LAID ON THE TABLE JUNE 9, 2009
LADS REPORT PREPARED BY:
Michele Gerardi

1467. Adopting Local Law No. -2009, A Local Law authorizing an optional lag payroll for certain elected County officials. (Co. Exec.) BUDGET & FINANCE

1468. Approving the appointment of Robert Varese to the Suffolk County Citizens Corp. Council. (Co. Exec.) PUBLIC SAFETY

1469. Approving the reappointment of Michele T. Del Monte as a member of the Suffolk County Human Rights Commission. (Co. Exec.) PUBLIC SAFETY

1470. Approving the reappointment of Rajeshwar Prasad as a member of the Suffolk County Human Rights Commission. (Co. Exec.) PUBLIC SAFETY

1471. Establishing a grow green – save green initiative by promoting "Recession Gardens" in client benefit applications. (Horsley) HEALTH & HUMAN SERVICES

1472. Approving payment to General Code Publishers for Administrative Code pages. (Pres. Off.) WAYS & MEANS

1473. To evaluate County properties for community garden purposes. (Romaine) ENVIRONMENT, PLANNING & AGRICULTURE

1474. Removing Janet DeMarzo as Commissioner of the Department of Social Services. (Cooper) HEALTH & HUMAN SERVICES

1475. Authorizing certain technical correction to Adopted Resolution No. 125-2009. (Co. Exec.) WAYS & MEANS

1476. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Carl Ursum (SCTM No. 0200-983.40-05.00-003.002). (Co. Exec.) WAYS & MEANS

1477. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Masjid Darul Quran, a non-for-profit organization (SCTM No. 0500-245.00-03.00-036.002). (Co. Exec.) WAYS & MEANS

1478. Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Brookhaven for affordable housing purposes. (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING

1479. Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Brookhaven for affordable housing purposes. (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING

1480. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act John J. Harvey and Karen A. Harvey, his wife (SCTM No. 0800-141.00-06.00-033.000). (Co. Exec.) WAYS & MEANS

1481. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Rose Brown a/k/a Rose Morrison a/k/a Rose Lucas (SCTM No. 0100-164.00-03.00-022.000). (Co. Exec.) WAYS & MEANS

1482. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Lesto McGowan (SCTM No. 0100-039.00-03.00-017.002 f/k/a P/O 017.001 f/k/a 116.000). (Co. Exec.) WAYS & MEANS

1483. Authorizing the County Executive to enter into an Intermunicipal Agreement with the Town of Brookhaven in connection with the installation and removal of buoys at the Smith Point Marina and Channel entering the Great South Bay. (Browning) PARKS & RECREATION

1484. Approving the reappointment of Tracy A. Trypuc as a member of the Suffolk County Board of Health. (Eddington) HEALTH & HUMAN SERVICES

1485. Adopting Local Law No. -2009, A Charter Law to prevent double taxation for public safety services in certain towns and villages. (Romaine) PUBLIC SAFETY

1486. Authorizing certain technical correction to Adopted Resolution No. 327-2009. (Co. Exec.) WAYS & MEANS

1487. Authorizing certain technical correction to Adopted Resolution No. 309-2009. (Co. Exec.) WAYS & MEANS

1488. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 811-2009). (Co Exec.) BUDGET & FINANCE

1489. Amending the 2009 Adopted Operating Budget to accept and appropriate 100% additional State Aid from the New York State Office of Mental Health for Personalized Recovery Oriented Services (PROS) Programs. (Co Exec.) HEALTH & HUMAN SERVICES

1490. Amending Resolution No. 1357-2007, Amended by Resolution No. 685-2008 in connection with the Brownfields Program (CP 8223.111). (Co Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1491. Approval of auction rules for the disposition of surplus property acquired under the Suffolk County Tax Act. (Co Exec.) WAYS & MEANS

1492. Amending the 2009 Capital Budget and Program and appropriating funds in connection with building safety improvements (CP 1603). (Co Exec.) PUBLIC WORKS & TRANSPORTATION

1493. Appropriating funds in connection with the purchase of equipment for health care centers (CP 4055). (Co Exec) HEALTH & HUMAN SERVICES

1494. Amending the 2009 Capital Budget and Program and appropriating funds in connection with fuel management/preventive maintenance and parts inventory control system (CP 1616). (Co Exec.) PUBLIC WORKS & TRANSPORTATION

1495. Appropriating funds in connection with installation of Fire, Security, and Emergency Systems at County Facilities (CP 1710). (Co Exec.) PUBLIC WORKS & TRANSPORTATION

1496. Appropriating funds in connection with renovations/improvements to Cohalan Court Complex (CP 1125). (Co Exec.) PUBLIC WORKS & TRANSPORTATION

1497. Accepting and appropriating a grant in the amount of $6,000 from the New York State Governor's Traffic Safety Committee (GTSC FFY2009) Child Passenger Safety Program to support a Park Police Traffic Safety Initiative. (Co Exec.) PUBLIC SAFETY

1498. Approving rental charges and license fees recommended by Parks Housing Rental Board. (Co Exec.) PARKS & RECREATION

1499. Approving the reappointment of Augustus G. Mantia, M.D., as a member of the Suffolk County Human Rights Commission. (Co. Exec.) PUBLIC SAFETY

1500. Increasing the amount of Imprest Fund, 001-1165-4770, for the Suffolk County District Attorney, Special Services Account. (Co. Exec.) PUBLIC SAFETY

1501. Accepting and appropriating a grant in the amount of $8,500 from the New York State Governor's Traffic Safety Committee (GTSC FFY2009) Child Passenger Safety Program to support a Sheriff's Traffic Safety Initiative. (Co. Exec.) PUBLIC SAFETY

1502. Appropriating funds in connection with the purchase and replacement of nutrition vehicles for the Office for the Aging (CP 1749). (Co. Exec.) VETERANS & SENIORS

1503. Appropriating funds in connection with improvements at County Golf Courses: West Sayville irrigation system (CP 7166). (Co. Exec.) PARKS & RECREATION

1504. Appropriating funds in connection with the purchase of Public Works highway maintenance equipment (CP 5047). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1505. Authorizing planning steps for implementation of Suffolk County Workforce Housing Program for Workforce Housing (SCTM No. 0204-013.00-06.00-002.000). (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING

1506. Authorizing planning steps for implementation of Suffolk County Workforce Housing Program for Workforce Housing (SCTM Nos. 0204-009.00-05.00-025.002. and 025.003, 026.000, 024.000, 017.000, 016.000, 015.000, 014.000, 044.000). (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING

1507. Authorizing planning steps for implementation of Suffolk County Workforce Housing Program for Workforce Housing (SCTM Nos. 0600-128.00-06.00-081.000, 0600-128.00-06.00-082.000 and 0600-128.00-06.00-086.003). (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING

1508. Adopting Local Law No. -2009, A Local Law Amending Chapter 278A of the Suffolk County Code addressing invasive non-native plant species. (Schneiderman) ENVIRONMENT, PLANNING & AGRICULTURE

1509. Amending the 2009 Capital Budget and Program and appropriating funds in connection with the traffic signal improvements at the intersection of CR 21, Yaphank-Middle Island Road and Rustic Road (CP 5054). (Browning) PUBLIC WORKS & TRANSPORTATION

1510. Directing the Department of Public Works to add a stop on the 3C Bus Route. (Montano) PUBLIC WORKS & TRANSPORTATION

1511. Authorizing the disbursement of funds from the Suffolk County Living Wage Contingency Fund for Kids Place Early Childhood Day School, the Community Programs Center of Long Island, Inc. - Port Jefferson, the Community Programs Center Of Long Island, Inc. - Ronkonkoma, Rainbow Chimes, Inc., Brightwaters Child Care & Development Center Inc. DBA Kiddie Academy of Brightwaters, and Lazy Cow, Inc. DBA Kiddie Care Early Learning Center Day Care Providers under Contract with the Department of Social Services. (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING

1512. Authorizing substitution of YMCA of Long Island, Inc. in place of Town of Riverhead for improvement and maintenance of property acquired under Greenways Program in connection with active parkland in the Town of Riverhead (SCTM No. 0600-125.00-01.00-05.200). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1513. Authorizing the lease terms associated with the Federal Aviation Administration Operations on County land located in the Town of Babylon. (Co. Exec.) WAYS & MEANS

1514. Amending the 2009 Operating Budget and appropriating funds in connection with bonding for a General Liability Case. (Co. Exec.) BUDGET & FINANCE

1515. Authorizing the acquisition of farmland development rights under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – for the DeFosse, F. Cuomo, V. Cuomo, Howitt, Casey, J. Cuomo, and L. Cuomo property – Cuomo Family Farm – Town of Brookhaven (SCTM No. 0200-916.00-02.00-004.000 p/o). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1516. Approving the appointment of Gregory Blass as Commissioner of the Suffolk County Department of Social Services. (Co. Exec.) HEALTH & HUMAN SERVICES

1517. A resolution making certain findings and determinations in relation to the increase and improvement of facilities for Sewer District No. 3 – Southwest (ultraviolet disinfection) (CP 8132). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1518. A resolution making certain findings and determinations in relation to the increase and improvement of facilities for Sewer District No. 3 – Southwest (infrastructure improvements) (CP 8170). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1519. A resolution making certain findings and determinations in relation to the increase and improvement of facilities for Sewer District No. 3 – Southwest (infiltration/inflow study/sewer rehabilitation) (CP 8181). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1520. Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 3 – Southwest (ultraviolet disinfection) (CP 8132). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1521. Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 3 – Southwest (infrastructure improvements) (CP 8170). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1522. Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 3 – Southwest (inflow /infiltration) (CP 8181). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1523. Appropriating funds in connection with the purchase of sewer facility maintenance equipment (CP 8164). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1524. Transferring Escrow Account Revenues to the Capital Fund, amending the 2009 Capital Budget and Program and appropriating funds for improvements and/or rehabilitation of existing facilities in Suffolk County Sewer District No. 3 – Southwest (CP 8170).(Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1525. Calling for a Public Hearing for the purpose of considering proposed increases and improvements of facilities for Sewer District No. 23 - Coventry Manor (CP 8149). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1526. Amending the 2009 Operating Budget, transferring Assessment Stabilization Reserve Funds to the Capital Fund, and appropriating funds for the Yaphank County Center Wastewater Treatment Plant (CP 8158). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1527. Creating a "Share the Road" signage program in Suffolk County. (Eddington) PUBLIC WORKS & TRANSPORTATION

1528. Authorizing waiver of interest and penalties for property tax for Vernon and Theresa Sexton (SCTM No. 0500-141.00-01.00-038.005). (Montano) WAYS & MEANS

1529. Authorizing waiver of interest and penalties for property tax for Edward Nedwick and Carmen Betancourt (SCTM No. 0500-077.00-04.00-040.000). (Montano) WAYS & MEANS

1530. Authorizing waiver of interest and penalties for property tax for Ulises and Sulma D. Juarez (SCTM No. 0500-188.00-02.00-028.000). (Montano) WAYS & MEANS

1531. Authorizing waiver of interest and penalties for property tax for Richard and Isabella Parisi (SCTM No. 0500-079.00-03.00-071.000). (Montano) WAYS & MEANS

1532. Authorizing waiver of interest and penalties for property tax for James E. Leak (SCTM No. 0500-140.00-04.00-037.000). (Montano) WAYS & MEANS

1533. Authorizing waiver of interest and penalties for property tax for Livia Romeo (SCTM No. 0500-055.01-01.00-033.000). (Montano) WAYS & MEANS

1534. Appoint member to the Equestrian Task Force (Rocky DiVello). (Eddington) ENVIRONMENT, PLANNING & AGRICULTURE

1535. Appropriating funds in connection with construction and rehabilitation of highway maintenance facilities (CP 5048). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1536. Amending the 2009 Capital Budget and Program and appropriating funds in connection with the Charter Law extending and accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection for Land Acquisitions. (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1537. Accepting and appropriating Workforce Investment Act funds for the purchase of computers. (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING

1538. Accepting and appropriating unrecognized revenue for program Year 2008 Adult, Dislocated Worker and Youth Funds from the New York State Department of Labor for the Workforce Investment Act (WIA) Program. (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING

1539. Accepting and appropriating Workforce Investment Act Transportation funds. (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING

1540. Amending the Suffolk County Classification and Salary Plan in connection with a new position title in the Department of Health Services [Medical Assistant (Spanish Speaking)]. (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING

1541. Amending the Suffolk County Classification and Salary Plan in connection with a new position title in the Department of Health Services (Senior Boat Operator). (Co. Exec.) LABOR, WORKFORCE AND AFFORDABLE HOUSING

1542. Authorizing the change of lease terms associated with the operations of the Suffolk County District Attorney's East End Bureau. (Co. Exec.) WAYS & MEANS

1543. Authorizing the extension of the lease of premises utilized by the Suffolk County District Attorney's Office. (Co. Exec.) WAYS & MEANS

1544. Appoint member to the Equestrian Task Force (Sam Uliano). (Eddington) ENVIRONMENT, PLANNING & AGRICULTURE

1545. Adopting Local Law No. -2009, A Local Law requiring fairness in cooperative home ownership. (Co. Exec.) WAYS & MEANS

1546. Adopting Local Law No. -2009, A Local Law establishing the Suffolk County Shellfish Aquaculture Lease Program in Peconic Bay and Gardiners Bay. (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

HOME RULE MESSAGES

HR.13 Home Rule Message requesting the State of New York to amend the Tax Law, in relation to requiring a revenue distribution agreement for equitable allocation within Suffolk County for Public Safety purposes of sales and compensating use tax (Senate Bill S.2272 and Assembly Bill A.4789). (Pres. Off.) PUBLIC SAFETY

HR.14 Home Rule Message requesting State of New York to amend the Civil Service Law, in relation to resolution of disputes between a public employer and Suffolk County Probation Officers (Senate Bill S.4872 and Assembly Bill A.7171-A). (Pres. Off.) PUBLIC SAFETY

Intro. Res. No. 1467 –2009 **REVISED 5/14/2009** Laid on Table 6/9/09
Introduced by the Presiding Officer, on Request of the County Executive

RESOLUTION NO. –2009, A LOCAL LAW AUTHORIZING AN OPTIONAL LAG PAYROLL FOR CERTAIN ELECTED COUNTY OFFICIALS

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2009, a proposed local law entitled, **"A LOCAL LAW AUTHORIZING AN OPTIONAL LAG PAYROLL FOR CERTAIN ELECTED COUNTY OFFICIALS,"** and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

LOCAL LAW NO. –2009, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW AUTHORIZING AN OPTIONAL LAG PAYROLL FOR CERTAIN ELECTED COUNTY OFFICIALS

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

Section 1. Legislative Intent.

This Legislature has previously determined that weak national, state and regional economies have affected economic activity in Suffolk County.

This Legislature has also determined that it is incumbent upon the County to continue funding essential services to constituents, especially in times of fiscal crises.

This Legislature has approved, among other initiatives, Resolution No. 337-2009 which institutes a "lag payroll" for some members of the County workforce to avoid, at least in part, a reduction in the County workforce and to enable the County to take steps necessary to achieve a balanced budget despite a projected revenue shortfall within the 2009 Operating Budget.

This Legislature has further determined that the "lag payroll" will be instituted as follows: one week's pay deferred from the July 13, 2009 through and including July 26, 2009 pay period and one week's pay deferred from the December 14, 2009 through and including December 27, 2009 pay period for a total of 10 days lagged.

This Legislature has also approved, pursuant to Resolution No. 283-2008, a wage freeze on certain employees via the suspension of step advances in fiscal year 2009.

This Legislature finds that the contribution by County employees to meeting a balanced budget, in the form of freezing step increases and accepting a "lag payroll," could be shared by other County employees across the board.

This Legislature further finds that Chapter 152 of the Suffolk County Administrative Code outlines the provisions for Equitable Compensation of Certain Elected County Officers.

This Legislature also finds that measures to meet County fiscal crises that effectively reduced or froze the salaries of certain elected officials in order to achieve parity with the contribution of other County employees were adopted by this Legislature pursuant to Local Laws 20-1991, 2-1992 and 11-1993.

This Legislature finds and determines that certain elected County officials could opt to be in solidarity with the rank and file employees in efforts to resolve the current fiscal crisis and unanticipated loss of revenue.

Therefore, the purpose of this law is to authorize certain elected County officials to opt to be subject to the same provisions of a "lag payroll" as other County employees for the same period of time.

Section 2. Payroll Lag.

All elected County officials, with exception of the Suffolk County District Attorney, whose salary is set by the by the State Judiciary Law, may opt to be subject to the provisions of a "lag payroll," as imposed on other County employees pursuant to Resolution No. 337-2009, as follows: one week's pay deferred from the July 13, 2009 through and including July 26, 2009 pay period and one week's pay deferred from the December 14, 2009 through and including December 27, 2009 pay period for a total of 10 days lagged.

Section 3. Reimbursement.

Elected County officials who participate in the two week "lag payroll" as specified herein, shall be entitled to receive reimbursement upon separation from employment with the County for such lagged time at the rate of pay at the time of his or her separation from the County.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person 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 hereof, 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 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 be immediately filed with the Secretary of State, but shall take effect no sooner than sixty (60) days after its final enactment, unless if within such sixty days a petition protesting against this law is filed by the electors of Suffolk County with the Suffolk County Clerk, this law shall become effective only if approved in accordance with section 34(4) of the New York Municipal Home Rule law.

DATED:

APPROVED BY:

_____
Steve Levy
County Executive of Suffolk County

Date of Approval:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1467

GEORGE NOLAN
COUNSEL TO THE LEGISLATURE
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WILLIAM H. ROGERS BUILDING
P.O. BOX 6100
HAUPPAUGE, NY 11788-0099
(631) 853-5494 (PHONE)
(631) 853-4415 (FAX)

DATE: MAY 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 AUTHORIZING AN OPTIONAL LAG PAYROLL FOR CERTAIN ELECTED COUNTY OFFICIALS

SPONSOR: PRESIDING OFFICER ON THE REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 5/13/2009 PUBLIC HEARING: 6/23/2009

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

This proposed local law would authorize all elected County officials, with the exception of the District Attorney, to participate voluntarily in a two week "lag payroll", whereby they will defer one week's pay in July and another week's pay in December.

Elected officials who participate in the lag payroll will be reimbursed for the deferred pay at the time of their separation from County service at the rate of pay prevailing at the separation date.

This law is made subject to a permissive referendum.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-certain-elected-officials-lag-payroll

Intro. Res. No. 1468 Laid on Table 6/9/09

Introduced by the Presiding Officer on Request of the County Executive

RESOLUTION NO. -2009, APPROVING THE APPOINTMENT OF ROBERT VARESE 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 Robert Varese, residing in Northport, New York 11768, as a member of the Suffolk County Citizens Corp Council; now, therefore, be it

RESOLVED, that the appointment of Robert Varese 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:

Northport, NY 11768
Phone:
E-mail:

Robert "Beefy" Varese

1468

Education

Northport High School, Northport, NY 1974

Professional Experience

- City of New York, Fire Department 1981 - 2002
  Firefighter
- Lewisy Fuel Oil, Inc. 1979 - 1985
  Delivery Driver
- Village of Northport 1976 - 1979
  Heavy Equipment Operator
- Center Maintenance 1972 - 1976
  Heavy Equipment Operator

Professional Memberships

- International Association of Fire Chiefs
- New York State Association of Fire Chiefs
- Suffolk County Association of Fire Chiefs
- Town of Huntington Fire Chiefs, First Vice President
- Fireman's Association of the State of New York

Community Services

- Northport Fire Department 1974 - present
  - Chief 2008 - present
  - First Assistant Chief 2006 - 2008
  - Second Assistant Chief 2004 - 2006
  - Captain, Hook and Ladder Company 1982 - 1984
  - First Lieutenant, Hook and Ladder Company 1980 - 1982
  - Second Lieutenant, Hook and Ladder Company 1978 - 1980
  - Junior Firefighter 1968 - 1974

Accreditations

- New York City
  - First Responder - 2002
  - Chauffer Training - 1988
  - Firefighter's Professional Development - 1996
  - Apprenticeship - 1984
- Northport Fire Department
  - Emergency Medical Technician - 2009
  - Firefighter II - 2008
  - Heavy Rescue Course - 2007

- Big Rig Rescue I - 2006
- Hurricane Readiness Course - 2006
- Radiological Training - 2006
- Marina Fires - 2005
- Keyspan Natural Gas Safety Awareness - 2005
- Operations at Private Dwelling Fires - 2005
- Hurst Qualified Operator Seminar - 2005
- IS 700 - 2005
- 40 Hour Rescue Vessel Operator's Course - 2004
- Highway Safety for Emergency Services Personnel - 2003
- Firefighter I Upgrade - 1999
- Simon LTI - 1997
- Chauffer Qualifications - 1978
- Certificate of Qualification - 1974

1468

Hobbies Playing Santa Claus since 1976

Interests and Activities Boating and Snowmobiling

Volunteer Activities

- Detail Ground Zero - 2001

Awards Received

- Special Recognition Award - 2007
- Lifesaving Award - 2006
- Suffolk County Legislature, Certificate for Distinguished Achievement - 2005
- Chief's Award - 2004-2009
- Recipient, Fire Bell Club Award - 1988
- Certificate of Merit, Class A - 1988
- Certificate of Merit, Unit - 1985
- Certificate of Merit, Unit - 1983

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1468

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

APPROVING THE APPOINTMENT OF ROBERT VARESE TO THE SUFFOLK COUNTY CITIZENS CORP COUNCIL

3. Purpose of Resolution: Same as above

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

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

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

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

NO IMPACT

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

N/A.

8. Proposed Source of Funding

N/A

9. Timing of Impact

UPON APPROVAL

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
STEVE R. TRICARICO COUNTY EXECUTIVE ASSISTANT		May 18, 2009

SIN FORM 175b (10/95)

Intro. Res. No 1469-09 Laid on Table 6/9/09

Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. , APPROVING THE REAPPOINTMENT OF MICHELE T. DEL MONTE AS A MEMBER OF THE SUFFOLK COUNTY HUMAN RIGHTS COMMISSION.

WHEREAS, the term of office of Michele T. Del Monte expired on May 31, 2008, now therefore be it

RESOLVED, that the reappointment of Michele T. Del Monte as a member of the Suffolk County Human Rights Commission, to the position of Commissioner # 9, for a term of office expiring May 31, 2011, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of Chapter 89-4A of the Suffolk County Code.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1469

Michele T. Del Monte

Old Mastic Beach NY 11951

Advocacy, Development and Planning

Suffolk County Office of Handicapped Services, *Hauppauge, NY*
Community Organization Specialist. *1998 to Present*
Establish and maintain contact with public and private agencies coordinating efforts to maximize community involvement. Provide professional and technical assistance in identifying and meeting community needs, particularly people with disabilities. Designed, developed and implemented on-line resource and statistical database for County Office of Handicapped Services staff.

Suffolk Community Council, Inc., *Hauppauge, NY*
Director CRISS/CROSS Project. *1994 to 1998*
Developed a Request for Proposal released by Suffolk County for communities involved in the redesign of community-based, family-centered and integrated health and human services. Identified reinvestment dollars to support the project communities. Successfully developed and secured State funding for the Suffolk County School-Community Partnership.

Catholic Charities, *Hicksville NY*
Developer, Advocacy and Social Policy. *1989 to 1994*
As part of a development team, organized and trained members of bi-county community-based parish network in providing services to economically disadvantaged residents. Designed the initial bi-county public policy network integrating multiple diocesan components. Secured three New York State grants for outreach activities and policy development.

Suffolk Independent Living Organization, Inc., Medford, NY
Services Director. 1984 to 1989
Initiated staff development, supervision and administration of all direct consumer services for people with disabilities. Participated as a trainer at Statewide workshops on advocacy, income security and policy analysis.

Adjunct Instructor in Allied Health Sciences and Gerontology

Long Island University, Southampton Campus: 1993 to 2000
Molloy College, Rockville Centre NY: 1979 to 1984
Nassau Community College, Garden City NY: 1980 to 1984

Clinical and Research Laboratory Sciences 1972 to 1980

Nassau County Medical Center, East Meadow NY
Mercy Hospital Medical Center, Rockville Centre, NY
North Shore University Medical Center, Manhasset, NY

1469

Michele T. Del Monte

Education

HIV AIDS Testing/Counseling Certificate, 1989: New York State Department of Health
MS: St. John's University, Jamaica, NY
BS: State University of New York at Stony Brook, NY

Affiliations

Advocates Senior Policy Alert, Washington, DC (1988 to 2002)
Association of Fund Raising Professionals of LI, Diversity Committee (2009)
Berekah Advisory Board (1981 to 1984)
Health & Human Services Program Committee, Catholic Charities (1994 to 1997)
Middle Country Library Foundation Board (1999 to Present)
Renewal Resources Advisory Board (1995 to Present)
Retired and Senior Volunteer Program Advisory Board (1993 to 1994)
Suffolk County Human Rights Commissioner (1993 to 1997: 2001 to Present)
Suffolk County Handicapped Advisory Board (1993 to 1998)
Suffolk County Minority Health Action Coalition (2007 to Present)
Suffolk County Social Services Commissioner's Advisory Council (1994 to 2008)
Suffolk County Women's Advisory Commission (1996 to 1997)
United States Food & Drug Administration Advisory Panel (1988 to 1992)

Awards

2006 The Maxine Postal Award for Human Dignity
2005 Disability Mentoring Day, Advocate of the Year
2003 Trustee Award, SILO's Barrier Buster Awards
2001 Congressional Recognition for Community Service
1992 Zonta Woman of the Year (Suffolk Chapter)
1988 Disabled Woman of the Year, Pilot Club of Patchogue
1987 Education Outreach Award, Kings Park Psychiatric Center
1986 Communications Award, LI Easter Seal Society

Reference furnished upon request.

1469

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution XX Local Law _____ Charter Law

2. Title of Proposed Legislation

APPROVING THE REAPPOINTMENT OF MICHELE T DEL MONTE AS A MEMBER OF THE SUFFOLK COUNTY HUMAN RIGHTS COMMISSION.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

THE HUMAN RIGHTS COMMISSION IS A NON-PAYING COMMISSION.

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

THERE IS NO FISCAL IMPACT; THE SUFFOLK COUNTY HUMAN RIGHTS COMMISSION IS NOT A PAYING COMMISSION.

8. Proposed Source of Funding

THERE IS NO PROPOSED FUNDING SOURCE

9. Timing of Impact

THERE IS NO TIMING OF IMPACT; HOWEVER THE RESOLUTION IS EFFECTIVE UPON ADOPTION.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Steve R. Tricarico County Executive Assistant		5/4/2009

Intro. Res. No 1470-09 Laid on Table 6/9/09

Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. , APPROVING THE REAPPOINTMENT OF RAJESHWAR PRASAD AS A MEMBER OF THE SUFFOLK COUNTY HUMAN RIGHTS COMMISSION.

WHEREAS, the term of office of Rajeshwar Prasad expired on May 31, 2007, now therefore be it

RESOLVED, that the reappointment of Rajeshwar Prasad as a member of the Suffolk County Human Rights Commission, to the position of Commissioner # 4, for a term of office expiring May 31, 2010, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of Chapter 89-4A of the Suffolk County Code.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Brief Bio of Rajeshwar Prasad

Rajeshwar Prasad was appointed to the Suffolk County Human Rights Commission in 1999. He is member of the Commission's Justice, Housing, and Health Committees and chairs the newly formed Immigration Committee.

Other Voluntary Work

Mr. Prasad has been an active volunteer associated with many nonprofit groups, such as the India Association of Long Island since its inception in 1976 (past President), and the National Indo-American Association for Senior Citizens (NIAASC - Founder and President 1998-2004); currently serving as its Executive Director, also an honorary position. Mr. Prasad served on the Health Panel of the Allocation Committee of the United Way of Long Island (vice chair) for over 19 years, until 2003. He also served as Vice President of the Nassau Suffolk Health Systems Agency for many years till 1997.

Education:

Mr. Prasad holds two Master degrees: one in Economics from Delhi University, India, and another in Urban Planning (specialization in health field) from Hunter College, New York. He came to the United States in 1969 after a one-year stay in Paris, France, on an exchange program, where he was with an International Institute focusing on issues of migration and regional planning.

Professional Career:

His professional work has been in the field of health and social planning and development, starting with the New York State Health Planning Commission as an Intern. In 1971 he moved to Suffolk County and worked as Director of Evaluation, and later as Executive Director with the Nassau Suffolk Regional Medical Program (RMP). RMP was phased into Nassau-Suffolk Health Systems Agency (HSA) along with other two Long Island agencies and Prasad worked as Deputy Executive Director of HSA for about a year. Then he moved to a 5-year contract as Principal Investigator and Executive Director with the Long Island Cancer Council. Long Island was one of the six demonstration projects in USA initiated by the National Cancer Institute.

Personal:

Mr. Prasad is married to Prem Nagpal DSW, who after graduation from Columbia University worked at the Harlem Hospital in New York City. All their three children have now settled outside New York.

1470

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution **XX** Local Law _____ Charter Law

2. Title of Proposed Legislation

APPROVING THE REAPPOINTMENT OF RAJESHWAR PRASAD AS A MEMBER OF THE SUFFOLK COUNTY HUMAN RIGHTS COMMISSION.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

THE HUMAN RIGHTS COMMISSION IS A NON-PAYING COMMISSION.

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

THERE IS NO FISCAL IMPACT; THE SUFFOLK COUNTY HUMAN RIGHTS COMMISSION IS NOT A PAYING COMMISSION.

8. Proposed Source of Funding

THERE IS NO PROPOSED FUNDING SOURCE

9. Timing of Impact

THERE IS NO TIMING OF IMPACT; HOWEVER THE RESOLUTION IS EFFECTIVE UPON ADOPTION.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Steve R. Tricarico County Executive Assistant		5/4/2009

1471

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

Laid on Table 6/9/09

RESOLUTION NO. -2009, ESTABLISHING A GROW GREEN -- SAVE GREEN INITIATIVE BY PROMOTING "RECESESION GARDENS" IN CLIENT BENEFIT APPLICATIONS

WHEREAS, due to the economic downturn, an increased number of Suffolk County residents are applying for, and receiving, federal and state supplemental nutritional assistance ("food stamps") to ease the strain on their food budgets; and

WHEREAS, recipients of food stamps should be informed of ways to stretch the assistance they receive to maximize its effectiveness and encourage healthy food choices; and

WHEREAS, past generations of Americans have grown their own produce during difficult economic times, providing healthy foods for their families at a fraction of what it would cost to purchase these items at a store; and

WHEREAS, growing fruits and vegetables at home is economical, with an average return of twenty five dollars ($25) of produce for every one dollar ($1) invested in seeds and fertilizer; and

WHEREAS, many food stamps recipients are unaware that their monthly food stamp allocation can be used to purchase seeds and plants that produce food for consumption, which would help their food budgets go further; and

WHEREAS, Suffolk County seeks to encourage all its residents, particularly those suffering during this difficult time, to establish healthy and cost-effective ways to stretch their food budgets; now, therefore be it

1st **RESOLVED**, that the Commissioner of the Suffolk County Department of Social Services is hereby authorized, empowered and directed to work with the Suffolk County Department of Environment and Energy to develop and distribute a cover letter with all food stamps applications stating that food stamp allocations may be used to purchase seeds and plants that produce food for consumption; 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:

Intro. Res. No. 1472 -2009 Laid on Table 6/9/09
Introduced by the Presiding Officer Lindsay

RESOLUTION NO. –2009, APPROVING PAYMENT TO GENERAL CODE PUBLISHERS FOR ADMINISTRATIVE CODE PAGES

WHEREAS, General Code Publishers Corp. has provided Supplement No. 84 to update the Suffolk County Administrative Code totaling $5365.10; and

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

1st **RESOLVED**, that the payment of $5365.10 for the provisions of such pages is hereby approved.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1473

Intro. Res. No. -2009 Laid on Table 6/9/09

Introduced by Legislator Romaine

RESOLUTION NO. –2009, TO EVALUATE COUNTY PROPERTIES FOR COMMUNITY GARDEN PURPOSES

WHEREAS, the County of Suffolk owns diverse properties, from small unbuildable lots to large preserved properties, acquired through open space preservation programs or by tax default; and

WHEREAS, many of these smaller vacant properties are abandoned and could be utilized as "community gardens", which could be maintained and beautified through license agreements with volunteer organizations; and

WHEREAS, many municipalities, including the City of New York, have instituted "community garden" programs with local volunteer organizations planting and maintaining gardens of flowers or vegetables at no cost to the municipality; and

WHEREAS, engaging the services of volunteer organizations to beautify and enhance County owned properties would alleviate the need for the county workforce to maintain these parcels; and

WHEREAS, the first step toward establishing a "community garden" program is to inventory County properties and determine the number and location of properties that may be available for this program; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Department of Environment and Energy, Division of Real Property Acquisition and Management, is hereby authorized, empowered, and directed, to compile a list of properties presently owned by the County of Suffolk and to rate the properties for potential use in a "community garden" program; such list shall include properties that are not currently being used for another County purpose such as drainage, parks, nature preserve, roads, parking, or in the alternative, are not buildable and are located in areas of Suffolk County where the census reflects that the mean income of residents is less than eighty percent (80%) of the mean County income; and be it further

2nd **RESOLVED**, that the Division of Real Property Acquisition and Management is hereby authorized, empowered, and directed to issue a request for proposals to identify a vendor to manage a "community garden" program on behalf of the County; and be it further

3rd **RESOLVED**, that the Division of Real Property Acquisition and Management shall issue a written status report to this Legislature within one hundred eighty (180) days of the effective date of this resolution detailing the status of their efforts to establish a "community garden" program in accordance with the provisions of this resolution; and be it further

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-community-gardens

1474

Intro. Res. No. -2009 Laid on Table 6/9/09

Introduced by Legislator Cooper

RESOLUTION NO. –2009, REMOVING JANET DeMARZO AS COMMISSIONER OF THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, Local Law 43-2008 (codified at Section C23-17 of the SUFFOLK COUNTY CHARTER) provides that any department head appointed by the County Executive for a fixed term, whose appointment is subject to legislative approval, may hold-over in that position after the expiration of his or her term; and

WHEREAS, Local Law 43-2008 further provides that if a commissioner or department head serving in a hold-over capacity is not approved for a new term by a duly enacted resolution within 180 days after the expiration of his or her term of office, the County Executive must immediately nominate and appoint a successor and introduce a resolution to approve that appointment; and

WHEREAS, Janet DeMarzo's appointment as the Commissioner of the Suffolk County Department of Social Services was approved by Resolution No. 881-2002; and

WHEREAS, Ms. DeMarzo's term as Commissioner expired on September 19, 2007; and

WHEREAS, resolutions to approve the reappointment of Janet DeMarzo as Commissioner of the Department of Social Services introduced in 2007 and 2008, were stricken or withdrawn before any legislative action was taken; and

WHEREAS, pursuant to Local Law 43-2008, the deadline for Commissioner DeMarzo's reappointment is June 8, 2009; and

WHEREAS, Ms. DeMarzo cannot be reappointed by the aforementioned deadline because no new resolution seeking her reappointment has been introduced to date; and

WHEREAS, Ms. DeMarzo's continued hold-over status as Commissioner of the Department of Social Services is violative of the SUFFOLK COUNTY CHARTER; now, therefore be it

1st **RESOLVED**, that pursuant to Section C23-9(A) of the SUFFOLK COUNTY CHARTER Janet DeMarzo is hereby removed from her appointed position as the Commissioner of the Department of Social Services, effective immediately upon the approval of this resolution; 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\r-remove Janet DeMarzo

Intro. Res. No. 1475 Laid on Table 6/9/09
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2009, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 125-2009

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 125-2009; 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

1st RESOLVED, that the Clerk of the Legislature shall make the following technical correction:

Resolution No. 125-2009

In the 4th WHEREAS paragraph, change the address:

FROM:

[1264-1266 New York Avenue, Huntington Station, New York]

TO:

1268 New York Avenue, Huntington Station, New York

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

Introductory Resolution No. 1476-09 Laid on Table 6/9/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT
CARL URSUM
0200-983.40-05.00-003.002

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 983.40, Block 05.00, Lot 003.002, 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, as Lot No. 925 & 926 as designated and delineated on the map entitled "Fifth Map of Mastic Beach, Suffolk County, Long Island, New York" and filed in the Suffolk County Clerk's Office September 2, 1930, as File No. 1005; 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 No. 16- 1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, CARL URSUM, has made application of said above described parcel and CARL URSUM, has paid the application fee and will be paying $12,730.25 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; and

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

2nd - RESOLVED, that the Assistant Director of the Division of Real Property Acquisition and Management and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to CARL URUSM, 110 Hickory Road, Mastic Beach, New York 11951, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

50.I

1476

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

April 23, 2009

Tax Map No.: 0200-983.40-05.00-003.002
Name of Last Legal Fee Owner: CARL URSUM

TREASURER'S COMPUTATION..... $10,780.97

Taxes.....2008/2009..... $ 1,949.28

Recording Fees collected for County Clerk.. N/A

License Fee ..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $12,730.25

Monies to be Received.....$12,730.25

RESOLUTION AMOUNT.....$12,730.25

APPROVED:

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

Accounting
DB:sc

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	1476	LOT
0200	983.40	05.00		003.002

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2003/04	1728.66
2004/05	2038.38
2005/06	2068.47
2006/07	2116.02
2007/08	1742.80

2008/09 taxes in the amount of $1,949.28 not included in computation.

	TOTAL:	9694.33
B. INTEREST DUE		573.26
C. TOTAL		10267.59
D. 5% LINE C		513.38
E. FEE		
F. MISC		
G. MISC		
H. TOTAL DUE		$10,780.97

5/18/09

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. 23-Dec-08

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 06/21/09

TS

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1476

1. Type of Legislation

Resolution X
Tax Map Number 0200-983.40-05.00-003.002

2. Title of Proposed Legislation

Authorizing the Assistant Director of the Division of Real Property Acquisition and Management and/or her 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

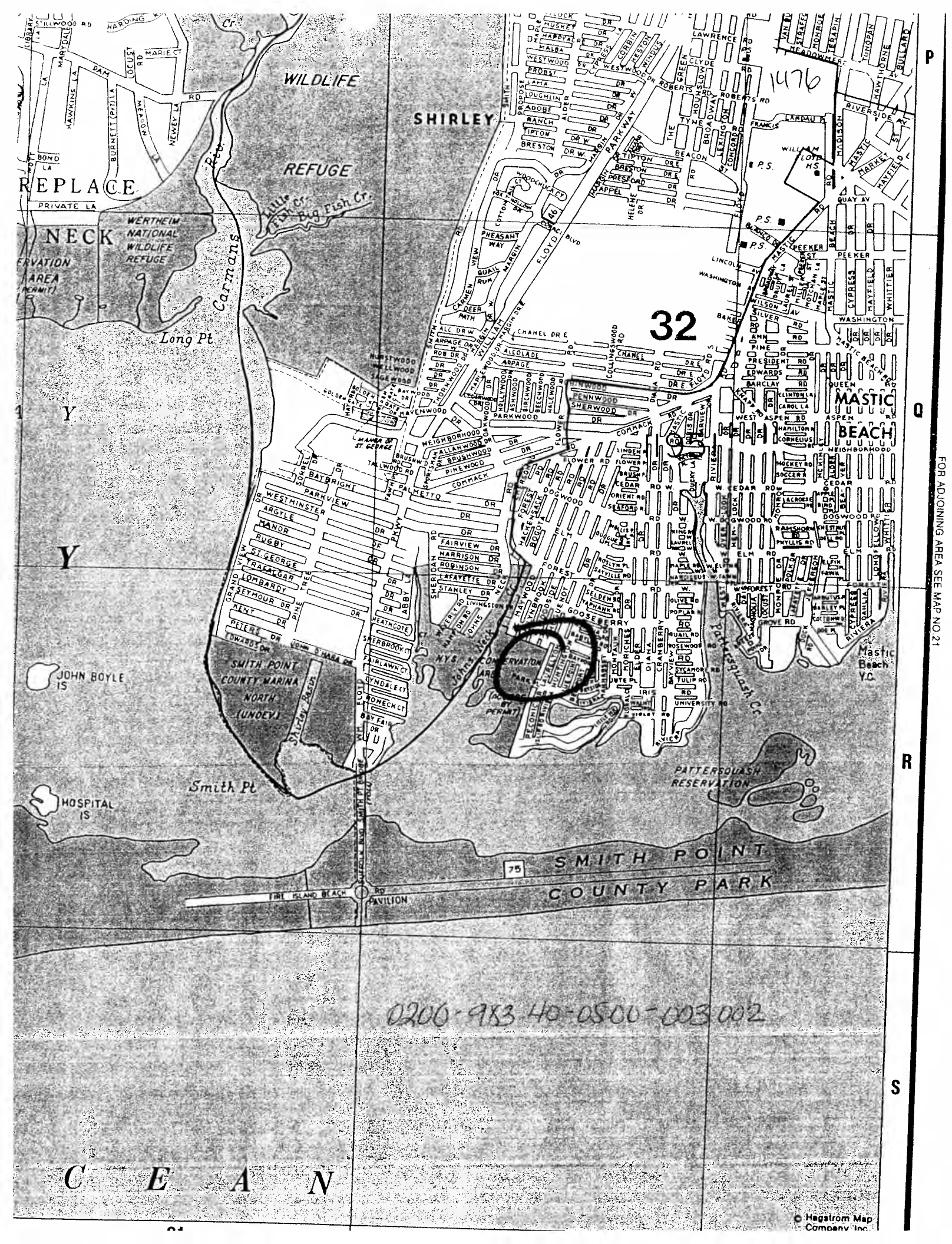
N/A

9. Timing of Impact

2009

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

Diane Bishop Diane Bishop 5/12/09


WILDLIFE
SHIRLEY
REFUGE
REPLACE
NECK
WERTHEIM NATIONAL WILDLIFE REFUGE
Carmans Riv.
Long Pt
Little Fish Cr.
Big Fish Cr.
32
1476
MASTIC BEACH
SMITH POINT COUNTY MARINA NORTH (UNOFFICIAL)
JOHN BOYLE IS
HOSPITAL IS
Smith Pt
SMITH POINT COUNTY PARK
FIRE ISLAND BEACH RD
PAVILION
PATTERSQUASH RESERVATION
Mastic Beach Y.C.
0200-983-40-0500-003002
C E A N
P
Q
R
S
FOR ADJOINING AREA SEE MAP NO. 21
© Hagstrom Map Company, Inc.

Introductory Resolution No. 1477-09 Laid on Table 6/9/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2009, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW NO. 13-1976 MASJID DARUL QURAN, a NON-FOR-PROFIT ORGANIZATION (SCTM NO. 0500-245.00-03.00-036.002)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 245.00 Block 03.00 Lot 036.002 and acquired by Tax Deed on July 14, 2004 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 19, 2004 in Liber 12331 at Page 567 and described as follows, Town of Islip, known and designated as p/o Lot 28 on a certain map entitled "Map of North Bay Shore, Section 1", and filed in the Office of the Clerk of the County of Suffolk on May 9, 1940 as Map No. 1309; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, MASJID DARUL QURAN, a NON-FOR-PROFIT ORGANIZATION, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $800.00. 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 $800.00, 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 $800.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED,** that the Assistant Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she 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 MASJID DARUL QURAN, a NON-FOR-PROFIT ORGANIZATION, 1514 East Third Avenue, Bay Shore, New York 11706.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1477

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 No. 13-1976
Tax Map No. 0500-245.00-03.00-036.002

ADJOINING OWNER	BID	BID	BID
Masjid Darul Quran 1514 East Third Avenue Bay Shore, New York 11706 0500-245.00-03.00-036.003	$800.00		
Fehmida Ehsan 1506 East Third Avenue Bay Shore, New York 11706 0500-245.00-03.00-049.000	$0		
Concepcion Hernandez Ever Ortega 42 Farrington Avenue Bay Shore, New York 11706 0500-245.00-03.00-050.000	$0		

SIZE OF PARCEL: 19' x 93'
APPRAISED VALUE: $800.00
COMMENT: Direct Sale to Adjacent Owner

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

1477

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 Sklar- LMS III | Lori Sklar | 5/15/09

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:

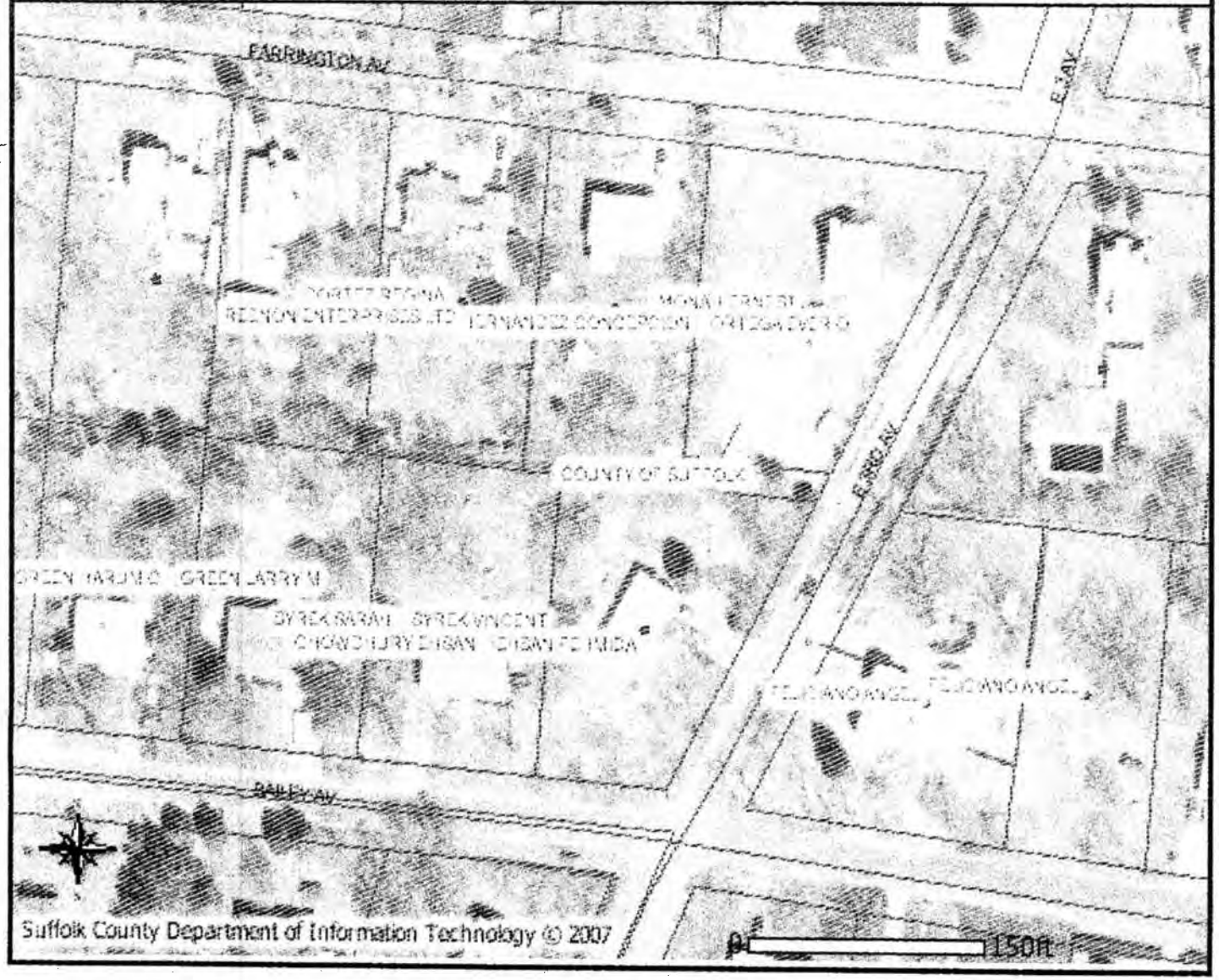
KEY MAP

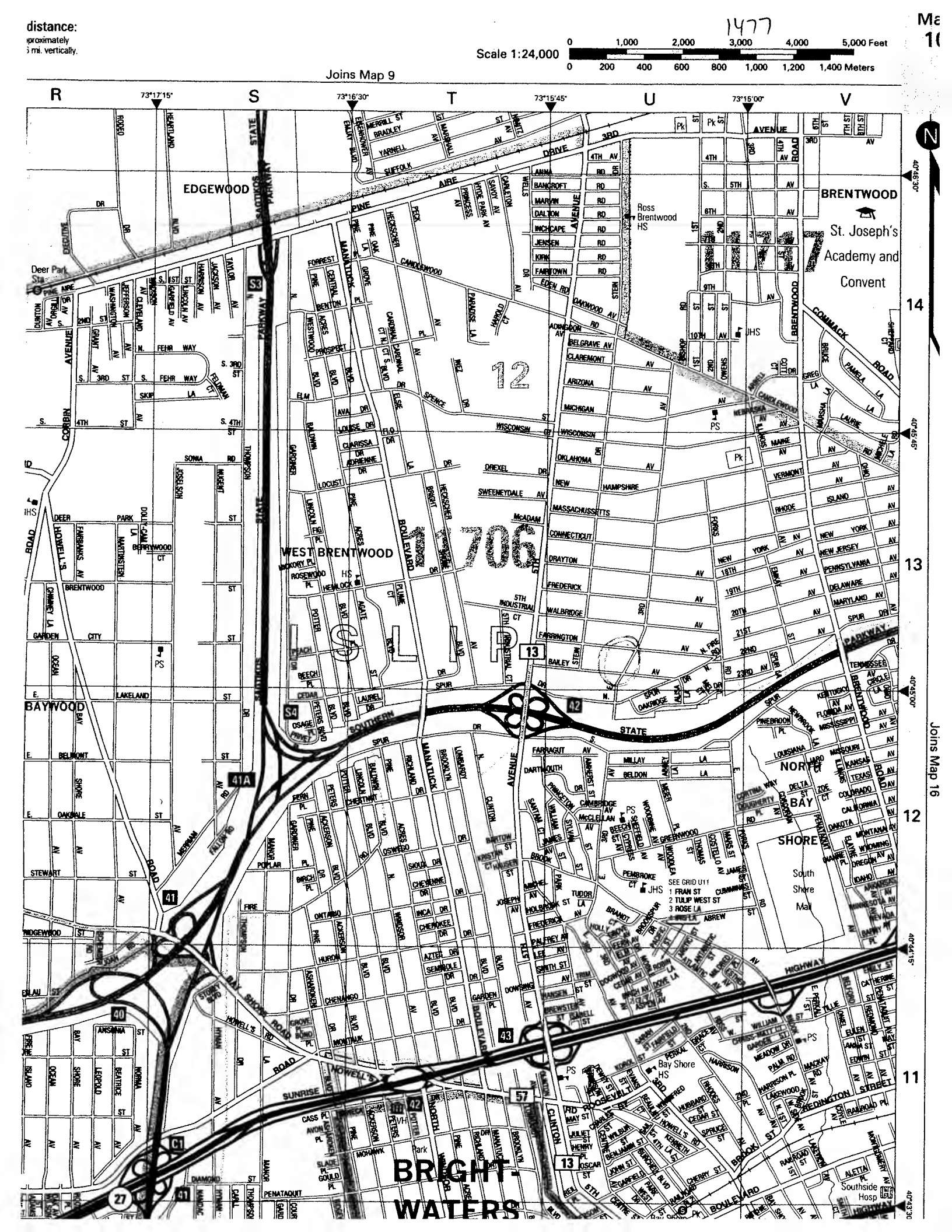
224 246 244 245

TOWN

VILL

TM# 0500-245.00-03.00-036.002

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1477
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R
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U
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73°17'15"
73°16'30"
73°15'45"
73°15'00"
EDGEWOOD
BRENTWOOD
WEST BRENTWOOD
BAYWOOD
NORTH BAY SHORE
BRIGHTWATERS
Ross Brentwood HS
St. Joseph's Academy and Convent
Deer Park Sta
Bay Shore HS
South Shore Mall
Southside Hosp
SEE GRID U11
1 FRAN ST
2 TULIP WEST ST
3 ROSE LA
Joins Map 16

COUNTY OF SUFFOLK

1477

MAY 19 2009

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK-GALLAGHER
COMMISSIONER

DEPARTMENT OF ENVIRONMENT AND ENERGY
DIVISION OF REAL PROPERY ACQUISTION AND MANAGEMENT

May 15, 2009

Ben Zwirn
Deputy County Executive
Intergovernmental Relations
H. Lee Dennison Bldg. 11th Flr.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY II788

Re: Tax Map Number: 0500-245.00-03.00-036.002

Dear Mr. Zwirn:

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

Local Law No. 13-1976 - Authorizing the Direct Sale of County Owned Real Estate

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Pamela J. Greene
Assistant Director of the Division of Real Property
Acquisition and Management

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

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

LOCATION
H. LEE DENNISON BUILDING
100 VETERANS MEMORIAL HIGHWAY

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

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

Introductory Resolution No. 1478-09 Laid on Table 6/9/09

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

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

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

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

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

WHEREAS, the transfer of these parcels are pursuant to and in accordance with Local Law No. 13-2000, 2-2002 and 17-2004 which established and modified the Affordable Housing Opportunities Program; and

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

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

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

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

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

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

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

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

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

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

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

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

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

8. If the grantee shall fail to provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31 of each year commencing December 31, 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.

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

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

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

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

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

EXHIBIT "A"

Tax Map No.	Location	Acres
0200-854.00-02.00-055.000	N/S/O Main Street, 200' E/O Babylon Street, (A/K/A 201 Main Street) Mastic	0.091
0200-967.00-03.00-057.000	N/S/O Ranch Drive 111' W/O Margin Drive, Shirley	0.206
0200-976.80-04.00-003.000	N/W/C/O Mastic Road and Baker Road, (A/K/A 184 Mastic Road) Mastic Beach	0.183
0200-983.30-03.00-004.000	N/S/O Harrison Drive 175' E/O Sheridon Road, Mastic Beach	0.114

EXHIBIT "B"

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

Schedule A

Tri-Hamlet Properties

	SCTM#	ADDRESS	TOWN	NFP
1	0200-616.00-02.00-26.0020	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	0200-979.00-05.00-064.000	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	0200-853.00-06.00-037.000	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	0200-821.00-04.00-02.0010	1098 William Floyd Parkway	Shirley	Long Island Housing Partnership
17	0200-821.00-04.00-03.0020	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	~~0200-976.00-03.00-049.000~~	~~3 Pine Road~~	~~Mastic Beach~~	CDCLI Habitable Parcel
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
26	0200-979.00-09.00-065.000	142 Cypress Drive	Mastic Beach	Long Island Housing Partnership
24	0200-979.00-06.00-024.000	157 Cypress Drive	Mastic Beach	Long Island Housing Partnership

Exhibit "B"

ADOPTED
BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 563-A1-08
MEETING: DECEMBER 9, 2008

AMENDING RESOLUTION NO. 563-08 AUTHORIZING THE TRANSFER OF FORECLOSED PROPERTIES FROM SUFFOLK COUNTY TO CORRECT THE SUFFOLK COUNTY TAX MAP NUMBER FOR ONE PARCEL

WHEREAS, Resolution No. 563-08 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, one of the properties listed an incorrect 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. 563-08 is hereby amended with respect to the following parcel to read as follows:

SCTM #	ADDRESS	NOT-FOR-PROFIT
#6 200-983.30-03.00-004.000	Harrison Avenue, Shirley	Habitat for Humanity of Suffolk

and be it further

RESOLVED that all the other terms and conditions of Resolution No. 563-08 shall remain unchanged.

1478

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

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES
TOWN OF BROOKHAVEN

Tax Map No.: See attached Exhibit "A"

Section 72-h, Gen'l Municipal Law

	Amount
County Investment	$84,635.84
Clean up cost	7,724.00
Total	92,359.84

PURPOSE:

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

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

WRT: slb

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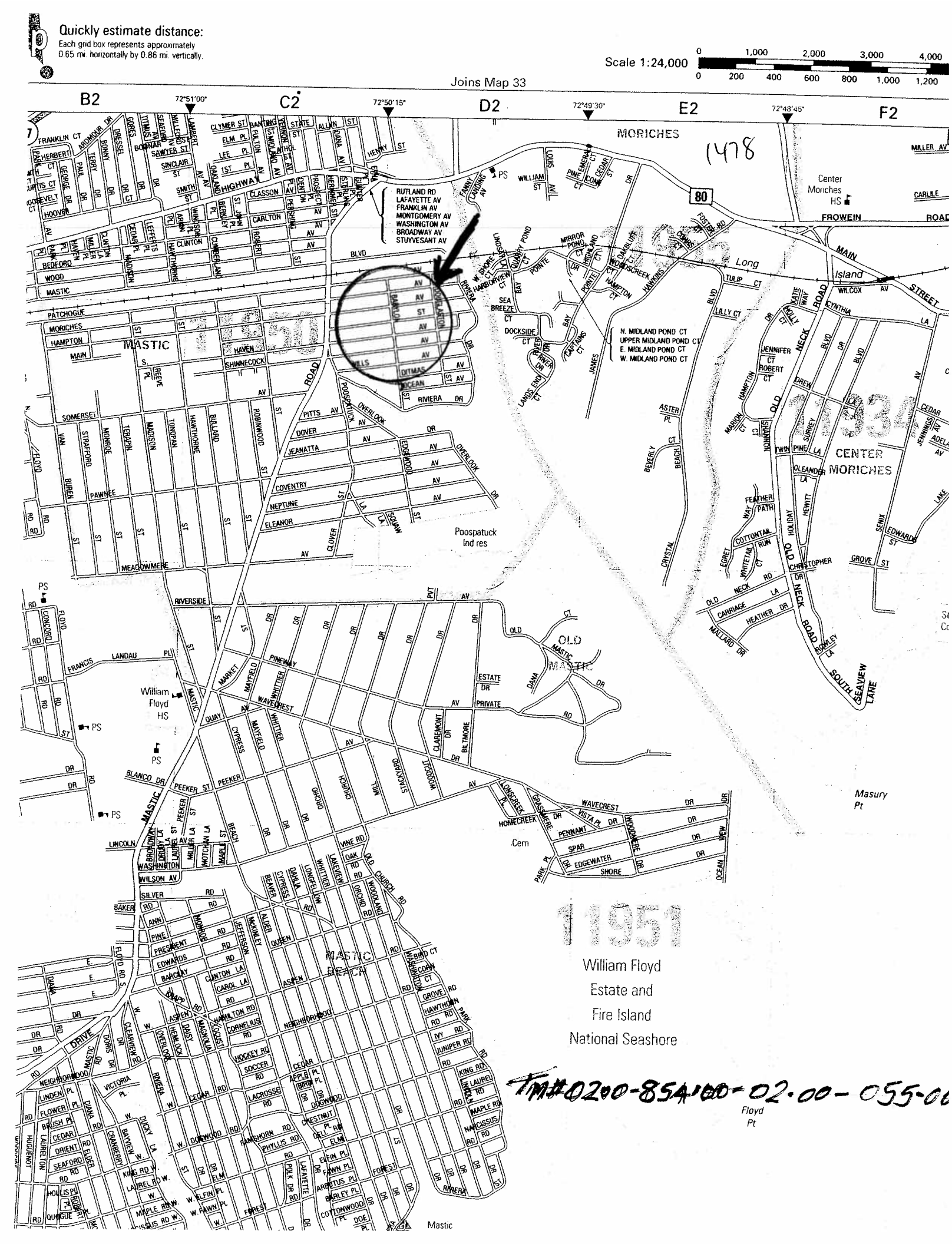
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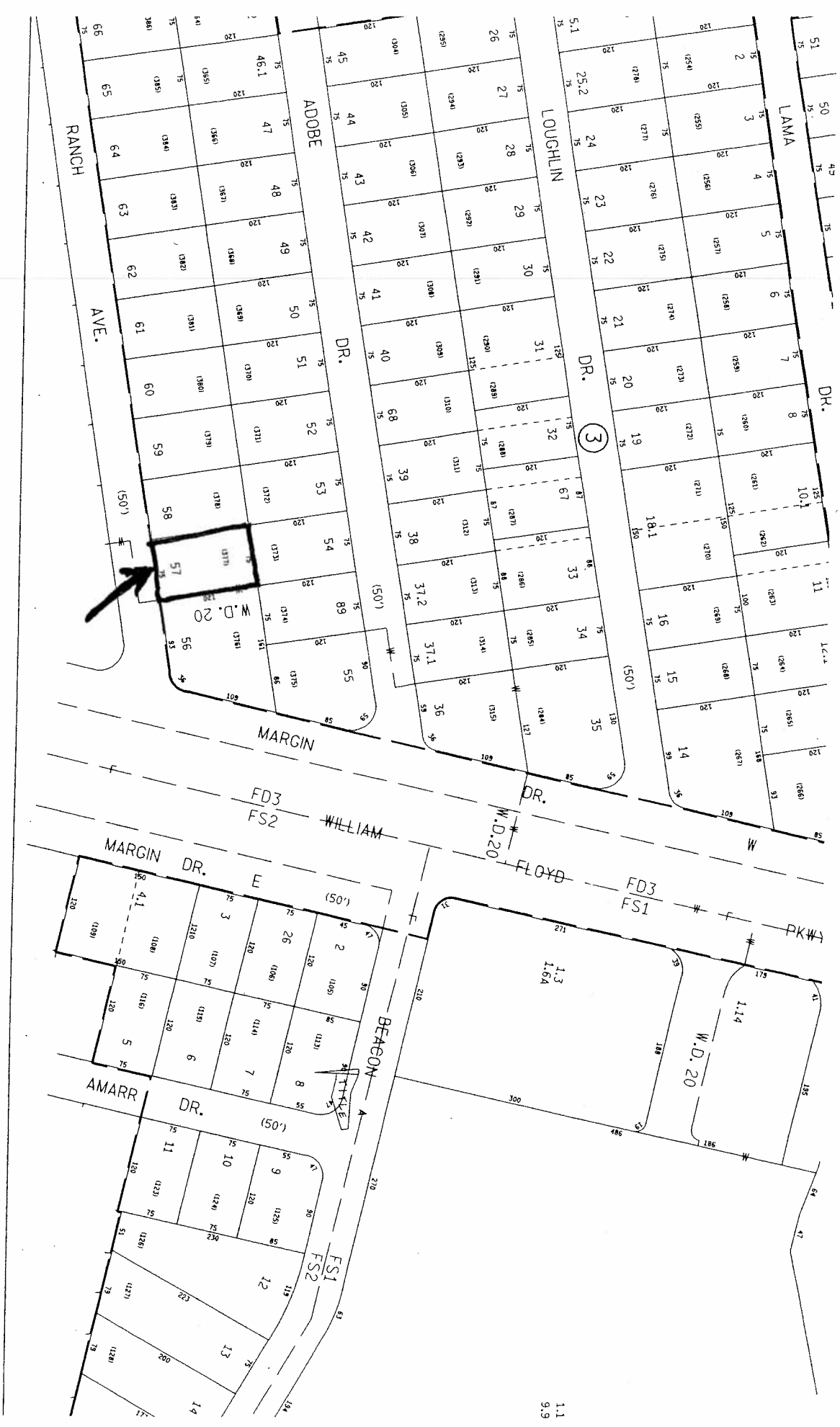
Scale 1:24,000
0 1,000 2,000 3,000 4,000
0 200 400 600 800 1,000 1,200
Joins Map 33
B2
C2
D2
E2
F2
72°51'00"
72°50'15"
72°49'30"
72°48'45"
MORICHES
1478
Center Moriches HS
FROWEIN ROAD
MAIN STREET
Long Island
RUTLAND RD
LAFAYETTE AV
FRANKLIN AV
MONTGOMERY AV
WASHINGTON AV
BROADWAY AV
STUYVESANT AV
N. MIDLAND POND CT
UPPER MIDLAND POND CT
E. MIDLAND POND CT
W. MIDLAND POND CT
MASTIC
CENTER MORICHES
Poospatuck Ind res
OLD MASTIC
William Floyd HS
Masury Pt
Cem
MASTIC BEACH
Floyd Pt
Mastic
11951
William Floyd
Estate and
Fire Island
National Seashore
TM#0200-854100-02.00-055-00



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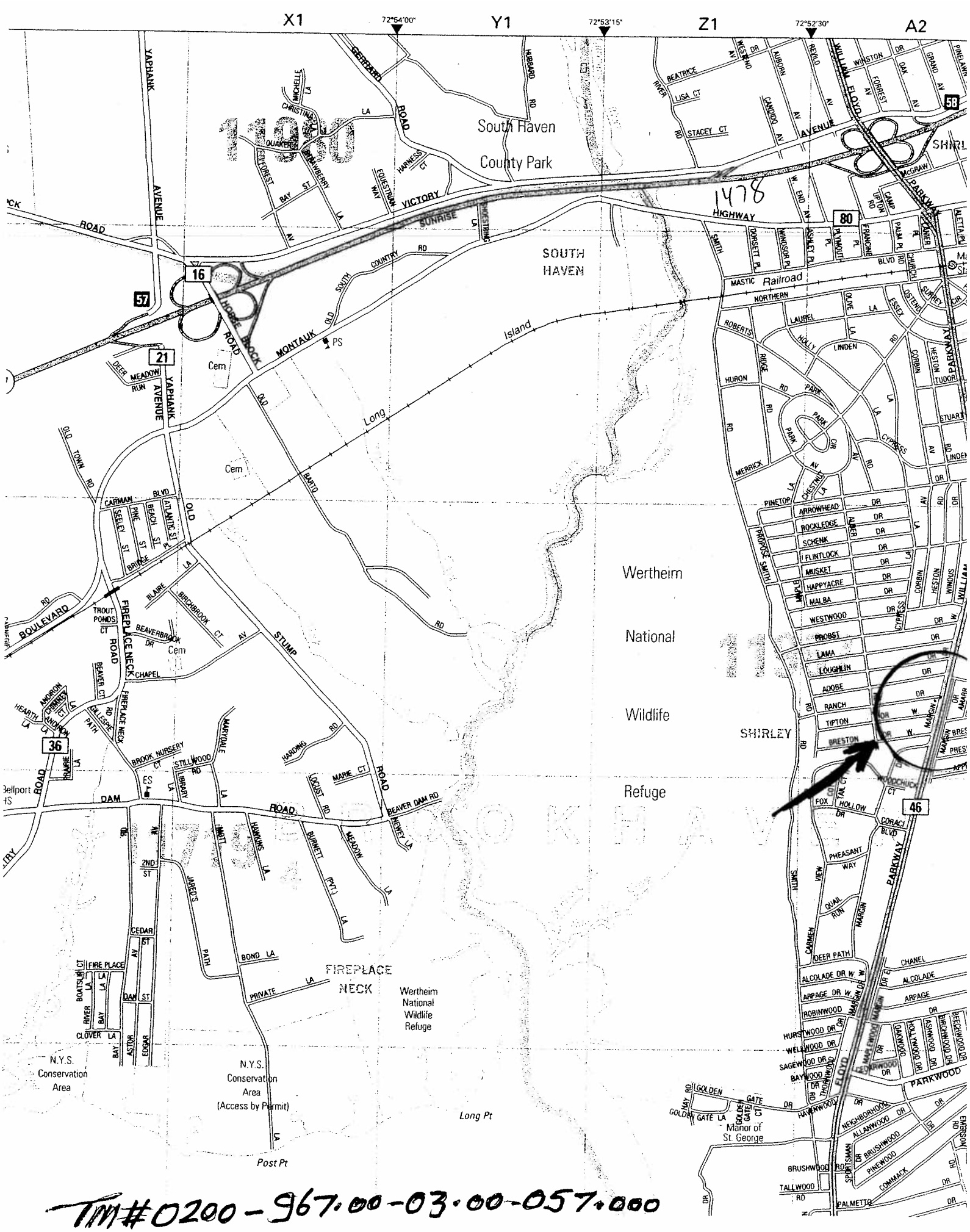
8 of 11



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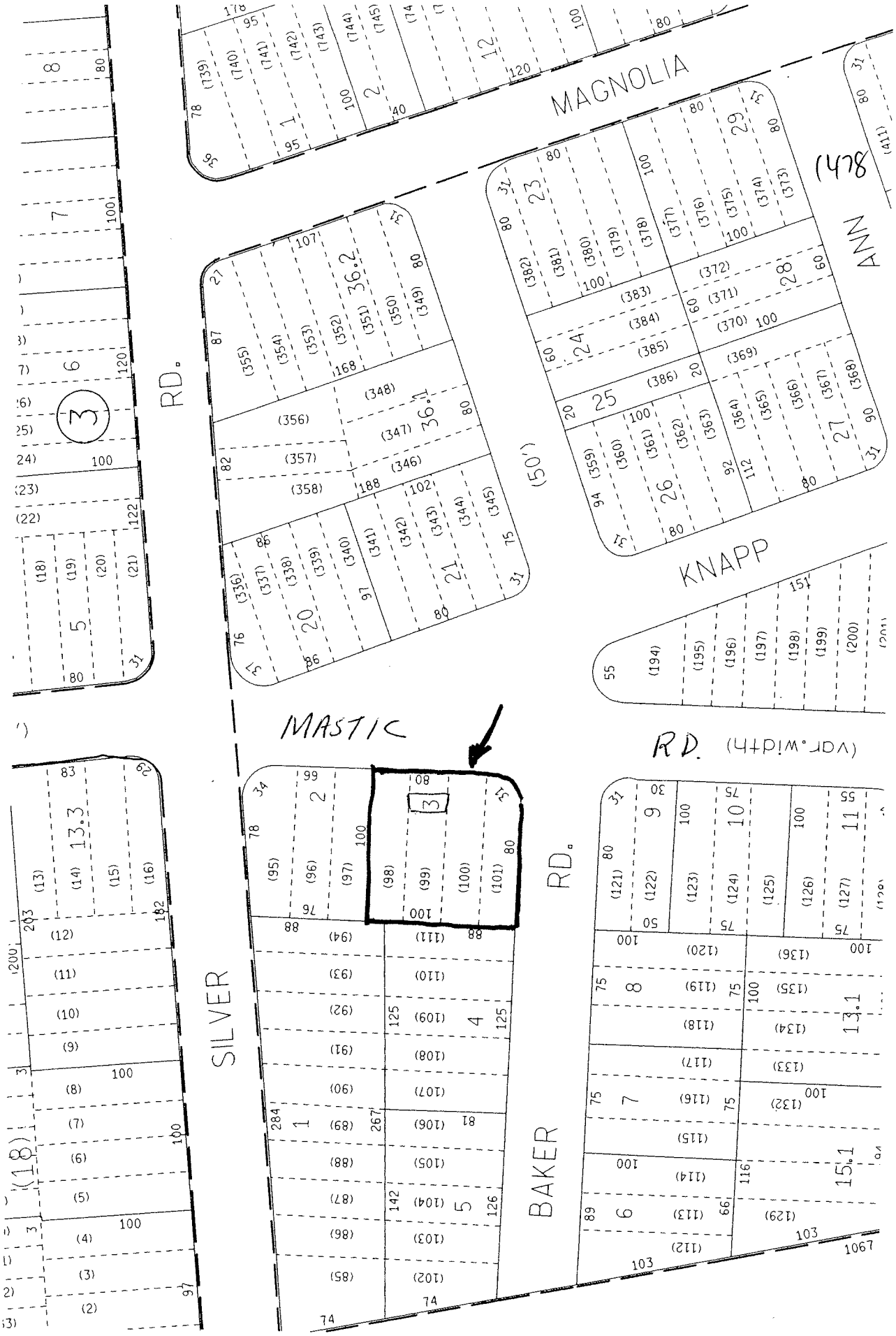

