 Mattituck, New York 11952 1000-106.00-10.00-005.001	\$1,600		
Andrew Shulha Mill Road P.O. Box 932 Mattituck, New York 11952 1000-106.00-10.00-004.000	\$0		

SIZE OF PARCEL: 6' x 491'

APPRAISED VALUE: \$1,500.00

COMMENT: Direct Sale to Adjacent Owner

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

1090

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

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

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to adjacent owner

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

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

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

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

Income from sale

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

Unknown

8. Proposed Source of Funding

None

9. Timing of Impact

2009

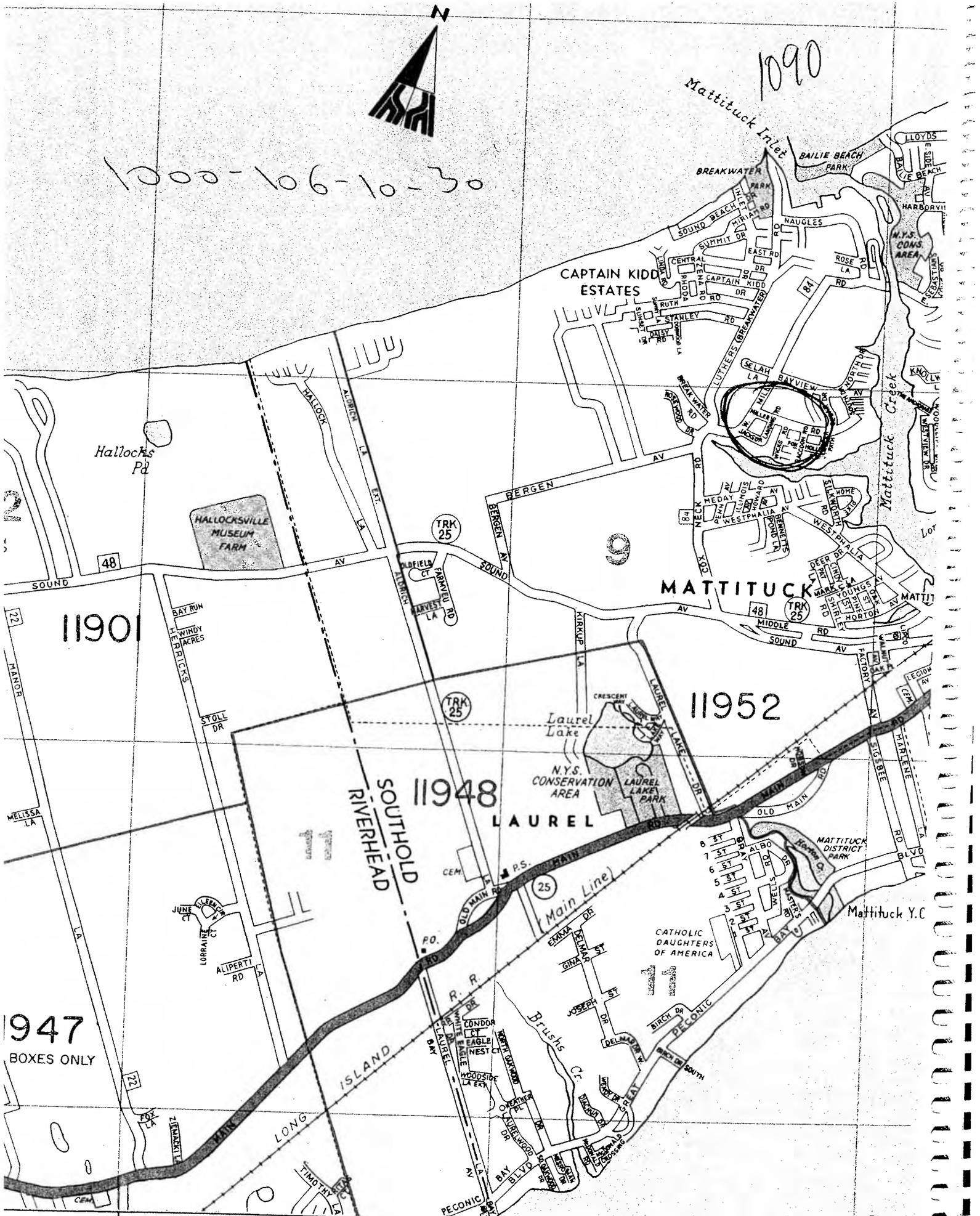
10. Name & Title of Preparer Signature of Preparer Date

Lori Bertone   
LMS-II

Lori Bertone

1/20/09





1000-106-10-30

1090



11901

11948

11952

1947  
BOXES ONLY

35

36

FOR ADJOINING AREA SEE MAP NO. 26

COUNTY OF SUFFOLK

JAN 26 2009

Gen D11



1090

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

January 23, 2009

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

Re: Tax Map Number: 1000-106.00-10.00-030.000

Dear Mr. Zwirn:

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

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

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

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

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

1091  
Intro. Res. No. - 2009

Laid on Table 2/3/09

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2009 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) - OPEN SPACE COMPONENT - FOR THE ST. GABRIEL'S ADDITION PROPERTY ( TOWN OF SHELTER ISLAND - SCTM#0700-015.00-04.00-102.000 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. 877-2005, authorized planning steps for the acquisition of said property; and

**WHEREAS**, the Town of Shelter Island ("Town") has approved by Resolution on August 25, 2006, authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

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

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

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

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

**WHEREAS**, contracts to acquire said rights were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real

Property Acquisition and Management and approved as to legality by the Office of the County Attorney; now, therefore, be it

**1st RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Seven Million Two Hundred Three Thousand Dollars (\$7,203,000.00±), at Two Hundred Ten Thousand Dollars (\$210,000.00) per acre, for 34.3± acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Three Million Six Hundred One Thousand Five Hundred Dollars (\$3,601,500.00±), for a fifty percent (50%) divided interest; and the Town's share, totaling Three Million Six Hundred One Thousand Five Hundred Dollars (\$3,601,500.00±), for a fifty percent (50%) divided interest, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0700	**17.15±	Joseph Klenawicus Trust
	Section 015.00		Frances K. Johnson
	Block 04.00		Susan L Klenawicus
	Lot 102.000 p/o		P.O. Box 417 – Burns Road Shelter Island, NY 11964

\*\*This property will be divided into two equal sections of 17.15± acres each, one of which will be owned solely by the County of Suffolk.

; and, be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for Three Million Six Hundred One Thousand Five Hundred Dollars (\$3,601,500.00±), subject to a final survey, said amount representing the County's share of the total purchase price; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$3,601,500.00±, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

**4<sup>th</sup> RESOLVED**, that title to this acquisition shall be held by physically dividing the property between the County and the Town, with the County owning all of the interest in its respective portion of the property, and with the Town owning all of the interest in its respective portion of the property; and, be it further

**5<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

**6<sup>th</sup> RESOLVED**, that pursuant to Section C12-2(A)(2)(c) the County's portion of this property is not to be developed and Eight (8) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

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

- a.) freshwater/tidal wetlands and buffer lands for same;
- g.) Open Space; and, be it further

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

**9<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management is hereby authorized to negotiate and to enter into any necessary collateral agreements with the Town to effectuate the terms of this resolution; and, be it further

**10<sup>th</sup> RESOLVED**, if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation is hereby authorized to negotiate and to enter into a municipal cooperation agreement with the Town for the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department of Parks, Recreation and Conservation, who is charged with the management and operation of said property; and, be it further

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

DATE:

APPROVED BY:

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

Date of Approval:



1091

## TOWN OF SHELTER ISLAND

38 NORTH FERRY ROAD - P.O. BOX 1549  
SHELTER ISLAND, NEW YORK 11964-1549

DOROTHY S. OGAR  
TOWN CLERK  
REGISTRAR OF VITAL STATISTICS  
FREEDOM OF INFORMATION OFFICER  
RECORDS ACCESS OFFICER

ADMINISTRATIVE (631)-749-1166  
FAX NUMBER (631)-749-3436

August 28, 2006

Legislator Edward C. Romaine  
423 Griffing Avenue, Suite 2  
Riverhead, NY 11901

Dear Legislator Romaine:

The following resolution was duly adopted by the Town Board of the Town of Shelter Island on the 25th day of August, 2006, to wit:

"Whereas", pursuant to Section 247 of the General Municipal Law and Section 50-5 of the Code of the Town of Shelter Island, the Town is empowered to purchase rights in real property for the preservation of the community, and

"Whereas", the Town Board of the Town of Shelter Island has determined that it is in the best interest of community preservation and protection of the environment to acquire approximately 34 acres at 22 Burns Road, owned by the Klenawicus Family, and described on the Suffolk County Tax Map as 0700-015-04-102 at a 50% Town cost share of \$3,601,500.00, and

"Whereas", it is required by law that a "lead agency" be established to review this matter pursuant to 6 NYCRR Part 617 (SEQRA), and

"Whereas", this Board wishes to establish itself as Lead Agency and render a declaration of significance pursuant to SEQRA, and

"Whereas", a public hearing was held on August 25, 2006, on the proposed acquisition, and all persons were heard and submitted documents considered, and

"Whereas", the Town Board finds that acquisition of this property is in the best interests of the community to protect this pristine and environmentally sensitive area, now, Therefore

BE IT RESOLVED, That this Board establishes itself as Lead Agency pursuant to SEQRA, and

BE IT FURTHER RESOLVED, That this Board adopts a Negative Declaration, finding that this is an "unlisted" action which will not result in any significant adverse impacts on the environment based on the analysis set forth in the EAF and the negative declaration, and

BE IT FURTHER RESOLVED, That the Town of Shelter Island hereby finds:

1. That the property is eligible for acquisition under the Land Preservation Partnership Component of the Multifaceted Land Preservation Program (County Resolution No. 951 - 1977), and

Legislator Edward C. Romaine  
August 28, 2006  
Page 2

1091

2. The property will be used as Open Space, for general recreational use, and
3. That the Town will split fee title with the County of Suffolk, and
4. The Town of Shelter Island will appropriate funds for the acquisition of the above-described as specified above, including but not limited to survey, appraisal, environmental audit, title insurance, tax adjustment and taxes prior to acquisition, and

BE IT FURTHER RESOLVED, That said acquisition is hereby approved and the Supervisor is hereby authorized to execute all necessary documents to effectuate this purchase, and

BE IT FURTHER RESOLVED, That the Town Clerk is hereby directed to send a copy of this resolution to the Office of Suffolk County Legislator Edward C. Romaine and the Suffolk County Real Property Acquisition Department.

Sincerely,



Dorothy S. Ogar  
Town Clerk

DSO/soj

cc: Suffolk County Real Property Acquisition Department  
James Dougherty, Community Preservation Fund Advisory Board

Gen 51

# COUNTY OF SUFFOLK



**STEVE LEVY**  
SUFFOLK COUNTY EXECUTIVE

JAN 26 2009

1091

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

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

January 26, 2009

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 St. Gabriel's property, in the Town of Shelter Island, under the New Drinking Water Protection Program. The purchase price is \$7,202,000.00± for 34.3± acres, of which Suffolk County's 50% divided interest will be \$3,601,500.00± for 17.15± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent  
Director

CEK:pd  
Att.

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

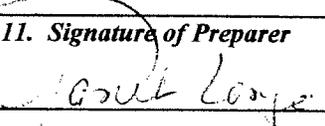
LOCATION  
H. LEE DENNISON BLDG. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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**

1091

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/>	Local Law
		Charter Law
2. Title of Proposed Legislation		
Authorizing the acquisition under the New Suffolk County Drinking Water Protection Program, of the St. Gabriel's Addition property, SCTM#0700-015.00-04.00-102.000 p/o, (Town of Shelter Island).		
3. Purpose of Proposed Legislation		
See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES ___    NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
New Suffolk County Drinking Water Protection Program		
9. Timing of Impact		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Janet M. Longo Acquisition Supervisor		January 26, 2009

RESOLUTION NO. AMENDING THE  
SUFFOLK COUNTY CLASSIFICATION AND  
SALARY PLAN IN CONNECTION WITH A NEW  
POSITION TITLE IN SUFFOLK COUNTY COMMUNITY COLLEGE  
(COLLEGE PERSONNEL OFFICER)

WHEREAS, the Department of Civil Service/Human Resources has completed a review of the duties and responsibilities of a position; and

WHEREAS, on the basis of this review they have determined that the new title of College Personnel Officer be created;

1<sup>st</sup> RESOLVED, that the Suffolk County Classification and Salary Plan be hereby amended as follows:

ADDITION TO CLASSIFICATION AND SALARY PLAN

<u>Spec No.</u>	<u>JC</u>	<u>Position Title</u>	<u>Grade</u>	<u>BU</u>
9090	NC	College Personnel Officer	34	EX

and be it further

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

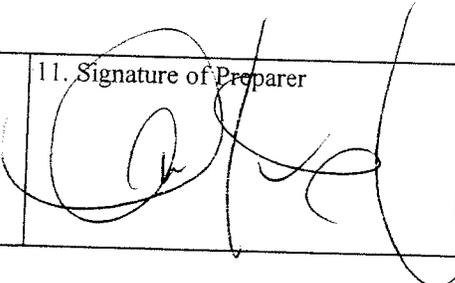
DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County  
Date:

1097

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
AMENDING THE SUFFOLK COUNTY CLASSIFICATION AND SALARY PLAN IN CONNECTION WITH A NEW POSITION TITLE IN THE SUFFOLK COUNTY COMMUNITY COLLEGE (COLLEGE PERSONNEL OFFICER)		
3. Purpose of Resolution:		
TO ADD A NEW TITLE OF COLLEGE PERSONNEL OFFICER .		
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		
SUFFICIENT FUNDING FOR THIS POSITION IS INCLUDED IN THE 2008 -2009 ADOPTED SUFFOLK COMMUNITY COLLEGE BUDGET.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
Grade 34 – Will be dependant on when the person commences employment and what step the individual is placed. ( Whether a new employee, promotion, backfill required, etc.) Funding will be required in future budget requests.		
8. Proposed Source of Funding		
SUFFOLK COUNTY COMMUNITY COLLEGE BUDGET		
9. Timing of Impact		
UPON APPROVAL		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
ALLEN M. KOVESDY DIRECTOR OF MANAGEMENT AND RESEARCH		January 22, 2009

SIN FORM 175b (10/95)

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

1092

**GENERAL FUND**

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

**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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**COMBINED**

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

**NOTES:**

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

1092

DISTINGUISHING FEATURES OF THE CLASS

An employee in this class performs administrative and professional personnel and labor relations work for Suffolk County Community College. The employee is responsible for the operation of the Personnel Department including participating in the negotiation and administration of collective bargaining agreements and employee benefits programs. The employee works under general supervision with a great degree of independence. Work is reviewed through conferences and reports to the Vice President for Business and Financial Affairs for adherence to college policies and procedures. Work is also subject to the review of the County Civil Service Department and the State University of New York. Does related work as required.