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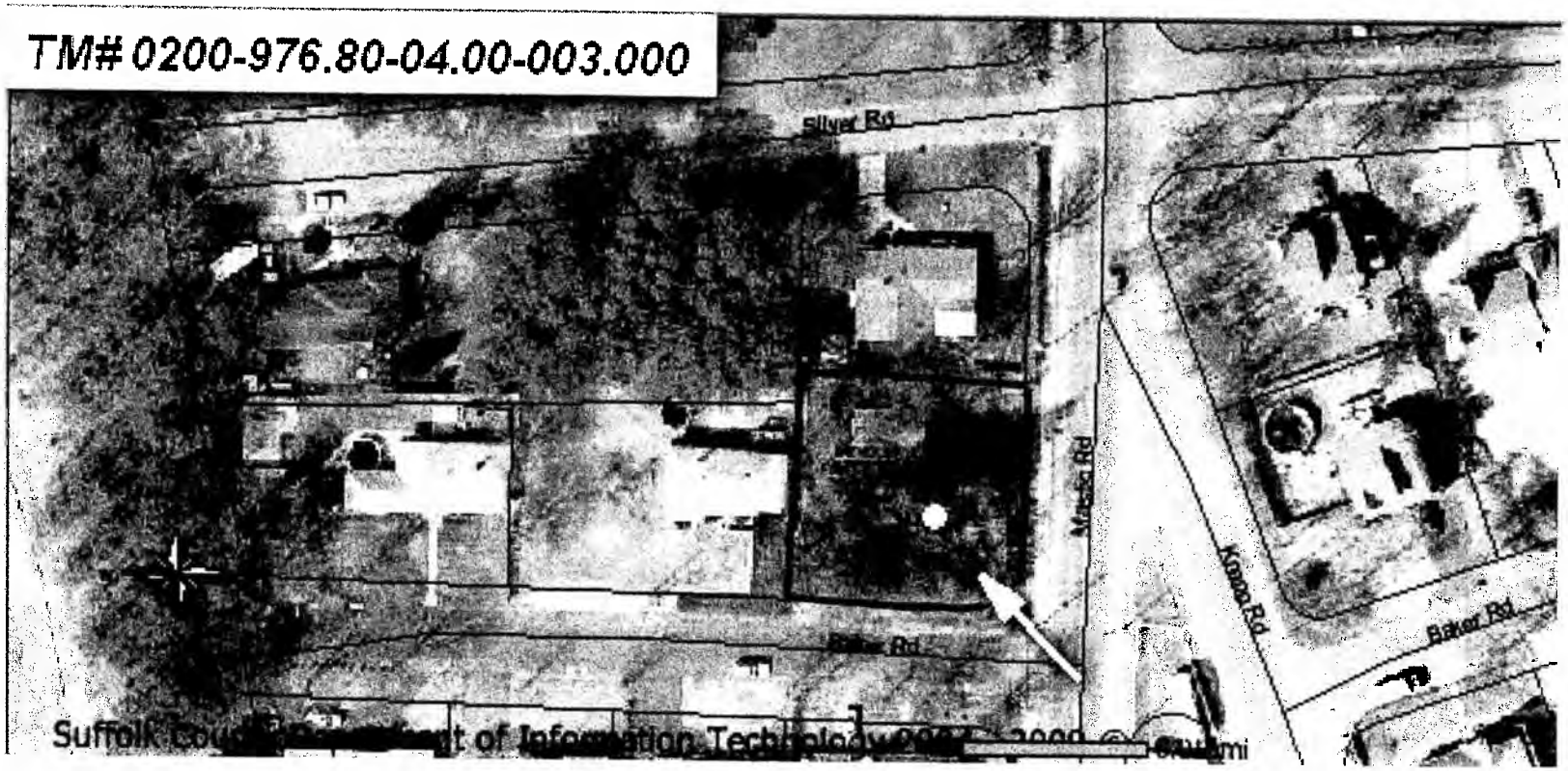

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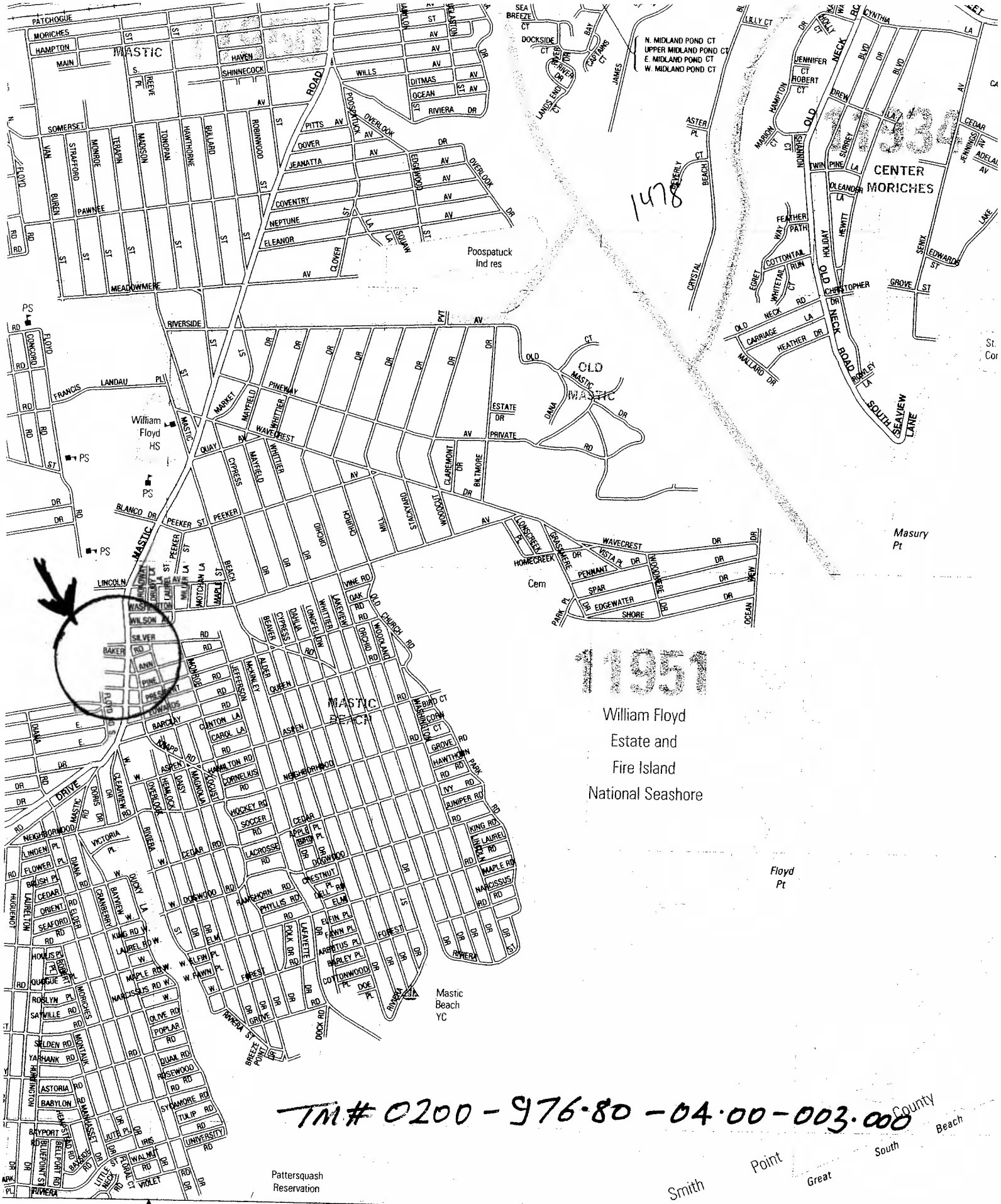

TM# 0200-976-80-04.00-003.000

©Hagstrom Map

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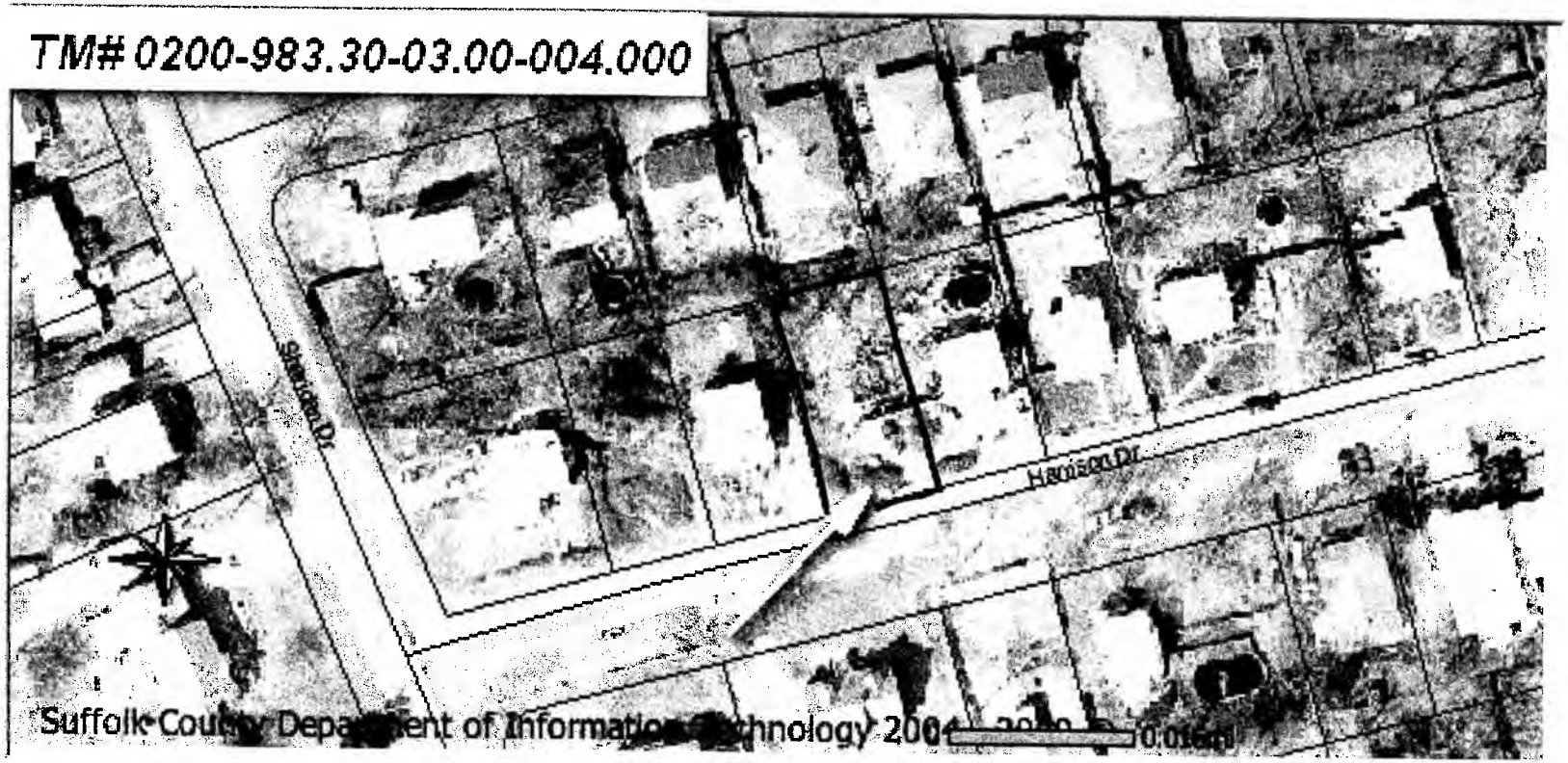
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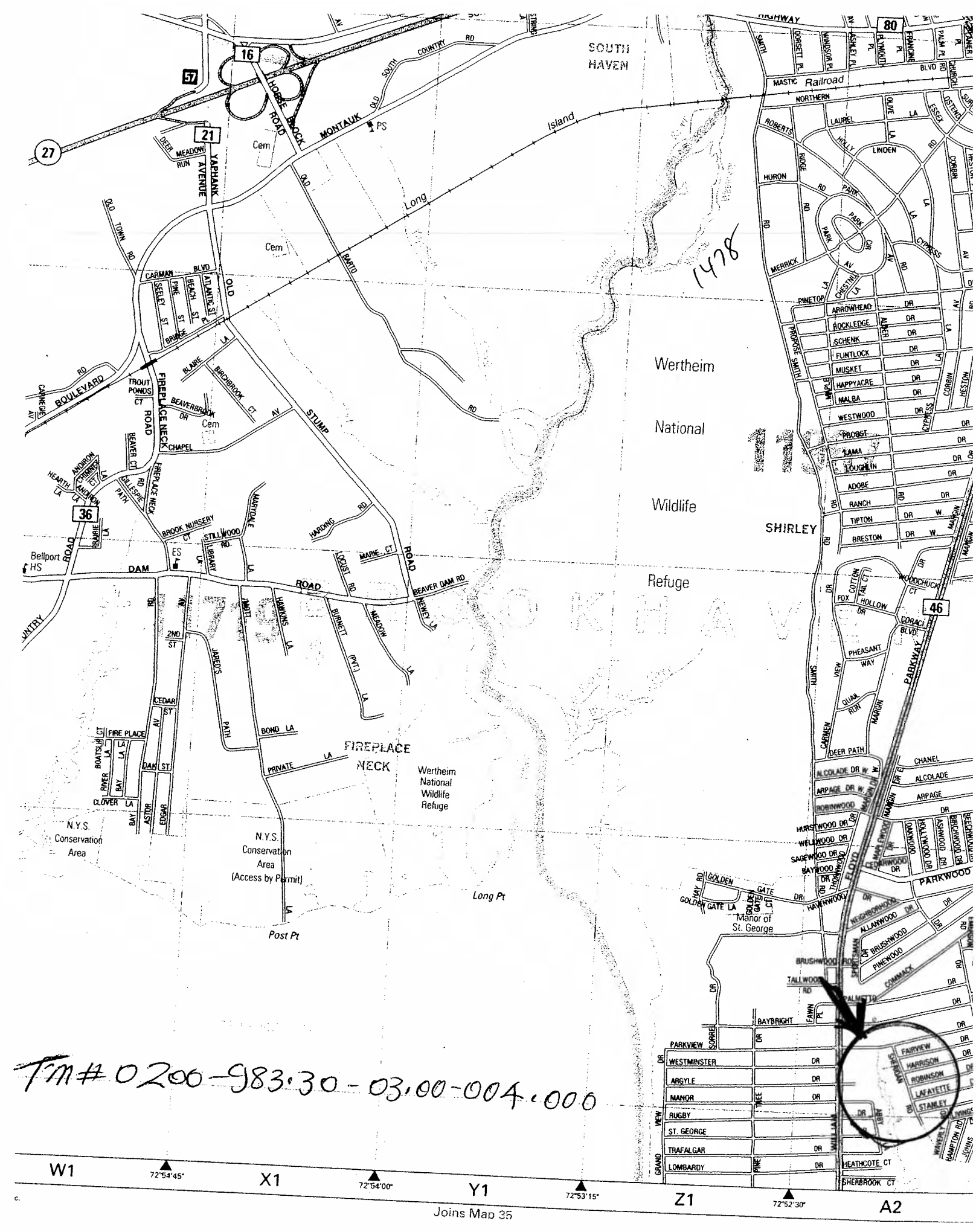
Harrison Dr
Suffolk County Department of Information Technology 200



1478

TM# 0200-983.30-03.00-004.000

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1478

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- LMS IV | R J Bhatt | 5/19/09

COUNTY OF SUFFOLK

MAY 22 2009

1478

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK-GALLAGHER
COMMISSIONER

DEPARTMENT OF ENVIRONMENT AND ENERGY
DIVISION OF REAL PROPERY ACQUISTION AND MANAGEMENT

May 19, 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.: see attached Exhibit "A"
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the Town of Brookhaven for Affordable Housing Purposes.

Dear Mr. Zwirn:

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

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

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Pamela J. Greene
Assistant Director of Division of Real Property Acquisition and Management

PJG: WRT: slb

Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo
Copy w/ Resolution to:
Brendan Chamberlain, Director, Intergovernmental Relations (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

LOCATION
H. LEE DENNISON BUILDING
100 VETERANS MEMORIAL HIGHWAY

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

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

Introductory Resolution No. 1479-08 Laid on Table 6/9/09

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8. If the grantee shall fail to provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31 of each year commencing December 31, 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.

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

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

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

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

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

EXIHIBIT "A"

Tax Map No.	LOCATION	ACRES
0200-750.00-05.00-044.005	W/S/O Franklin Avenue, 180' N/O Elliott Street, Mastic	0.137
0200-750.00-05.00-044.006	W/S/O Franklin Avenue, 120' N/O Elliott Street, Mastic	0.137
0200-750.00-05.00-044.007	W/S/O Franklin Avenue, 60' N/O Elliott Street, Mastic	0.137
0200-750.00-05.00-044.008	N/W/C/O Elliott Street, And Franklin Avenue, Mastic	0.137
0200-979.00-06.00-024.000	E/S/O Cypress Drive, 220' N/O Neighborhood Drive, (A/K/A 157 Cypress Dr.) Mastic Beach	0.137
0200-979.00-09.00-064.000	W/S/O Cypress Drive, 360' S/O Neighborhood Drive, Mastic Beach	0.091
0200-979.00-09.00-065.000	W/S/O Cypress Drive, 220' S/O Neighborhood Drive, (A/K/A 142 Cypress Dr.) Mastic Beach	0.321

Exhibit "B"

ADOPTED
BY THE BROOKHAVEN TOWN BOARD

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

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

Schedule A

Tri-Hamlet Properties

	SCTM#	ADDRESS	TOWN	NFP
1	0200-616.00-02.00-26.0020	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	0200-979.00-05.00-064.000	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	0200-853.00-06.00-037.000	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	0200-821.00-04.00-02.0010	1096 William Floyd Parkway	Shirley	Long Island Housing Partnership
17	0200-821.00-04.00-03.0020	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	~~0200-976.00-03.00-049.000~~	~~3 Pine Road~~	~~Mastic Beach~~	CDCLI Habitats Parcel C
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
26	0200-979.00-09.00-065.000	142 Cypress Drive	Mastic Beach	Long Island Housing Partnership
24	0200-979.00-06.00-024.000	157 Cypress Drive	Mastic Beach	Long Island Housing Partnership

1479

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

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES
TOWN OF BROOKHAVEN

Tax Map No.: See attached Exhibit "A"

Section 72-h, Gen'l Municipal Law

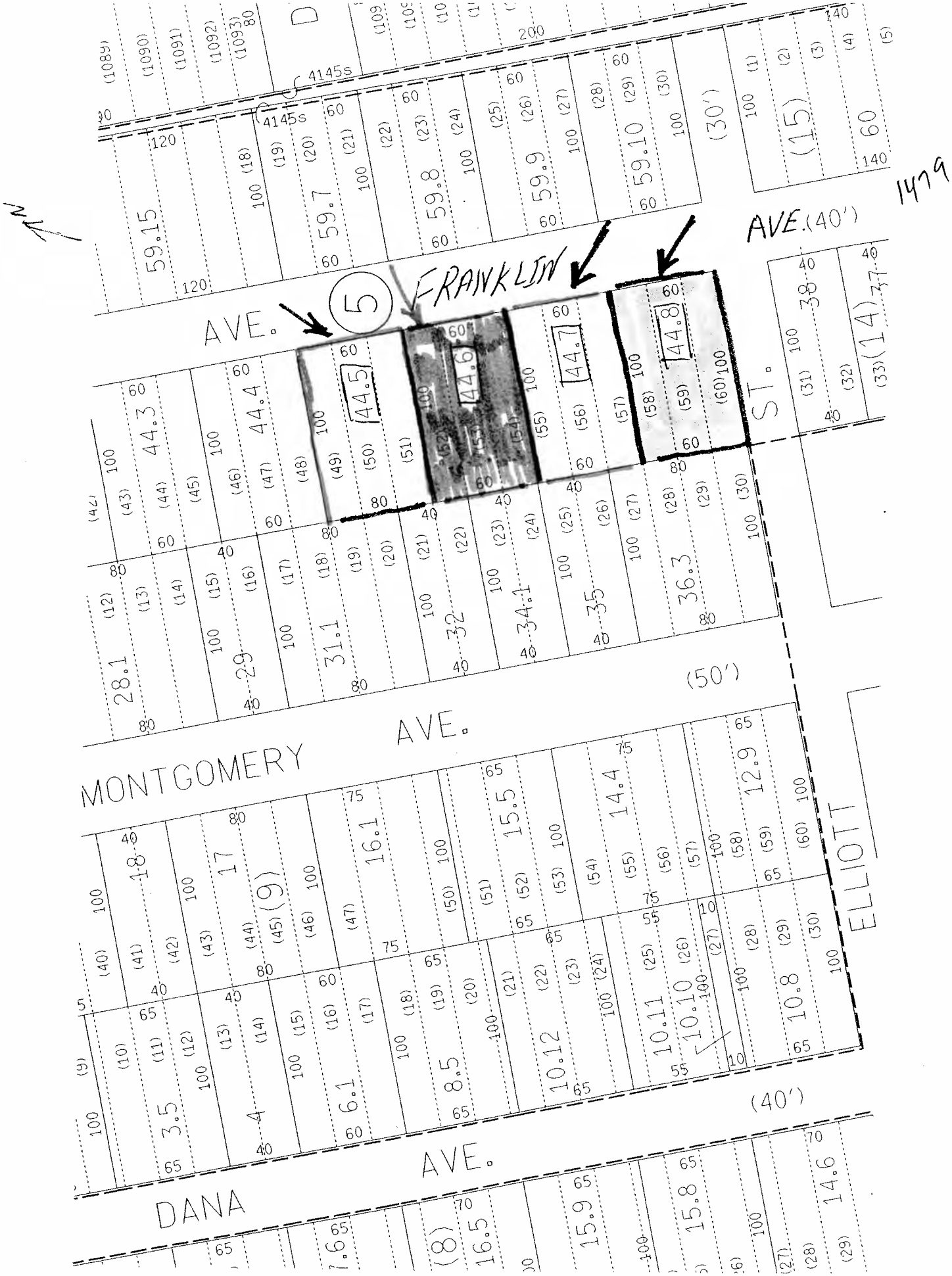
	Amount
County Investment	$79,995.19
Clean up cost	$ 8,590.00
Total	$88,585.19

PURPOSE:

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

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

WRT:slb



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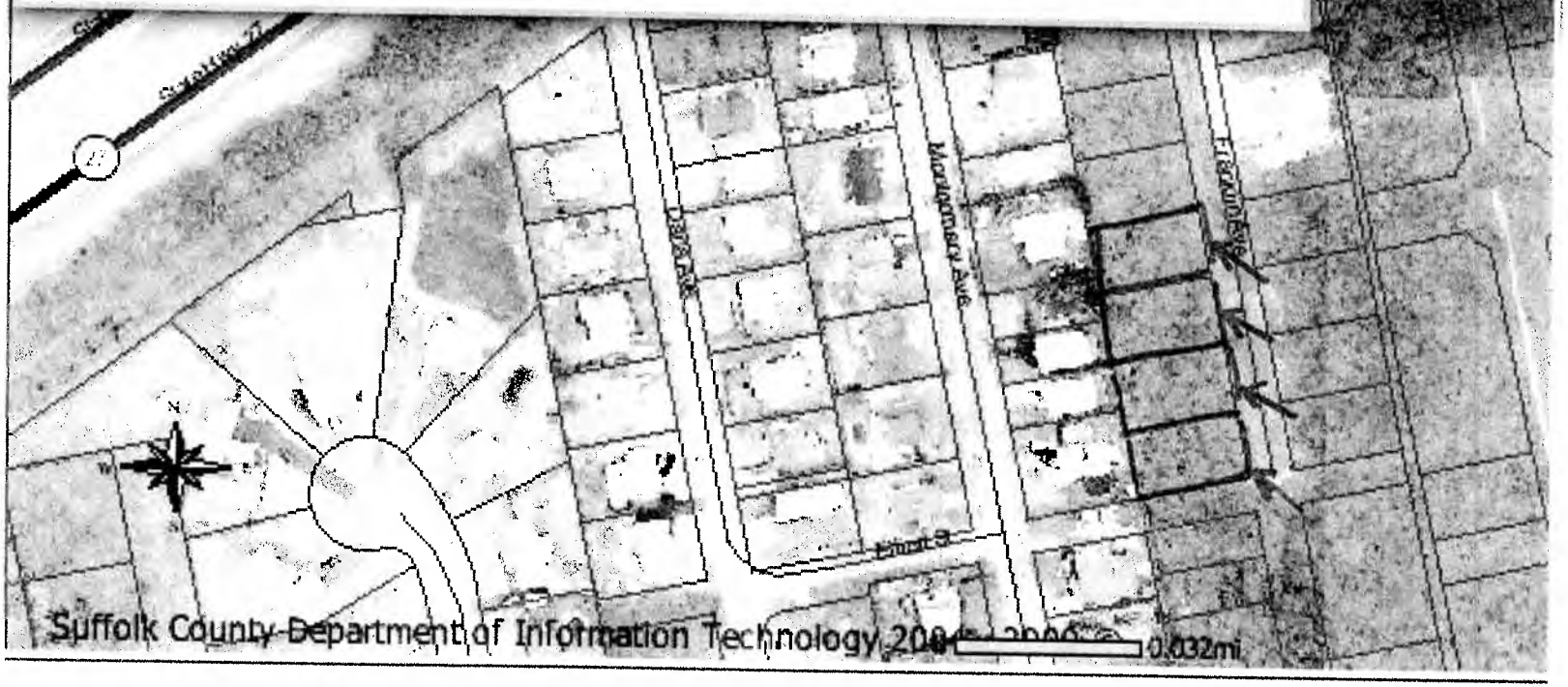

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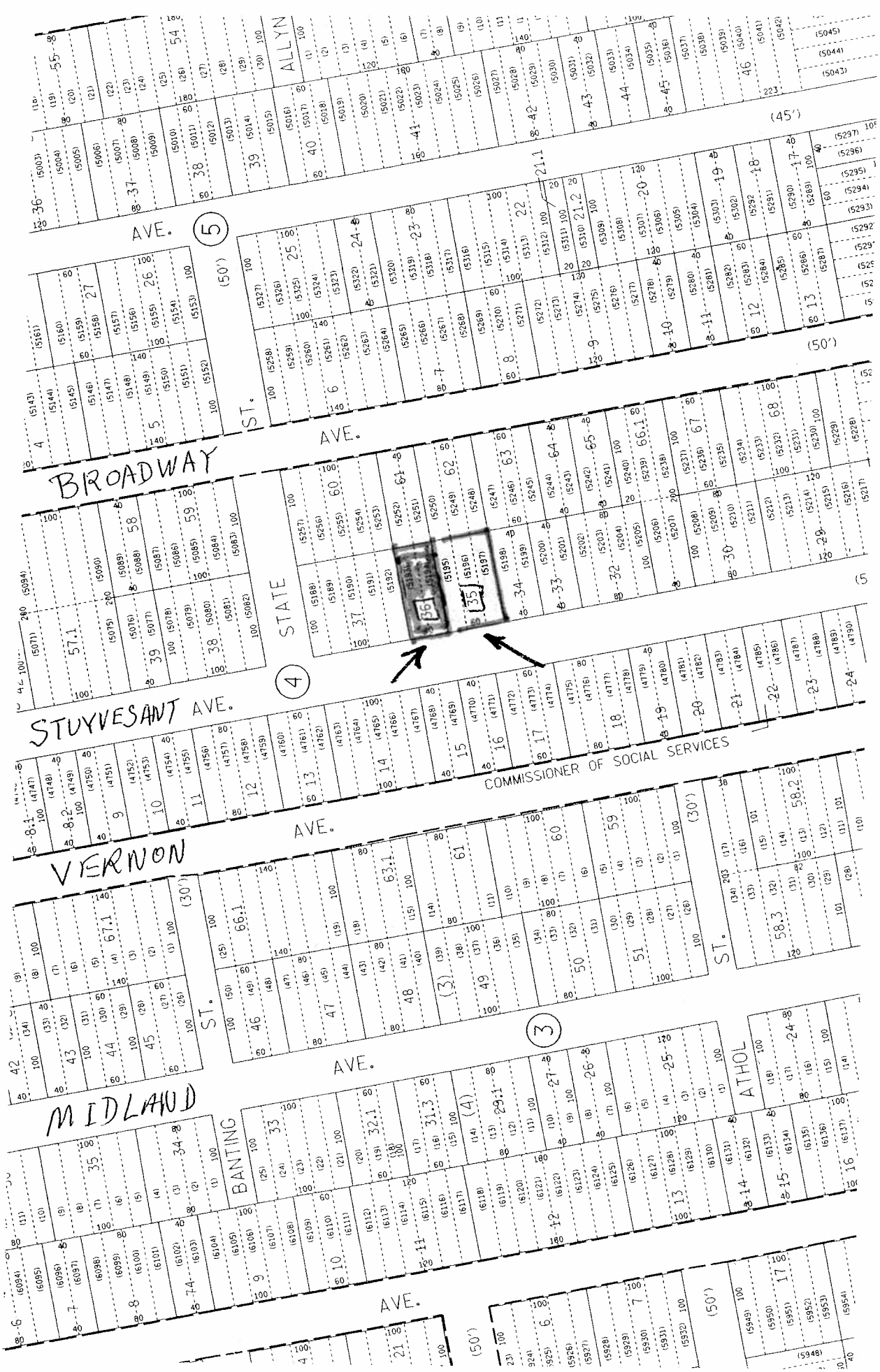

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TM # 0200-824.00-04.00-035.000 & 036.000

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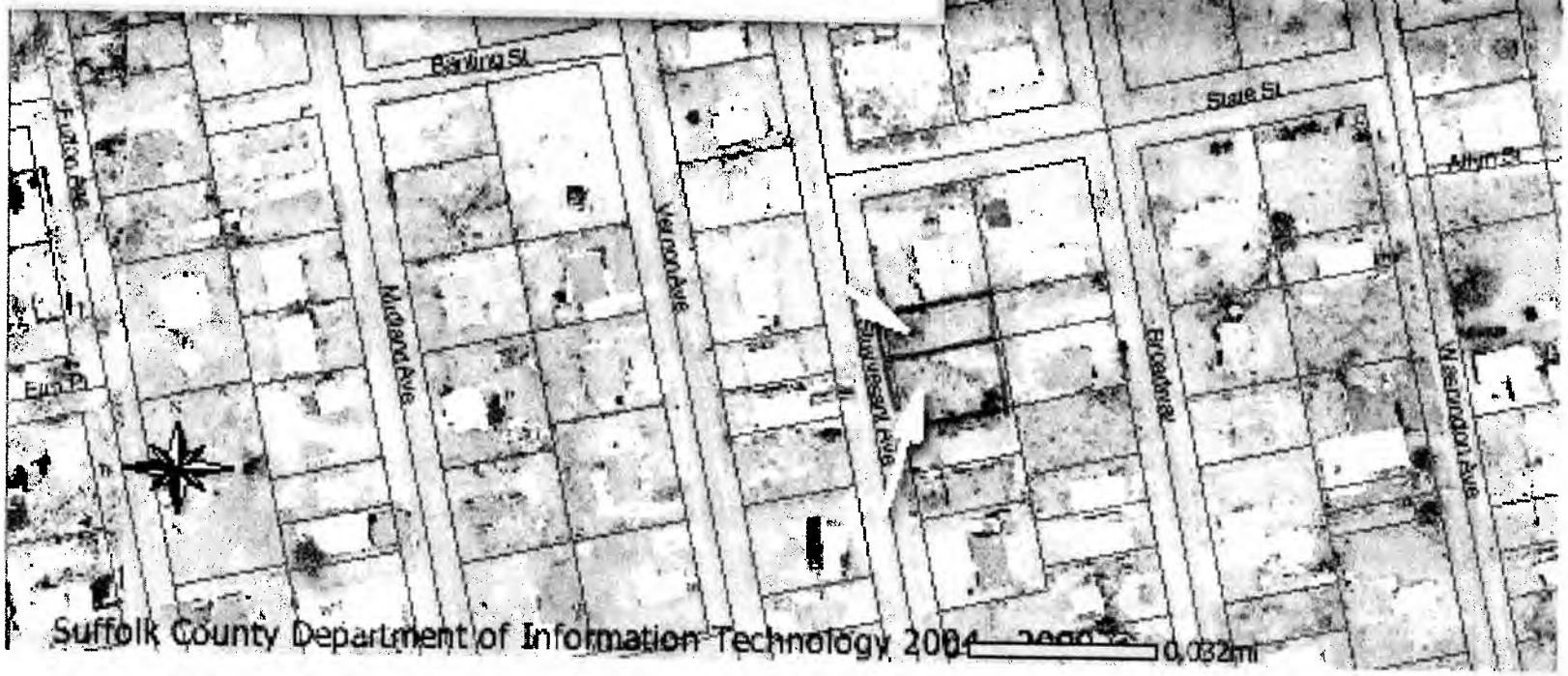

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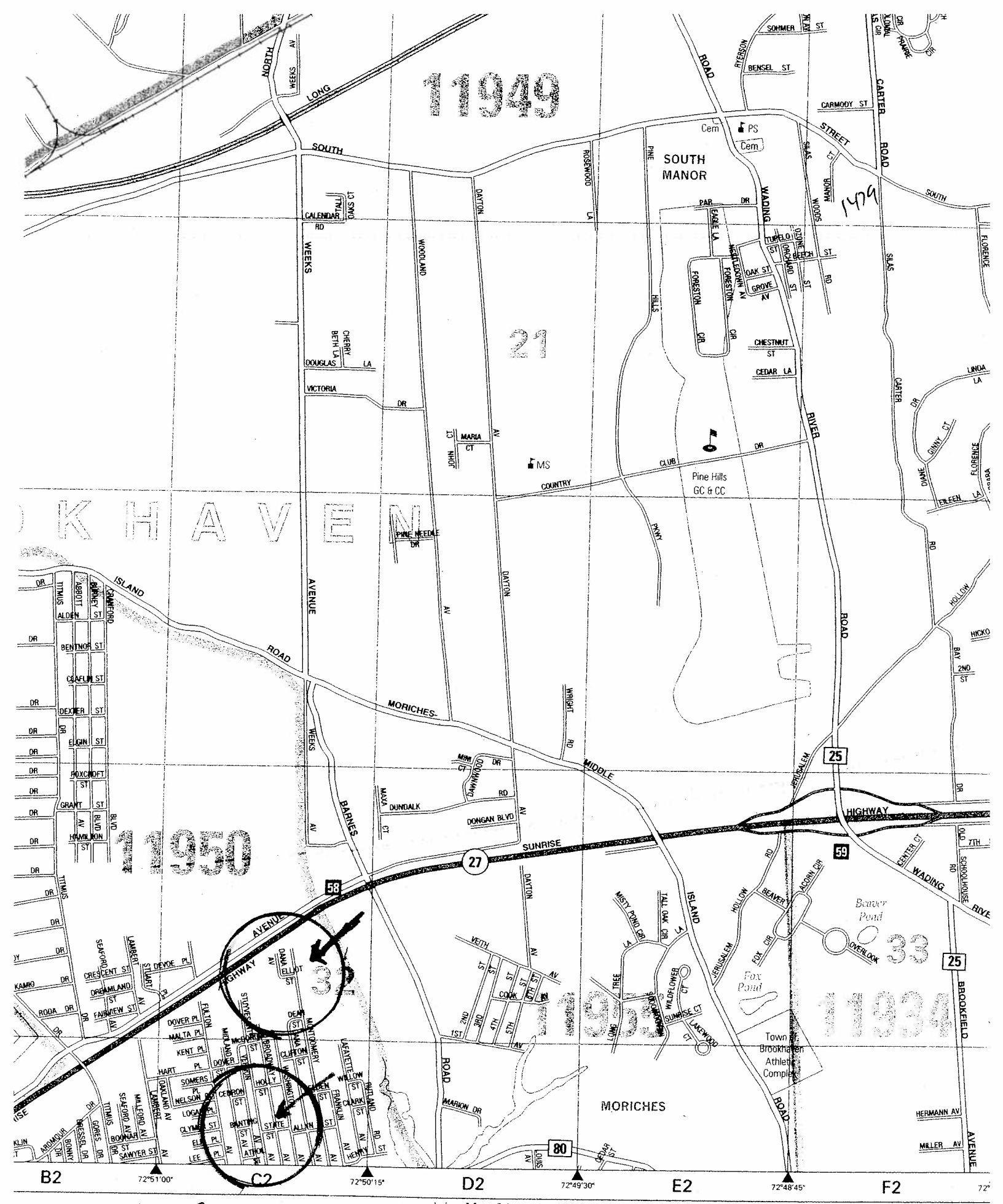

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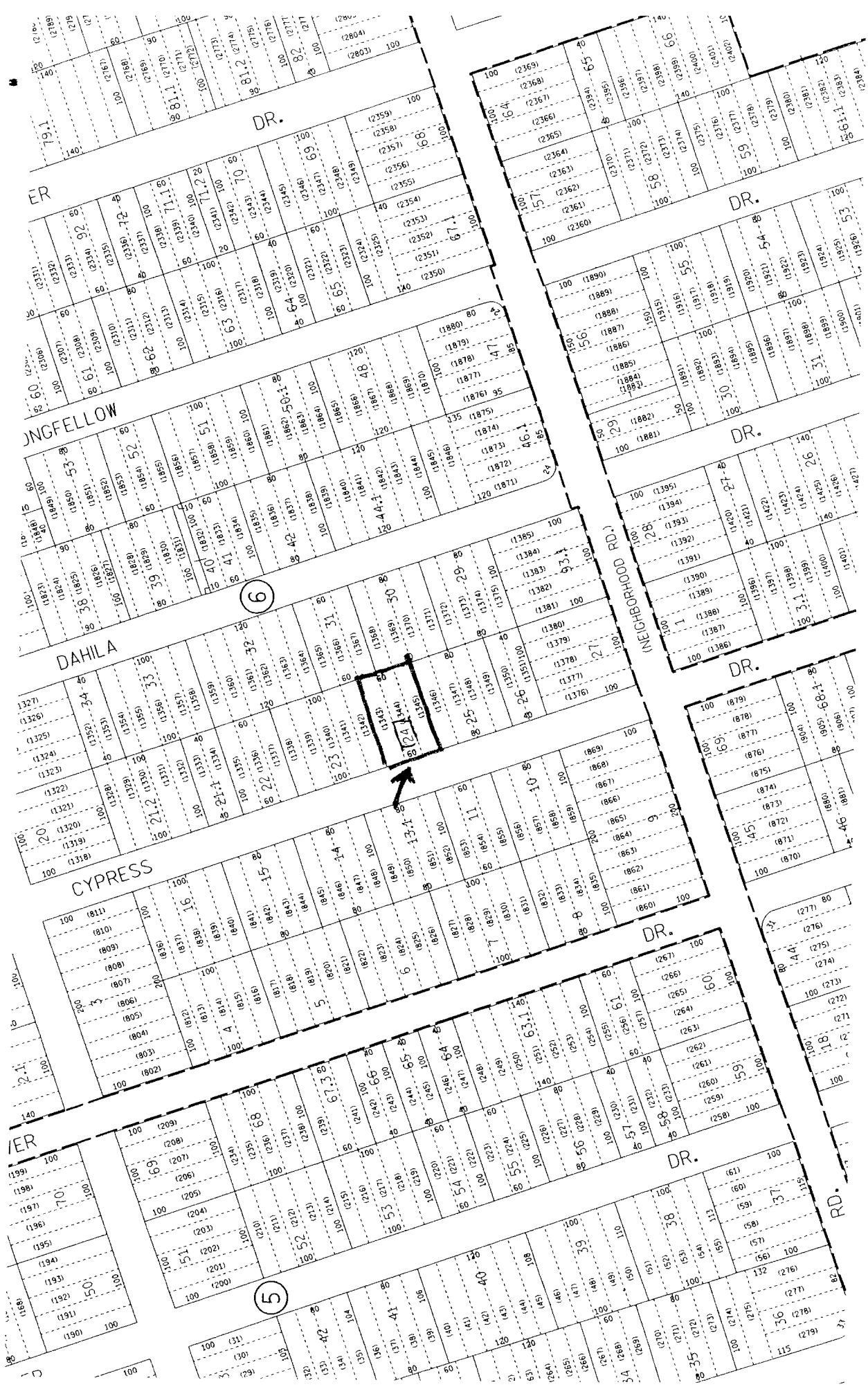

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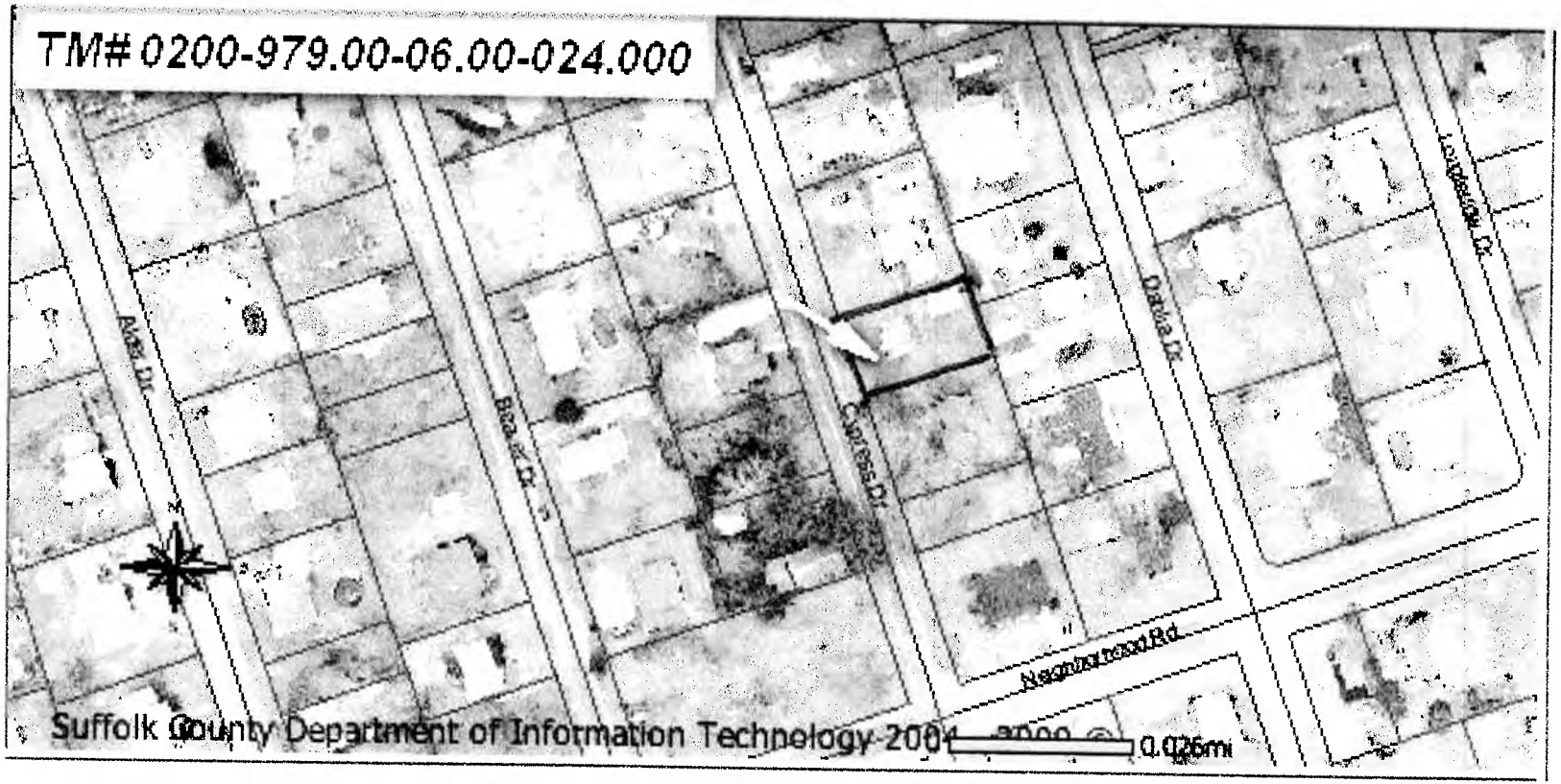
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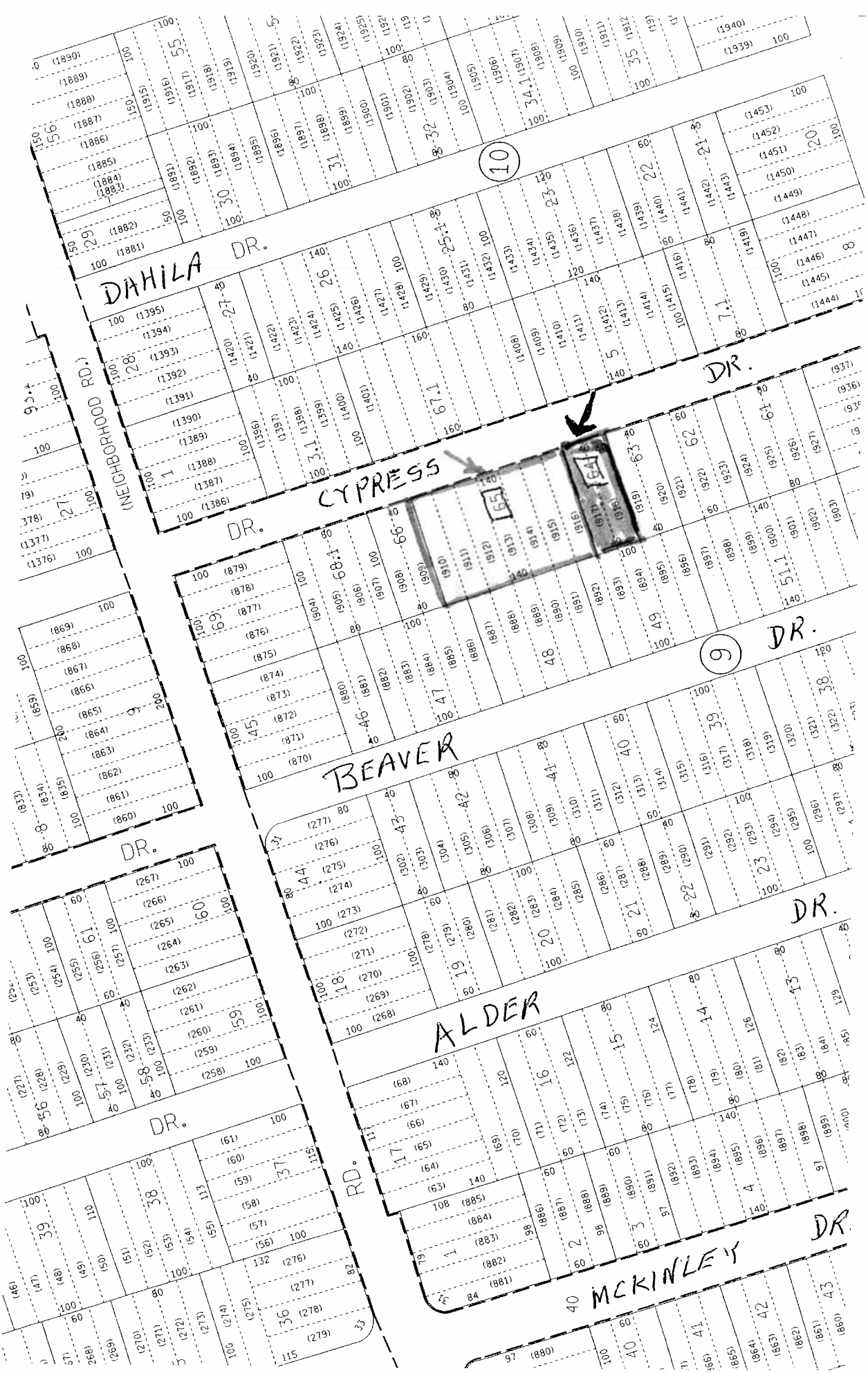

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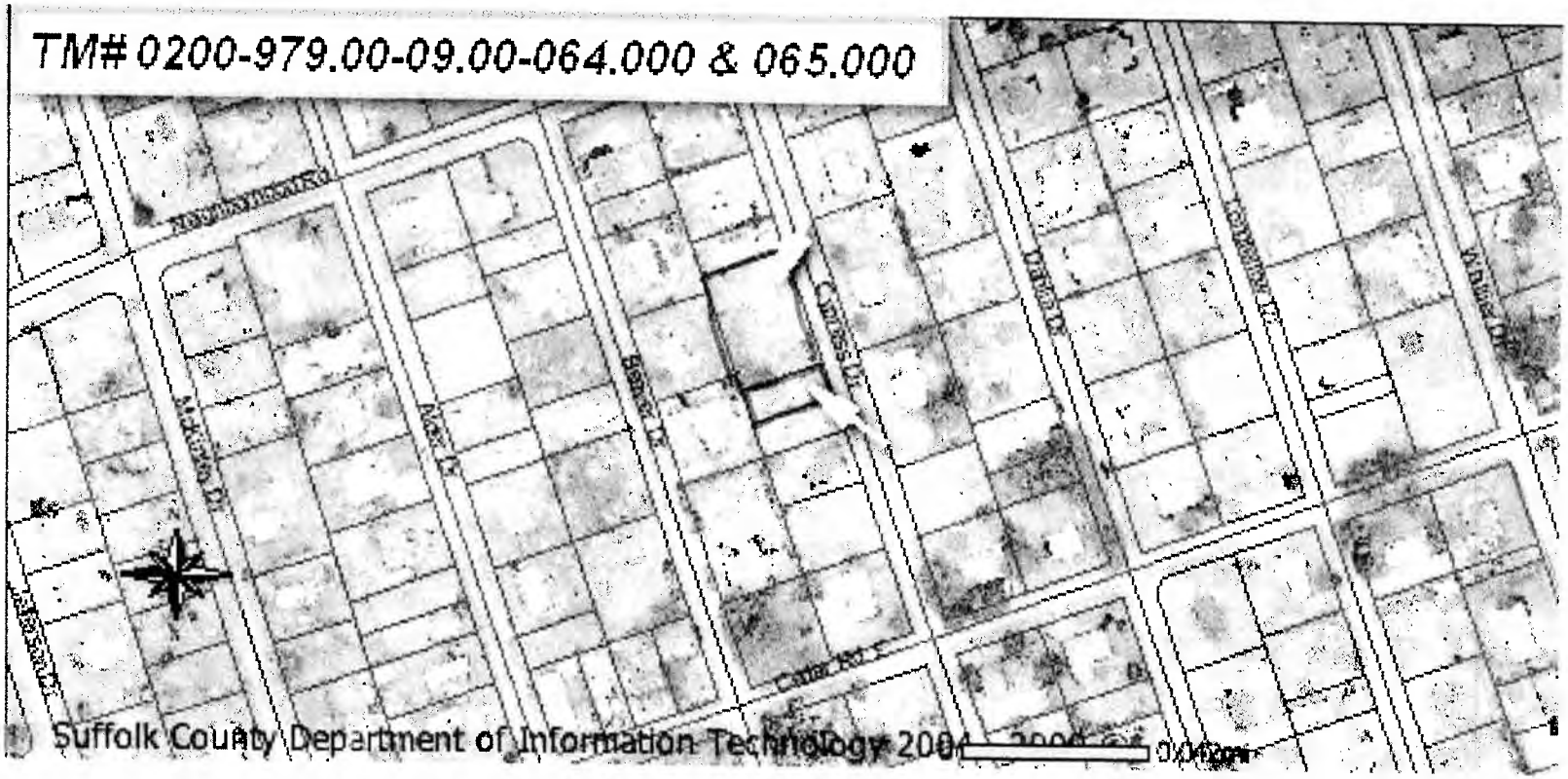
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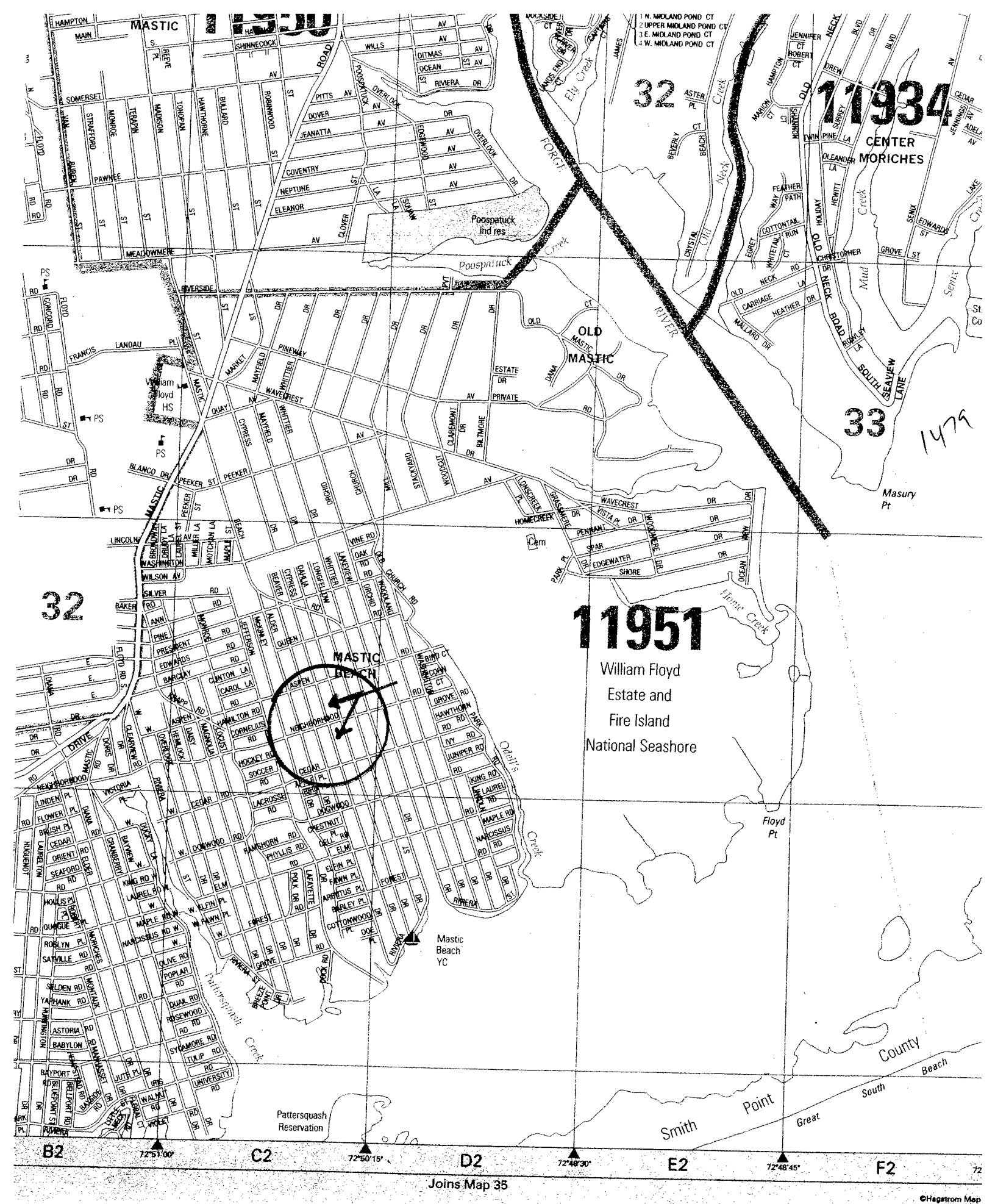


TM# 0200-979.00-06.00-024.000, 0200-979.00-09.00-064.00 & 065.000

1479

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

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

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

   __X__ County _____ Town _____ Economic Impact

   _____ Village _____ School District _____ Other (Specify):

   _____ Library District _____ Fire District

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

   Loss of County investment
   Loss of sale at public auction

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

   Unknown

8. Proposed Source of Funding

   Unknown

9. Timing of Impact

   2009

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

    R. J. Bhatt-LMS IV — R J Bhatt — 5/11/09

COUNTY OF SUFFOLK

1479

MAY 1 0 2009

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

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

May 11, 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.: see attached Exhibit "A"
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the Town of Brookhaven for Affordable Housing Purposes.

Dear Mr. Zwirn:

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

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

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Pamela J. Greene
Assistant Director of Division of Real Property Acquisition and Management

PJG:WRT:slb

Resolution + 1 copy
Summary Statement
Tax Map & Aerial Map
Hagstrom Map
Sponsor's Memo
Copy w/ Resolution to:
Brendan Chamberlain, Director, Intergovernmental Relations (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

LOCATION
H. LEE DENNISON BLDG. – 2nd FLOOR
100 VETERANS MEMORIAL HIGHWAY

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

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

Introductory Resolution No. 1480-09 Laid on Table 6/9/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT
JOHN J. HARVEY and KAREN A. HARVEY, his wife
0800-141.00-06.00-033.000

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 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 0800, Section 141.00, Block 06.00, Lot 033.000, and acquired by tax deed on July 10, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2008, in Liber 12557, at Page 856, and otherwise known as and by Town of Smithtown, known and designated as part of Lots 6 & 7 and Lots 8-13 in Block 24 on a certain map entitled "Map of Ronkonkoma Manor" as filed in the Office of the Clerk of the County of Suffolk on May 26, 1926 as Map No. 229; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 10, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2008 in Liber 12557 at Page 856.

WHEREAS, in accordance with Suffolk County Local Law No. 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, WELLS FARGO BANK NA as Mortgagee by Trusure Adams, Ocwen Loan Servicing, LLC c/o Gary Kanellis, Esq., Shapiro & DiCaro, LLP, has made application of said above described parcel and WELLS FARGO BANK NA as Mortgagee by Trusure Adams, Ocwen Loan Servicing, LLC c/o Gary Kanellis, Esq., Shapiro & DiCaro, LLP, has paid the application fee and $1,853.67, 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

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

2nd - **RESOLVED**, that the Assistant Director of the Division of Real Property Acquisition and Management, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to JOHN J. HARVEY and KAREN A. HARVEY, his wife, 174 Nichols Road, Nesconset, New York 11767, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

50.I

1480

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution **X**
Tax Map Number 0800-141.00-06.00-033.000

2. Title of Proposed Legislation

Authorizing the Assistant Director of the Division of Real Property Acquisition and Management and/or her 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

2009

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

Diane Bishop Diane Bishop 5/6/09

1480

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

April 29, 2009

Tax Map No.: 0800-141.00-06.00-033.000
Name of Last Legal Fee Owner: JOHN J. HARVEY and KAREN A. HARVEY, his wife

TREASURER'S COMPUTATION..... $1,485.56

Taxes.....2008/2009..... $ 368.11

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $1,853.67

Monies Received..... $1,853.67

RESOLUTION AMOUNT..... $1,853.67

APPROVED:

Karen A Slater 5/6/09
Accounting
DB:sc

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0800	141.00	06.00 1480	033.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	$461.46
2006/07	$488.59
2007/08	$365.09

2008/09 TAXES IN THE AMOUNT OF $368.11 NOT INCLUDED IN COMPUTATION.

TOTAL:	$1,315.14
B. INTEREST DUE	$99.68
C. TOTAL	$1,414.82
D. 5% LINE C	$70.74
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$1,485.56

4/16/09

CERTIFICATION BY COUNTY TREASURER

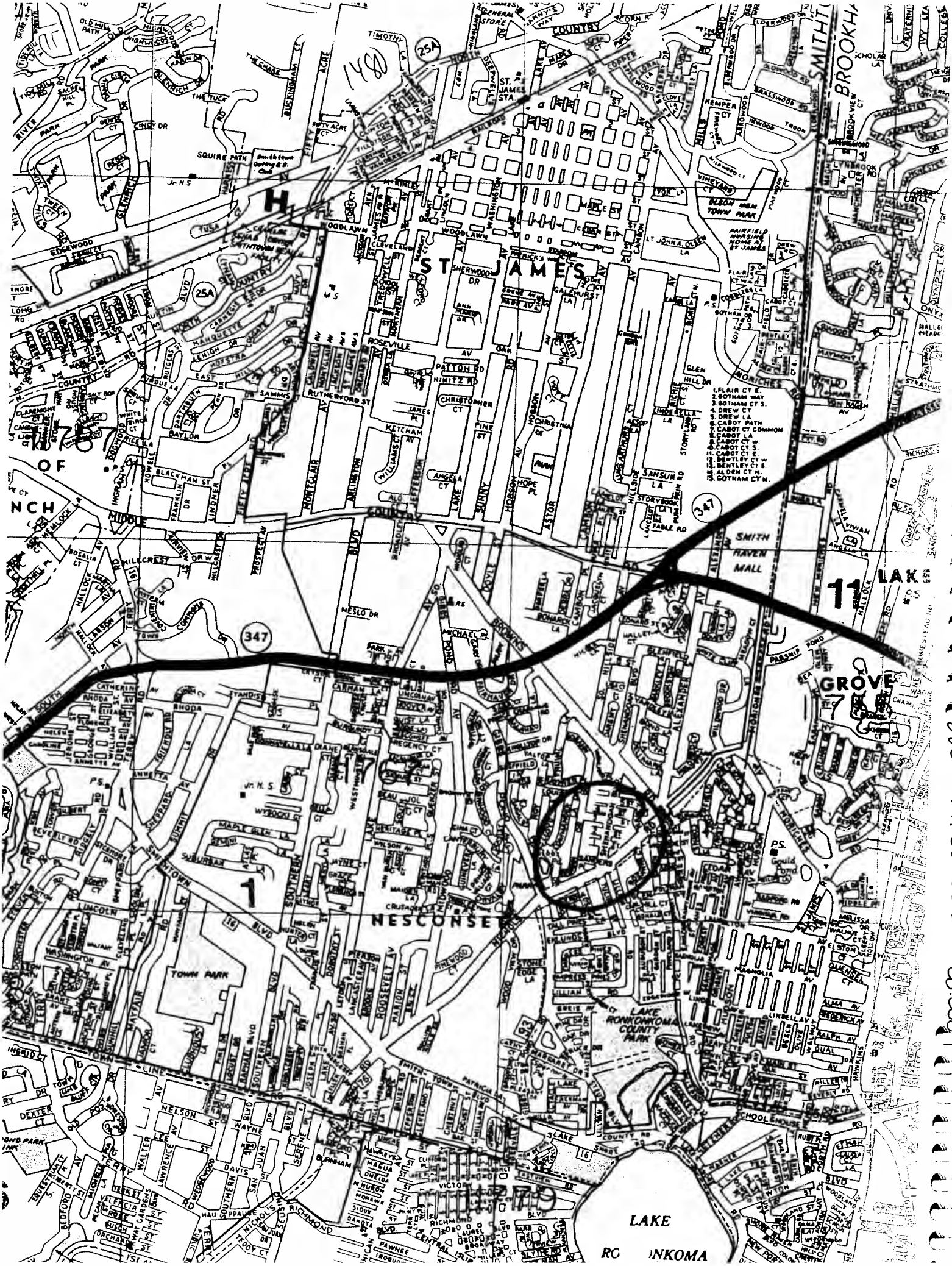
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 21-Apr-09

Douglas W. Sutherland
Chief Deputy County Treasurer

**Interest and penalty computed to and including 10/18/09

TS


ST JAMES
NESCONSET
SMITH HAVEN MALL
LAKE RONKONKOMA COUNTY PARK
LAKE RONKONKOMA
TOWN PARK
1. FLAIR CT E
2. GOTHAM WAY
3. GOTHAM CT S.
4. DREW CT
5. DREW LA
6. CABOT PATH
7. CABOT CT COMMON
8. CABOT LA
9. CABOT CT W.
10. CABOT CT E
11. CABOT CT E
12. BENTLEY CT W
13. BENTLEY CT E
14. ALDEN CT N.
15. GOTHAM CT N.

PROPERTIES AND DISTRICTS:

NOTICE

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

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

KEY MAP

TOWN OF	SMITHTOWN
VILLAGE OF	
DISTRICT NO	0800

SECTION NO 141

PROPERTY MAP

CONVERSION DATE: Feb. 19, 1956

Introductory Resolution No. 1481-09 Laid on Table 6/9/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT
ROSE BROWN a/k/a ROSE MORRISON a/k/a ROSE LUCAS
0100-164.00-03.00-022.000

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 164.00, Block 03.00, Lot 022.000, 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 172, and otherwise known as and by Town of Babylon, Filed Map No. 431, filed in the Office of the Clerk of Suffolk County on the 7th day of May 1904, as and by Lots numbers 705, 706, 707 and 708; 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 172.

WHEREAS, in accordance with Suffolk County Local Law No. 16- 1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, ROSE BROWN a/k/a ROSE MORRISON a/k/a ROSE LUCAS, by Linda P. Harris as Attorney in Fact, has made application of said above described parcel and ROSE BROWN a/k/a ROSE MORRISON a/k/a ROSE LUCAS, by Linda P. Harris as Attorney in Fact, has paid the application fee and will be paying $92,704.31 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; and

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

2nd - RESOLVED, that the Assistant Director of the Division of Real Property Acquisition and Management and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ROSE BROWN a/k/a ROSE MORRISON a/k/a ROSE LUCAS, 41 Williams Avenue, Amityville, New York 11701, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

50.I

148

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

May 7, 2009

Tax Map No.: 0100-164.00-03.00-022.000
Name of Last Legal Fee Owner: ROSE BROWN a/k/a ROSE MORRISON a/ka ROSE LUCAS

TREASURER'S COMPUTATION..... $82,871.14

Taxes.....2008/2009.....$ 9,833.17

Recording Fees collected for County Clerk.. N/A

License Fee ..... OPEN

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $92,704.31

Monies to be Received.....$92,704.31

RESOLUTION AMOUNT.....$92,704.31

APPROVED:

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

Karen A. Klotz 5/8/09
Accounting
CO:sc

1481

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution **X**
Tax Map Number 0100-164.00-03.00-022.000

2. Title of Proposed Legislation

Authorizing the Assistant Director of the Division of Real Property Acquisition and Management and/or her 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

2009

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

Cathy O'Neal Cathy O'Neal 5/7/09

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0100	164.00	03.00	022.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES: 1481

2002/03	12109.80
2003/04	13399.97
2004/05	14373.47
2005/06	13726.09
2006/07	12251.77
2007/08	9509.28

2008/09 PROPERTY TAXES $9833.17 NOT INCLUDED IN COMPUTATION

TOTAL: 75370.38

B. INTEREST DUE	3554.52
C. TOTAL	78924.90
D. 5% LINE C	3946.24
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE $82,871.14

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. 04-Feb-09

Diane M. Stuke
Deputy County Treasurer

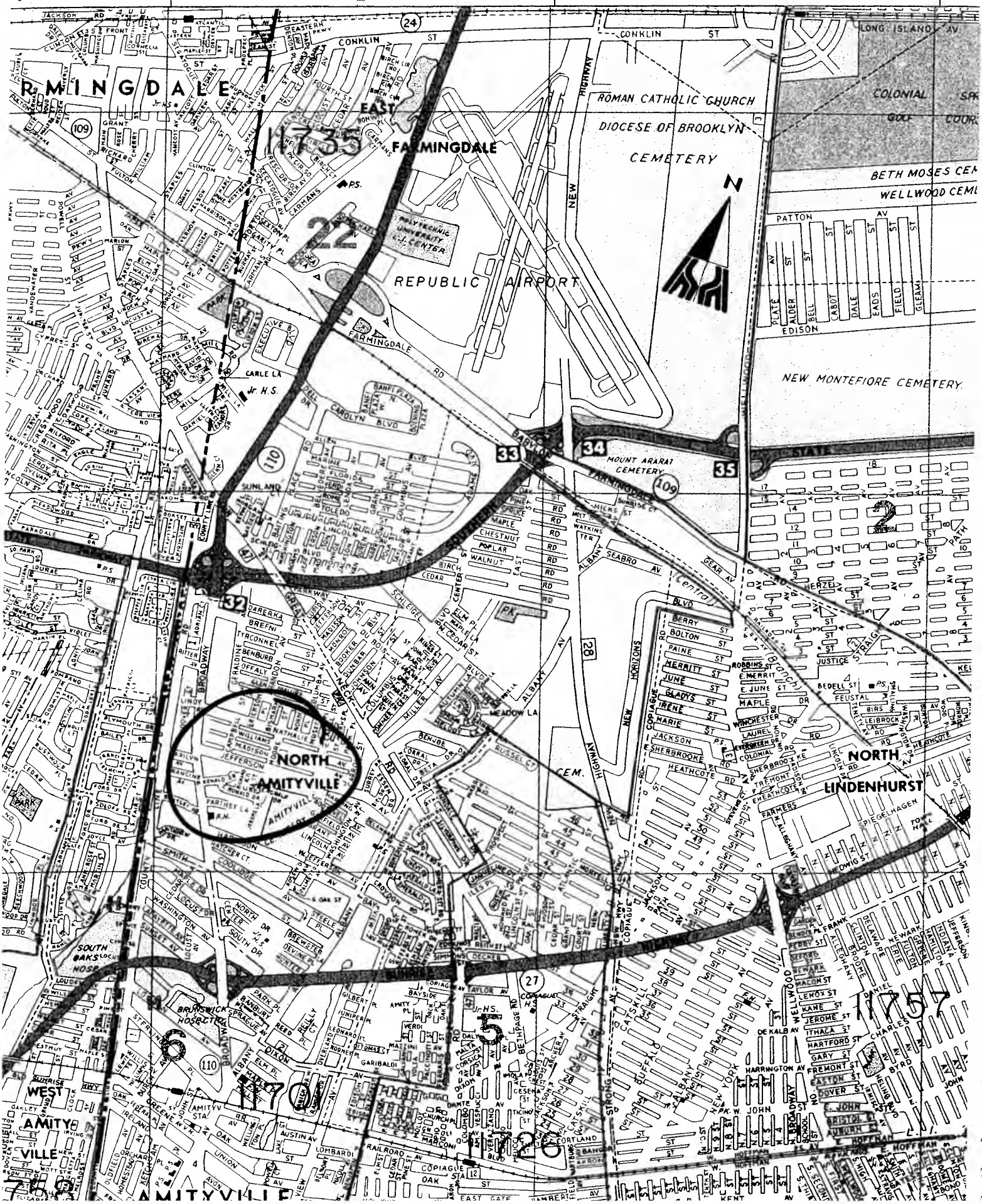
**Interest and penalty computed to and including 08/03/09

dz

1481
0100 164 03022

FOR ADJOINING AREA SEE MAP NO. 3

1 2 3



1481

0100 164 03 022

PROPERTIES DISTRICTS:	NOTICE	COUNTY OF SUFFOLK © Real Property Tax Service Agency	KEY MAP	TOWN OF BABYLON	SECTION NO
	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 Center Riverhead, N Y 11901 SCALE IN FEET: 0 100 200		VILLAGE OF	164
				DISTRICT NO 0100	PROPERTY MAP

COUNTY OF SUFFOLK

148 MAY 15 2009

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

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

May 14, 2009

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

Re: Tax Map No. 0100-164.00-03.00-022.000
ROSE BROWN a/k/a ROSE MORRISON a/k/a ROSE LUCAS

Dear Mr. Zwirn:

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

Local Law No. 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,

Pamela J. Greene
Assistant Director of Division of Real Property
Acquisition and Management

PJG: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)
Christopher E. Kent, Chief Deputy County Executive (1 hard copy)
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Steve Forst, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

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

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

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

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

Introductory Resolution No. 1482-09 Laid on Table 6/9/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT
LESTO Mc GOWAN
0100-039.00-03.00-017.002 f/k/a P/O 017.001 f/k/a 116.000

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 039.00, Block 03.00, Lot 017.002, f/k/a 017.001 f/k/a 116.000, 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, Filed Map 1-288 Blk 99 Lots 46 and 47; 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 No. 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, SAXON MORTGAGE SERVICES INC., as Mortgagee, by LPS Property Tax Solutions, by Brian McLeod, Assistant Vice President, has made application of said above described parcel and SAXON MORTGAGE SERVICES INC., as Mortgagee, by LPS Property Tax Solutions, by Brian McLeod, Assistant Vice President, has paid the application fee and $316.05, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2008; and

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

2nd - RESOLVED, that the Assistant Director of the Division of Real Property Acquisition and Management, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to LESTO Mc GOWAN, 112 North 23rd Street, Wyandanch, New York 11798, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

50.I

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1482

May 6, 2009

Tax Map No.: 0100-039.00-03.00-017.002 f/k/a P/O 017.001 f/k/a 116.000
Name of Last Legal Fee Owner: LESTO Mc GOWAN

TREASURER'S COMPUTATION..... $316.05

Taxes.....2008/2009..... 1st half PAID – 2nd half OPEN

Recording Fees collected for County Clerk. . N/A

License Fee..... N/A

Repairs..... N/A

Interest..... N/A

Miscellaneous Expenses..... N/A

TOTAL..... $316.05

Monies Received..... $316.05

RESOLUTION AMOUNT..... $316.05

APPROVED:

Accounting
CO:sc

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

1482

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0100-039.00-03.00-017.002 f/k/a P/O 017.001 f/k/a 116.000

2. Title of Proposed Legislation

Authorizing the Assistant Director of the Division of Real Property Acquisition and Management and/or her 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

2009

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

Cathy O'Neal Cathy O'Neal 5/6/09

COMPUTATIOI Y SUFFOLK COUNTY TRE/ JRER

DISTRICT	SECTION	BLOCK	LOT
0100	039.00	03.00 1482	116.000 N/K/a 117.2

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	283.16

THIS PARCEL HAS BEEN RETIRED. THE NEW TAX MAP NUMBER IS 0100-039-03-117.001.
PROPERTY TAXES ON THIS PARCEL ARE PAID IN FULL THROUGH 2008.
2009 PROPERTY TAXES $10,144.11 - FIRST HALF OF $5,072.06 HAS BEEN PAID.
This will take care of 117.2 also

	TOTAL:	283.16
B. INTEREST DUE		17.84
C. TOTAL		301.00
D. 5% LINE C		15.05
E. FEE		
F. MISC		
G. MISC		
H. TOTAL DUE		$316.05

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. 28-Jan-09

Douglas W. Sutherland
Chief Deputy County Treasurer

**Interest and penalty computed to and including 07/27/09

dz

1482 M4 C13

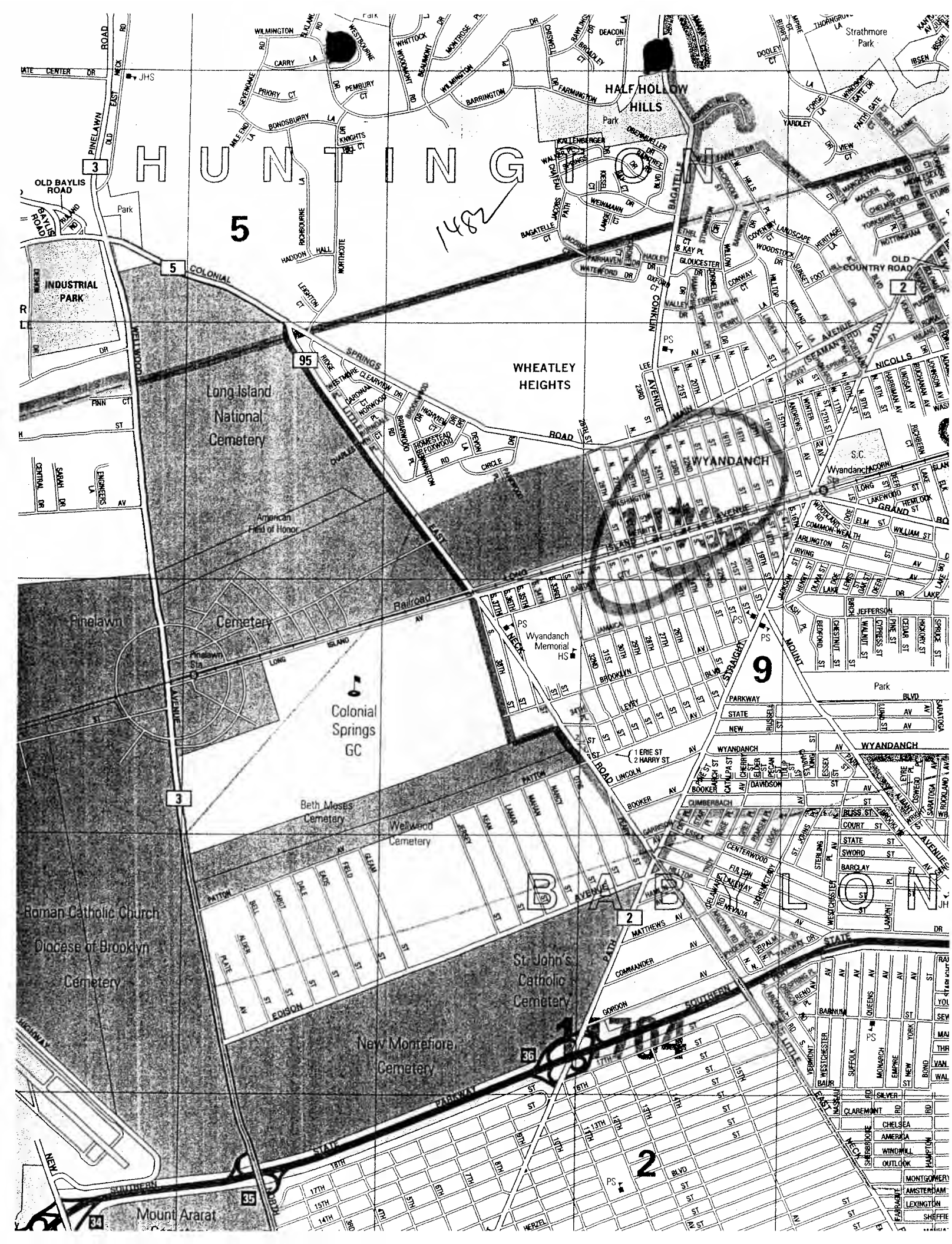
0100 039 03 017 002 F/K/a 116

Revisions
04-09-97
05-13-97
06-19-97
07-22-97
11-12-97
02-20-98
11-05-98
08-03-99
02-01-00
04-06-00
04-12-01
01-15-02
03-26-02
07-26-02
01-16-03
02-14-03
09-02-03
09-16-03
09-19-03
12-10-03
10-25-04
11-19-04
12-21-04
03-15-05
08-16-05
09-26-05
11-28-05
12-02-05
03-21-06
07-03-06
03-19-07
08-22-07
01-30-08

Note 101

LEGEND									
Property or RW Line		Subdivision Lot No.	(12)	Block Limit		School District Line	SCH	Hydrant District Line	H
Denotes Common Owner	Z	Subdivision Block/Bldg. No.	(21)	Block No.	2	Fire District Line	F	Refuse District Line	R
Subdivision Lot Line		Deed Dimension	62	County Line		Water District Line	W	Historical District Line	HST
Stream / Shore		Scaled Dimension	62a	Town Line		Light District Line	L	Ambulance District Line	A
Parcel No.	23	Deed Area	12.1 A(d) or 12.1A	Village Line		Park District Line	P	Wastewater District Line	WW
		Computed Area	12.1 A(c)			Sewer District Line	S		

UNLESS DRAWN ARE WITHIN
SCHOOL 16,9
FIRE 13
LIGHT 55
PARK
AMBULANCE


HUNTINGTON
BABLON
5
9
2
1482
HALF HOLLOW HILLS
Strathmore Park
OLD BAYLIS ROAD
INDUSTRIAL PARK
WHEATLEY HEIGHTS
WYANDANCH
Long Island National Cemetery
American Field of Honor
Pinelawn Cemetery
Pinelawn Sta
Colonial Springs GC
Wyandanch Memorial HS
Beth Moses Cemetery
Wellwood Cemetery
Roman Catholic Church Diocese of Brooklyn Cemetery
St. John's Catholic Cemetery
New Montefiore Cemetery
Mount Ararat
COLONIAL SPRINGS ROAD
LONG ISLAND AVENUE
WELLWOOD AVENUE
PINELAWN ROAD
EAST NECK ROAD
STRAIGHT PATH
MOUNT SOUTHERN STATE PARKWAY
NICOLLS AVENUE
OLD COUNTRY ROAD
BAGATELLE
CONKLIN
WYANDANCH AVENUE
PATTON AVENUE
EDISON
MATTHEWS AV
COMMANDER AV
GORDON
BROOKLYN
LINCOLN
BOOKER AV
CUMBERBACH
CENTERWOOD
FULTON
PARKWAY
STATE
NEW
SOUTHERN
HIGHWAY
Railroad
1 ERIE ST
2 HARRY ST

COUNTY OF SUFFOLK

1482

MAY 15 2009

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

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

May 14, 2009

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

Re: Tax Map No. 0100-039.00-03.00-017.002 f/k/a P/O 017.001 f/k/a 116.000
LESTO Mc GOWAN

Dear Mr. Zwirn:

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

Local Law No. 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,

Pamela J. Greene
Assistant Director of Division of Real Property
Acquisition and Management

PJG: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)
Christopher E. Kent, Chief Deputy County Executive (1 hard copy)
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Steve Forst, Budget Office (1 hard copy)
C.E. Reso. Review (electronic copy)

Copy of letter to:
Carrie Meek Gallagher, Commissioner, Dept. of Environment and Energy
Connie Corso, Budget Director
Thomas A. Isles, Director, Planning Dept.
Lauretta Fischer, Principal Planner, Planning Dept.
53

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

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

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

1483

Intro. Res. No. -2009 Laid on Table 6/9/09
Introduced by Legislator Browning

RESOLUTION NO. -2009, AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF BROOKHAVEN IN CONNECTION WITH THE INSTALLATION AND REMOVAL OF BUOYS AT THE SMITH POINT MARINA AND CHANNEL ENTERING THE GREAT SOUTH BAY

WHEREAS, the Smith Point Marina and the channel entering the Great South Bay are used regularly by Suffolk County residents during the boating season; and

WHEREAS, navigational buoys are important to keeping boaters safe when entering and exiting marinas, bays and the ocean; and

WHEREAS, Smith Point Marina and the channel entering the Great South Bay have been without navigational buoys since 2007; and

WHEREAS, the Town of Brookhaven and the County of Suffolk agree that it is in the best interest of Suffolk County residents to install navigational buoys at the marina and channel to protect the public's safety while on the water; and

WHEREAS, both the Town and the County wish to enter into an agreement whereby the County will purchase, store and maintain the buoys when they are removed each year and the Town will aid in the annual installation and removal of the buoys; now, therefore be it

1st **RESOLVED**, that, pursuant to Article 5-G of the NEW YORK STATE GENERAL MUNICIPAL LAW, the County Executive, or his designee, is hereby authorized and empowered to execute an Intermunicipal Agreement with the Town of Brookhaven whereby the County of Suffolk shall purchase, store and maintain the buoys described herein and the Town shall aid in the installation and removal of the buoys annually; and be it further

2nd **RESOLVED**, that that the Intermunicipal Agreement and all other contract documents shall be subject to the approval of the County Attorney.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\res\r-IMA buoys smith point marina

1484

Intro. Res. No. -2009 Laid on Table 6/9/09

Introduced by Legislators Eddington, Lindsay, and Browning

RESOLUTION NO. –2009, APPROVING THE REAPPOINTMENT OF TRACY A. TRYPUC AS A MEMBER OF THE SUFFOLK COUNTY BOARD OF HEALTH

WHEREAS, appointments to the Suffolk County Board of Health are within the purview of the County Legislature under Section 9-4 of the SUFFOLK COUNTY CHARTER; and

WHEREAS, the term of office of Tracy A. Trypuc expires on June 11, 2009; now, therefore be it

1st **RESOLVED**, that **Tracy A. Trypuc,** currently residing in Patchogue, New York, be and is hereby reappointed as a member of the Suffolk County Board of Health, pursuant to Section C9-4 of the SUFFOLK COUNTY CHARTER, for a term of office to expire on June 11, 2015.

DATED:

EFFECTIVE PURSUANT TO SECTIONS 2-15(A) and 9-4 OF THE SUFFOLK COUNTY CHARTER

1485

Intro. Res. No. -2009 Laid on Table 6/9/09

Introduced by Legislator Romaine

RESOLUTION NO. -2009, ADOPTING LOCAL LAW NO. -2009, A CHARTER LAW TO PREVENT DOUBLE TAXATION FOR PUBLIC SAFETY SERVICES IN CERTAIN TOWNS AND VILLAGES

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on a proposed local law entitled, "**A CHARTER LAW TO PREVENT DOUBLE TAXATION FOR PUBLIC SAFETY SERVICES IN CERTAIN TOWNS AND VILLAGES** "; 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 PREVENT DOUBLE TAXATION FOR PUBLIC SAFETY SERVICES IN CERTAIN TOWNS AND VILLAGES

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 when the Suffolk County Police Department was created in 1960 a number of towns and villages decided not to join the police district, but rather to continue to operate their own police departments.

This Legislature also finds that certain public safety services provided by the Suffolk County Police Department and other County agencies are funded through the County's operating budget's general fund; at the same time, some towns and villages that operate their own police departments provide these same services to their residents.

This Legislature determines that two clear examples of this overlap of services is 911 response and public safety dispatch services. Suffolk County provides these services on a County-wide basis yet some towns and villages choose to operate their own 911 systems and dispatch services.

This Legislature further finds that as a result of such overlap in services, some residents who live outside the Suffolk County Police District are required to pay twice for the same service.

This Legislature also determines that it is prudent and necessary to prevent such instances of double taxation that negatively impact Suffolk County Taxpayers.

Therefore, the purpose of this law is to provide towns and villages located outside the Suffolk County Police District with the option to decline public safety services that are funded through the general fund and, in return, receive a commensurate reduction in the Town's general fund tax levy.

Section 2. Amendment.

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

ARTICLE XXIII
General Provisions

* * * * *

§ C23-18. Public Safety Services for Towns & Villages Outside the Police District.

A.) All towns and villages located outside the Suffolk County Police District shall have the option to decline those public safety services provided by Suffolk County which are funded through the general fund of the Suffolk County operating budget.

B.) Towns and villages which exercise their option to decline public safety services shall be entitled to a refund from the County, commensurate with the value of the services declined.

Section 3. Applicability.

Towns and villages must exercise their option to decline public safety services by July 1st of each year, beginning in 2010, in order to obtain a refund in the following fiscal year.

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:

S:\laws\l-double-taxation-refile(2207-08)

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1485

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

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

SARAH E. SIMPSON
ASSISTANT COUNSEL TO THE LEGISLATURE
email: sarah.simpson@suffolkcountyny.gov

DATE: May 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. -2009; A CHARTER LAW TO PREVENT DOUBLE TAXATION FOR PUBLIC SAFETY SERVICES IN CERTAIN TOWNS AND VILLAGES

SPONSOR: LEGISLATOR ROMAINE

DATE OF RECEIPT BY COUNSEL: 5/28/09 **PUBLIC HEARING:** 6/23/09

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

This proposed charter law would amend Article XIII of the SUFFOLK COUNTY CHARTER to allow towns and villages outside the Suffolk County Police District the option to decline County public safety services that are funded through the General Fund of the County operating budget. Those towns and villages which decline County public safety services will be entitled to a reduction in the General Fund tax levy against the town or village commensurate with the value of the services declined.

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

GEORGE NOLAN
Counsel to the Legislature

GN:mjk

s:\rule28\28-double-taxation-refile(2207-08)

1486

Intro. Res. No. -2009 Laid on Table 6/9/2009
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2009, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 327-2009

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 327-2009; 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

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

Resolution No. 327-2009

In the 4th RESOLVED paragraph change the OBJECT:

FROM:

3339

TO:

3390

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1487

Intro. Res. No. -2009 Laid on Table 6/9/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. –2009, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 309-2009

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 309-2009; and

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

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

1st **RESOLVED**, that the Clerk of the Legislature shall make the following technical corrections:

Resolution No. 309-2009

In the 3rd and 4th RESOLVED paragraphs change the Fund

FROM:

528

TO:

527

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

Intro. Res. # 1488-09

Laid on Table 6/9/09

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 #811-2009)

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#811-2009

(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	07/08		0200-487.00-03.00-021.000	77333.67	65965.24	11368.43
A	BROOKHAVEN	08/09		0200-487.00-03.00-021.000	95331.79	68826.35	26505.44
A	BROOKHAVEN	08/09		0200-851.00-01.00-012.000	9425.96	5881.93	3544.03
A	BROOKHAVEN	08/09		0200-805.00-01.00-005.001	30090.93	15423.28	14667.65
A	HUNTINGTON	08/09		0400-240.00-02.00-009.000	12015.55	369.36	11646.19
A	HUNTINGTON	08/09		0403-007.00-02.00-016.000	21206.73	13760.19	7446.54
A	SMITHTOWN	08/09		0800-168.00-02.00-005.000	7078.19	4003.77	3074.42
A	SMITHTOWN	08/09		0800-072.00-01.00-035.000	13370.11	10436.09	2934.02
A	SMITHTOWN	08/09		0800-058.00-06.00-002.000	17175.35	12152.50	5022.85
A	SMITHTOWN	08/09		0800-055.00-05.00-012.006	22539.57	19456.68	3082.89
A	SMITHTOWN	08/09		0800-072.00-02.00-007.000	17113.61	13673.70	3439.91

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

APPROVED BY:

_____

County Executive of Suffolk County Date of Approval:

1488

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes ____ No____

SEE NO. 2 ABOVE

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2009

10. Typed Name & Title of Preparer 11. Signature of Preparer 12. 5/26/09

Jeanne Cush, Appraisal Tech II

Jeanne Cush

Additional back-up material regarding IR 1488 is on file

in the Legislative Clerk's Office, Hauppauge.

Intro. Res. No. 1489 - 2009 Laid on the Table 6/9/09
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. – 2009, AMENDING THE 2009 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH FOR PERSONALIZED RECOVERY ORIENTED SERVICES (PROS) PROGRAMS

WHEREAS, the New York State Office of Mental Health has allocated additional 100% State aid to Personalized Recovery Oriented Services (PROS) Programs; and

WHEREAS, these additional funds represent implementation of the PROS Supplemental Employment Funding initiative; amounts determined by and to be used in accordance with the PROS Supplemental Employment Funding guidelines; and

WHEREAS, this additional 100% State aid from the New York State Office of Mental Health is not currently included in the 2009 Adopted Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate $425,999 in additional 100% State aid as follows:

REVENUES:
001-3493 Community Support Services +$425,999

ORGANIZATIONS

Department of Health Services (HSV)
Division of Community Mental Hygiene Services
001-HSV-4330-4980

XORG	OBJECT NAME	2009 Adopted Budget	Increase/ Decrease	2009 Modified Budget
JAO1	CLUBHOUSE PROS RONKONKOMA	$139,225	$52,442	$191,667
JAP1	CLUBHOUSE PROS RIVERHEAD	$60,331	$21,037	$81,368
JAQ1	FEGS PROS COPIAGUE	$127,623	$69,469	$197,092
JAR1	FAMILY SERVICE LEAGUE PROS HUNTINGTON	$55,690	$32,911	$88,601
JAS1	FAMILY SERVICE LEAGUE PROS HAUPPAUGE	$42,696	$38,672	$81,368
JAT1	FEDERATION OF ORG PROS BABYLON	$46,408	$17,782	$64,190
JAU1	FEDERATION OF ORG PROS PATCHOGUE	$51,049	$27,607	$78,656
JAV1	HALI PROS CENTRAL ISLIP	$102,098	$6,393	$108,491
JAW1	MARYHAVEN PROS RIVERHEAD	$58,938	$49,553	$108,491

JAX1	MARYHAVEN PROS YAPHANK	$37,127	$7,173	$44,300
JAY1	PEDERSON KRAG PROS CORAM	$88,177	$82,696	$170,873
JAZ1	PEDERSON KRAG PROS SMITHTOWN	$20,420	$20,264	$40,684

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with each of the above-named provider agencies; and be it further

3rd RESOLVED, that the funding and expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

4th 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 #15-2009

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1489

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

Title of Proposed Legislation
Amending the 2009 Adopted Operating Budget to accept and appropriate additional 100% State aid from the New York State Office of Mental Health for Personalized Recovery Oriented Services (PROS) Programs.

3. Purpose of Proposed Legislation
This legislation is needed to accept additional 100% State aid for twelve provider agencies, as per the PROS Supplemental Employment Funding guidelines. These funds were not included in the 2009 Adopted Operating Budget.

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
Not applicable

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
None

8. Proposed Source of Funding
100% State aid from New York State Office of Mental Health

9. Timing of Impact
2009

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*Date*
Diane E. Weyer *Principal Financial Analyst*	Diane E Weyer	5-12-09
BETH A. REYNOLDS PRINCIPAL EXECUTIVE ANALYST	Beth A Reynolds	5/27/09

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1489

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1489

MAY 15 2009

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.
Commissioner

May 14, 2009

Ben Zwirn, Deputy County Executive
Office of the County Executive, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution to amend the 2009 Adopted Operating Budget to accept and appropriate additional 100% State aid from the New York State Office of Mental Health for Personalized Recovery Oriented Services (PROS) Programs. This legislation is needed to accept additional 100% State aid for twelve provider agencies, as per the PROS Supplemental Employment Funding guidelines.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Mary Howe at 3-8517. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-MH Add'l PROS Funds.doc".

Sincerely yours,

Humayun J. Chaudhry, D.O., M.S.
Commissioner of Health Services

Enclosures

HJC/lw

C: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Margaret B. Bermel, M.B.A, Director of Health Administrative Services
Matthew Miner, Deputy Commissioner
Thomas O. MacGilvray, Director of Community Mental Hygiene Services
Mary K. Howe, Chief Management Analyst
Sheila Reagan, Senior Program Examiner
Donald Murphy, Principal Auditor
Diane E. Weyer, Principal Financial Analyst

COUNTY OF SUFFOLK

1489

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

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: Thomas O. MacGilvray, L.C.S.W., C.A.S.A.C.
Director, Division of Community Mental Hygiene Services

Date: May 1, 2009

Subject: **REQUEST FOR LEGISLATIVE RESOLUTION**

The New York State Office of Mental Health's most recent State Aid letter dated March 13, 2009 allocates Supplemental Employment funding for Personalized Recovery Oriented Services (PROS) programs in Suffolk County and has structured the Supplemental Employment funding to be issued through the state aid letter on a quarterly basis. The funding is not included in the 2009 Suffolk County Adopted budget.

I would like to request a Legislative Resolution to add this additional funding to the following providers and their PROS programs, as requested and detailed in the state aid letter by the New York State Office of Mental Health: Clubhouse of Suffolk, Family Service League, Federation of Organizations, Federation Employment and Guidance Services (FEGS), Hands Across Long Island (HALI), Maryhaven Center of Hope and Pederson Krag Center.

I am attaching drafts of the following: introductory resolution, financial impact statement, routing form and a copy of the above referenced state aid letter.

Thank you.

TOM:ADT
Cc: D.Weyer; L.Wright; A.Flescher; M.Howe; S.Reagan; A.Torres

Public Health
Prevent. Promote. Protect.

DIVISION OF COMMUNITY MENTAL HYGIENE
North County Complex, Bldg. C928, 725 Veterans Memorial Highway,PO Box 6100 Hauppauge, NY 11788
(631) 853-8500 Fax (631) 853-3117

1489

New York State
Office of Mental Health

Michael F. Hogan, Ph.D. Commissioner

44 Holland Avenue
Albany, New York 12229

March 13, 2009

Thomas O. MacGilvray, CSW
Director
Suffolk Co Mental Hygiene Div
P.O. Box 6100
Bldg C928, No. Country Complex
Hauppauge, NY 11788

Dear Director MacGilvray, CSW:

The NYS Office of Mental Health (OMH) is reissuing your January 1, 2009 to December 31, 2009 State Aid letter. Your total allocation amount at this time is $19,681,708.

The allocations authorized in this letter include full annual funding for initiatives previously authorized. The first six months are approved actuals and the second six months are estimates. Any changes in your authorization level based on the enactment of the 2009-10 State Budget will result in a revised State aid letter.

The 2009 Preliminary Allocation Summary will be due April 1, 2009, and should match this 12/11/08 issuance of the letter. Final Consolidated Budget Reports will be due November 1, 2009. The Consolidated Claim Report and Consolidated Financial Report for local fiscal year 2009 are due May 1, 2010. Guidelines for completion of the CBR/CCR/CFR can be accessed through the OMH website at http://www.omh.state.ny.us/omhweb/cbr/. If any of your providers need assistance in completing these forms, they should contact the OMH Help Desk at 1-800-HELPNYS.

The Aid to Localities Spending Plan Guidelines which explain the reporting and use requirements of your authorized funding can be accessed through the OMH website at http://www.omh.state.ny.us/omhweb/spguidelines. Please share this website with all of your subcontract providers so that they may become familiar with the guidelines that apply to them, and refer to the guidelines as necessary. As a reminder, failure to submit the PAS, CBR, CCR or CFR schedules in a timely manner may result in the delay of subsequent State aid payments and/or Medicaid payments.

Inherent in OMH's budget and claiming policy is an expectation that your Department will monitor expenditures against budgeted costs throughout the year. Please notify yout OMH field office of any significant fiscal or programmatic problems as soon as they become known. If you have questions regarding any local mental health fiscal issues, including questions regarding the information or instructions that are included in this letter, please call Gary Schiliro at (631)761-3334.

Sincerely,
Margaret A. LaWare, Director
Administrative Services Unit
Community Budget & Financial Management

Att.
cc: Gary Schiliro

Additional back-up material regarding I.R. 1489 is on file in the Legislative Clerk's Office, Hauppauge.

1490

Intro. Res. No. – 2009 Laid on the Table 6/9/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2009, AMENDING RESOLUTION NO. 1357-2007, AMENDED BY RESOLUTION NO. 685-2008 IN CONNECTION WITH THE BROWNFIELDS PROGRAM (CP 8223.111)

WHEREAS, Resolution No. 1357-2007 appropriated $855,000 for the Brownfields Program, capital project number 8223; and

WHEREAS, Resolution No. 1357-2007 was amended by Resolution No. 685-2008 to accept $46,346 in State funding and to limit serial bond borrowing to $808,654; and

WHEREAS, the total estimated cost for remediation investigation at the former wallpaper factory site in Lake Ronkonkoma is $108,302; and

WHEREAS, $88,889 of the total estimated cost has been approved for 90% reimbursement for on-site work from the (NYSDEC); and

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) has approved $80,000 in additional State aid; and

WHEREAS, the reimbursement is to be received pursuant to a State Assistance Contract between the NYS Department of Environmental Conservation and Suffolk County under the Clean Water/Clean Air Bond Act, Environmental Restoration Program, for investigation related to the former wallpaper factory site, Lake Ronkonkoma (Site Number E152191); and

WHEREAS, the County is required to first instance fund the entire cost of the project and subsequently receive reimbursement for the State portion based on actual eligible expenditures; now, therefore, be it

1st RESOLVED, that the apportionment of the cost of Capital Project 8223.111 be amended to reflect the additional State assistance of $80,000 for on-site work at the former wallpaper factory site in Lake Ronkonkoma, increasing the total amount of State assistance for Capital Project 8223.111 to $126,346; and be it further

2nd RESOLVED, that the amended allocation of funding is $728,654 in Suffolk County Serial Bonds and $126,346 in State Aid for a total cost of $855,000; and be it further

3rd RESOLVED, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to $728,654; and be it further

4th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to place into a debt service reserve fund any State aid received for this project, that is required to pay down debt service, borrowed in excess of the serial bond borrowing limit of $728,654 the County share; and be it further

5th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept State funding for up to $126,346; and be it further

6th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total State share of $126,346; and be it further

7th RESOLVED, that this Legislature being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) 20 and 27, and the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1490

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

Amending Resolution No. 1357-2007, amended by Resolution No. 685-2008 in Connection with the Brownfields Program (CP 8223.111)

3. Purpose of Proposed Legislation

This legislation is needed to accept State reimbursement and reduce capital borrowing for capital project 8223.111 Brownfields Program for the former wallpaper factory site, Lake Ronkonkoma.

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

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

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

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

Suffolk County must "first instance" fund the entire cost of the project which was done through resolution 1357-2007. NYS Dept of Env Conservation has approved estimated costs for state aid reimbursement. On-site work approved by NYSDEC is reimbursed at 90% and off-site work is reimbursed at 100% of approved costs .

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

See attached Debt Schedule

7. Proposed Source of Funding

New York State Department of Environmental Conservation and serial bonds.
Total allocation to date is $728,654 in County Serial Bonds and $126,346 in State Aid for a total of $855,000.
The state aid is made up of $46,346 for Bellport Gas Station Site and $80,000 for the old wallpaper factory site in Lake Ronkonoma.

9. Timing of Impact

2009

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Beth A Reynolds ***Principal Executive Analyst***	Beth A Reynolds	***May 28, 2009***

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1490

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**($80,000)**	**($0.15)**		$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	**(80,000.00)**	**(0.15)**		$0.000

NOTES:

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

MAY 15 2009

1490

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.
Commissioner

May 14, 2009

Ben Zwirn, Deputy County Executive
Office of the County Executive, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution to amend Resolution No. 1357-2007, amended by Resolution No. 685-2008 in Connection with the Brownfields Program (CP 8223.111). The County is required to first fund the entire cost of the project and then receives reimbursement from the State based on actual expenditures. This Resolution is needed to accept State reimbursement and reduce capital borrowing for the former wallpaper factory site, Lake Ronkonkoma.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Diane Weyer 3-6455. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-Amend CP 8223 Wallpaper Site.doc".

Sincerely yours,

Humayun J. Chaudhry, D.O., M.S.
Commissioner of Health Services

Enclosures

HJC/lw

C: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, Assitant County Executive
Margaret B. Bermel, M.B.A, Director of Health Administrative Services
Matthew Miner, Deputy Commissioner
Vito Minei, P.E., Director of Environmental Quality
Diane E. Weyer, Principal Financial Analyst

1490

Cost Breakdown Sheet

Ronkonkoma Wallpaper
Remedial Investigation
934 Easton Street, Ronkonkoma, New York

Task 1 - Project Coordination, Project Meetings, Subcontracting,etc.								
PWGC SERVICES								
	Principal Hydrogeologist	72.95	12	$875	165%	13%	$	2,626.20
	Senior Project Manager	49.70	20	$994	165%	13%	$	2,982.00
	Project Hydrogeologist	30.00	20	$600	165%	13%	$	1,800.00
Task 1 - Services Subtotal							$	5,608.20
Task 2 - Site Investigation								
Task 2a - Geophysical Survey								
PWGC SERVICES								
	Principal Hydrogeologist	72.95	1	$73	165%	13%	$	218.85
	Senior Project Manager	49.70	2	$99	165%	13%	$	298.20
	Field Hydrogeologist	20.50	16	$328	165%	13%	$	984.00
SUBCONTRACTOR SERVICES								
TASK		Cost/Unit	Units		# Units	Fee	TOTAL	
Geophysical Survey								
	Geophysical equipment and crew	$300	hour		16	10%	$	5,280.00
BACKHOE CONTRACTOR								
	Backhoe and operator	$1,850	day		0	10%	$	-
Task 2a - Services Subtotal							$	6,781.05
Task 2b - Surface/Subslab Soil Sampling								
PWGC SERVICES								
	Principal Hydrogeologist	72.95	1	$73	165%	13%	$	218.85
	Senior Project Manager	49.70	2	$99	165%	13%	$	298.20
	Field Hydrogeologist	20.50	16	$328	165%	13%	$	984.00
SUBCONTRACTOR SERVICES								
TASK		Cost/Unit	Units		# Units	Fee	TOTAL	
Geoprobe								
	Geoprobe and crew	$1,900	day		0.5	10%	$	1,045.00
Soil/Sludge Samples						10%	$	-
	VOCs +10 by EPA Method 8260	$75	each		6	10%	$	495.00
	SVOCs +10 by EPA Method 8270	$175	each		12	10%	$	2,310.00
	PCBs by EPA Method 8082	$60	each		12	10%	$	792.00
	Chlorinated Pesticides by EPA Method 8080A					10%	$	-
	or 8121	$85	each		12	10%	$	1,122.00
	TAL Metals	$105	each		12	10%	$	1,386.00
	Cyanide	$20	each		12	10%	$	264.00
QA/QC Samples						10%	$	-
	VOCs +10 by EPA Method 8260	$75	each		3	10%	$	247.50
	SVOCs +10 by EPA Method 8270	$175	each		3	10%	$	577.50
	PCBs by EPA Method 8082	$60	each		3	10%	$	198.00
	Chlorinated Pesticides by EPA Method 8080A					10%	$	-
	or 8121	$85	each		3	10%	$	280.50
	TAL Metals	$105	each		3	10%	$	346.50
	Cyanide	$20	each		3	10%	$	66.00
	Monitoring Equipment (PID, dust monitor, etc.)	$100	day		1		$	100.00
Task 2b- Services Subtotal							$	10,731.05

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Task 2c - Shallow Subsurface Soil Sampling

PWGC SERVICES

	Principal Hydrogeologist	72.95	1	$73	165%	13%	$ 218.85
	Senior Project Manager	49.70	2	$99	165%	13%	$ 298.20
	Field Hydrogeologist	20.50	16	$328	165%	13%	$ 984.00

SUBCONTRACTOR SERVICES

TASK	Cost/Unit	Units		# Units	Fee	TOTAL
Geoprobe						
Geoprobe and crew	$1,900	day		1.5	10%	$ 3,135.00
Soil/Sludge Samples					10%	$ -
VOCs +10 by EPA Method 8260	$75	each		6	10%	$ 495.00
SVOCs +10 by EPA Method 8270	$175	each		6	10%	$ 1,155.00
PCBs by EPA Method 8082	$60	each		6	10%	$ 396.00
Chlorinated Pesticides by EPA Method 8080A					10%	$ -
or 8121	$85	each		6	10%	$ 561.00
TAL Metals	$105	each		6	10%	$ 693.00
Cyanide	$20	each		6	10%	$ 132.00
QA/QC Samples					10%	$ -
VOCs +10 by EPA Method 8260	$75	each		3	10%	$ 247.50
SVOCs +10 by EPA Method 8270	$175	each		3	10%	$ 577.50
PCBs by EPA Method 8082	$60	each		3	10%	$ 198.00
Chlorinated Pesticides by EPA Method 8080A					10%	$ -
or 8121	$85	each		3	10%	$ 280.50
TAL Metals	$105	each		3	10%	$ 346.50
Cyanide	$20	each		3	10%	$ 66.00
Monitoring Equipment (PID, dust monitor, etc.)	$100	day		2		$ 200.00
Task 2c- Services Subtotal						$ 9,984.05

Task 2d - UIC Sampling

PWGC SERVICES

	Principal Hydrogeologist	72.95	0	$0	165%	13%	$ -
	Senior Project Manager	49.70	1	$50	165%	13%	$ 149.10
	Field Hydrogeologist	20.50	8	$164	165%	13%	$ 492.00

SUBCONTRACTOR SERVICES

TASK	Cost/Unit	Units		# Units	Fee	TOTAL
Geoprobe						
Geoprobe and crew	$1,900	day		0.0	10%	$ -
Soil/Sludge Samples					10%	$ -
VOCs +10 by EPA Method 8260	$75	each		4	10%	$ 330.00
SVOCs +10 by EPA Method 8270	$175	each		4	10%	$ 770.00
PCBs by EPA Method 8082	$60	each		4	10%	$ 264.00
Chlorinated Pesticides by EPA Method 8080A					10%	$ -
or 8121	$85	each		4	10%	$ 374.00
TAL Metals	$105	each		4	10%	$ 462.00
Cyanide	$20	each		4	10%	$ 88.00
QA/QC Samples					10%	$ -
VOCs +10 by EPA Method 8260	$75	each		3	10%	$ 247.50
SVOCs +10 by EPA Method 8270	$175	each		3	10%	$ 577.50
PCBs by EPA Method 8082	$60	each		3	10%	$ 198.00
Chlorinated Pesticides by EPA Method 8080A					10%	$ -
or 8121	$85	each		3	10%	$ 280.50
TAL Metals	$105	each		3	10%	$ 346.50
Cyanide	$20	each		3	10%	$ 66.00
Monitoring Equipment (PID, dust monitor, etc.)	$100	day		1		$ 100.00
Task 2d- Services Subtotal						$ 4,745.10

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Task 2e - Monitoring Well Installation

TASK	Service Provided	Hourly Wage	Number of Hours	Total Direct Salary	Indirect Cost	Fee	Total after Multiplier
PWGC SERVICES							
	Principal Hydrogeologist	72.95	1	$73	165%	13%	$ 218.85
	Senior Project Manager	49.70	2	$99	165%	13%	$ 298.20
	Field Hydrogeologist	20.50	16	$328	165%	13%	$ 984.00
SUBCONTRACTOR SERVICES							
TASK	Service Provided	Cost/Unit	Units		# Units	Fee	TOTAL
Drilling Contractor							
	Mobilization	$400	each		1	10%	$ 440.00
	Drill Rig and Crew	$2,300	day		2	10%	$ 5,060.00
	Soil Sampling	$0	each		30	10%	$ -
	Monitoring well casing/screen	$15	ft		150	10%	$ 2,475.00
	Protective covers w/locking caps	$300	each		2	10%	$ 660.00
	DOT 55-gallon Drums	$65	each		8	10%	$ 572.00
	Well Development	$1,600	day		1	10%	$ 1,760.00
	Contaminated Drill Cuttings	$300	drum		4	10%	$ 1,320.00
	Development Water Disposal	$300	drum		4	10%	$ 1,320.00
	Hazmat level C upgrade	$200	day		0	10%	$ -
	Overtime after 8 hours	$150	hr/man		0	10%	$ -
	Decon Pads	$300	each		1	10%	$ 330.00
	Sales tax @ 8.625%	$0	each		0	10%	$ -
Task 2e - Services Subtotal							$ 15,438.05

Task 2f- Site Survey

TASK	Service Provided	Hourly Wage	Number of Hours	Total Direct Salary	Indirect Cost	Fee	Total after Multiplier
PWGC SERVICES							
	Principal Hydrogeologist	72.95	0.5	$36	165%	13%	$ 109.43
	Senior Project Manager	49.70	1	$50	165%	13%	$ 149.10
	Field Hydrogeologist	20.50	4	$82	165%	13%	$ 246.00
SUBCONTRACTOR SERVICES							
TASK	Service Provided	Rate	Units		# Units	Fee	TOTAL
	NYS Licensed Surveyor	$250	hour		10	10%	$ 2,750.00
Task 2f - Services Subtotal							$3,254.53

Task 2g - Monitoring Well Sampling and Analysis

TASK	Service Provided	Hourly Wage	Number of Hours	Total Direct Salary	Indirect Cost	Fee	Total after Multiplier
PWGC SERVICES							
	Principal Hydrogeologist	72.95	1	$73	165%	13%	$ 218.85
	Senior Project Manager	49.70	2	$99	165%	13%	$ 298.20
	Field Hydrogeologist	20.50	10	$205	165%	13%	$ 615.00
SUBCONTRACTOR SERVICES							
TASK	Service Provided	Rate	Units		# Units	Fee	TOTAL
LABORATORY SERVICES							
Groundwater samples							
	VOCs +10 by EPA Method 8260	$75	each		3	10%	$ 247.50
	SVOCs +10 by EPA Method 8270	$175	each		3	10%	$ 577.50
	TAL Metals	$105	each		3	10%	$ 346.50
	Cyanide	$20	each		3	10%	$ 66.00
QA/QC Samples							
	VOCs +10 by EPA Method 8260	$75	each		4	10%	$ 330.00
	SVOCs +10 by EPA Method 8270	$175	each		3	10%	$ - 577.50
	TAL Metals	$105	each		3	10%	$ 346.50
	Cyanide	$20	each		3	10%	$ 66.00
	Low flow sampling equipment	$150	day		1		$ 165.00
Task 2g - Services Subtotal							$ 3,854.55

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Task 2h- Data Validation and Usability

PWGC SERVICES								
	Principal Hydrogeologist	72.95	1	$73	165%	13%	$	218.85
	Senior Project Manager	49.70	8	$398	165%	13%	$	1,192.80
	Project Hydrogeologist	20.50	20	$410	165%	13%	$	1,230.00
SUBCONTRACTOR SERVICES								
VALIDATION SERVICES		Rate	Unit		# Units	Fee	TOTAL	
		$150	hours		25	10%	$	4,125.00
Task 2h- Services Subtotal							$	6,766.65
Task 2 - Services Subtotal							$	**61,555.03**

Task 3 - Remedial Investigation Report

PWGC SERVICES								
	Principal Hydrogeologist	72.95	12	$875	165%	13%	$	2,626.20
	Senior Project Manager	49.70	60	$2,982	165%	13%	$	8,946.00
	Project Hydrogeologist	30.00	50	$1,500	165%	13%	$	4,500.00
	Field Hydrogeologist	20.50	20	$410	165%	13%	$	1,230.00
	AutoCadd Operator	24.97	20	$499	165%	13%	$	1,498.20
	Administrative Assistant	25.00	6	$150	165%	13%	$	450.00
SUBCONTRACTOR SERVICES								
Fish and Wildlife Resources Impact Analysis		$5,000	Lump Sum		1	10%	$	5,500.00
Task 3- Services Subtotal							$	24,750.40

Task 4 - Remedial Alternatives Report

PWGC SERVICES								
	Principal Hydrogeologist	72.95	8	$584	165%	13%	$	1,750.80
	Senior Project Manager	49.70	30	$1,491	165%	13%	$	4,473.00
	Senior Engineer	46.59	12	$559	165%	13%	$	1,677.24
	Project Hydrogeologist	30.00	40	$1,200	165%	13%	$	3,600.00
	Project Engineer	34.32	30	$1,030	165%	13%	$	3,088.80
	AutoCadd Operator	24.97	20	$499	165%	13%	$	1,498.20
	Administrative Assistant	25.00	4	$100	165%	13%	$	300.00
Task 4- Services Subtotal							$	16,388.04
TOTAL (estimated cost)								

108,301.67

NOTES:

Analytical costs based on quote from Alpha Labs, Drilling costs from Land, Air, Water Environmental Services, Inc.
QA/QC sampling assumes - trip blank, MS/MSD, and equipment rinseate for each sample delivery group,
one field duplicate for every 10 samples per media type

Intro. Res. No. 1491-09 LOT 6/9/09
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2009, APPROVAL OF AUCTION RULES FOR THE DISPOSITION OF SURPLUS PROPERTY ACQUIRED UNDER THE SUFFOLK COUNTY TAX ACT

WHEREAS, the disposition of property acquired through the Suffolk County Tax Act is regulated pursuant to Article A14 of the Administrative Code, Laws of Suffolk County, Part II (herein the "Code"); and

WHEREAS, §14-30(L) and §712-6 of Code pertain to the formulation and adoption of auction rules and procedures; and

WHEREAS, §712-6 requires the approval by the Suffolk County Legislature of auction rules and regulations formulated by the Department of Environment and Energy, Division of Real Property Acquisition and Management; and

WHEREAS, the Department of Environment and Energy, Division of Real Property Acquisition and Management, has previously filed a copy of the proposed rules for the auction of surplus County real estate with the County Executive and the Clerk of the Legislature and a copy of said proposed rules is annexed as Exhibit "A"; now, therefore be it

1st **RESOLVED**, that the auction rules annexed as Exhibit "A" are approved for use immediately on filing of this approved resolution with the Clerk of the Legislature.

DATED:

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date:

Exhibit "A"

Auction Terms and Conditions - Definitions

Affiliate: A Business Entity in which the Purchaser has, directly or indirectly, a voting, controlling or ownership interest of twenty percent (20%) or more, or which has such an interest in Purchaser.

Assignment: The transfer or conveyance of a right or contract from one person or Business Entity to another.

Business Entity: A legal being, other than an individual, natural person, e.g., a corporation, limited liability company, partnership, joint venture or syndication. A Business Entity must be duly formed in accordance with all applicable provisions of law and have the legal capacity, among other things, to be sued and to own property in the State of New York.

County: The County of Suffolk.

Deed: An instrument in writing, duly executed and delivered, that conveys title to real property.

Default: A failure by the Purchaser to comply with any provision of the Terms and Conditions.

Director: The Director of the Division of Real Property Acquisition and Management.

Immediate Family: A spouse, issue, including adopted children, sibling or parent.

Lien: A claim or encumbrance of property, e.g., for the payment of a debt.

Landlocked: A parcel of land that has no routes ingress and egress (by deed, easement or filed map roadways). Note a parcel located on an unopen roadway, a/k/a paper street, is **NOT** landlocked but is considered inaccessible at present.

Memorandum of Sale: The contract between the County and the Purchaser for the purchase of the Property, which incorporates, by reference, the Terms and Conditions of Sale and any special terms and conditions.

Principal: Any individual or Business Entity who participates at the auction through a duly authorized agent.

Property: The particular parcel of County-owned real property and any improvements thereon, sold at public auction to the Purchaser.

Purchase Price: The highest bid made and accepted for the Property at the auction.

Purchaser: The successful bidder(s) at the auction sale and, where the Purchaser is a Business Entity, then each partner or any director(s), officer(s), or shareholder(s) having

a total of twenty percent (20%) or more of the Purchaser's voting stock, ownership interest or control.

Third party bidder: An individual who bids solely as a duly authorized agent of another individual or Business Entity.

Third party bidding: Bidding on behalf of a Purchaser/Principal through a duly authorized agent.

Title Closing: The transfer of title to or ownership of the Property to the Purchaser; the date upon which such transfer is made.

Upset Price: The amount at which bidding starts on the Property.

AUCTION TERMS AND CONDITIONS

The public auction of surplus land by the County of Suffolk will be conducted by the Division of Real Property Acquisition and Management pursuant to auction terms and conditions approved by the Suffolk County Legislature. This document contains the terms and conditions which might pertain to such auctions. It may be supplemented by the subsequent approval by the Suffolk County legislature of additional or different terms and conditions.

Each separate auction will be governed by those particular terms and conditions included herein that are determined by the Director of the Division of Real Property Acquisition and Management to be applicable to said auction. The terms and conditions that pertain to an auction will be published in the Auction Brochure published for that auction.

1. **AUCTION INVENTORY** - Properties that will be auctioned by the County include parcels forfeited by the prior owners as a result of failure to pay taxes. The County's rights thereto are pursuant to Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law are believed to have been extinguished by the tax sale proceedings, and/or as a result of forfeiture. Auction parcels may also include parcels acquired by condemnation, but no longer needed as part of the public project. The County reserves the right, in its sole discretion, to withdraw from the auction at any time, any of the properties listed in the Auction Brochure or in any other listing of surplus real property available for auction.
2. **OFFICIAL IDENTIFICATION** - For purposes of the auction, each parcel is identified by a section, block and lot number as shown on the Suffolk County Tax Map. No other identification is guaranteed. Descriptions in the auction materials pertaining to any auctioned property, such as the size, exact location, street requirements and information as to existing structures, are approximate only. Purchasers should verify all information relative to each property.
3. **NOTIFICATION OF AUCTION** - The Notice of Auction will be published in the official newspapers as required by the Suffolk County Code. In addition to said publication, not less than one month prior to each auction, an Auction Brochure which includes both a list of the properties expected to be offered by auction and a document entitled "Terms and Conditions of Sale – October 2009 Auction" will be published on the internet at

www.co.suffolk.ny.us. *Copies of the Auction Brochure will be available at the Division of Real Property Acquisition and Management Offices and at the Riverhead County Center, the Offices of the Suffolk County Legislature, each Town Hall and various County offices.

* Internet address will be relocated to Dept. of Environment and Energy, Div. of Real Property Acquisition and Management.

4. **TERMS AND CONDITIONS OF SALE** - The "Terms and Conditions of Sale - October 2009 Auction" document will specify the rules applicable to the auction for which it is prepared and dated. Failure of the purchaser to comply with the published auction rules, terms and conditions shall constitute a default and may result in cancellation of a sale and forfeiture of both the down payment and the auction fee.

5. **AUCTION RULES** - In addition to those rules and conditions that are set forth in the "Terms and Conditions of Sale - October 2009 Auction" all sales of surplus County property will be subject to the following:

a) Approval of the deed and proposed conveyance by the Suffolk County Legislature, which approval may precede the sale or follow it;

b) Any state of facts an accurate survey or personal inspection of the premises would disclose;

c) Applicable zoning/land use/building/health and environmental regulations;

d) Easements, covenants, conditions and rights-of-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the tax sale;

e) For the immediate tax year, pro rata real estate taxes; and

f) For assessment purposes, the purchaser shall be deemed to be the owner prior to the next taxable status date following the closing;

g) The rights, if any, of tenants and persons in possession, and;

h) Outstanding water and sewer assessments and other unpaid liens or charges (including, but not limited to, demolition charges, interest and penalties, condominium fees) whether they have been billed or not as of the date of the auction, all as specified in the Auction Brochure;

i) Any covenants, easements or conditions imposed by the County Planning or any other Department and listed in the Auction Brochure, or by the Legislature as part of its approval of the sale.

j) Purchaser's signing a Certification as part of the bid finalization that he or she has read and understood the Terms and Conditions as set forth in the pertinent Auction Brochure;

k) Such additional contract terms and conditions as may be set forth in the Auction Brochure or Memorandum of Sale.

6. **NO WARRANTIES** - All real property in the auction, including any building thereon, is sold **"AS IS"** and without any representation or warranty whatsoever as to the physical condition or as to title.

7. **REFUNDS** - In the event that a sale is cancelled or the bid is rejected by the Suffolk County Legislature, the down payment and other monies paid when the Memorandum of Sale was executed will be refunded without interest.

8. **AUCTION PROCEDURES** - As determined by the Director to be appropriate or necessary, the following rules or conditions shall be included in the "Terms and Conditions of Sale - October 2009 Auction"

a) County **general auctions** are Public Auctions at which a person must be present to participate as a bidder. Third party bidding may be accepted provided the bidder identifies the purchaser/principal for whom he or she is acting as an agent and provided the purchaser/principal pre-registers pursuant to paragraph 11 herein. **No absentee bids** are accepted.

b) The County may conduct **special auctions**, that is, auctions limited to certain properties, based on their type or condition, for example, Brownfield sites; or their potential use, for example, affordable housing sites and commercial properties; or based on any other special circumstance relating to the properties to be auctioned. At special auctions, sealed bids from bidders who are not physically present and third party bidding may be accepted provided the bidder identifies the purchaser/ principal for whom he or she is acting as an agent and provided the purchaser/principal pre-registers pursuant to paragraph 11 herein.

c) **Pre-registration** shall be required prior to any auction. Prior to the auction, each registered bidder will be assigned a bidding number that must be displayed in order to bid.

d) **The auction may be divided into Sessions**. The auctioneer will accept bids in increments, as described below, until such time as no further bids are entered. Thereupon the parcel is declared, "Sold" to the highest bidder. All successful bids in one Session must be finalized (see the next subsection regarding finalization) before commencement of the next Session, or the underlying sales will be deemed cancelled.

e) Directly after the sale of a parcel, the **purchaser or third party bidder, in purchaser's absence, must finalize** the sale by signing the Terms and Conditions of Sale, or Memorandum of Sale, as applicable, and depositing the down payment and the auction fee with the auction cashier. Delay in finalizing the sale may be cause for cancellation. *If a purchaser fails to finalize the purchase of any parcel, he, she or it shall not be permitted to bid on any further parcels and the Director may immediately cancel all other sales that took place at the same auction to the same purchaser.* In the event of cancellation due to failure to finalize a purchase, the subject parcel(s) may be returned to the auction block or withdrawn from the auction.

9. **PRE-AUCTION INFORMATION** - Collecting and verifying any information in regard to auctioned parcels, including, for example, address, location, zoning and land use restrictions, building or health code requirements, taxes or assessed value is the responsibility of the buyer. Much of this information may be obtained from the Town or Village in which the property is located. The County is not responsible to provide real property information, other than the Suffolk County Tax Map number. Purchaser's misunderstanding or failure to verify property information is not grounds for rescinding or canceling an auction sale. THE COUNTY MAKES NO WARRANTY EXPRESSED OR IMPLIED IN CONNECTION WITH ANY AUCTION SALE.

10. **INSPECTION OF PROPERTY** - The Auction Brochure will indicate whether the property may be inspected and how arrangements for inspection can be made. Inspection or entry onto the property may be prohibited by the County due to safety or any other reason. Where inspection is permitted, persons intending to participate at the auction should inspect and investigate the property in which they are interested prior to the auction sale. Inspection of commercial and industrial properties must not interfere with businesses operating thereon. Parcels that are improved by occupied homes may only be inspected on the dates and at the times set by the County in its publications, or on the dates and at the times confirmed in writing by the Division of Real Property Acquisition and Management. Entering onto any auction parcel at any other time will be grounds for disqualification from the auction and may amount to a trespass subject to prosecution.

11. **REGISTRATION OF BIDDERS** - All bidders, except third party bidders, shall be required to register prior to all auctions. In the event of third party bidding, the purchaser/principal shall be required to register prior to the auction. Such registration will be a condition of participation in said auction and shall consist of the execution of a registration form designated for use by the Director and may further require providing an official photographic identification, address, social security number or tax identification number, disclosure statement or other personal or financial documentation that would verify the identity and financial ability of the person or business entity to participate in the auction. As designated by the Director, pre-registration may require filing a bond, deposit or other evidence (as may be required) of financial ability to complete the terms and conditions of the sale at the estimated fair market value.

When third party bidding is permitted, individuals acting on behalf of others, not in attendance at the auction, must produce a "Power of Attorney" or other appropriate authorizing documentation, duly executed and notarized. Incorporated entities (Inc., Corp., LLC.) are required to provide a corporate resolution prior to the auction authorizing the entity's participation in said auction and a corporate resolution authorizing the purchase of real property prior to the transfer of title.

12. **FORM OF BIDDING** - Each bidder is responsible to signal his or her bid to the auctioneer. Bids may be signaled either by raising the paddle bearing the unique number issued to him or her for purposes of bidding at the auction or, in auctions not requiring individual bidder paddles, by securing a floor usher to signal the desired bid.

13. **MEMORANDUM OF SALE** - The purchaser's offer and agreement to purchase will be formalized in a "Terms and Conditions of Sale" or "Memorandum of Sale", referred to hereafter jointly as the "Memorandum of Sale", as may be utilized at the particular auction. Purchaser or third party bidder in purchaser's absence is obligated to execute the Memorandum of Sale and pay the down payment and auction fee before the end of the auction session at which the property was sold. As a material condition of the Memorandum of Sale:

a. Purchaser waives any claim to special, consequential or punitive damages, attorney's fees, reimbursement for any expenses incurred in reliance on completion of the sale, improvements of property, or for license fees already paid should the sale subsequently not be approved or closing not occur; and

b. Purchaser acknowledges that no property interest, either real or personal, is acquired by purchaser and any and all claims for specific performance and/or any right to file a Notice of Pendency against any property offered for bidding and/or sale should the sale subsequently not be approved or closing not occur are hereby waived.

14. **DOWNPAYMENT** - Following acceptance of the winning bid, and prior to the start of the next auction Session, the purchaser or third party bidder in purchaser's absence shall deposit a down payment in the amount of twenty percent (20%) of the sale price, or as otherwise specified. **ONLY cash, certified checks, bank checks, money orders or traveler's checks are acceptable for the down payment.** If the purchaser fails to produce the acceptable payment, as described, the parcel may be resold at the same auction or withdrawn from the auction, in the sole discretion of the County. Additionally, closing costs which consist of the following will be paid with the down payment on the day of the auction for each parcel: (a) New York State Transfer Tax ($2.00 for each $500.00 of the purchase/bid price); (b) Filing Fee for the Real Property Transfer Report ($25.00): (c) Filing Fee for combined Gains Transfer Tax Affidavit ($5.00); (d) all fees required by the Suffolk County Clerk for recording of the deed ($28.00 to record a, one page deed; $3.00 for each additional page); and (e) a $20.00 surcharge. Closing costs may be subjected to an increase if said fees increase prior to closing.

15. **RESTRICTIVE COVENANT ON RESIDENTIALLY-IMPROVED PARCELS** - A parcel offered at auction which is improved by a residential structure, may be offered subject to a restrictive covenant that will be noted in the Auction Brochure and included in the deed conveying the parcel. The covenant requires the owner of the parcel, or his or her natural children and/or natural parents to occupy said premises. Said restriction requiring owner occupancy shall run with the land for a period of ten (10) years subsequent to the transfer of title from the County of Suffolk. The owner of the parcel shall provide to the County written notice of any subsequent transfer of the parcel within said ten (10) year period. The Commissioner shall reserve to the County a right of reverter should this restriction be violated. It is the responsibility of the purchaser to note which parcels are sold subject to the said restrictive covenant.

16. **SPECIFICALLY DESIGNATED SMALL LOT PARCELS** – Parcels which may not meet minimum zoning code requirements of the municipal zoning district in which the parcel is located in order to promote the development of residential dwellings for first time home buyers and/or in order to promote the development of residential dwellings for first time home buyers and/or occupants, shall be offered to convey such parcel to the highest bidder at a special auction who: (i) agrees, in writing, within sixty (60) days of the date of such auction, to apply for and diligently pursue, using best efforts and at such bidder's sole cost and expense, a building permit, to allow the construction of a single family residential dwelling on such parcel that substantially conforms in size and appearance to the residential dwellings located within the immediately surrounding residential community; (ii) agrees, in writing, within one hundred eighty (180) days of the date of such auction, to apply for and diligently pursue, using best efforts and at such bidder's sole cost and expense, any and all variances and/or other relief from such minimum zoning requirements; and (iii) agrees, in writing, to accept title to such parcel subject to the covenants contained in this section.

1.) Upon the granting of any required variance or other relief from the minimum zoning requirements of the municipal zoning district in which the parcel is located, and the issuance of a building permit to construct such single family residential dwelling on such parcel, fee title shall be promptly conveyed to such highest bidder by deed containing the following covenants, which covenants shall run with the land:

a.) "The use of the parcel herein described by the grantee is hereby restricted solely to the development of a single family residential dwelling unit for first time home owners or buyers; with all right, title, and interest reverting back to the County of Suffolk, at the sole option of the County of Suffolk, in the event the grantee, at any time, uses or attempts to use the parcel herein described for any other use or purpose, including, without limitation, no use or purpose. This reverter clause shall also apply to any transferee from the grantee who is not a first time home owner or buyer."

b.) "All right, title, and interest to the parcel herein described shall revert back to the County of Suffolk should any one or more of the following events occur:

[1.] If the grantee, or any transferee from the grantee who is not a first time home owner or buyer, fails to substantially complete the construction of a single family residential dwelling upon the parcel described herein within three (3) years from the date of transfer to the grantee, unless one or more extensions of time is granted, in writing, for good cause shown, by the Suffolk County Director of Affordable Housing or any successor thereto. Notwithstanding the foregoing, such extensions shall not exceed, in the aggregate, a period of four (4) years from the date of transfer to the grantee, unless approved by a duly enacted resolution of the County of Suffolk;

[2.] If the income of the first time home owner or buyer, at the time of occupancy of the single family dwelling constructed on the parcel described herein, should exceed 80% of the HUD established median income for the Nassau-Suffolk Primary Metropolitan Statistical Area adjusted by family size;

[3.] If the sale price of the single family dwelling constructed on the parcel described herein exceeds 60% of the median sales price for Suffolk County single family dwellings, based upon the State of New York Mortgage Agency Guidelines;

[4.] If the first time home owner or buyer of the single family dwelling constructed on the parcel described herein fails to occupy such single family dwelling as his and/or her primary residence for a period of ten (10) consecutive years from the time of occupancy of such single family dwelling; provided, however, that the right, title and interest to the parcel herein described shall not revert to the County of Suffolk if:

[a.] the first time home owner or buyer sells to a first time home owner or buyer meeting the income qualifications set forth in paragraph (1.)(b.)[2.], or as amended; and

[b.] any gain realized from such sale up to and including the fifth anniversary of ownership, and declining ratably thereafter to fifty (50%) percent of any realized gain during the sixth year of ownership up to and including the tenth anniversary of ownership, shall be paid to the County of Suffolk; and

[c.] the income qualifications and the formula for recapture of realized gain set forth in this paragraph shall apply to each and every subsequent sale;

[5.] If all or any portion of the single family residential dwelling is rented or leased to any other person, whether or not by written agreement;

[6.] If the grantee fails to certify to the Suffolk County Director of Affordable Housing, (or his or her designee), prior to closing of the title by a first time home buyer, or occupancy by a first time home owner, as the case may be:

[a.] the dates of completion and occupancy of the single family dwelling constructed on the parcel described herein; and

[b.] the total income, from all sources, of all occupants of the single family dwelling constructed on the parcel described herein; and

[c.] in the case of a first time home buyer, the sales price of the single family dwelling constructed on the parcel described herein; and

[d.] the single family dwelling constructed on the parcel described herein meets all applicable building and zoning codes, rules and regulations;

[7.] If the grantee fails to provide the Suffolk County Director of Affordable Housing, (or his or her designee), with a detailed, annual written report no later than December 31 of each year commencing in the year immediately subsequent to the date of this deed, which report shall include any and all information as may be required by the said Director, including, but not limited to, the status of the development and/or sale of the parcel described herein, and an accounting of all sums directly or indirectly attributable to the use of the parcel described herein."

17. **PURCHASER IDENTIFICATION** - Prior to closing, the purchaser shall provide information necessary to complete forms and documents required for recording the deed in the Suffolk County Clerk's Office, including, among others as may be requested, the NYS Department of Taxation and Finance TP-584 form.

18. **FORMER OWNER BIDDING RESTRICTED** - The former owner of the property, or his agent, shall not be permitted to bid on the property or purchase same at the public auction, unless his or her bid amount exceeds the total of tax arrears, penalties and

interest or surcharges that would have been due as of the day of the auction, without regard to limits on the time to redeem. If the former owner or his agent is the successful bidder at auction all liens existing prior to the foreclosure will be reinstated and added to the auction price.

19. **ASSIGNMENT RESTRICTED** - A Memorandum of Sale executed at the auction cannot be assigned unless the Director agrees thereto in writing. Assignments shall only be approved upon good cause shown. In the event that an assignment is approved, a fee of no less than $300 can be charged.

20. **BROKERS -** The County of Suffolk will not pay any broker's commissions or fees. If a broker or attorney acting in the capacity of a broker is authorized to bid as the designee or agent of the actual purchaser, it is the sole responsibility of the purchaser to pay any brokerage fees or commissions earned thereby.

21. **PARTICIPATION BY SUFFOLK COUNTY EMPLOYEES PROHIBITED** - County employees and/or their immediate families, whether or not residing with the employees, are not permitted to participate as a purchaser or bidder at a County auction. Purchasers will be required to furnish an affidavit at the closing to the effect that the Purchasers are not employees or immediate family members of any Suffolk County Employee.

22. **SALE SUBJECT TO APPROVAL BY LEGISLATURE** - The Suffolk County Code requires that the disposition of surplus property must be approved by the County Legislature. A list of proposed auction sales will be presented to the Legislature for review and approval. All offers to sell are conditioned on approval from the County Legislature which in its sole discretion, can decline to approve.

23. **SALE SUBJECT TO CANCELLATION BY COUNTY** - At the County's discretion, sales remain subject to cancellation even after legislative approval, but prior to the title closing in the event that insurable title cannot be conveyed, or for other good cause as determined to exist by the Director. In the event that a sale is cancelled due to the purchaser's violation of any of the conditions set forth herein, any monies paid by or on behalf of the purchaser to the County shall be forfeited by purchaser and shall be retained by the County.

24. **RISK OF LOSS** - Damage by fire or other casualty loss that occurs between the sale and the title closing, the repair of which exceeds 10% of the purchase price as determined by the Director in his or her sole discretion, may permit the purchaser to cancel the sale. If the damage is less than 10% of the purchase price, the Division of Real Property Acquisition and Management may cancel the sale, or may reduce the purchase price, after verifying the amount and value of damage by an appraisal by up to 10% in order to induce the purchaser to close.

25. **TITLE CLOSINGS** - Closings can be scheduled only after the legislative resolution approving the sale is filed with the County Clerk. The County will use its best efforts to close within six months of this approval. Closing dates for the sale of properties purchased at auction will be determined by the Director. Notice of a closing date will be sent to the purchaser, at least ten (10) calendar days in advance. The County reserves the right, in its sole discretion, to extend the time for closing or to compel the completion of the sale by an action for specific performance. If an adjournment is requested by the

purchaser, then the Director may declare the adjourned date, or any subsequent adjourned date to be the final law date set for closing of title. On purchaser's failure to accept delivery of the deed on the final law date the sale may be cancelled and all monies paid to date may be retained by the County. In such event, purchaser will have no further rights or any claim regarding the sale or the parcel.

26. **METHOD OF PAYMENT** - Except for the auction fee (see below) **cash, certified checks, bank checks, money orders or traveler's checks are the only forms of payment acceptable** for amounts due at auction or closing. At the discretion of the Director, such certified or bank checks, money orders or traveler's checks, if payable to the order of the Purchaser, may be endorsed over to the Division of Real Property Acquisition and Management. The balance of the purchase price together with the pro rata share of taxes for a parcel sold at auction shall be due and payable at the time of the closing of title.

27. **AUCTION FEES** - In addition to the amount of the accepted winning bid, the purchaser of each parcel must pay an auction administrative fee (generally 1%, or up to 3% of the sales price), but not less than $25, if auction fees are required for the subject auction. The auction fee is separate and apart from the purchase price and must be paid by separate check or cash. Payment of the auction fee may be made by any of the methods mentioned in the immediately prior section or by personal check. There will be a $25 fee imposed as an additional closing cost for checks that are not collectible after one presentation to the bank. Auction fees offset the costs of advertising, printing and other expenses of this auction and may be increased or decreased as appropriate to the auction, but may not exceed 3% of the winning bid without approval of the County Legislature.

Additionally in accordance with Local Law No. 40-2007, a local law to offset the cost of maintaining surplus County Property, there shall be imposed on the purchase of all surplus County property sold at public auction a surcharge for each parcel purchased, in addition to any other fees and/or surcharges imposed, which surcharge shall be collected at closing and in accordance with the Auction Terms and Conditions promulgated by the County Division of Real Property Acquisition and Management, and which surcharge shall be deposited with the Suffolk County Sheriff for the sole purpose of funding the Sheriff's Labor Assistance Program (SLAP) or any successor program thereto. This surcharge shall be collected according to the following schedule:

A) a .5% surcharge on winning bids between $0 and $50,000;

B) a .75% surcharge on winning bids between $50,001 and $100,000; an

C) a 1% surcharge on winning bids between $100,001 and $250,000, said surcharge to be applied only to the first $250,000 for winning bids exceeding that amount.

28. **DEFAULT BY THE PURCHASER** - If, due to failure on the part of the purchaser, title does not close on any auctioned parcel, the down payment and auction fee are subject to forfeiture as liquidated damages for the County's auction costs, overhead expenses

and loss of the transaction. *In the event of a default on one parcel, the Defaulting Purchaser may not be permitted to close on any other parcels for which he or she is the successful bidder.* If the purchaser fails to pay the balance of the purchase price as herein required, the deposit and auction fee shall be forfeited.

29. **UPSET PRICE** - Bidding will begin at the upset price as specified in the Auction Brochure.

30. **BIDDING INCREMENTS** - During the auction, the auctioneer will announce the minimum increments required to advance bidding. A bid will not be accepted unless it meets or exceeds the increment then in effect. The Director may modify the Bidding Increments at any time without notice. Generally, increments will increase as a multiple of each $20,000 that the sale price increases.

Typical increments are as follows:

Bid Amount (Range)	*Minimum Increment of Subsequent Bid*
$ 5,000 to $ 25,000	$ 500
$25,000 to $ 50,000	$1,000
$50,000 to $100,000	$2,000

31. **OCCUPANCY PRIOR TO CLOSING** - After the close of the Auction, the purchaser of any parcel may contact the Division of Real Property Acquisition and Management to attempt to arrange for a license agreement that would permit inspection or use and occupancy of the auctioned parcel prior to closing. A license agreement may be approved at the discretion of the Director, on such terms as the Director may deem reasonable. No entry onto the auctioned property is permitted without a license agreement.

32. **PERSONAL PROPERTY** - No personal property is included in the sale of any of the parcels auctioned by Suffolk County, except as may remain on the premises after the closing. The disposition of any personal property, located on any parcel following the closing shall be the responsibility of the purchaser.

33. **DEED FORMAT** - The Auction Brochure will set forth the type of deed approved by the legislature for conveyance of each parcel to the winning bidder. One of three types of deeds may be employed:

a) Bargain and Sale Deed without Covenants, or with Covenants against Grantor's Acts;

b) Quitclaim Deed;

c) Directed Deed (from the Treasurer to the Purchaser.)

34. **QUITCLAIM DEED** - A quitclaim deed issued to convey a parcel sold at auction may contain the following provisions:

"Nothing contained in any description herein is intended to convey more than the assessed owner owned at the time of the levy of the tax, the non-payment of which

resulted in the tax sale. There is no representation as to the extent of the acreage conveyed herein";

"Excepting and reserving all the right, title and interest of the County of Suffolk in and to any portion or interest of the lands herein conveyed, which interest was heretofore acquired other than pursuant to the provisions of the Real Property Tax Law of the State of New York".

35. **OTHER DEED/CLOSING CONDITIONS** - If an auctioned parcel is contiguous with other real property owned by the Purchaser, the County may require as a condition of closing that Purchaser request the Town Assessor in writing to combine the two parcels; Purchaser shall not convey either parcel(s) without also conveying the adjoining parcel to the same grantee, unless approved by the local planning board. These restrictions shall run with the land.

36. **CLOSING COSTS** - The Purchaser is responsible to pay all closing costs, unless specific provision was otherwise made in advance and approved by the County Legislature. All closings will take place at the Division of Real Property Acquisition and Management, or the Department of Law, unless otherwise agreed to in writing no less than one week in advance of the closing. If the Purchaser demands a closing in Suffolk County other than at County offices, an attendance fee will be charged at the rate of $250 Base Fee for the first two hours, excluding travel time, plus $150 for every hour, or fraction thereof, thereafter. For closings in Nassau County, the Base Fee will be $350; in New York City or the boroughs thereof, the Base Fee is $450.

37. **TITLE INSURANCE** - All objections to title (including survey objections) must be submitted to the Director within 45 days after the date the sale is approved by the County Legislature or the objections are deemed to be waived. In the instance of a Bargain and Sale Deed without Covenants against Grantor's Acts, or a Bargain and Sale Deed with Covenants against Grantor's Acts, the County may , but is not obligated to, deliver such title as a title company licensed in the State of New York and approved to do business with the County will insure. The County may pre-qualify certain parcels for title insurance. Where it is noted in the brochure that certain parcels have already been examined by a named title company; the Purchaser may choose to use that title company or a different qualifying company.

38. **TITLE OBJECTIONS** - If the purchaser's title company refuses to insure without exceptions, the County may select a different, equally-qualified title company. Purchaser agrees to accept insurance from the alternative insurer, provided no additional cost results thereby, over and above the cost of insurance from the first company. If the purchaser's title company will not insure title without exceptions, [if title is not uninsurable or], and if the Director chooses not to pursue insurance from an alternative title insurer, the Director may cancel the transaction and return the down payment and auction fee. In such event, the parties will have no further rights one against the other.

39. **DISPUTE RESOLUTION FINAL** - The decision of the Director regarding any dispute related to the auction or the conveyance of auctioned property is final. The Director reserves the right to reject any bid for failure to comply with auction procedures, or for

any other reason related to the conduct of the auction, or to cancel an approved sale if the County elects not to proceed or if the purchaser fails to complete his or her obligations in timely fashion.

40. **FORM OF COMMUNICATION** - In connection with a "limited auction", that is, an auction among persons owning property adjacent to the parcel to be sold pursuant to §A14-30(H), the County will send an "Initial Inquiry Response" to solicit the interest of each such owner in participating in an auction. The form is sent to the owner at the address listed with the County Treasurer by certified mail, return receipt requested. All subsequent communications or notices may be sent by regular mail. For publicly advertised auctions, all communications with prospective participants or with purchasers will be sent be regular mail to the address that they provide.

41. **NO WARRANTY OF VACANCY** - The County makes no warranty that the premises will be delivered vacant. If an auctioned property becomes occupied following the sale, then following closing and recording of the deed, an eviction, if necessary, will be the responsibility of the Purchaser. The County expects not to place a licensee, other than the prospective purchaser, in any auctioned premises after the auction. However, it will do so in order to safeguard the premises or for other property management reasons.