TYPICAL WORK ACTIVITIES

Supervises maintenance of personnel records; supervises and participates in the processing of forms and eligible lists; conducts correspondence with the Civil Service Department and the State University of New York;

Supervises internal personnel transactions such as appointment, promotion, transfer, reinstatement, resignation, removal and the maintenance of associated records;

Administers employee benefits programs, including health insurance, retirement, unemployment insurance, and worker's compensation;

Participates in the negotiation and administration of collective bargaining agreements;

Assists College General Counsel with providing employee training regarding sexual harassment, affirmative action, alcohol and drug use, interviewing and hiring techniques, etc;

Discusses grievances and complaints with employees and supervisors, investigates the facts and recommends action;

Studies personnel requisitions and prepares personnel justification material for budget preparation purposes;

Conducts job studies and prepares job statements and organization charts;

Develops and maintains the employee handbook;

Maintains liaison with the Civil Service Department regarding payroll, certification, status change, classification, and examination matters;

FULL PERFORMANCE KNOWLEDGES, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS

Thorough knowledge of the principles, practices, methods and techniques of public personnel administration; thorough knowledge of the principles of administrative organization management; good knowledge of the specialized principles, practices, methods and techniques in employee recruitment and selection and of collective bargaining; good knowledge of the specialized principles, practices, methods and techniques applied in position classification and salary administration; good knowledge of New York State Education Law applicable to personnel functions; good knowledge of the recent developments, current literature and sources of information on public personnel work; good knowledge of modern office appliances, practices and procedures; good knowledge of principals, practices, methods and techniques in employee placement, probation and training; ability to establish and maintain effective working relationships with others; ability to supervise in a manner conducive to full performance and high morale; ability to analyze facts and to exercise sound judgment in arriving at conclusions; ability to keep a variety of records and to prepare and submit reports; ability to express oneself clearly and concisely, orally and in writing; physical condition commensurate with the demands of the position.

MINIMUM QUALIFICATIONS

Graduation from a New York State or Regionally accredited college or university with a Bachelor's Degree in Business or Public Administration, Labor and Industrial Relations or a related field, and five (5) years of experience in personnel administration or labor relations.

NOTE: Relevant additional education will be substituted for experience on a year-for-year basis.

SUFFOLK COUNTY

Pending (Non-Competitive)

12/18/08

**COUNTY OF SUFFOLK**

JAN 12 2009



1092

**STEVE LEVY**

SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF CIVIL SERVICE/HUMAN RESOURCES  
NORTH COUNTY COMPLEX BLDG. 158  
P. O. BOX 6100  
HAUPPAUGE, NY 11788-0099  
(631) 853-5500  
FAX (631) 853-6305

**ALAN SCHNEIDER**  
PERSONNEL DIRECTOR

*interoffice memorandum*

**TO: Ben Zwirn, Assistant Deputy County Executive**  
**FROM: Cynthia DiStefano, Director of Classification**   
**DATE: January 9, 2009**  
**RE: New Title Request – College Personnel Officer**

---

A draft of a resolution to amend the Classification and Salary Plan to add the title College Personnel Officer is attached. We have determined that a new title is needed in Suffolk County Community College for the position responsible for the operation of the office that handles its personnel and labor relations functions.

Please initiate this resolution to add the new title to the Classification and Salary Plan. A draft of our proposed specification is attached for your reference.

An e-mail version of the resolution has been sent to CE RESO REVIEW saved under the title "Reso-SCCC-College Personnel Officer title 1-09."

Attachment

cc: Jeff Szabo, Deputy County Executive - Administration  
Shirley Pippins, President SCCC  
Jeff Tempera, Director of Labor Relations

Intro. Res. No. 1093-09  
Introduced by the Presiding Officer on request of the County Executive

LOT 2/3/09

RESOLUTION NO. AMENDING THE  
SUFFOLK COUNTY CLASSIFICATION AND  
SALARY PLAN IN CONNECTION WITH A NEW  
POSITION TITLE IN THE DEPARTMENT OF  
ECONOMIC DEVELOPMENT AND WORKFORCE HOUSING  
(ECONOMIC DEVELOPMENT ASSISTANT)

WHEREAS, the Department of Civil Service/Human Resources has completed a review of the duties and responsibilities of a position; and

WHEREAS, on the basis of this review they have determined that the new title of Economic Development Assistant be created; and

WHEREAS, there are sufficient unexpended and uncommitted funds in the Department of Economic Development and Workforce Housing budget to cover the cost; now, therefore be it

1<sup>st</sup> RESOLVED, that the Suffolk County Classification and Salary Plan and the Department of Economic Development and Workforce Housing Operating Budget be and they are hereby amended as follows:

AMENDMENTS TO CLASSIFICATION AND SALARY PLAN

ADDITION

<u>Spec No.</u>	<u>JC</u>	<u>Position Title</u>	<u>Grade</u>	<u>BU</u>
0996	C	Economic Development Assistant	24	02

DELETION

<u>Spec No.</u>	<u>JC</u>	<u>Position Title</u>	<u>Grade</u>	<u>BU</u>
7780	C	Airport Business Manager	24	02

AMENDMENTS TO OPERATING BUDGET

ADDITION

<u>Position No.</u>	<u>Spec No.</u>	<u>JC</u>	<u>Position Title</u>	<u>Grade</u>	<u>BU</u>
25-5610-0300-0005	0996	C	Economic Development Assistant	24	02

DELETION

<u>Position No.</u>	<u>Spec No.</u>	<u>JC</u>	<u>Position Title</u>	<u>Grade</u>	<u>BU</u>
25-5610-0300-0010	7780	C	Airport Business Manager	24	02

and be it further

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

DATED:

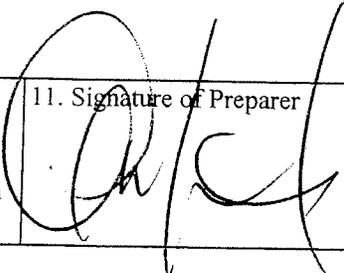
APPROVED BY:

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

Date:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1093

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation RESOLUTION No. _____ AMENDING THE SUFFOLK COUNTY CLASSIFICATION AND SALARY PLAN IN CONNECTION WITH A NEW POSITION TITLE IN THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND WORKFORCE HOUSING (ECONOMIC DEVELOPMENT ASSISTANT)		
3. Purpose of Proposed Legislation To add a new title to the Classification and Salary Plan, to delete another title and to amend the Department of Economic Development and Workforce Housing Operating Budget to add one Economic Development Assistant position and delete one Airport Business Manager position.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact  Sufficient funds are included within the Department of Economic Developments 2009 Adopted Budget		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  Specific salary is not known at this time, same grade		
8. Proposed Source of Funding  2009 Adopted Budget		
9. Timing of Impact  Upon approval		
10. Typed Name & Title of Preparer  Allen M. Kovesdy Director of Management and Research	11. Signature of Preparer  	January 26, 2009

SCIN FORM 175b (10/95)

# COUNTY OF SUFFOLK



1093

**STEVE LEVY**

SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF CIVIL SERVICE/HUMAN RESOURCES  
NORTH COUNTY COMPLEX BLDG. 158  
P. O. Box 6100  
HAUPPAUGE, NY 11788-0099  
(631) 853-5500  
FAX (631) 853-6305