42. **PERMISSION TO REMOVE SIGN** - The purchaser on each auction parcel may remove the auction sign after signing the Memorandum of Sale and tendering the down payment.

43. **INELIGIBILITY TO PURCHASE** No bidder, or purchaser/principal in the event of third party bidding, including, without limitation, any business entity or subsidiary, parent or affiliate thereof, or any trustee(s), director(s), officer(s) or shareholder(s) with voting interests or owning a total of twenty percent (20%) or more of any of the foregoing, who or which is or has been in default in or on any contract, obligation or agreement of any kind or nature whatsoever entered into with the County, or any of its agencies, within a period of five (5) years prior to the date of the auction sale, will be accepted as an eligible bidder for any property. Such obligations include, among other things, the obligation to pay in full all Suffolk County property taxes and charges when due. If the purchaser owns, alone or with others, any other property for which outstanding and delinquent taxes are owed to Suffolk County, those delinquent taxes must be paid in full prior to closing on any parcels purchased at auction.

The County reserves the right to deny access to the auction, cancel a sale or exercise its right of reversion herein, if an investigation reveals to the Director's satisfaction that the registration form is not adequately, properly and/or truthfully completed; if the identification supplied is not sufficient, if the purchaser or bidder is deemed to be financially unqualified; if the purchaser or bidder has been found guilty of any housing code or building code violation which violation resulted in death or personal injury or has been found guilty of any crime or violation under any Federal, State, County, including but not limited to Articles 7 and 12 of the Suffolk County Sanitary Code, Local Law or permit involving the treatment, handling, storage and/or disposal of any toxic and/or hazardous substance, material or waste; or has been found guilty of any predatory and/ or discriminatory lending practices involving, but not limited to, violations of the Racketeer Influenced and Corrupt Organization Act, the Equal Credit Opportunity Act, the Federal Fair Housing Act, the Real Estate Settlement Procedures Act ,the Federal

Truth in Lending Act, the N.Y. General Business Law or the Suffolk County Human Rights Law or if the taking of title and/or occupancy by purchaser will result in a violation of any Federal, State, County or Local Law.

44. **FINAL SALE** – Except as provided in paragraph 45 hereinafter, all sales shall be final, absolute and without recourse once title has closed and the deed has been recorded. In no event, shall Suffolk County be or become liable for any defects in title for any cause whatsoever; no claim, demand or suit of any nature shall exist against Suffolk County in favor of the purchaser, its heirs, success or assigns, arising from this sale.

45. **MATERIAL MISREPRESENTATION** – If any material misrepresentation, omission or false statement relating to any representation required herein is discovered after the title closing, the County may avail itself of all remedies available to it at law, it being acknowledged that these representations are being relied upon by the County and are material to this transaction. If such misrepresentation, omission or false statement occurs, the purchaser understands that he/she/it may be charged with fraud, and/or intent to defraud. In addition, in such event, the County reserves the right to pursue the purchaser and others for cancellation of the transaction. This clause shall survive the title closing. The verified registration statement is a sworn statement and the making of a false representation or intentional omission in it may be punishable as a crime.

46. **CERTIFICATION OF NON-AGENCY** – The purchaser shall be required to certify that he/she is not representing the former owner(s) of the property and has no intent to defraud Suffolk County of the unpaid taxes, assessment, penalties and charges, which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom Suffolk County foreclosed. If such conveyance occurs, the purchaser understands that he/she may be charged with fraud, and/or intent to defraud. In addition, in such event, the County reserves the right to pursue the purchaser, the former owner and others for cancellation of the transaction, and/or any deficiency between the purchase price at auction and such sums as may be owed to Suffolk County as related to the property.

47. **JURISDICTION** – Bidder and/or purchaser at this auction agrees that the sole forum for any dispute or cause of action arising out of this auction shall be the Supreme Court of the State of New York, County of Suffolk and related Appellate Courts.

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-Approval of Auction Rules for the Disposition of Surplus Property Acquired Under the Suffolk County Tax Act.

3. Purpose of Proposed Legislation

   Annual approval of Auction Rules

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

   Auction revenues

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 – 2010

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

    Wayne R. Thompson,
    Property Manager

    5/6/09

Gen E 3

COUNTY OF SUFFOLK

MAY 1 0 2009

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK-GALLAGHER
COMMISSIONER

DEPARTMENT OF ENVIRONMENT AND ENERGY
DIVISION OF REAL PROPERY ACQUISTION AND MANAGEMENT

May 6, 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: RESOLUTION NO. -2009, REVIEW OF AUCTION RULES FOR THE DISPOSITION OF SURPLUS PROPERTY ACQUIRED UNDER THE SUFFOLK COUNTY TAX ACT

Dear Mr. Zwirn:

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

yearly approval of auction rules.

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Pamela J. Greene
Assistant Director of Division of Real Property
Acquisition and Management

PJG:WRT:slb

Enc: Resolution + 1 copy
Summary Statement
Sponsor's Memo

Copy w/Resolution to:
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Connie Corso, Budget Director
CE Reso Review, via e-mail

LOCATION
H. LEE DENNISON BUILDING
100 VETERANS MEMORIAL HIGHWAY

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

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

Intro. Res. No 1492-09 - 2009 Laid on the Table 6/9/09
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2009, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH BUILDING SAFETY IMPROVEMENTS (CAPITAL PROGRAM NUMBER 1603)

WHEREAS, the Commissioner of Public Works has requested funds for various safety improvements to County buildings; and

WHEREAS, there are sufficient funds within the 2009 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $ 200,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(2) and (25) since it involves the maintenance or repair involving no substantial changes in an existing structure or facility and the replacement, rehabilitation or reconstruction of a structure or facility, in kind, as well as the purchase of equipment; and adoption of a local legislative decision in connection with the same; and as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

4th **RESOLVED**, that the 2009 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 1603
Project Title: Building Safety Improvements

	Total Est'd Cost	Current 2009 Capital Budget& Program	Revised 2009 Capital Budget& Program
1. Planning, Design, and Supervision	$475,000	$200,000 B	$25,000 B
3. Construction	$2,675,000	0	$175,000 B
TOTAL	$3,100,000	$200,000 B	$200,000 B

and be it further

5th **RESOLVED**, that the proceeds of $200,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP- 1603.110 (Fund 001 – Debt Service)	20	Planning for Building Safety Improvements	$25,000
525-CAP- 1603.310 (Fund 001 – Debt Service)	20	Building Safety Improvements	$175,000

Dated:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1492

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2009, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH BUILDING SAFETY IMPROVEMENTS (CAPITAL PROGRAM NUMBER 1603)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Gina Kommer Assistant Executive Analyst		May 5th, 2009

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1492

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$18,966**	**$0.04**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$18,966**	**$0.04**		$0.000

NOTES:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2008.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

1492

Suffolk County
Building Safety Improvements
General Obligation Serial Bonds
Level Debt

Term of Bonds: 15
Amount to Bond: $200,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2009					
11/1/2009					
5/1/2010	4.500%	$9,432.42	$9,533.33	$18,965.76	$18,965.76
			$4,541.86	$4,541.86	
5/1/2011	4.500%	$9,882.04	$4,541.86	$14,423.90	$18,965.76
			$4,306.34	$4,306.34	
5/1/2012	4.500%	$10,353.08	$4,306.34	$14,659.42	$18,965.76
			$4,059.59	$4,059.59	
5/1/2013	4.500%	$10,846.58	$4,059.59	$14,906.17	$18,965.76
			$3,801.08	$3,801.08	
5/1/2014	4.500%	$11,363.60	$3,801.08	$15,164.68	$18,965.76
			$3,530.25	$3,530.25	
5/1/2015	4.500%	$11,905.26	$3,530.25	$15,435.51	$18,965.76
			$3,246.51	$3,246.51	
4/30/2016	4.500%	$12,472.74	$3,246.51	$15,719.25	$18,965.76
			$2,949.24	$2,949.24	
5/1/2017	5.000%	$13,067.28	$2,949.24	$16,016.52	$18,965.76
			$2,637.80	$2,637.80	
5/1/2018	5.000%	$13,690.15	$2,637.80	$16,327.95	$18,965.76
			$2,311.52	$2,311.52	
5/1/2019	5.000%	$14,342.72	$2,311.52	$16,654.24	$18,965.76
			$1,969.69	$1,969.69	
4/30/2020	5.000%	$15,026.39	$1,969.69	$16,996.07	$18,965.76
			$1,611.56	$1,611.56	
5/1/2021	5.000%	$15,742.64	$1,611.56	$17,354.20	$18,965.76
			$1,236.36	$1,236.36	
5/1/2022	5.000%	$16,493.04	$1,236.36	$17,729.40	$18,965.76
			$843.27	$843.27	
5/1/2023	5.000%	$17,279.21	$843.27	$18,122.48	$18,965.76
			$431.45	$431.45	
4/30/2024	5.000%	$18,102.85	$431.45	$18,534.31	$18,965.76
		$200,000.00	$84,486.35	$284,486.35	$284,486.35

COUNTY OF SUFFOLK

1492

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive (2 copies)

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner

DATE: April 20, 2009

RE: CP 1603 - Building Safety Improvements

Attached for your review is a draft resolution amending the 2009 Capital Budget and appropriating the sum of $200,000 to fund safety improvements to be made in various County buildings.

This action is considered a Type II action under SEQRA as this action is related to work producing no substantial changes within an existing building.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP1603 Bldg Safety Improv.doc.

TL/TG/dk
attachments
cc: Christopher Kent, Chief Deputy County Executive
Gilbert Anderson, P.E., Commissioner
Louis Calderone, Deputy Commissioner
Tedd Godek, R.A., County Architect, Buildings Design & Construction
Michael J. Monaghan, P.E., Acting Chief Engineer, Facilities Engineering
Kathy LaGuardia, Chief Auditor
Laura Conway, CPA, Chief Accountant
CE RESO Review (e-mail)

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4220
FAX (631) 852-4246

1493

Intro. Res. No. - 2009 Laid on the Table 6/9/09
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2009, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF EQUIPMENT FOR HEALTH CENTERS (CP 4055)

WHEREAS, the Commissioner of Health Services has requested the appropriation of funds in connection with the purchase of equipment for Health Centers; and

WHEREAS, it is necessary to purchase new and replacement equipment at the Health Centers to provide quality care for our clients and keep pace with advancements in medical testing and technology; and

WHEREAS, there are sufficient funds within the 2009 Capital Budget and Program to cover the cost of said request under Capital Program Number 4055; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $447,155 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994 as amended by Resolution No. 461-2006 has established a priority ranking system as the basis for funding Capital Projects such as this project; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty eight (58) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 and as amended by Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) 20, 21, 25 and 27 of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing 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, and the Legislature has no further responsibilities under SEQRA; and be it further

3rd **RESOLVED**, that the proceeds of $447,155 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project Number	J.C.	Project Title	Amount
525-CAP-4055.529 (Fund 001-Debt Service)	40	Purchase of Equipment for Health Centers	$447,155

Dated:

Approved By:

_____

County Executive of Suffolk County

Date of Approval:

1493

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

Appropriating funds in connection with the purchase of equipment for Health Centers (CP 4055).

3. Purpose of Proposed Legislation

Purchases of new and replacement equipment for the Health Centers to provide quality care to our clients and keep pace with advancements in medical testing and technology.

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

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

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

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

Serial Bonds will be issued to finance this project. Principal and interest costs will be incurred over the life of the bonds.

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

See attached Debt Schedule

8. Proposed Source of Funding

Serial Bonds

9. Timing of Impact

2010

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Diane E. Weyer *Principal Financial Analyst* Suzanne MARTIN Admin I	Dianne Martin	4/17/09. 5/5/09

SCIN FORM 175b (10/95)

Suffolk County
Reconstruction of Culverts CP 5371
General Obligation Serial Bonds
Level Debt

1493

Term of Bonds: 5
Amount to Bond: $447,155

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2009					
11/1/2009					
5/1/2010	4.500%	$81,736.20	$20,121.98	$101,858.17	$101,858.17
			$8,221.92	$8,221.92	
5/1/2011	4.500%	$85,414.32	$8,221.92	$93,636.25	$101,858.17
			$6,300.10	$6,300.10	
5/1/2012	4.500%	$89,257.97	$6,300.10	$95,558.07	$101,858.17
			$4,291.80	$4,291.80	
5/1/2013	4.500%	$93,274.58	$4,291.80	$97,566.37	$101,858.17
			$2,193.12	$2,193.12	
5/1/2014	4.500%	$97,471.93	$2,193.12	$99,665.05	$101,858.17
		$447,155.00	$62,135.85	$509,290.85	$509,290.85

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1493

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	$101,858	$0.19		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	$101,858	$0.19		$0.000

NOTES:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2008.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Purchase of Equipment for Health Centers-CP 4055

2009 Equipment List

$447,155

Equipment

Quantity	Item	Location/Program	Estimated Cost	Total Purchase $	New or Replace	Comment
1	Steris 1 P6000 Sterilizer	Brentwood	$ 18,200	$ 18,200	Replace	
1	Computerized EKG Machine	Brentwood	$ 8,500	$ 8,500	Replace	
4	Power exam tables/Bariatric	Coram	$ 6,750	$ 27,000	Replace	
1	Upgrade current X-ray unit to Digital capability	Coram	$ 50,500	$ 50,500	New	
1	Power Exam Table	East Hampton HC	$ 6,750	$ 6,750	Replace	
1	P.E.T. Eurotech Flexion Table	Martin Luther King Jr.	$ 7,105	$ 7,105	Replace	
2	Power exam tables	Patchogue	$ 6,750	$ 13,500	Replace	
1	Fetal Heart Monitor (NST)	Patchogue	$ 5,800	$ 5,800	Replace	
1	Tuttnauer fully Automatic Autoclave	Patchogue	$ 8,800	$ 8,800	Replace	
1	Lab Drawing Chairs	Riverhead (E. Hampton)	$ 5,500	$ 5,500	New	
1	Lab Drawing Chairs	Riverhead (S. Hampton)	$ 5,500	$ 5,500	New	
2	Power Exam Tables	Riverhead Health Ctr	$ 6,750	$ 13,500	New	
1	Omnicell Medication System	Riverhead JMU	$ 170,700	$ 170,700	New	Operating Impact: approx. $4,000 for annual service
1	X-Ray Power Tilting Table w/ tube stand (reconditioned)	Riverhead JMU	$ 12,000	$ 12,000	Replace	
1	Tuttnauer fully Automatic Autoclave	Riverhead JMU	$ 8,800	$ 8,800	Replace	
1	Power Exam Table	Southampton HC	$ 6,750	$ 6,750	Replace	
1	Autoclave Auto Sterilizer w/printer	Tri-Community	$ 8,500	$ 8,500	Replace	
1	Waiting room furniture	Tri-Community	$ 52,500	$ 52,500	Replace	
1	Vital Signs Monitor	Tri-Community	$ 5,250	$ 5,250	Replace	
1	X-Ray Power Tilting Table w/ tube stand (reconditioned)	Yaphank, JMU	$ 12,000	$ 12,000	Replace	

Total Estimated Cost $ 447,155

451

COUNTY OF SUFFOLK

1493

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.
Commissioner

MEMORANDUM

To: Diane Weyer

From: Dr. Shaheda Iftikhar, Acting Division Director, Patient Care Services SI

Date: March 10, 2009

Subject: CP 4055 APPROPRIATION

Please prepare a resolution to accept and appropriate the funds allocated to FY 2009, for Capital Project 4055 (Purchase of Equipment for Health Centers) in the amount of $447,155.

cc: Susan B. Hodoskly

SI:dm

Public Health
Prevent. Promote. Protect.

DIVISION OF PATIENT CARE SERVICES
225 Rabro Drive East, Hauppauge, NY 11788 (631) 853-3013 Fax (631) 853-3031

2010-2012 Capital Budget Request
Purchase of Equipment for Health Centers-CP 4055

Attachment B

2009 Adopted to be appropriated **$447,155**

Equipment

Quantity	Item	Location/Program	Estimated Cost	Total Purchase $	New or Replace	Comment
1	Steris 1 P6000 Sterilizer	Brentwood	$ 18,200	$ 18,200	Replace	
1	Computerized EKG Machine	Brentwood	$ 8,500	$ 8,500	Replace	
1	Medical Refrigerator/Freezer	Coram	$ -	$ -	Replace	Removed
4	Power exam tables/Bariatric	Coram	$ 6,750	$ 27,000	Replace	
1	Upgrade current X-ray unit to Digital capability	Coram	$ 50,500	$ 50,500	New	
1	Power Exam Table	East Hampton HC	$ 6,750	$ 6,750	Replace	
1	P.E.T. Eurotech Flexion Table	Martin Luther King Jr.	$ 7,105	$ 7,105	Replace	
1	Computerized EKG Machine (interpretive)	Martin Luther King Jr.	$ -	$ -	Replace	Purchased out of Operating
1	Lab Drawing Chair	Patchogue	$ -	$ -	Replace	Deferred to 2010
2	Power exam tables	Patchogue	$ 6,750	$ 13,500	Replace	
1	Fetal Heart Monitor (NST)	Patchogue	$ 5,800	$ 5,800	Replace	
1	Tuttnauer fully Automatic Autoclave	Patchogue	$ 8,800	$ 8,800	Replace	
1	LEEP	Patchogue	$ -	$ -	New	Purchased out of Operating
1	Lab Drawing Chairs	Riverhead (E. Hampton)	$ 5,500	$ 5,500	New	
1	Lab Drawing Chairs	Riverhead (S. Hampton)	$ 5,500	$ 5,500	New	
2	Power Exam Tables	Riverhead Health Ctr	$ 6,750	$ 13,500	New	
1	Omnicell Medication System	Riverhead JMU	$ 170,700	$ 170,700	New	Operating Impact: approx. $4,000 for annual service
1	X-Ray Power Tilting Table w/ tube stand (reconditioned)	Riverhead JMU	$ 12,000	$ 12,000	Replace	
1	Tuttnauer fully Automatic Autoclave	Riverhead JMU	$ 8,800	$ 8,800	Replace	
1	LEEP	Shirley	$ -	$ -	New	Purchase out of Operating
1	Power Exam Table	Southampton HC	$ 6,750	$ 6,750	Replace	
2	Power Exam Tables	Tri-community	$ -	$ -	Replace	Deferred to 2011
1	X-Ray Film View Selector	Tri-Community	$ -	$ -	New	Deferred to 2012
1	Autoclave Auto Sterilizer w/printer	Tri-Community	$ 8,500	$ 8,500	Replace	
1	Waiting room furniture	Tri-Community	$ 52,500	$ 52,500	Replace	
1	Vital Signs Monitor	Tri-Community	$ 5,250	$ 5,250	Replace	Accelerated from 2010
1	X-Ray Power Tilting Table w/ tube stand (reconditioned)	Yaphank, JMU	$ 12,000	$ 12,000	Replace	

Total Estimated Cost **$ 447,155**

1493

COUNTY OF SUFFOLK

APR 2 8 2009

1493

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.
Commissioner

April 17, 2009

Ben Zwirn, Deputy County Executive
Office of the County Executive, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution appropriating funds in connection with the purchase of equipment for Health Centes (CP 4055). These funds will be used for purchases of new and replacement equipment for the Health Centers to provide quality care to our clients and keep pace with advancements in medical testing and technology.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Shaheda Iftikhar, M.D. at 3-3012. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-CP 4055 Equip HC.doc".

Sincerely yours,

Humayun J. Chaudhry, D.O., M.S.
Commissioner of Health Services

Enclosures

HJC/lw

C: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Margaret B. Bermel, Director of Health Administrative Services
Matthew Miner, Deputy Commissioner
Shaheda Iftikhar, M.D., Physician III
Susan Hodosky, Principal Financial Analyst
Diane E. Weyer, Principal Financial Analyst

Intro. Res. No 1494 - 2009 Laid on the Table 6/9/09
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2009, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH FUEL MANAGEMENT / PREVENTIVE MAINTENANCE AND PARTS INVENTORY CONTROL SYSTEM (CAPITAL PROGRAM NUMBER 1616)

WHEREAS, the Commissioner of Public Works has requested funds for fuel management, preventative maintenance, and parts inventory control systems; and

WHEREAS, there are sufficient funds in the 2009 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $ 300,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(2) and (25) since it involves the maintenance or repair involving no substantial changes in an existing structure or facility and the replacement, rehabilitation or reconstruction of a structure or facility, in kind, as well as the purchase of equipment; and adoption of a local legislative decision in connection with the same; and as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of (forty-nine) 49 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

4th **RESOLVED**, that the 2009 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 1616
Project Title: Fuel Management / Preventive Maintenance and Parts Inventory Control System

	Total Est'd Cost	Current 2009 Capital Budget& Program	Revised 2009 Capital Budget& Program
3. Construction	$75,000	$0	$75,000 B
5. Furniture & Equipment	$2,625,000	$300,000 B	$225,000 B

TOTAL	$2,700,000	$300,000 B	$300,000 B

; and be it further

5th **RESOLVED**, that the proceeds of $300,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP- 1616.312 (Fund 016-Debt Service)	20	Fuel Management / Preventive Maintenance and Parts Inventory Control System	$75,000
525-CAP- 1616.511 (Fund 016-Debt Service)	20	Fuel Management / Preventive Maintenance and Parts Inventory Control System	$225,000

Date:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1494

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2009, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH FUEL MANAGEMENT / PREVENTIVE MAINTENANCE AND PARTS INVENTORY CONTROL SYSTEM (CAPITAL PROGRAM NUMBER 1616)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Gina Kommer Assistant Executive Analyst		May 5th, 2009

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1494

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	$68,337	$0.13		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	$68,337	$0.13		$0.000

NOTES:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2008.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
CP 1616 Fuel Management
General Obligation Serial Bonds
Level Debt

1494

Term of Bonds 5
Amount to Bond: $300,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2009					
11/1/2009					
5/1/2010	4.500%	$54,837.49	$13,500.00	$68,337.49	$68,337.49
			$5,516.16	$5,516.16	
5/1/2011	4.500%	$57,305.18	$5,516.16	$62,821.34	$68,337.49
			$4,226.79	$4,226.79	
5/1/2012	4.500%	$59,883.91	$4,226.79	$64,110.70	$68,337.49
			$2,879.40	$2,879.40	
5/1/2013	4.500%	$62,578.69	$2,879.40	$65,458.09	$68,337.49
			$1,471.38	$1,471.38	
5/1/2014	4.500%	$65,394.73	$1,471.38	$66,866.11	$68,337.49
		$300,000.00	$41,687.46	$341,687.46	$341,687.46

COUNTY OF SUFFOLK

1494

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive (2 copies)

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner

DATE: April 24, 2009

RE: CP 1616 - Fuel Management / Preventive Maintenance and Parts Inventory Control System

---

Attached for your review is a draft resolution appropriating the sum of $300,000 to fund improvements to the County's fuel management system necessary for regulatory compliance.

This action is considered a Type II action under SEQRA as this action is related to work involving the rehabilitation of a facility in kind.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1616 Fuel Mgt Prev Maint.doc.

TL/TG/dk
attachments
cc: Christopher Kent, Chief Deputy County Executive
Gilbert Anderson, P.E., Commissioner
Louis Calderone, Deputy Commissioner
Tedd Godek, R.A., County Architect, Buildings Design & Construction
Michael J. Monaghan, P.E., Acting Chief Engineer
Kathy LaGuardia, Chief Auditor
Laura Conway, CPA, Chief Accountant
CE RESO Review (e-mail)

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4220 FAX (631) 852-4246

Intro. Res. No 1495-09 - 2009 Laid on the Table 6/9/09
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2009, APPROPRIATING FUNDS IN CONNECTION WITH INSTALLATION OF FIRE, SECURITY, AND EMERGENCY SYSTEMS AT COUNTY FACILITIES (CAPITAL PROGRAM NUMBER 1710)

WHEREAS, the Commissioner of Public Works has requested funds for the Installation of Fire, Security, and Emergency Systems at County Facilities; and

WHEREAS, there are sufficient funds within the 2009 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $350,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 254-2005 classified the action contemplated by this as Type II Action; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-six (56) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

4th **RESOLVED**, that the proceeds of $350,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP- 1710.320 (Fund 001-Debt Service)	20	Installation of Fire, Security, and Emergency Systems at County Facilities	$350,000

Date:

APPROVED BY:

County Executive of Suffolk County
Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1495

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2009, APPROPRIATING FUNDS IN CONNECTION WITH INSTALLATION OF FIRE, SECURITY, AND EMERGENCY SYSTEMS AT COUNTY FACILITIES (CAPITAL PROGRAM NUMBER 1710)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Gina Kommer Assistant Executive Analyst		May 5th, 2009

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1495

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	$44,559	$0.08		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	$44,559	$0.08		$0.000

NOTES:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2008.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
CP 1710 Installation of Fire, Security, and Emergency Systems at County Facilities
General Obligation Serial Bonds
Level Debt

1495

Term of Bonds: 10
Amount to Bond: $350,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2009					
11/1/2009					
5/1/2010	4.500%	$28,284.41	$16,275.00	$44,559.41	$44,559.41
			$7,479.89	$7,479.89	
5/1/2011	4.500%	$29,599.63	$7,479.89	$37,079.52	$44,559.41
			$6,791.70	$6,791.70	
5/1/2012	4.500%	$30,976.01	$6,791.70	$37,767.71	$44,559.41
			$6,071.50	$6,071.50	
5/1/2013	4.500%	$32,416.40	$6,071.50	$38,487.90	$44,559.41
			$5,317.82	$5,317.82	
5/1/2014	4.500%	$33,923.76	$5,317.82	$39,241.58	$44,559.41
			$4,529.10	$4,529.10	
5/1/2015	4.500%	$35,501.22	$4,529.10	$40,030.31	$44,559.41
			$3,703.69	$3,703.69	
4/30/2016	4.500%	$37,152.02	$3,703.69	$40,855.71	$44,559.41
			$2,839.91	$2,839.91	
5/1/2017	5.000%	$38,879.59	$2,839.91	$41,719.50	$44,559.41
			$1,935.96	$1,935.96	
5/1/2018	5.000%	$40,687.49	$1,935.96	$42,623.45	$44,559.41
			$989.97	$989.97	
5/1/2019	5.000%	$42,579.46	$989.97	$43,569.43	$44,559.41
		$350,000.00	$95,594.07	$445,594.07	$445,594.07

COUNTY OF SUFFOLK

1495

APR 2 9 2009

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Assistant Deputy County Executive (2 copies)

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner

DATE: April 20, 2009

RE: CP 1710 – Installation of Fire, Security and Emergency Systems at County Facilities

---

Attached for your review is a draft resolution appropriating the sum of $350,000 for the installation and/or replacement of fire alarm/detection, fire sprinklers and security systems at various County facilities.

This action is considered a Type II Action under SEQRA in accordance with Resolution No. 254-2005.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1710 – Resolution Fire Alarms.doc.

TL/TG/dk
attachments
cc: Christopher Kent, Chief Deputy County Executive
Gilbert Anderson, P.E., Commissioner
Louis Calderone, Deputy Commissioner
Tedd Godek, R.A., County Architect, Buildings Design & Construction
Michael J. Monaghan, P.E., Acting Chief Engineer
Kathy LaGuardia, Chief Auditor
Laura Conway, CPA, Director of DPW Administrative Services
CE RESO Review (e-mail)

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4220
FAX (631) 852-4246

Intro. Res. No 1496 - 2009 Laid on the Table 6/9/09
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2009, APPROPRIATING FUNDS IN CONNECTION WITH RENOVATIONS / IMPROVEMENTS TO COHALAN COURT COMPLEX (CP 1125)

WHEREAS, the Commissioner of Public Works has requested funds for renovations and improvements to the Cohalan Court Complex; and

WHEREAS, there are sufficient funds within the 2009 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $2,000,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, pursuant to the State Environmental Quality Review Act (SEQRA), Environmental Conservation Law Article 8, Resolution No. 887-2000 classified the action contemplated by this as a Type II action; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty-five (45) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

4th **RESOLVED**, that the proceeds of $2,000,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP- 1125.313 (Fund 001-Debt Service)	20	Renovations / Improvements to Cohalan Court Complex	$2,000,000

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

1496

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. -2009, APPROPRIATING FUNDS IN CONNECTION WITH RENOVATIONS / IMPROVEMENTS TO COHALAN COURT COMPLEX (CP 1125)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
STEVEN FORST SENIOR ACCOUNTANT		MAY 5, 2009

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1496

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	$158,112	$0.30		$0.001

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	$0	$0.00		$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	$158,112	$0.30		$0.001

NOTES:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2008.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

Term of Bonds: 20
Amount to Bond: $2,000,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2009					
11/1/2009					
5/1/2010	4.500%	$61,612.49	$96,500.00	$158,112.49	$158,112.49
			$46,763.60	$46,763.60	
5/1/2011	4.500%	$64,585.29	$46,763.60	$111,348.89	$158,112.49
			$45,205.48	$45,205.48	
5/1/2012	4.500%	$67,701.53	$45,205.48	$112,907.01	$158,112.49
			$43,572.18	$43,572.18	
5/1/2013	4.500%	$70,968.13	$43,572.18	$114,540.31	$158,112.49
			$41,860.07	$41,860.07	
5/1/2014	4.500%	$74,392.34	$41,860.07	$116,252.42	$158,112.49
			$40,065.36	$40,065.36	
5/1/2015	4.500%	$77,981.77	$40,065.36	$118,047.13	$158,112.49
			$38,184.05	$38,184.05	
4/30/2016	4.500%	$81,744.39	$38,184.05	$119,928.44	$158,112.49
			$36,211.96	$36,211.96	
5/1/2017	5.000%	$85,688.56	$36,211.96	$121,900.53	$158,112.49
			$34,144.73	$34,144.73	
5/1/2018	5.000%	$89,823.03	$34,144.73	$123,967.76	$158,112.49
			$31,977.75	$31,977.75	
5/1/2019	5.000%	$94,157.00	$31,977.75	$126,134.74	$158,112.49
			$29,706.21	$29,706.21	
4/30/2020	5.000%	$98,700.07	$29,706.21	$128,406.28	$158,112.49
			$27,325.07	$27,325.07	
5/1/2021	5.000%	$103,462.35	$27,325.07	$130,787.42	$158,112.49
			$24,829.04	$24,829.04	
5/1/2022	5.000%	$108,454.41	$24,829.04	$133,283.45	$158,112.49
			$22,212.58	$22,212.58	
5/1/2023	5.000%	$113,687.33	$22,212.58	$135,899.91	$158,112.49
			$19,469.87	$19,469.87	
4/30/2024	5.000%	$119,172.75	$19,469.87	$138,642.62	$158,112.49
			$16,594.83	$16,594.83	
5/1/2025	5.000%	$124,922.83	$16,594.83	$141,517.66	$158,112.49
			$13,581.07	$13,581.07	
5/1/2026	5.000%	$130,950.36	$13,581.07	$144,531.42	$158,112.49
			$10,421.89	$10,421.89	
5/1/2027	5.000%	$137,268.71	$10,421.89	$147,690.60	$158,112.49
			$7,110.28	$7,110.28	
4/30/2028	5.000%	$143,891.93	$7,110.28	$151,002.21	$158,112.49
			$3,638.89	$3,638.89	
5/1/2029	5.000%	$150,834.71	$3,638.89	$154,473.60	$158,112.49
		$2,000,000.00	$1,162,249.78	$3,162,249.78	$3,162,249.78

COUNTY OF SUFFOLK

1496

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive (2 copies)

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner

DATE: April 23, 2009

RE: CP 1125 – Renovations / Improvements to Cohalan Court Complex

---

Attached for your review is a draft resolution appropriating the sum of $2,000,000 for construction of Phase IV improvements to the above referenced project. This involves the creation of two large arraignment courts in District Court, and detention areas in Supreme Court.

This action is considered a Type II action under SEQRA in accordance with Reso. No. 887-2000.

An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1125 Resolution-Renov Impvmnts Cohalan.doc.

TL/TG/dk
attachments
cc: Christopher Kent, Chief Deputy County Executive
Gilbert Anderson, P.E., Commissioner
Louis Calderone, Deputy Commissioner
Tedd Godek, R.A., County Architect, Buildings Design & Construction
Michael J. Monaghan, P.E., Acting Chief Engineer, Facilities Engineering
Kathy LaGuardia, Chief Auditor
Laura Conway, CPA, Chief Accountant
CE RESO Review (e-mail)

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4010 FAX (631) 852-4150

1497

Intro. Res. No. -2009 Laid on Table 6/9/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2009, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $6,000 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE (GTSC FFY2009) CHILD PASSENGER SAFETY PROGRAM TO SUPPORT A PARK POLICE TRAFFIC SAFETY INTIATIVE

WHEREAS, the New York State Governor's Traffic Safety Committee has made $6,000 in funds available to Suffolk County for the Child Passenger Safety program (GTSC FFY2009) to be administered by the Suffolk County Park Police; and

WHEREAS, child safety seats reduce the risk of fatal injury by 71% when used correctly, however, misuse reduces effectiveness and more than 90% of child safety seats are used improperly; and

WHEREAS, the Park Police will address this issue by participating in the New York State Child Passenger Safety Program; 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 2009 Suffolk County Operating Budget; now, therefore be it

1ST **RESOLVED**, that the County Executive and Park Police are authorized to execute any Agreement with the State of New York, as necessary, to secure said grant funds; and be it further

2ND **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 $6,000 as follows:

REVENUE:	AMOUNT
001-7310-3820 – Youth Programs	$6,000

APPROPRIATION:

Suffolk County Park Police
Child Passenger Safety Program
001-PKS-7310-3500

3000-Supplies, Materials & Other Expenses	$6,000
3500-Other: Unclassified	

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1497

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. -2009, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $6,000 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE (GTSC FFY2009) CHILD PASSENGER SAFETY PROGRAM TO SUPPORT A PARK POLICE TRAFFIC SAFETY INTIATIVE

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

This resolution accepts a $6,000 grant award into the Parks Dept operating budget.

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

N/A

8. Proposed Source of Funding

NYS Governor Traffic Safety Committee grant award.

9. Timing of Impact

Upon adoption.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		May 22nd, 2009

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1497

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 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 2008.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1497

1. Type of Legislation

Resolution X Local Law _____ Charter Law ____

2. Title of Proposed Legislation

INTRODUCTORY RESOLUTION ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $6,000 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE (GTSC FFY2008) CHILD PASSENGER SAFETY PROGRAM TO SUPPORT A PARK POLICE TRAFFIC SAFETY INTIATIVE

3. Purpose of Proposed Legislation

See # 2 above.

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

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

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

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

The County will receive Federal and State aid totaling $6,000.00.

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

8. Proposed Source of Funding

9. Timing Impact

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

M-2359

COUNTY OF SUFFOLK

MAY 06 2009

1497

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: **CHRISTOPHER KENT, Chief Deputy County Executive**

DATE: **April 29, 2009**

RE: **INTRODUCTORY RESOLUTION ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $6,000 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE (GTSC FFY2008) CHILD PASSENGER SAFETY PROGRAM TO SUPPORT A PARK POLICE TRAFFIC SAFETY INTIATIVE**

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-Accepting and Appropriating Grant for Child Passenger Safety Program.doc."

Child safety seats reduce the risk of fatal injury by 71% when used correctly, however, misuse reduces effectiveness. More than 90% of child safety seats are used improperly. This resolution will address this issue by allowing the Park Police to participate in the state's Child Passenger Safety grant program.

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

Enclosures

1497

State of New York Governor's Traffic Safety Committee

Buckle Up New York, Click it or Ticket

(BUNY) Enforcement Grant

Grant Application - FY 2009

Project number *entered by GTSC*: **PT-5200581**

Project Information				
Project Title:	**Buckle Up New York, Click it or Ticket**			
Project Dates:	(Begins):	October 1, 2008	(Ends):	September 30, 2009
Synopsis:	A statewide, high-visibility enforcement and public information and education campaign designed to save lives and reduce the severity of injuries by increasing seatbelt use.			
Applicant Agency				
Agency:	Suffolk County Park Police			
County:	Suffolk			
Project Director:	Sgt. Ronald R. Brockmann II 82/809			
Title:	Sergeant			
Address:	PO Box 687 Shirley, N.Y. 11967			
Telephone:	(631) 854-1477		Fax:	(631) 854-1476
E-Mail:	brockron@suffolkcountyny.gov			
cc: Information - Name:		E-Mail:		
Fiscal Agent				
Federal ID Number:				
Name & Title:				
Agency/Office:				
Address:				
Telephone:	( )		Fax:	( )
E-Mail:				

1497

State of New York Governor's Traffic Safety Committee

Buckle Up New York, Click it or Ticket

(BUNY) Enforcement Grant

Signature and TSB Endorsement Page

Fiscal Year 2009

Grantee: Complete this page, have agency official sign it and send it to your County Traffic Safety Board Chair for endorsement. Do not submit this form to GTSC with your grant application.

Traffic Safety Board Chair: Endorse and forward to GTSC as part of the HS-1 grant package.

Certification			
I agree that this agency will abide by all the terms and conditions set forth in the Buckle Up New York grant program, made available to New York State though the National Highway Traffic Safety Administration's statutory authority, and by the terms and conditions set forth in the grant application and the resulting contract with the State of New York.			
Submitting Agency	Suffolk County Park Police		
County	Suffolk		
Requested Dollar Amount of Grant	$ 1,991	Total Number of Enforcement Hours	42
Agency Official Name and Title	Sgt. Ronald R. Brockmann II 82/809		
Address	PO Box 687 Shirley, N.Y. 11967		
Telephone	631-854-1477		
Email	brockron@suffolkcountyny.gov		
Authorizing signature	Sgt. Ronald R. Brockmann II 82/809	Date	05/11/08
Authorizing Traffic Safety Board Signature I hereby endorse this grant proposal as part of the grant package for the county.			
County TSB Chair Name and Title	SCTSB Lynn Weyant, Chair		
Signature	Lynn Weyant	Date	5/13/08
GTSC Official: Director			
Signature:	Jeana Allen	Date:	

~End of application form~

1497

State of New York Governor's Traffic Safety Committee
Buckle Up New York, Click it or Ticket
(BUNY) Enforcement Grant - FY 2009
Funding Summary Page

Agency: Suffolk County Park Police

Funding Summary

Personal Services:

	Number of hours	x	Multiply by hourly pay rate [1]	=	$ Total
Expanded enforcement period October 1, 2008 – April 1, 2009	28	x	47.4	=	$ 1,327
May 2008 Mobilization [2] 5/18, 2009 – 5/31/2009	14	x	47.4	=	$ 664
Total hours	42		**Total Personal Services:**		$ 1,991

1. Hourly pay rate – Estimate of average pay rate of eligible officers for budgeting purposes. However, agency must request reimbursement for actual officer pay rates.
2. Hours requested for May mobilization **must** be used during May mobilization. Participation in May mobilization is mandatory.

Important Reminders

- Read the overview and instructions prior to completing this form.
- Read the project narrative; this is what you are agreeing to do.
- Plan to adhere to budget. Hours are flexible for the expanded enforcement period, but hours budgeted for May enforcement mobilization must be worked then
- Email this application to the GTSC at grants@safeny.com. Print and send the Signature and TSB Endorsement Page to your County Traffic Safety Board for signature endorsement.
- Retain a copy for your records.
- The deadline for submitting vouchers for the BUNY program is July 31, 2009. While we do not intend that costs go unpaid, grantees must claim costs promptly or be subject to non-reimbursement.

To be completed by GTSC: ☐ T – Contract ☐ Agreement

State of New York Governor's Traffic Safety Committee

Buckle Up New York, Click it or Ticket

(BUNY) Enforcement Grant – FY 2009

Project Narrative Page

PROJECT NARRATIVE:

As grantee, this agency agrees to participate in the statewide *Buckle Up New York, Click it or Ticket* enforcement campaign. *Buckle Up New York* is a high-visibility, multi-agency program, the objective of which is to raise the seatbelt compliance rate.

Grantee agrees to follow the guidelines as outlined in the Overview and Instructions section of this application. Specifically, grantees will participate in the May mobilization which is mandatory and may elect to participate in the November Wave and/or the Expanded Wave.

- "Expanded Enforcement Period" – October 1, 2008 through April 1, 2009
- November Wave – November 10 – 23, 2008
- May Mobilization - May 18, 2009 – May 31, 2009, Mandatory to participate.

As in the past, these waves will be high-visibility in that they are conducted utilizing multi-agency checkpoints and saturation patrols, combined with media outreach. Enforcement activities will be multi-agency where possible. Officers assigned to participate, whether on straight time or overtime, will be in a dedicated seatbelt enforcement status.

These enforcement activities will be supported with media messages and outreach, at the national, state and local levels. Therefore, grantee agrees to conduct media activities at the local level in support of these enforcement efforts. Those grantees that elect to participate in the "Expanded Period" must conduct media activities and should coordinate with the Division of State Police during the traditional November wave period – November 10-23, 2008. Contact the Troop Traffic Section in your area.

Grantee will report their mobilization data directly to the GTSC, for both "expanded enforcement period" and the May mobilization. Reporting is mandatory. See Timetable above.

Grantee must have a department seatbelt policy that requires seatbelt use by their officers in order to qualify for this grant. Submit a copy of your policy to the GTSC if one has not yet been submitted to the GTSC. Policy may be emailed, mailed or faxed. Copies of a sample policy are available from the New York State Association of Chiefs of Police and the New York State Sheriff's Association.

In addition, grantee agrees to conduct the following three activities:

1. Conduct at least one observational seatbelt survey in your jurisdiction at some point during the fiscal year and submit results to the GTSC. A sample survey instrument is available online at http://safeny.com/hsforms.htm.
2. Conduct occupant protection roll-call video training for all patrol officers working on grant related activities. Copies of video provided free of charge by the GTSC.
3. Conduct at least one type of media contact for each mobilization and submit copies to the GTSC (examples: letter to editor, press release, newspaper story, etc.). Media kits are available online at http://www.nhtsa.dot.gov/ and include sample documents.

1497

HS-1 CPS

State of New York Governor's Traffic Safety Committee
Child Passenger Safety
Grant Application Fiscal Year 2009

Project Number Entered by GTSC
CS-5200552

County of: Suffolk

Agency: Suffolk County Park Police

Project Information				
Project Title:	Child Passenger Safety Program			
Project Dates:	Begins:	October 1, 2008	Ends:	September 30, 2009
Synopsis:	Child safety seats reduce the risk of fatal injury by 71% when used correctly, however misuse reduces effectiveness. More than 90% of child safety seats are used improperly. This agency will address this issue by participating in the state's Child Passenger Safety grant program.			

Applicant Agency			
Agency:	Suffolk County Park Police		
Project Director:	Sgt. Ronald R. Brockmann II 82/809		
Title:	Sergeant		
Address:	PO Box 687 Shirley, N.Y. 11967		
Telephone:	(631) 854-1477	**Fax:**	(637) 854-1476
E-Mail:	brockron@suffolkcountyny.gov		
"cc:" Information: Limit to one individual:			

Fiscal Agent			
Federal ID Number:			
Charity Registration Number:			
Name & Title:			
Agency/Office:			
Address: Include email address:			
Telephone:	( )	**Fax:**	( )

1497

HS-1 CPS

State of New York Governor's Traffic Safety Committee
Child Passenger Safety
Grant Application Fiscal Year 2009

County of: Suffolk

Agency: Suffolk County Park Police

Conditions

- **Funds cannot be expended unless at least one technician listed on the grant retains current certification status from SAFE KIDS Worldwide.**
- The deadline for submitting vouchers is October 31, or be subject to non-reimbursement.
- Activities and items being charged to the grant must be directly related to the approved grant activities.
- Public Information and Education material, products or campaigns developed for this project must have prior GTSC approval. Materials must include the following acknowledgement: "Funded by the National Highway Traffic Safety Administration with a grant from the New York State Governor's Traffic Safety Committee."
- Large commodity orders and equipment in approved budget must be ordered and received by July 31.

Authorizing Signatures (Original signatures must be sent to the GTSC. Please use blue ink.)

I hereby certify to abide by all conditions, cost limits, and federal and state rules for grant administration.

Agency Official: Name and Title:	Sgt. Ronald R. Brockmann II 82/809		
Signature:	SGT-82/809	Date:	5/10/2008

Enter date in m/d/yyyy format

Authorizing Traffic Safety Board Signature

I hereby endorse this grant proposal as part of the grant package for the county.

Traffic Safety Board Chair: Name and Title:	Lynn Weyant, SCTSB, Chair		
Signature:	Lynn Weyant	Date:	5/13/08

Enter date in m/d/yyyy format

All entries below this line are for the GTSC Use Only

Project Number:	CS-5200552	Standard Area:	405
Grant Award	$6,000		

CDFA # ☐ 20.600 ☑ 20.602

☐ State ☐ Local Benefit ☑ Local

GTSC Official: Director

Signature:		Date:	

BUDGET SUMMARY

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When planning your budget for child safety seats for the year, consider the number of hours the fitting station will be open, the number of child safety seat check events planned for the year, and any child safety seat checks that will be held in conjunction with trainings. **If this is not the first year of the grant, base your numbers on past experience and take into account the number of child safety seats still in your inventory.**

CHILD SAFETY SEATS: Rear-facing infant seats, Convertible seats with 5-point harness, Combination seats with 5-point harness, Booster seats - no back, Booster seats – high back, and Special needs restraints	
Estimate the quantity of child safety seats	50
Total cost of child safety seats	$ 3000.00
OTHER RELATED EXPENSES: (items must be on the list of allowable costs) List all items to be purchased. Include the total combined dollar amount for all items on the "Total Other Related Expenses" line.	
Item	**Expense**
CPS Educational Materials, Promotional Items, CPS Brochures Shipping/Handling Costs Locking Clips, Belt-shortening Clips, Pool Noodles CPS Training Materials Scale Office Supplies, Storage Containers Refreshments for Awareness Training Child Safety Seat Checkpoint Signs, Fitting Station Signs Tents Re-certification Fees, 50% Off New Tech. Fees CPS Conference Registration Fees Travel Expenses/Mileage Traffic Cones	
Total cost other related expenses	$ 3000
TOTAL GRANT AWARD	$ 6000

CERTIFIED CHILD PASSENGER SAFETY TECHNICIANS

1497

List the names of all the certified Child Passenger Safety Technicians or Instructors who will be responsible for conducting grant activities including: inspecting and overseeing the installation of child safety seats by parents and caregivers; teaching child passenger safety training classes; educating parents and caregivers; and conducting a child safety seat distribution program. Use additional pages if needed.

Name of Technician	Certification Number	Expiration Date enter as m/d/yyyy
Ronald R. Brockmann II	To42680	7/1/2009

Check the Box of Each Schedule for Which You Are Applying:

- ☒ SCHEDULE A - PERMANENT FITTING STATIONS
- ☒ SCHEDULE B - CPS AWARENESS TRAINING
- ☐ SCHEDULE C - CHILD SAFETY SEAT CHECK EVENTS
- ☐ SCHEDULE D - CHILD SAFETY SEAT DISTRIBUTION PROGRAM

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State of New York Governor's Traffic Safety Committee
CHILD PASSENGER SAFETY PROGRAM GRANT
PROJECT NARRATIVE
Fiscal Year 2009

Schedule A Permanent Fitting Stations

Agencies may apply for this initiative to implement a permanent fitting station in one or more of their communities or to continue the operation of their existing fitting stations. This grant is not intended to fund one-time check-up events. Grant applications may be submitted to establish special needs fitting stations at hospitals where hospital staff have been trained as certified Child Passenger Safety Technicians and Instructors **AND** have successfully completed the Special Needs Technician Training Curriculum from Riley Children's Hospital. Agencies that want to establish permanent fitting stations in communities that have culturally diverse populations and have Technicians who are bilingual are urged to apply for Schedule A.

Agency must meet each of the following criteria to apply for Schedule A:

- Agency **must have** certified Child Passenger Safety (CPS) Technicians and/or Instructors with current certification status to staff the fitting station. Technicians must complete a child safety seat check form for each car seat inspected. A current recall list must be used.
- **As the grant will not pay for salaries and overtime, the agency must allow its staff to operate the fitting station as part of their job duties.** This is a community service and there will be **no cost** to the parent or caregiver for this service.
- Agency must set a regular schedule of operation for the fitting station with consistent hours and dates of operation. This may be daily, weekly or monthly but should be consistent so that the public can rely on a regular schedule of availability. Seat inspections can be done by appointment or by drive up, depending on staffing capabilities. Mobile fitting stations must operate on a scheduled basis to designated locations. Each mobile fitting station must operate a minimum of once every three months.
- Agency should have some type of liability insurance covering the fitting station activities. This may be through the lead agency such as fire or police department.
- Agency must have a contact person that handles the administrative needs of the fitting station. This person is responsible for receiving phone calls from parents, scheduling appointments for inspections, coordinating day-to-day activities, submitting all reports and records, and making sure that checklist forms are completed. This person does not have to be a Technician but should be someone committed to the program and who has some basic awareness education.

REPORTING REQUIREMENTS FOR SCHEDULE A

- Agency must submit a semi-annual report by April 15 and an annual report by October 15 using the **Fitting Station Annual Progress Report or the Semi-Annual Progress Report** forms.
- **Required** – You **must** maintain your fitting station's activity log records that document appointments, the number of clients served, seats distributed and other information. **You may be required to show these records to a GTSC representative during a program monitoring or mail them to the CPS coordinator upon request.**

Download from the CPS Forms page at http://www.SafeNY.com from the Forms page.

SCHEDULE A PERMANENT FITTING STATIONS

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NOTE: Complete ALL information or your application will be returned. Incomplete applications will not be reviewed.

MUST COMPLETE THIS FORM FOR EACH FITTING STATION

☐ New Fitting Station

☒ Existing Fitting Station

This information will be posted as written on the GTSC and NHTSA web sites.

Location of Permanent Fitting Station:

Agency Name:	Suffolk County Park Police		
Street	Southaven County Park		
City:	Shirley	Zip:	11967
Contact Person:	Sgt. Ronald Brockmann II		
Title:	Sergeant		
Phone Number:	631-854-1477	Email:	brockron@suffolkcountyny.gov
Geographic Areas Served:			

Fitting Station Hours of Operation by Appointment (BE SPECIFIC):

Examples: Monday – Friday, 2 PM to 5 PM every week. or First Wednesday of the month, 9 AM to Noon.

Days of the Week: Friday-Tuesday

Hours: Rotating

Answer the following:

How many child safety seats were inspected at your fitting station in the period 10/1/07 – 3/31/08?	40
How many seats were given away during this period?	3
Who schedules the appointments?	Sgt. Ronald Brockmann
What is the average number of appointments scheduled in a month?	8-10
How many technicians work at the fitting station?	1
Name of person who is responsible for submitting progress reports to the GTSC.	Sgt. Ronald Brockmann
Email address of person who is responsible for submitting progress reports to the GTSC.	brockron@suffolkcountyny.gov

Schedule B Child Passenger Safety Awareness Training 1497

Effective child passenger safety training is very important in terms of providing technical information and in raising awareness of the importance of proper occupant restraint usage. Schedule B provides funding to conduct Child Passenger Safety Education classes, and Technician Update Refresher Training or Renewal classes. Child Passenger Safety Awareness classes may be conducted to educate community groups, law enforcement, fire and emergency medical services, health care agencies, or any group wanting to assist technicians at child safety seat check events and/or fitting stations.

Agencies applying to conduct child passenger safety education/awareness classes must agree to the following:

- Use only certified Technician(s) to conduct the Child Passenger Safety Awareness Training classes.
- Use only certified Child Passenger Safety Technician Instructors to teach the Technician Update Refresher and Renewal Classes.
- Include a child safety seat check event when conducting a two-day child passenger safety awareness class.
- Submit a Child Passenger Safety Awareness Training Report **and the class roster within 5 business days from the completion of each class** to the Governor's Traffic Safety Committee. Download the Report from safeny.com Forms page.

Complete the following:
NOTE: Failure to complete ALL information will result in a returned application.

Purpose of Training:

- ☒ Community Awareness
- ☒ Agency Awareness
- ☐ Technical Update Class
- ☐ Special Needs Training
- ☐ School Bus Training
- ☐ Other

Targeted Population Check All That Apply: ☐ Culturally Diverse ☐ Rural ☒ Low Income ☒ Parents ☐ Technicians ☒ Emergency Services/Police ☐ Health Professionals

Number of hours of training class (2 hrs, 4 hrs, 16 hrs?): 2-4 Hours

Number of classes expected to be conducted in grant period: 4-6

Projected date of class(s): To Be Determined

Contact Person: Sgt. Ronald R. Brockmann II 82/809

Describe Program: Our program is a community resourse for CPS education and is listed on many local databases as such. We work with Church Groups, Mothers Groups, Community Organizatios, as well as Not-for profit Organizations and other grantees to spread the message of Child Passenger Safety. In addition, we maintain a regular fitting station at a permanent location.

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Intro. Res. No. -2009 Laid on Table 6/9/09
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2009, APPROVING RENTAL CHARGES AND LICENSE FEES RECOMMENDED BY PARKS HOUSING RENTAL BOARD

WHEREAS, Local Law No. 30-2008, "A Local Law to Protect the County's Historic and Culturally Significant Properties," established the Parks Housing Rental Board and outlined procedures for setting rental charges and license fees for facilities under the jurisdiction of the Parks Department; and

WHEREAS, in accordance with these procedures, the Parks Housing Rental Board made its recommendations for rental charges and license fees for facilities to the Parks Commissioner; and

WHEREAS, the Parks Commissioner has reviewed the recommendations of Parks Housing Rental Board and submits his recommendations as set forth in Exhibit A of this resolution; now, therefore be it

1st **RESOLVED**, that the rental charges and license fees recommended by the Parks Housing Rental Board and the Parks Commissioner as set forth in Exhibit A of this resolution are hereby adopted; and be it further

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

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

1498

EXHIBIT A

UNIT	Location	Market Rent 2006	Current Rent	New Appraisal 2008	Parks Housing Rental Board Review
101	Meadow Croft - Sayville	$1,025.00		$900.00	$750.00
102	West Sayville Golf Course Gate house	$1,375.00		$1,125.00	$875.00
105	Blydenburgh	$850.00		$800.00	$800.00
109	Southaven-Brookhaven	$1,475.00		$1,300.00	$1,050.00
113	Cordwood Landing - Miller Place	$1,350.00		$1,050.00	$1,050.00
114A	Robert Cushman Murphy - Manorville	$1,150.00		$1,000.00	$1,000.00
117	Southaven-Brookhaven	$1,575.00		$1,400.00	$1,200.00
119A	Prosser Pines - Middle Island	$1,300.00		$1,100.00	$1,000.00
119B	Prosser Pines - Middle Island	$1,150.00		$1,000.00	$800.00
120A	Froehlich Farm - Huntington	$1,725.00	$1, 501.00	$1,625.00	$1,625.00
124B	Robinson Duck Farm-Brookhaven	$1,425.00		$1,200.00	$850.00
131	Timber Point	$1,600.00		$1,400.00	$1,400.00
133A	Robert Cushman Murphy - Manorville	$1,450.00		$1,250.00	$1,250.00
133B	Robert Cushman Murphy - Manorville	$1,375.00		$950.00	$950.00
134	West Hills - Huntington Oakley House	$2,600.00		$1,900.00	$1,900.00
135	Robert Cushman Murphy - Manorville	$1,850.00		$1,750.00	$1,350.00
136	Black Duck Lodge - Flanders	$1,000.00		$900.00	$600.00
139	Cedar Point - East Hampton	$1,550.00		$1,500.00	$1,000.00
141	Blydenburgh cottage	$1,475.00		$1,250.00	$1,050.00
	1 Belleview Ave. Center Moriches			$1,500.00	$1,500.00
	Cedar Beach House-Southold			$1,050.00	$1,050.00

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1498

1. Type of Legislation Resolution ___X___	Local Law _____	Charter Law _____
2. Title of Proposed Legislation **RESOLUTION NO. -2009, APPROVING RENTAL CHARGES AND LICENSE FEES RECOMMENDED BY PARKS HOUSING RENTAL BOARD**		
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?	**Yes** X **No** ____	
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category) **(County)** **Town** **Economic Impact** **Village** **School District** **Other (Specify): DAV** **Library District** **Fire District**		
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact The vacant rental units will be more attractive to renters at the lower rate. Filling the vacancies will help reduce vandalism thereby reducing county operating costs. Additional revenue would be nominal at first; but increase over time as more vacancies are filled.		
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 Nicholas Paglia Executive Technician	11. Signature of Preparer	12. Date May 22nd, 2009

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1498

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 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 2008.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

ML 353

MAY 06 2009

COUNTY OF SUFFOLK

1498

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: **CHRISTOPHER KENT, Chief Deputy County Executive**

DATE: **APRIL 29, 2009**

RE: **INTRODUCTORY RESOLUTION APPROVING RENTAL CHARGES AND LICENSE FEES RECOMMENDED BY THE PARKS HOUSING RENTAL BOARD**

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 Housing Rental Board Recommendations.doc."

This draft resolution is being submitted in accordance with Resolution No. 612-2008, Adopting Local Law 30-2008, A Local Law to Protect the County's Historic and Culturally Significant Properties, which outlined rental procedures including how the Legislature may adopt rental charges/license fees below the appraised fair market value of properties. The Parks Housing Rental Board has submitted its recommendations which include rental charges/license fees below the appraised fair market value of certain properties (see Exhibit A, attached to the draft resolution). This resolution must be approved by the Legislature in order for these recommendations to take effect.

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

Enclosures

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1498

1. Type of Legislation

Resolution X Local Law _____ Charter Law ____

2. Title of Proposed Legislation

APPROVING RENTAL CHARGES AND LICENSE FEES RECOMMENDED BY THE PARKS HOUSING RENTAL BOARD

3. Purpose of Proposed Legislation

To adopt rental charges/license fees recommended by the Parks Housing Rental Review Board that are below the appraised fair market value of properties.

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing Impact

N/A

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

Intro. Res. No 1499-09 Laid on Table 6/9/09

Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. , APPROVING THE REAPPOINTMENT OF AUGUSTUS G. MANTIA, M.D., AS A MEMBER OF THE SUFFOLK COUNTY HUMAN RIGHTS COMMISSION.

WHEREAS, the term of office of Augustus G. Mantia, M.D. expired on May 31, 2007, now therefore be it

RESOLVED, that the reappointment of Augustus G. Mantia, M.D. as a member of the Suffolk County Human Rights Commission, to the position of Commissioner # 1, for a term of office expiring May 31, 2010, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of Chapter 89-4A of the Suffolk County Code.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Curriculum Vitae

Name:	Augustus G. Mantia, M.D.
Date & Place of Birth:	3/15/48, Brooklyn, NY
Mailing Address:	
	Smithtown, NY 11787
Home Telephone:	(631)
Office Telephone:	(631)
Social Security Number	

Higher Education

Undergraduate Education:	St. John's University, Jamaica, NY 1965-1970, BS Pharmacy
Graduate Education:	State University of NY at Downstate, Brooklyn, NY 1970-1974, MD Degree
Internship:	Nassau Co. Medical Center, East Meadow, NY Straight Medical Internship 1974-1975
Residency:	Nassau Co. Medical Center, East Meadow, NY Medical Residency 1975-1976
Fellowship:	Nassau Co. Medical Center, East Meadow, NY Fellowship, Division of Gastroenterology 1976-1978

Certification & Licensure

New York State, #124-142 - 1975
Commonwealth of Massachusetts, #73814
South Carolina, #20294
Fellow, American College of Gastroenterology, 1979
Fellow, American College of Physicians, 1984
Diplomate, National Board of Medical Examiners, #138523 - 1975
Diplomate, American Board of Internal Medicine, #58739 - 1977
Diplomate, American Board of Gastroenterology, 1979

Medical Review Officer Certification, (MROCC), 1994
American Society of Addiction Medicine, Certified as of 2/1/95
Diplomate, American Board of Forensic Medicine 2/28/99

Appointments
(Academic Appointments)

7/29/08- present	Suffolk County Fire Rescue-Deputy County Fire Coordinator
7/17/08- present	Suffolk County Police – Med-Cat Surgeon
2/15/96 - present	Adjunct Associate Clinical Professor Medicine, Mt. Sinai Medical School
4/95 - present	Associate Professor of Clinical Psychiatry, Dept. of Psychiatry State Univ. of NY at Stony Brook
1/95 - present	Associate Professor of Clinical Medicine, Dept. of Medicine State Univ. of NY at Stony Brook
07/2000-10/2003	Director of Medicine, St Catherine of Siena Hospital, Smithtown, NY
7/98 - 03/99	Physician Executive, St. John's Episcopal Hospital, Smithtown, NY
11/98 - present	Commissioner of Suffolk County Human Rights Commission
1998 - present	Member the American College of Forensic Examiners
1998 - present	Member International Society of Police Surgeons, Inc.
1997-1998	Medical Director, Northport VA Substance Abuse Program
1996-1997	Medical Director, Chemical Dependency Program Family Consultation Service
1993-2005	Medical Director, Chemical Dependency Unit, St. John's Hosp., Smithtown, NY(now St. Catherine of Siena Med. Ctr,.)
1992-10/2000	Chief of Medicine, St. John's Episcopal Hospital,Smithtown, NY (now St. Catherine of Siena Med. Ctr.)
4/23/06	Brigadier General Deputy Commander 2nd Medical Brigade Second Corp USDRC USA
7/2003-10/06	Chief Medical Officer, St. Catherine of Siena Medical Ctr.
7/2003-10/06	Vice President Medical Affairs, St. Catherine of Siena Medical Ctr.
1986	President Medical Staff, Community Hospital of Western Suffolk
1983 - 1984	Vice President Medical Staff, Community Hospital of Western Suffolk
1983 - 1984	Chairman of Credentials Committee, Community Hosp. of Western Suffolk
1981 - 1982	Secretary-Treasurer, Community Hosp. of Western Suffolk

1980 - 1982	Chairman, Pharmaceutic-Therapeutic Committee, St. John's Episcopal Hospital, Smithtown, NY
1980 - 1981	Delegate at Large, Community Hospital of Western Suffolk, Smithtown, NY
1996 - 1997	Smithtown Youth Advisory Board
1996 - 1997	Suffolk Community Council Board
1996 - 1999	La Union Hispanica Board
1997 - 1998	United Veterans Beacon House Board
1997 - 1999	Board of Director SC Police Reserves
1998 - 2002	Smithtown Veterans Youth Program, Chairman of the Board

Professional Practice & Services

3/2008- present	Mount Sinai North Shore Medical Group, 496 Nesconset Hwy, Smithtown, NY
7/1978- 3/2008	Private Practice, 496 Nesconset Hwy, Smithtown, NY Mantia Medical Associates, P.C.
7/1978- present	St. Catherine of Siena Med. Ctr. (formerly St. John's) Smithtown, NY 11787
1978 - 1991	Community Hospital of Western Suffolk, NY (facility closed)
1974 - 03/06	Nassau County Medical Center, East Meadow, NY(at dr's request)
1978 - present	University Hospital, Stony Brook, NY
1997 - present	Northport Veterans Administration Hospital, Northport, NY
1990 - present	St. Catherine of Siena Nursing Home (formerly Bishop Jonathan G. Sherman Nursing Home) Smithtown, NY
1992 - present	Smithtown Health Care Facility, Smithtown, NY
5/1999 - present	Huntington Hospital, Huntington, NY
2001 - present	Nesconset Nursing Home
2001 - present	Gurwin Jewish Geriatric Center, Commack, NY
2002 - present	Smithtown Health Care Facility
2002 - present	St. Johnland Nursing Center, Inc.
2002 - present	United Comprehensive Care
6/2002-present	Peconic Bay Medical Center

Professional & Scientific Societies

1975	Member, American Medical Association
1976	Associate Member, American College of Physicians
1981	Member, American College of Physicians
1976	Associate Member, New York Society of Internal Medicine
1981	American Society of Internal Medicine
1975	Member, National Association of Residents and Interns

1499

1979	Member, American College of Gastroenterology
1980	Member, American Gastroenterologic Association
1980	Member, New York Academy of Gastroenterology
1982	Member, New York State Society of Gastrointestinal Endoscopy
1993	Member, American Society of Addiction Medicine

Courses Directed

1992	SUNY School of Professional Development "Infectious Diseases for Substance Abuse Counselors" Enrollment 50 Curriculum for course written by Augustus G. Mantia, M.D.

The information presented above is an accurate compilation of professional biographical information.

_____

Signature of Candidate **Date**

1499

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution XX Local Law ____ Charter Law

2. Title of Proposed Legislation

APPROVING THE REAPPOINTMENT OF AUGUSTUS G. MANTIA, M.D. AS A MEMBER OF THE SUFFOLK COUNTY HUMAN RIGHTS COMMISSION.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

THE HUMAN RIGHTS COMMISSION IS A NON-PAYING COMMISSION.

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

THERE IS NO FISCAL IMPACT, THE SUFFOLK COUNTY HUMAN RIGHTS COMMISSION IS NOT A PAYING COMMISSION.

8. Proposed Source of Funding

THERE IS NO PROPOSED FUNDING SOURCE

9. Timing of Impact

THERE IS NO TIMING OF IMPACT; HOWEVER THE RESOLUTION IS EFFECTIVE UPON ADOPTION.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Steve R. Tricarico County Executive Assistant		5/4/2009

SCIN FORM 175b (10/95)

Nicholas Paglia

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1499

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 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 2008.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Intro. Res. No. 1500-09 Laid on Table 6/9/09
Introduced by the Presiding Officer on request of the County Executive

Resolution No. -2009, Increasing the amount of Imprest Fund, 001-1165-4770, for the Suffolk County District Attorney, Special Services Account

WHEREAS, the County Law of New York, Section 705, authorizes the establishment of a prosecution fund for the payment, in advance of audit, of expenditures necessarily incurred by the District Attorney in the prosecution of criminal actions and proceedings. In accordance with this authority, on June 10, 1968, the Suffolk County Board of Supervisors (now the County Legislature) enacted Resolution No. 408, which authorized the County Comptroller to transfer funds within the Suffolk County District Attorney's budget to establish the prosecution fund (now the Special Services Account); and

WHEREAS, resolution 1043 of 1997 established an imprest fund for the Suffolk County District Attorney's Special Services Account in the amount of $30,000; and

WHEREAS, resolution 170 of 2003 established an imprest fund for the Suffolk County District Attorney's Special Services Account in the amount of $50,000: and

WHEREAS, the level of activity of this account has increased dramatically from fiscal year 2003 through fiscal year 2008; and

WHEREAS, the Suffolk County District Attorney's Office has been appropriated $430,000 in the 2009 Suffolk County Budget for the purposes of the Special Services Account for the investigation and prosecution of criminal activity; now, therefore be it

1st RESOLVED, that the imprest fund, in fund 001, appropriation 1165, and sub object 4770 shall be raised to a funding limit of $60,000.00. The reimbursement of this fund will take place in accordance with the guidelines set forth by the Suffolk County Department of Audit and Control and the Suffolk County Treasurer; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes Type II action.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

1500

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution_X___ Local Law_____ Charter Law_____

2. Title of Proposed Legislation

Increasing the amount of Imprest Fund, 001-1165-4770,
for the Suffolk County District Attorney, Special Services Account

3. Purpose of Proposed Legislation

See item 2 abovve

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

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

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

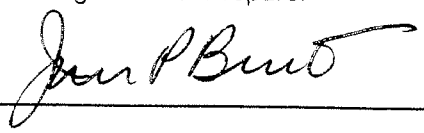
Funding is currently $430,000 per year from the County Operating Budget

8. Proposed Source of Funding

Suffolk County Adopted Operating Budget for 2009.

9. Timing of Impact

Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
James P Burt Assistant Budget Director		5/22/2009

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1500

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.

To be completed by the Executive Budget Office

1500

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution_X___ Local Law_____ Charter Law_____

2. Title of Proposed Legislation

Increase Amount of Imprest Fund 001-1165-4770

3. Purpose of Proposed Legislation

Raise the amount of the imprest fund from $50,000 to $60,000.

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

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

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

Funding is currently set at $430,000 per year.

8. Proposed Source of Funding

Suffolk County Adopted Operating Budget for 2009.

9. Timing of Impact

Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Lon H. Kochany Executive Assistant for Finance and Administration		5/5/2009

SCIN FORM 175b (10/95)

See Budget Office Revised

COUNTY OF SUFFOLK
OFFICE OF DISTRICT ATTORNEY

MAY 1 1 2009

1500

THOMAS J. SPOTA
DISTRICT ATTORNEY

May 6, 2009

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

Dear Mr. Zwirn,

At the direction of the District Attorney and in accordance with the County Executive All Department Heads Memorandum 04-09, I have attached a request for a Suffolk County Resolution.

The purpose of the resolution will be to increase the District Attorney's Imprest Fund, Special Services Accoun, 001-1165-4770.

An e-mail version of this resolution has been sent to CE RESO REVIEW and saved under the file name "Reso-DIS- Increase Imprest Fund".

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

Thank you for your attention to this matter.

Sincerely,

Lon H. Kochany
Executive Assistant for Finance & Administration

CC-Christopher Kent, Chief Deputy County Executive
Jim Burt, Suffolk County Budget Office
Brenda Chamberlain, Intergovernmental Relations

ADMINISTRATION OFFICE
CRIMINAL COURTS BUILDING • 200 CENTER DRIVE • RIVERHEAD, N.Y. 11901-3388 • TELEPHONE (631) 852-2500
FAX TRANSMITTAL (631) 852-1769

Intro. Res. No. 1501-09 Laid on Table 6/9/09
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. , ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $8,500 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE (GTSC FFY2009) CHILD PASSENGER SAFETY PROGRAM TO SUPPORT A SHERIFF'S TRAFFIC SAFETY INITIATIVE

WHEREAS, the New York State Governor's Traffic Safety Committee has made $8,500 in funds available to Suffolk County for the Child Passenger Safety Program (GTSC FFY2009) to be administered by the Suffolk County Sheriff's Office; and

WHEREAS, child safety seats reduce the risk of fatal injury by 71% when used correctly, however, misuse reduces effectiveness and more than 90% of child safety seats are used improperly; and

WHEREAS, the Sheriff's Office will address this issue by participating in the New York State Child Passenger Safety Program; 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 2009 Suffolk County Operating Budget; now, therefore be it

1st 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

2nd 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 $8,500 as follows:

REVENUE:	AMOUNT
001-4392-Federal Aid: Sheriff – Traffic Safety Initiative	$8,500

APPROPRIATION:

Suffolk County Sheriff's Office
Sheriff Traffic Safety Initiative
001-SHF-3114

3000-Supplies, Materials & Other Expenses	$8,500
3500-Other: Unclassified	$8,500

DATED:

APPROVED BY:

County Executive of Suffolk County
Date of Approval:

1501

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution XX Local Law ____ Charter Law

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $8,500 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT (GTSC FFY2009) CHILD PASSENGER SAFETY PROGRAM TO SUPPORT A SHERIFF'S TRAFFIC SAFETY INITIATIVE

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes XX 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

No Impact. This resolution accepts State funds for the Sheriff's Traffic Safety Initiative – Child Passenger Safety Program.

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

This resolution provides $8,500, 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	P. Saunders	5/22/09

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1501

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.

To be completed by the Executive Budget Office

1501

Memorandum

To: Ben Zwirn, Deputy County Executive

From: Michael P. Sharkey, Chief of Staff

Date: 5/18/2009

Re: Child Passenger Safety Program

The Sheriff's Office is a successful applicant for the New York State, Governor's Traffic Safety Committee [GTSC], Child Passenger Safety Seat Program with 100% Support for Sheriff's Traffic Safety Initiative. The GTSC has made $8,500 in funds (GTSC FFY2009) available for the Sheriff's Office Child Safety Seat Program. Attached for your review is a draft introductory resolution to accept and appropriate these funds.

Grant money will be used to provide high visibility enforcement, public information and education, designed to save lives and to support the Sheriff's Office traffic safety initiatives. Child safety seats reduce the risk of fatal injury by 71% when used correctly, however misuse reduces effectiveness. More than 90% of child safety seats are used improperly. This agency will address this issue by participating in the State's Child Passenger Safety grant program.

The Sheriff's Office will run a regularly scheduled child safety seat fitting station staffed by Deputy Sheriffs who are trained as child safety seat technicians. These technicians will inspect and/or install child safety seats properly for those who visit the fitting station. The Sheriff's Office will also conduct several passenger safety seat events for the purpose of educating parents. Parents will learn more about child safety seats and proper installation from trained Deputy Sheriff safety seat technicians. Approximately 100 child safety seats will be purchased and made available to parents who have an improper seat or no child safety seat at all. The Sheriff's Office will provide these child safety seats to those referred from the County Health Department, Social Services, and Probation and those who meet a needs test.

Grant funding will help to implement and carry out the Child Passenger Safety Program.

An e-mail version of the resolution was sent to CE RESO REVIEW, saved under the title of "Child Passenger Safety Program".

Thank you for your consideration in reviewing this draft resolution.

cc: Jim Morgo, Chief Deputy County Executive

1501

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law

2. Title of Proposed Legislation **ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $8,500 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE (GTSC FFY2009) CHILD PASSANGER SAFETY PROGRAM 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** __X__ **No**

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

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

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact. $8,500 of grant money will be used to implement and carry out the child safety seat program, allowing the Sheriff's Office to educate parents on the proper use of child safety seats while providing safety seats to those who may not be able to afford them.

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) Local Grant Program.

9. Timing of Impact - **FY 2009**

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date:
Michael P. Sharkey Chief of Staff		5/18/2009

SCIN FORM 175b (10/95)

Intro. Reso. No. 1502 -2009 Laid on Table: 6/9/09
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2009 APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE AND REPLACEMENT OF NUTRITION VEHICLES FOR THE OFFICE FOR THE AGING (CP 1749)

WHEREAS, the Director for the Office for the Aging has requested funds for the purchase and replacement of Nutrition Vehicles; and

WHEREAS, there are sufficient funds within the 2009 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2009 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $135,675 in Suffolk County Serial Bonds; therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of forty nine (49) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) (25) and (27), in that the resolution concerns purchase of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that these vehicles will be replacement vehicles and that the county fleet will not be increased; and be it further

4th RESOLVED, that the proceeds of $135,675 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	JC	Project Title	Amount
525-CAP-1749.520 (Fund 001-Debt Service)	03	Purchase and Replacement of Nutrition Vehicles for the Office For the Aging	$135,675

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1502

1. Type of Legislation

Resolution X **Local Law** _____ **Charter Law**

2. Title of Legislation

Resolution Appropriating Funds in connection with the purchase and replacement of nutrition vehicles for the office for the aging.

3. Purpose of Proposed Legislation

SEE #2 ABOVE.

4. Will the Proposed Legislation Have a Fiscal Impact? **Yes** X **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.

The issuance of $135,675 in Suffolk County Serial Bonds..

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

See attached debt schedule service

8. Proposed Source of Funding.

Suffolk County Serial Bonds

9. Timing of Impact.

Immediate

10. Typed Name & Title of Preparer	**11. Signature of Preparer**	**12. Date**
Suzanne Martin Administrator I Suzanne Martin	Suzanne Martin	May 20, 2009

SCIN FORM 175b (11/97)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

1502

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER $100	2009 FEV TAX RATE PER $1000
TOTAL	**$30,905**	**$0.06**		$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	**$30,905**	**$0.06**		$0.000

NOTES:

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

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

1502

Term of Bonds	5
Amount to Bond:	$135,675

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2009					
11/1/2009					
5/1/2010	4.500%	$24,800.26	$6,105.38	$30,905.63	$30,905.63
			$2,494.68	$2,494.68	
5/1/2011	4.500%	$25,916.27	$2,494.68	$28,410.95	$30,905.63
			$1,911.57	$1,911.57	
5/1/2012	4.500%	$27,082.50	$1,911.57	$28,994.06	$30,905.63
			$1,302.21	$1,302.21	
5/1/2013	4.500%	$28,301.21	$1,302.21	$29,603.42	$30,905.63
			$665.43	$665.43	
5/1/2014	4.500%	$29,574.77	$665.43	$30,240.20	$30,905.63
		$135,675.00	$18,853.15	$154,528.15	$154,528.15

COUNTY OF SUFFOLK

1502

Steve Levy
COUNTY EXECUTIVE

OFFICE FOR THE AGING
Holly S. Rhodes-Teague
DIRECTOR

MEMORANDUM

TO: Ben Zwirn
Deputy County Executive

FROM: Holly Rhodes-Teague
Director

DATE: May 7, 2009

RE: 2009 Capital Project Funds – Purchase of Replacement Vehicles

---

The Office for Aging submitted a 2009 capital project in the amount of $135,675 to purchase replacement vehicles for the Nutrition Program for the Elderly. We anticipate purchasing two small center aisle transit buses and 1 Econoline wagon to transport seniors to congregate meal sites and to deliver meals to the homebound.

At this time, I am requesting that capital funds be released so that the Office for Aging can continue to provide vehicles for the Nutrition Program for the Elderly. I am attaching the resolution and supporting background information needed to release funds for this project.

Please let me know if you need additional information. I appreciate your consideration.

Holly Rhodes-Teague
Director

HRT:JK

cc: Jeff Szabo, Deputy County Executive/Chief of Staff
Joanne Kandell, Principal Accountant
Carmine Chiusano, Assistant Budget Director
Suzanne Martin, Administrator I

CAPITAL PURCHASE 2009

NUTRITION SITE VEHICLE REPLACEMENT

BY AGE OF VEHICLE TO BE REPLACED		PHASE - DATE	SITE	MAKE VEHICLE TO REPLACE	YEAR	CURRENT MILEAGE	MONTHLY MILEAGE	PROJECTE MILEAGE REPLACEI YEAR
PRIORITY		YEAR						
		2009						
			JF1SF63531H766802					
2	1		BABYLON	DODGE MINIVAN	1995	122,994	554	13
			2B4GH45R5SR283359					
4	1		SHINNECOCK	FORD VAN 15 PASS.	1998	80,945	335	8
			1FBSS31L8WHA73483					
3	1		RIVERHEAD	FORD STATION WAGON	1998	93,918	652	10
			1FAFP57UOWA146371					
	3	TOTAL						

Intro. Res. No. 1503-09 Laid on Table 6/9/09
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2009, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS AT COUNTY GOLF COURSES; WEST SAYVILLE IRRIGATION SYSTEM (CP 7166)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for repairing and replacing the irrigation system at the West Sayville golf course; and

WHEREAS, there are sufficient funds within the 2009 Capital Budget and Program to cover the cost of said improvements under Capital Program Number 7166; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2009 Capital Budget as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $500,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8 (hereinafter "SEQRA"), CEQ Resolution No. 11-09 determined that these improvements constitute a Type II action pursuant to the provisions of Title 6 NYCRR, Part 617.5 (C) (1) and (2), because it involves the repair and replacement of the irrigation system in kind, on the same site; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of thirty-eight (38), is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution 461-2006; and be it further

3rd **RESOLVED**, that the proceeds of $500,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-7166.313 (Fund 001-Debt Service)	26	Improvements at County Golf Courses – West Sayville Irrigation System	$500,000

Dated:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

1503

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. -2009, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS AT COUNTY GOLF COURSES; WEST SAYVILLE IRRIGATION SYSTEM (CP 7166)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		May 22nd, 2009

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1503

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$47,415**	**$0.09**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$47,415**	**$0.09**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2008.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
Project Name
General Obligation Serial Bonds
Level Debt

1503

Term of Bonds	15
Amount to Bond:	$500,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2009					
11/1/2009					
5/1/2010	4.500%	$23,581.06	$23,833.33	$47,414.39	$47,414.39
			$11,354.65	$11,354.65	
5/1/2011	4.500%	$24,705.09	$11,354.65	$36,059.74	$47,414.39
			$10,765.85	$10,765.85	
5/1/2012	4.500%	$25,882.70	$10,765.85	$36,648.54	$47,414.39
			$10,148.98	$10,148.98	
5/1/2013	4.500%	$27,116.44	$10,148.98	$37,265.42	$47,414.39
			$9,502.70	$9,502.70	
5/1/2014	4.500%	$28,408.99	$9,502.70	$37,911.69	$47,414.39
			$8,825.62	$8,825.62	
5/1/2015	4.500%	$29,763.15	$8,825.62	$38,588.77	$47,414.39
			$8,116.26	$8,116.26	
	4.500%	$31,181.86	$8,116.26	$39,298.13	$47,414.39
			$7,373.10	$7,373.10	
5/1/2017	5.000%	$32,668.20	$7,373.10	$40,041.29	$47,414.39
			$6,594.50	$6,594.50	
5/1/2018	5.000%	$34,225.38	$6,594.50	$40,819.89	$47,414.39
			$5,778.80	$5,778.80	
5/1/2019	5.000%	$35,856.79	$5,778.80	$41,635.59	$47,414.39
			$4,924.21	$4,924.21	
	5.000%	$37,565.96	$4,924.21	$42,490.18	$47,414.39
			$4,028.89	$4,028.89	
5/1/2021	5.000%	$39,356.61	$4,028.89	$43,385.50	$47,414.39
			$3,090.89	$3,090.89	
5/1/2022	5.000%	$41,232.61	$3,090.89	$44,323.50	$47,414.39
			$2,108.18	$2,108.18	
5/1/2023	5.000%	$43,198.03	$2,108.18	$45,306.21	$47,414.39
			$1,078.63	$1,078.63	
	5.000%	$45,257.13	$1,078.63	$46,335.76	$47,414.39
		$500,000.00	$211,215.87	$711,215.87	$711,215.87

M L 354

COUNTY OF SUFFOLK

MAY 0 6 2009

1503

#354

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: **CHRISTOPHER KENT, Chief Deputy County Executive**

DATE: **April 29, 2009**

RE: **INTRODUCTORY RESOLUTION APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS AT COUNTY GOLF COURSES (CP 7166)**

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS-Appropriating Funds for CP 7166 Improvements to County Golf Courses.doc."

The 2009 Adopted Capital Budget includes funding for improvements at County golf courses. The work to be completed under this resolution includes repairing or replacing the entire irrigation system at the West Sayville Golf Course a/k/a Charles R. Dominy County Park.

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

Enclosures

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

COUNTY OF SUFFOLK

503

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: March 19th, 2009

RE: CEQ Review of the Proposed Replacement of the Irrigation system at Charles R. Dominy County Park a/k/a West Sayville Golf Course, Town of Islip.

At its March 18th, 2009 meeting, the CEQ reviewed the above referenced matter. Pursuant to Chapter 279 of the Suffolk County Code, and based on the information received, as well as that given in a presentation by Mr. Nick Gibbons, Principal Environmental Analyst, Suffolk County Department of Parks, Recreation and Conservation, the council recommends to the Suffolk County Legislature and County Executive in CEQ Resolution No. 11-09, a copy of which is attached, that the proposed action be considered a Type II action under SEQRA. They recommend that the Presiding Officer should cause to be brought before the Legislature for a vote, a resolution determining that the attached proposal is a Type II action under the provisions of NYCRR 617.5 as so noted.

The Resolution should be filed accordingly pursuant to Part 617 NYCRR with no further environmental review necessary.

Enclosed for your information is a copy of CEQ Resolution No. 11-09 setting forth the council's recommendations and the associated information. If the council can be of further help in this matter, please let us know.

JFB/cd
Enc.

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

1503

PKS-13-09 CEQ Resolution No. 11-09 March 18th, 2009

RECOMMENDATION CONCERNING SEQRA CLASSIFICATIONS
AND DETERMINATION FOR THE PURPOSES OF
CHAPTER 279 OF THE SUFFOLK COUNTY CODE FOR THE PROPOSED
REPLACEMENT OF THE IRRIGATION SYSTEM AT CHARLES R. DOMINY COUNTY
PARK a/k/a WEST SAYVILLE GOLF COURSE, TOWN OF ISLIP

WHEREAS, at its March 18th, 2009 meeting; the Suffolk County Council on Environmental Quality reviewed the associated information submitted by the Suffolk County Department of Parks, Recreation and Conservation; and

WHEREAS, a presentation regarding the proposal was given at the meeting by Mr. Nick Gibbons, Principal Environmental Analyst, Suffolk County Department of Parks, Recreation and Conservation; and

WHEREAS, the action seeks to repair or replace the entire irrigation system at Charles R. Dominy County Park, located in West Sayville; now

Be It Therefore

RESOLVED, that in the judgment of the CEQ, based on the information received and presented, the above activities are a Type II action under the provisions of Title 6 NYCRR Part 617.5(c), (1) and (2) since it involves the repair and replacement of the irrigation system in kind, on the same site; and

Be it Therefore

RESOLVED, that based on the information received a quorum of the council recommends to the Suffolk County Legislature and County Executive and Department of Parks, Recreation and Conservation pursuant to Chapter 279 of the Suffolk County Code, that the project is a Type II action, and that the Suffolk County Legislature and County Executive adopt a SEQRA determination to that effect.

Motion by: Ms. Russo Seconded by: Mr. Gulbransen

CEQ Vote: Appointed Members: 6 Ayes: 6
CAC Representatives: 0 Nays: None
Total Voting: 6 Abstentions: None
Presiding: Mr. Swanson

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
George Nolan, Attorney for the Legislature
Carrie Meek Gallagher, Commissioner, Dept of Environment & Energy
Christine Malafi, Suffolk County Attorney

1503

PROJECT # 13-09

RESOLUTION #11-09

DATE March 18th, 2009

RECORD OF CEQ RESOLUTION VOTES

CEQ APPOINTED MEMBERS	AYE	NAY	ABSTAIN	NOT PRESENT	RECUSED
Larry Swanson	X				
Michael Kaufman	X				
Jay Schneiderman				X	
Eva Growney	X				
Thomas C. Gulbransen	X				
Richard Machtay				X	
Daniel Pichney				X	
Gloria G. Russo	X				
Mary Ann Spencer	X				

CAC REPRESENTATIVES

Recommendation: Type II Action

Motion: Ms. Russo

Second: Mr. Gulbransen

1504

Intro. Res. No. - 2009 Laid on the Table 6/9/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2009 APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF PUBLIC WORKS HIGHWAY MAINTENANCE EQUIPMENT (CAPITAL PROGRAM 5047)

WHEREAS, the Commissioner of Public Works has requested funds for purchase in connection with Public Works Highway Maintenance Equipment; and

WHEREAS, there are sufficient funds within the 2009 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2009 Capital Budget, as the basis for funding Capital Projects such as this project; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,600,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED,** that the purchase of this equipment, including 10 vehicles and 4 motorized and non-motorized equipment articles described in attached spreadsheet, is hereby approved, pursuant to Section 186-2(B)(6) of the SUFFOLK COUNTY CODE, and in accordance with the County vehicle standard, for use by the Department of Public Works; and be it further

2nd **RESOLVED**, as per Resolution No. 321-2003, the purchase of these vehicles are replacement vehicles and shall not increase the County fleet, and the purchase is hereby approved by this legislature; and be it further

3rd **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (2), (11), (20), (21), (25), and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing 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; and the Legislature has no further responsibilities under SEQRA; and be it further

4th RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty-five (35) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

5th RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 of the Suffolk County Charter; and be it further

6th RESOLVED, that the proceeds of $1,600,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5047.527 (Fund 016 – Debt Service)	50	Public Works Highway Maintenance Equipment	$1,600,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

CAPITAL PROJECT 5047
HIGHWAY MAINTENANCE EQUIPMENT

	EQUIPMENT REQUEST	AMOUNT		REPLACES	FLEET #'S
3	LARGE SAND TRUCKS	$ 675,000.00	3	10 WHEEL DUMP TRUCKS	21364,21365,21366
1	LARGE PAYLOADER	$ 300,000.00	1	921 CASE LOADER	19435
3	FARM TRACTORS	$ 120,000.00	3	FARM TRACTORS	82,87,21325
2	ROLLERS	$ 70,000.00	2	ROLLERS	11406,12252
1	FORKLIFT	$ 30,000.00	1	NEEDED FOR WAREHOUSE OPERATIONS	N/A
1	BATWING	$ 15,000.00	1	NEEDED FOR HIGHWAY MOWING	N/A
1	EXCAVATOR	$ 250,000.00	1	1990 CASE EXCAVATOR	15224
1	50 TON TRAILER	$ 85,000.00	1	NEEDED TO TRANSPORT EQUIPMENT	N/A
1	SALT BRINE BATCHING SYSTEM	$ 55,000.00	1	NEW SYSTEM TO SAVE MATERIAL AND COSTS ON SNOW OPERATIONS	N/A
		$ 1,600,000.00			

1504

1504

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF HIGHWAY MAINTENANCE EQUIPMENT (CAPITAL PROGRAM 5047)

3. Purpose of Proposed Legislation

See above.

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

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

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

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Gina Kommer Assistant Executive Analyst		May 26, 2009

SCIN FORM 175b (10/95)

1504

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$151,726**	**$0.28**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$151,726**	**$0.28**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2008.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

1504

Suffolk County
General Obligation Serial Bonds
Level Debt

Term of Bonds: 15
Amount to Bond: $1,600,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2009					
11/1/2009					
5/1/2010	4.500%	$75,459.39	$76,266.67	$151,726.05	$151,726.05
			$36,334.88	$36,334.88	
5/1/2011	4.500%	$79,056.28	$36,334.88	$115,391.17	$151,726.05
			$34,450.71	$34,450.71	
5/1/2012	4.500%	$82,824.63	$34,450.71	$117,275.34	$151,726.05
			$32,476.72	$32,476.72	
5/1/2013	4.500%	$86,772.61	$32,476.72	$119,249.33	$151,726.05
			$30,408.64	$30,408.64	
5/1/2014	4.500%	$90,908.77	$30,408.64	$121,317.41	$151,726.05
			$28,241.98	$28,241.98	
5/1/2015	4.500%	$95,242.08	$28,241.98	$123,484.07	$151,726.05
			$25,972.05	$25,972.05	
4/30/2016	4.500%	$99,781.96	$25,972.05	$125,754.00	$151,726.05
			$23,593.91	$23,593.91	
5/1/2017	5.000%	$104,538.23	$23,593.91	$128,132.14	$151,726.05
			$21,102.42	$21,102.42	
5/1/2018	5.000%	$109,521.22	$21,102.42	$130,623.64	$151,726.05
			$18,492.16	$18,492.16	
5/1/2019	5.000%	$114,741.73	$18,492.16	$133,233.89	$151,726.05
			$15,757.48	$15,757.48	
4/30/2020	5.000%	$120,211.09	$15,757.48	$135,968.57	$151,726.05
			$12,892.45	$12,892.45	
5/1/2021	5.000%	$125,941.15	$12,892.45	$138,833.60	$151,726.05
			$9,890.85	$9,890.85	
5/1/2022	5.000%	$131,944.34	$9,890.85	$141,835.20	$151,726.05
			$6,746.18	$6,746.18	
5/1/2023	5.000%	$138,233.69	$6,746.18	$144,979.87	$151,726.05
			$3,451.61	$3,451.61	
4/30/2024	5.000%	$144,822.83	$3,451.61	$148,274.44	$151,726.05
		$1,600,000.00	$675,890.78	$2,275,890.78	$2,275,890.78

ML 368

1504

MAY 1 0 2009

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Assistant Deputy County Executive

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner

DATE: February 17, 2009

RE: C.P. 5047 – Public Works Highway Maintenance Equipment

We are forwarding herewith a draft resolution appropriating the sum of $1,600,000 in connection with the above referenced project. There are presently funds included for 2009 in the Capital Budget and Program for this project.

Attached is a list of equipment recommended for the coming year for the above referenced project. This project provides for equipment used for maintenance of County roads, parking fields and facilities. In order to provide the public with the level of service it expects, safe, efficient and reliable equipment must be available.

An e-mail version was sent to CE RESO REVIEW saved under the title "RESO DPW CP 5047- Public Works Highway Maintenance Equipment".

TL:EF:mm
attach.
cc: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Assistant Budget Director
Edward Farrell, Highway Maintenance
Laura Conway, CPA, Chief Accountant
Linda Brandolf, CPA, Capital Accounting

Intro. Res. No. 1505 -2009 Laid on Table 6/9/09
Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. _____ -2009, AUTHORIZING PLANNING STEPS FOR IMPLEMENTATION OF SUFFOLK COUNTY WORKFORCE HOUSING PROGRAM

WHEREAS, Article XXXVI of the SUFFOLK COUNTY ADMINISTRATIVE CODE establishes the County's Workforce Housing Program; and

WHEREAS, Section 36-2(C) of said Article authorizes land to be acquired by the County through the use of Capital Bond proceeds (CP 8704); and

WHEREAS, the County Department of Economic Development and Workforce Housing and the Village of Patchogue have identified five sites in the County of Suffolk, to be known as "Artspace Patchogue Lofts," which would be appropriate for development as workforce housing and which is identified by the Suffolk County Tax Map Numbers as follows: 0204-013.00-06.00-001.000, 0204-013.00-06.00-002.000, 0204-013.00-06.00-026.002, 0204-013.00-06.00-037.000 and 0204-013.00-06.00-039.000; and

WHEREAS, the Village of Patchogue is donating to this workforce housing development the four parcels identified by Suffolk County Tax Map Numbers 0204-013.00-06.00-001.000, 0204-013.000-06.00-026.002, 0204-013.00-06.00-037.000 and 0204-013.00-06.00-039.000; and

WHEREAS, pursuant to Section 36-2 (C) of Article XXXVI of the Suffolk County Administrative Code, it is proposed that the County acquire the parcel identified by Suffolk County Tax Map Number 0204-013.00-06.00-002.000; and

WHEREAS, the Village of Patchogue has expressed an interest in partnering with the County of Suffolk to provide workforce housing at this location; now, therefore be it

1st RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this constitutes a Type II action pursuant to Section 617.5(c) (18), (20), (21) and (27) of the NEW YORK CODE OF RULES AND REGULATIONS (NYCRR) in that the resolution authorizes information collection and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action and because the resolution constitutes routine or continuing agency administration; since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that this Legislature hereby finds that the parcel in the Village of Patchogue, as identified by the Suffolk County Tax Map Number 0204-013.00-06.00-002.000, meets the acquisition and infrastructure funding requirements of the County Workforce Housing Program and the need to fill the critical shortage of workforce housing in Suffolk County; and be it further

3rd RESOLVED, that the Director of Affordable Housing within the Suffolk County Department of Economic Development and Workforce Housing, is hereby authorized, empowered and

directed, pursuant to Section 14-10(B) of the SUFFOLK COUNTY CHARTER, to plan for the acquisition of and/or infrastructure improvements in the Village of Patchogue for the parcel listed below:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:	ACREAGE:	REPUTED OWNER:
No. 1	District 0204 Section 013.00 Block 06.00 Lot 002.000 20 Terry Street Village of Patchogue	.30±	Village of Patchogue

;and be it further

4th RESOLVED, that the County Department of Economic Development and Workforce Housing, the Division of Real Property Acquisition and Management, and the County Department of Law are hereby authorized, empowered and directed to take such other actions as may be necessary and appropriate to accomplish such planning purposes, including, but not limited to, securing appraisals, surveys, engineering reports, environmental audits, title search and to utilize such valid appraisals for the subject parcels as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

5th RESOLVED, that the Director of Affordable Housing within the Suffolk County Department of Economic Development and Workforce Housing is hereby authorized, empowered and directed to take such other actions as may be necessary and appropriate to process such application; and be it further

6th RESOLVED, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel; and be it further

7th RESOLVED, that any unencumbered, unallocated funds available upon the execution of a binding Development Agreement between the County of Suffolk and the Village of Patchogue shall be appropriated to future and subsequent Workforce Housing Program projects.

Date: June____, 2009

APPROVED BY:

_____

Steve Levy
County Executive of Suffolk County

Date of Approval: June____, 2009

1505

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation
Authorizing planning steps for implementation of Suffolk County Workforce Housing Program at SCTM# 0204-013.00-06.00-002.000

3. Purpose of Proposed Legislation
See No. 2 above

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

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

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

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

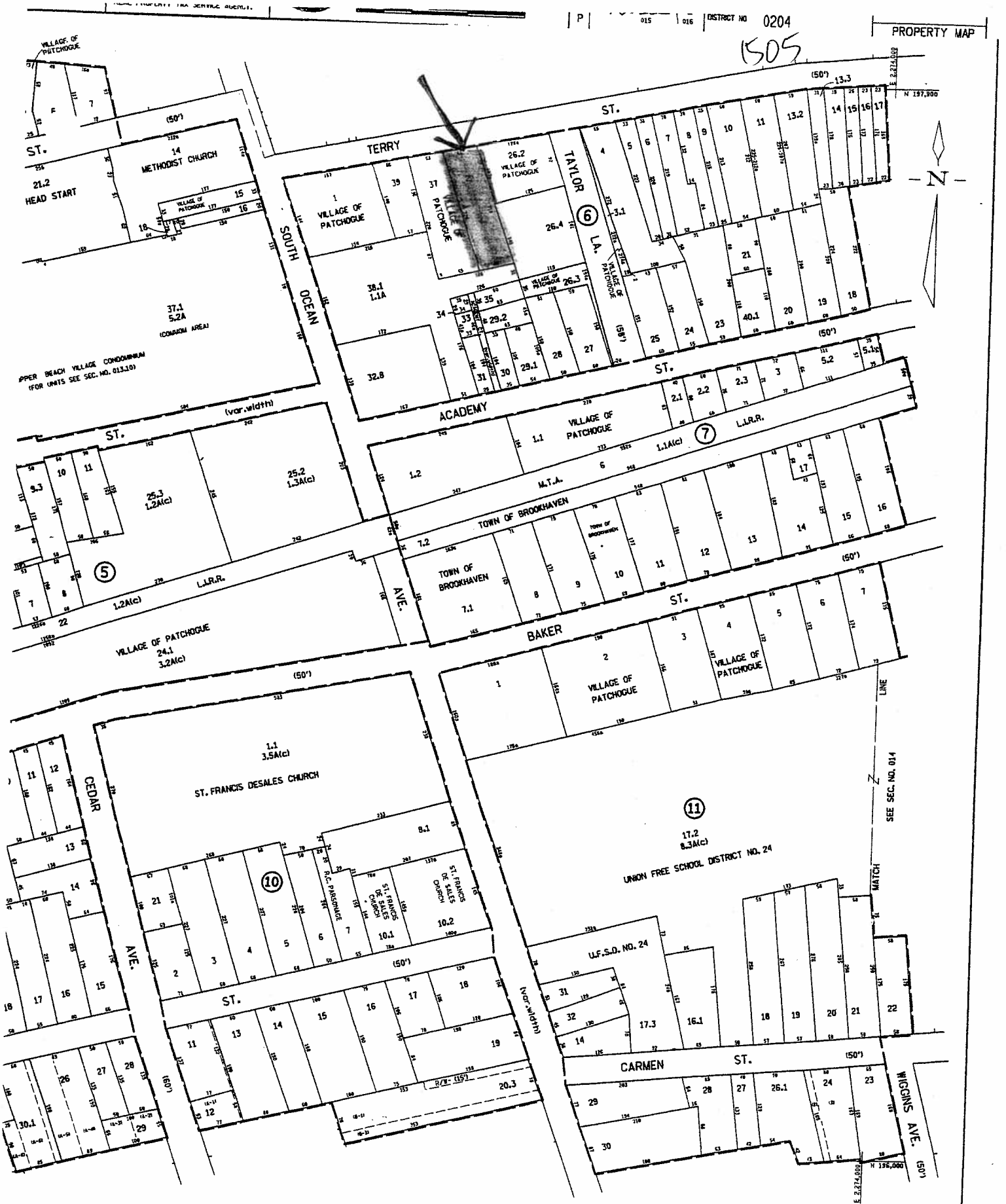
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.

8. Proposed Source of Funding

9. Timing of Impact

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Jill Rosen-Nikoloff Director of Affordable Housing		May 27, 2009

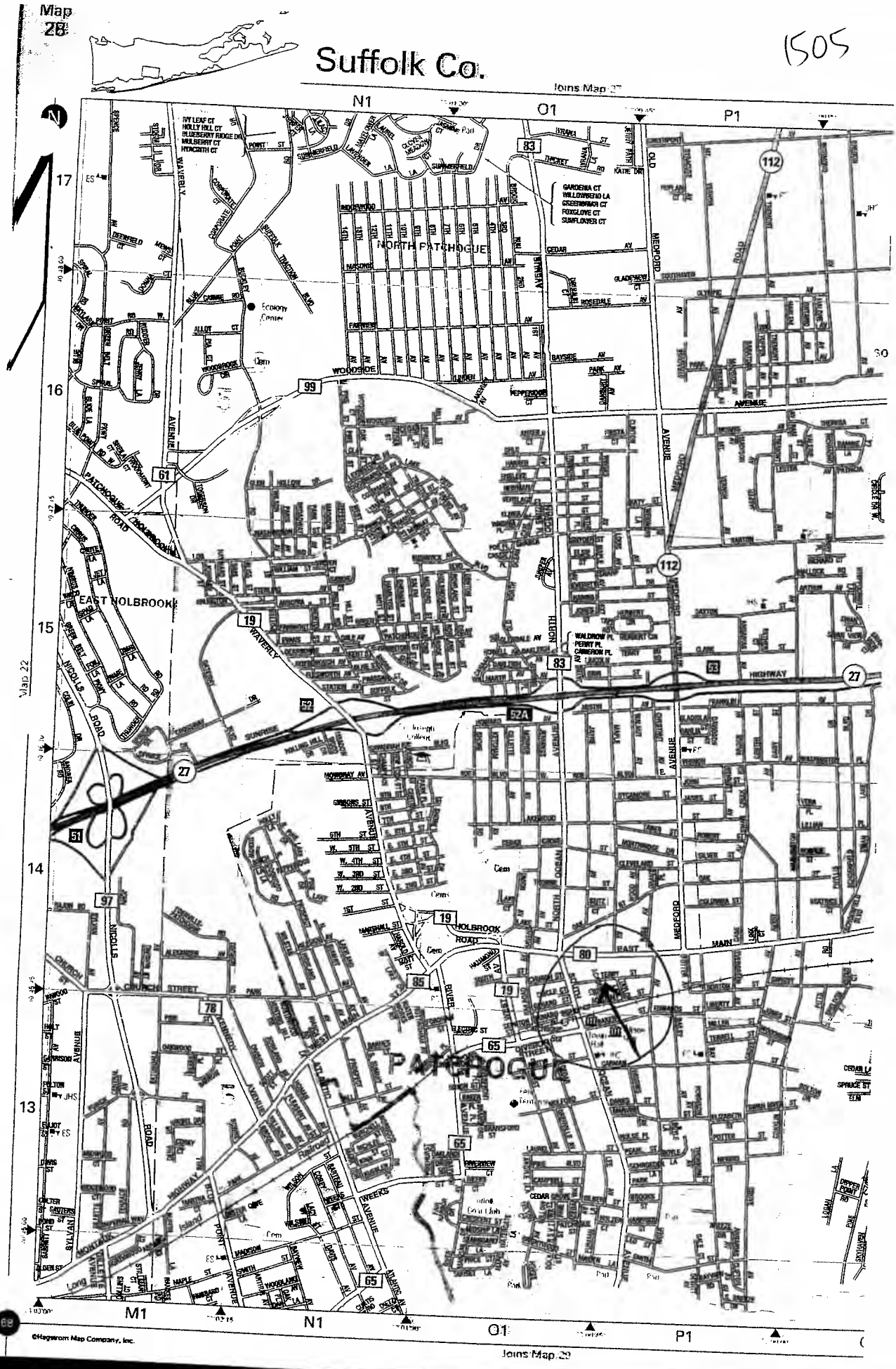
SCIN FORM 175b (10/95)


DISTRICT NO 0204
PROPERTY MAP
1505
VILLAGE OF PATCHOGUE
ST.
TERRY
TAYLOR
LA.
SOUTH OCEAN
AVE.
ACADEMY
BAKER
CEDAR
CARMEN
WIGGINS AVE.
METHODIST CHURCH
HEAD START
UPPER BEACH VILLAGE CONDOMINIUM
(FOR UNITS SEE SEC. NO. 013.10)
COMMON AREA
ST. FRANCIS DESALES CHURCH
UNION FREE SCHOOL DISTRICT NO. 24
U.F.S.D. NO. 24
TOWN OF BROOKHAVEN
L.I.R.R.
M.T.A.
(var.width)
(50')
(60')
N 197,900
E 2,274,000
N 196,000
SEE SEC. NO. 014
MATCH LINE
N
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 BROOKHAVEN
VILLAGE OF PATCHOGUE
DISTRICT NO 0204
SECTION NO
013
PROPERTY MAP
CONVERSION DATE: Nov. 21, 1996

Map 28

1505

Suffolk Co.



©Hagstrom Map Company, Inc.

1505

Mayor
Paul V. Pontieri, Jr.
Deputy Mayor
Stephen J. McGinty
Village Clerk
Patricia M. Maul

INCORPORATED
VILLAGE OF PATCHOGUE

Trustees
Gerard J. Cuban
Joseph P. Dwan
Lori B. Devlin
William Hilton
John A. Kmiotek

February 22, 2008

Deborah VanAmerongen, Commissioner
NYS Division of Housing & Community Renewal
Office of Community Development
38-40 State Street
Albany, New York 12207

Re: Artspace Patchogue Lofts Project

Dear Commissioner VanAmerongen:

On behalf of the Village of Patchogue, I am writing in support of the Artspace Patchogue Lofts Project. The Village fully supports the project sponsor, Artspace Projects, Inc., in its mission to provide affordable housing and workspace to low-income artists and their families. We believe that the Project will create a dynamic urban residential setting for the Village, while helping the Village and Suffolk County meet both the housing and community objectives outlined in the Suffolk County Consolidated Plan and the 2008 Annual Action Plan.

The Patchogue Lofts Project will renovate five parcels of land located at 10 Terry Street by demolishing one vacant building and constructing a new, five-story building on the land. The new building will be a mixed use development, containing approximately 45 residential units for local low-income artists and their families, along with common areas for the tenants and 3500 square feet of ground floor retail space.

In addition to providing as many as 45 new units of rental housing, this Project will provide support for the local arts community and cultural landscape of the Village. Artspace has successfully created dozens of similar projects throughout the United States. Their previous projects have served as catalysts for neighborhood revitalization and long-term community involvement.

The Project represents an approximately $17,000,000 investment into the Village of Patchogue. Such an investment will result in substantial improvement to the surrounding neighborhood, while filling the demonstrated need for safe and affordable housing in this area.

Thank you for your consideration.

Very truly yours,

Paul Pontieri

Paul V. Pontieri, Jr.
Mayor

1505

Resolution # 16 -2008

PURSUANT TO ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW CONSIDERING THE ENVIRONMENTAL IMPACTS IN REGARD TO THE APPLICATION OF "ARTSPACE PROJECTS, INC." FOR THE CONSTRUCTION OF A 3 AND 5-STORY, MIXED USE BUILDING LOCATED AT TERRY STREET

The Board of Trustees of the Incorporated Village of Patchogue, duly convened in REGULAR session, do hereby declare as follows:

WHEREAS, the Village Board of Trustees, having in September 2006 determined that they were in favor of moving forward with a project to provided affordable housing for artists within or adjacent to the business district and did engage Artspace Project, Inc. to perform feasability study in connection therewith; and that the Village Board would be Lead Agency on the project; that the project would require the transfer of real property owned by the Village for use by the Artspace Project; and that the Project would, ultimately, require the granting of a Special Permit and other relief for the Project under section 95-1 and Article XI of the Village Code, and;

WHEREAS, the Village did authorize the purchase of certain real property located at 20 Terry Street, Patchogue, necessary to and for the purpose of moving forward with the Artspace Project, and;

WHEREAS, the Village has secured, this day, all real property required for the completion of the project, and;

WHEREAS, the Applicant did make application to the Village on December 18, 2007, in regard to necessary variances and approvals from all agencies of the Village which would be required in the event that the Village Board of Trustees did grant a Special Permit for the completion of the Project, and did include within the application package a Short Environmental Assessment Form without designating the SEQR Type attributable to the project, and;

WHEREAS, the Village Architectural Review Board did review the general design and plan of the Project, and did hear and determine such application on January 15, 2008, and did grant approval for the Artspace Project subject to approval by the Zoning Board of Appeals, the Planning Board and the Board of Trustees, and;

WHEREAS, the Zoning Board did, on January 16, 2008 hear and grant the variance application of Artspace for the project, subject to the approvals of the Village Board of Trustees and all other municipal boards and agencies having jurisdiction thereof,

WHEREAS, the Zoning Board did not undertake review of the project pursuant to the State Environmental Quality Review Act inasmuch as their actions were not intended to and would not be final actions in the application, but merely a review of the overall application to determine compliance with technical requirements pursuant to 6 N.Y.C.R.R. § 617.5(b)(28), and;

1505

WHEREAS, the Village Planning Board in order to determine compliance of the proposed Project with the general consruction and planning requirements of the Village did hear such application on January 15, 2008 and did grant site plan approval for the Artspace Project on January 22, 2008, subject to specific conditions being imposed and subject to a Special Permit by the Board of Trustees, and;

WHEREAS, the Planning Board did not undertake review of the project pursuant to the State Environmental Quality Review Act inasmuch as their actions were not intended to and would not be final actions in the application, but merely a review of the overall application to determine compliance with technical requirements pursuant to 6 N.Y.C.R.R. § 617.5(b)(28), and; received

WHEREAS, the proposed project requires the issuance of a Special Permit from the Village board of Trustees for the mixed-use component of the project, and;

WHEREAS, the Village Board of Trustees hereby having received and reviewed: (1) the Application of Artspace Projects, Inc., and the Findings and application file made to the Village Zoning Board of Appeals, and; (2) the Findings and application file made to the Village Planning Board, and; (3) the findings of the Village Architectural Review Board, and; (4) the Part I and II Full Environmental Assessment Form prepared in regard to this project:

NOW, THEREFORE, BE IT RESOLVED:

In light of the review of the proposed project by both the Zoning Board of Appeals and the Planning Board, and in consideration of the discussions had, the submissions made, and the determinations and conditions to be placed upon the project by these Boards which are all contingent upon the determination of the Board of Trustees of the Incorporated Village of Patchogue to grant a Special Permit to the Applicant for the mixed-use component of this project, the Village Board of Trustees find and hereby declare that that the proposed action will not have an adverse impact upon the environment, and that review under the State Environmental Quality Review Act is complete.

Aye	Nay		Aye	Nay	
✓					
—	—	Mayor Pontieri	✓		
			—	—	Trustee Hilton
✓			✓		
—	—	Trustee Crean	—	—	Trustee Krieger
✓			✓		
—	—	Trustee Dean	—	—	Trustee McGiff
✓					
—	—	Trustee Devlin			

Dated: January 28, 2008

Patricia M. Seal

Patricia Seal - Village Clerk

1505

Mayor
Paul V. Pontieri, Jr.
Deputy Mayor
Stephen J. McGiff
Village Clerk
Patricia M. Seal

Incorporated
Village of Patchogue

Trustees
Gerard J. Crean
Joseph P. Dean
Lori B. Devlin
William Hilton
John A. Krieger

RESOLUTION

 # 17 -2008

SUBJECT: **CONSIDER A REQUEST BY ART SPACE PROJECTS, INC. FOR A SPECIAL PERMIT FOR THE ART SPACE PROJECT ON TERRY STREET**

BD.MTG.DATED/ADOPTED: January 28, 2008

At the Regular Meeting of the Village Board of the Village of Patchogue, Trustee Krieger made a motion, seconded by Trustee McGiff to adopt the following resolution:

RESOLVED, approved to issue a special permit for the Art Space Project on Terry Street

Aye	Nay		Aye	Nay	
X	____	Mayor Pontieri	X	____	Trustee Krieger
X	____	Trustee Crean	X	____	Trustee McGiff
X	____	Trustee Dean	X	____	Trustee Devlin
X	____	Trustee Hilton			

Patricia M. Seal

Patricia M. Seal, Village Clerk

1505

Mayor
Paul V. Pontieri, Jr.
Deputy Mayor
Stephen J. McGiff
Village Clerk
Patricia M. Seal

Incorporated
Village of Patchogue

Trustees
Gerard J. Crean
Joseph P. Dian
Lori B. Devlin
William Hilton
John A. Krieger

February 25, 2008

Artspace Projects, Inc.
250 Third Avenue N., Room 500
Minneapolis, Minnesota 55401

Re: *Artspace Patchogue Lofts – 10 Terry Street, Patchogue, New York*

Dear Sirs:

Subject to the terms and conditions of a definitive agreement, the Village of Patchogue (the "Village") hereby agrees to convey the following parcels to Artspace Projects, Inc. ("Artspace") for inclusion in an affordable multi-family housing project to be known as Artspace Patchogue Lofts (the "Project"):

1. SBL No. 13-6-1 (part of)
2. SBL No. 13-6-2
3. SBL No. 13-6-26.2
4. SBL No. 13-6-37
5. SBL No. 13-6-39

Parcels 1 through 5 are collectively known as the "Property"

The consideration for the Property will be $375,000.00.

The Village's obligation to convey the Property to Artspace is subject to Artspace's receipt of an allocation of tax credits from the New York State Division of Housing and Community Renewal in an amount necessary for the financial feasibility of the Project.

Very truly yours,

Patricia M. Seal
Village Clerk

1505

Mayor
Paul V. Pontieri, Jr.
Deputy Mayor
Stephen J. McGiff
Village Clerk
Patricia M. Seal

Incorporated

Village of Patchogue

Trustees
Gerard J. Crean
Joseph P. Dean
Lori B. Devlin
William Hilton
John A. Krieger

Resolution # 23-2009

PURSUANT TO ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW CONSIDERING THE ENVIRONMENTAL IMPACTS IN REGARD TO THE APPLICATION OF "ARTSPACE PROJECTS, INC." FOR THE CONSTRUCTION OF A 3 AND 5-STORY, MIXED USE BUILDING LOCATED AT TERRY STREET

The Board of Trustees of the Incorporated Village of Patchogue, duly convened in REGULAR session, do hereby declare as follows:

WHEREAS, the Village Board of Trustees, having in September 2006 determined that they were in favor of moving forward with a project to provide affordable housing for artists within or adjacent to the business district and engage Artspace Projects, Inc. to perform feasibility study in connection therewith; and that the Village Board would be Lead Agency on the project; that the project would require the transfer of real property owned by the Village for use by the Artspace Project; and that the Project would, ultimately, require the granting of a Special Permit and other relief for the Project under Section 95-1 and Article XI of the Village Code, and;

WHEREAS, the Village did authorize the purchase of certain real property located at 20 Terry Street, Patchogue, necessary to and for the purpose of moving forward with the Artspace Project, and;

WHEREAS, the Village has secured, this day, all real property required for the completion of the project, and;

WHEREAS, the Applicant did make application to the Village on December 18, 2007, in regard to necessary variances and approvals from all agencies of the Village which would be required in the event that the Village Board of Trustees did grant a Special Permit for the completion of the Project, and did include within the application package a Short Environmental Assessment Form without designating the SEQR Type attributable to the project, which application was approved; and

WHEREAS, in 2009 the Applicant did make application to update and renew approvals; and

WHEREAS, the Village Architectural Review Board did review the general design and plan of the Project, and did hear and determine such application on January 15, 2008, and did grant approval for the Artspace Project subject to approval by the Zoning Board of Appeals, the Planning Board and the Board of Trustees, which approval by the Architectural Review Board has not expired, and;

WHEREAS, the Zoning Board did, on January 21, 2009, hear and grant the variance appellation of Artspace for the project, subject to the approvals of the Village Board of Trustees and all other municipal boards and agencies having jurisdiction thereof;

WHEREAS, the Zoning Board did not undertake review of the project pursuant to the State Environmental Quality Review Act inasmuch as their actions were not intended to and would not be final actions in the application, but merely a review of the overall application to determine compliance with technical requirements pursuant to 6 N.Y.C.R.R. Section 617.5(b)(28), and;

WHEREAS, the Village Planning Board in order to determine compliance of the proposed Project with the general construction and planning requirements of the Village did hear such application January 27, 2008 and did grant site plan approval for the Artspace Project on January 27, 2009, subject to specific conditions being imposed and subject to a Special Permit by the Board of Trustees, and;

1505

WHEREAS, the Planning Board did not undertake review of the project pursuant to the State Environmental Quality Review Act inasmuch as their actions were not intended to and would not be final actions in the application, but merely a review of the overall application to determine compliance with technical requirements pursuant of N.Y.C.R.R. Section 617.5(b)(28), and;

WHEREAS, the proposed project requires the issuance of Special Perm from the Village Board of Trustees for the mixed-use component of the project, and;

WHEREAS, the Village Board of Trustees hereby having received and reviewed: (1) the Application of Artspace Projects, Inc., and the findings and application file made to the Village Zoning Board of Appeals, and, (2) the findings and application file made to the Village Planning Board, and; (3) the findings of the Village Architectural Review Board; and (4) the Part I and II Full Environmental Assessment Form prepared in regard to this project:

NOW, THEREFORE, BE IT RESOLVED:

In light of the review of the proposed project by both the Zoning Board of Appeals and the Planning Board, and in consideration of the discussions had, the submissions made, and the determinations and conditions to be placed upon the project by these Boards which are all contingent upon the determination of the Board of Trustees of the Incorporated Village of Patchogue to grant a Special Permit to the Applicant for the mixed-use component of this project, the Village Board of Trustees find and hereby declare that that the proposed action will not have an adverse impact upon the environment, and that review under the State Environmental Quality Review Act is complete.

Ave	Nay		Ave	Nay	
X	___	Mayor Pontieri	X	___	Trustee Hilton
X	___	Trustee Crean	X	___	Trustee Krieger
X	___	Trustee Dean	X	___	Trustee McGiff
X	___	Trustee Devlin			

Dated: January 28, 2009

Patricia M. Seal, Village Clerk

1505

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

Part 1: Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.

Part 2: Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.

Part 3: If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: ☑ Part 1 ☑ Part 2 ☐ Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

☒ A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore **a negative declaration will be prepared.**

☐ B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.***

☐ C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Application of "Artspace Projects, Inc." - Mixed Use,

Name of Action

Board of Trustees - Inc. Village of Patchogue

Name of Lead Agency

Paul V. Pontieri, Jr. — Mayor

Print or Type Name of Responsible Officer in Lead Agency — Title of Responsible Officer

Signature of Responsible Officer in Lead Agency — Signature of Preparer (If different from responsible officer)

January 28, 2008

Date

website

GEN 317

1505

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC
DEVELOPMENT & WORKFORCE
HOUSING

JILL ROSEN-NIKOLOFF
DIRECTOR OF AFFORDABL
HOUSING

May 28, 2009

Ben Zwirn, Deputy County Executive
Office of the County Executive
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, NY 11788

Re: Resolution Authorizing Planning Steps for the Acquisition
of SCTM# 0204-013.00-06.00-002.000 for Workforce Housing

Dear Mr. Zwirn:

The Department of Economic Development and Workforce Housing requests the submittal of the attached resolution (Reso - Eco. Dev. – "Artspace Patchogue Lofts," Village of Patchogue Workforce Housing), authorizing planning steps for the acquisition of the above referenced site for workforce housing in the Village of Patchogue.

Attached please find the draft resolution, the required maps indicating the site location, Village of Patchogue Board Resolutions and SCIN Forms 175A and 175B. Electronic copies are being transmitted concurrently herewith.

Thank you.

Sincerely,

Jill Rosen-Nikoloff
Director of Affordable Housing

Enc.
Cc: Christopher Kent, Chief Deputy County Executive
Patrick Heaney, Commissioner, Dept. of Economic Development & Workforce Housing
Carrie Meek-Gallagher, Commissioner, Dept. of Environment and Energy
Brendan Chamberlain, County Executive Assistant
CE RESO REVIEW, via email

JRN/mkc

Intro. Res. No. 1506 -2009 Laid on Table 6/9/09
Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. _____-2009, AUTHORIZING PLANNING STEPS FOR IMPLEMENTATION OF SUFFOLK COUNTY WORKFORCE HOUSING PROGRAM

WHEREAS, Article XXXVI of the SUFFOLK COUNTY ADMINISTRATIVE CODE establishes the County's Workforce Housing Program; and

WHEREAS, Section 36-2(C) of said Article authorizes land to be acquired by the County through the use of Capital Bond proceeds (CP 8704); and

WHEREAS, the County Department of Economic Development and Workforce Housing and the Village of Patchogue have identified several sites in the County of Suffolk, to be known as "New Village," which would be appropriate for development as workforce housing and which are identified by the Suffolk County Tax Map Numbers set forth on Schedule A annexed hereto; and

WHEREAS, pursuant to section 36-2 (C) of Article XXXVI of the Suffolk County Administrative Code, it is proposed that the County acquire the properties identified by parcel numbers 1 through and including 9 on Schedule A annexed hereto; and

WHEREAS, the Village of Patchogue is donating to this workforce housing development the three parcels identified by parcel numbers 10, 11 and 12 on Schedule A annexed hereto; and

WHEREAS, the Village of Patchogue has expressed an interest in partnering with the County of Suffolk to provide workforce housing at this location; now, therefore be it

1st **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this constitutes a Type II action pursuant to Section 617.5(c) (18), (20), (21) and (27) of the NEW YORK CODE OF RULES AND REGULATIONS (NYCRR) in that the resolution authorizes information collection and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action and because the resolution constitutes routine or continuing agency administration; since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that this Legislature hereby finds that the parcels in the Village of Patchogue, as identified by the Suffolk County Tax Map numbers set forth as items 1 through and including 9 on Schedule A annexed hereto, meet the acquisition and infrastructure funding requirements of the County Workforce Housing Program and

the need to fill the critical shortage of workforce housing in Suffolk County; and be it further

3rd **RESOLVED**, that the Director of Affordable Housing within the Suffolk County Department of Economic Development and Workforce Housing, is hereby authorized, empowered and directed, pursuant to Section 14-10(B) of the SUFFOLK COUNTY CHARTER, to plan for the acquisition of and/or infrastructure improvements for the parcels located in the Village of Patchogue identified by the Suffolk County Tax Map numbers set forth as items 1 through and including 9 on Schedule A annexed hereto; and be if further

4th **RESOLVED,** that the County Department of Economic Development and Workforce Housing, the Division of Real Property Acquisition and Management, and the County Department of Law are hereby authorized, empowered and directed to take such other actions as may be necessary and appropriate to accomplish such planning purposes, including, but not limited to, securing appraisals, surveys, engineering reports, environmental audits, title search and to utilize such valid appraisals for the subject parcels as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

5th **RESOLVED**, that the Director of Affordable Housing within the Suffolk County Department of Economic Development and Workforce Housing is hereby authorized, empowered and directed to take such other actions as may be necessary and appropriate to process such application; and be it further

6th **RESOLVED**, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel; and be it further

7th **RESOLVED**, that any unencumbered, unallocated funds available upon the execution of a binding Development Agreement between the County of Suffolk and the Village of Patchogue shall be appropriated to future and subsequent Workforce Housing Program projects.

DATED: _____,2009

APPROVED BY:

_____
/s/ Steve Levy
County Executive of Suffolk County

Date: _____,2009

Schedule A

1506

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER: District Section Block Lot	REPUTED OWNER:
No. 1	0204 009.00 05.00 025.002 17 West Main Street Patchogue Village	Downtown Patchogue Redevelopers, LLC
No. 2	0204 009.00 05.00 025.003 17 West Main Street Patchogue Village	Downtown Patchogue Redevelopers, LLC
No. 3	0204 009.00 05.00 026.000 1-15 West Main Street Patchogue Village	Downtown Patchogue Redevelopers; LLC
No. 4	0204 009.00 05.00 024.000 10 Lake Street Patchogue Village	Downtown Patchogue Redevelopers; LLC
No. 5	0204 009.00 05.00 017.000 23 Havens Avenue Patchogue Village	Downtown Patchogue Redevelopers; LLC
No. 6	0204 009.00 05.00 016.000 10 Havens Avenue Patchogue Village	Downtown Patchogue Redevelopers; LLC
No. 7	0204 009.00 05.00 015.000 38 Lake Street Patchogue Village	Downtown Patchogue Redevelopers; LLC
No. 8	0204 009.00 05.00 014.000 93 West Main Street Patchogue Village	Downtown Patchogue Redevelopers; LLC
No. 9	0204 009.00 01.00 044.000 8-12 Jennings Street Patchogue Village	Estate of Rubin (in contract; 2 year option to to buy)

Schedule A

1506

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER: District Section Block Lot	REPUTED OWNER:
No. 1 17 West Main Street, Patchogue Village	0204 009.00 05.00 025.002	Downtown Patchogue Redevelopers, LLC
No. 2 17 West Main Street, Patchogue Village	0204 009.00 05.00 025.003	Downtown Patchogue Redevelopers, LLC
No. 3 1-15 West Main Street, Patchogue Village	0204 009.00 05.00 026.000	Downtown Patchogue Redevelopers, LLC
No. 4 10 Lake Street, Patchogue Village	0204 009.00 05.00 024.000	Downtown Patchogue Redevelopers, LLC
No. 5 23 Havens Avenue, Patchogue Village	0204 009.00 05.00 017.000	Downtown Patchogue Redevelopers, LLC
No. 6 10 Havens Avenue, Patchogue Village	0204 009.00 05.00 016.000	Downtown Patchogue Redevelopers, LLC
No. 7 38 Lake Street, Patchogue Village	0204 009.00 05.00 015.000	Downtown Patchogue Redevelopers, LLC
No. 8 93 West Main Street, Patchogue Village	0204 009.00 05.00 014.000	Downtown Patchogue Redevelopers, LLC
No. 9 8-12 Jennings Street, Patchogue Village	0204 009.00 01.00 044.000	Estate of Rubin (in contract; 2 year option to buy)
No. 10	0204 009.00 05.00 018.000	Village of Patchogue (vacant parcel)
No. 11	0204 009.00 05.00 020.000	Village of Patchogue (vacant parcel)
No. 12	0204 009.00 05.00 025.001	Village of Patchogue (vacant parcel)

1506

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

Authorizing planning steps for implementation of Suffolk County Workforce Housing Program at SCTM#s 0204-009.00-05.00-025.002; 0204-009.00-05.00-025.003 (17 W. Main Street, Patchogue Village); 0204-009.00-05.00-026.000 (1-15 West Main Street, Patchogue Village); 0204-009.00-05.00-024.000 (10 Lake Street, Patchogue Village); 0204-009.00-05.00-017.000 (23 Havens Avenue, Patchogue Village); 0204-009.00-05.00-016.000; (10 Havens Avenue, Patchogue Village); 0204-009.00-05.00-015.000; (38 Lake Street, Patchogue Village); 0204-009.00-05.00-014.000 (93 W. Main Street, Patchogue Village); and 0204-009.00-01.00-044.000 (8-12 Jennings Street, Patchogue Village).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

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

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

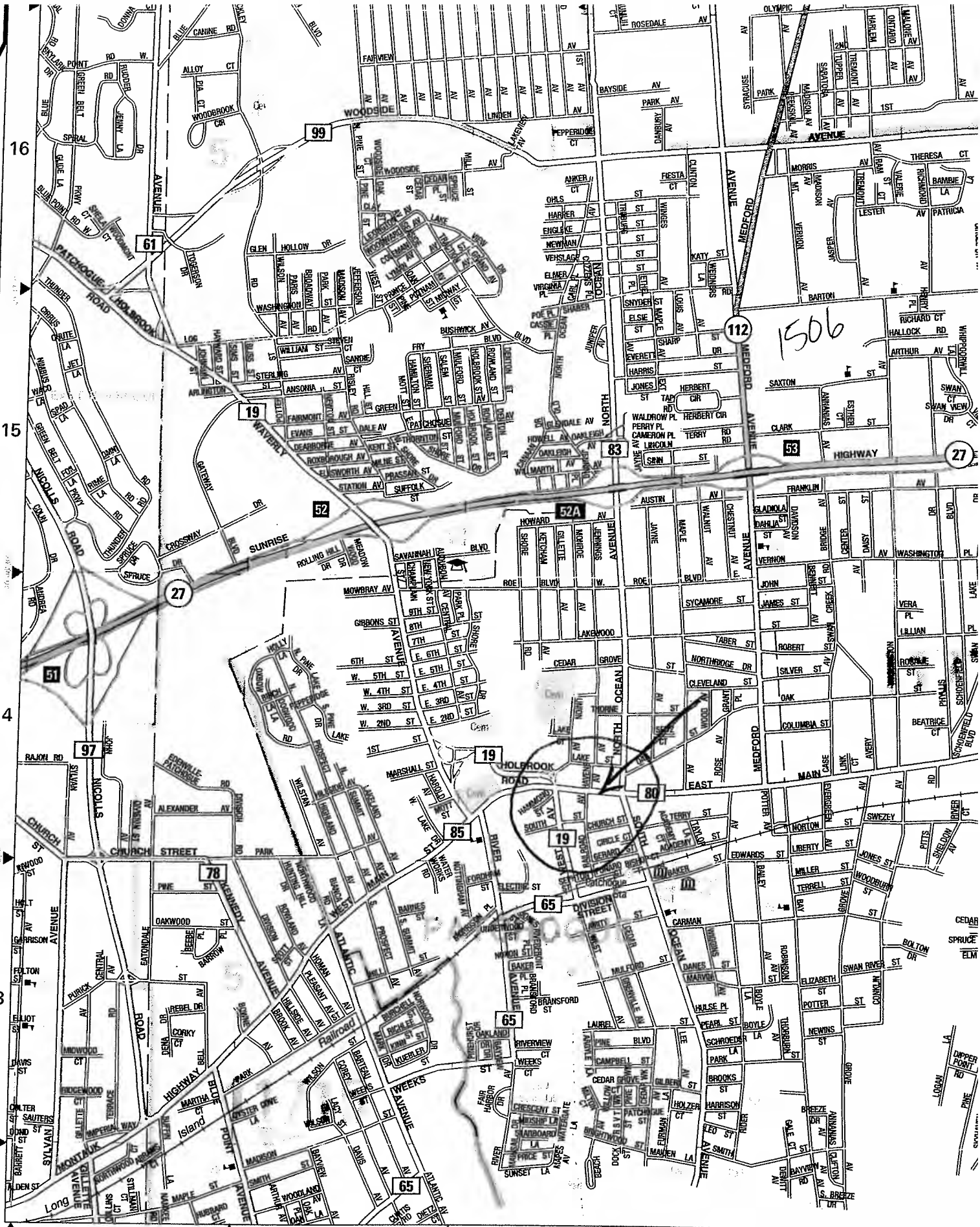
8. Proposed Source of Funding

9. Timing of Impact

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Jill Rosen-Nikoloff Director of Affordable Housing	Jill R. Nikoloff	May 14, 2009

SCIN FORM 175b (10/95)

LIGHT
PARK
AMBULANCE
WATER
REFUSE
WASTEWATER
DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION OF THE REAL PROPERTY TAX SERVICE AGENCY.
County Center Riverhead, N Y 11901
SCALE IN FEET:
MAP
VILLAGE OF PA
DISTRICT NO
THORNE
ST.
SEVEN DAY ADVENTISTS
JENNINGS AVE.
OCEAN AVE.
JAYNE AVE.
SEITZ CT.
TEMPLE BETHEL
S.D.P.
PATCHOGUE FIRE DISTRICT
VILLAGE OF PATCHOGUE
LAKE
ST.
OAK ST.
MAPLE AVE.
HAVENS AVE.
N. OCEAN AVE.
CONGREGATIONAL CHURCH & PARISH OF PATCHOGUE
S.R. 27A
B. MAIN ST.
RAILROAD AVE.
S. OCEAN AVE.
CHURCH ST.
TERRY ST.
1506
BLICKHOUSE BREW
BANK
(var. width)
Wedgwood Bldg.
=Village Land
=to be aquired
District Line
District Line
District Line
District Line
District Line
District Line
UNLESS DRAWN OTHERWISE, ALL PROPERTIES ARE WITHIN THE FOLLOWING DISTRICTS:
SCHOOL 24
FIRE FD4
LIGHT
PARK
AMBULANCE
SEWER P
HYDRANT
WATER
REFUSE
WASTEWATER
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
VILLAGE OF
DISTRICT NO
CONVERSION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AVENUE
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SUNRISE HIGHWAY
HOLBROOK ROAD
MAIN STREET
CHURCH STREET
MEDFORD AVENUE
OCEAN AVENUE
WEEKS AVENUE
ATLANTIC AVENUE
DIVISION STREET
WAVERLY AVENUE
NICOLLS ROAD
SUNRISE CROSSWAY BLVD
Long Island Railroad
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Swan River
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Hogstrom Map Company, Inc.
68

SELF CONTAINED APPRAISAL REPORT

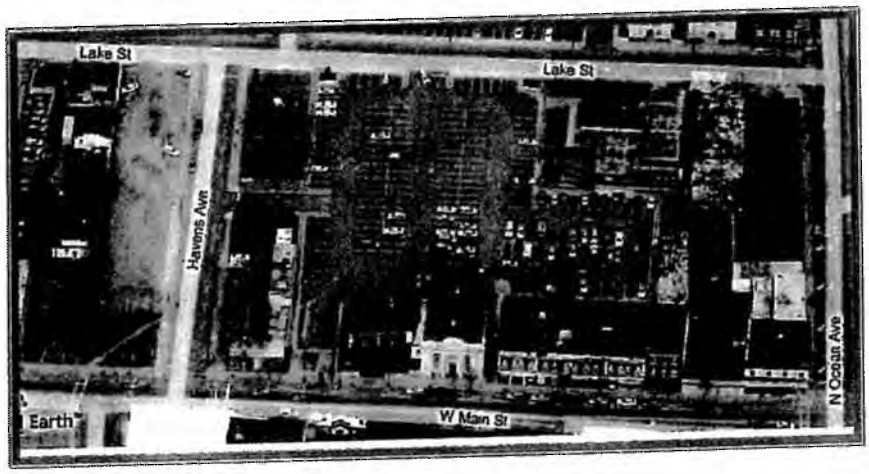
ON

PROPERTY LOCATED AT

1506

**NORTHWEST CORNER OF WEST MAIN STREET AND NORTH OCEAN AVENUE,
VILLAGE OF PATCHOGUE, TOWN OF BROOKHAVEN,
SUFFOLK COUNTY, NEW YORK**

SUFFOLK COUNTY TAX MAP #0204-9-1-44, 0204-9-5-14, 15, 16, 17, 18, 20, 23, 24, 25.001, 25.002, 25.003, 26 AND P/O HAVENS AVENUE



PROPERTY OF	Downtown Patchogue Redevelopers, LLC and The Village of Patchogue
DATE OF VALUATION (LAST INSPECTION):	January 2, 2009
PREPARED FOR:	Village of Patchogue 14 Baker Street, Room 5 Patchogue, New York 11772 And Suffolk County Department of Environment and Energy H. Lee Dennison Building, 2nd Floor 100 Veterans Memorial Highway/P.O. Box 6100 Hauppauge, New York 11788-0099

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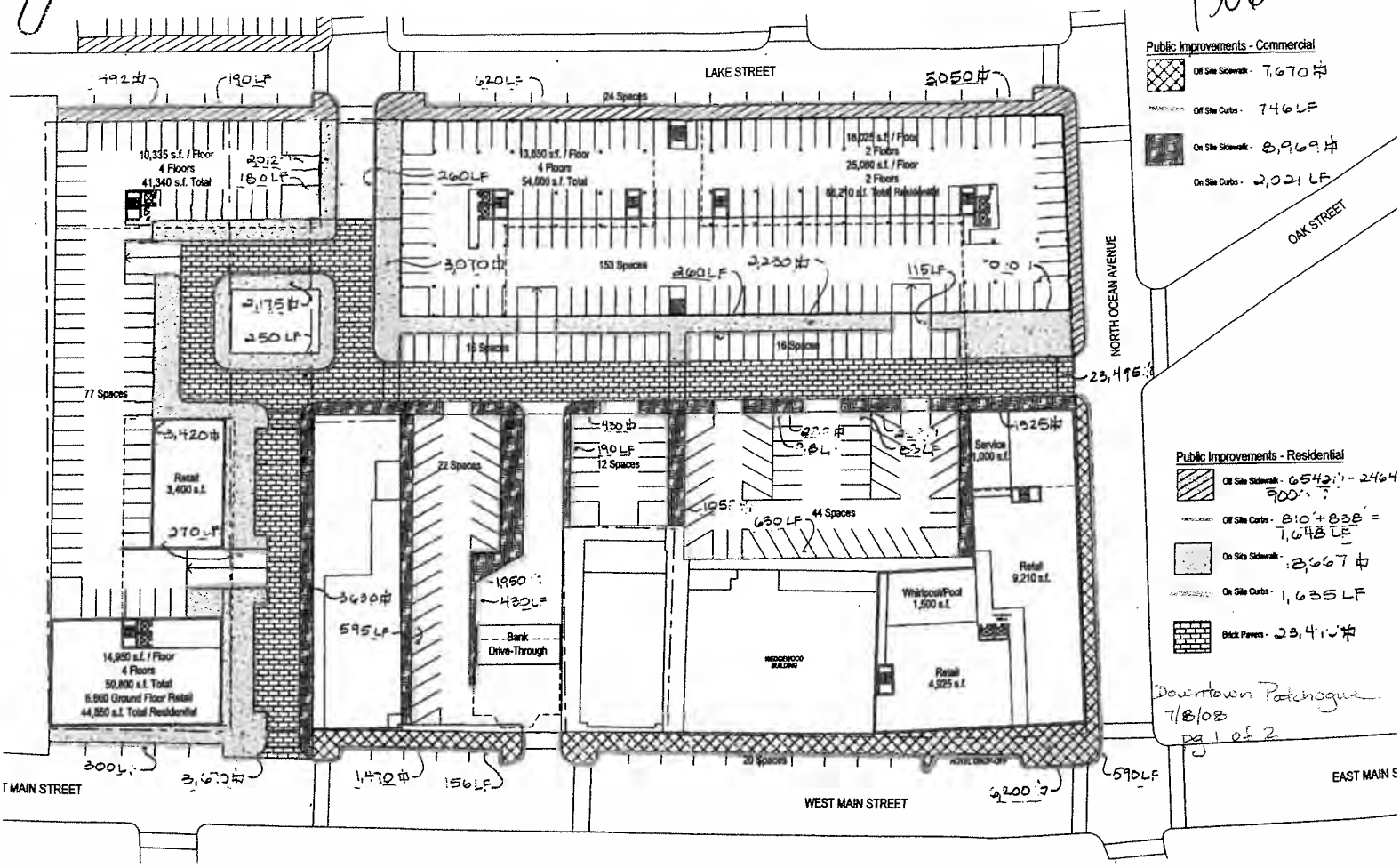
1506



Downtown Patchogue
7/8/08
pg 1 of 2

1506

Mayor
Paul V. Pontieri, Jr.
Deputy Mayor
Stephen J. McGill
Village Clerk
Patricia M. Seal

INCORPORATED

VILLAGE OF PATCHOGUE

Trustees
Gerard J. Crean
Joseph P. Dean
Lori B. Devlin
William Hilton
John A. Krieger

May 13, 2009

County Executive Steve Levy
H. Lee Dennison Bldg.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788-0099

Dear Honorable Steve Levy:

I would like to thank you for your support in the funding for the Tritec "New Village" redevelopment project in the Village of Patchogue, your assistance in securing the $3.75 million necessary to support the Work Force Housing units is essential to the success of this project.

This redevelopment project is important to the community and will have economic significance for the entire area. The residents of the Village of Patchogue through various public hearings have shown enormous support for the project. The site plan was approved on May 11, 2009 and all other approvals and resolutions are in place.

As you are aware, this project will have 240 residential rental units of which 67 of them are below 85% AMI and the remaining units will be below 120% AMI. It must be noted that these units in combination with the Copper Beech Workforce Housing development and the proposed Artspace development will bring the total number of workforce housing units (120% AMI) supported by the County to 325 units in the Village of Patchogue.

This development with the support of the County not only addresses the workforce housing issue, it is downtown revitalization, and as noted, an economic boost for the entire region. It has been projected by Dr. Pearl Kamer, economist for the L.I.A. that this rental development will bring in approximately $3.7 million dollars in discretionary spending annually to the economy and the entire New Village Development will add an additional $500,000 sales tax to Suffolk County.

Your support of the project is greatly appreciated. I look forward to working with you on issues that are important to the residents of the Village of Patchogue and the County of Suffolk.

Sincerely yours,

Paul Pont

Paul V. Pontieri
Mayor

PVP:id

14 Baker Street • Post Office Box 719 • Patchogue, New York 11772-0719 • Phone 631.475.4300 • Fax 631.475.4314
www.patchogue-village.org

1506

Mayor
Paul V. Pontieri, Jr
Deputy Mayor
Stephen J. McGee
Village Clerk
Patricia M. Seal

Incorporated
Village of Patchogue

Trustees
Gerard J. Crean
Joseph P. Dean
Lori B. Devlin
William Higson
John A. Krieger

RESOLUTION #100-2009

BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF PATCHOGUE
PROPOSED CHANGE OF ZONE AND MIXED-USE DEVELOPMENT
APPLICATION OF DOWNTOWN PATCHOGUE REDEVELOPERS, LLC
NORTHWEST CORNER OF WEST MAIN STREET AND NORTH OCEAN AVENUE
INCORPORATED VILLAGE OF PATCHOGUE
SUFFOLK COUNTY, NEW YORK

Resolution
Approving Change of Zone and Site Plan

WHEREAS, the Board of Trustees of the Incorporated Village of Patchogue (hereinafter the "Board of Trustees") has received an application from Downtown Patchogue Redevelopers, LLC for a change of zone of approximately 4.31± acres located on the north side of West Main Street, the east and west sides of Havens Avenue, the south side of Lake Street, and the west side of North Ocean Avenue, from the D2 Business District and D3 Business District to the Downtown Redevelopment District ("DRD"), which zone change includes property presently owned by the Village of Patchogue, used for public parking, as well as a site plan application for the construction of a mixed-use development of 240 residential units, 28,460 square feet of retail space, a 111-room hotel, and associated parking and appurtenances. The site plan application also includes the redevelopment of a 0.51±-acre parcel on the north side of Lake Street for surface parking; improvements to Havens Avenue, including the alignment with Jennings Avenue; and a land swap between the applicant and the Incorporated Village of Patchogue; and

WHEREAS, the Board of Trustees deemed the Draft Environmental Impact Statement ("DEIS"), submitted in connection with these applications, complete and adequate for public review on December 8, 2008, a public hearing on the DEIS, change of zone and site plan was conducted by the Board of Trustees on January 20, 2009, written comments on the DEIS were accepted through February 2, 2009 by the Board of Trustees; the Board of Trustees received the Final Environmental Impact Statement ("FEIS") for the application of the Downtown Patchogue Redevelopers, LLC on March 11, 2009; the Board of Trustees reviewed the FEIS, dated March 2009, and determined that the document fulfills the requirements of 6 NYCRR Part 617.9(b)(8); by resolution dated March 23, 2009, accepted the FEIS for filing and caused a notice of completion to be published; and by resolution dated April 13th, 2009 issued a Findings Statement;

WHEREAS, these applications were referred to the Suffolk County Planning Commission, as required by law, and on the 6th day of May, 2009, these applications were approved by said Commission; and

WHEREAS, the Board of Trustees considered comments from involved agencies and interested parties, along with the full record of proceedings on the change of zone, site plan and the State Environmental Quality Review Act ("SEQRA");

BE IT HEREBY RESOLVED, that based on the foregoing, the Board of Trustees hereby approves the above-mentioned change of zone application, as follows:

SCTM No.	Rezoning From	Rezoning To
0204-9-5-14,15 &16	D-2 Business District	DRD District
0204-9-5- 17	D-3 Business District	DRD District
0204-9-5- 18	D-3 Business District	DRD District
0204-9-5-20	D-3 Business District	DRD District
0204-9-5-24	D-3 Business District	DRD District
0204-9-5-25.1	D-3 Business District	DRD District
0204-9-5-25.2	D-3 Business District	DRD District
0204-9-5-25.3	D-3 Business District	DRD District
0204-9-5-26	D-3 Business District	DRD District

BE IT FURTHER RESOLVED, that the Board of Trustees hereby approves the site plan affecting the above reference parcels and SCTM 0204-9-1-44, prepared by Barrett, Bonacci & Van Weele, dated November 14th, 2008; and

BE IT FURTHER RESOLVED that all development on the subject premises pursuant to these approvals shall be in substantial accordance with the SEQRA Findings Statement heretofore adopted by this Board on April 13th, 2009, unless hereafter modified in accordance with applicable law.