**ALAN SCHNEIDER**  
PERSONNEL DIRECTOR

## *interoffice memorandum*

**TO:** Ben Zwirn, Assistant Deputy County Executive

**FROM:** Cynthia DiStefano, Chief of Classification

**DATE:** January 2, 2009

**RE:** New Title Request

~~~~~

A draft of a resolution to amend the Classification and Salary Plan to add the title Economic Development Assistant is attached. We have determined that a new title is needed to assist with business operations of the Department of Economic Development and Workforce Housing. This title will replace the Airport Business Manager, which had been developed to include more airport specific responsibilities and required airport experience.

Please initiate this resolution to add the new title to the Classification and Salary Plan. A draft of our proposed specification for the title is attached for your reference.

An e-mail version of the resolution has been sent to CE RESO REVIEW saved under the title "Reso-ED and WH-Economic Devel Asst 1-09."

Attachment

cc: Jim Morgo, Chief Deputy County Executive  
Jeff Szabo, Deputy County Executive - Administration  
Patrick Heaney, Commissioner of Economic Development and Workforce Housing

1093

DISTINGUISHING FEATURES OF THE CLASS

Under general supervision, an employee in this class is responsible for assisting with the general business operations of the Department of Economic Development and Workforce Housing, especially those associated with the County's Gabreski Airport site. Responsibility is included for preparing financial and narrative reports in accordance with funding guidelines and duties include serving as liaison with rental property administrators and program participants. The incumbent assists the Airport Manager with routine airport assignments. Supervision may be exercised over a support staff. Work requires considerable initiative and independent judgment and is reviewed by an administrative supervisor through conferences and written reports. Does related work as required.

TYPICAL WORK ACTIVITIES

Assists in the preparation and negotiation of leases and agreements for airport property, in coordination with the Commissioner of Economic Development and Workforce Housing and the County Attorney's Office;

Oversees the maintenance of a data base of leased space;

Provides information to be used in promotional campaigns aimed at marketing airport leases to the business community;

Prepares grant applications and financial reports, and assists in preparing the Department's annual operating budget;

Attends conferences and public meetings as a representative of the Department;

Serves as a liaison between administrators of leased properties and tenants to provide information and assist in resolving problems;

Assists the Airport Manager in the performance of routine, non-technical assignments.

FULL PERFORMANCE KNOWLEDGES, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS

Thorough knowledge of the principles and practices of public administration, business administration and budget preparation; good knowledge of lease management and contracts; good knowledge of public relations and business techniques; working knowledge of basic research methods and techniques; ability to establish and maintain good working relationships with tenants, business officials and the public; ability to communicate effectively both orally and in writing; initiative and resourcefulness; physical condition commensurate with the demands of the position.

MINIMUM QUALIFICATIONS

OPEN COMPETITIVE

Graduation from a New York State or Regionally accredited college or university with a Bachelor's Degree and two years of experience in business administration or public administration.

1/02/09

Suffolk County

Competitive

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

1093

**GENERAL FUND**

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

**POLICE DISTRICT AND DISTRICT COURT**

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

**COMBINED**

|       | 2009<br>PROPERTY TAX LEVY | 2009<br>COST TO AVG TAXPAYER | 2009 AV TAX<br>RATE PER \$100 | 2009 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$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.

1094

Intro Res. No. - 09

Laid on the Table 2/3/09

Introduced by the Presiding Officer, on request of County Executive

**RESOLUTION NO. -2009, TO APPROVE THE LEASE OF FOUR (4) REPLACEMENT FIFTEEN (15) PASSENGER VANS IN THE SUFFOLK COUNTY DEPARTMENT OF LABOR, IN COMPLIANCE WITH LOCAL LAW 20-2003.**

**WHEREAS**, Local Law 20-2003, "A Local Law to Restrict Purchase of Sports Utility Vehicles (SUV) by Suffolk County" was filed in the Office of the Secretary of State on July 10, 2003; and

**WHEREAS**, Local Law 20-2003 stipulates that "6. No vehicle of any nature whatsoever shall be purchased or leased by the County of Suffolk unless: ... (b) the purchase or lease of the vehicle is based on the County Vehicle Standard...; and (c) explicit approval for the acquisition of such vehicle, via lease or purchase, has been granted via duly enacted Resolution of the County of Suffolk."; and

**WHEREAS**, the Suffolk County Department of Labor included funding for program vehicles in the 2009 Operating Budget Request, and the vehicles were approved and funded in the 2009 Adopted Budget; and

**WHEREAS**, the Code of Federal Regulations, Title 48, Part 31 categorizes vehicle lease costs for federal grant programs as an "allowable cost" to the extent that the rates are reasonable; and

**WHEREAS**, leased vehicles are program vehicles used for transporting participants for the Suffolk Works Employment Program and the cost is allocated to this program in compliance with the approved New York State Cost Allocation Plan for the Suffolk County Department of Labor; and

**WHEREAS**, the existing leases for four (4) full-size fifteen (15) passenger vans terminates in March 2009; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County Department of Labor is authorized to initiate the process for the replacement of leased vehicle through the Purchase Requisition process; and be it further

**2<sup>nd</sup> RESOLVED**, that the Department of Public Works, Purchasing Division, in adherence with New York State General Municipal Law, is hereby authorized to conduct a formal sealed bid process, in which the specifications for these vehicles will comply with the 'County Vehicle Standard'; and be it further

**3<sup>rd</sup> RESOLVED**, that the Suffolk County Department of Labor is duly authorized to enter into a contractual agreement to lease the following vehicles:

4 – Full-size 15 passenger vans;

and be it further

**4<sup>th</sup> RESOLVED**, that there will be no net increase in the number of vehicles in the Department's fleet as a result of this Resolution.

DATED:

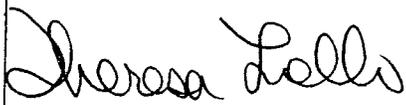
APPROVED BY:

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

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1094

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                       |                                  |                    |                  |                             |                     |                             |                            |                              |                           |                            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|----------------------------------|--------------------|------------------|-----------------------------|---------------------|-----------------------------|----------------------------|------------------------------|---------------------------|----------------------------|
| 1. Type of Legislation<br><br>Resolution <u> X </u> Local Law <u>    </u> Charter Law                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                       |                                  |                    |                  |                             |                     |                             |                            |                              |                           |                            |
| Title of Proposed Legislation: TO APPROVE THE LEASE OF FOUR (4) REPLACEMENT FIFTEEN (15) PASSENGER VANS IN THE SUFFOLK COUNTY DEPARTMENT OF LABOR, IN COMPLIANCE WITH LOCAL LAW 20-2003.                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                       |                                  |                    |                  |                             |                     |                             |                            |                              |                           |                            |
| 3. Purpose of Proposed Legislation<br>TO APPROVE THE LEASE FOUR (4) REPLACEMENT FIFTEEN (15) PASSENGER VANS.                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                       |                                  |                    |                  |                             |                     |                             |                            |                              |                           |                            |
| 4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u>    </u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                       |                                  |                    |                  |                             |                     |                             |                            |                              |                           |                            |
| 5. If the Answer to item 4 is "yes", on what will it impact? (check appropriate category) <table style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 33%;"><u>    </u> County</td> <td style="width: 33%;"><u>    </u> Town</td> <td style="width: 33%;"><u>    </u> Economic Impact</td> </tr> <tr> <td><u>    </u> Village</td> <td><u>    </u> School District</td> <td><u> X </u> Other (Specify)</td> </tr> <tr> <td><u>    </u> Library District</td> <td><u>    </u> Fire District</td> <td><u>    </u> NOT APPLICABLE</td> </tr> </table> |                                                                                                                       |                                  | <u>    </u> County | <u>    </u> Town | <u>    </u> Economic Impact | <u>    </u> Village | <u>    </u> School District | <u> X </u> Other (Specify) | <u>    </u> Library District | <u>    </u> Fire District | <u>    </u> NOT APPLICABLE |
| <u>    </u> County                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <u>    </u> Town                                                                                                      | <u>    </u> Economic Impact      |                    |                  |                             |                     |                             |                            |                              |                           |                            |
| <u>    </u> Village                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <u>    </u> School District                                                                                           | <u> X </u> Other (Specify)       |                    |                  |                             |                     |                             |                            |                              |                           |                            |
| <u>    </u> Library District                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <u>    </u> Fire District                                                                                             | <u>    </u> NOT APPLICABLE       |                    |                  |                             |                     |                             |                            |                              |                           |                            |
| 6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact<br>Fiscal Impact: additional funding not required. Funding exists in 2009 budget.                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                       |                                  |                    |                  |                             |                     |                             |                            |                              |                           |                            |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Subdivision.<br>To be determined by bid process.<br>Annual estimated cost for 4 vans is \$33,700.00                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                       |                                  |                    |                  |                             |                     |                             |                            |                              |                           |                            |
| 8. Proposed Source of Funding<br>New York State Department of Labor                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                       |                                  |                    |                  |                             |                     |                             |                            |                              |                           |                            |
| 9. Timing of Impact<br><br>CURRENT LEASE EXPIRES MARCH, 2009                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                       |                                  |                    |                  |                             |                     |                             |                            |                              |                           |                            |
| 10. Typed Name & Title of Preparer<br><br>Theresa Lollo<br>Principal Financial Analyst                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 11. Signature of Preparer<br><br> | 12. Date<br><br>January 22, 2009 |                    |                  |                             |                     |                             |                            |                              |                           |                            |

# COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

1094

ROBERT W. DOW, JR.  
COMMISSIONER  
DEPARTMENT OF LABOR  
725 VETERANS MEMORIAL HIGHWAY  
HAUPPAUGE, N.Y. 11788

ADDRESS CORRESPONDENCE TO:  
P.O. BOX 1319  
SMITHTOWN, N.Y. 11787-0895  
e-mail: [sc.dol@suffolkcountyny.gov](mailto:sc.dol@suffolkcountyny.gov)  
FAX # (631) 853-6510  
[www.suffolkcountyny.gov/labor](http://www.suffolkcountyny.gov/labor)

## MEMORANDUM

TO: Ben Zwirn, Deputy County Executive  
Suffolk County Executive's Office

FROM: Robert W. Dow, Jr., Commissioner

DATE: November 19, 2008

RE: INTRODUCTORY RESOLUTION

Attached please find the following Introductory Resolution for the next Legislative meeting:

RESOLUTION NO. -08, TO APPROVE THE LEASE OF FOUR (4) REPLACEMENT FIFTEEN (15) PASSENGER VANS IN THE SUFFOLK COUNTY DEPARTMENT OF LABOR, IN COMPLIANCE WITH LOCAL LAW 20-2003.

Thank you for your assistance.

\* \* \*

RWD:dv  
Attachment

cc: Jim Morgo, Chief Deputy County Executive

1095

2/3/09

Intro. Res. No. -2009 Laid on the Table  
Introduced by the Presiding Officer at the Request of the County Executive

**RESOLUTION NO. 2009, AUTHORIZING FUNDS FOR  
INFRASTRUCTURE IMPROVEMENTS IN CONNECTION  
WITH INCUBATORS FOR BUSINESSES IN DISTRESSED  
AREAS (CP 6413)**

**WHEREAS**, CP-6413 – Incubators for Business in Distressed Areas is to support the creation of business incubators which will promote economic growth in diverse economically distressed communities within Suffolk County; and

**WHEREAS**, through Resolution No. 1542-2006, the Suffolk County Legislature appropriated funding for this program with the understanding that each project would be presented for Legislative consideration, that no appropriations for construction would be allocated to or expended from CP-6413 until the adoption of a resolution authorizing the issuance of bonds to finance the construction, and that prior to the adoption of any bonding resolution, an environmental review of the project would be undertaken and completed in accordance with the State Environmental Quality Review Act (SEQRA); and

**WHEREAS**, all of the conditions of Resolution No. 1542-2006 have been complied with; and

**WHEREAS**, the Town of Huntington Community Development Agency (CDA) has applied for and qualifies for funding through this program to assist with the infrastructure costs associated with the development of a business incubator at 1264-1266 New York Avenue, Huntington Station, New York, and as further detailed in Exhibit A; and

**WHEREAS**, the CDA has the approvals to apply for funding under the program and to provide an easement or lease to the County with respect to the business incubator it owns in Huntington Station, New York, that it wishes to improve; and

**WHEREAS**, the Town of Huntington, as lead agency for the purposes of SEQRA, has determined that the proposed action to make capital improvements to the premises in connection with such business incubator project is classified Type II pursuant to Section 617.5(b) and (c)(2) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-01091(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as it involves replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, and that no further SEQRA review is required; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$150,000 in Suffolk County Serial Bonds; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that it is hereby determined that \$150,000 shall be expended for the purpose of providing capital infrastructure improvements as detailed in Exhibit A; and be it further

**2<sup>nd</sup> RESOLVED**, that the County Legislature hereby authorizes the County Executive or his designee to execute all necessary agreements and documents, including but not limited to an easement or a lease, necessary to effectuate this transaction and the intent and purpose of this resolution; and be it further

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

DATE:

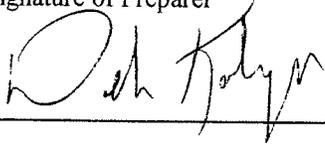
APPROVED BY:

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

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1095

|                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                       |                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|----------------------------------|
| 1. Type of Legislation                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                       |                                  |
| Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>                                                                                                                                                                                                                                                                                                                                                |                                                                                                                       |                                  |
| 2. Title of Proposed Legislation<br><b>RESOLUTION NO.            2009, AUTHORIZING FUNDS FOR<br/>INFRASTRUCTURE IMPROVEMENTS IN CONNECTION<br/>WITH INCUBATORS FOR BUSINESSES IN DISTRESSED<br/>AREAS (CP - 6413)</b>                                                                                                                                                                                                    |                                                                                                                       |                                  |
| 3. Purpose of Proposed Legislation<br><br>SEE NO. 2 ABOVE                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                       |                                  |
| 4. Will the Proposed Legislation Have a Fiscal Impact?            Yes <u>  X  </u> No <u>      </u>                                                                                                                                                                                                                                                                                                                      |                                                                                                                       |                                  |
| 5. If the answer to item 4 is "yes", on what will it impact?    (circle appropriate category)                                                                                                                                                                                                                                                                                                                            |                                                                                                                       |                                  |
| <u>County</u>                                                                                                                                                                                                                                                                                                                                                                                                            | Town                                                                                                                  | Economic Impact                  |
| Village                                                                                                                                                                                                                                                                                                                                                                                                                  | School District                                                                                                       | Other (Specify):                 |