Aye	Nay		Aye	Nay	
X	___	Mayor Pontieri	X	___	Trustee Krieger
X	___	Trustee Crean	X	___	Trustee McGiff
X	___	Trustee Dean	X	___	Trustee Devlin
X	___	Trustee Hilton			

Patricia M. Seal, Village Clerk

May 12, 2009

1506

Mayor
Paul V. Pontieri, Jr.
Deputy Mayor
Stephen J. McGee
Village Clerk
Patricia M. Seal

Trustees
Gerard J. Crean
Joseph P. Dean
Lori B. Devlin
William Hilton
John A. Krieger

INCORPORATED
VILLAGE OF PATCHOGUE

RESOLUTION #78-2009

BOARD OF TRUSTEES OF THE
INCORPORATED VILLAGE OF PATCHOGUE
PROPOSED CHANGE OF ZONE AND MIXED-USE DEVELOPMENT
APPLICATION OF DOWNTOWN PATCHOGUE REDEVELOPERS, LLC
NORTHWEST CORNER OF
WEST MAIN STREET AND NORTH OCEAN AVENUE
INCORPORATED VILLAGE OF PATCHOGUE
SUFFOLK COUNTY, NEW YORK

Resolution
Adopt Findings Statement

WHEREAS, the Board of Trustees of the Incorporated Village of Patchogue (hereinafter the "Board of Trustees") has received an application from Downtown Patchogue Redevelopers, LLC for a change of zone of approximately 4.31± acres located on the north side of West Main Street, the east and west sides of Havens Avenue, the south side of Lake Street, and the west side of North Ocean Avenue, from the D2 Business District and D3 Business District to the Downtown Redevelopment District ("DRD"), as well as a site plan application for the construction of a mixed-use development of 240 residential units, 28,460 square feet of retail space, a 111-room hotel, and associated parking and appurtenances. The application also includes the redevelopment of a 0.51±-acre parcel on the north side of Lake Street for surface parking to be dedicated to the Village; improvements to Havens Avenue, including the alignment with Jennings Avenue; and a land swap between the applicant and the Incorporated Village of Patchogue (hereinafter the "proposed action"); and

WHEREAS, the Board of Trustees deemed the Draft Environmental Impact Statement ("DEIS") complete and adequate for public review on December 8, 2008, a public hearing on the DEIS and site plan was conducted by the Board of Trustees on January 20, 2009 and written comments on the DEIS were accepted through February 2, 2009 by the Board of Trustees; and

WHEREAS, the Board of Trustees received the Final Environmental Impact Statement ("FEIS") for the application of the Downtown Patchogue Redevelopers, LLC on March 11, 2009; and

1506

WHEREAS, the Board of Trustees reviewed the FEIS, dated March 2009, and determined that the document fulfills the requirements of 6 NYCRR Part 617.9(b)(8); and

WHEREAS, the Board of Trustees, by resolution dated March 23, 2009, accepted the FEIS for filing and caused a notice of completion to be published; and

WHEREAS, no written comments on the FEIS were received by the Board of Trustees through April 7, 2009, the termination of the public consideration period; and

WHEREAS, the Board of Trustees considered comments from involved agencies and interested parties, along with the full record of proceedings on the site plan and the State Environmental Quality Review Act ("SEQRA") documents associated with this application in formulating the Findings Statement;

BE IT HEREBY RESOLVED, that based on the foregoing and pursuant to 6 NYCRR §617.11, the Board of Trustees, as lead agency, hereby adopts the annexed Findings Statement, dated April 13, 2009; and

BE IT FURTHER RESOLVED, that the Board of Trustees hereby directs the Village Clerk, in concert with the Village Attorney, to prepare, file, distribute and/or publish the Findings Statement and this Resolution with the Suffolk County Planning Commission, the Environmental Notice Bulletin and all involved agencies in accordance with the provisions of 6 NYCRR §617.12.

Aye	Nay		Aye	Nay	
X	____	Mayor Pontieri	X	____	Trustee Krieger
X	____	Trustee Crean	X	____	Trustee McGiff
X	____	Trustee Dean	X	____	Trustee Devlin
X	____	Trustee Hilton			

Patricia M. Seal, Village Clerk

April 13, 2009

1506

Mayor
Paul V. Pontieri, Jr.
Deputy Mayor
Stephen J. McGee
Village Clerk
Patricia M. Seal

INCORPORATED
VILLAGE OF PATCHOGUE

Trustees
Gerard J. Crean
Joseph P. Dean
Lori B. Deveto
William Hilton
John A. Krieger

April 15, 2009

Dear Sir/Madam:

In accordance with 6 NYCRR §617.11, the Board of Trustees of the Village of Patchogue has considered the DEIS and FEIS for the Application for Mixed-Use Development of Downtown Patchogue Redevelopers, LLC, and certifies that it has met the requirements of 6 NYCRR Part 617. This Findings Statement contains the facts and conclusions in the DEIS and FEIS relied upon to support this decision and indicates those factors that formed the basis of its decision.

Very truly yours,

Patricia M. Seal
Village Clerk

14 Baker Street • Post Office Box 719 • Patchogue, New York 11772-0719 • Phone 631.475.4500 • Fax 631.475.4314
www.patchoguevillage.org

1506

STATE ENVIRONMENTAL QUALITY REVIEW ACT

APPLICATION OF THE DOWNTOWN PATCHOGUE REDEVELOPERS, LLC
INCORPORATED VILLAGE OF PATCHOGUE
SUFFOLK COUNTY, NEW YORK

FINDINGS STATEMENT

Date: April 13, 2009

This Findings Statement is issued pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act – "SEQRA") and the implementing regulations therefor at 6 NYCRR Part 617.

Name of Action: Application for Mixed-Use Development of Downtown Patchogue Redevelopers, LLC

Project Location: 4.82 acres on the north side of West Main Street, the east and west sides of Havens Avenue, the north and south sides of Lake Street, and the west side of North Ocean Avenue
Incorporated Village of Patchogue
Suffolk County, New York

Lead Agency: Board of Trustees of the Incorporated Village of Patchogue

Contact Person: Patricia M. Seal, Village Clerk
Incorporated Village of Patchogue
Village Hall
14 Baker Street
Patchogue, New York 11772

Telephone Number: (631) 475-4300

SEQRA Status: Type I

The Board of Trustees of the Incorporated Village of Patchogue (hereinafter the "Board of Trustees"), as lead agency, subsequent to review of the Draft Environmental Impact Statement ("DEIS") and the Final Environmental Impact Statement ("FEIS"), hereby certifies that:

- It has considered the relevant environmental impacts, facts and conclusions disclosed in the EIS;
- It has weighed and balanced relevant environmental impacts with social, economic and other considerations;
- The requirements of 6 NYCRR Part 617 have been met; and

- Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action described below is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating, as conditions to the decision, those mitigative measures that were identified as practicable during the environmental review process.

Description of Action

The proposed action consists of an application for a change of zone of approximately 4.31± acres located on the north side of West Main Street, the east and west sides of Havens Avenue, the south side of Lake Street, and the west side of North Ocean Avenue, from the D2 Business District and D3 Business District to the Downtown Redevelopment District ("DRD"), as well as a site plan application for the construction of a mixed-use development of 240 residential units, 28,460 square feet of retail space, an 111-room hotel, and associated parking and appurtenances. The application also includes the redevelopment of a 0.51±-acre parcel on the north side of Lake Street for surface parking to be dedicated to the Village; improvements to Havens Avenue, including the alignment with Jennings Avenue; and a land swap between the applicant and the Incorporated Village of Patchogue.

Summary of SEQRA Process

An environmental assessment form was submitted by the applicant in September 2008 which, after completion of coordinated review and designation of lead agency, the Board of Trustees used for the purpose of determining significance. The Board of Trustees issued a positive declaration on November 10, 2008, which identified the following as impacts warranting evaluation in the DEIS:

"1. The applicant has indicated that the proposed action would result in the use of 88,119 gallons per day ("gpd") of potable water, a significant increase over existing conditions.

2. The proposed action has the potential to alter existing drainage patterns and result in erosion and sedimentation.

3. The proposed action may result in adverse traffic impacts due to increased trip generation and parking demand.

4. The proposed action will cause a change in the density of land use."

A DEIS was submitted by the applicant on November 17, 2008, in accordance with 6 NYCRR §617.9(b), which evaluated the potential impacts identified in the positive declaration. On December 8, 2008, the Board of Trustees deemed the document complete and adequate for public review. A public hearing on the DEIS was conducted on January 20, 2009 by the Board of Trustees, and written comments were accepted by the lead agency through February 2, 2009. The Board of Trustees filed the FEIS on March 24, 2009, and set a public consideration period therefor that expired on April 7, 2009. The Board of Trustees received no comments during the public consideration period. The Board of Trustees considered the full SEQRA record in formulating this Findings Statement.

Findings and Mitigation Measures

Upon due consideration and among the reasonable alternatives available, the Board of Trustees has determined that the following represents a synopsis of its findings and the mitigation measures to be incorporated into the decision to ensure that potential significant adverse environmental impacts will be avoided or minimized to the maximum extent practicable:

Soils and Topography

1. Grading will be required for the proposed building construction and site improvements. To minimize the amount of material to be removed from the site, topsoil and subsoil removed during grading would be stockpiled, to the extent practicable, for later re-use in final grading.

2. Erosion and sediment control measures will be installed prior to construction and will remain in place until disturbed areas are stabilized. These measures will be routinely maintained to ensure proper functioning.

3. After site clearing, cleared areas will be paved and/or planted as soon as practicable to minimize the amount of time that soils are exposed.

Water Resources

1. Implementation of the proposed action is projected to result in potable water use of approximately 89,619 gallons per day ("gpd"), which will be supplied by the Suffolk County Water Authority.

2. The proposed project will adhere to the relevant recommendations of the *Long Island Comprehensive Waste Treatment Management Plan, Long Island Segment of the Nationwide Urban Runoff Program*, and *Nonpoint Source Management Handbook* to help ensure protection of groundwater.

3. The proposed development would be connected to the municipal sewer system and the anticipated 89,619 gpd of sanitary waste generated by the proposed action would be discharged to the Village of Patchogue sewage treatment plant.

4. Any out-of-service above-ground or underground storage tanks that may exist will be removed in accordance with applicable regulations of the New York State Department of Environmental Conservation and/or Suffolk County Department of Health Services.

5. Stormwater will be collected and recharged on site by drywells, with the proposed drainage system also capturing stormwater from adjacent parcels (i.e., District 204 – Section 9 – Block 5 - Lots 19, 21, and 22). The depth to groundwater on the property ranges from approximately eight feet to 13 feet below grade surface, and the soils are suitable for the proper filtration and ultimate recharge of stormwater.

Land Use, Zoning, and Community Character

1. The proposed development would serve to revitalize the area, eliminate unoccupied buildings, and improve blighted conditions. Furthermore, the proposed action would address several goals of the *Village of Patchogue Downtown Business District Analysis*, prepared by the Suffolk County Department of Planning, dated November 2002, and the blight study prepared by the Village of Patchogue.

2. The proposed development, with its mix of uses, would enhance the activity in the Village by providing additional retail and residential uses, and new hotel space. The proposed hotel would provide overnight accommodations for visitors to the Village, who may patronize the local theater, restaurants, retail establishments, the waterfront, and/or many of the annual festivals held in the downtown area of the Village. Furthermore, the placement of the hotel on the key "four corners" intersection of the downtown would serve as a prominent feature of the revitalization of the Village.

3. The proposed development would comply with the requirements of the Downtown Redevelopment District ("DRD"), with the exception of the number and size of proposed parking spaces (discussed later in this Findings Statement).

4. The subject site is situated within a Village-designated historic district. The applicant has shown consistency of the proposed development with the criteria for the Historic District as set forth in §93-75(B) of the Code of the Village of Patchogue ("Village Code).

Transportation

1. The traffic and parking impacts of the proposed action were thoroughly evaluated in the *Traffic Impact Analysis Report* ("*Traffic Analysis*"), *Parking Analysis Report* ("*Parking Analysis*"), as well as in various responses provided in the FEIS. The *Traffic Analysis* indicated that the proposed development is projected to generate approximately 216 and 322 vehicular trips during the weekday A.M. and P.M. peak periods, respectively, and 347 vehicular trips during the Saturday midday peak hour. The *Traffic Analysis* concluded that the potential additional traffic generated by the proposed expansion can be adequately handled by the existing local roadway network with the signalization of various intersections. The applicant has agreed to:

    - Signalize North Ocean Avenue at Oak Street and Site Driveway East;
    - Signalize North Ocean Avenue at Lake Street; and
    - Provide a contribution to Suffolk County for the construction of a traffic signal at County Road 19/Patchogue-Holbrook Road at Lake Street, if same is deemed warranted by Suffolk County.

2. The proposed development will provide 433 parking spaces, where 464 spaces are required pursuant to the regulations of the DRD. As such, a variance for 31 parking spaces is required. The *Parking Analysis*, which evaluated the adequacy of the proposed parking,

included the review of the proposed development, the Village Code, available parking generation data sources, field inventories of municipal parking available proximate to the subject site, and the feasibility of shared parking. The *Parking Analysis* included a parking demand assessment based on several different sources, considering each of the land uses individually and the concept of "shared parking" (i.e., various land uses have different parking demand characteristics at different times), and concluded that the proposed development provides sufficient parking for the overnight demand, and the on-street parking proximate to the subject site provides additional parking spaces to fulfill the daytime parking demand. Furthermore, the field inventories of municipal parking available proximate to the subject site demonstrated that there is sufficient parking in the vicinity of the subject site to accommodate any excess parking needs from the proposed action and from existing uses.

3. Havens Avenue will remain open to two-way vehicular and pedestrian traffic. However, traffic calming provisions will be incorporated into the design of Havens Avenue for vehicular and pedestrian safety.

4. A Traffic Management Plan will be submitted to the Village by the applicant prior to construction of the proposed action to minimize potential impacts to the surrounding community through the maintenance and protection of vehicular and pedestrian traffic as it traverses the project area, and maintenance of accessibility to adjacent properties during the construction period. Maintenance and protection of traffic will be implemented in accordance with standard practices and procedures as outlined in the New York State/Federal Manuals of Uniform Traffic Control Devices. Pedestrian walkways will be maintained to the extent practicable, and alternative paths will be properly defined and signed when necessary. Access to adjacent properties will be maintained at all times and on-street parking will be provided to the greatest extent practicable.

Socioeconomics

1. The *Economic Impact Study* ("*Economic Study*"), prepared by Dr. Pearl M. Kamer, evaluated the potential economic impacts of the proposed action, including the estimated property taxes, employment, affordable housing, purchasing power, and generation of school-aged children. The *Economic Study* concluded that the proposed development would result in significant socioeconomic benefits, including the following:

    - The generation of approximately $934,356 in annual property tax revenues, representing a net gain in property taxes of $705,147 for the subject site;

    - The generation of approximately 302 permanent jobs, with annual payroll of approximately $9.1 million in 2010 dollars. Furthermore, as a result of the ripple effect, the jobs generated by the proposed action would support more than 164 additional jobs, supporting another $7.3 million in payroll in or near the Village; and

    - The residential component of the proposed action would generate a total population of 473 people based on 100 percent occupancy of the proposed 240 rental units (with approximately 30 percent as workforce housing), with an estimated annual discretionary income of $4.2 million.

2. The proposed action is expected to generate 264 construction jobs, and to generate 2,023 secondary support jobs in a variety of local and nearby industries, with a projected increase in local earnings of approximately $83 million.

Community Facilities and Services

1. To minimize potential impacts on fire protection services, a Fire Safety Plan will be prepared and submitted to the Patchogue Fire Department and the Village, to illustrate the appropriate ingress and egress movements and accessibility for emergency vehicles. Furthermore, the proposed access drives and internal roadways, as well as internal spaces (i.e., hallways, stairs, and elevators), have been designed to provide proper ingress and egress and accessibility for emergency service providers.

2. The proposed development would comply with New York State building and fire codes. The proposed buildings would be sprinklered.

3. The proposed development has the potential to generate a total of 27 public school-aged children. The *Economic Study* determined that, with the projected taxes, the proposed action is expected to generate an annual revenue over expenses of $265,286 for the Patchogue-Medford Union Free School District.

Aesthetic and Cultural Resources

1. Post-development renderings submitted by the applicant demonstrate that the proposed action would improve the visual characteristics of the subject site, revitalizing under-utilized and vacant buildings.

2. The inner square incorporated in the proposed action will provide a distinctive, comfortable, and attractive environment, including decorative paving, plantings and benches, as well as a significant focal point, which will serve as a central gathering area.

3. There are no properties on or adjacent to the subject property that are listed on the National Register of Historic Places. However, the Carnegie Library building, which is considered to be locally significant, is situated within the subject property. The applicant has committed to work with the Village of Patchogue to relocate the existing Carnegie Library to a site designated by the Village. The applicant is also incorporating architectural elements of the Carnegie Library (e.g. roofline, pillars, windows and doors) into the proposed development.

4. The subject property is completely developed with structures and pavement, and there has been considerable subsurface disturbance associated with underground structures such as basements, sanitary systems and underground storage tanks. As such, the Board of Trustees finds that implementation of the proposed action would not result in significant impacts to cultural resources.

1506

Mayor
Paul V. Pontieri, Jr.
Deputy Mayor
Stephen J. McGirr
Village Clerk
Patricia M. Seal

INCORPORATED
VILLAGE OF PATCHOGUE

Trustees
Gerard J. Crean
Joseph P. Dean
Lori B. Devlin
William Heitzig
John A. Krieger

RESOLUTION #231-2008

BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF PATCHOGUE
PROPOSED CHANGE OF ZONE AND MIXED-USE DEVELOPMENT
APPLICATION OF DOWNTOWN PATCHOGUE REDEVELOPERS, LLC
NORTHWEST CORNER OF WEST MAIN STREET AND NORTH OCEAN AVENUE
INCORPORATED VILLAGE OF PATCHOGUE
SUFFOLK COUNTY, NEW YORK

Resolution
Notice of Completion of
Draft Environmental Impact Statement
Notice of Combined Public Hearing

WHEREAS, the Board of Trustees of the Incorporated Village of Patchogue has received an application from Downtown Patchogue Redevelopers, LLC for a change of zone of approximately 4.31± acres located on the north side of West Main Street, the east and west sides of Havens Avenue, the south side of Lake Street, and the west side of North Ocean Avenue, from the D2 Business District and D3 Business District to the Downtown Redevelopment District ("DRD"), as well as a site plan application for the construction of a mixed-use development of 240 residential units, 28,460 square feet of retail space, a 111-room hotel, and associated parking and appurtenances. The application also includes the redevelopment of a 0.51±-acre parcel on the north side of Lake Street for surface parking to be dedicated to the Village; improvements to Havens Avenue, including the alignment with Jennings Avenue; and a land swap between the applicant and the Incorporated Village of Patchogue (hereinafter the "proposed action"); and

WHEREAS, the Board of Trustees of the Incorporated Village of Patchogue, upon conducting a coordinated review, pursuant to 6 NYCRR §617.6(b)(3), declared itself to be lead agency for the aforesaid change of zone and mixed-use development application; and

WHEREAS, the Board of Trustees of the Incorporated Village of Patchogue determined that the proposed action is classified as a Type I action; and

1506

WHEREAS, the Board of Trustees of the Incorporated Village of Patchogue determined that the proposed action could have a significant adverse impact on the environment and required the preparation of a Draft Environmental Impact Statement ("DEIS"); and

WHEREAS, the Board of Trustees of the Incorporated Village of Patchogue has reviewed the DEIS submitted by the applicant, dated November 2008, for completeness and adequacy;

THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Incorporated Village of Patchogue hereby finds that the DEIS submitted by the applicant, dated November 2008, is adequate with respect to its scope and content for the purpose of commencing public review; and

BE IT FURTHER RESOLVED, that the Board of Trustees of the Incorporated Village of Patchogue will hold a combined public hearing on the DEIS, the change of zone application, and the site plan application on **January 20, 2009 at 7:30 p.m.**, at the Village Hall of the Incorporated Village of Patchogue, and will also accept written comments on the DEIS through **February 2, 2009**; and

BE IT FURTHER RESOLVED, that the Board of Trustees hereby directs the Village Clerk, in concert with the Village Attorney, to prepare, file and/or publish all requisite notices and to distribute the required documents in accordance with 6 NYCRR §617.12.

Aye	Nay		Aye	Nay	
X	____	Mayor Pontieri	X	____	Trustee Krieger
X	____	Trustee Crean	X	____	Trustee McGiff
X	____	Trustee Dean	X	____	Trustee Devlin
ABSENT		Trustee Hilton			

Patricia M. Seal, Village Clerk

December 10, 2008

1506

Mayor
Paul V. Pontieri, Jr.
Deputy Mayor
Stephen J. McGee
Village Clerk
Patricia M. Seal

INCORPORATED
VILLAGE OF PATCHOGUE

Trustees
Gerard J. Crean
Joseph P. Dean
Lori B. Devlin
William Hilton
John A. Krieger

RESOLUTION #219-2008

BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF PATCHOGUE
PROPOSED CHANGE OF ZONE AND MIXED-USE DEVELOPMENT APPLICATION OF DOWNTOWN PATCHOGUE REDEVELOPERS, LLC
NORTHWEST CORNER OF WEST MAIN STREET AND NORTH OCEAN AVENUE
INCORPORATED VILLAGE OF PATCHOGUE
SUFFOLK COUNTY, NEW YORK

Adoption of Positive Declaration

WHEREAS, the Board of Trustees of the Incorporated Village of Patchogue has received an application from Downtown Patchogue Redevelopers, LLC for a change of zone of approximately 4.31± acres located on the north side of West Main Street, the east and west sides of Havens Avenue, the south side of Lake Street, and the west side of North Ocean Avenue, from the D2 Business District and D3 Business District to the Downtown Redevelopment District ("DRD") and the construction of a mixed-use development, including residential units, retail space, a hotel, and associated parking and appurtenances. The application also includes the redevelopment of an existing residential-use parcel on the north side of Lake Street for surface parking; improvements to Havens Avenue, including the alignment with Jennings Avenue; and a land swap between the applicant and the Incorporated Village of Patchogue (hereinafter the "proposed action");

WHEREAS, the Board of Trustees of the Incorporated Village of Patchogue declared itself lead agency for the proposed action, pursuant to the implementing regulations of the State Environmental Quality Review Act, specifically 6 NYCRR §617.6(b)(3);

WHEREAS, the Board of Trustees of the Incorporated Village of Patchogue, as lead agency, has reviewed Part 1 of the Environmental Assessment Form ("EAF") for the proposed action, which was prepared by the applicant; and

WHEREAS, the Board of Trustees of the Incorporated Village of Patchogue, as lead agency, caused to be prepared Parts 2 and 3 of the EAF in order to identify potential significant adverse environmental impacts associated with the proposed action, has reviewed the aforesaid Parts 2 and 3 of the EAF and agrees with the contents thereof;

1906

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Incorporated Village of Patchogue, as lead agency for the action contemplated herein, after review of the proposed action and Parts 1, 2 and 3 of the EAF hereby determines that the proposed action is properly classified as "Type 1," pursuant to 6 NYCRR §617.4(b)(6); and

BE IT FURTHER RESOLVED, based upon review of the application and associated materials, Parts 1, 2 and 3 of the EAF, all other relevant information before the Board of Trustees of the Incorporated Village of Patchogue, and the criteria set forth in 6 NYCRR §617.7, the Board of Trustees of the Incorporated Village of Patchogue, as lead agency for the action contemplated herein, and after due deliberation and analysis, hereby determines that the proposed action may result in significant adverse impacts to the environment and hereby adopts the annexed Positive Declaration.

Aye	Nay		Aye	Nay	
X	____	Mayor Pontieri	X	____	Trustee Krieger
X	____	Trustee Crean	X	____	Trustee McGiff
X	____	Trustee Dean	X	____	Trustee Devlin
X	____	Trustee Hilton			

Patricia M. Seal, Village Clerk

November 10, 2008

1506

Mayor
Paul V. Pontieri, Jr.
Deputy Mayor
Stephen J. McGiff
Village Clerk
Patricia M. Seal

INCORPORATED
VILLAGE OF PATCHOGUE

Trustees
Gerard J. Crean
Joseph P. Dean
Lori B. Devlin
William Hilton
John A. Krieger

RESOLUTION #218-2008

BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF PATCHOGUE
PROPOSED CHANGE OF ZONE AND MIXED-USE DEVELOPMENT APPLICATION OF DOWNTOWN PATCHOGUE REDEVELOPERS, LLC
NORTHWEST CORNER OF WEST MAIN STREET AND NORTH OCEAN AVENUE
INCORPORATED VILLAGE OF PATCHOGUE
SUFFOLK COUNTY, NEW YORK

Lead Agency Designation

WHEREAS, the Board of Trustees of the Incorporated Village of Patchogue has received an application from Downtown Patchogue Redevelopers, LLC for a change of zone of approximately 4.31± acres located on the north side of West Main Street, the east and west sides of Havens Avenue, the south side of Lake Street, and the west side of North Ocean Avenue, from the D2 Business District and D3 Business District to the Downtown Redevelopment District ("DRD") and the construction of a mixed-use development, including residential units, retail space, a hotel, and associated parking and appurtenances. The application also includes the redevelopment of an existing residential-use parcel on the north side of Lake Street for surface parking; improvements to Havens Avenue, including the alignment with Jennings Avenue; and a land swap between the applicant and the Incorporated Village of Patchogue (hereinafter the "proposed action");

WHEREAS, pursuant to 6 NYCRR §617.4, the Board of Trustees of the Incorporated Village of Patchogue reviewed the proposed action and has preliminarily determined that same is a Type I Action, pursuant to 6 NYCRR §617.4(b)(6); and

WHEREAS, pursuant to 6 NYCRR Part 617, coordinated review was undertaken by the Board of Trustees of the Incorporated Village of Patchogue, and no objections were received from involved agencies to the Board of Trustees' serving as the lead agency in this matter;

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Mayor
Paul V. Pontieri, Jr.
Deputy Mayor
Stephen J. McGiff
Village Clerk
Patricia M. Seal

INCORPORATED
VILLAGE OF PATCHOGUE

Trustees
Gerard J. Crean
Joseph P. Dean
Lori B. Devlin
William Hilton
John A. Krieger

RESOLUTION #117-2008

ADOPTING A DETERMINATION OF NON-SIGNIFICANCE RELATIVE TO THE ADOPTION OF THE DOWNTOWN REDEVELOPMENT DISTRICT ("DRD") FLOATING ZONE NORTH OF WEST MAIN STREET, SOUTH OF LAKE STREET, WEST OF NORTH OCEAN AVENUE AND EAST OF WEST AVENUE INCORPORATED VILLAGE OF PATCHOGUE SUFFOLK COUNTY, NEW YORK

The BOARD OF TRUSTEES of the Incorporated Village of Patchogue, duly convened in REGULAR session, do hereby resolve as follows:

WHEREAS, The Board of Trustees of the Incorporated Village of Patchogue (hereinafter the "Board of Trustees"), as lead agency, has determined that, subsequent to review of an Expanded Environmental Assessment Form (Parts 1, 2 and 3), site inspections and area inspections, the *Village of Patchogue Downtown Business District Study* prepared by the Suffolk County Department of Planning in 2002 (the "Downtown Study"), a blight study prepared by the Village of Patchogue, and other materials and testimony submitted to the Board of Trustees, the proposed action described below will not have a significant adverse impact on the environment, and a Draft Environmental Impact Statement ("DEIS") will not be prepared.

NOW THEREFORE, be it **RESOLVED** by the Board of Trustees:

THAT, in accordance with SEQRA and its implementing regulations at 6 NYCRR Part 617, the Board of Trustees, using the Expanded Environmental Assessment Form and other documents and materials presented at hearing held herein and comparing same to the thresholds set forth in 6 NYCRR §617.4 and §617.5, has determined that this project is an Unlisted action; and,

THAT, based upon the information contained in the Expanded Environmental Assessment Form and associated documents and materials referenced herein, the Board of Trustees, as lead agency for the action contemplated herein, and after due deliberation, review and analysis, and review of the criteria set forth in 6 NYCRR §617.7, hereby determines that the proposed action will not result in significant adverse impacts to the environment; and,

14 Baker Street • Post Office Box 719 • Patchogue, New York 11772-0719 • Phone 631 475 4300 • Fax 631 475 4314
www.patchogueviltage.org

THAT, a Negative Declaration and Notice Of Determination Of Non-Significance should issue relative to the adoption of the Downtown Redevelopment District ("Drd") Floating Zone (North Of West Main Street, South Of Lake Street, West Of North Ocean Avenue And East Of West Avenue, Incorporated Village Of Patchogue, Suffolk County, New York).

Aye	Nay		Aye	Nay	
X	____	Mayor Pontieri	X	____	Trustee Krieger
X	____	Trustee Crean	X	____	Trustee McGiff
X	____	Trustee Dean	X	____	Trustee Devlin
X	____	Trustee Hilton			

Patricia M. Seal, Village Clerk

April 21, 2008

1506

COUNTY OF SUFFOLK

MAY 15 2009

1506

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC
DEVELOPMENT & WORKFORCE
HOUSING

JILL ROSEN-NIKOLOFF
DIRECTOR OF AFFORDABLE
HOUSING

May 14, 2009

Ben Zwirn, Deputy County Executive
Office of the County Executive
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, NY 11788

Re: Resolution Authorizing Planning Steps for the Acquisition of Suffolk County Tax Map Numbers, as set forth on Schedule A attached hereto, for Workforce Housing

Dear Mr. Zwirn:

The Department of Economic Development and Workforce Housing requests the submittal of the attached resolution (Reso-Dept. of Econ. Dev. – "New Village," Patchogue Village Workforce Housing), authorizing planning steps for the acquisition of the above referenced sites for workforce housing in the Village of Patchogue.

Attached please find the draft resolution, the required maps indicating the site location, a letter of support from Mayor Pontieri, Village of Patchogue Board Resolutions and SCIN Forms 175a and 175b. Electronic copies are being transmitted concurrently herewith.

Thank you.

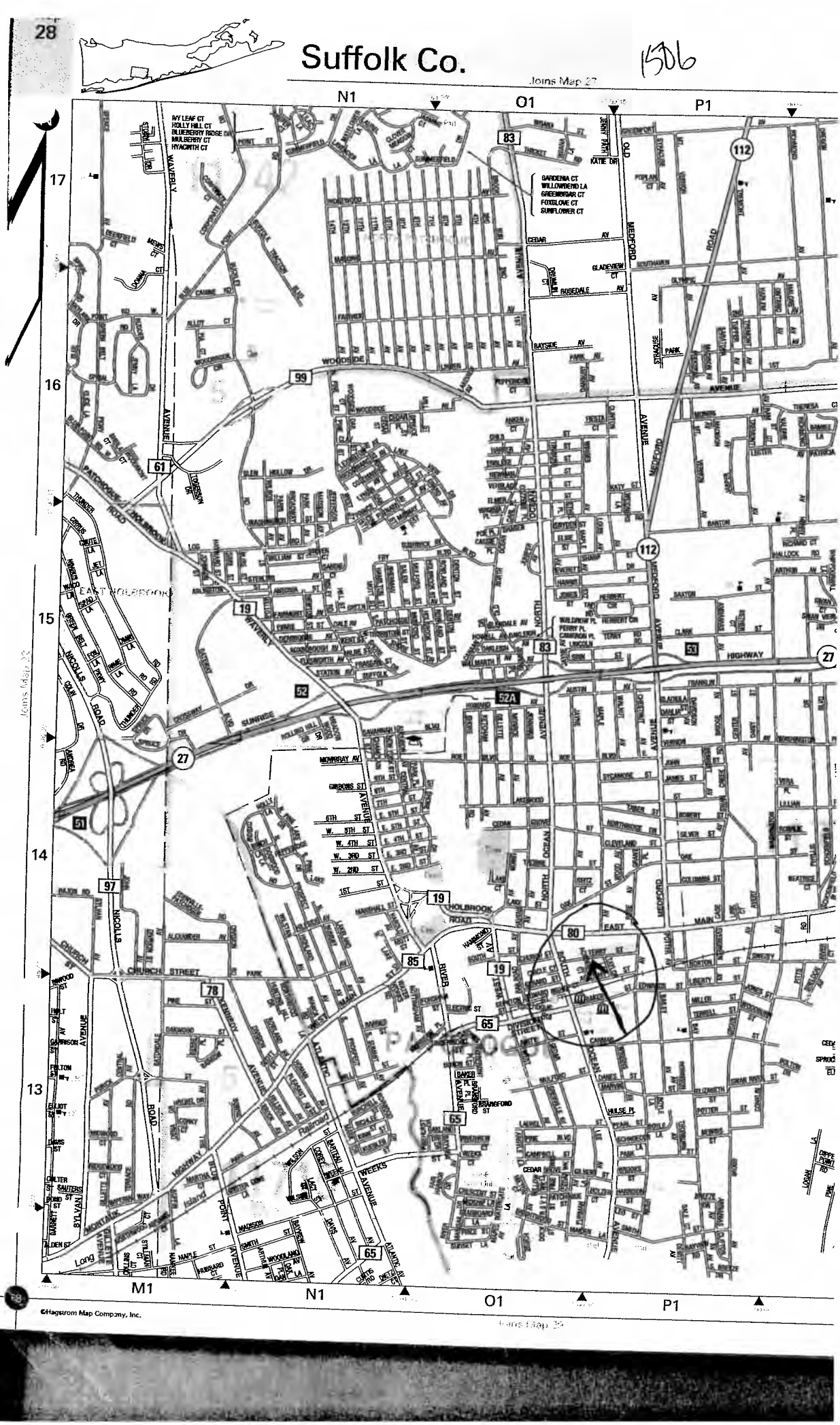
Sincerely,

Jill Rosen-Nikoloff
Director of Affordable Housing

Enc.
Cc: Christopher Kent, Chief Deputy County Executive
Patrick Heaney, Commissioner, Dept. of Economic Development & Workforce Housing
Carrie Meek-Gallagher, Commissioner, Dept. of Environment and Energy
Brendan Chamberlain, County Executive Assistant
CE RESO REVIEW, via email

JRN/mkc

H:\EcoDevHousing\EcoDevHousing\jnikoloff\Planning Steps Resolution\Ben Zwirn April 2009 NEW VILLAGE.doc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Suffolk Co.
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P1
Joins Map 29
IVY LEAF CT
HOLLY HILL CT
BLUEBERRY ROSE DR
MULBERRY CT
HYACINTH CT
GARDENIA CT
WILLOWBEND LA
GREENBRIAR CT
FOXGLOVE CT
SUNFLOWER CT
WAVERLY AVENUE
MEDFORD AVENUE
OLD MEDFORD ROAD
WOODSIDE
PATCHOGUE-YAPHANK ROAD
EAST ROCKWOOD
GREEN HILL ROAD
NICOLLS ROAD
SUNRISE HIGHWAY
HIGHWAY
MONTAUK HIGHWAY
CHURCH STREET
CHOLBROOK ROAD
EAST MAIN
RIVER
OCEAN AVENUE
WEEKS AVENUE
ATLANTIC AVENUE
Long Island Railroad
Long
©Hagstrom Map Company, Inc.

Intro. Res. No. 1507 -2009
Introduced by Presiding Officer on request of the County Executive

Laid on Table 6/9/09

RESOLUTION NO. _____ -2009, AUTHORIZING PLANNING STEPS FOR IMPLEMENTATION OF SUFFOLK COUNTY WORKFORCE HOUSING PROGRAM

WHEREAS, Article XXXVI of the SUFFOLK COUNTY ADMINISTRATIVE CODE establishes the County's Workforce Housing Program; and

WHEREAS, Section 36-2(C) of said Article authorizes land to be acquired by the County through the use of Capital Bond proceeds (CP 8704); and

WHEREAS, the County Department of Economic Development and Workforce Housing and the Town of Riverhead have identified three sites in the County of Suffolk, to be known as "Summer Wind Square," which would be appropriate for development as workforce housing and which are identified by the Suffolk County Tax Map Numbers as follows: 0600-128.00-06.00-081.000, 0600-128.00-06.00-082.000 and 0600-128.00-06.00-086.003; and

WHEREAS, pursuant to Section 36-2 (C) of Article XXXVI of the Suffolk County Administrative Code, it is proposed that the County acquire the parcels identified by Suffolk County Tax Map Numbers 0600-128.00-06.00-081.000, 0600-128.00-06.00-082.000 and 0600-128.00-06.00-086.003; and

WHEREAS, the Town of Riverhead has expressed an interest in partnering with the County of Suffolk to provide workforce housing at this location; now, therefore be it

1st **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this constitutes a Type II action pursuant to Section 617.5(c) (18), (20), (21) and (27) of the NEW YORK CODE OF RULES AND REGULATIONS (NYCRR) in that the resolution authorizes information collection and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action and because the resolution constitutes routine or continuing agency administration; since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that this Legislature hereby finds that the parcels in the Town of Riverhead, as identified by the Suffolk County Tax Map Numbers 0600-128.00-06.00-081.000, 0600-128.00-06.00-082.000 and 0600-128.00-06.00-086.003, meet the acquisition and infrastructure funding requirements of the County Workforce Housing Program and the need to fill the critical shortage of workforce housing in Suffolk County; and be it further

3rd **RESOLVED**, that the Director of Affordable Housing within the Suffolk County Department of Economic Development and Workforce Housing, is hereby authorized, empowered and directed, pursuant to Section 14-10(B) of the SUFFOLK COUNTY CHARTER, to plan for the acquisition of and/or infrastructure improvements in the Town of Riverhead for the parcels listed below:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER: District Section Block Lot	ACREAGE:	REPUTED OWNER:
No. 1	0600 128.00 06.00 081.000 28 Peconic Avenue, Riverhead	.05036	28 Peconic LLC
No. 2	0600 128.00 06.00 082.000 30 Peconic Avenue, Riverhead	.15955	East End Square Club Inc.
No. 3	0600 128.00 06.00 086.003 40 Peconic Avenue, Riverhead	.11710 .32701	NF Management Inc.

; and be it further

4th RESOLVED, that the County Department of Economic Development and Workforce Housing, the Division of Real Property Acquisition and Management, and the County Department of Law are hereby authorized, empowered and directed to take such other actions as may be necessary and appropriate to accomplish such planning purposes, including, but not limited to, securing appraisals, surveys, engineering reports, environmental audits, title search and to utilize such valid appraisals for the subject parcels as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

5th RESOLVED, that the Director of Affordable Housing within the Suffolk County Department of Economic Development and Workforce Housing is hereby authorized, empowered and directed to take such other actions as may be necessary and appropriate to process such application; and be it further

6th RESOLVED, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel; and be it further

7th RESOLVED, that any unencumbered, unallocated funds available upon the execution of a binding Development Agreement between the County of Suffolk and the Town of Riverhead shall be appropriated to future and subsequent Workforce Housing Program projects.

Date: June____, 2009

APPROVED BY:

_____

Steve Levy
County Executive of Suffolk County

Date of Approval: June____, 2009

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STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution **X** Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing planning steps for implementation of Suffolk County Workforce Housing Program at SCTM#s 0600-128.00-06.00-081.000, 0600-128.00-06.00-082.000 and 0600-128.00-06.00-086.003

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

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

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

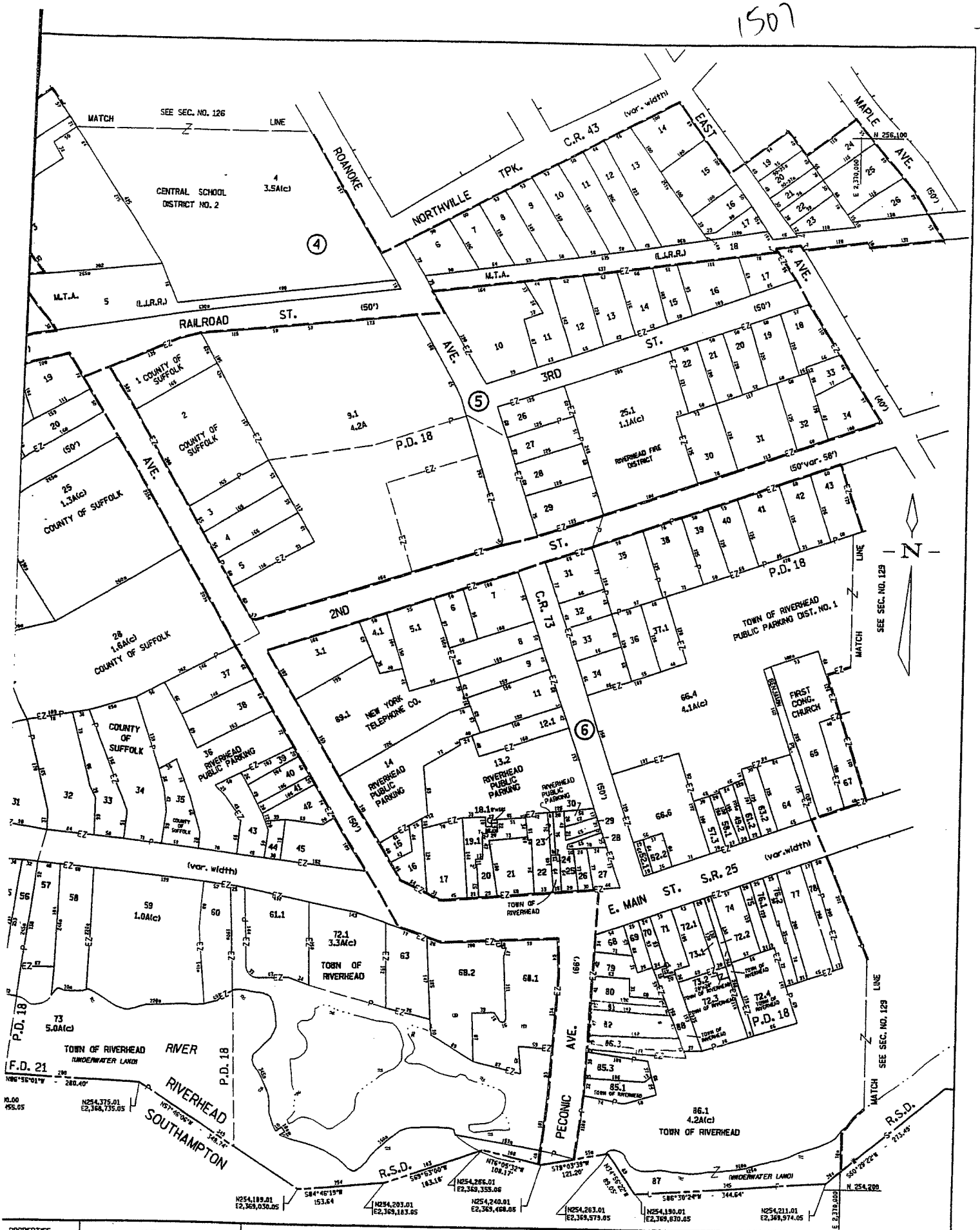
8. Proposed Source of Funding

9. Timing of Impact

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Jill Rosen-Nikoloff Director of Affordable Housing		May 27, 2009

SCIN FORM 175b (10/95)

1507



PROPERTIES DISTRICTS:
R.S.D.
32
EZ

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

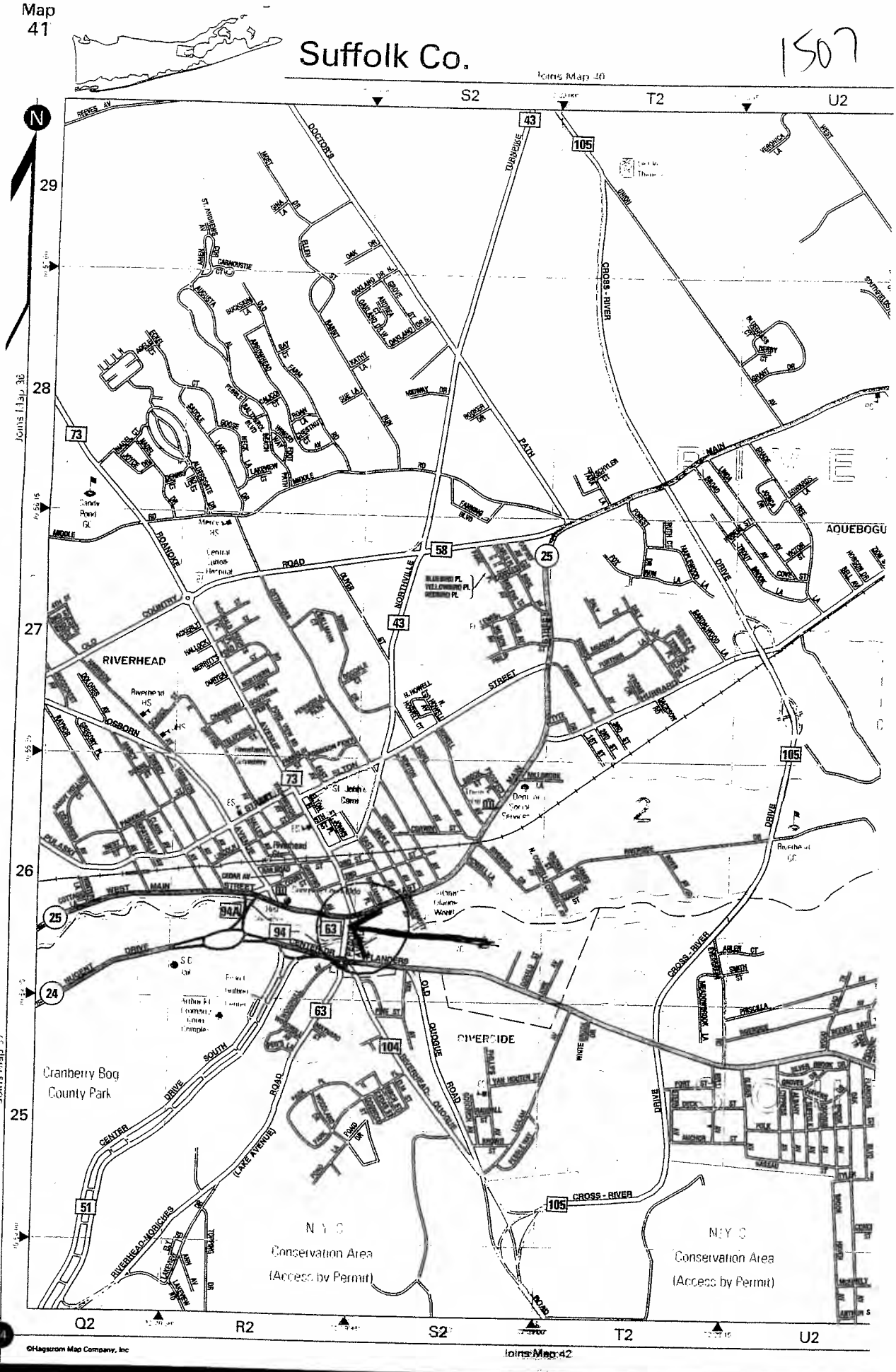
TOWN OF RIVERHEAD
VILLAGE OF
DISTRICT NO 0600

SECTION NO
128
PROPERTY MAP

Map 41

Suffolk Co.

1507



©Hagstrom Map Company, Inc

1507

May 7, 2009

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 454

RESOLUTION APPROVING THE SITE PLAN OF SUMMERWIND

COUNCILMAN WOOTEN offered the following resolutions, which was seconded by COUNCILWOMAN BLASS.

WHEREAS, a site plan was submitted by NF Management, to demolish the existing structures and construct a five story mixed use structure with 8,686 sq. ft. footprint and 2,278 sq. ft. of covered walkways. The structure will contain a 100 seat restaurant, 5,700 sq. ft. of retail and 52 one bedroom workforce apartment units upon real property located at 40 Peconic Avenue in Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-128-6-81, 82 & 86.3; and

WHEREAS, the Architectural Review Board recommended approval of the elevation plans dated revised March 25, 2009 for the construction of a five story mixed use structure with 8,686 sq. ft. footprint and 2,278 sq. ft. of covered walkways;

WHEREAS, the site plan petition was referred to the Suffolk County Planning Commission; such commission recommending unconditional approval of the petition;

WHEREAS, the Planning Department has reviewed the site plan prepared by Martin Sendlewski, AIA., dated revised April 24, 2009, and floor and elevation plans prepared Martin Sendlewski, AIA., dated April 24, 2009, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved with conditions;

WHEREAS, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

WHEREAS, the amended site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received by the Office of the Financial Administrator of the Town of Riverhead as per receipt no. J6310; and

WHEREAS, the Riverhead Town Board has reviewed the site plan aforementioned,

NOW THEREFORE BE IT RESOLVED, that in the matter of the site plan application of Summerwind, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be a Type I action pursuant to 6NYCRR Part 617 without significant adverse impacts upon either the natural or social environment and

that an Environmental Impact Statement need not be prepared.

BE IT FURTHER RESOLVED, that the site plan prepared by Martin Sendlewski, AIA, dated revised April 24 2009, and floor and elevations prepared by Martin Sendlewski, AIA dated revised April 24, 2009, respectively, for the demolition of the existing structures and construction a five story mixed use structure with 8,686 sq. ft. footprint and 2,278 sq. ft. of covered walkways; such structure containing a 100 seat restaurant, 5,700 sq. ft. of retail and 52 one bedroom workforce housing units, is hereby approved by the Town Board with the following conditions:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;

3. That the form, design, location, and color of all signage shall be submitted for the sign permit procedure prior to being installed at the property (the site plan approval does not indicate approval of signage); that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Riverhead Town Code shall be complied with, and that all tenants shall be apprised of said requirements as well as any restrictions imposed as a condition of the site plan approval granted herein;

4. That the applicant is familiar with the Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the. enclosure of dumpsters, and agrees to abide by same;

5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

6. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

7. That all new utilities shall be constructed underground;

8. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;

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9. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

10. The applicant must satisfy all requirements of the New York State Building Code;

11. That pursuant to Section 108-133(I) of the Code of the Town of Riverhead, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing permit, demolition permit or building permit, shall post a letter of credit in an amount equaling one hundred percent (100%) of the site improvement costs as estimated by the Planning Board. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said letter of credit, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The land clearing permit, demolition permit or building permit shall not be issued until the Town Clerk certifies that the letter of credit has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the clearing or building permit or any renewal thereof. The applicant shall request a security estimate from the Planning Department;

12. That the applicant shall be required to file and obtain all the necessary site inspections as prescribed in section 108-131E of the Code of the Town of Riverhead;

13. That no Demolition Permit or Building Permit shall issue prior to the following:

(i) The submission of a construction protocol, to the satisfaction of the Planning Board Consulting Engineer, which:

a. Ensures the protection of the integrity of the adjacent National Register Historic Building (Vail Levitt Music Hall);

b. Describes the method by which water from de-watering soils will be contained on site and protected from discharge to the surface waters of the Peconic River

(ii) The submission of a mylar of the site plan which includes a Town Board Certification box, on each page of the plans, in a format approved by the Planning Department

(iii) The mylar shall not exceed the standard D size drawing (24" x 36")

(iv) The mylar must include the manufacture's cut sheet for each of the proposed fixtures

(v) That certification of clean title to the satisfaction of the Town Attorney is submitted; and be it further

1507

(vi) The applicant shall submit a digital copy of the site plan in a common computer-aided design (CAD) file format, among them DGN, DXF, and DWG, and the digital CAD drawing shall be projected in the NAD 1983 State Plane New York Long island FIPS 3104 (feet) coordinate system.

14. In furtherance of section 108-131 E (1) (c), no Certificate of Occupancy shall issue until all required conditions of site plan have been implemented and the applicant submits a signed and sealed "As-Built" survey in accordance to section 108-129 E.

RESOLVED, that the Clerk for the Town Board is hereby authorized to forward a certified copy of this resolution to NR Management, P.O. Box 696, Aquebogue, NY 11931; Martin Sendlewski, AIA., 215 Roanoke Ave., Riverhead, NY 11901, the Riverhead Planning Department; the Riverhead Building Department; The Community Development Agency, the Town Attorney; the Town Clerk; the Town Assessor; the Town Engineer; the Chief Fire Marshall; the Water District Superintendent; The Sewer District Superintendent; and the Town's Consulting Engineer.

THE VOTE

DUNLEAVY ✓ YES ___ NO WOOTEN ✓ YES ___ NO

BLASS ✓ YES ___ NO

CARDINALE ✓ YES ___ NO

THIS RESOLUTION ✓ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

p.5 631 7227680

TOWN OF RIVERHEAD

1507

PHIL CARDINALE, SUPERVISOR

200 HOWELL AVENUE
RIVERHEAD, NEW YORK 11901
(516) 727-3200 EXT. 250
FAX (516) 727-6712
WWW.RIVERHEADLI.COM

February 20, 2009

Suffolk County Department of
Economic Development and Workforce Housing
P.O. Box 6100, 100 Veterans Memorial Parkway
Hauppauge, NY 11788
Attn: Ms. Jill Rosen-Nikoloff

Re: 40 Peconic Avenue
SCTM# 0600-128-

Dear Ms. Rosen-Nikoloff,

The Town Board of the Town of Riverhead supports the workforce housing mixed use project that is proposed for 40 Peconic Avenue, Riverhead, County of Suffolk, NY, subject to compliance with all zoning and Town Board review and approval. The project, which includes the development of the three parcels south of the historic Vail Levitt Music Hall, will provide for revitalization of the Riverhead Downtown Business District while providing much needed workforce housing within our community.

The conceptual plans presented by Mr. Dickhoff to this board, which includes 52 one bedroom units on the upper floors with mixed use retail on the first floor, appear to meet the goals set forth in the Town's Master Plan and zoning requirements set forth in the Town Code of the Town of Riverhead. Mr. Dickhoff has expressed his desire to break ground during the late summer or early fall and based upon his presentation the Town is confident that he may meet his goal.

As a Board, we look forward to working with your organization and the County of Suffolk on this project. Should you require any further information please feel free to contact us.

Most sincerely,

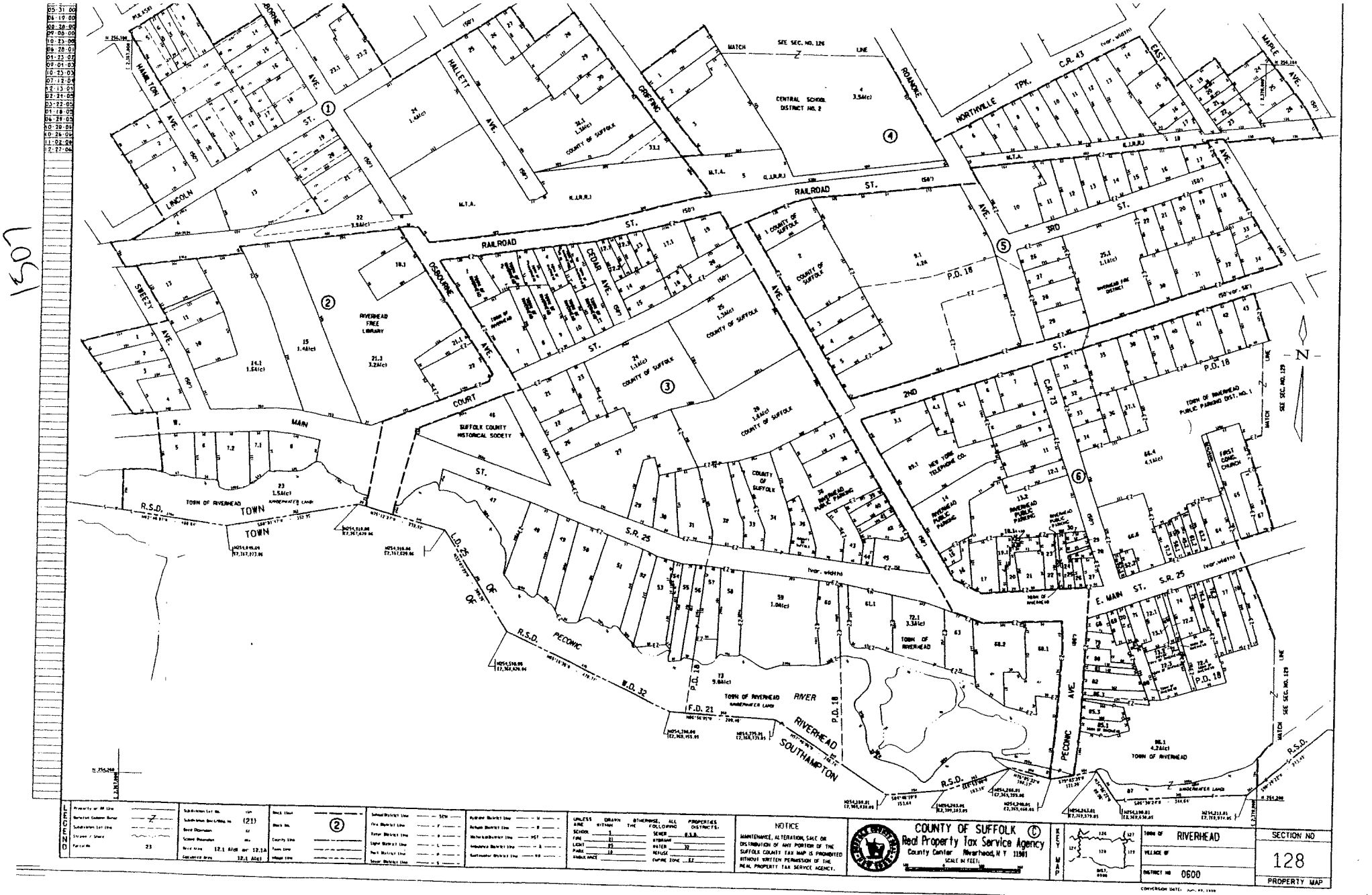
Philip Cardinale
Supervisor

Barbara Blass
Councilwoman

John Dunleavy
Councilman

James Wooten
Councilman

Timothy Buckley
Councilman



LEGEND

Property or Bk Line	
Barrier Column Bar	
Subdivision Lot Line	
Stream / Shore	
Parcel No.	23
Subdivision Lot No.	
Subdivision Block No.	(21)
Base Dimension	
Scale Dimension	
Base Area	12.1 A(d) or 12.1A
Calculated Area	12.1 A(c)
Block Line	
Block No.	②
County Line	
Town Line	
Village Line	
School District Line	SCH
Fire District Line	F
Water District Line	W
Light District Line	L
Park District Line	P
Sewer District Line	S
Hydrant District Line	H
Refuse District Line	R
Meter Co. District Line	MST
Ambulance District Line	A
Southwater District Line	SW

UNLESS ANY DRAWN WITHIN THE OTHERWISE, ALL FOLLOWING PROPERTIES DISTRICTS:

SCHOOL	1	SEWER	B.S.D.
FIRE	21	HYDRANT	
LIGHT	25	WATER	32
PARK	18	REFUSE	
AMBULANCE		EMPIRE ZONE	EZ

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 RIVERHEAD
VILLAGE OF
DISTRICT NO 0600

SECTION NO 128
PROPERTY MAP

CONVERSION DATE: Jun. 09, 1999

1507

1507 GEN 519

COUNTY OF SUFFOLK

MAY 29 2009

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT & WORKFORCE HOUSING

JILL ROSEN-NIKOLOFF
DIRECTOR OF AFFORDABLE HOUSING

May 28, 2009

Ben Zwirn, Deputy County Executive
Office of the County Executive
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, NY 11788

Re: Resolution Authorizing Planning Steps for the Acquisition of SCTM#s 0600-128.00-06.00-081.00, 0600-128.00-06.00-082.000 and 0600-128.00-06.00-086.003 for Workforce Housing

Dear Mr. Zwirn:

The Department of Economic Development and Workforce Housing requests the submittal of the attached resolution (Reso - Eco. Dev. – "Summer Wind Square," Town of Riverhead Workforce Housing), authorizing planning steps for the acquisition of the above referenced site for workforce housing in the Town of Riverhead.

Attached please find the draft resolution, the required maps indicating the site location, Town letter of support, Town Board Resolutions and SCIN Forms 175A and 175B. Electronic copies are being transmitted concurrently herewith.

Thank you.

Sincerely,

Jill Rosen-Nikoloff
Director of Affordable Housing

Enc.
Cc: Christopher Kent, Chief Deputy County Executive
Patrick Heaney, Commissioner, Dept. of Economic Development & Workforce Housing
Carrie Meek-Gallagher, Commissioner, Dept. of Environment and Energy
✓Brendan Chamberlain, County Executive Assistant
CE RESO REVIEW, via email

JRN/mkc

1508

Intro. Res. No. -2009 Laid on Table 6/9/09
Introduced by Legislator Schneiderman

RESOLUTION NO. -2009, ADOPTING LOCAL LAW NO. -2009, A LOCAL LAW AMENDING CHAPTER 278A OF THE SUFFOLK COUNTY CODE ADDRESSING INVASIVE NON-NATIVE PLANT SPECIES

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 AMENDING CHAPTER 278A OF THE SUFFOLK COUNTY CODE ADDRESSING INVASIVE NON-NATIVE PLANT SPECIES**" 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 AMENDING CHAPTER 278A OF THE SUFFOLK COUNTY CODE ADDRESSING INVASIVE NON-NATIVE PLANT SPECIES

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Article II of Chapter 278A of the SUFFOLK COUNTY CODE regulates the sale, introduction and propagation of invasive non-native plant species in Suffolk County to protect our environment.

This Legislature also finds and determines that, as new invasive plant species develop and enter the market, the "Do Not Sell" list of plants in Suffolk County must be updated.

This Legislature further finds and determines that updating the "Do Not Sell" list helps keep Suffolk County's environment robust and healthy and protect it from further damage.

This Legislature also determines that the Department of Consumer Affairs would be better able to enforce the "Do Not Sell" list in Suffolk County.

Therefore, the purpose of this law is update current prohibitions on the sale of invasive non-native plant species to protect Suffolk County's ecology.

Section 2. Amendments.

I. Article 278A-11 of the SUFFOLK COUNTY CODE is hereby amended as follows:

§278A-11. Prohibitions.

[A. No person shall knowingly sell, transport, distribute, propagate or knowingly cause to be sold, transported, distributed or propagated to any person located within the County of Suffolk, or to any person making the purchase from within the County of Suffolk, any

invasive species as listed on Exhibit A herein, as said exhibit may be amended by law from time to time, with the advice of the Water and Land Invasives Advisory Board.

B. No person shall knowingly sell, transport, distribute, propagate or knowingly cause to e sold, transported, distributed or propagated to any person located within the County of Suffolk, or to any person making the purchase from within the county of Suffolk, any invasive species as listed on Exhibit B herein, as said exhibit may be amended by law from time to time, with the advice of the Water and Land Invasives Advisory Board.]

No person shall knowingly sell, transport, distribute, propagate or knowingly cause to be sold, transported, distributed or propagated to any person located within the County of Suffolk, or to any person making the purchase from within the County of Suffolk, any invasive species as listed on Exhibits A through F herein, as said exhibits may be amended by law from time to time, with the advice of the Water and Land Invasives Advisory Board.

****

II. Article 278A-13 of the SUFFOLK COUNTY CODE is hereby amended as follows:

§278A-13. Exemptions.

A. The prohibitions contained in this article shall not apply to bona fide scientific experiments or for educational purposes, provided that no invasive species used in such bona fide scientific experiments or for educational purposes shall be permitted to be sold or distributed.

B. Any person desiring to use any invasive species for bona fide scientific experiments or for educational purposes shall be required to apply for a written waiver of the provisions of this article from the Suffolk County Department of Environment and Energy, on a form to be prescribed in Exhibit [C] G herein.

C. A cultivar of a Do-Not-Sell Listed invasive species may be exempted from Do-Not-Sell status if:

1. its primary means of reproduction is sexual, and
2. scientific, peer-reviewed criteria verify that a cultivar is effectively 100% male and female sterile, and
3. guaranteed by the producer to be sterile, and
4. enabling enforcement through appropriate safeguards to document the identity of the cultivar and source of the cultivar, including tagging individual plants and shipping and nursery invoices, and
5. it is deemed appropriate for exemption by the Advisory Board and LIISMA SRC

****

III. Article 278A-15 of the SUFFOLK COUNTY CODE is hereby amended as follows:

§ 278A-15. Rules and regulations.

The Suffolk County Department of [Environment and Energy] Consumer Affairs shall issue and promulgate such rules and regulations as it deems necessary and appropriate to carry out the provisions of this article.

IV. Article 278A-16 of the SUFFOLK COUNTY CODE is hereby amended as follows:

§278A-16. Applicability.

[A. The prohibition described in §278A-11A of this article shall apply to actions occurring on or after January 1, 2009.

B. The prohibition described in §278A-11B of this article shall apply to actions occurring on or after January 1, 2011.]

The prohibition described in §278A-11 of this article shall apply as follows:

A. For actions involving species listed in Exhibit "A", occurring on or after January 1, 2009.

B. For actions involving species listed in Exhibit "B", occurring on or after January 1, 2011.

C. For actions involving species listed in Exhibit "C" occurring on or after January 1, 2012.

D. For actions involving species listed in Exhibit "D" occurring on or after January 1, 2013.

E. For actions involving species listed in Exhibit "E" occurring on or after January 1, 2014.

F. For actions involving species listed in Exhibit "F" occurring on or after January 1, 2016.

V. Exhibits "A" and" B" of Chapter 278, Article II, of the SUFFOLK COUNTY CODE are replaced and superseded by the Exhibits "A" and "B", attached hereto.

VI. Chapter 278, Article II, of the SUFFOLK COUNTY CODE is amended by the addition of new Exhibits "C" through "F", attached hereto.

VII. Exhibit "C" of Chapter 278, Article II, of the SUFFOLK COUNTY CODE shall be relettered as Exhibit "G".

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

This law shall 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:

s:\laws\l-amend invasive non-native plant list

EXHIBIT "A"

Scientific Name	Common Name
Alliaria petiolata	Garlic mustard
Ameplopsis brevipedunculata	Porcelain berry
Anthriscus sylvestris	Wild chervil
Aralia elata	Japanese angelica tree
Artemisia vulgaris	Mugwort, Common woodworm
Cambomba caroliniana	Carolina fanwort
Cardamine impatiens	Narrowleaf bittercress
Celastrus orbiculatus	Oriental bittersweet
Centaurea stoebe ssp. Micranthos s.l. (AKA C. biebersteinii, C. diffusa, C. maculosa misapplied, C. xpsammogena)	Spotted knapweed, Spotted star-thistle
Cirsium arvense (AKA C. setosum, C. incanum, Carduus arvensis, Serratula arvensis)	Canada thistle
Cynanchum louiseae (AKA C. nigrum, Vincetoxicum nigrum)	Black swallow-wort
Cynanchum rossicum (AKA C. medium, Vincetoxicum medium, V. rossicum)	European swallow-wort, Pale swallow-wort, Dog strangling vine
Egeria densa	Brazilian waterweed
Elaeagnus umbellate	Autumn olive
Euphorbia cyparissias	Cypress spurge
Euphorbia esula	Leafy spurge
Fallopia japonica/sachalinensis/xbohemica (AKA Polygonum cuspidatum/sachalinense/ xboehmicum)	Japanese knotweed, Giant knotweed, Silver lace vine
Froelichia gracilis	Cottonweed
Heracleum mantegazzianum	Giant hogweed
Humulus japonicus	Japanese hops
Hydrilla verticillata	Water thyme
Hydrocharis morsus-ranae	Frogbit
Lepidium latifolium	Broadleaf pepperweed
Lesperdeza cuneata	Chinese lesperdeza
Ligustrum obtusifolium	Border privet
Ludwigia grandiflora	Uruguayan primrose willow
Ludwigia peploides	Floating primrose willow
Lythrum salicaria	Purple loosestrife
Microstegium vimineum	Japanese stilt grass
Myriophyllum aquaticum	Parrot-feather
Myriophyllum spicatum	Eurasian water-milfoil
Nymphoides peltata	Yellow floating heart
Persicaria perfoliata (AKA Polygonum perfoliatum)	Mile a minute weed
Phalaris arundinacea (Eurasian genotype)	Reed canary-grass
Phragmites australis subsp. australis	Common reed grass (non-native genotype)
Potamogeton crispus	Curly pondweed
Pueraria montana var. lobata	Kudzu
Ranunculus ficaria	Lesser celandine
Rhamnus cathartica	Common buckthorn
Rosa multiflora	Multiflora rose

Scientific Name	Common Name
Rubus phoenicolasius	Wineberry
Senecio jacobaea	Tansy ragwort, Stinking willie
Silphium perfoliatium var. perfoliatum	Cup-plant
Trapa natans	Water chestnut
Vitex rotundifolia (AKA V. ovata, V. trifolia)	Beach vitex; Roundleaf chastree

EXHIBIT "B"

Scientific Name	Common Name
Clematis terniflora	Japanese virgin's bower, Yam-leaf clematis
Lonicera japonica	Japanese honeysuckle
Lonicera maackii	Amur honeysuckle
Lonicera morrowii/tatarica/xbella	Morrow's honeysuckle
Lysimachia nummularia	Moneywort
Lysimachia vulgaris	Garden loosestrife
Myriophyllum heterophyllum (including M. heterophyllum X M. pinnatum)	Broadleaf water-milfoil

EXHIBIT "C"

Scientific Name	Common Name
Iris pseudacorus	Yellow Iris

EXHIBIT "D"

Scientific Name	Common Name
Acer platanoides (except cultivars 'crimson king' and 'royal red' which are banned effective 1/1/16, see Exhibit "F")	Norway maple
Acer pseudoplatanus	Sycamore maple
Euonymus fortunei	Spindle-tree
Phellodendron amurense/japonicum	Amur cork tree
Rhamnus frangula (AKA Frangula alnus)	Smooth buckthorn
Robinia pseudoacacia	Black locust
Salix atrocinerea/cinerea	Gray florist's widow

EXHIBIT "E"

Scientific Name	Common Name
Berberis thunbergii (includes all hybrids with other Berberis species)	Japanese barberry

EXHIBIT "F"

Scientific Name	**Common Name**
Acer platanoides cultivars 'Crimson king' and 'Royal red'	Crimson King Norway maple, Royal Red Norway maple
Euonymus alatus	Winged euonymus

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1508

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: June 2, 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 AMENDING CHAPTER 278A OF THE SUFFOLK COUNTY CODE ADDRESSING INVASIVE NON-NATIVE PLANT SPECIES

SPONSOR: LEGISLATOR SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 6/1/09 **PUBLIC HEARING:** 6/23/09

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

This proposed local law would amend Chapter 278A of the SUFFOLK COUNTY CODE to add new invasive non-native plant species to Suffolk County's "Do Not Sell" list ("the list") and remove certain plants from the list that are no longer considered a threat to the County's environment. This law will also establish a process whereby certain cultivars of plants may be exempted from the list.