| Library District                                                                                                                                                                                                                                                                                                                                                                                                         | Fire District                                                                                                         |                                  |
| 6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact<br><br>In Resolution No. 1542-2006, the Legislature appropriated funding into CP-6413 with the condition that each award come back for Legislative consideration. This resolution awards \$150,000 in funding to the Town of Huntington CDA to assist with the infrastructure costs associated with the development of a business incubator. |                                                                                                                       |                                  |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.<br><br>N/A                                                                                                                                                                                                                                                                                                              |                                                                                                                       |                                  |
| 8. Proposed Source of Funding<br><br>CP 6413                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                       |                                  |
| 9. Timing of Impact<br><br>2009                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                       |                                  |
| 10. Typed Name & Title of Preparer<br><br>Debra Kolyer<br>Principal Financial Analyst                                                                                                                                                                                                                                                                                                                                    | 11. Signature of Preparer<br><br> | 12. Date<br><br>January 26, 2009 |

SCIN FORM 175b (10/95)

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

1095

**GENERAL FUND**

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

**POLICE DISTRICT AND DISTRICT COURT**

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

**COMBINED**

|       | 2009<br>PROPERTY TAX LEVY | 2009<br>COST TO AVG TAXPAYER | 2009 AV TAX<br>RATE PER \$100 | 2009 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$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.

1095

**MEMORANDUM**

**TO:** Ben Zwirn, Deputy County Executive

**FROM:** Carolyn E. Fahey, Intergovernmental Relations Coordinator  
Economic Development and Workforce Housing

**DATE:** January 23, 2009

**SUBJECT:** **Authorizing Funds for Infrastructure Improvements in  
Connection with Incubators for Businesses in Distressed Areas  
(CP-6413)**

\*\*\*\*\*

The County Executive created CP-6413 in an effort to help local entities establish business incubators in distressed areas. Through resolution 1542-2006, the Legislature appropriated funding into CP-6413 with the condition that each award would come back for Legislative consideration and that prior to the adoption of any bonding resolution, an environmental review of the project shall be undertaken and completed in accordance with SEQRA. The Town of Huntington Community Development Agency has applied for and qualifies for funding through this program to assist with the infrastructure costs associated with the development of a business incubator at 1264-1266 New York Avenue, Huntington Station, NY. The CDA has also completed SEQRA as required. The attached draft resolution awards \$150,000 to the Town of Huntington CDA for said project.

Attached please find the draft resolution, Exhibit A and the required back up. Electronic copies have been filed in accordance with ADH 04-09.

CEF/kmb  
Attachments

cc: Jim Morgo, Chief Deputy County Executive  
Patrick A. Heaney, Commissioner  
Brendan Chamberlain, County Executive Assistant - 2 complete copies

1096

Intro. Res. No. - 2009

Laid on the Table 2/3/09

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

**RESOLUTION NO. - 2009, ACCEPTING AND APPROPRIATING 100% STATE GRANT FUNDS FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO THE DEPARTMENT OF HEALTH SERVICES, DIVISION OF MEDICAL, LEGAL INVESTIGATIONS AND FORENSIC SCIENCES FOR THE AID TO LABS - TOXICOLOGY LAB COMBO GRANT, FY08**

**WHEREAS**, the New York State Division of Criminal Justice Services has awarded 100% State grant funds to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the Aid to Labs - Toxicology Lab Combo Grant, FY08 in the amount of \$65,806 for the period 07/01/08-06/30/09; and

**WHEREAS**, this grant funding is provided to enhance the effectiveness, efficiency, reliability, and accuracy of laboratory services within New York State's forensic laboratories; and

**WHEREAS** a portion of this funding is already included in the 2009 Suffolk County Operating Budget and \$7,052 needs to be appropriated; and

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

**1<sup>ST</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$7,052 in grant funds as follows:

REVENUES

001-3322 Target Crime Initiative Program \$7,052

APPROPRIATIONS

Department of Health Services (HSV)  
Division of Medical, Legal Investigations and Forensic Sciences  
Aid to Labs - Toxicology Lab Combo Grant, FY08  
001-HSV-4722

|                              |                 |
|------------------------------|-----------------|
| <u>Equipment:</u>            | <u>\$ 7,052</u> |
| 2010 Furniture & Furnishings | \$ 4,500        |
| 2020 Office Machines         | \$ 2,552        |

and be it further

**2<sup>ND</sup> RESOLVED**, that the funding and the expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

**3<sup>RD</sup> RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

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

Date of Approval:

HSV # 3-2009

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

1096

|                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                             |                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| 1. Type of Legislation                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                             |                                   |
| Resolution <input checked="" type="checkbox"/> Local Law _____      Charter Law _____                                                                                                                                                                                                                         |                                                                                                                                                                                                             |                                   |
| 2. Title of Proposed Legislation<br>Accepting and Appropriating 100% State grant funds from the New York State Division of Criminal Justice Services to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for Aid to Labs – Toxicology Lab Combo Grant, FY08 |                                                                                                                                                                                                             |                                   |
| 3. Purpose of Proposed Legislation<br>The grant funding is provided to enhance the effectiveness, efficiency, reliability and accuracy of laboratory services within New York State's forensic laboratories.                                                                                                  |                                                                                                                                                                                                             |                                   |
| 4. Will the Proposed Legislation Have a Fiscal Impact?    YES ___    NO <input checked="" type="checkbox"/>                                                                                                                                                                                                   |                                                                                                                                                                                                             |                                   |
| 5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)                                                                                                                                                                                                                    |                                                                                                                                                                                                             |                                   |
| County                                                                                                                                                                                                                                                                                                        | Town                                                                                                                                                                                                        | Economic Impact                   |
| Village                                                                                                                                                                                                                                                                                                       | School District                                                                                                                                                                                             | Other (Specify):                  |
| Library District                                                                                                                                                                                                                                                                                              | Fire District                                                                                                                                                                                               |                                   |
| 6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:<br><br>Not applicable                                                                                                                                                                                                            |                                                                                                                                                                                                             |                                   |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.<br><br>None                                                                                                                                                                                                  |                                                                                                                                                                                                             |                                   |
| 8. Proposed Source of Funding<br><br>100% State grant funds from the New York State Division of Criminal Justice Services                                                                                                                                                                                     |                                                                                                                                                                                                             |                                   |
| 9. Timing of Impact<br>2009                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                             |                                   |
| 10. Typed Name & Title of Preparer<br><b>Diane E. Weyer</b><br><i>Principal Financial Analyst</i>                                                                                                                                                                                                             | 11. Signature of Preparer<br><br><br> | 12. Date<br>1/5/09<br><br>1/26/09 |
| BETH A. REYNOLDS<br>PRINCIPAL EXECUTIVE ANALYST                                                                                                                                                                                                                                                               |                                                                                                                                                                                                             |                                   |

FINANCIAL IMPACT  
2009 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1096

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

|       | 2009<br>PROPERTY TAX LEVY | 2009<br>COST TO AVG TAXPAYER | 2009 AV TAX<br>RATE PER \$100 | 2009 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$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.

1096

|                                                                                  |                                                       |                               |
|----------------------------------------------------------------------------------|-------------------------------------------------------|-------------------------------|
| <b>COORDINATION OF GRANT APPLICATION OR CONTRACT</b><br><b>County of Suffolk</b> |                                                       | <b>DATE</b> December 30, 2008 |
| Submitting Department/Agency<br>Health Services                                  | Location<br>225 Rabro Drive East, Hauppauge, NY 11788 |                               |
| Contact Person In Department/Agency<br>Mike Katz                                 | Telephone Number<br>853-5548                          | Grant Application Due Date    |

**Instructions:** Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (\*) in the item box and attach additional information on an 8 1/2" X 11" sheet cross referenced to the item.

**I. BACKGROUND INFORMATION**

|                                                                                                                                                              |                                                                                                                                                                                                                                                                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Grant Title                                                                                                                                               | AID TO LABS - TOXICOLOGY LAB COMBO GRANT, FY 08                                                                                                                                                                                                                                  |
| 2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)                                                                   | New York State Division of Criminal Justice Services                                                                                                                                                                                                                             |
| 3. Grant/Contract Status (Check One Box)                                                                                                                     | <input type="checkbox"/> A. New Program Application<br><input type="checkbox"/> B. Renewal Application<br><input type="checkbox"/> C. Supplemental (Specify) _____<br><input type="checkbox"/> D. Extension of Funding Period<br><input checked="" type="checkbox"/> E. Contract |
| 3. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.) | <p>This funding is provided to enhance the effectiveness, efficiency, reliability and accuracy of laboratory services within New York State's forensic laboratories.</p>                                                                                                         |
| 4. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)                   | NONE                                                                                                                                                                                                                                                                             |

**II. BUDGET INFORMATION**

|                     |                    |                  |
|---------------------|--------------------|------------------|
| 1. Term of Contract | From: 07 / 01 / 08 | To: 06 / 30 / 09 |
|---------------------|--------------------|------------------|

2. Financial Assistance Requested

| <i>SOURCE</i>  | <i>FIRST FUNDING CYCLE</i> |         | <i>SECOND FUNDING CYCLE</i> |         | <i>THIRD FUNDING CYCLE</i> |         |
|----------------|----------------------------|---------|-----------------------------|---------|----------------------------|---------|
|                | Amount                     | Percent | Amount                      | Percent | Amount                     | Percent |
| <b>Federal</b> | \$                         | %       | \$                          | %       | \$                         | %       |
| <b>State</b>   | \$ 65,806                  | 100.0 % | \$                          | %       | \$                         | %       |
| <b>Private</b> | \$                         | %       | \$                          | %       | \$                         | %       |
| <b>County</b>  | \$                         | %       | \$                          | %       | \$                         | %       |
| <b>Total</b>   | \$ 65,806                  | 100.0 % | \$                          | %       | \$                         | %       |

1096

3. Explanation of Requested County Financial Assistance

| <i>Category</i>         | <i>Total Requested</i> | <i>Personnel Costs Requested</i> | <i>Non-Personnel Costs Requested</i> |
|-------------------------|------------------------|----------------------------------|--------------------------------------|
| TOTAL COUNTY SHARE:     | \$ 0                   | \$                               | \$                                   |
| A. Cash Contribution    | \$ 0                   | \$                               | \$                                   |
| B. In-Kind Contribution | \$ 0                   | \$                               | \$                                   |

|                                                    |                                                                                     |
|----------------------------------------------------|-------------------------------------------------------------------------------------|
| 4. Total Number of New Positions Requested<br>NONE | 5. Can This Program Be Refunded by the Proposed Non-County Sources?<br><br>X YES NO |
|----------------------------------------------------|-------------------------------------------------------------------------------------|

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

NONE

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinued (That is, program termination, reduced services, financial implications, layoffs, etc.)?

This program will be eliminated.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet).

**III. COUNTY EXECUTIVE'S OFFICE REVIEW**

|                                                 |             |                             |         |
|-------------------------------------------------|-------------|-----------------------------|---------|
| 1. Intergovernmental Relations Division Review: |             | 2. Signature of Coordinator | 3. Date |
|                                                 | Approved    |                             |         |
|                                                 |             |                             |         |
|                                                 |             |                             |         |
|                                                 | Disapproved |                             |         |

4. Comments

|                          |             |                                 |         |
|--------------------------|-------------|---------------------------------|---------|
| 5. Budget Office Review: |             | 6. Signature of Budget Director | 7. Date |
|                          | Approved    |                                 |         |
|                          |             |                                 |         |
|                          |             |                                 |         |
|                          | Disapproved |                                 |         |

8. Comments

| <i>Category</i>                                                                                                                                                                                                                                                                                                                      | <i>Appropriation Number<br/>Grantor Funds</i> | <i>Appropriation Number<br/>County Funds</i> | <i>Appropriation Number<br/>In-Kind Contribution</i> | <i>Remarks</i> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|----------------------------------------------|------------------------------------------------------|----------------|
| PERSONAL SERVICES:<br>1100 Permanent Salaries<br>1110 Interim Salaries<br>1120 Overtime Salaries                                                                                                                                                                                                                                     | 31,777<br>11,027<br>20,750                    |                                              |                                                      |                |
| EQUIPMENT:<br>2010 Furniture<br>2020 Office Machines<br>2070 Cameras & Photographic<br>2080 Medical, Dental, Lab Equip<br>2500 Other Equipment: Unclassified                                                                                                                                                                         | 7,500<br>4,500<br>3,000                       |                                              |                                                      |                |
| SUPPLIES, MATERIALS & OTHER:<br>3010 Office Supplies<br>3020 Postage<br>3040 Printing<br>3070 Memberships & Subscriptions<br>3080 Research Books<br>3100 Instructional Supplies<br>3160 Computer Software<br>3370 Medical, Dental, Lab Supplies<br>3500 Other Unclassified<br>3650 Repairs, Buildings<br>3680 Repairs, Special Equip | 17,302<br><br>6,000<br><br>802<br>10,500      |                                              |                                                      |                |
| UTILITIES:<br>4010 Telephone & Telegraph                                                                                                                                                                                                                                                                                             |                                               |                                              |                                                      | 1096           |
| TRAVEL:<br>4330 Travel Employee Contracts<br>4340 Travel Other Contracts                                                                                                                                                                                                                                                             | 4,000<br>4,000                                |                                              |                                                      |                |

| Category                                                                                                                                                 | Appropriation Number Grantor Funds | Appropriation Number County Funds | Appropriation Number In-Kind Contribution | Remarks |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|-----------------------------------|-------------------------------------------|---------|
| FEES FOR SERVICES<br>4560 Fees for Services, Non-Employees                                                                                               | 2,250<br>2,250                     |                                   |                                           |         |
| CONTRACTED SERVICES (List)                                                                                                                               |                                    |                                   |                                           |         |
| EMPLOYEE BENEFITS:<br>8280 Retirement<br>8300 Insurance: Worker's Compensation<br>8330 Social Security<br>8360 Health Insurance<br>8380 Dental Insurance | 2,977                              |                                   |                                           |         |
| OTHER (List Source & Brief Explanation)                                                                                                                  |                                    |                                   |                                           | 1096    |

I certify that the above in-kind contributions are not currently being used to support other Grants.

\_\_\_\_\_  
Signature of Project Director

**DETAIL LISTING OF PERSONAL SERVICES**

| TITLE OF POSITION    | GRADE/<br>STEP | SALARY | EMPLOYEE NAME   | SOURCE OF FUNDING BY % |        |         | REMARKS               |
|----------------------|----------------|--------|-----------------|------------------------|--------|---------|-----------------------|
|                      |                |        |                 | GRANTOR                | COUNTY | IN-KIND |                       |
| Forensic Scientist I | 17/2           | 44,108 | Jennifer Elders | 100                    |        |         | 3 months reimbursable |

1096

COUNTY OF SUFFOLK



1096

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.  
Commissioner

**To:** Liza Wright  
**From:** Carolyn Kagan  
**Date:** January 7, 2008  
**Subject:** Resolution Request

Aid to Labs – Toxicology Lab Combo Grant, FY 08  
Budget Period 07/01/08 - 06/30/09  
001-4722  
Revenue Code 3322  
Reporting Category - not needed

Please write a resolution to accept and appropriate 100 % State grant funds from the NYS Division of Criminal Justice Services for the above mentioned program. The award is \$65,806; however only a portion of the funding is in the 2009 budget and \$7,052 needs to be appropriated. The appropriations are as follows:

\$7,052

|                      |              |
|----------------------|--------------|
| EQUIPMENT:           |              |
| 2010 Furniture       | <u>7,052</u> |
| 2020 Office Machines | 4,500        |
|                      | 2,552        |

Thank you for your help. Backup is attached and will be faxed.



**Public Health**  
Prevent. Promote. Protect.

FEDERAL & STATE AID CLAIMS UNIT  
Riverhead County Center, Rm N216, 300 Center Drive, Riverhead, NY 11901 (631) 852-2810 Fax (631) 852-2818

**Additional back-up material regarding I.R. 1096 is on file in  
the Legislative Clerk's Office, Hauppauge.**

1097

Intro. Res. No. - 2009

Laid on the Table 2/3/09

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2009, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS PASSED THROUGH THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE BATHING BEACH WATER QUALITY MONITORING AND NOTIFICATION PROGRAM**

**WHEREAS**, the New York State Department of Health Services has awarded 100% Federal grant funds to the Department of Health Services, Division of Environmental Quality for the Bathing Beach Water Quality Monitoring and Notification Program in the amount of \$171,999 for the period 10/01/08-09/30/09; and

**WHEREAS**, this program provides bathing beach risk ranking and evaluation for sanitation and pollution; and

**WHEREAS**, a portion of this funding is already included in the 2009 Suffolk County Operating Budget and \$42,544 needs to be appropriated; and

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

**1<sup>ST</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$42,544 in Federal grant funds as follows:

REVENUES

001-4910 Water Pollution Control \$42,544

APPROPRIATIONS

Department of Health Services (HSV)  
Division of Environmental Quality  
Bathing Beach Water Quality Monitoring & Notification Program  
001-HSV-4409

|                                        |                 |
|----------------------------------------|-----------------|
| <u>Personal Services</u>               | <u>\$10,710</u> |
| 1120 Overtime Salaries                 | \$5,000         |
| 1130 Temporary Salaries                | \$5,710         |
| <u>Supplies, Materials &amp; Other</u> | <u>\$30,334</u> |
| 3370 Medical, Dental & Lab Supplies    | \$30,334        |
| <u>Contractual Expenses</u>            | <u>\$1,500</u>  |
| 4340 Travel: Other                     | \$1,500         |

and be it further

**2<sup>ND</sup> RESOLVED**, that the funding and the expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

**3<sup>RD</sup> RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

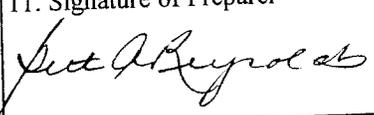
\_\_\_\_\_  
County Executive of Suffolk County

Date of Approval:

HSV #1-2009

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1097

|                                                                                                                                                                                                                                                                                                                                |                                                                                                                       |                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|----------------------------------|
| 1. Type of Legislation                                                                                                                                                                                                                                                                                                         |                                                                                                                       |                                  |
| Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>                                                                                                                                                                                                                                                      |                                                                                                                       |                                  |
| 2. Title of Proposed Legislation<br><b>RESOLUTION NO.                      -2008, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS PASSED THROUGH THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE SUFFOLK COUNTY DPEARTMENT OF HEALTH SERVICES FOR THE BATHING BEACH WATER QUALITY MONITORING AND NOTIIFICATION PROGRAM</b> |                                                                                                                       |                                  |
| 3. Purpose of Proposed Legislation<br><br>This program provides bathing beach risk ranking and evaluation for sanitation and pollution.                                                                                                                                                                                        |                                                                                                                       |                                  |
| 4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No <u>      </u>                                                                                                                                                                                                                  |                                                                                                                       |                                  |
| 5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)                                                                                                                                                                                                                |                                                                                                                       |                                  |
| <u>County</u>                                                                                                                                                                                                                                                                                                                  | Town                                                                                                                  | Economic Impact                  |
| Village                                                                                                                                                                                                                                                                                                                        | School District                                                                                                       | Other (Specify):                 |
| Library District                                                                                                                                                                                                                                                                                                               | Fire District                                                                                                         |                                  |
| 6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact<br><br>No Tax Levy Impact. There are sufficient funds existing within the 2009 Operating Budget to support any associated fringe benefit costs.                                                                                                    |                                                                                                                       |                                  |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.<br><br>None                                                                                                                                                                                                                   |                                                                                                                       |                                  |
| 8. Proposed Source of Funding<br><br>100% Federal grant funds passed through the New York State Department of Health                                                                                                                                                                                                           |                                                                                                                       |                                  |
| 9. Timing of Impact<br><br>Spring/Summer 2009                                                                                                                                                                                                                                                                                  |                                                                                                                       |                                  |
| 10. Typed Name & Title of Preparer<br><br>Beth A Reynolds<br>Principal Executive Analyst                                                                                                                                                                                                                                       | 11. Signature of Preparer<br><br> | 12. Date<br><br>January 27, 2009 |

SCIN FORM 175b (10/95)

FINANCIAL IMPACT  
2009 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1097

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

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

COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

1097  
JAN 12 2009

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.  
Commissioner

January 9, 2009

Ben Zwirn, Deputy County Executive  
Office of the County Executive, 12<sup>th</sup> Floor  
H. Lee Dennison Building  
Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution accepting and appropriating 100% Federal grant funds passed through the New York State Department of Health to the Department of Health Services for the Bathing Beach Water Quality Monitoring and Notification Program. This program provides bathing beach risk ranking and evaluation for sanitation and pollution.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Carolyn Kagan at 2-2814. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-EQ Beach Monitoring.doc".

Sincerely yours,

Humayun J. Chaudhry, D.O., M.S.  
Commissioner of Health Services

Enclosures

HJC/lw

C: Jim Morgo, Chief Deputy County Executive  
Margaret B. Bermel, M.B.A, Director of Health Administrative Services  
Matthew Miner, Deputy Commissioner  
Vito Minei, P.E., Director of Environmental Quality  
Donald Fahey, Federal & State Aid Claims Coordinator  
Carolyn Kagan, Principal Contracts Examiner  
Diane E. Weyer, Principal Financial Analyst



Public Health  
Prevent. Promote. Protect.

OFFICE OF THE COMMISSIONER  
225 Rabro Drive East, Hauppauge, NY 11788 (631) 853-3000 Fax (631) 853-2927

1097

|                                                                           |                                                    |                                     |
|---------------------------------------------------------------------------|----------------------------------------------------|-------------------------------------|
| <b>COORDINATION OF GRANT APPLICATION OR CONTRACT</b><br>County of Suffolk |                                                    | <b>DATE</b> December 11, 2008       |
| Submitting Department/Agency<br>Department of Health Services             | Location 225 Rabro Drive East, Hauppauge, NY 11788 |                                     |
| Contact Person In Department/Agency<br>Carolyn Kagan                      | Telephone Number<br>852-2814                       | Grant Application Due Date<br>_____ |

**Instructions:** Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (\*) in the item box and attach additional information on an 8 1/2" X 11" sheet cross referenced to the item.

**I. BACKGROUND INFORMATION**

1. Grant Title  
BATHING BEACH WATER QUALITY MONITORING AND NOTIFICATION PROGRAM

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)

3. Grant/Contract Status (Check One Box)

A. New Program Application  
 B. Renewal Application  
 C. Supplemental (Specify) \_\_\_\_\_  
 D. Extension of Funding Period  
 E. Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)  
  
 This program provides bathing beach risk ranking and evaluation for sanitation and pollution.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)  
  
 NONE

**II. BUDGET INFORMATION**

1. Term of Contract From: 10 /01 /08 To: 09 /30 /09

2. Financial Assistance Requested

| SOURCE       | FIRST FUNDING CYCLE |         | SECOND FUNDING CYCLE |         | THIRD FUNDING CYCLE |         |
|--------------|---------------------|---------|----------------------|---------|---------------------|---------|
|              | Amount              | Percent | Amount               | Percent | Amount              | Percent |
| Federal      | \$ 171,999          | 47.2 %  | \$                   | %       | \$                  | %       |
| State        | \$                  | %       | \$                   | %       | \$                  | %       |
| Private      | \$                  | %       | \$                   | %       | \$                  | %       |
| County       | \$ 192,689          | 52.8 %  | \$                   | %       | \$                  | %       |
| <b>Total</b> | \$ 364,688          | 100.0 % | \$                   | %       | \$                  | %       |

3. Explanation of Requested County Financial Assistance

| Category                | Total Requested | Personnel Costs Requested | Non-Personnel Costs Requested |
|-------------------------|-----------------|---------------------------|-------------------------------|
| TOTAL COUNTY SHARE:     | \$ 192,689      | \$ 187,689                | \$ 5,000                      |
| A. Cash Contribution    | \$ 0            | \$ 0                      | \$ 0                          |
| B. In-Kind Contribution | \$ 192,689      | \$ 187,689                | \$ 5,000                      |

4. Total Number of New Positions Requested  
None

5. Can This Program Be Refunded by the Proposed Non-County Sources?  
YES  NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)  
NONE

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?  
This program is eligible for 35% state aid reimbursement.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet).

**III. COUNTY EXECUTIVE'S OFFICE REVIEW**

|                                                 |             |                                 |         |
|-------------------------------------------------|-------------|---------------------------------|---------|
| 1. Intergovernmental Relations Division Review: |             | 2. Signature of Coordinator     | 3. Date |
|                                                 | Approved    |                                 |         |
|                                                 |             |                                 |         |
|                                                 | Disapproved |                                 |         |
| 4. Comments                                     |             |                                 |         |
| 5. Budget Office Review:                        |             | 6. Signature of Budget Director | 7. Date |
|                                                 | Approved    |                                 |         |
|                                                 |             |                                 |         |