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

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-non native invasive plants

1509

Intro. Res. No. -2009 Laid on Table 6/9/2009
Introduced by Legislator Browning

RESOLUTION NO. -2009, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH TRAFFIC SIGNAL IMPROVEMENTS AT THE INTERSECTION OF CR 21, YAPHANK-MIDDLE ISLAND ROAD AND RUSTIC ROAD (CP 5054)

WHEREAS, the Suffolk County Department of Public Works is in need of funds for a traffic signal at the intersection of CR 21, Yaphank-Middle Island Road and Rustic Road in Yaphank; and

WHEREAS, there are sufficient funds within the 2009 Capital Budget and Program to cover the cost of said request; and

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

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

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 45 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (W) of the Suffolk County Charter; and be it further

3rd RESOLVED, that the 2009 Capital Budget and Program be and is hereby amended as follows:

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

Cost Elements	Total Estimated Cost	Current 2009 Capital Budget & Program	Revised 2009 Capital Budget & Program
3. Construction	$2,720,000	$2,820,000B	$2,720,000B
TOTAL	$2,720,000	$2,820,000	$2,720,000

Project Number: 5054
Project Title: Traffic Signal Improvements

Cost Elements	Total Estimated Cost	Current 2009 Capital Budget & Program	Revised 2009 Capital Budget & Program
5. Furniture and Equipment	$7,920,000	$750,000B	$850,000B

TOTAL	$8,650,000	$950,000	$1,050,000

and be it further

4th RESOLVED, that the proceeds of $100,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project Number	JC	Project Title	Amount
525-CAP-5054.579	50	Traffic Signal Improvements at the Intersection of CR 21, Yaphank-Middle Island Road and Rustic Road	$100,000

and be it further

5th RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; and be it further

6th RESOLVED, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

T:\BRO\yaphank traffic signal.doc

1509

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

Laid on Table 6/9/2009

RESOLUTION NO. –2009, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH TRAFFIC SIGNAL IMPROVEMENTS AT THE INTERSECTION OF CR 21, YAPHANK-MIDDLE ISLAND ROAD AND RUSTIC ROAD (CP 5054)

WHEREAS, the Suffolk County Department of Public Works is in need of funds for a traffic signal at the intersection of CR 21, Yaphank-Middle Island Road and Rustic Road in Yaphank; and

WHEREAS, there are sufficient funds within the 2009 Capital Budget and Program to cover the cost of said request; and

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

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

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 45 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (W) of the Suffolk County Charter; and be it further

3rd RESOLVED, that the 2009 Capital Budget and Program be and is hereby amended as follows:

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

Cost Elements	Total Estimated Cost	Current 2009 Capital Budget & Program	Revised 2009 Capital Budget & Program
3. Construction	$2,720,000	$2,820,000B	$2,720,000B
TOTAL	$2,720,000	$2,820,000	$2,720,000

Project Number: 5054
Project Title: Traffic Signal Improvements

Cost Elements	Total Estimated Cost	Current 2009 Capital Budget & Program	Revised 2009 Capital Budget & Program
5. Furniture and Equipment	$7,920,000	$750,000B	$850,000B

TOTAL	$8,650,000	$950,000	$1,050,000

and be it further

4th RESOLVED, that the proceeds of $100,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project Number	JC	Project Title	Amount
525-CAP-5054.579	50	Traffic Signal Improvements at the Intersection of CR 21, Yaphank-Middle Island Road and Rustic Road	$100,000

and be it further

5th RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; and be it further

6th RESOLVED, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

T:\BRO\yaphank traffic signal.doc

1510

Intro. Res. No. -2009 Laid on Table 6/9/09
Introduced by Legislator Montano

RESOLUTION NO. –2009, DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO ADD A STOP ON THE 3C BUS ROUTE

WHEREAS, many Suffolk County residents rely on public transportation to travel to jobs, shopping and other destinations; and

WHEREAS, Central Islip and its surrounding communities need increased bus service to nearby shopping centers so that residents can purchase groceries and other necessary items; and

WHEREAS, the Research Place Shopping Center in Central Islip, located just off Carleton Avenue, is home to a combination of private businesses, retail shopping, and food service establishments; and

WHEREAS, Suffolk County Transit bus route 3C travels on Carleton Avenue but makes no stop at the Research Place Shopping Center; and

WHEREAS, adding a stop to the 3C bus route in the Research Place Shopping Center will help better serve the community's needs, allowing employees and residents to more readily access this rapidly expanding center; and

WHEREAS, direct bus service will also provide a boost to the businesses located in the Research Place Shopping Center; now therefore be it

1st **RESOLVED**, that the Suffolk County Department of Public Works, Division of Transportation, is hereby authorized, empowered and directed, pursuant to C8-2(W) of the SUFFOLK COUNTY CHARTER, to take all steps necessary to provide direct bus service to the Research Place Shopping Center in Central Islip as part of the 3C Bus Route; 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:

Intro. Res. No. 1511-09 Laid on Table 6/9/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2009, AUTHORIZING THE DISBURSEMENT OF FUNDS FROM THE SUFFOLK COUNTY LIVING WAGE CONTINGENCY FUND FOR KIDS PLACE EARLY CHILDHOOD DAY SCHOOL, THE COMMUNITY PROGRAMS CENTER OF LONG ISLAND, INC. - PORT JEFFERSON, THE COMMUNITY PROGRAMS CENTER OF LONG ISLAND, INC. - RONKONKOMA, RAINBOW CHIMES, INC., BRIGHTWATERS CHILD CARE & DEVELPOMENT CENTER INC. DBA KIDDIE ACADEMY OF BRIGHTWATERS, AND LAZY COW, INC. DBA KIDDIE CARE EARLY LEARNING CENTER DAY CARE PROVIDERS UNDER CONTRACT WITH THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, in accordance with Section 347-15, County Transitional Financial Assistance was added to the Suffolk County Code wherein child care providers shall be eligible for upfront financial assistance from the Suffolk County Living Wage Contingency Fund, or any successor fund thereto, in order to meet increased payroll expenses; and

WHEREAS, Kids Place Early Childhood Day School, The Community Programs Center of Long Island, Inc. - Port Jefferson, The Community Programs Center of Long Island, Inc. - Ronkonkoma, Rainbow Chimes, Inc., Brightwaters Child Care & Development Center, Inc. dba Kiddie Academy of Brightwaters, and Lazy Cow, Inc. dba Kiddie Care Early Learning Center day care providers, have submitted an application for Hardship Assistance and other prescribed forms to document the need for financial assistance, and

WHEREAS, the providers have concerns about their ability to comply with the Living Wage Law without a financial subsidy, and

WHEREAS, the centers provide a needed service to the community; and

WHEREAS, the Department of Labor has authorized Hardship Assistance in the amount up to a maximum of $402,313 be awarded for the period January 1, 2009 to December 31, 2009 and,

WHEREAS, the Living Wage Hardship funding will be provided to Kids Place Early Childhood Day School ($56,433), The Community Programs Center of Long Island, Inc. - Port Jefferson ($40,786), The Community Programs Center of Long Island, Inc. - Ronkonkoma ($98,028), Rainbow Chimes, Inc. ($45,953), Brightwaters Child Care & Development Center, Inc. dba Kiddie Academy of Brightwaters ($41,808), and Lazy Cow, Inc. dba Kiddie Care Early Learning Center ($119,305) in the amount up to a maximum of $402,313; now, be it

1. RESOLVED, that the County Comptroller be and hereby is authorized, empowered and directed to disburse funds as follows:

FROM:

001-MSC-1998-4770	Suffolk County Living Wage Contingency Fund	$402,313

TO:

001-DSS-6015-4770	Client Benefits Special Services	$402,313

and be it further

2. RESOLVED, that the Commissioner of Social Services is hereby authorized, empowered and directed to disburse the funds to Kids Place Early Childhood Day School, The Community Programs Center of Long Island, Inc. - Port Jefferson, The Community Programs Center of Long Island, Inc. - Ronkonkoma, Rainbow Chimes, Inc., Brightwaters Child Care & Development Center, Inc. dba Kiddie Academy of Brightwaters, and Lazy Cow, Inc. dba Kiddie Care Early Learning Center.

DATED:_____

APPROVED BY:_____
County Executive of Suffolk County

Date of Approval:_____

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1511

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

AUTHORIZING THE DISBURSEMENT FROM THE SUFFOLK COUNTY LIVING WAGE CONTINGENCY FUND FOR KIDS PLACE EARLY CHILDHOOD DAY SCHOOL, THE COMMUNITY PROGRAMS CENTER OF LONG ISLAND, INC. - PORT JEFFERSON, THE COMMUNITY PROGRAMS CENTER OF LONG ISLAND, INC. - RONKONKOMA, RAINBOW CHIMES, INC., BRIGHTWATERS CHILD CARE & DEVELPOMENT CENTER INC. DBA KIDDIE ACADEMY OF BRIGHTWATERS, AND LAZY COW, INC. DBA KIDDIE CARE EARLY LEARNING CENTER DAY CARE PROVIDERS UNDER CONTRACT WITH THE DEPARTMENT OF SOCIAL SERVICES.

3. Purpose of Proposed Legislation

Disburse funds from the Suffolk County Living Wage Contingency Fund to provide a subsidy to Kids Place Early Childhood Day School ($56,433), The Community Programs Center of Long Island, Inc. - Port Jefferson ($40,786), The Community Programs Center of Long Island, Inc. - Ronkonkoma ($98,028), Rainbow Chimes, Inc. ($45,953), Brightwaters Child Care & Development Center, Inc. dba Kiddie Academy of Brightwaters ($41,808), and Lazy Cow, Inc. dba Kiddie Care Early Learning Center ($119,305). The subsidy is for the purpose of providing financial assistance to meet the wage standards required by the law for the period 1/1-12/31/09.

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

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

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

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact. See item 7.

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

This resolution requests the disbursement of up to a maximum of $402,313 from the Suffolk County Living Wage Contingency Fund for the period 1/1-12/31/09.

8. Proposed Source of Funding.

The Suffolk County Living Wage Contingency Fund (001 – MSC – 1998 – 4770)

9. Timing of Impact.

Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Theresa Lollo Principal Financial Analyst ~~Patricia A. Clark~~ ~~Director of Management and Research~~	Theresa Lollo	5/29/09

SCIN FORM 175b (10/95)

COUNTY OF SUFFOLK

1511

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: April 29, 2009

SUBJECT: **REQUEST FOR A LEGISLATIVE RESOLUTION –**
Authorizing the Disbursement of Funds from the Suffolk County Living Wage Contingency Fund

AUTHORIZING THE DISBURSEMENT OF FUNDS FROM THE SUFFOLK COUNTY LIVING WAGE CONTINGENCY FUND FOR KIDS PLACE EARLY CHILDHOOD DAY SCHOOL, THE COMMUNITY PROGRAMS CENTER OF LONG ISLAND, INC. - PORT JEFFERSON, THE COMMUNITY PROGRAMS CENTER OF LONG ISLAND, INC. - RONKONKOMA, RAINBOW CHIMES, INC., BRIGHTWATERS CHILD CARE & DEVELPOMENT CENTER INC. DBA KIDDIE ACADEMY OF BRIGHTWATERS, AND LAZY COW, INC. DBA KIDDIE CARE EARLY LEARNING CENTER, DAY CARE PROVIDERS UNDER CONTRACT WITH THE DEPARTMENT OF SOCIAL SERVICES

In accordance with the Living Wage Law, child care providers are eligible for assistance from the Suffolk County Living Wage Contingency Fund in order to enable them to meet the increased payroll expenses which result from paying employees the hourly rate required by the law. The aforementioned day care centers have applied to the County for such assistance and the Department of Labor has approved the applications in accordance with established procedures.

Attached please find the above referenced resolution, the introduction form (SCIN Form 175a), the fiscal impact statement (SCIN Form 175b), and related backup material. The e-copies relating to this resolution are entitled "Reso-DSS-Living Wage Contingency Fund 2009-1." If you have any questions, please contact Patricia Clark at X 49939.

Enc.
ec: CE Reso. Review Distribution List

SUFFOLK COUNTY DEPARTMENT OF LABOR – *LIVING WAGE* UNIT

NOTICE OF DECISION ON HARDSHIP ASSISTANCE

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

TO BE COMPLETED BY *LIVING WAGE* UNIT

1511

DATE: April 29, 2009

TO: Robert T. Zielinski
Suffolk County Dept. of Social Services
3085 Veterans Memorial Highway
Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on April 22,2009 from **Kids Place Early Childhood Day School** has been received and examined by the *Living Wage* Unit for the amount of $56,433.

The **Request for Hardship Assistance** has been:

☒ Accepted, and the *Living Wage* Unit authorizes the submission of the accompanying resolution to the County Legislature.

☐ Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage* Unit at (631) 853-3808.

Robert W. Dow Jr.

Robert W. Dow, Jr.
Commissioner
Suffolk County Department of Labor

LW-31
Revised 4/04

SUFFOLK COUNTY DEPARTMENT OF LABOR – *LIVING WAGE* UNIT

NOTICE OF DECISION ON HARDSHIP ASSISTANCE

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

TO BE COMPLETED BY *LIVING WAGE* UNIT

1511

DATE: April 28, 2009

TO: Robert T. Zielinski
Suffolk County Dept. of Social Services
3085 Veterans Memorial Highway
Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on April 22, 2009 from **Lazy Cow, Inc. DBA Kiddie Care Early Learning Center** has been received and examined by the *Living Wage* Unit for the amount of $119,305.

The **Request for Hardship Assistance** has been:

☒ Accepted, and the *Living Wage* Unit authorizes the submission of the accompanying resolution to the County Legislature.

☐ Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage* Unit at (631) 853-3808.

Robert W. Dow, Jr.
Commissioner
Suffolk County Department of Labor

LW-31
Revised 4/04

SUFFOLK COUNTY DEPARTMENT OF LABOR – *LIVING WAGE* UNIT

NOTICE OF DECISION ON HARDSHIP ASSISTANCE

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

TO BE COMPLETED BY *LIVING WAGE* UNIT

1511

DATE: April 29, 2009

TO: Robert T. Zielinski
Suffolk County Dept. of Social Services
3085 Veterans Memorial Highway
Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on April 22, 2009 from **The Community Center of Long Island, Inc.- Port Jefferson** has been received and examined by the *Living Wage* Unit for the amount of $40,786.

The **Request for Hardship Assistance** has been:

☒ Accepted, and the *Living Wage* Unit authorizes the submission of the accompanying resolution to the County Legislature.

☐ Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage* Unit at (631) 853-3808.

Robert W. Dow Jr.

Robert W. Dow, Jr.
Commissioner
Suffolk County Department of Labor

LW-31
Revised 4/04

SUFFOLK COUNTY DEPARTMENT OF LABOR – *LIVING WAGE* UNIT

NOTICE OF DECISION ON HARDSHIP ASSISTANCE

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

TO BE COMPLETED BY *LIVING WAGE* UNIT

1511

DATE: April 29, 2009

TO: Robert T. Zielinski
Suffolk County Dept. of Social Services
3085 Veterans Memorial Highway
Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on April 22, 2009 from **The Community Center of Long Island, Inc.- Ronkonkoma** has been received and examined by the *Living Wage* Unit for the amount of $98,028.

The **Request for Hardship Assistance** has been:

☒ Accepted, and the *Living Wage* Unit authorizes the submission of the accompanying resolution to the County Legislature.

☐ Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage* Unit at (631) 853-3808.

Robert W. Dow Jr.

Robert W. Dow, Jr.
Commissioner
Suffolk County Department of Labor

LW-31
Revised 4/04

SUFFOLK COUNTY DEPARTMENT OF LABOR – *LIVING WAGE* UNIT

NOTICE OF DECISION ON HARDSHIP ASSISTANCE

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

TO BE COMPLETED BY *LIVING WAGE* UNIT

1511

DATE: April 29, 2009

TO: Robert T. Zielinski
Suffolk County Dept. of Social Services
3085 Veterans Memorial Highway
Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on April 22, 2009 from **Brightwaters Child Care & Development Center, Inc. dba Kiddie Academy of Brightwaters** has been received and examined by the *Living Wage* Unit for the amount of $41,808.

The **Request for Hardship Assistance** has been:

☒ Accepted, and the *Living Wage* Unit authorizes the submission of the accompanying resolution to the County Legislature.

☐ Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage* Unit at (631) 853-3808.

Robert W. Dow, Jr.
Commissioner
Suffolk County Department of Labor

LW-31
Revised 4/04

SUFFOLK COUNTY DEPARTMENT OF LABOR – *LIVING WAGE* UNIT

NOTICE OF DECISION ON HARDSHIP ASSISTANCE

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

TO BE COMPLETED BY *LIVING WAGE* UNIT

1511

DATE: April 29, 2009

TO: Robert T. Zielinski
Suffolk County Dept. of Social Services
3085 Veterans Memorial Highway
Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on April 22, 2009 from **Rainbow Chimes, Inc.** has been received and examined by the *Living Wage* Unit for the amount of $45,953.

The **Request for Hardship Assistance** has been:

☒ Accepted, and the *Living Wage* Unit authorizes the submission of the accompanying resolution to the County Legislature.

☐ Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage* Unit at (631) 853-3808.

Robert W. Dow Jr.

Robert W. Dow, Jr.
Commissioner
Suffolk County Department of Labor

LW-31
Revised 4/04

1512

Intro. Res. No. -2009 Laid on the Table 6/9/09

Introduced by the Presiding Officer on behalf of the County Executive

RESOLUTION NO. -2009, AUTHORIZING SUBSTITUTION OF YMCA OF LONG ISLAND, INC. IN PLACE OF TOWN OF RIVERHEAD FOR IMPROVEMENT AND MAINTENANCE OF PROPERTY ACQUIRED UNDER GREENWAYS PROGRAM IN CONNECTION WITH ACTIVE PARKLAND IN THE TOWN OF RIVERHEAD (SCTM # 0600-125.00-01-05.200).

WHEREAS, Resolution No. 559-1999, a "Charter Law Adding Article XII-A to the Suffolk County Charter to Provide a Suffolk Community Greenways County Fund" was approved by the electorate on November 3, 1999, thereby making $20 Million available for land acquisition under the Suffolk County Active Parklands Acquisition Program; and

WHEREAS, pursuant to Resolution No. 274-2001 and Resolution No. 577-2001, the County of Suffolk ("County") purchased approximately 7.2+ acres of land identified by Suffolk County Tax Map No. 0600-125.00-01-05.200 (the "Property") under the Suffolk County Community Greenways Program for active parklands, and entered into an agreement with the Town of Riverhead ("Town") obligating the Town to improve and maintain the Property as active parkland upon its acquisition by the County; and

WHEREAS, Section C12-a(A)(2) of the SUFFOLK COUNTY CHARTER authorizes acquisition of parcels of land for use as active parklands in instances where a town or community organization enters into a binding agreement or commitment with Suffolk County to improve and maintain the property for recreational purposes; and

WHEREAS, the YMCA of Long Island, Inc. ("YMCA") desires to construct a 40,000 sq. ft., fully handicap accessible recreational facility ("Facility") on the Property which will include, among other things, an indoor Olympic sized swimming pool, locker rooms, a Strength Training and Aerobics Center, Childcare facilities, Pre- K classrooms, community room, administrative office space, an outdoor recreational area and other infrastructure improvements; and

WHEREAS, the YMCA is desirous of entering into a long term net net ground lease with the County at the Property and agrees it will be solely responsible for the control, operation and maintenance of both the Facility and the Property during the term of the lease and has submitted a letter of intent, annexed as Exhibit A; and

WHEREAS, the Facility will be established for the specific benefit of all County residents, all of whom will have access to the Facility through a subsidized membership rate structure; and

WHEREAS, the Town has adopted Resolution No. 407 dated May 5, 2009, wherein it states the Town's willingness and consent to substitute the YMCA in the Town's place as the County's development partner of the Property; and

WHEREAS, the County, Town and YMCA agree that, in the event the YMCA is not successful in obtaining necessary funding and is unable to construct the Facility within three years from the date of the lease between the County and the YMCA, the

lease may be terminated by the County and the Town will assume its original obligations pursuant the agreement dated June 27, 2003; and

WHEREAS, the location of the Facility, being adjacent to land known as Stotzky Park in the Town, is ideal and will promote general health and wellbeing for County residents of all ages and economic vitality to the Town and the surrounding communities; now, therefore, be it

1st **RESOLVED**, that the County of Suffolk hereby approves the adopted Town of Riverhead Resolution No. 352, dated May 5, 2009, and agrees to substitute the YMCA in the Town's place as the County's development partner for the Property; and be it further

2nd **RESOLVED**, that the County Department of Law, the County Department of Real Property Acquisition and Management, and/ or the County Department of Parks, Recreation and Conservation are hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate to consummate such substitution, including, but not limited to, securing any necessary approvals from New York State, negotiating and drafting a lease with the YMCA and executing such other documents as are required to implement the intent of this Resolution; and be it further

3rd **RESOLVED**, that agreements made hereunder shall be in accordance with, and subject to, the provisions of Sections C12-A(A)(2) and (5) of the SUFFOLK COUNTY CHARTER in connection with such active parklands; and be it further

4th **RESOLVED**, This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/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.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1512

YMCA
We build strong kids,
strong families, strong communities.

BOARD OF DIRECTORS
Hon. Richard J. McCord, Chairman
James R. Whitehouse, Vice Chairman
Gordon M. Sless, Treasurer
Walter Trueshenko, Secretary
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Michael T. Famiglietti

SR. VICE PRESIDENT & CHIEF ADMINISTRATIVE OFFICER
Edward J. Bogan

SR. VICE PRESIDENT & CHIEF OPERATING OFFICER
Anne N. Brigis

May 12, 2009

By Fax: 631-853-4818

Christopher E. Kent
Chief Deputy County Executive
PO Box 6100 - H. Lee Dennison Building
Hauppauge, New York 11788

Dear Mr Kent:

Please be advised that the YMCA of Long Island, Inc. ("YMCA") wishes to construct a fully handicap accessible recreational facility ("Facility") on a Suffolk County parcel identified by Suffolk Tax Map No 0600-125 00-01-05.200 (the "Property") which is adjacent to Stotzky Park in the Town of Riverhead.

The Facility will be approximately 40,000 sq.ft., and will include, among other things, an indoor Olympic sized swimming pool, locker rooms, Strength Training and Aerobics Center, Childcare facilities, Pre-K classrooms, community room, administrative office space and an outdoor recreational area including playing fields and related apparatus for Summer Camp programs. All necessary elevation changes and drainage systems, landscaping, curb cuts, roadways, sidewalks, site lighting and apporoximately 200 municipal parking spaces will be included in this project which is estimated to cost approximately $ 8 million.

The Facility will be established for the specific benefit of all County residents, all of whom will have access to the Facility through a subsidized membership rate structure. The YMCA pledges to provide program services regardless of ethnicity, race or economic status and will not turn away any Suffolk County resident due to financial constraints. Additionally, the YMCA will offer to the entire population of Suffolk County, a free "Teen Night" to all residents on a weekly basis providing a safe, enjoyable environment for teens to congregate within a supervised setting.

The YMCA agrees to be soley responsible for the control, operation and maintenance of both the Facility and the Property during the term of the lease.

Subject to Suffolk County Law, the YMCA is willing to execute a 30 year lease with two ten year extensions. In the event that the YMCA is unable to obtain the necessary funding to completely construct the Facility within three years of the lease origination, Suffolk County may terminate the lease and revert to the original agreement with the Town of Riverhead entered on June 27, 2003.

It is therefore requested that the Suffolk County Legislature express its approval of the above project and authorize the appropriate Suffolk County Departments to take such actions as may be necessary to consummate an agreement between the YMCA, the Town of Riverhead and the County of Suffolk.

Sincerely,

Michael T. Famiglietti
President & CEO

Participating Agency
United Way
United Way of Long Island

YMCA of Long Island, Inc. • 121 Dosoris Lane • Glen Cove, NY 11542
(516) 674-8091 • fax: (516) 674-8299
www.ymcali.org

PLEASE REMEMBER THE YMCA IN YOUR REQUESTS AND ESTATE PLANNING

1513

Intro. Res. No. - 2009 Laid on Table 6/9/09

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2009, AUTHORIZING THE LEASE TERMS ASSOCIATED WITH THE FEDERAL AVIATION ADMINISTRATION OPERATIONS ON COUNTY LAND LOCATED IN THE TOWN OF BABYLON

WHEREAS, the County of Suffolk is the owner of certain real property in fee simple absolute known as Tax Map Number 0100-194.00-03.00-011.000 and being further described as 308 Cedar Court, Copiague; Lots 17, 18, 19 and 20 Section D, Block 13, Filed Map 1143, Hawkins Estates, Town of Babylon; and

WHEREAS, since 1968, this 80' x 100' parcel has been occupied by the United States of America through leases with the Department of Transportation – Federal Aviation Administration's Air Traffic Control System; and

WHEREAS, the Federal Aviation Administration has requested to extend the lease for the aforementioned parcel for 10 years, from October 1, 2009 through September 30, 2018 for continued use as a location for a navigational vector ; and

WHEREAS, the operation of this facility benefits the County of Suffolk and its citizens, the lease shall be on a rent-free basis; and

WHEREAS, the Space Management Steering Committee recommended the approval of this lease on April 30, 2009; now, therefore, be it

1ST RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.59(c)(20) and (27) of Title 6 of the New York Code of Rules and Regulations (6 NYCRR) and within the meaning of Section 8-109 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. Furthermore, in accordance with Section 1-4(A)(1)(d) of the Suffolk County Charter and Section 279-5(C)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality is directed to prepare and circulate all appropriate notices of determination of non-applicability or non-significance in accordance with this law; and be it further

2ND RESOLVED, that the County Executive be and hereby is authorized to execute a ten (10) year Lease in accordance with the terms and conditions of this resolution and in substantial conformance with the form annexed.

DATED:

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
EASTERN REGION, FITZGERALD FEDERAL BUILDING
JOHN F. KENNEDY INTERNATIONAL AIRPORT
JAMAICA, NEW YORK 11430

Supplement No. 1
Lease No. DTFA05-89-L-61357
"H"
Babylon, New York

SUPPLEMENTAL AGREEMENT NO. 1, made and entered into as the 17th day of February 2009, between COUNTY OF SUFFOLK, NEW YORK, hereinafter referred to as the Lessor, and the UNITED STATES OF AMERICA, hereinafter referred to as the Government.

WITNESSETH

WHEREAS, by Lease No. DTFA05-89-1-61357, dated December 20, 1988, the Government was authorized to operate and maintain a "H" facility in Babylon, New York; and,

WHEREAS, it is mutually agreed to extend the term of said Agreement for an additional ten- (10) year term commencing October 1, 1998 and ending September 30, 2008, and,

WHEREAS, The Lessor agreed to permit the Government to make this change; and

WHEREAS, it is found to be in the public interest to enter into this Supplemental Agreement;

NOW, THEREFORE, the parties hereto do hereby amend said lease in the following respects and in these only:

1. That, effective October 1, 1998 until September 30, 2008 said Agreement is amended for an additional ten- (10) year term.

2. All other terms and conditions of Lease No. DTFA05-89-L-61357 are hereby ratified and except as amended hereinabove, shall be and remains the same.

IN WITNESS WHEREOF, the parties hereto do hereby subscribe their names as of the date first above written.

COUNTY OF SUFFOLK,
NEW YORK

BY: _____
(Signature)

TITLE: Director of Real Estate

DATE: 2/14/2001

UNITED STATES OF AMERICA
Federal Aviation Administration

BY: B.K. Hartung

TITLE: Contracting Officer

DATE: 15 June 2000

APPROVED:

BY _____
(Signature)

TITLE: _____

DATE: _____

APPROVED AS TO FORM
NOT REVIEWED AS TO EXECUTION:
ROBERT J. CIMINO
Suffolk County Attorney

By: _____ 12/23/99
ROBERTSON HATCH
Assistant County Attorney

10786 PG1 6

WB

U.S. Department of Transportation
Federal Aviation Administration

Return to

J.F. Kennedy International Airport
Fitzgerald Federal Building #111
Jamaica, New York 11430

Lease No.: TFA0[illegible]-89-L-13
ABYL[illegible], NY H"

0100
19400
0300
211000

LEASE

between

COUNTY OF SUFFOLK, NEW YORK EIN:

and

THE UNITED STATES OF AMERICA

This LEASE, made and entered into this 20th day of December in the year one thousand nine hundred and eighty-eight by and between County of Suffolk, New York

whose address is County Center — (330 Center Drive)
Riverhead, NY 11901

for itself and its ~~heirs, executors, administrators,~~ successors, and assigns, hereinafter called the Lessor and the UNITED STATES OF AMERICA, hereinafter called the Government.

WITNESSETH: The parties hereto for the consideration hereinafter mentioned covenant and agree as follows:

1. For the term beginning October 1, 1988 and ending September 30, 1989 the Lessor hereby leases to the Government the following described property, hereinafter called the premises, viz:

A tract of land, 80' x 100', designated as Lots 17, 18, 19 and 20, Section D, Block 13, File Map 1143, Hawkins Estates, Copiague, Town of Babylon, County of Suffolk, State of New York.

(1-3)

a. Together with a right-of-way for ingress to and egress from the premises; a right-of-way or rights-of-way for establishing and maintaining a pole line or pole lines for extending electric power, and telecommunications facilities to the premises; and right-of-way for subsurface power, communication and water line to the premises; all rights-of-way to be over the said lands and adjoining lands of the lessor, and unless herein described by metes and bounds to be located as reasonably determined to be the most convenient to the Government.

b. And the right of 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 air navigation and telecommunications facilities.

c. And the right to make alterations, attach fixtures, and erect additions, structures, or signs, in or upon the premises hereby leased, which alterations, fixtures, additions, structures or signs so placed in or upon, or attached to the said premises shall be and remain the property of the Government, and may be removed upon the date of expiration or termination of this lease, or within ninety (90) days thereafter, by or on behalf of the Government, or its grantees or purchasers of said alterations, fixtures, additions, structures, or signs.

2. This lease may, at the option of the Government, be renewed from year to year and otherwise upon the terms and conditions herein specified. The Government's option shall be deemed exercised and the lease renewed each year for one (1) year unless the Government gives the Lessor thirty (30) days written notice that it will not exercise its option before this lease or any renewal thereof expires; PROVIDED that no renewal shall extend this lease beyond the 30 day of September 19 98 ; ~~AND PROVIDED FURTHER, that adequate appropriation be and remain available from time to time for the payment of rentals.~~

~~3. The Government shall pay the Lessor rental for the premises in the amount of~~

for the term set forth in Article 1 above, and

per for each annual renewal exercised by the Government hereafter. Payments shall be made in arrears at the end of each ~~without the submission of invoices or vouchers.~~

4. The Government may terminate this lease, in whole or in part, at any time by giving at least thirty (30) days notice in writing to the Lessor, and no rental shall accrue after the effective date of termination. Said notice shall be sent by certified or registered mail.

5. The Government shall surrender possession of the premises upon the date of expiration or termination of this lease. If the Lessor by written notice at least fifteen (15) days before the date of expiration or termination requests restoration of the premises, the Government at its option shall within ninety (90) days after the expiration or termination, or within such additional time as may be mutually agreed upon, either (1) restore the premises to as good condition as that existing at the time of the Government's initial entry upon the premises under this lease or any preceding lease (changes to the premises in accordance with paragraph 1.(a), 1.(b) and 1.(c) above, ordinary wear and tear, damage by natural events and by circumstances over which the Government has no control, excepted) or (2) make an equitable adjustment in the ~~lease amount~~ for the cost of such restoration of the premises or the diminution of the value of the premises if not restored, whichever is less. Should a mutually acceptable settlement be made hereunder, the parties shall enter into a supplemental agreement hereto effecting such agreement. Failure to agree to any such equitable adjustment shall be a dispute concerning a question of fact within the meaning of Clause 6 of this lease.

6. (a) This lease is subject to the Contract Disputes Act of 1978 (Public Law 95-563).

(b) Except as provided in the Act, all disputes arising under or relating to this lease shall be resolved in accordance with this clause.

(c) (i) As used herein, "claim" means a written demand or assertion by one of the parties seeking, as a matter of right, the payment of money, adjustment or interpretation of lease terms, or other relief, arising under or relating to this lease.

(ii) A voucher, invoice, or request for payment that is not in dispute when submitted is not a claim for the purposes of the Act. However, where such submission is subsequently not acted upon in a reasonable time, or is disputed either as to liability or amount, it may be converted to a claim pursuant to the Act.

(iii) A claim by the Lessor shall be made in writing and submitted to the Contracting Officer for decision. A claim by the Government against the Lessor shall be subject to a decision by the Contracting Officer.

(d) For Lessor claims of more than $50,000, the Lessor shall submit with the claim a certification that the claim is made in good faith; the supporting data are accurate and complete to the best of the Lessor's knowledge and belief; and the amount requested accurately reflects the lease adjustment for which the Lessor believes the Government is liable. The certification shall be executed by the Lessor if an individual. When the Lessor is not an individual, the certification shall be executed by a senior company official in charge at the Lessor plant or location involved, or by an officer or general partner of the Lessor having overall responsibility for the conduct of the Lessor's affairs.

(e) For Lessors claims of $50,000 or less, the Contracting Officer must render a decision within 60 days. For Lessor claims in excess of $50,000, the Contracting Officer must decide the claim within 60 days or notify the Lessor of the date when the decision will be made.

(f) The Contracting Officer's decision shall be final unless the Lessor appeals or files a suit as provided in this Act.

(g) The authority of the Contracting Officer under the Act does not extend to claims or disputes which by statute or regulation other agencies of the Executive Branch of the Federal Government are expressly authorized to decide.

(h) Interest on the amount found due on a Lessor claim shall be paid from the date the claim is received by the Contracting Officer until the date of payment. Interest on the amount found due on a Government claim shall be paid from the date the claim is received by the Lessor until the date of payment. Interest shall be computed at ten percent (10%) per annum on the basis of a 365 or 366 day year, whichever applies.

(i) Except as the parties may otherwise agree, pending final resolution of a claim by the Lessor arising under the lease, the Lessor shall proceed diligently with the performance of the lease and its terms in accordance with the Contracting Officer's decision.

7. No Member of Congress or Resident Commissioner shall be admitted to any share or part of this lease, or to any benefit to arise therefrom.

8. The Lessor warrants that no person or selling agency has been employed or retained to solicit or secure this lease upon an agreement or understanding for a commission, brokerage, percentage or contingent fee except bona fide employees or bona fide established commercial or selling agencies maintained by the Lessor for the purpose of securing business. For breach or violation of this warranty, the Government shall have the right to annul this lease without liability, or in its discretion to deduct from amounts otherwise due under this lease or other consideration, the full amount of such commission, brokerage, percentage, or contingent fee.

Lease No. DTFA01-89-L-6135

9. All notices sent to the parties under the lease shall be addressed as follow:

To the Lessor: As shown on Page 1.

To the Government: As shown on Page 1; Attn: AEA-56

10. This lease is subject to the additional provisions set forth below, or attached hereto & incorporated herein. These additional provisions are identifed as follows:

A. The following alterations were made to this lease prior to execution:
1. The deletion of the words "heirs, executors, administrators" on Page 1.
2. The deletion of certain words in paragraph 2.
3. The deletion of paragraph 3 in its entirety.
4. The deletion of the wording "in lease the amount" in paragraph .

B. The lessor hereby warrants that it has acquired and possesses an adequate real estate right in the property described herein and that it is authorized to grant to The United States of America, the rights and interests set forth herein.

C. The premises described herein are leased to the Government on a rent free basis in consideration of the benefit to the County of Suffolk by operation of the "H" facility.

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names as of the date first above written.

COUNTY OF SUFFOLK

Robert A. Kurtter (L.S.)
BY: ROBERT A. KURTTER
TITLE: Deputy County Executive
APPROVED: (L.S.)
DEPARTMENT OF REAL ESTATE (L.S.)
(L.S.)
By: ROBERT E. SGROI
Deputy Commissioner of Real Estate

As the holder of a mortgage, dated _____, recorded in volume _____, pages _____, against the above-described premises, the undersigned hereby consents to the foregoing lease and agrees that, if while the lease is in force the mortgage is foreclosed, the foreclosure shall not void the lease.

None
(Mortgagee)

APPROVED AS TO FORM
NOT REVIEWED AS TO EXECUTION:
E. THOMAS BOYLE
County Attorney

By: ROBERTSON HATCH 8/16/80
Assistant County Attorney

THE UNITED STATES OF AMERICA

By Walter Bramkamp
Title Walter Bramkamp
Contracting Officer

LS-1-3

2

TOTAL P.005

10786 PG130

If agreement is made with a State, County, Municipality or other public authority, the following certificate shall be executed by an authorized official:

I, EDWARD R. HINES certify that I

am the Chief Deputy County Clerk of the

County of Suffolk

(State, County, Municipality, or other Public Authority)

named in the foregoing agreement; that ROBERT A. KRUTER

who signed said agreement on behalf of said COUNTY OF SUFFOLK

was then a Deputy County Executive of said

County

that said agreement was duly signed for and in behalf of said County

by authority of its governing body, and is within the scope of its powers.

RESOLUTION 1039-1988

Edward R Hines
(Signature) (Corporate Seal)

APPROVED AS TO FORM
NOT REVIEWED AS TO EXECUTION:

E. THOMAS BOYLE
County Attorney

By: ROBERTSON HATCH 8/16/88
Assistant County Attorney

EA Form 4423-35 (12-68)

WHEREAS, the Department of Real Estate has received and deposited the sum of $1,050.00, pursuant to said purchase offer; and

WHEREAS, the Department of Real Estate requests authority pursuant to said Local Law 13-1976 of the County of Suffolk to deed the County's interest to said APPLICANTS, subject to all covenants, easements and restrictions of record, if any; now, therefore, be it

RESOLVED, that the Commissioner or the Deputy Commissioner of the Department of Real Estate be and he hereby is authorized to execute, seal, and acknowledge a Bargain and Sale Deed to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said EXXON CORPORATION, 1200 Smith Street, Houston, Texas 77002.

DATED: October 25, 1988

1039-88

APPROVED BY:

/s/ Patrick G. Halpin
County Executive of Suffolk County

Date of Approval: November 1, 1988

Mr. Blass offered the following resolution, seconded by Mr. Foley and duly adopted with the following recorded vote: 17 Legislators in favor; 0 opposed; 1 absent, Mr. D'Andre.

Intro. Res. No. 1990-88
Introduced by the Presiding Officer at the request of the County Executive

RESOLUTION NO. 1039 - 1988, TO LEASE CERTAIN REAL PROPERTY TO THE UNITED STATES OF AMERICA OCTOBER 1, 1988 - SEPTEMBER 30, 1989 WITH ONE YEAR RENEWAL OPTIONS (0100-194.00-03.00-011.000)

WHEREAS, the COUNTY OF SUFFOLK is the owner of certain real property in fee simple absolute known as Tax Map Number 0100-194.00-03.00-011.000 and being further described as 308 Cedar Court, Copiague, Suffolk County, New York; Lots 17, 18, 19 and 20, Section D, Block 13, Filed Map 1143, Hawkins Estates, Town of Babylon; and

WHEREAS, this parcel has been occupied by the United States of America through mesne leases for use by the Department of Transportation - Federal Aviation Administration (Air Traffic Control System); and

WHEREAS, the United States of America requests a one year renewal lease beginning October 1, 1988 and terminating September 30, 1989 with additional one year renewals with the entire lease terminating September 30, 1998; and

WHEREAS, the operation of this facility will benefit the County of Suffolk and its' citizens the lease shall be on a rent free basis; now, therefore, be it

RESOLVED, that the subject premises be leased to the United States of America, having an office at: J.F. Kennedy International Building #111, Jamaica, New York 11430, on the above stated terms, conditions, and consideration.

DATED: October 25, 1988

APPROVED BY:

/s/ Patrick G. Halpin
County Executive of Suffolk County

Date of Approval: November 1, 1988

Mr. Romaine offered the following resolution, seconded by Mrs. Caracappa and duly adopted with the following recorded vote: 18 Legislators in favor; 0 opposed.

Intro. Res. No. 1991-88
Introduced by the Presiding Officer at the request of the County Executive

RESOLUTION NO. 1040 - 1988, AUTHORIZING THE COMMISSIONER OF REAL ESTATE TO ISSUE A CERTIFICATE OF ABANDONMENT OF THE INTEREST OF THE COUNTY OF SUFFOLK IN PROPERTY DESIGNATED AS TOWN OF BROOKHAVEN ITEM NO. 630130 PURSUANT TO S40-D OF THE SUFFOLK COUNTY TAX ACT

WHEREAS, a parcel of property lying, situate, and being in the Town of Brookhaven designated as Item No. 63-01310, formerly assessed to Fidelis Realty Co., Inc.; and

WHEREAS, the County of Suffolk acquired said property designated as Item No. 63-01310 by tax deed dated March 23, 1981 and recorded in the County Clerk's Office in Liber 8977 at page 422 for unpaid 1976/1977 taxes; and

WHEREAS, it has been determined by the Brookhaven Town Assessor's Office, the Suffolk County Department of Real Estate, and the County Treasurer's Office that the property designated as Item No. 63-01310 was being double assessed with properties designated as Item Nos. 63-01230, 63-01250, and 63-01271; now, therefore, be it

RESOLVED, that pursuant to Section 40-C of the Suffolk County Tax Act, the tax deed to Suffolk County be cancelled and pursuant to Section 40-D of the Suffolk County Tax Act, the Commissioner of Real Estate be authorized to file a

Intro. Res. No. 1514-09 Laid on the Table 6/9/09

Introduced by the Presiding Officer at the Request of the County Executive

RESOLUTION NO. –2009, AMENDING THE 2009 OPERATING BUDGET AND APPROPRIATING FUNDS IN CONNECTION WITH BONDING FOR A GENERAL LIABILITY CASE

WHEREAS, a General Liability case was tried to verdict and the jury awarded $2,900,000.00; and

WHEREAS, the verdict was appealed and the Appellate Court modified the verdict to $1,203,885.00 which is accruing interest at a rate of 9% compounded annually from the date of the liability verdict; and

WHEREAS, the aforementioned verdict is a mandated expense that must be paid by the County; and

WHEREAS, sufficient funds for General Liability verdicts are not available in the 2009 Operating Budget; and

WHEREAS, the County Legislature, by Resolution of even date herewith, has authorized the issuance of $1,300,000.00 in Suffolk County Serial Bonds to cover the cost of said verdict; now, therefore be it

1st RESOLVED, that this verdict in the amount of $1,203,885.00 be bonded and paid under the authority of the Office of Risk Management, County Department of Civil Services, in conjunction with the County Department of Audit and Control and the County Executive's Budget Office; and be it further

2nd RESOLVED, that the proceeds of one million three hundred thousand ($1,300,000) Dollars in Suffolk County Serial Bonds be and are hereby appropriated as follows:

REVENUES:
038-2780 Proceeds: Debt $1,300,000

APPROPRIATIONS: Miscellaneous
General Liability Insurance
038-MSC-1914
Mandated

8505 – Settlements $1,300,000

DATED:

APPROVED BY:

_____
County Executive of the County of Suffolk

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1514

1. Type of Legislation Resolution ___X___ Local Law _____ Charter Law _____
2. Title of Proposed Legislation **RESOLUTION NO. –2009, AMENDING THE 2009 OPERATINGBUDGET AND APPROPRIATING FUNDS IN CONNECTION WITH BONDING FOR A GENERAL LIABILITY CASE**
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE
4. Will the Proposed Legislation Have a Fiscal Impact? **Yes** X **No** _____
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category) **County** **Town** **Economic Impact** **Village** **School District** **Other (Specify):** **Library District** **Fire District**
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. SEE ATTACHED DEBT SERVICE SCHEDULE
8. Proposed Source of Funding SERIAL BONDS
9. Timing of Impact 2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Carmine Chiusano Assistant Budget Director	Carmine Chiusano	MAY 21, 2009

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1514

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$295,304**	**$0.55**		$0.001

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$295,304**	**$0.55**		$0.001

NOTES:

1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2008.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

1514

Term of Bonds	5
Amount to Bond:	$1,300,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2009					
11/1/2009					
5/1/2010	4.000%	$238,104.41	$57,200.00	$295,304.41	$295,304.41
			$23,361.70	$23,361.70	
5/1/2011	4.500%	$248,581.00	$23,361.70	$271,942.71	$295,304.41
			$17,892.92	$17,892.92	
5/1/2012	4.500%	$259,518.57	$17,892.92	$277,411.49	$295,304.41
			$12,183.51	$12,183.51	
5/1/2013	4.500%	$270,937.39	$12,183.51	$283,120.90	$295,304.41
			$6,222.89	$6,222.89	
5/1/2014	4.500%	$282,858.63	$6,222.89	$289,081.52	$295,304.41
		$1,300,000.00	$176,522.05	$1,476,522.05	$1,476,522.05

Gen F4

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

MAY 2 8 2009

1514

DEPARTMENT OF CIVIL SERVICE/HUMAN RESOURCES
DIVISION OF EMPLOYEE SERVICES

ALAN SCHNEIDER
PERSONNEL DIRECTOR

TO: Ben Zwirn
Deputy County Executive

FROM: Leslie E. Baffa
Risk Management Coordinator

DATE: May 12, 2009

RE: Bond Resolution

Enclosed you will find a draft of a resolution for bonding $1,300,000 for the settlement of a General Liability case. This is a verdict that was modified by the Appellate court. Payment must be made within 90 days of receipt closing papers.

Should you require any additional information, please do not hesitate to contact me.

Cc: Alan Schneider, Personnel Director
Lynne Bizzarro, Chief Deputy County Attorney
Carmine Chiusano, Assistant Budget Director

LOCATION:
H. LEE DENNISON BLDG. – 7TH FLOOR
VETERANS MEMORIAL HIGHWAY

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

Risk Management (631) 853-4700
Liability (631) 853-4701
Risk Mgmt. & Liability Fax (631) 853-4956
Workers Compensation Fax (631) 853-4780

1515

Intro. Res. No. – 2009 Laid on Table 6/9/09

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

RESOLUTION NO. -2009 AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) - FOR THE DEFOSSE, F. CUOMO, V. CUOMO, HOWITT, CASEY, J. CUOMO, AND L. CUOMO PROPERTY – CUOMO FAMILY FARM (TOWN OF BROOKHAVEN -SCTM#0200-916.00-02.00-004.000 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. 693-2006, authorized planning steps for the acquisition of farmland development rights of the subject property; and

WHEREAS, the Town of Brookhaven ("Town") has approved Resolution No. 593-2008 on June 17, 2008, authorizing the acquisition of farmland development rights of the subject property in partnership with the County of Suffolk; and

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

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

WHEREAS, based upon the Environmental Trust Review Board approved value, an offer to acquire the 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 farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Farmland component, for a total purchase price of Five Million Two Hundred Forty Thousand Seven Hundred Sixty Dollars ($5,240,760.00±), at One Hundred Eighty Three Thousand Five Hundred Dollars ($183,500.00) per acre for 28.56± 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 Sixty Eight Thousand Five Hundred Thirty Two Dollars ($3,668,532.00±), for a seventy percent (70%) undivided interest; and the Town's share, totaling One Million Five Hundred Seventy Two Thousand Two Hundred Twenty Eight Dollars ($1,572,228.00±), for a thirty percent (30%) undivided interest, as tenants–in-common, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments, for inclusion in the Suffolk County Farmland Development Rights Program:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	28.56±	Sallyann Cuomo DeFosse 7652 Gooselick Road Ripley, OH 45167 and Frances Cuomo 2 Wisteria Path Sands Point, NY 11050 and Vincent Cuomo 5 Lakeview Drive East Center Moriches, NY 11934 As to 1/3 Undivided Interest Frances Howitt 7 Bay Avenue Hampton Bays, NY 11947 and Barbara Cuomo Casey 1200 Barton Creek Blvd. #17 Austin, TX 79735 and James Cuomo 2063 Hancock Avenue North Bellmore, NY 11710 As to 1/3 Undivided Interest Louise Cuomo 10 Cross Street East Moriches, NY 11940 As to 1/3 Undivided Interest
	Section	916.00		
	Block	02.00		
	Lot	004.000 p/o		

; and, be it further

2nd **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for a total purchase price of Five Million Two Hundred Forty Thousand Seven Hundred Sixty Dollars ($5,240,760.00±), of which the County contribution will be Three Million Six Hundred Sixty Eight Thousand Five Hundred Thirty Two Dollars ($3,668,532.00±), at $183,500.00 per acre for 28.56± acres, subject to a final survey; and, be it further

3rd **RESOLVED,** that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $3,668,532.00±, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Farmland component, Section C12-2 (A)(1)(f) of the SUFFOLK COUNTY CHARTER, for this acquisition; and be it further

4th **RESOLVED,** that title to this acquisition shall be held by the County and the Town, as tenants-in-common, with the County owning a seventy percent (70%) undivided interest and the Town owning a thirty percent (30%) undivided interest; and, be it further

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

6th **RESOLVED,** that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5 c (20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of farmland development rights as part of the Suffolk County Farmland Preservation Program which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County
Date of Approval:

RESOLUTION NO. 593-08
MEETING OF June 17, 2008

AUTHORIZING THE ACQUISITION OF PROPERTY FOR OPEN SPACE PURSUANT TO PROGRAM WITH SUFFOLK COUNTY FOR N/W/C TUTHILL POINT ROAD AND PAQUATUCK AVENUE, EAST MORICHES, NEW YORK, SCTM #0200-916.00-02.00-004.000 – OWNER: MICHAEL AND JEAN CUOMO, ET AL – OPEN SPACE LOG NO. OS-00-053

ADOPTED

BY THE BROOKHAVEN TOWN BOARD

WHEREAS, at the general election held on November 6, 2007, the electorate approved the mandatory referendum on Resolution No. 770-2007, Adopting A Charter law Extending and Accelerating the Existing Suffolk County ¼% Drinking Water Protection Program for Environmental Protection, Sewer District Tax Rate Stabilization and county-wide Property Tax Protection from December 31, 2013 to November 30, 2030 (Local Law No. 24-2007); and

WHEREAS, the intent of Local Law No. 24-2007 is to extend the ¼% Suffolk County Drinking Water Protection Program for 17 years and to accelerate the land acquisition component of the program, by permitting borrowing of up to $322 million over the next four (4) years, with the cost of the borrowing to be repaid from the ¼% Sales Tax Revenue Stream; and

WHEREAS, Suffolk County by Resolution No. 163-2008 amended the Capital Budget and appropriated monies for protection of farmland and open space; and

WHEREAS, the appropriation and expenditure of any such bond proceeds pursuant to Charter 8 of the Suffolk County Code, shall be conditioned upon receipt by the County of Suffolk of a written binding pledge or commitment to provide at

least thirty percent (30%) of the actual cost of the acquisition from the State of New York, local municipality, and/or federal government for each such parcel from which such farmland development rights are acquired; and

WHEREAS, the Town of Brookhaven is desirous of acquiring farmland development rights with Suffolk County in the "2007 Quarter Percent" Program and shall provide at least thirty percent (30%) of the actual purchase price of the acquisition and 30% of the closing costs; and

WHEREAS, pursuant thereto, the Environmental Bond Act Advisory Committee of the Town of Brookhaven reviewed and recommended for acquisition lands situated in the Town of Brookhaven, located at n/w/c Tuthill Point Road and Paquatuck Avenue, East Moriches, New York, described as SCTM No. 0200-916.00-02.00-004.000, (Exhibit "A"), and

WHEREAS, the title to these acquisitions shall be held by:

(a) the County and the Town of Brookhaven as tenants-in-common, with the County owning seventy (70%) percent interest and the Town of Brookhaven owning thirty (30%) percent interest; or

(b) physically dividing the property up between the County and the Town of Brookhaven, with the County owning all of the interest in its respective portion of the property, and with the Town of Brookhaven owning all of the interest in its respective portion of the property; and

WHEREAS, that if it is not contrary to any statute, the Suffolk County Charter, any local law, any regulation or other County policy, the Town of Brookhaven should be authorized to negotiate and to enter into a municipal cooperation

agreement with the County for the management of said County acquisitions and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the Suffolk County Director of Planning in conjunction with the Suffolk County Farmland Committee, who would be charged with the management and operation of said property; and

RESOLVED, that the farmland development rights to the parcels listed in Exhibit "A" are hereby authorized to be acquired, and the Town's portion thereof shall be deemed to be included in the Town of Brookhaven 2004 Environmental Bond Act Open Space Preservation Program; and be it further

RESOLVED, that the Supervisor of the Town of Brookhaven, or his deputy, is hereby authorized, empowered and directed, to acquire said farmland development rights; and be it further

RESOLVED, that the funding for the aforestated acquisitions is hereby authorized and appropriated for payment of at least thirty percent (30%) of the purchase price and actual closing costs of said acquisition as noted above; and be it further

RESOLVED, that these proposed acquisitions may be consummated in accordance with the provisions of the Brookhaven Town Code in connection with such farmland development rights acquisitions; and be it further

RESOLVED, that the Town Attorney of the Town of Brookhaven or her designee is hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate to consummate such acquisitions, including, but not limited to, securing appraisals, obtaining surveys, obtaining engineering reports, securing title searches and insurance, and executing such other documents

as are required to acquire such interest in said lands; and be it further

RESOLVED, in the event a tax map number contained in Exhibit "A" has been deleted or removed, or has been changed by either subsequent technical modification of the Suffolk County tax map system, or prior technical modification that was unknown to the Suffolk County Farmland Committee at the time this Exhibit was prepared, the tax map designation shall be deemed to include such successor tax map number as represents the parcel to be acquired, and certified in writing by the Assessor of the Town of Brookhaven; and be it further

RESOLVED, that the title to these acquisitions shall be held by:

(a) the County and the Town of Brookhaven as tenants-in-common, with the County owning seventy (70%) percent interest and the Town of Brookhaven owning thirty (30%) percent interest; or

(b) physically dividing the property up between the County and the Town of Brookhaven, with the County owning all of the interest in its respective portion of the property, and with the Town of Brookhaven owning all of the interest in its respective portion of the property; and be it further

RESOLVED, that if it is not contrary to any statute, the Suffolk County Charter, any local law, any regulation or other County policy, the Town of Brookhaven is hereby authorized to negotiate and to enter into a municipal cooperation agreement with the County for the management of said County acquisitions and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the Suffolk County Director of Planning in conjunction with the Suffolk County Farmland Committee, who is hereby charged

with the management and operation of said property; and be it further

RESOLVED, that the County and the Town of Brookhaven shall be parties to the purchase contract; and be it further

RESOLVED, that the Supervisor or Deputy Supervisor of the Town of Brookhaven is hereby authorized to negotiate and enter into any necessary collateral agreements with the aforestated participating governmental entities to effectuate the terms of this resolution; and be it further

RESOLVED, that the purchase contract and any collateral agreements shall reflect the terms specified in this resolution; and be it further

RESOLVED, that the terms and conditions of the purchase contract and any collateral agreements shall be reviewed and approved as to form by the Town Attorney; and be it further

RESOLVED, that the Town Attorney be and hereby is authorized to do all things necessary to acquire an unencumbered title to the subject parcels.

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EXHIBIT TO RESOLUTION APPROVING ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS PURSUANT TO PROGRAM WITH SUFFOLK COUNTY IN THE 1/4 DRINKING WATER PROTECTION PROGRAM FOR ENVIRONMENTAL PROTECTION LOCATED AT N/W/C TUTHILL POINT ROAD AND PAQUATUCK AVENUE, EAST MORICHES

TAX MAP NO.	ACREAGE	REPUTED OWNER AND ADDRESS
District 0200 Section 916.00 Block 02.00 Lot 004.000	+/- 28 acres	Michael and Jean Cuomo, et al

RESOLUTION SUBMISSION 1515

MEETING OF: June 17, 2008 RESOLUTION NO. 593-08

MOVED BY COUNCILMEMBER: Romaine

REVISION

SHORT TITLE: AUTHORIZING THE ACQUISITION OF PROPERTY FOR OPEN SPACE PURSUANT TO PROGRAM WITH SUFFOLK COUNTY FOR N/W/C TUTHILL POINT ROAD AND PAQUATUCK AVENUE, EAST MORICHES, NEW YORK, SCTM #0200-916.00-02.00-004.000 – OWNER: MICHAEL AND JEAN CUOMO, ET AL – OPEN SPACE LOG NO. OS-00-053

DEPARTMENT: LAW

REASON: To partner with Suffolk County to acquire the development rights of these parcels.

PUBLIC HEARING REQUIRED: NO

DEPARTMENT OF FINANCE APPROVAL: YES NO
DOLLARS INVOLVED: Total Town Cost: $1,570,776.00±
Town Share 30/70 with County ± $1,570,776.00 for development rights (based on $187,000.00/acre) – Clean Water Open Space Bond Act of 2004 – HRCW14103080
SEQRA REQUIRED: NO (completed by Suffolk County)
DETERMINATION MADE: POSITIVE NEGATIVE
FEIS/FINDINGS FILED:
EXECUTION OF DOCUMENT REQUIRED:
AE:dlm

Present	Absent		Motion	Aye	No	Abstain	Not Voting
		Councilmember Flore-Rosenfeld	2	✓			
		Councilmember Bonner		✓			
		Councilmember Walsh		✓			
		Councilmember Kepert		✓			
		Councilmember Mazzei		✓			
	✓	Councilmember Romaine					
		Supervisor Foley	1	✓			

Gen F5

COUNTY OF SUFFOLK

MAY 27 2009

1515

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

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

May 26, 2009

Mr. Ben Zwirn, Asst. Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the farmland development rights of the DeFosse, F. Cuomo, V. Cuomo, Howitt, Casey, J. Cuomo and L. Cuomo property (Cuomo Family Farm), in the Town of Brookhaven, under the New Suffolk County ¼% Drinking Water Protection Program. The purchase price is $5,240,760.00 ± for 28.56± acres, at $183,500.00 per acre. The County's 70% share is $3,668,532.00.

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene
Assistant Director

PJG:pd
Att.

LOCATION
H. LEE DENNISON BLDG. - 2nd Floor
100 VETERANS MEMORIAL HIGHWAY

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

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

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

1515

LOCATION
(631) 853-5900 H. LEE DENNISON BLDG. - 2nd Floor
Fax (631) 853-5906 100 VETERANS MEMORIAL HIGHWAY
11788-0099
Fax (631) 853-5905

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1515

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition of the farmland development rights under the New Suffolk County ¼% Drinking Water Protection Program, of the Cuomo Family Farm property, SCTM#0200-916.00-02.00-004.000 p/o, (Town of Brookhaven).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

New Suffolk County ¼% Drinking Water Protection Program

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Janet M. Longo Acquisition Supervisor	Janet Longo	May 26, 2009

SCIN FORM 175b (10/95)

Intro. Res. No. 1516-09 Laid on Table 6/9/09
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2009, APPROVING THE APPOINTMENT OF GREGORY BLASS AS COMMISSIONER OF THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES

WHEREAS, Gregory Blass has served the County of Suffolk and the State of New York since 1980, and has served as Chief Deputy Commissioner of the Department of Social Services since 2007; and

WHEREAS, Gregory Blass resides in the Town of Riverhead, Suffolk County, New York; and

WHEREAS, Gregory Blass meets the specifications for a local Social Services Commissioner, pursuant to Title 18, New York Codes, Rules and Regulations, Part 679; now, therefore be it

1st RESOLVED, that the appointment of Gregory Blass, residing in the Town of Riverhead, as Commissioner of Social Services of Suffolk County is hereby approved for a five year term of office which shall expire on **June 23, 2014**; said appointment having been made by the County Executive pursuant to section 116 of the New York Social Services Law; and be it further

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Sections 617.5(c)(20) and (27) of the NEW YORK CODE OF RULES AND REGULATIONS (NYCRR) as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with such action.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1516

CURRICULUM VITAE

OF

GREGORY JAY BLASS

PRESENT POSITION:

Suffolk County Department of Social Services, Chief Deputy Commissioner, January, 2007 to date, responsible together with Commissioner for leading and managing six major Divisions with 1,500 employees and a budget of $550 million , playing direct role in, among other things, improving employee training and retention, obtaining input from employees at all levels, and negotiating settlement to complex litigation.

Chair, Suffolk County Executive's Task Force to Prevent Family Violence, January, 2007 to date, overseeing coordination of public awareness and mitigation of family violence as developed by a coalition of representatives from the public and private sectors, including developing of formal seminars, publicity campaigns and outreach to the courts, schools and the public.

PREVIOUSLY :

NY State Family Court Judge, 1996 – 2005, presiding over one of the few all-purpose parts in Suffolk County Family Court, including custody, orders of protection, child neglect, termination of parental rights, juvenile delinquency, child support, juvenile drug court, etc.; heard, settled or tried over 1,900 cases annually, very rarely appealed (reversed once); adept at facilitating settlement of complicated cases; also served as supervising judge for Riverhead Family Court parts, managing personnel ranging from court officers and clerks to support magistrates and other judges, and the court facilities assigned to them.

Suffolk County Legislator, 1993 - 1995, 1980-1989; Minority Leader, 1988, Presiding Officer, 1986, 1987, 1989;
sponsoring numerous bills on environment, public works, public health and reform of legislative rules.

Greenport Village Attorney, 1990 – 1992; counseled Village Board, Planning Board and ZBA, Electric Utility and Sewer District, and represented Village in court as prosecutor for violations of Village ordinances and other proceedings.

Adjunct Professor, Suffolk County Community College, 1992-1993; taught course entitled "Government and Politics," receiving consistently high student evaluations, withdrawing as required upon return to County Legislature.

Attorney at Law, private practice, 1978– 1995; sole practitioner in areas of family law, municipal law, trusts and estates, real estate, and business transactions.

US Navy JAG (Judge Advocate General's Corps), Lieutenant Sr. Grade, 1975 – 1978; prosecutor and defense counsel for all levels of Navy courts-martial involving USN and USMC personnel, trying numerous and varied criminal cases; also legal assistance officer, senior defense counsel, summary court-martial judge, counselor to commanding officers of US Naval bases, recommended for promotion to lieutenant-commander before return to civilian life.

EDUCATION:

BS, Accounting and English, Fordham University, 1971
JD, Fordham Law School
US Naval Officer Candidate School, 1971
US Naval Justice School, 1974

CERTIFICATIONS:

Admitted to practice law in the States of Florida, 1975-1995 and New York 1975 to date.
Admitted to practice before the US Court of Military Appeals
Certified as Trial and Defense Counsel before military courts-martial of the US

COMMUNITY ACTIVITIES:

Member of Board of Directors of the Hallockville Museum Farm from 2003 to date;
District Executive, Boy Scouts of America, Paumanok District (Eastern LI), 1998 – 2000, responsible for volunteers and fundraising for all Scouting programs;
Past Board Member of Cornell Cooperative Extension, Riverhead Lions Club;
Suffolk County Soil and Water Conservation District, and Suffolk County Industrial Development Agency.

HONORS AND AWARDS:

Beta Alpha Psi, National Accounting Honors Society
Who's Who Among Students in American Universities and Colleges, 1970 & 1971
USN Command Commendation, National Defense Service Medal and Meritorious Unit Citation
North Fork Environmental Council Annual Achievement Award,
Awards in recognition for public service from the Family Service League, American Cancer Society, Foster Grandparents Program, American Red Cross, Village of Greenport and several civic associations and local chambers of commerce.

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1516

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. -2009, APPROVING THE APPOINTMENT OF GREGORY BLASS AS COMMISSIONER OF THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES

3. Purpose of Proposed Legislation

SAME AS ABOVE

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

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

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

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

NO IMPACT – FUNDS INCLUDED IN 2009 ADOPTED BUDGET

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

NO ADDITIONAL IMPACT – FUNDS ARE TRADITIONALLY INCLUDED IN EACH YEARS OPERATING BUDGET -

8. Proposed Source of Funding

ADOPTED BUDGET

9. Timing of Impact

Upon Approval

10. Typed Name & Title of Preparer	11. Signature of Preparer	
Allen M. Kovesdy Director of Management and Research		June 3, 2009

SCIN FORM 175b (10/95)

Intro. Res. No. 1517 2009 Laid on Table 6/9/09
Introduced by the Presiding Officer, on the request of the County Executive

RESOLUTION NO. , 2009 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST (ULTRAVIOLET DISINFECTION) (CP 8132)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with the County Legislature resulting in a public hearing on May 12, 2009 in relation to the increase and improvement of facilities for said district which includes the installation of an ultraviolet disinfection system at Suffolk County Sewer District No. 3 – Southwest, in relation to; and

WHEREAS, pursuant to Resolution No. 305-2009, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Hauppauge, New York in said County on May 12, 2009 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map and plan and estimate of cost for the increase and improvement of the disinfection facilities by construction of an ultraviolet disinfection system for Suffolk County Sewer District No. 3 – Southwest submitted and evidence given at the public hearing held on May 12, 2009; now therefore be it

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

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

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, the Legislature further finds and determines that it is in the public interest to expend $10,000,000 on the increase and improvement of the disinfection facilities at Suffolk County Sewer District No. 3 – Southwest by construction of an ultraviolet disinfection system;

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, and recommendations, and data filed with the County Legislature, it further finds and determines that it is in the public interest to provide for the increase and improvement of the disinfection facilities at Suffolk County Sewer District No. 3 – Southwest at a maximum cost of $10,000,000 which represents

the aforementioned project which will be attributable to the increase and improvement of the disinfection facilities of said sewer district by construction of an ultraviolet disinfection system, substantially in accordance with the map and plan;

Section 4. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it further finds that two other projects (infrastructure improvements and reduction of extraneous flows) being implemented for this district, when added to the project will result in an increase to the typical property of less than $15.55;

Section 5. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the existing Suffolk County Sewer District No. 3 – Southwest will be benefited by such increase and improvement of facilities and that no benefited property has been excluded;

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1517

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST (ULTRAVIOLET DISINFECTION) (CP 8132)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

An appropriating resolution has been forwarded for this project adopting the findings and determinations in relation to the increase and improvement of facilities for Sewer District No. 3 – SOUTHWEST (CP 8132).

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

This project is $10 million in serial bonds and the Assessment Stabilization Reserve Fund will continue to stabilize rates at an annual increase of 3%.

8. Proposed Source of Funding

Serial Bonds

9. Timing of Impact

2009

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst		May 20, 2009

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

157

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

369

157

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: Tom LaGuardia, P.E., Chief Deputy Commissioner

SUBJECT: **A Resolution Making Certain Findings and Determinations in Relation to the Increase and Improvement of Facilities for Sewer District No. 3 – Southwest (Ultraviolet Disinfection) (CP 8132)**

DATE: May 13, 2009

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW-bw CP 8132 - SD 3 Improvement 5-13-09 and backup filed as Backup-DPW-bw CP 8132 SD 3 Improvement 5-13-09 for the findings resolution of the increase and improvement of Sewer District No. 3 - Southwest (Ultraviolet Disinfection). The public hearing was held May 12, 2009. The project involves construction and installation of an Ultraviolet Disinfection system in the amount of $10 million. The project is necessary to comply with NYSDEC discharge permit and implement the most cost effective solution.

We appreciate the resolution being laid on the table.

TL:BW:ni
Attachment
cc: Chris Kent, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, County Executive Assistant
Laura Conway, CPA, Chief Accountant
Linda Spahr, Esq., Assistant County Attorney
Carmine Chiusano, Assistant Budget Director
Ben Wright, P.E., Chief Engineer, Sanitation
CE Reso Review
tl-bw5-13-09 Backup-DPW sd3 Southwest UV Findings reso CP 8132 memo to BZwirn

Sewer District No. 3 - Southwest

C.P.. 8132 Ultraviolet Disinfection

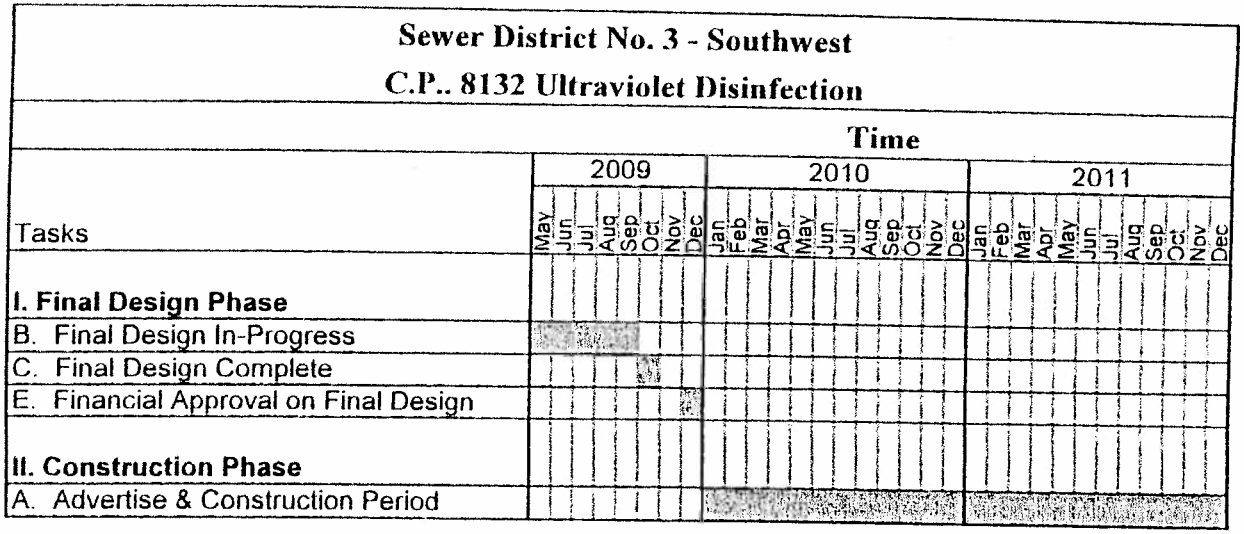


Figure 1

1518

Intro. Res. No. 2009 Laid on Table 6/9/09

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

RESOLUTION NO. , 2009 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST (INFRASTRUCTURE IMPROVEMENTS) (CP 8170)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with the County Legislature resulting in a public hearing on May 12, 2009 in relation to the increase and improvement of facilities for said district which includes the improvements to buildings, mechanical and electrical systems and auxiliary equipment at Suffolk County Sewer District No. 3 – Southwest, in relation to; and

WHEREAS, pursuant to Resolution No. 304-2009, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Hauppauge, New York in said County on May 12, 2009 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map and plan and estimate of cost for the increase and improvement of the building and mechanical/electrical facilities for Suffolk County Sewer District No. 3 – Southwest submitted and evidence given at the public hearing held on May 12, 2009; now therefore be it

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

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

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, the Legislature further finds and determines that it is in the public interest to expend $2.0 million on the increase and improvement to buildings, mechanical and electrical systems and auxiliary equipment and facilities at Suffolk County Sewer District No. 3 – Southwest.

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, and recommendations, and data filed with the County Legislature, it further finds and determines that it is in the public interest to provide for the increase and improvement to buildings, mechanical and electrical systems

and auxiliary equipment and facilities at Suffolk County Sewer District No. 3 – Southwest at a maximum cost of $2.0 million which represents the aforementioned project which will be attributable to the increase and improvement to buildings, mechanical and electrical systems and auxiliary equipment and facilities of said sewer district, substantially in accordance with the map and plan;

Section 4. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it further finds that two other projects (ultraviolet disinfection and reduction of extraneous flows) being implemented for this district, when added to the project will result in an increase to the typical property of less than $15.55;

Section 5. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the existing Suffolk County Sewer District No. 3 – Southwest will be benefited by such increase and improvement of facilities and that no benefited property has been excluded;

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1518

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST (INFRASTRUCTURE IMPROVEMENTS) (CP 8170)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

An appropriating resolution has been forwarded for this project adopting the findings and determinations in relation to the increase and improvement of facilities for Sewer District No. 3 – SOUTHWEST (CP 8170).

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

This project is $2 million in serial bonds and the Assessment Stabilization Reserve Fund will continue to stabilize rates at an annual increase of 3%.

8. Proposed Source of Funding

Serial Bonds

9. Timing of Impact

2009

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst		May 20, 2009

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1518

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1578

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: Tom LaGuardia, P.E., Chief Deputy Commissioner

SUBJECT: **A Resolution Making Certain Findings and Determinations in Relation to the Increase and Improvement Facilities for Sewer District No. 3 – Southwest (Infrastructure Improvements) (CP 8170)**

DATE: May 13, 2009

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW CP 8170- SD 3 Southwest Infrastructure Improvements 5-13-09 and backup filed as Backup-DPW CP 8170 SD 3 Southwest Infrastructure Improvements 5-13-09 for the findings resolution of the increase and improvement of Sewer District No. 3 - Southwest (Infrastructure Improvements). The public hearing was held May 12, 2009. The project involves improvement to buildings, electrical systems, mechanical systems, HVAC, and auxiliary equipment at the Bergen Point Wastewater Treatment Plant.