|                                                 | Disapproved |                                 |         |
| 8. Comments                                     |             |                                 |         |

COUNTY BUDGET YEAR 2009

GRANT BUDGET ANALYSIS

| Category                                                                                                                                                                                                                                                    | Appropriation Number<br>Grantor Funds | Appropriation Number<br>County Funds | Appropriation Number<br>In-Kind Contribution | Remarks |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|--------------------------------------|----------------------------------------------|---------|
| PERSONAL SERVICES:<br>100 Permanent Salaries<br>110 Interim Salaries<br>120 Overtime Salaries<br>130 Temporary Salaries                                                                                                                                     | 95,710<br>80,000<br>10,000<br>5,710   |                                      | 130,992<br>120,992<br>5,000<br>5,000         |         |
| EQUIPMENT:<br>2010 Furniture<br>2020 Office Machines<br>2070 Cameras & Photographic<br>2080 Medical, Dental, Lab Equip                                                                                                                                      |                                       |                                      |                                              |         |
| SUPPLIES, MATERIALS & OTHER:<br>3010 Office Supplies<br>3020 Postage<br>3030 Photostat, Photograph, Blueprint<br>3040 Printing<br>3070 Memberships & Subscription<br>3100 Instructional Supplies<br>3160 Computer Software<br>3370 Medical, Dental, Lab Sup | 36,220<br><br><br><br><br><br>36,220  |                                      |                                              |         |
| UTILITIES:<br>4010 Telephone & Telegraph                                                                                                                                                                                                                    |                                       |                                      |                                              |         |
| TRAVEL:<br>4330 Travel Employee Contracts<br>4340 Travel Other Contracts                                                                                                                                                                                    | 1,500<br>1,500                        |                                      | 5,000<br>5,000                               | 1097    |

| Category                                                                                                                                                 | Appropriation Number Grantor Funds | Appropriation Number County Funds | Appropriation Number In-Kind Contribution | Remarks |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|-----------------------------------|-------------------------------------------|---------|
| FEES FOR SERVICES<br>1560 Fees for Services, Non-Employees                                                                                               |                                    |                                   |                                           |         |
| CONTRACTED SERVICES (List)<br>4980 Contract Agencies                                                                                                     |                                    |                                   |                                           |         |
| EMPLOYEE BENEFITS:<br>8280 Retirement<br>8300 Insurance: Worker's Compensation<br>8330 Social Security<br>8360 Health Insurance<br>8380 Dental Insurance | <u>38,569</u>                      |                                   | <u>56,697</u>                             |         |
| OTHER (List Source & Brief Explanation)                                                                                                                  |                                    |                                   |                                           | 1097    |

I certify that the above in-kind contributions are not currently being used to support other Grants. \_\_\_\_\_  
Signature of Project Director

DETAIL LISTING OF PERSONAL SERVICES

| TITLE OF POSITION                  | GRADE/<br>STEP | SALARY    | EMPLOYEE NAME  | SOURCE OF FUNDING BY % |        |         | REMARKS           |
|------------------------------------|----------------|-----------|----------------|------------------------|--------|---------|-------------------|
|                                    |                |           |                | GRANTOR                | COUNTY | IN-KIND |                   |
| Public Health Sanitarian           | 21/3           | 54,627    | Andrew Seal    | 75                     |        | 25      |                   |
| Public Health Sanitarian           | 21/3           | 54,627    | Philip DeBlasi | 75                     |        | 25      | 6/1/09 - 9/1/09   |
| 3 Summer Interns                   | TEMP           | \$10/hour | To be hired    | 100                    |        |         |                   |
| Public Health Sanitarian Trainee   | 16/1           | 36,331    | L. Peterson    |                        |        | 75      | 5/15/09 - 9/15/09 |
| Sr. Public Health Sanitarian       | 24/4           | 63,527    | N. Panarese    |                        |        | 50      | 5/15/09 - 9/15/09 |
| Public Health Sanitarian           | 21/12          | 71,906    | J. Bredemeyer  |                        |        | 25      | 5/15/09 - 9/15/09 |
| Public Health Sanitarian           | 21/12          | 71,906    | G. Chmurzynski |                        |        | 25      | 5/15/09 - 9/15/09 |
| Principal Public Health Sanitarian | 32/11          | 110,664   | R. Waters      |                        |        | 25      | 5/15/09 - 9/15/09 |
| Various Lab Staff                  |                |           |                |                        |        |         |                   |

1097

APPENDIX X

1097

Contract Number: C-021903

Contractor: Suffolk County Department of Health Services

Amendment Number X-021903

This is an AGREEMENT between THE STATE OF NEW YORK, acting by and through NYS Department of Health, Center for Environmental Health, Division of Environmental Health Protection, Bureau of Community Environmental Health and Food Protection, having its principal office at 547 River Street, Room 515, Troy, New York, 12180 (hereinafter referred to as the STATE), and the Suffolk County Department of Health Services (hereinafter referred to as the CONTRACTOR), for amendment of this contract.

This amendment makes the following changes to the contract (check all that apply):

- Modifies the contract period at no additional cost
- Modifies the contract period at additional cost
- Modifies the budget or payment terms
- Modifies the work plan or deliverables
- Replaces appendix(es) A-1, B & D with the attached appendix(es) A-1, B & D
- Adds the attached appendix(es) \_\_\_\_\_
- Other: (describe) \_\_\_\_\_

This amendment is  is not \_\_\_\_\_ a contract renewal as allowed for in the existing contract.

All other provisions of said AGREEMENT shall remain in full force and effect.

Prior to this amendment, the contract value and period were:

\$ 198,881 (Value before amendment) From 10 / 01 / 06 to 9 / 30 / 08 .  
(Initial start date)

This amendment provides the following addition (complete only items being modified):

\$ 171,999 From 10 / 01 / 08 to 9 / 30 / 09 .

This will result in new contract terms of:

\$ 370,880 (All years thus far combined) From 10 / 01 / 06 to 9 / 30 / 09 .  
(Initial start date) (Amendment end date)

Suffolk County Department of Health Services  
 Bathing Beach Monitoring & Notification Program

1097

Office of Ecology  
 November 19, 2008

| <b>Beach Monitoring &amp; Notification Program Budget (10/1/08 - 9/30/09 Grant Period)</b> |                      |                        |                      |
|--------------------------------------------------------------------------------------------|----------------------|------------------------|----------------------|
| <b>PERSONAL SERVICES</b>                                                                   | <b>TOTAL PROGRAM</b> | <b>BEACH ACT GRANT</b> | <b>SCDHS IN-KIND</b> |
| 2 Public Health Sanitarians (A. Seal, & P. DeBlasi): 100%                                  | \$107,523.00         | \$80,000.00            | \$27,523.00          |
| 1 Public Health Sanitarian (L. Peterson): 75%, 5/15 - 9/15                                 | \$10,989.00          | \$0.00                 | \$10,989.00          |
| 1 Senior Public Health Sanitarian (N. Panarese): 50%, 5/15 - 9/15                          | \$11,181.00          | \$0.00                 | \$11,181.00          |
| 2 Public Health Sanitarians (J. Bredemeyer & G. Chmurzynski): 25%, 5/15 - 9/15             | \$12,397.50          | \$0.00                 | \$12,397.50          |
| 1 Principal Public Health Sanitarian (R. Waters): 25%                                      | \$27,226.50          | \$0.00                 | \$27,226.50          |
| 3 Summer Interns: 100%, 6/1 - 9/1                                                          | \$10,710.00          | \$5,710.00             | \$5,000.00           |
| Laboratory Staff (2 Bacteriologists & 1 Intern): 5/15 - 9/15                               | \$31,675.08          | \$0.00                 | \$31,675.08          |
| Subtotal                                                                                   | \$211,702.08         | \$85,710.00            | \$125,992.08         |
| Fringe Benefits (45%)                                                                      | \$95,265.94          | \$38,569.50            | \$56,696.44          |
| Overtime expenses                                                                          | \$15,000.00          | \$10,000.00            | \$5,000.00           |
| <b>Total Personal Services:</b>                                                            | <b>\$321,968.02</b>  | <b>\$134,279.50</b>    | <b>\$187,688.52</b>  |
| <b>OTHER THAN PERSONAL SERVICES</b>                                                        |                      |                        |                      |
| Supplies                                                                                   | \$36,219.50          | \$36,219.50            | \$0.00               |
| Travel: Conference Attendance                                                              | \$1,500.00           | \$1,500.00             | \$0.00               |
| Intern Mileage Reimbursement                                                               | \$5,000.00           | \$0.00                 | \$5,000.00           |
| <b>Total Other Than Personal Services:</b>                                                 | <b>\$42,719.50</b>   | <b>\$37,719.50</b>     | <b>\$5,000.00</b>    |
| <b>TOTALS:</b>                                                                             | <b>\$364,687.62</b>  | <b>\$171,999.00</b>    | <b>\$192,688.52</b>  |

**BUDGET JUSTIFICATION**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |  |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|
| <i>Personal Services:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |  |  |
| <ul style="list-style-type: none"> <li>▪ Two Public Health Sanitarians (A. Seal &amp; P. DeBlasi, 100% effort): These employees are partially funded by the BEACH Act and provide compliance with BEACH Act provisions including water quality monitoring, sanitary surveys, related investigations, and public notification requirements.</li> <li>▪ One Public Health Sanitarian (L. Peterson, 75% effort during the summer, 5/15-9/15): Assists with BEACH Act required water quality monitoring as well as conduct sanitary surveys and related investigations.</li> <li>▪ One Senior Public Health Sanitarian (N. Panarese, 50% effort during the summer, 5/15-9/15): This employee supervises water quality monitoring and related investigations, sanitary surveys, closures/advisories, and handles public notifications.</li> <li>▪ Two Public Health Sanitarians (J. Bredemeyer &amp; G. Chmurzynski, 25% effort during the summer, 5/15-9/15): These employees assist with BEACH Act required water quality monitoring as well as conduct sanitary surveys and related investigations.</li> <li>▪ Principal Public Health Sanitarian (R. Waters, 25% effort): Administers the Beach Act program throughout the year. Tasks include sample scheduling, data management and quality control, report writing, media contact and public notification.</li> <li>▪ Three Summer Interns: These employees conduct water quality sampling from approximately 6/1 - 9/1.</li> <li>▪ Laboratory staff (2 Bacteriologists &amp; Lab Intern): These employees work 7 days/week during the beach season conducting required water quality analyses.</li> <li>▪ Fringe Benefits (45%): These costs include FICA, health insurance, retirement costs and a union negotiated benefit fund for eye glasses, dental services, etc.</li> </ul> |  |  |  |
| <i>Other Than Personal Services:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  |  |
| <ul style="list-style-type: none"> <li>▪ Lab Supplies: Various laboratory supplies needed for water sample analysis</li> <li>▪ Travel: Intern mileage reimbursement; attendance at beach conferences</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |  |  |

1097

interoffice  
MEMORANDUM

---

**to:** Liza Wright  
**from:** Carolyn Kagan  
**subject:** Request for Resolution  
**date:** December 30, 2008

Bathing Beach Water Quality Monitoring & Notification Program  
Budget Period 10/01/08 - 09/30/09  
001-4409  
Revenue Code 4910

Please write a resolution to accept and appropriate 100.0% Federal grant funds passed through New York State Department of Health for the above mentioned program. The grant award is \$171,999 and insufficient funds are appropriated in the 2009 county budget. The appropriations are as follows:

|                                    |               |
|------------------------------------|---------------|
|                                    | <u>42,544</u> |
| PERSONAL SERVICES:                 | <u>10,710</u> |
| 1120 Overtime Salaries             | 5,000         |
| 1130 Temporary Salaries            | 5,710         |
| SUPPLIES, MATERIALS & OTHER        | <u>30,334</u> |
| 3370 Medical, Dental, Lab Supplies | 30,334        |
| TRAVEL:                            | <u>1,500</u>  |
| 4340 Travel Other Contracts        | 1,500         |

Thank you for your help. Backup is attached and will be faxed.

**Additional back-up material regarding I.R. 1097 is on file in  
the Legislative Clerk's Office, Hauppauge.**

1098

Laid on the Table 2/3/09

Intro. Res. No. - 2009  
Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2009, AMENDING THE 2009  
ADOPTED OPERATING BUDGET TO REALLOCATE FUNDING  
WITHIN THE SUFFOLK COUNTY DEPARTMENT OF HEALTH  
SERVICES, DIVISION OF PATIENT CARE SERVICES FOR THE  
PATIENT NAVIGATOR PROGRAM**

**WHEREAS**, as of 04/01/2008, the New York State Department of Health (NYSDOH) Cancer Services Program has reassigned its contract for the Healthy Women Partnership (HWP) of Suffolk County, which includes the Patient Navigator Program, to both the Peconic Bay Medical Center and Good Samaritan Hospital; and

**WHEREAS**, this patient navigation service is an essential component for the success of the Healthy Women Partnership of Suffolk County; and

**WHEREAS**, this program provides Suffolk County Health Center clients with breast, cervical and colorectal cancer screening and diagnostic options; and

**WHEREAS**, in the Department's 2009 Operating Budget Request funding was allocated equally between Peconic Bay Medical Center and Good Samaritan Hospital; and

**WHEREAS**, the 2009 Recommended Budget changed the funding allocation; and

**WHEREAS**, all the funds for this program were included in the 2009 Adopted Operating Budget and funds need to be transferred so that both contracted agencies are funded equally; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County 2009 Adopted Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to reallocate \$9,033 of funding as follows:

FROM:

Department of Health Services  
Division of Patient Care Services  
001-HSV-4100-4980

| <u>XORG</u> | <u>OBJECT NAME</u>         | <u>2009<br/>Adopted<br/>Budget</u> | <u>Increase/<br/>Decrease</u> | <u>2009<br/>Modified<br/>Budget</u> |
|-------------|----------------------------|------------------------------------|-------------------------------|-------------------------------------|
| JAL1        | Peconic Bay Medical Center | \$65,638.00                        | -\$9,033                      | \$56,605                            |

TO:

Department of Health Services  
Division of Patient Care Services  
001-HSV-4100-4980

| XORG | OBJECT NAME             | 2009<br>Adopted<br>Budget | Increase/<br>Decrease | 2009<br>Modified<br>Budget |
|------|-------------------------|---------------------------|-----------------------|----------------------------|
| JDX1 | Good Samaritan Hospital | \$47,571.00               | +\$9,033              | \$56,604                   |

and be it further;

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with both Peconic Bay Medical Center and Good Samaritan Hospital; and be it further

**3<sup>rd</sup> RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

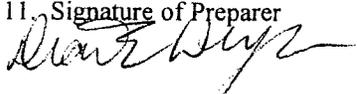
\_\_\_\_\_  
County Executive of Suffolk County

Date of Approval:

HSV # 2-2009

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

1098

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                         |                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| 1. Type of Legislation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                         |                                             |
| Resolution <u>  X  </u> Local Law _____                      Charter Law _____                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                         |                                             |
| 2. Title of Proposed Legislation<br>Amending the 2009 Adopted Operating Budget to reallocate funding within the Suffolk County Department of Health Services, Division of Patient Care Services for the Patient Navigator Program.                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                         |                                             |
| 3. Purpose of Proposed Legislation<br>As of 4/1/08, the New York State Department of Health has reassigned its contract for the Healthy Women Partnership (HWP) of Suffolk County, which includes the Patient Navigator Program, to both the Peconic Bay Medical Center and Good Samaritan Hospital. All funds for this Program were included in the 2009 Operating Budget but were not distributed equally between these two agencies. This resolution will transfer funds to equally allocate the funding for this program. |                                                                                                                                                                                                         |                                             |
| 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:<br><br>Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                         |                                             |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.<br><br>None                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                         |                                             |
| 8. Proposed Source of Funding<br><br>001-HSV-4100-4980 (JAL1) Peconic Bay Medical Center                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                         |                                             |
| 9. Timing of Impact<br><br>2009                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                         |                                             |
| 10. Typed Name & Title of Preparer<br><i>Diane E. Weyer</i><br><b>Principal Financial Analyst</b><br><br><i>Beth A Reynolds</i><br><b>Principal Exec. Analyst</b>                                                                                                                                                                                                                                                                                                                                                             | 11. Signature of Preparer<br><br> | 12. Date<br><i>1/5/09</i><br><i>1/26/09</i> |

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

1098

**GENERAL FUND**

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

**POLICE DISTRICT AND DISTRICT COURT**

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

**COMBINED**

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

NOTES:

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

# COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

1098

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.  
Commissioner

## MEMORANDUM

**To:** Humayun J. Chaudhry, D.O., M.S.  
Commissioner Department of Health Services

**From:** Shaheda Iftikhar, MD *SI*  
Acting Division Director, Patient Care Services

**Date:** December 29, 2008

**Subject:** Request for Introductory Resolution Amending the 2009 Adopted Budget to Transfer \$9,033.50 of non-Omni money from the Department of Health Services – Peconic Bay Medical Center (Pseudo Code JAL1) to Good Samaritan Hospital (4100-4980, Pseudo Code JDX1)

---

The New York State Department of Health notified the County on March 13<sup>th</sup>, 2008 that they would now be running their Breast Program Partnership out of both Peconic Bay Medical Center and Good Samaritan Hospital.

The original intent was split the total \$113,209 between Peconic Bay Medical Center and Good Samaritan Hospital. This was requested for the 2009 budget, however, the monies were still awarded unevenly. Patient Care will still be using the two Patient Navigators listed in the budget at each location. Since Peconic Bay Medical Center was awarded \$65,638, and Good Samaritan Hospital was awarded \$47,571, we now request that \$9,033.50 from the budget for the Peconic Bay Medical Center be transferred to Good Samaritan Hospital so that both programs are equally funded.

Thank you.

SI: ekk  
Attachments

cc: L. Mermelstein, F. Weimann, E. Kitz,



Public Health  
Prevent. Promote. Protect.

DIVISION OF PATIENT CARE SERVICES

225 Rabro Drive East, Hauppauge, NY 11788 (631) 853-3013 Fax (631) 853-3031

# COUNTY OF SUFFOLK



JAN 12 2009

**STEVE LEVY**  
SUFFOLK COUNTY EXECUTIVE

1098

DEPARTMENT OF HEALTH SERVICES

**HUMAYUN J. CHAUDHRY, D.O., M.S.**  
Commissioner

January 9, 2009

Ben Zwirn, Deputy County Executive  
Office of the County Executive, 12<sup>th</sup> Floor  
H. Lee Dennison Building  
Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution to amend the 2009 Adopted Operating Budget to reallocate funding within the Suffolk County Department of Health Services, Division of Patient Care Services for the Patient Navigator Program. As of 4/1/08, the New York State Department of Health has reassigned its contract for the Healthy Women Partnership (HWP) of Suffolk County, which includes the Patient Navigator Program, to both the Peconic Bay Medical Center and Good Samaritan Hospital. All funds for this Program were included in the 2009 Operating Budget but were not distributed equally between these two agencies. This resolution will transfer funds to equally allocate the funding for this program.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Dr. Shadedha Iftikhar at 3-3013. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-Patient Navigator Prgm.doc".

Sincerely yours,

Humayun J. Chaudhry, D.O., M.S.  
Commissioner of Health Services

Enclosures

HJC/lw

C: Jim Morgo, Chief Deputy County Executive  
Margaret B. Bermel, M.B.A, Director of Health Administrative Services  
Matthew Miner, Deputy Commissioner  
Shaheda Iftikhar, M.D., Physician III  
Sheila Reagan, Senior Program Examiner  
Glenn Terry, Auditor  
Diane E. Weyer, Principal Financial Analyst



**Public Health**  
Prevent. Promote. Protect.

OFFICE OF THE COMMISSIONER

225 Rabro Drive East, Hauppauge, NY 11788 (631) 853-3000 Fax (631) 853-2927

1098

AGENCY:  
PSEUDO CODE: XXX JDX1

SUFFOLK COUNTY  
DEPARTMENT OF HEALTH SERVICES  
GOOD SAMARITAN HOSPITAL  
PATIENT NAVIGATOR PROGRAM  
BUDGET  
JANUARY 1, 2009 - DECEMBER 31, 2009

| Category | Group  | Code | Expense | WEEKS |        |          | M                                  |
|----------|--------|------|---------|-------|--------|----------|------------------------------------|
|          |        |      |         | WKCUR | HRCUR  | RATE     |                                    |
| PSEUDO   | BUDGET |      |         |       |        |          |                                    |
| XXXX     | GSHNP  | X    | TITLGRP | X     | EXPGRP | EXP CODE | POSHO TITLE                        |
| 50XL     |        |      |         |       |        | 001      | X                                  |
| JDX1     | GSHNP  |      |         | 116   | 116001 |          | PERSONNEL                          |
|          |        |      |         |       |        |          | Nurse Service Coordinator          |
|          |        |      |         |       |        |          | TOTAL PERSONNEL                    |
|          |        |      |         |       |        |          | PERSONNEL                          |
|          |        |      |         |       |        |          | 19.5                               |
|          |        |      |         |       |        |          | 60.00                              |
| JDX1     | GSHNP  |      |         | 138   | 138    |          | FRINGE BENEFITS                    |
|          |        |      |         |       |        |          | Fringe Benefits @ 23%              |
|          |        |      |         |       |        |          | TOTAL FRINGE BENEFITS              |
|          |        |      |         |       |        |          | OTHER THAN PERSONAL SERVICES       |
|          |        |      |         |       |        |          | Other - Specify on Claim           |
|          |        |      |         |       |        |          | 997                                |
|          |        |      |         |       |        |          | 499                                |
|          |        |      |         |       |        |          | TOTAL OTHER THAN PERSONAL SERVICES |
|          |        |      |         |       |        |          | GROSS EXPENSES                     |
|          |        |      |         |       |        |          | LESS: Anticipated Savings          |
|          |        |      |         |       |        |          | NET CONTRACT                       |

1098

AGENCY:  
PSEUDO CODE: JAL1

SUFFOLK COUNTY  
DEPARTMENT OF HEALTH SE  
PECONIC BAY MEDICAL CE  
PATIENT NAVIGATOR PROI  
BUDGET  
JANUARY 1, 2009 - DECEMBER

|      | Category | Group  | Expense Code | Expense                           |
|------|----------|--------|--------------|-----------------------------------|
| **   | PSEUDO   | BUDGET | TITLGRP      | EXPGRP EXP CODE                   |
| JAL1 | PBMNP    | X      | X            | 001                               |
|      |          |        |              | POSHOTITLE                        |
|      |          |        |              | X                                 |
|      |          |        |              | X                                 |
| JAL1 | PBMNP    |        | 116          | 116001                            |
|      |          |        | 997          | 116002                            |
|      |          |        |              | PERSONNEL                         |
|      |          |        |              | Nurse Service Coordinator         |
|      |          |        |              | Nurse Service Coordinator         |
|      |          |        |              | TOTAL PERSONNEL                   |
| JAL1 | PBMNP    |        | 138          | 138                               |
|      |          |        |              | FRINGE BENEFITS @ 23% of Staffing |
|      |          |        |              | GROSS EXPENSES                    |
|      |          |        |              | LESS: Anticipated Savings         |
|      |          |        |              | NET CONTRACT                      |

**Additional back-up material regarding I.R. 1098 is on file in  
the Legislative Clerk's Office, Hauppauge.**

1099

Intro. Res. No. -2009  
Introduced by Legislator Gregory

Laid on Table 2/3/2009

**RESOLUTION NO. -2009, AMENDING THE 2009  
OPERATING BUDGET AND TRANSFERRING FUNDS TO  
BIASHELP, INC.**

**WHEREAS**, the 2009 Operating Budget does not include sufficient funds for BiasHELP, Inc.; and

**WHEREAS**, BiasHELP, Inc. is a not-for-profit agency dedicated to preventing discrimination and hate crimes against the citizens of Suffolk County due to race, color, gender, ethnicity, or religion; and

**WHEREAS**, recent events in Suffolk County demonstrate a need for anti-hate programs; and

**WHEREAS**, it is the desire of the Suffolk County Legislature to amend the 2009 Operating Budget and transfer \$30,000 to the contracted agency BiasHELP, Inc.; and

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

**1<sup>st</sup> RESOLVED**, that the 2009 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

| <u>FD</u> | <u>AGY</u> | <u>UNIT</u> | <u>ACT</u> | <u>OBJ</u> | <u>OBJECT NAME</u>  | <u>AMOUNT</u> |
|-----------|------------|-------------|------------|------------|---------------------|---------------|
| 001       | EXE        | 6511        | 0000       | 4980       | Contracted Agencies | -\$15,000     |
| 001       | EXE        | 7320        | 0000       | 4980       | Contracted Agencies | -\$15,000     |

**TO:**

| <u>FD</u> | <u>AGY</u> | <u>UNIT</u> | <u>ACT</u> | <u>OBJ</u> | <u>ACTIVITY NAME</u> | <u>AMOUNT</u> |
|-----------|------------|-------------|------------|------------|----------------------|---------------|
| 001       | EXE        | 6511        | GHB1       | 4980       | BiasHELP, Inc        | +\$30,000     |

and be it further

**2<sup>nd</sup> RESOLVED**, that the monies appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding BiasHELP, Inc.

**DATED:**

1100

Intro. Res. No. -2009  
Introduced by the Presiding Officer

Laid on Table 2/3/09

**RESOLUTION NO. -2009, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED REHABILITATION OF CR 17, WHEELER ROAD, FROM CR 100, SUFFOLK AVENUE, TO VICINITY OF BRETTON ROAD, TOWN OF ISLIP**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Rehabilitation of CR 17, Wheeler Road, From CR 100, Suffolk Avenue, to Vicinity of Bretton Road, Town of Islip", pursuant to Section 6 of Local Law No. 22-1985 which project proposes to improve vehicular and pedestrian safety along CR 17, Wheeler Road, corridor. This project includes roadway widening on CR 17 for approximately 1.3 miles to accommodate a two-way left turn lane resulting in a complete 3-lane roadway section. The existing roadway will be widened approximately 2.0' on both the east and west sides of CR 17 with new 5 foot wide sidewalks, curbing, and traffic control devices throughout the project area. All work will be performed within the existing Suffolk County right-of-way; and

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

**WHEREAS**, at its January 21, 2009 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 January 22, 2009 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 Rehabilitation of CR 17, Wheeler Road, From CR 100, Suffolk Avenue, to Vicinity of Bretton Road, Town of Islip, constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

- 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); and
- 4.) Traffic safety will be improved in a high accident location 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:

1101

Intro. Res. No. -2009  
Introduced by Legislator Cooper

Laid on Table 2/3/09

**RESOLUTION NO. -2009, AUTHORIZING USE OF MAKAMAH  
PRESERVE IN NORTHPORT BY NORTHPORT RUNNING  
CLUB**

**WHEREAS**, the Northport Running Club is a nonprofit club whose members are active volunteers improving and maintaining nature trails throughout Long Island; and

**WHEREAS**, the Northport Running Club would like to use the County-owned Makamah Preserve to sponsor a 5K race for the purpose of honoring Dr. Douglas Wood and benefiting the Douglas Wood Scholarship Fund, which funds would be awarded to a promising high school athlete; and

**WHEREAS**, the race would be held on Saturday, April 11, 2009 at the Makamah Preserve in Northport; and

**WHEREAS**, the County of Suffolk shall receive consideration in the total amount of Two Hundred Fifty and 00/100 (\$250.00) Dollars, payment of which shall be guaranteed by the Northport Running Club; and

**WHEREAS**, the use of County property for such fund drive to benefit the Douglas Wood Scholarship Fund would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore be it

**1st RESOLVED**, that the use of County-owned property, i.e. the Makamah Preserve in Northport, in consideration of the payment of Two Hundred Fifty and 00/100 (\$250.00) Dollars, for the purpose of a 5K race on Saturday, April 11, 2009, between the hours of 8:30 a.m. and 11:00 a.m., is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the County's receipt of a Certificate of Insurance naming the County of Suffolk as an additional insured from the Northport Running Club, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

**2nd RESOLVED**, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER and Section 378-7 of the SUFFOLK COUNTY CODE to issue a permit to the Northport Running Club. The Department of Parks, Recreation and Conservation and the County Department of Public Works are further authorized, empowered and directed to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive for support of the services to benefit the public provided by the Northport Running Club at Makamah Preserve in Northport by the Northport Running Club; and be it further

**3rd RESOLVED**, that the Northport Running Club shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

**4th**           **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

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

Date:

s:\res\r-5k-race-northport-running-club

1102

Intro. Res. No. -2009  
Introduced by Legislator Horsley

Laid on Table 2/3/09

**RESOLUTION NO. -2009, ADOPTING LOCAL LAW NO. -2009, A LOCAL LAW TO AMEND LOCAL LAW 1-2000 TO INCREASE CIVIL PENALTIES FOR ACTS OF BIAS IN SUFFOLK COUNTY ("MARCELO LUCERO'S LAW")**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on , 2009, a proposed local law entitled, "**A LOCAL LAW TO AMEND LOCAL LAW 1-2000 TO INCREASE CIVIL PENALTIES FOR ACTS OF BIAS IN SUFFOLK COUNTY ("MARCELO LUCERO'S LAW")**" now, therefore, be it

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

**LOCAL LAW NO. -2009, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO AMEND LOCAL LAW 1-2000 TO INCREASE CIVIL PENALTIES FOR ACTS OF BIAS IN SUFFOLK COUNTY ("MARCELO LUCERO'S LAW")**

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

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that Local Law 1-2000 was enacted to impose civil penalties against persons who commit acts of bias based on an individual's race, color, gender, religion, national origin, age, ancestry, sexual orientation, disability, handicap or health-related condition that are committed in Suffolk County.

This Legislature also finds and determines that the purpose of this law was to deter the commission of acts of bias and protect the public health and safety of the residents of Suffolk County.

This Legislature further finds that recent events in Suffolk County, brought to light by the tragic murder of Marcelo Lucero, have shown that the acts of bias that Local Law 1-2000 sought to eradicate are still occurring and with alarming consequences.

This Legislature also determines that the Suffolk County Police Department is currently investigating thirteen (13) bias related crimes that have been brought to their attention in recent months.

This Legislature finds that the civil penalties established in Local Law 1-2000 are insufficient to provide the deterrent effect sought by the enactment of this law.

This Legislature determines that increasing the civil penalties that can be levied for committing acts of bias will send a clear, strong message that such hateful and outrageous behavior will not be tolerated in Suffolk County.

Therefore, the purpose of this law is to amend Local Law 1-2000 to increase the civil penalties for the intentional commission of acts of bias in Suffolk County.

**Section 2. Amendments.**

Section 4 of Local Law 1-2000 is hereby amended as follows:

**Section 4. Civil Penalties**

- A) Any person who intentional violates any provision of this law shall be liable for a civil penalty of [one thousand dollars (\$1,000)] five thousand dollars (\$5,000) for a first offense; [two thousand dollars (\$2,000)] ten thousand dollars (\$10,000) for a second offense, and [five thousand dollars (\$5,000)] twenty thousand dollars (\$20,000) for a third offense. In addition, any person who intentionally violates any provision of this law shall, in the discretion of the Court, also be subject to a requirement to participate in Diversity Training conducted by or through the Suffolk County Human Rights Commission, on such terms and conditions as may be imposed by the Court.
  
- B) Civil penalties collected under this article shall be deposited with the Suffolk County Human Rights Commission to be used to fund the Junior Human Rights Day Program ("Day Program"), with the balance of the funds to be deposited in the General Fund.
  
- C) Any civil penalty may only be assessed by the Court following a hearing and opportunity for an alleged violator to be heard and upon clear and convincing evidence that the alleged violation occurred.

**Section 3. Applicability.**

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

**Section 4. Severability.**

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

**Section 5. SEQRA Determination.**

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

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

**Section 6. Effective Date.**

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

[ ] Brackets denote deletion of existing language

\_\_\_ Underlining denotes addition of new language

DATED:

APPROVED BY:

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

Date:

OFFICE OF THE COUNTY LEGISLATURE  
COUNTY OF SUFFOLK



1102 ✓

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

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

DATE: January 28, 2009  
TO: CLERK OF THE COUNTY LEGISLATURE  
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

-----  
PROPOSED LOCAL LAW YEAR 2009

TITLE: I.R. NO. 1102-2009; A LOCAL LAW TO AMEND LOCAL LAW 1-2000 TO INCREASE CIVIL PENALTIES FOR ACTS OF BIAS IN SUFFOLK COUNTY ("MARCELO LUCERO'S LAW")

SPONSOR: LEGISLATOR HORSLEY

DATE OF RECEIPT BY COUNSEL: 1/28/09 PUBLIC HEARING: 03/03/09

DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

This proposed local law would amend Local Law 1-2000 to increase the civil penalties for bias acts from \$1,000 for first offenses, \$2,000 for second offenses, and \$5,000 for subsequent offenses to \$5,000, \$10,000, and \$20,000 respectively. This law will also allow the collected penalties to be used by the Suffolk County Human Rights Commission to fund the Junior Human Rights Day Program.

This law will continue to be enforced by the Suffolk County Human Rights Commission with the assistance of the Department of Law.

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

A handwritten signature in black ink, appearing to read "George Nolan", written over a faint, larger version of the same signature.

GEORGE NOLAN  
Counsel to the Legislature

GN:

s:\rule28\28-marcelo lucero law

1103

Intro. Res. No. -2009  
Introduced by Legislator Horsley

Laid on Table 2/3/09

**RESOLUTION NO. -2009, AMENDING RESOLUTION  
NO. 1133-2008, CREATING THE GAMING TASK FORCE**

**WHEREAS**, Resolution No. 1133-2008, created the Suffolk County Gaming Task Force; and

**WHEREAS**, it is necessary to modify the Task Force's membership to allow it to work more effectively; now, therefore be it

**1st RESOLVED**, the 3rd RESOLVED Clause of Resolution No. 1133-2008 is hereby amended to read as follows.

**3rd RESOLVED**, that the Task Force shall consist of the following members:

- 1.) the County Executive, or designee;
- 2.) the Presiding Officer of the Suffolk County Legislature, or designee;
- 3.) the Minority Leader of the Suffolk County Legislature, or designee;
- 4.) the President of the Suffolk Off Track Betting Corporation, or designee;
- 5.) the Chair of the Suffolk County Legislature's Economic Development, Higher Education and Energy Committee, or designee, who shall serve as Chair;
- 6.) the Commissioner of the Suffolk County Department of Economic Development and Workforce Housing, or designee;
- 7.) the Director of the Suffolk County Department of Planning, or designee;
- 8.) the President of Suffolk County Community College, or designee;
- 9.) a Trustee or other representative of the Shinnecock Indian Nation;
- 10.) a representative of the Suffolk County Supervisor's Association;
- 11.) a representative of the Nassau-Suffolk Building Trades Council;
- 12.) a representative of the Long Island Federation of Labor; and

13.) a representative of the Long Island Economic & Social Policy Institute.

and be it further

**2nd RESOLVED**, the 7th RESOLVED Clause of Resolution No. 1133-2008 is hereby amended to read as follows:

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

and be it further

**3rd RESOLVED**, that all other provisions of Resolution No. 1133-2008 shall remain in full force and effect; and be it

**4th RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

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

Date:

s:\amend 1133-08- gaming task force

1104  
Intro. Res. No. -2009  
Introduced by Legislator Browning

Laid on Table 2/3/09

**RESOLUTION NO. -2009, AUTHORIZING THE  
DEPARTMENT OF PARKS, RECREATION, AND  
CONSERVATION TO PLAN AND DESIGN A DOG PARK AT  
SOUTHAVEN COUNTY PARK**

**WHEREAS**, Resolution No. 566-1998 authorized the Commissioner of the County Department of Parks, Recreation and Conservation to construct dog runs for the use of families with pet dogs within West Hills County Park and dog runs for the use of families in such other separate County facilities as deemed appropriate; and

**WHEREAS**, dog runs and/or dog parks have since been established at West Hills County Park in Huntington, Blydenburgh County Park in Smithtown, and on the grounds of Coindre Hall in the Town of Huntington; and

**WHEREAS**, Res. 461-2007 directed the Department of Parks, Recreation and Conservation to identify locations at five (5) County properties that could be used as dog parks; and

**WHEREAS**, a plan for the construction of a dog park at Southaven County Park in the Town of Brookhaven should be prepared; and

**WHEREAS**, the vacant equestrian stables and the adjacent overflow parking area within Southaven park would be an ideal location for this dog park; and

**WHEREAS**, the State of New York has expressed an interest in contributing to the funding of the construction of a dog park at Southaven County Park; now, therefore, be it

**1st RESOLVED**, that the Commissioner of the County Department of Parks, Recreation, and Conservation is hereby authorized, empowered, and directed, pursuant to §C28-4(A) of the SUFFOLK COUNTY CHARTER, to prepare the plan and design for the construction of a dog park at the vacant equestrian stables at Southaven County Park in the Town of Brookhaven; and be it further

**2<sup>nd</sup> RESOLVED**, that the Commissioner of the Department of Parks, Recreation and Conservation shall submit the construction plan and design, together with a cost estimate for the project to the County Executive and all members of the County Legislature within 30 days of the effective date of this resolution; and be it further

**3<sup>rd</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-dog-park-southaven

1105

Intro. Res. No. -2009  
Introduced by Legislator Cooper

Laid on Table 2/3/2009

**RESOLUTION NO. -2009, AMENDING THE 2009  
OPERATING BUDGET TO STRIKE \$500,000 IN EXCESS  
ENERGY APPROPRIATIONS**

**WHEREAS**, the County's 2009 Operating Budget was formulated during a period of historically high energy costs; and

**WHEREAS**, it was prudent during the budget adoption process to utilizing those historically high energy costs as the basis for the County's estimated expenditures for gasoline, light, power, and water; and

**WHEREAS**, the cost of a gallon of gasoline has fallen by more than 50% since the release of the 2009 Recommended Operating Budget; and

**WHEREAS**, the 2009 estimated expenditures for the County's utilization of light, power, and water were increased 6% based upon information from LIPA; and

**WHEREAS**, LIPA now anticipates 2009 cost increases to consumers of 3.2%; and

**WHEREAS**, the moderation of energy costs has resulted in excess energy appropriations within the 2009 County Operating Budget over and above the County Executive's spending reduction plan that restricts departments from spending up to 10% of their non-mandated appropriations for supplies and equipment; and

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

**1st RESOLVED**, that the 2009 County Operating Budget is hereby amended as follows to strike excess 2009 energy appropriations and that the County Comptroller and the County Treasurer be and they are hereby authorized to strike the following funds and authorizations:

**APPROPRIATIONS:**

| <u>FD</u>    | <u>AGY</u> | <u>UNIT</u> | <u>OBJ</u> | <u>OBJECT NAME</u> | <u>2009<br/>ADOPTED</u> | <u>DIFFERENCE</u> | <u>2009<br/>MODIFIED</u> |
|--------------|------------|-------------|------------|--------------------|-------------------------|-------------------|--------------------------|
| 016          | DPW        | 5130        | 3150       | Gasoline           | 11,600,000              | (400,000)         | 11,200,000               |
|              |            |             |            | Light, Power, &    |                         |                   |                          |
|              |            |             |            | Water              | 16,314,161              | (100,000)         | 16,214,161               |
| 001          | DPW        | 1494        | 4020       |                    |                         |                   |                          |
| <b>TOTAL</b> |            |             |            |                    | <b>27,914,161</b>       | <b>(500,000)</b>  | <b>27,414,161</b>        |

INTERFUND TRANSFER:

| <u>FD</u> | <u>AGY</u> | <u>XORG<br/>UNIT</u> | <u>OBJ</u> | <u>NAME</u>             | <u>2009<br/>ADOPTED</u> | <u>DIFFERENCE</u> | <u>2009<br/>MODIFIED</u> |
|-----------|------------|----------------------|------------|-------------------------|-------------------------|-------------------|--------------------------|
| 001       | IFT        | E016                 | 9600       | Transfer to<br>Fund 016 | 16,069,450              | (400,000)         | 15,669,450               |
| TOTAL     |            |                      |            |                         | 16,069,450              | (400,000)         | 15,669,450               |

INTERFUND REVENUE:

| <u>FD</u> | <u>AGY</u> | <u>RORG<br/>UNIT</u> | <u>XORG<br/>UNIT</u> | <u>NAME</u>               | <u>2009<br/>ADOPTED</u> | <u>DIFFERENCE</u> | <u>2009<br/>MODIFIED</u> |
|-----------|------------|----------------------|----------------------|---------------------------|-------------------------|-------------------|--------------------------|
| 016       | IFT        | R001                 | E016                 | Transfer from<br>Fund 001 | 16,069,450              | (400,000)         | 15,669,450               |
| TOTAL     |            |                      |                      |                           | 16,069,450              | (400,000)         | 15,669,450               |

DATED:

APPROVED BY:

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

Date:

T:\BRO\2009 BA Striking Appropriations.doc

1106

Intro. Res. No. -2009  
Introduced by Legislator Cooper

Laid on Table 2/3/2009

**RESOLUTION NO. -2009, AMENDING THE 2009  
OPERATING BUDGET TO STRIKE \$500,000 IN EXCESS  
ENERGY AND PARKS APPROPRIATIONS**

**WHEREAS**, the County's 2009 Operating Budget was formulated during a period of historically high energy costs; and

**WHEREAS**, it was prudent during the budget adoption process to utilizing those historically high energy costs as the basis for the County's estimated expenditures for gasoline, light, power, and water; and

**WHEREAS**, the cost of a gallon of gasoline has fallen by more than 50% since the release of the 2009 Recommended Operating Budget; and

**WHEREAS**, the 2009 estimated expenditures for the County's utilization of light, power, and water were increased 6% based upon information from LIPA; and

**WHEREAS**, LIPA now anticipates 2009 cost increases to consumers of 3.2%;  
and

**WHEREAS**, the moderation of energy costs has resulted in excess energy appropriations within the 2009 County Operating Budget over and above the County Executive's spending reduction plan that restricts departments from spending up to 10% of their non-mandated appropriations for supplies and equipment; and

**WHEREAS**, the 2009 Parks Department operating budget includes \$12,400 in excess appropriations for travel and equipment over and above the County Executive's spending reduction plan that restricts department's from spending up to 10% of their non-mandated appropriations for supplies and equipment, and

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

**1st RESOLVED**, that the 2009 County Operating Budget is hereby amended as follows to strike excess 2009 energy appropriations and that the County Comptroller and the County Treasurer be and they are hereby authorized to strike the following funds and authorizations:

APPROPRIATIONS:

| <u>FD</u> | <u>AGY</u> | <u>UNIT</u> | <u>OBJ</u> | <u>OBJECT NAME</u>               | <u>2009</u><br><u>ADOPTED</u> | <u>DIFFERENCE</u> | <u>2009</u><br><u>MODIFIED</u> |
|-----------|------------|-------------|------------|----------------------------------|-------------------------------|-------------------|--------------------------------|
| 016       | DPW        | 5130        | 3150       | Gasoline                         | 11,600,000                    | (400,000)         | 11,200,000                     |
| 001       | DPW        | 1494        | 4020       | Light, Power, &<br>Water         | 16,314,161                    | (87,600)          | 16,226,561                     |
| 001       | PKS        | 7110        | 2040       | Trucks, Trailers<br>& Jeeps      | 12,500                        | (3,250)           | 9,250                          |
| 001       | PKS        | 7110        | 2050       | Other Motorized<br>Equipment     | 30,000                        | (7,000)           | 23,000                         |
| 001       | PKS        | 7110        | 4330       | Travel:<br>Employee<br>Contracts | 8,500                         | (150)             | 8,350                          |
| 001       | PKS        | 7110        | 4340       | Travel: Other                    | 10,000                        | (2,000)           | 8,000                          |
| TOTAL     |            |             |            |                                  | 27,975,161                    | (500,000)         | 27,475,161                     |

INTERFUND TRANSFER:

| <u>FD</u> | <u>AGY</u> | <u>XORG</u><br><u>UNIT</u> | <u>OBJ</u> | <u>NAME</u>             | <u>2009</u><br><u>ADOPTED</u> | <u>DIFFERENCE</u> | <u>2009</u><br><u>MODIFIED</u> |
|-----------|------------|----------------------------|------------|-------------------------|-------------------------------|-------------------|--------------------------------|
| 001       | IFT        | E016                       | 9600       | Transfer to<br>Fund 016 | 16,069,450                    | (400,000)         | 15,669,450                     |
| TOTAL     |            |                            |            |                         | 16,069,450                    | (400,000)         | 15,669,450                     |

INTERFUND REVENUE:

| <u>FD</u> | <u>AGY</u> | <u>RORG</u><br><u>UNIT</u> | <u>XORG</u><br><u>UNIT</u> | <u>NAME</u>               | <u>2009</u><br><u>ADOPTED</u> | <u>DIFFERENCE</u> | <u>2009</u><br><u>MODIFIED</u> |
|-----------|------------|----------------------------|----------------------------|---------------------------|-------------------------------|-------------------|--------------------------------|
| 016       | IFT        | R001                       | E016                       | Transfer from<br>Fund 001 | 16,069,450                    | (400,000)         | 15,669,450                     |
| TOTAL     |            |                            |                            |                           | 16,069,450                    | (400,000)         | 15,669,450                     |

DATED:

APPROVED BY:

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

Date:

1107

Intro. Res. No. -2009  
Introduced by Legislator Romaine

Laid on Table 2/3/09

**RESOLUTION NO. -2009, TO ENHANCE EFFICIENCY IN  
THE SELECTION AND LEASING PROCESS FOR COUNTY  
BUILDINGS**

**WHEREAS**, the Suffolk County Comptroller conducted an audit of Suffolk County's operating leases for buildings and office space (Report No. 2008-07), which was issued December 22, 2008; and

**WHEREAS**, the audit could not determine if formal procedures relative to the selection of space to lease offices and other purposes existed and were consistently followed; and

**WHEREAS**, the audit indicated that the process of selecting space to lease was not adequately documented, lacked transparency, and had significant flaws; and

**WHEREAS**, the audit stated that the space selection process lacked adequate centralized oversight; responsibility for various aspects of the process was spread among three County departments; and

**WHEREAS**, the audit pointed out that the space selection process may not have always adequately considered the variable costs associated with each lease arrangement, such as whether related costs such as property taxes, utilities, maintenance construction costs, etc. would be the responsibility of the County or the landlord; and

**WHEREAS**, the audit further indicated that internal control weaknesses in the processing of lease-related expenses may have resulted in unnecessary costs being incurred by the County; and

**WHEREAS**, the audit further stated that the Department of Public Works' procedures for reviewing and approving construction costs, which are based on negotiated estimates and included in many monthly lease payments, may not have been adequate to prevent significant overpayments to landlords; and

**WHEREAS**, the audit further pointed out that twenty-four of fifty-three lease agreements reviewed (45%) did not contain a provision requiring the contractor/vendor to submit a Contractor's/Vendor's Public Disclosure Statement prior to being awarded a contract; and

**WHEREAS**, several lease agreements lacked sufficient relevant information in the payment provisions and on the landlord/tenant responsibility sheet to ensure that the lease payments were proper; and

**WHEREAS**, twenty-five percent (25%) of the lease files examined by this audit did not contain the Contractor/Vendor Public Disclosure Statement required by the lease agreement and Section A5-7 of the Suffolk County Administrative Code; and

**WHEREAS**, Certificates of Occupancy and/or other documentation supporting satisfactory completion of construction/build out associated with certain leases could not be provided by the Department of Public Works; now, therefore be it

**1st RESOLVED**, that the database used for tracking the status of leased sites shall include or provide links to, information regarding the process of locating potential sites, site inspections, rental surveys, and justification for the selected site. The County department(s) responsible for the site selection and leasing process shall have the responsibility to initiate document retention relevant to the space selection process and shall provide the Space Management and Steering Committee (SMSC) all necessary documents to ensure sufficient information is available for the selection and approval process; and further be it

**2nd RESOLVED**, that the County's process for selecting space to lease shall be accomplished by a bid or Request for Proposal (RFP) process that is adequately advertised to provide the County with an opportunity to obtain leased space at competitive prices in a transparent environment; and further be it

**3rd RESOLVED**, that prospective landlords will be required to submit a statement summarizing the total estimated cost to the County including all related costs, such as property taxes, utilities, etc., that are to be assumed by the County; and further be it

**4th RESOLVED**, that the County Department of Public Works is authorized, empowered, and directed to institute and strictly enforce a policy whereby all lease-related payments, such as utilities, that are designated as the County's responsibility, must be supported by a written agreement in order for payments to be processed; and be it further

**5th RESOLVED**, that the County Department of Public Works is authorized, empowered, and directed to perform an annual review of all leases for the purpose of verifying that the County is not paying for services or providing services, such as maintenance/cleaning, that are designated as the landlord's responsibility, and submit such to the County Comptroller's Office; and be it further

**6th RESOLVED**, County Department of Public Works is authorized, empowered, and directed to, within thirty (30) days of the adoption of this resolution, develop a procedure for certification of square footage. Such procedure will be filed with the County Comptroller's Office; and be it further

**7th RESOLVED**, a committee is hereby established consisting of the Presiding Officer, the leader of the minority caucus, and the Director of the Budget Review, to adopt formal policies governing various aspects of lease agreements for Legislative offices, such as the maximum size and cost of offices, location of offices, and construction costs associated with leases; and be it further

**8th RESOLVED**, that lease payments shall not be made based on verbal agreements. Payment of utility bills shall only be processed for which the County's responsibility to do so is established pursuant to formal contract amendments; and be it further

**9th RESOLVED**, that Space Management Steering Committee, in conjunction with the County Department of Public Works is authorized, empowered, and directed to develop a formal policy that addresses retroactive lease payments; the policy shall identify those situations

in which retroactive lease payments are permissible and shall also establish time and monetary limits for holdover leases; and be it further

**10th RESOLVED**, that all lease agreements contain a provision requiring the landlord to submit on an annual basis a verified public disclosure statement pursuant to Section A5-7 of Suffolk County Administrative Code; and be it further

**11th RESOLVED**, that the County Department of Public Works is authorized, empowered, and directed to request verified public disclosure statements from all landlords on an annual basis. DPW staff shall review the statements for completeness and file a copy of the statement with each lease agreement; the original disclosure statements shall be forwarded to the Department of Audit and Control. Lease payments shall be withheld for any landlord that fails to submit the required statement; and be it further

**12th RESOLVED**, that the County Department of Public Works is authorized, empowered, and directed to request insurance certificates from landlords on an annual basis. Payments shall be withheld from landlords who fail to submit the required insurance certificates. Copies of the insurance certificates shall be sent to the County's Insurance and Risk Management Unit for their assessment of the landlords' compliance with the insurance requirement contained in the lease agreements; and be it further

**13th RESOLVED**, that the County Department of Public Works is authorized, empowered, and directed to develop a written certification for the acceptance of construction build-outs. Payments to the landlord for construction/build-out should be contingent upon the receipt of the acceptance certification and the Certificate of Occupancy; and be it further

**14th 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\building-space

**PROCEDURAL MOTION NO. 2-2009, TO RETAIN OUTSIDE  
COUNSEL IN MATTERS RELATING TO THE SUFFOLK  
COUNTY VANDERBILT MUSEUM**

**WHEREAS**, William K. Vanderbilt provided in his Will a maintenance fund for the Suffolk County Vanderbilt Museum; and

**WHEREAS**, for six decades income from the maintenance fund and admissions was sufficient to fund the day-to-day operations of the Vanderbilt Museum; and

**WHEREAS**, in recent years \$1.2 million was drawn annually from the maintenance fund to support the Museum's operations; and

**WHEREAS**, the sudden and precipitous decline in the stock market during 2008 reduced the Vanderbilt Museum's maintenance fund to an amount just above the original endowment. As a result, the Vanderbilt Museum will receive little or no income from the maintenance fund in 2009; and

**WHEREAS**, the Vanderbilt Museum's inability to draw income from the maintenance fund threatens the Museum's very existence; if the County of Suffolk does not provide monies from its operating budget the Museum may be forced to close its doors; and

**WHEREAS**, when the County of Suffolk accepted the Vanderbilt property it made a commitment to operate it as a park and museum in perpetuity but under current conditions the County may be unable to keep this commitment; and

**WHEREAS**, several proposals are being promoted to save the Museum including using the principal of the maintenance fund to sustain operations or transferring the Museum to a different entity; and

**WHEREAS**, the County of Suffolk must seek court approval to pursue these or other alternatives; and

**WHEREAS**, it is appropriate for this Legislature to retain the services of legal counsel which specializes in the area of Trusts and Estates to provide assistance as it considers the future of the Vanderbilt Museum; now, therefore be it

**1st RESOLVED**, that the Parks and Recreation Committee of the Suffolk County Legislature shall interview at least three (3) qualified attorneys and/or law firms which specialize in Trusts and Estates and recommend to the full Legislature the selection of an attorney or law firm to advise and represent the County of Suffolk and this Legislature in matters relating to the future operation and/or disposition of the Vanderbilt Museum; and be it further

**2nd RESOLVED**, that no contract shall be executed with an attorney and/or law firm until a separate procedural motion authorizing said contract and an appropriation of funds to pay outside counsel is approved by this Legislature.

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO §A2-15(A) OF THE SUFFOLK COUNTY  
ADMINISTRATIVE CODE

**PROCEDURAL MOTION NO. 3-2009, AUTHORIZING  
REMITTANCE OF MONIES FROM THE MAINTANENCE FUND  
TO THE VANDERBILT MUSEUM**

**WHEREAS**, the Will of William K. Vanderbilt, II created a maintenance fund to support the operations of the Vanderbilt Museum; and

**WHEREAS**, in recent years this Legislature has authorized an annual transfer of \$1.2 million from the maintenance fund to support the Vanderbilt Museum's operations; and

**WHEREAS**, the market value of the maintenance fund dropped precipitously in 2008 due to a sharp decline in the nation's financial markets; and

**WHEREAS**, no large disbursements can be made from the maintenance fund at this time and, consequently, the Museum faces a large operating deficit and possible closure in 2009; and

**WHEREAS**, the County of Suffolk and the Museum's Board of Trustees are developing a plan to secure the long-term health and viability of the Museum; and

**WHEREAS**, short-term cash infusions will be necessary to keep the Museum open during 2009; and

**WHEREAS**, pursuant to Section 184-2 of the SUFFOLK COUNTY CODE, the Suffolk County Legislature has sole power and control over the property and funds of the Suffolk County Vanderbilt Museum; now, therefore be it

**1st RESOLVED**, that the Vanderbilt Museum's Maintenance Fund Investment Advisor, in consultation with the Presiding Officer of the Suffolk County Legislature and the Legislature's Budget Review Office, is hereby authorized to remit monthly disbursements to the Vanderbilt Museum from January 1, 2009 to December 31, 2009, as long as the corpus of the fund does not go below the value of the original bequest (\$8.2 million); and be it further

**2nd RESOLVED**, that the Presiding Officer and the Budget Review Office are hereby authorized to determine, with the Investment Advisor, the appropriate disbursement levels on a month-to-month basis.

DATED:

**EFFECTIVE IMMEDIATELY PURSUANT TO §A2-15(A) OF THE SUFFOLK COUNTY  
ADMINISTRATIVE CODE**