We appreciate the resolution being laid on the table.

TL:BW:ni
Attachment
cc: Chris Kent, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, County Executive Assistant
Laura Conway, CPA, Chief Accountant
Linda Spahr, Esq., Assistant County Attorney
✓Carmine Chiusano, Assistant Budget Director
Ben Wright, P.E., Chief Engineer, Sanitation
CE Reso Review
tl-bw5-13-09 Backup-DPW sd3 Southwest Infrastructure Improvements Findings reso CP 8170 memo to BZwirn

Sewer District No. 3 - Southwest

C.P.. 8170 Infrastructure Improvements

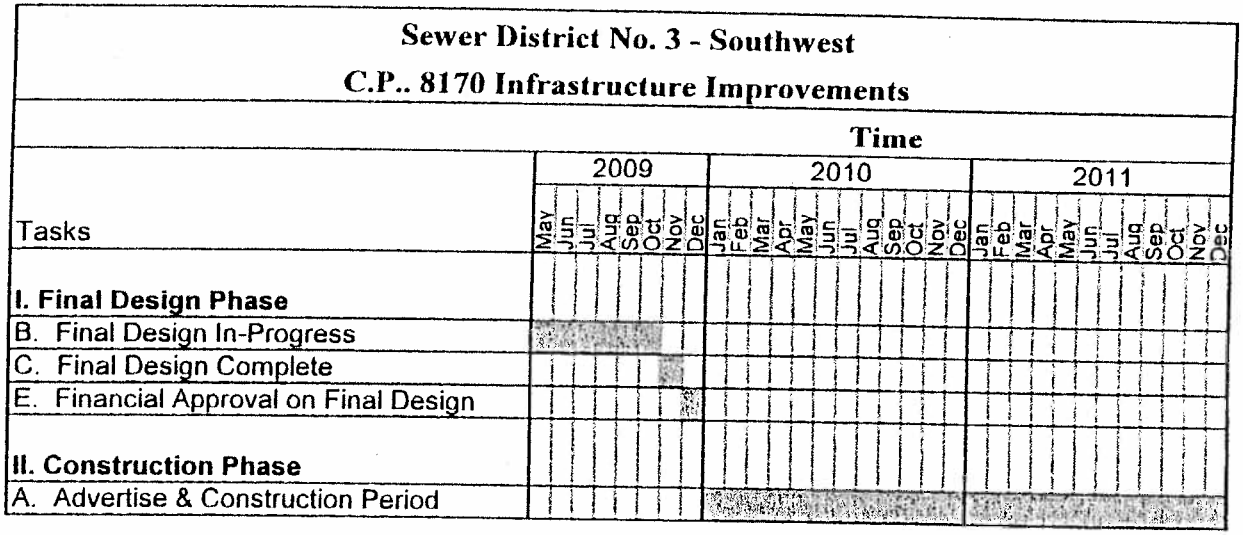


Figure 1

1519

Intro. Res. No. 2009 Laid on Table 6/9/09

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

RESOLUTION NO. , 2009 A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST (INFILTRATION/INFLOW STUDY/SEWER REHABILITATION) (CP 8181)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with the County Legislature resulting in a public hearing on May 12, 2009 in relation to the increase and improvement of facilities for said district which includes the construction and rehabilitation of sewers to remove extraneous flows at Suffolk County Sewer District No. 3 – Southwest, in relation to; and

WHEREAS, pursuant to Resolution No. 306-2009, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Hauppauge, New York in said County on May 12, 2009 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map and plan and estimate of cost for the increase and improvement of Suffolk County Sewer District No. 3 – Southwest which includes construction and rehabilitation of sewers to remove extraneous flows and submitted and evidence given at the public hearing held on May 12, 2009; now therefore be it

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

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

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, the Legislature further finds and determines that it is in the public interest to expend $4,000,000 on the increase and improvement of the sewer system which includes construction and rehabilitation of sewers to remove extraneous flows at Suffolk County Sewer District No. 3 – Southwest;

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

provide for the increase and improve the sewer system at Suffolk County Sewer District No. 3 – Southwest at a maximum cost of $4,000,000 which represents the aforementioned project which will be attributable to the increase and improvement of the sewer system which includes construction and rehabilitation to remove extraneous flows of said sewer district, substantially in accordance with the map and plan;

Section 4. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it further finds that two other projects (ultraviolet disinfection and infrastructure improvements) being implemented for this district, when added to the project will result in an increase to the typical property of less than $15.55;

Section 5. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the existing Suffolk County Sewer District No. 3 – Southwest, will be benefited by such increase and improvement of facilities and that no benefited property has been excluded;

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

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1519

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE INCREASE AND IMPROVEMENT OF FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST (INFILTRATION/INFLOW STUDY/SEWER REHABILITATION) (CP 8181)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

An appropriating resolution has been forwarded for this project adopting the findings and determinations in relation to the increase and improvement of facilities for Sewer District No. 3 – SOUTHWEST (CP 8181).

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

This project is $4 million in serial bonds and the Assessment Stabilization Reserve Fund will continue to stabilize rates at an annual increase of 3%.

8. Proposed Source of Funding

Serial Bonds

9. Timing of Impact

2009

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst	Deb Kolyer	May 20, 2009

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1519

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1519

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: Tom LaGuardia, P.E., Chief Deputy Commissioner

SUBJECT: **A Resolution Making Certain Findings and Determinations in Relation to the Increase and Improvement of Facilities for Sewer District No. 3 – Southwest (Infiltration/Inflow Study/Sewer Rehabilitation) (CP 8181)**

DATE: May 13, 2009

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW CP 8181- SD 3 Improvement (I/I Study/Sewer Rehabilitation) 5-13-09 and backup filed as Backup-DPW CP 8181 SD 3 Improvement (I/I Study/Sewer Rehabilitation) 5-13-09 for the findings resolution of the increase and improvement of Sewer District No. 3 - (Southwest). The public hearing was held May 12, 2009. The project involves construction and rehabilitation of sewers to remove extraneous flows from entering the sanitary system. The cost associated with the project is $4.0 million

We appreciate the resolution being laid on the table.

TL:BW:ni
Attachment
cc: Chris Kent, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, County Executive Assistant
Laura Conway, CPA, Chief Accountant
Linda Spahr, Esq., Assistant County Attorney
Carmine Chiusano, Assistant Budget Director
Ben Wright, P.E., Chief Engineer, Sanitation
CE Reso Review
tl-bw5-13-09 Backup-DPW sd3 Southwest I-I study findings CP 8181 memo to BZwirn

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4010
FAX (631) 852-4150

1520

Intro. Res. No. -2009 Laid on Table 6/9/09

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2009, APPROPRIATING FUNDS THROUGH THE ISSUANCE OF SEWER DISTRICT SERIAL BONDS FOR THE IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST (ULTRAVIOLET DISINFECTION) (CP 8132)

WHEREAS, the Bergen Point Wastewater Treatment Plant requires infrastructure improvements; and

WHEREAS, Public Hearings were held on May 12, 2009 at the regularly scheduled meeting of the County Legislature in Hauppauge, New York in connection with the proposed improvements; and

WHEREAS, a resolution authorizing the issuance of $10,000,000 in Sewer District Serial Bonds and this resolution which appropriates funds have been submitted to the Legislature for approval; and

WHEREAS, the Administrative Head of Sewer District No. 3 - Southwest has requested that funds be appropriated to cover construction costs associated with the improvement project; and

WHEREAS, there are sufficient funds in the 2009 Capital Budget and Program for the Improvements to Suffolk County Sewer District No. 3 – Southwest – Ultraviolet Disinfection; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2009 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA") Resolution No. 984-2008 determined that the proposed sewerage facility improvement and/or rehabilitation to the Sewer District No. 3 - Southwest constitutes a Type II action pursuant to the provisions of NYCRR Part 617.5; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $10,000,000 in Sewer District Serial Bonds; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy five (75), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that the proceeds of $10,000,000 in Sewer District Serial Bonds be and they hereby are appropriated as follows:

Project No.	Project Title	AMOUNT
528-CAP-8132.310 (Fund 203- Debt Service)	Improvements to Sewer District No.3 - Southwest – Ultraviolet Disinfection-Construction	$10,000,000

and be it further

3rd **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the expansion and improvements to SD 3 - Southwest.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1520

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Appropriating Funds Through the Issuance of Sewer District Serial Bonds for the Improvements to Suffolk County Sewer District No. 3 – Southwest (Ultraviolet Disinfection) (CP 8132)

3. Purpose of Proposed Legislation

See No. 2 above

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify): Sewer District**

Library District **Fire District**

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

This resolution appropriates funds included in the Adopted Capital Program. The financial impact is minimized by the Assessment Stabilization Reserves Fund at 3% per year.

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

The project is $10.0 million in Sewer District Serial Bonds and the ASRF will continue to stabilize rates at an annual increase of 3%.

8. Proposed Source of Funding Serial Bonds

9. Timing of Impact 2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Ben Wright, P.E. Chief Engineer Sanitation Debra Kolyer Fam. Financial Analyst		5-11-09 5/20/09

SCIN FORM 175B (10/95)

tl-bw5-13-09 Backup-DPW 175B sd3 southwest UV Improvement serial bonds CP 8132

Suffolk County
General Obligation Serial Bonds
Level Debt

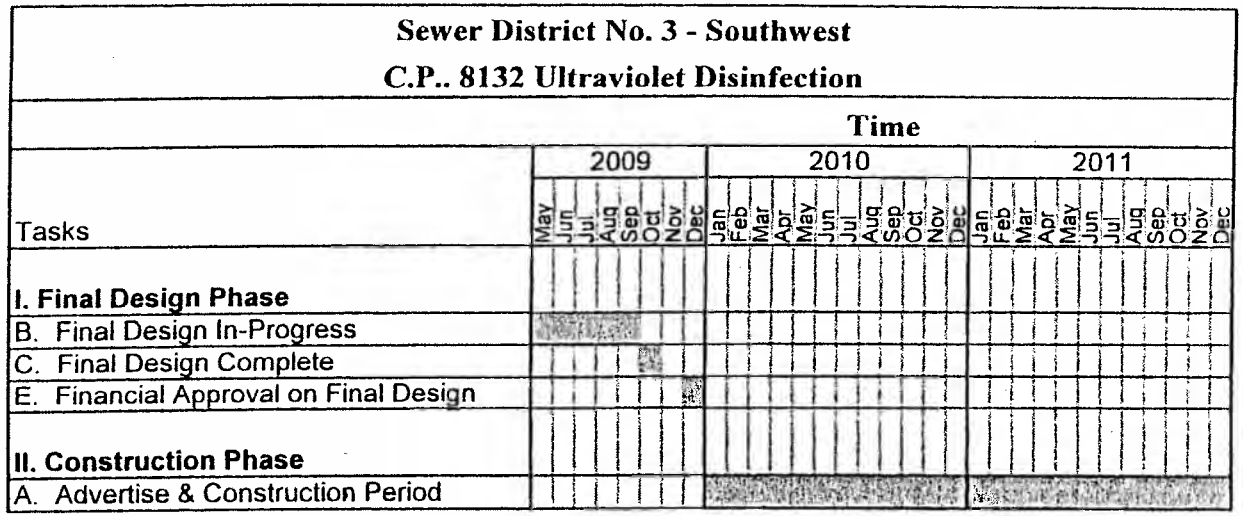
1520

Term of Bonds	20
Amount to Bond:	$10,000,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2009					
5/1/2010					
11/1/2010	4.500%	$308,062.45	$482,500.00	$790,562.45	$790,562.45
			$233,817.99	$233,817.99	
11/1/2011	4.500%	$322,926.46	$233,817.99	$556,744.45	$790,562.45
			$226,027.39	$226,027.39	
11/1/2012	4.500%	$338,507.66	$226,027.39	$564,535.05	$790,562.45
			$217,860.90	$217,860.90	
11/1/2013	4.500%	$354,840.65	$217,860.90	$572,701.55	$790,562.45
			$209,300.36	$209,300.36	
11/1/2014	4.500%	$371,961.72	$209,300.36	$581,262.08	$790,562.45
			$200,326.79	$200,326.79	
11/1/2015	4.500%	$389,908.87	$200,326.79	$590,235.66	$790,562.45
			$190,920.24	$190,920.24	
10/31/2016	4.500%	$408,721.97	$190,920.24	$599,642.21	$790,562.45
			$181,059.82	$181,059.82	
11/1/2017	5.000%	$428,442.81	$181,059.82	$609,502.63	$790,562.45
			$170,723.64	$170,723.64	
11/1/2018	5.000%	$449,115.17	$170,723.64	$619,838.81	$790,562.45
			$159,888.73	$159,888.73	
11/1/2019	5.000%	$470,784.98	$159,888.73	$630,673.71	$790,562.45
			$148,531.05	$148,531.05	
10/31/2020	5.000%	$493,500.35	$148,531.05	$642,031.40	$790,562.45
			$136,625.35	$136,625.35	
11/1/2021	5.000%	$517,311.75	$136,625.35	$653,937.10	$790,562.45
			$124,145.20	$124,145.20	
11/1/2022	5.000%	$542,272.04	$124,145.20	$666,417.24	$790,562.45
			$111,062.89	$111,062.89	
11/1/2023	5.000%	$568,436.66	$111,062.89	$679,499.55	$790,562.45
			$97,349.36	$97,349.36	
10/31/2024	5.000%	$595,863.73	$97,349.36	$693,213.09	$790,562.45
			$82,974.14	$82,974.14	
11/1/2025	5.000%	$624,614.16	$82,974.14	$707,588.30	$790,562.45
			$67,905.33	$67,905.33	
11/1/2026	5.000%	$654,751.79	$67,905.33	$722,657.12	$790,562.45
			$52,109.44	$52,109.44	
11/1/2027	5.000%	$686,343.57	$52,109.44	$738,453.01	$790,562.45
			$35,551.40	$35,551.40	
10/31/2028	5.000%	$719,459.64	$35,551.40	$755,011.04	$790,562.45
			$18,194.44	$18,194.44	
11/1/2029	5.000%	$754,173.57	$18,194.44	$772,368.01	$790,562.45
		$10,000,000.00	$5,811,248.91	$15,811,248.91	$15,811,248.91

Sewer District No. 3 - Southwest

C.P.. 8132 Ultraviolet Disinfection



B20

Figure 2

COUNTY OF SUFFOLK

1520

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: Tom LaGuardia, P.E., Chief Deputy Commissioner

SUBJECT: **Appropriating Funds Through the Issuance of Sewer District Serial Bonds for the Improvements to Suffolk County Sewer District No. 3 – Southwest (Ultraviolet Disinfection) (CP 8132)**

DATE: May 13, 2009

Attached is a draft resolution filed as tl-bw5-13-09 Reso-DPW sd3 Southwest improvements (UV) CP 8132 and appropriate forms with backup (filed as tl-bw5-13-09 Backup-DPW 175A sd3 Southwest improvements (UV) CP 8132 and tl-bw5-13-09 Backup-DPW 175B sd3 Southwest improvements (UV) CP 8132). The project involves construction associated with the construction of an ultraviolet disinfection system in an amount of $10 million. The project is necessary to comply with the NYSDEC discharge permit at the Bergen Point Wastewater Treatment Plant. Financing needs contained in the 2009 Adopted Capital Program and Budget use Sewer District Serial Bonds of $10.0 million are requested herein.

We appreciate the resolution being laid on the table.

TL:BW:ni
Attachment
cc: Chris Kent, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, County Executive Assistant
Laura Conway, CPA, Chief Accountant
Linda Spahr, Esq., Assistant County Attorney
Ben Wright, P.E., Chief Engineer, Sanitation
Carmine Chiusano, Assistant Budget Director
CE Reso Review
tl-bw5-13-09 Back-up DPW sd3 Southwest UV improvements serial bonds CP 8132 memo to BZwirn

1521

Intro. Res. No. -2009 Laid on Table 6/9/09

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2009, APPROPRIATING FUNDS THROUGH THE ISSUANCE OF SEWER DISTRICT SERIAL BONDS FOR THE IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST (INFRASTRUCTURE IMPROVEMENTS) (CP 8170)

WHEREAS, the Bergen Point Wastewater Treatment Plant requires infrastructure improvements; and

WHEREAS, Public Hearings were held on May 12, 2009 at the regularly scheduled meeting of the County Legislature in Hauppauge, New York in connection with the proposed improvements; and

WHEREAS, a resolution authorizing the issuance of $2,000,000 in Sewer District Serial Bonds and this resolution which appropriates funds have been submitted to the Legislature for approval; and

WHEREAS, the Administrative Head of Sewer District No. 3 - Southwest has requested that funds be appropriated to cover construction costs associated with the improvement project; and

WHEREAS, there are sufficient funds in the 2009 Capital Budget and Program for the Improvements to Suffolk County Sewer District No. 3 – Southwest (Infrastructure Improvements); and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2009 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA") Resolution No. 262-2002 determined that the proposed sewerage facility improvement and/or rehabilitation to the Sewer District No. 3 - Southwest constitutes a Type II action pursuant to the provisions of NYCRR Part 617.5; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $2,000,000 in Sewer District Serial Bonds; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy seven (77), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that the proceeds of $2,000,000 in Sewer District Serial Bonds be and they hereby are appropriated as follows:

Project No.	Project Title	AMOUNT
528-CAP-8170.319 (Fund 203-Debt Service)	Improvements to Sewage Treatment Facilities- SCSD #3 - Southwest (Infrastructure Improvements)	$2,000,000

and be it further

3rd **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the expansion and improvements to SD No. 3 - Southwest.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1521

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Appropriating Funds Through the Issuance of Sewer District Serial Bonds for the Improvements to Suffolk County Sewer District No. 3 – Southwest (Infrastructure Improvements) (CP 8170)

3. Purpose of Proposed Legislation

See No. 2 above

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify): Sewer District**

Library District **Fire District**

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

This resolution appropriates funds included in the Adopted Capital Program. The financial impact is minimized by the Assessment Stabilization Reserves Fund at 3% per year.

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

The project is $2.0 million in Sewer District Serial Bonds and the ASRF will continue to stabilize rates at an annual increase of 3%.

8. Proposed Source of Funding Serial Bonds

9. Timing of Impact 2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Ben Wright, P.E. Chief Engineer Sanitation Debra Kolyer Sam Financial Analyst Budget Office	Ben Wright Deb Kolyer	5-11-09 5/20/09

SCIN FORM 175B (10/95)

tl-bw5-13-09 Backup-DPW 175B sd3 southwest Infrastructure Improvements serial bonds CP 8170

Suffolk County
General Obligation Serial Bonds
Level Debt

1521

Term of Bonds	20
Amount to Bond:	$2,000,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2009					
5/1/2010					
11/1/2010	4.500%	$61,612.49	$96,500.00	$158,112.49	$158,112.49
			$46,763.60	$46,763.60	
11/1/2011	4.500%	$64,585.29	$46,763.60	$111,348.89	$158,112.49
			$45,205.48	$45,205.48	
11/1/2012	4.500%	$67,701.53	$45,205.48	$112,907.01	$158,112.49
			$43,572.18	$43,572.18	
11/1/2013	4.500%	$70,968.13	$43,572.18	$114,540.31	$158,112.49
			$41,860.07	$41,860.07	
11/1/2014	4.500%	$74,392.34	$41,860.07	$116,252.42	$158,112.49
			$40,065.36	$40,065.36	
11/1/2015	4.500%	$77,981.77	$40,065.36	$118,047.13	$158,112.49
			$38,184.05	$38,184.05	
10/31/2016	4.500%	$81,744.39	$38,184.05	$119,928.44	$158,112.49
			$36,211.96	$36,211.96	
11/1/2017	5.000%	$85,688.56	$36,211.96	$121,900.53	$158,112.49
			$34,144.73	$34,144.73	
11/1/2018	5.000%	$89,823.03	$34,144.73	$123,967.76	$158,112.49
			$31,977.75	$31,977.75	
11/1/2019	5.000%	$94,157.00	$31,977.75	$126,134.74	$158,112.49
			$29,706.21	$29,706.21	
10/31/2020	5.000%	$98,700.07	$29,706.21	$128,406.28	$158,112.49
			$27,325.07	$27,325.07	
11/1/2021	5.000%	$103,462.35	$27,325.07	$130,787.42	$158,112.49
			$24,829.04	$24,829.04	
11/1/2022	5.000%	$108,454.41	$24,829.04	$133,283.45	$158,112.49
			$22,212.58	$22,212.58	
11/1/2023	5.000%	$113,687.33	$22,212.58	$135,899.91	$158,112.49
			$19,469.87	$19,469.87	
10/31/2024	5.000%	$119,172.75	$19,469.87	$138,642.62	$158,112.49
			$16,594.83	$16,594.83	
11/1/2025	5.000%	$124,922.83	$16,594.83	$141,517.66	$158,112.49
			$13,581.07	$13,581.07	
11/1/2026	5.000%	$130,950.36	$13,581.07	$144,531.42	$158,112.49
			$10,421.89	$10,421.89	
11/1/2027	5.000%	$137,268.71	$10,421.89	$147,690.60	$158,112.49
			$7,110.28	$7,110.28	
10/31/2028	5.000%	$143,891.93	$7,110.28	$151,002.21	$158,112.49
			$3,638.89	$3,638.89	
11/1/2029	5.000%	$150,834.71	$3,638.89	$154,473.60	$158,112.49
		$2,000,000.00	$1,162,249.78	$3,162,249.78	$3,162,249.78

COUNTY OF SUFFOLK 1521

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: Tom LaGuardia, P.E., Chief Deputy Commissioner

SUBJECT: **Appropriating Funds Through the Issuance of Sewer District Serial Bonds for the Improvements to Suffolk County Sewer District No. 3 – Southwest (Infrastructure Improvements) (CP 8170)**

DATE: May 1, 2009

Attached is a draft resolution filed as tl-bw5-13-09 Reso-DPW sd3 Southwest Infrastructure Improvements CP 8170 and appropriate forms with backup (filed as tl-bw5-13-09 Backup-DPW 175A sd3 Southwest Infrastructure Improvements CP 8170 and tl-bw5-13-09 Backup-DPW 175B sd3 Southwest Infrastructure Improvements CP 8170). The project involves improvements to buildings, electrical systems, mechanical systems, HVAC, and auxiliary equipment at the Bergen Point Wastewater Treatment Plant. Financing needs contained in the 2009 Adopted Capital Program and Budget use Sewer District Serial Bonds of $2.0 million are requested herein.

We appreciate the resolution being laid on the table.

TL:BW:ni
Attachment
cc: Chris Kent, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, County Executive Assistant
Laura Conway, CPA, Chief Accountant
Linda Spahr, Esq., Assistant County Attorney
Ben Wright, P.E., Chief Engineer, Sanitation
√Carmine Chiusano, Assistant Budget Director
CE Reso Review
tl-bw5-13-09 Back-up DPW sd3 Southwest Infrastructure Improvements serial bonds CP 8170 memo to BZwirn

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4010 FAX (631) 852-4150

Sewer District No. 3 - Southwest

C.P.. 8170 Infrastructure Improvements

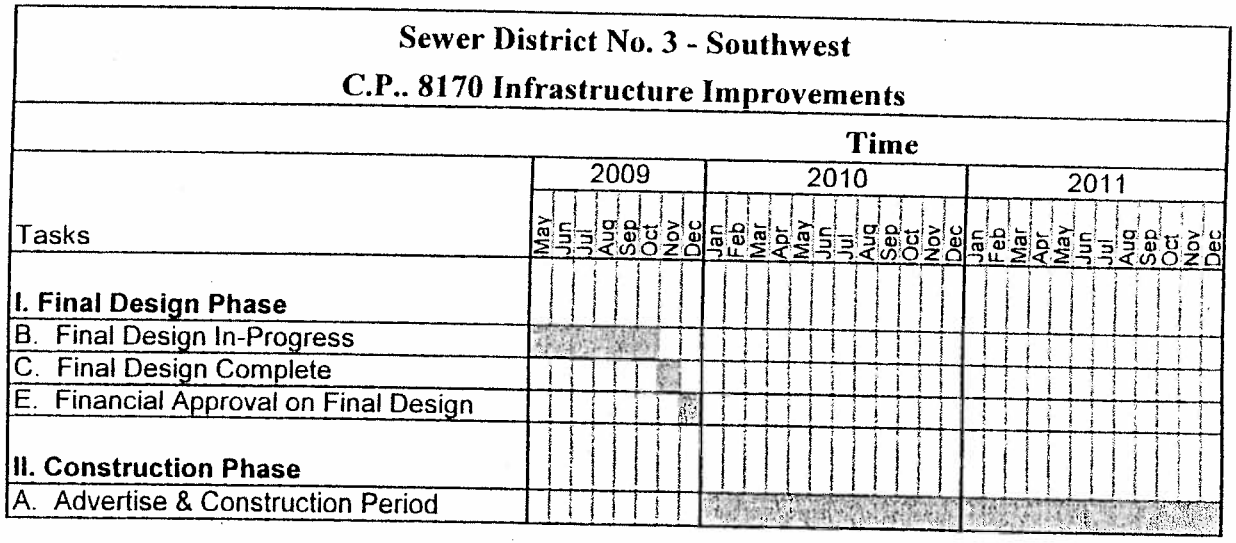


Figure 1

1522

Intro. Res. No. -2009 Laid on Table 6/9/09
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2009, APPROPRIATING FUNDS THROUGH THE ISSUANCE OF SEWER DISTRICT SERIAL BONDS FOR THE IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST (INFLOW/INFILTRATION) (CP 8181)

WHEREAS, the Sewer District No. 3 – Southwest sewer system requires infrastructure improvements; and

WHEREAS, Public Hearings were held on May 12, 2009 at the regularly scheduled meeting of the County Legislature in Hauppauge, New York, in connection with the proposed improvements; and

WHEREAS, a resolution authorizing the issuance of $4,000,000 in Sewer District Serial Bonds and this resolution which appropriates funds have been submitted to the Legislature for approval; and

WHEREAS, the Administrative Head of Sewer District No. 3 - Southwest has requested that funds be appropriated to cover construction costs associated with the improvement project; and

WHEREAS, there are sufficient funds in the 2009 Capital Budget and Program for the Sewer System Improvements to Suffolk County Sewer District No. 3 – Southwest (Inflow /Infiltration/Study/Rehabilitation & Interceptor Monitoring; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2009 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA") Resolution No. 368 of 2006 determined that the proposed improvement and/or rehabilitation to the Sewer District No. 3 - Southwest constitutes a Type II action pursuant to the provisions of NYCRR Part 617.5; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $4,000,000 in Sewer District Serial Bonds; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy two (72), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that the proceeds of $4,000,000 in Sewer District Serial Bonds be and they hereby are appropriated as follows:

Project No.	Project Title	AMOUNT
528-CAP-8181.311 (Fund 203-Debt Service)	Inflow/Infiltration Study/Rehabilitation& Interceptor Monitoring at SD No.3 - Southwest	$4,000,000

and be it further

3rd **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the improvements to SD No.3 - Southwest.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1522

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Appropriating Funds Through the Issuance of Sewer District Serial Bonds for the Improvements to Suffolk County Sewer District No. 3 – Southwest (I/I) (CP 8181)

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

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

This resolution appropriates funds included in the Adopted Capital Program. The financial impact is minimized by the Assessment Stabilization Reserves Fund at 3% per year.

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

The project is $4.0 million in serial bonds and the ASRF will continue to stabilize rates at an annual increase of 3%.

8. Proposed Source of Funding Serial Bonds

9. Timing of Impact 2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Ben Wright, P.E. Chief Engineer Sanitation	Ben Wright	5-11-09

SCIN FORM 175B (10/95) Debra Kelyer PRIN. FINANCIAL ANALYST Debra Kelyer 5/22/09

tl-bw5-13-09 Backup-DPW 175B sd3 southwest I/I serial bonds CP 8181

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1522

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.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

1522

Term of Bonds	20
Amount to Bond:	$4,000,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2009					
5/1/2010					
11/1/2010	4.500%	$123,224.98	$193,000.00	$316,224.98	$316,224.98
			$93,527.20	$93,527.20	
11/1/2011	4.500%	$129,170.58	$93,527.20	$222,697.78	$316,224.98
			$90,410.96	$90,410.96	
11/1/2012	4.500%	$135,403.06	$90,410.96	$225,814.02	$316,224.98
			$87,144.36	$87,144.36	
11/1/2013	4.500%	$141,936.26	$87,144.36	$229,080.62	$316,224.98
			$83,720.15	$83,720.15	
11/1/2014	4.500%	$148,784.69	$83,720.15	$232,504.83	$316,224.98
			$80,130.72	$80,130.72	
11/1/2015	4.500%	$155,963.55	$80,130.72	$236,094.26	$316,224.98
			$76,368.09	$76,368.09	
10/31/2016	4.500%	$163,488.79	$76,368.09	$239,856.88	$316,224.98
			$72,423.93	$72,423.93	
11/1/2017	5.000%	$171,377.12	$72,423.93	$243,801.05	$316,224.98
			$68,289.45	$68,289.45	
11/1/2018	5.000%	$179,646.07	$68,289.45	$247,935.52	$316,224.98
			$63,955.49	$63,955.49	
11/1/2019	5.000%	$188,313.99	$63,955.49	$252,269.48	$316,224.98
			$59,412.42	$59,412.42	
10/31/2020	5.000%	$197,400.14	$59,412.42	$256,812.56	$316,224.98
			$54,650.14	$54,650.14	
11/1/2021	5.000%	$206,924.70	$54,650.14	$261,574.84	$316,224.98
			$49,658.08	$49,658.08	
11/1/2022	5.000%	$216,908.82	$49,658.08	$266,566.90	$316,224.98
			$44,425.16	$44,425.16	
11/1/2023	5.000%	$227,374.67	$44,425.16	$271,799.82	$316,224.98
			$38,939.74	$38,939.74	
10/31/2024	5.000%	$238,345.49	$38,939.74	$277,285.24	$316,224.98
			$33,189.66	$33,189.66	
11/1/2025	5.000%	$249,845.66	$33,189.66	$283,035.32	$316,224.98
			$27,162.13	$27,162.13	
11/1/2026	5.000%	$261,900.72	$27,162.13	$289,062.85	$316,224.98
			$20,843.78	$20,843.78	
11/1/2027	5.000%	$274,537.43	$20,843.78	$295,381.20	$316,224.98
			$14,220.56	$14,220.56	
10/31/2028	5.000%	$287,783.86	$14,220.56	$302,004.42	$316,224.98
			$7,277.77	$7,277.77	
11/1/2029	5.000%	$301,669.43	$7,277.77	$308,947.20	$316,224.98
		$4,000,000.00	$2,324,499.56	$6,324,499.56	$6,324,499.56

COUNTY OF SUFFOLK

1522

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: Tom LaGuardia, P.E., Chief Deputy Commissioner

SUBJECT: **Appropriating Funds Through the Issuance of Sewer District Serial Bonds for the Improvements to Suffolk County Sewer District No. 3 – Southwest (Infiltration/Inflow Study/Sewer Rehabilitation) (CP 8181)**

DATE: May 13, 2009

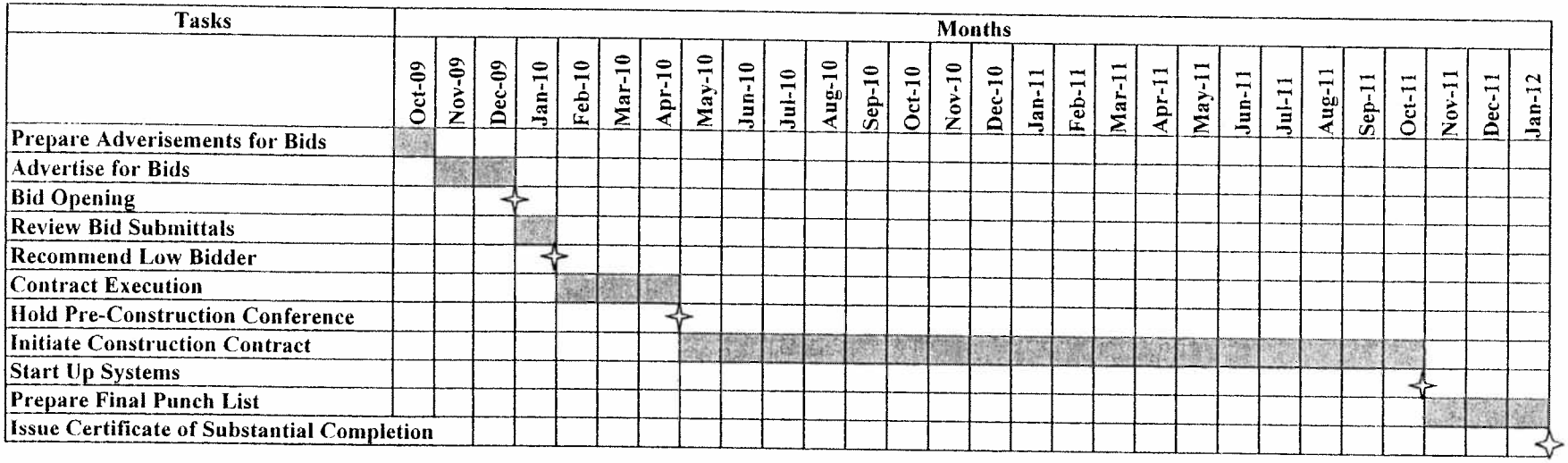
Attached is a draft resolution filed as tl-bw5-13-09 Reso-DPW sd3 Southwest improvements (I/I) CP 8181 and appropriate forms with backup filed as tl-bw5-13-09 Backup-DPW 175A sd3 Southwest improvement (I/I) CP 8181 and tl-bw5-13-09 Backup-DPW 175B sd3 Southwest improvement (I/I) CP 8181. The project involves construction and rehabilitation of sewers to remove extraneous flows from entering the system within the boundaries of the sewer district. Financing needs contained in the 2009 Adopted Capital Program and Budget use Sewer District Serial Bonds of $4.0 million are requested herein.

We appreciate the resolution being laid on the table.

TL:BW:ni
Attachment
cc: Chris Kent, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, County Executive Assistant
Laura Conway, CPA, Chief Accountant
Linda Spahr, Esq., Assistant County Attorney
✓ Carmine Chiusano, Assistant Budget Director
Ben Wright, P.E., Chief Engineer, Sanitation
CE Reso Review
tl-bw5-13-09 Back-up DPW sd3 Southwest I/I study serial bonds CP 8181 memo to BZwirn

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4010 FAX (631) 852-4150

Figure No. 1
Sewer District No. 3 - Southwest
CP 8181 I-I Program



Intro. Res. No. 1523 -2009 Laid on Table 6/9/09
Introduced by the Presiding Officer, on request of the County Executive

RESOLUTION NO. -2009, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF SEWER FACILITY MAINTENANCE EQUIPMENT (CP 8164)

WHEREAS, the sewerage facility infrastructure is increasing and regulations mandate increasing sewer attention necessitating an increase in the Sanitation Fleet; and

WHEREAS, the Commissioner of Public Works has requested funds for the purchase of equipment for sewer facility maintenance; and

WHEREAS, there are sufficient funds included within the 2009 Adopted Capital Budget to cover the cost of said sewer facility maintenance equipment; and

WHEREAS, there are sufficient funds included within the 2009 Adopted Operating Budget (Fund 261-IFT-E527) to cover the transfer of funds to the Capital Fund for said sewer facility maintenance equipment; and

WHEREAS, the Commissioner of Public Works requests that these funds be transferred and appropriated for the purchase of sewer facility maintenance equipment; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2009 Capital Budget, as the basis for funding capital projects such as this project; and

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

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act have been performed; now, therefore, be it

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

2nd **RESLOLVED,** that it is hereby determined that this project, with a priority ranking of sixty-one (61), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3th **RESOLVED,** that the purchase of 3 replacement 4x4 Emergency Response Explorers, 2 new Trackers Trailers, 1 new Vacuum Tanker and 1 new Mobil Vacuum Unit as detailed on the attached is hereby approved, pursuant to Section 186-2(B)(6) of the SUFFOLK COUNTY CODE, and in accordance with County vehicle standard, and that the County truck fleet shall be increased by this resolution; and be it further

4th RESOLVED, that the County Comptroller and County Treasurer be and they are hereby authorized, empowered and directed to accept Interfund revenues for the purchase of sewer facility maintenance equipment as follows:

Fund/Agency/Source	Description	Amount
527-IFT-R261	Transfer from Sewer Maintenance Fund 261	$1,000,000

and be it further

5th RESOLVED, that the proceeds of $1,000,000 in Interfund revenues be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
527-CAP-8164.528	80	Sewer Facility Maintenance Equipment Various Sewer Districts	$1,000,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1523

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF SEWER FACILITY MAINTENANCE EQUIPMENT (CP 8164)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

THIS RESOLUTION TRANSFERS $1,000,000 IN FUNDS ALREADY INCLUDED IN THE 2009 ADOPTED OPERATING BUDGET IN THE SEWER MAINTENANCE AND OPERATION FUND AND APPROPPRIATES THESE FUNDS INTO CAPITAL PROJECT 8164.

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

N/A

8. Proposed Source of Funding

TRANSFER OF SEWER MAINTENANCE FUND APPROPRIATIONS TO THE CAPITAL FUND 527.

9. Timing of Impact

2009

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst	Deb Kolyer.	May 20, 2009

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1523

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1523

FEB 13 2009

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

M E M O R A N D U M

TO: Ben Zwirn, Deputy County Executive

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner

SUBJECT: **Appropriating Funds in the 2009 Capital Budget and Program for the purchase of Sewer Facility Maintenance Equipment (CP 8164)**

DATE: January 27, 2009

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW-bw CP8164 – Sewer Maintenance Equipment 1-27-09 and backup filed as Backup DPW-bw CP8164 – Sewer Maintenance Equipment 1-27-09. The resolution transfers from the 2009 Operating Budget $1,000,000 for sewer maintenance equipment per the attached list, and authorizes an increase in the number of vehicles in the Sanitation fleet. This Capital Project is for the purpose of ensuring that the proper sewerage facility maintenance equipment for various districts is available. The majority of this equipment is associated with the sewer system response/rehabilitation and liquid sludge hauling. Attention and focus has been increasing annually as the 1,250 miles of sewerage and regulations concerning maintenance are implemented. We request this resolution be laid on the table at your convenience.

TL:BW:ni
Attachment
cc: Jim Morgo, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
✓ Brendan Chamberlain, County Executive Assistant
Laura Conway, CPA, Chief Accountant
Ben Wright, P.E., Chief Engineer, Sanitation
Chuck Timeus, Fleet Service Manager
CE RESO REVIEW
tl-bw 1-27-09 Backup DPW-bw Purchase CP8164 Memo to BZwirn

1523

2009 Capital Program
(CP #8164)
Department of Public Works
Purchase of Sanitation Maintenance Equipment

2009

BERGEN POINT		**SEWER DISTRICTS**	
3 - emergency response 4x4 Explorers (OSHA equipment/crew deployment)	$120,000	1 – tractor (sludge hauling)	$100,000
1 – tractor with vacuum pump/hydraulic wet package	$160,000	1 – vac-con	$360,000
1 – 6000 gallon vacuum tanker	$80,000		
1 – Low Boy equipment trailer	$60,000	1- vacuum pump (sludge hauling tractor)	$40,000
1- back hoe	$80,000		
TOTAL	**$500,000**		$500,000

tl-bw1-27-09 Backup DPW-bw Purchase CP8164 Attachment

1524

Intro. Res. No. -2009 Laid on Table 6/9/09

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 2009, TRANSFERRING ESCROW ACCOUNT REVENUES TO THE CAPITAL FUND, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR IMPROVEMENTS AND/OR REHABILITATION OF EXISTING FACILITIES IN SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST (CP 8170)

WHEREAS, the wastewater treatment facilities of Sewer District No. 3 – Southwest are being upgraded to meet effluent standards associated with the discharge to Long Island Sound; and

WHEREAS, the Administrative Head of Sewer District No. 3 – Southwest has requested that previously received connection fees, which are deposited in escrow accounts, be appropriated to cover costs associated with the sewerage facility improvement and/or rehabilitation; and

WHEREAS, sufficient funds are available in the escrow accounts established and containing connection fees to cover the costs of the improvement and/or rehabilitation; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of priority ranking system, implemented in the Adopted 2009 Capital Budget, and as the basis for funding capital projects such as this project; and

WHEREAS, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution 262-2002 determined that the proposed sewerage facility improvement and/or rehabilitation to the Sewer District No. 3 – Southwest constitutes a Type II action pursuant to the provisions of NYCRR Part 617 and Chapter 279 of the Suffolk County Code, which project will not have a significant effect on the environment; now, therefore, be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy seven (77) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that the County Treasurer and County Comptroller be and they hereby are authorized to transfer the following funds, plus accrued interest to date, from the Trust & Agency Escrow Account to the Capital Fund as a Sewer Revenue:

From Escrow Account	To Capital Fund Sewer Revenues	Amount	Accrued Interest
SCCC: Western Campus (4 of 6)	IS 0535	15,178.00	Yes
515 Broadhollow Road (2 of 5)	HU 1438	38,475.00	Yes
234 South Service Road	HU 1412	129,000.00	Yes
65 Maxess Road	HU 1438	105,000.00	Yes
Comax Industrial Building	HU 1524	45,000.00	Yes
515 Broadhollow Road (3 of 5)	HU 1438	38,745.00	Yes

Walt Whitman Mall	HU 1002	587,010.00	Yes
455 Commack Road (Tanger)	BA 1456	1,243,515.00	Yes
245 Old Country Road	HU 1551	115,950.00	Yes
Suffolk County Community College West (6 of 6)	IS 0535	15,178.00	Yes
1860 Walt Whitman Road	HU 1534	37,500.00	Yes
515 Broadhollow Road (4 of 5)	HU 1438	38,745.00	Yes
Ferrante Industrial Building	HU 1523	8,400.00	Yes
Providence Development (1 of 6)	IS 1331	91,800.00	Yes
Estee Lauder (Flow increase)	HU 1036	225,000.00	Yes
Providence Development (2 of 6)	IS 1331	91,800.00	Yes
Suffolk County Community College West (5 of 6)	IS 0535	15,178.00	Yes
Total SCSD #3		**$2,841,474.00**	Yes

and be it further

3rd **RESOLVED**, that the County Treasurer and County Comptroller be and they hereby are authorized to accept proceeds of $2,841,474 plus accrued interest to date, transferred to the Capital Fund 528 from the Trust & Agency Escrow Account; and be it further

4th **RESOLVED,** that the 2009 Capital Budget be and it hereby is amended as follows:

Program No.: **8170**
Project Name: **Improvements to Sewage Treatment Facilities, Sewer District No. 3 – Southwest**

COST ELEMENT	**TOTAL EST'D COST**	**CURRENT 2009 CAPITAL BUDGET & PROGRAM**	**REVISED 2009 CAPITAL BUDGET & PROGRAM**
3. Construction	96,880,197	2,000,000 -X	2,841,474 – E 2,000,000 - X
TOTAL	**103,566,525**	**2,000,000**	**4,841,474**

E-Escrow Funds
X-Serial Bonds

and be it further

5th **RESOLVED**, that the proceeds of $2,841,474 in revenues transferred to the Capital Fund, plus accrued interest to date, be and hereby are appropriated as follows:

PROJECT NO.	PROJECT TITLE	AMOUNT
528-CAP-8170.318	Improvements to Sewer District No. 3 – Southwest - Construction	$2,841,474 + Accrued Interest

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1524

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Transferring Escrow Account Revenues to the Capital fund, amending the 2009 Capital Budget and program and appropriating funds for improvements and/or rehabilitation of existing facilities in Suffolk County Sewer District No. 3-Southwest (CP 8170)

3. Purpose of Proposed Legislation

The recommendation requests appropriation of escrow account revenues for the project.

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

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

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

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

N/A

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

$2,841,474 plus accrued interest.

8. Proposed Source of Funding
Escrow Account Revenues

9. Timing of Impact
2009

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Ben Wright, P.E. Chief Engineer, Sanitation	Ben Wright	4/20/09
Deb Kolyer Budget Officer Pam. Fin. Analyst		5/6/09

tl-bw4-16-09 Backup-DPW 175B sd3 Improvements CP 8170
SCIN FORM 175B (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1524

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.

To be completed by the Executive Budget Office

1524

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: Tom LaGuardia, P.E., Chief Deputy Commissioner

DATE: April 16, 2009

SUBJECT: **DRAFT RESOLUTION TRANSFERRING ESCROW ACCOUNT REVENUES TO THE CAPITAL FUND, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS FOR IMPROVEMENTS AND/OR REHABILITATION OF EXISTING FACILITIES IN SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST (CP 8170)**

Attached is a draft resolution and appropriate forms with backup for Sewer District No. 3 – Southwest infrastructure improvement funds which is filed as Reso-DPW sd 3 – Southwest - Improvements CP 8170 4-16-09 with backup filed as Backup DPW 175A sd 3 – Southwest - Improvements CP8170 4-16-09 and Backup DPW 175B sd 3 – Southwest - Improvements CP8170 4-16-09. The project is to provide construction improvements to the wastewater treatment facilities in order to insure a useful life consistent with permit requirements. The total requested amount to be transferred is $2,841,474 plus accrued interest. We would appreciate the resolution being laid on the table as soon as possible.

TL:BW:ni
Attachment
cc: Chris Kent, Chief Deputy County Executive
Gil Anderson, P.E., Chief Deputy Commissioner
Brendan Chamberlain, County Executive Assistant
Laura Conway, CPA, Chief Accountant
Carmine Chiusano, Assistant Budget Director
Ben Wright, P.E., Chief Engineer, Sanitation
CE Reso Review
tl-bw4-16-09 Backup DPW sd3 Southwest Improvements CP 8170 memo to BZwirn

Intro. Res. No. 1525-2009 Laid on Table 6/9/2009
Introduced by Presiding Officer, on the request of the County Executive

RESOLUTION NO. -2009, CALLING FOR A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING PROPOSED INCREASES AND IMPROVEMENTS OF FACILITIES FOR SEWER DISTRICT NO. 23 – COVENTRY MANOR (CP 8149)

WHEREAS, by proceedings heretofore duly had and taken pursuant to Article 5-A of the County Law, the County Legislature of the County of Suffolk, New York has established a County sewer district designated and known as Suffolk County Sewer District No. 23 – Coventry Manor; and

WHEREAS, the Suffolk County Sewer Agency is recommending an increase and improvement to Suffolk County Sewer District No. 23 – Coventry Manor, namely, process improvements; and

WHEREAS, pursuant to New York County Law Section 268, the Suffolk County Sewer Agency has prepared maps and plans pertaining to these proposed increases and improvements to the facilities of Suffolk County Sewer District No. 23 – Coventry Manor and has also prepared an estimate of the costs of such increases and improvements and has filed these documents, along with its recommendations and reports of its proceedings, with the County Legislature of the County of Suffolk; and

WHEREAS, it would appear that these increases and improvements are in the best interests of the people of Suffolk County; and

WHEREAS, it is the function of County Legislature of the County of Suffolk to call for a public hearing upon such proposed increases and improvements to facilities at Suffolk County Sewer District No. 23 – Coventry Manor; now, therefore, be it

1st **RESOLVED**, this County Legislature of the County of Suffolk, being the lead agency under the State Environmental Quality Review Act ("SEQRA") Environmental Conservation Law Article 8, and pursuant to Resolution No. 371-2006 hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York State Code of Rules and Regulations; and be it further

2nd **RESOLVED**, by the County Legislature of the County of Suffolk, New York, as follows

Section 1. A meeting of the County Legislature of the County of Suffolk New York shall be held at the County Center in the meeting room of the County Legislature in Hauppauge, New York, in said County, on the 4th day of August 2008, at 6:30 p.m., Prevailing Time, for the purpose of conducting a public hearing on the aforesaid matter and for such other action on the part of said County Legislature as may be required by law or proper in premises.

Section 2. The Clerk of said County Legislature is hereby authorized and directed to cause a notice of said public hearing to be published once in each of the official newspapers of said County, and such other newspaper as the Legislature may designate, if any, said publication to be made in each of such newspapers not less than ten, nor more than twenty

days before the day set herein for said public hearing. Such notice shall be in the following form, to wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the County Legislature of the County of Suffolk New York will meet at the County Legislature in Hauppauge , New York, in said County, on August 4th 2009 at 6:30 p.m., Prevailing Time, for the purpose of conducting a public hearing upon a proposal for increases and improves to the facilities Suffolk County Sewer District No. 23 – Coventry Manor, in and about the Town of Brookhaven, substantially in accordance with the maps, plans, report and recommendations prepared by and filed with the Suffolk County Legislature by the Suffolk County Sewer Agency with the assistance of the County Department of Public Works, at which time and place said County Legislature will consider such proposal and hear all parties interested therein concerning the same.

Notice of Cost

The total cost for the increases and improvements to Suffolk County Sewer District No. 23 – Coventry Manor is $1,000,000 using serial bonds. The cost is to be allocated to the entire area of said sewer district. It is proposed that the project will be implemented during 2009 and that $1,000,000 in serial bonds will be appropriated in 2010 with the first interest payment in 2010 and the maximum payment year being 2011. It is indicated in the map, plan and report that the project will require serial bonds and the financial impact of the project will be $13.00 per year per typical property.

Project Description

The increase and improvement to Suffolk County Sewer District No. 23 – Coventry Manor of the process improvement project includes construction of new process tanks and installation of equipment and systems. The project is more fully described and defined in the aforementioned maps, plans, report and recommendations. The estimate of the cost associated with the increase and improvement project is $1.0 million.

A copy of the map, plan, and estimate of costs relating to said proposed increase and improvement of facilities is on file in the Office of the Clerk of said County Legislature where the same may be examined during regular business hours.

Section 3. This resolution shall take effect immediately.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1525

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

CALLING FOR A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING PROPOSED INCREASES AND IMPROVEMENTS OF FACILITIES FOR SEWER DISTRICT NO. 23 – COVENTRY MANOR (CP8149)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

THERE IS NO COST ASSOCIATED WITH PUBLIC HEARINGS.

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

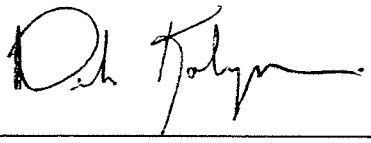
N/A

8. Proposed Source of Funding

THERE IS NO COST ASSOCIATED WITH PUBLIC HEARINGS AND, THEREFORE, NO ASSOCIATED FUNDING SOURCE.

9. Timing of Impact

UPON ADOPTION

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
DEBRA KOLYER PRINCIPAL FINANCIAL ANALYST		May 20, 2009

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1525

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.

To be completed by the Executive Budget Office

1525

Debra

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: Tom LaGuardia, P.E., Chief Deputy Commissioner

SUBJECT: **Calling for a Public Hearing for the Purpose of Considering the Increase and Improvement of Facilities for Sewer District No. 23 – Coventry Manor CP 8149**

DATE: May 4, 2009

Attached is a draft resolution, SCIN Form 175a and 175b, and backup for the referenced capital project filed as Reso DPW CP 8149 – SD 23 – Coventry Manor Hearing 4-28-09 and backup filed as Backup DPW CP 8149 – SD 23 – Coventry Hearing 4-28-09. The resolution calls for a public hearing to provide funds for the improvements of the wastewater treatment facility. Funds requested total $1,000,000. During 2007, serial bonds in the amount of $800,000 were appropriated based on a 2006 public hearing. The public hearing was not advertised properly and must be redone. Additional funds are needed and serial bonds will not pierce the State Comptroller's cap of $17 per typical property, thus an application is not needed. We appreciate the draft resolution being laid on the table as soon as possible.

TL:BW:ni
Attachment
cc: Chris Kent, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, County Executive Assistant
Laura Conway, CPA, Chief Accountant
Carmine Chiusano, Assistant Budget Director
Ben Wright, P.E., Chief Engineer, Sanitation
CE Reso Review
tl-bw5-4-09 BackupDPW sd23 Coventry Manor Improvement Hearing CP8149 memo to BZwirn

1526

Intro. Res. No. 2009 Laid on Table 6/9/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2009, AMENDING THE 2009 OPERATING BUDGET, TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND, AND APPROPRIATING FUNDS FOR THE YAPHANK COUNTY CENTER WASTEWATER TREATMENT PLANT (CP 8158)

WHEREAS, the Yaphank County Center Wastewater Treatment Plant requires treatment process improvements; and

WHEREAS, there are sufficient funds in the 2009 Capital Budget and Program for improving the Yaphank County Center Wastewater Treatment Plant; and

WHEREAS, the Administrative Head of County Sewer Districts has requested that construction funds be appropriated to cover costs associated with the improvement project; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2009 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, pursuant to State Environmental Quality Review Act, Environmental Conservation Article 8 (hereinafter "SEQRA") Resolution No. 515-2007 determined the project to improve the Yaphank County Center Wastewater Treatment Plant constitutes a Type II action pursuant to provisions of NYCRR Part 617.5 (c); and

WHEREAS, it is proposed that $2,000,000 of the Assessment Stabilization Reserve Fund be appropriated for the purpose of implementing the construction phase of the project; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty six (66), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 461-2006; and be it further

2nd **RESOLVED,** that the Assessment Stabilization Reserve Fund shall provide the sum of $2,000,000 for the purpose of implementing the construction phase of the project; and be it further

3rd **RESOLVED,** that the 2009 Adopted Operating Budget be and hereby is amended as follows:

Interfunds	**Amount**
404-IFT-E527-Transfer to Fund 527	$2,000,000

and be it further

4th **RESOLVED**, that the County Comptroller and County Treasurer be and they are hereby authorized, empowered and directed to accept Interfund revenues and effectuate all transfers, including associated cash transfers, as follows:

Revenues	**Amount**
527-IFT-R404-Transfer from Fund 404	$2,000,000

and be it further

5th RESOLVED, that the funds in the amount of $2,000,000 from the Assessment Stabilization Reserve Fund be and they hereby are appropriated as follows:

PROJECT NO.	JC	PROJECT TITLE	AMOUNT
527-CAP-8158.311	80	Improvements to the Yaphank County Center Wastewater Treatment Plant, Construction	$2,000,000

and be it further

6th RESOLVED, that the Administrative Head of Sewer Districts be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the construction phase of the recharge facility improvements to the Yaphank County Center Wastewater Treatment Plant.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1526

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Amending the 2009 Operating Budget, Transferring Assessment Stabilization Reserve Funds to the Capital Fund, and Appropriating Funds for the Improvements to the Yaphank County Center Wastewater Treatment Plant (CP 8158).

3. Purpose of Proposed Legislation

The recommendation requests the use of the Assessment Stabilization Reserve Funds as the funding for the project.

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

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

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

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

The legislation will allow construction of improvements to theYaphank County Center Wastewater Treatment Plant.

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

2009 $2,000,000 Appropriated from the Assessment Stabilization Reserve Fund.

8. Proposed Source of Funding Assessment Stabilization Reserve Fund

9. Timing of Impact 2009

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Fianancial Analyst	Debra Kolyer	5/26/09

SCIN FORM 175B (10/95)

COUNTY OF SUFFOLK

1526

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: Tom LaGuardia, P.E., Chief Deputy Commissioner

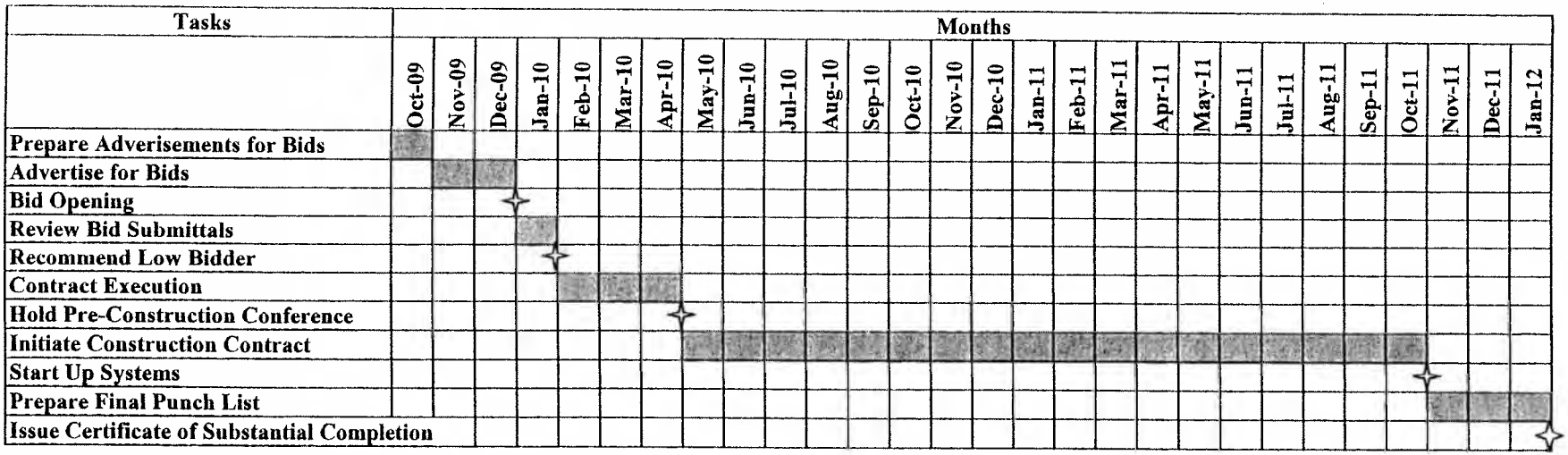
SUBJECT: **A Draft Resolution Transferring Assessment Stabilization Reserve Funds to the Capital Fund, and Appropriating Funds for Improvements to the Yaphank County Center Wastewater Treatment Plant (CP 8158)**

DATE: May 5, 2009

Attached is a resolution with appropriate forms and backup for improvements to the Yaphank County Center Wastewater Treatment Plant filed as Reso DPW ASRF CP 8158 Yaphank County Center Wastewater Treatment Plant Improvements 5-5-09 and Backup DPW ASRF CP 8158 Yaphank County Center Wastewater Treatment Plant Improvements 5-5-09. Improvements are needed to the nitrogen removal process to comply with NYSDEC permit and inspection requirements. Funds of $2,000,000 are identified in the Adopted 2009 Capital Budget and Program as the Assessment Stabilization Reserve Fund and we have prepared the draft resolution with that source of funding. We would request that this resolution be laid on the table at your convenience.

TL:BW:ni
Attachment
cc: Chris Kent, Chief Deputy County Executive
Gil Anderson, P.E., Commissioner
Brendan Chamberlain, County Executive Assistant
Laura Conway, CPA, Chief Accountant
✓Carmine Chiusano, Assistant Budget Director
Ben Wright, P.E., Chief Engineer, Sanitation
CE Reso Review
tl-bw5-5-09 Backup DPW ASRF Improvements Yaphank County Center CP 8158 memo to BZwirn

FIGURE NO. 1
YAPHANK COUNTY CENTER WWTP IMPROVEMENTS
CP 8158



9251

1527

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

Laid on Table 6/9/09

RESOLUTION NO. -2009, CREATING A "SHARE THE ROAD" SIGNAGE PROGRAM IN SUFOLK COUNTY

WHEREAS, motorcycle crash-related fatalities have been increasing since 1997, while injuries have been increasing since 1999; and

WHEREAS, motorcycles have the same rights and privileges as any vehicle on the roadway; and

WHEREAS, approximately one-half of all motorcycle crashes involve another motor vehicle; nearly 40% are caused by the other vehicle turning left in front of the motorcyclist; and

WHEREAS, the National Highway Traffic Safety Administration has issued documentation to all Governor's Highway Safety Representatives, State Motorcycle Safety Administrators, and Motor Vehicle Administrators to develop and provide model language for use in traffic safety education courses, driver's manuals, and other driver's training materials instructing the drivers of motor vehicles on the importance of sharing the road safely with motorcyclists; and

WHEREAS, in order to participate in this worthwhile effort, the County of Suffolk shall work to identify those areas within the county that are heavily traveled by motorcyclists and create a "Share the Road" program which shall include signage to alert motorists to be more aware of motorcycles; now, therefore be it

1st **RESOLVED**, that the Commissioner of the Suffolk County Department of Public Works is hereby authorized, empowered, and directed, pursuant to §8-2(N) of the SUFFOLK COUNTY CHARTER, to identify high accident locations involving incidents with motorcycles in the county and install signage to alert motorists to "Share the Road" with motorcycles in those areas; and be it further

2nd **RESOLVED**, that the "Share the Road" signage installed by the Department of Public Works shall be consistent with the federally approved design in the US DOT FHWA Manual of Uniform Traffic Control Devices; and be it further

3rd **RESOLVED**, that the Department of Public Works shall identify high accident locations involving motorcycles and install "Share the Road" signs no later than 120 days subsequent to the effective date of this resolution; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-share-the-road

1528

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

Laid on Table 6/9/09

RESOLUTION NO. -2009, AUTHORIZING WAIVER OF INTEREST AND PENALTIES FOR PROPERTY TAX FOR VERNON AND THERESA SEXTON (SCTM NO. 0500-141.00-01.00-038.005)

WHEREAS, Vernon and Theresa Sexton are the owners of a parcel of real property located at 46 Peters Boulevard, Central Islip, NY, bearing Suffolk County Tax Map (SCTM No. 0500-141.00-01.00-038.005); and

WHEREAS, the Town of Islip advises and represents that the Town did not send a tax bill to Vernon and Theresa Sexton in a timely fashion which led to the late payment of their property taxes; and

WHEREAS, pursuant to Section 30 of the SUFFOLK COUNTY TAX ACT, this Legislature may waive penalties and interest for the late payment of taxes under these circumstances; now, therefore be it

1st **RESOLVED**, that this Legislature hereby authorizes the Suffolk County Treasurer, pursuant to Section 30 of the SUFFOLK COUNTY TAX ACT, to accept the amount of $3,874.28 in full payment of taxes for the 2008-2009 tax year from the property owners without payment of the interest charges and penalty charges in the amount of $77.49 for a parcel in Central Islip, New York, bearing SCTM No. 0500-141.00-01.00-038.005:

Tax Year:	**Taxes:**	**Penalty and Interest To Be Waived:**
2008-2009	$3,874.28	$77.49

and be it further

2nd **RESOLVED**, that the Suffolk County Treasurer is authorized , empowered, and directed to refund the penalties and interest that were paid by Vernon and Theresa Sexton; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

TOWN OF ISLIP OFFICE OF THE ASSESSOR
40 NASSAU AVENUE • ISLIP, NEW YORK 11751 • PHONE: (631) 224-5585 • FAX: (631) 224-5572

Phil Nolan, Supervisor
Ronald F. Devine Jr., Assessor

May 27, 2009

Hon. Ricardo Montano
Suffolk County Legislator
Courthouse Corporate Center
320 Carleton Avenue, Suite 4300
Central Islip NY 11722

Dear Legislator Montano:

In November of 2008, the Town of Islip Data Processing Department contracted a virus which spread to all the departments in the town. As a result of this, some computers were out of service for a period of time.

One department where this occurred was the Tax Receiver's. Fortunately, it could have been much worse, but as a result of this virus there were six Central Islip residents who never received their tax bills for the January 10, 2009 payment. These residents eventually paid their taxes and of course received a penalty for paying after the due date.

We are therefore requesting legislation to enable Suffolk County to reimburse these six residents for the penalties they incurred. The names and addresses of the residents are as follows:

Edward Nedwick Carmen Betancourt 9 Lace Lane Central Islip 11722	$3820.29 plus $38.20 penalty	Pd. 1/27/09
Ulises & Sulma Juarez 60 Cranberry St. Central Islip 11722	$3255.99 plus $32.56 penalty	Pd. 1/23/09

Richard & Isabella Parisi 223 Fruitwood Lane Central Islip 11722	$3696.84 plus $35.97 penalty	Pd. 1/16/09
James Leak 184 Root Avenue Central Islip 11722	$3838.63 plus $76.37 penalty	Pd. 3/2/09
Livia Romeo 55 Adams Road, Apt. 1A Central Islip 11722	$ 415.14 plus $8.30 penalty	Pd. 3/16/09
Vernon & Theresa Sexton 46 Peters Blvd. Central Islip 11722	$3874.28 plus $77.49 penalty	Pd. 3/9/09

Thank you for your consideration of this request.

Very truly yours,

RONALD F. DEVINE, JR.
Assessor

RFDJr.

Cc: Hon. Phil Nolan, Islip Town Supervisor
Hon. Joseph DeVincent Islip Deputy Town Supervisor

1529

Intro. Res. No. -2009 Laid on Table 6/9/09

Introduced by Legislator Montano

RESOLUTION NO. -2009, AUTHORIZING WAIVER OF INTEREST AND PENALTIES FOR PROPERTY TAX FOR EDWARD NEDWICK & CARMEN BETANCOURT (SCTM NO. 0500-077.00-04.00-040.000)

WHEREAS, Edward Nedwick & Carmen Betancourt are the owners of a parcel of real property located at 9 Lace Lane, Central Islip, NY, bearing Suffolk County Tax Map (SCTM No. 0500-077.00-04.00-040.000); and

WHEREAS, the Town of Islip advises and represents that the Town did not send a tax bill to Edward Nedwick and Carmen Betancourt in a timely fashion which led to the late payment of their property taxes; and

WHEREAS, pursuant to Section 30 of the SUFFOLK COUNTY TAX ACT, this Legislature may waive penalties and interest for the late payment of taxes under these circumstances; now, therefore be it

1st **RESOLVED**, that this Legislature hereby authorizes the Suffolk County Treasurer, pursuant to Section 30 of the SUFFOLK COUNTY TAX ACT, to accept the amount of $3,820.29 in full payment of taxes for the 2008-2009 tax year from the property owners without payment of the interest charges and penalty charges in the amount of $38.20 for a parcel in Central Islip, New York, bearing SCTM No. 0500-077.00-04.00-040.000:

Tax Year:	**Taxes:**	**Penalty and Interest To Be Waived:**
2008-2009	$3,820.29	$38.20

and be it further

2nd **RESOLVED**, that the Suffolk County Treasurer is authorized , empowered, and directed to refund the penalties and interest that were paid by Edward Nedwick and Carmen Betancourt; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

TOWN OF ISLIP OFFICE OF THE ASSESSOR
40 NASSAU AVENUE • ISLIP, NEW YORK 11751 • PHONE: (631) 224-5585 • FAX: (631) 224-5572

Phil Nolan, Supervisor
Ronald F. Devine Jr., Assessor

May 27, 2009

Hon. Ricardo Montano
Suffolk County Legislator
Courthouse Corporate Center
320 Carleton Avenue, Suite 4300
Central Islip NY 11722

Dear Legislator Montano:

In November of 2008, the Town of Islip Data Processing Department contracted a virus which spread to all the departments in the town. As a result of this, some computers were out of service for a period of time.

One department where this occurred was the Tax Receiver's. Fortunately, it could have been much worse, but as a result of this virus there were six Central Islip residents who never received their tax bills for the January 10, 2009 payment. These residents eventually paid their taxes and of course received a penalty for paying after the due date.

We are therefore requesting legislation to enable Suffolk County to reimburse these six residents for the penalties they incurred. The names and addresses of the residents are as follows:

Edward Nedwick Carmen Betancourt 9 Lace Lane Central Islip 11722	$3820.29 plus $38.20 penalty	Pd. 1/27/09
Ulises & Sulma Juarez 60 Cranberry St. Central Islip 11722	$3255.99 plus $32.56 penalty	Pd. 1/23/09

Richard & Isabella Parisi 223 Fruitwood Lane Central Islip 11722	$3696.84 plus $35.97 penalty	Pd. 1/16/09
James Leak 184 Root Avenue Central Islip 11722	$3838.63 plus $76.37 penalty	Pd. 3/2/09
Livia Romeo 55 Adams Road, Apt. 1A Central Islip 11722	$ 415.14 plus $8.30 penalty	Pd. 3/16/09
Vernon & Theresa Sexton 46 Peters Blvd. Central Islip 11722	$3874.28 plus $77.49 penalty	Pd. 3/9/09

Thank you for your consideration of this request.

Very truly yours,

RONALD F. DEVINE, JR.
Assessor

RFDJr.

Cc: Hon. Phil Nolan, Islip Town Supervisor
Hon. Joseph DeVincent Islip Deputy Town Supervisor

1530

Intro. Res. No. -2009 Laid on Table 6/9/09
Introduced by Legislator Montano

RESOLUTION NO. -2009, AUTHORIZING WAIVER OF INTEREST AND PENALTIES FOR PROPERTY TAX FOR ULISES & SULMA D. JUAREZ (SCTM NO. 0500-188.00-02.00-028.000)

WHEREAS, Ulises & Sulma D. Juarez are the owners of a parcel of real property located at 60 Cranberry Street, Central Islip, NY, bearing Suffolk County Tax Map (SCTM No. 0500-188.00-02.00-028.000); and

WHEREAS, the Town of Islip advises and represents that the Town did not send a tax bill to Ulises & Sulma D. Juarez in a timely fashion which led to the late payment of their property taxes; and

WHEREAS, pursuant to Section 30 of the SUFFOLK COUNTY TAX ACT, this Legislature may waive penalties and interest for the late payment of taxes under these circumstances; now, therefore be it

1st **RESOLVED**, that this Legislature hereby authorizes the Suffolk County Treasurer, pursuant to Section 30 of the SUFFOLK COUNTY TAX ACT, to accept the amount of $3,255.99 in full payment of taxes for the 2008-2009 tax year from the property owners without payment of the interest charges and penalty charges in the amount of $32.56 for a parcel in Central Islip, New York, bearing SCTM No. 0500-188.00-02.00-028.000:

Tax Year:	Taxes:	Penalty and Interest To Be Waived:
2008-2009	$3,255.99	$32.56

and be it further

2nd **RESOLVED**, that the Suffolk County Treasurer is authorized , empowered, and directed to refund the penalties and interest that were paid by Ulises & Sulma D. Juarez; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

TOWN OF ISLIP OFFICE OF THE ASSESSOR
40 NASSAU AVENUE • ISLIP, NEW YORK 11751 • PHONE: (631) 224-5585 • FAX: (631) 224-5572

Phil Nolan, Supervisor
Ronald F. Devine Jr., Assessor

May 27, 2009

Hon. Ricardo Montano
Suffolk County Legislator
Courthouse Corporate Center
320 Carleton Avenue, Suite 4300
Central Islip NY 11722

Dear Legislator Montano:

In November of 2008, the Town of Islip Data Processing Department contracted a virus which spread to all the departments in the town. As a result of this, some computers were out of service for a period of time.

One department where this occurred was the Tax Receiver's. Fortunately, it could have been much worse, but as a result of this virus there were six Central Islip residents who never received their tax bills for the January 10, 2009 payment. These residents eventually paid their taxes and of course received a penalty for paying after the due date.

We are therefore requesting legislation to enable Suffolk County to reimburse these six residents for the penalties they incurred. The names and addresses of the residents are as follows:

Edward Nedwick Carmen Betancourt 9 Lace Lane Central Islip 11722	$3820.29 plus $38.20 penalty	Pd. 1/27/09
Ulises & Sulma Juarez 60 Cranberry St. Central Islip 11722	$3255.99 plus $32.56 penalty	Pd. 1/23/09

Richard & Isabella Parisi 223 Fruitwood Lane Central Islip 11722	$3696.84 plus $35.97 penalty	Pd. 1/16/09
James Leak 184 Root Avenue Central Islip 11722	$3838.63 plus $76.37 penalty	Pd. 3/2/09
Livia Romeo 55 Adams Road, Apt. 1A Central Islip 11722	$ 415.14 plus $8.30 penalty	Pd. 3/16/09
Vernon & Theresa Sexton 46 Peters Blvd. Central Islip 11722	$3874.28 plus $77.49 penalty	Pd. 3/9/09

Thank you for your consideration of this request.

Very truly yours,

RONALD F. DEVINE, JR.
Assessor

RFDJr.

Cc: Hon. Phil Nolan, Islip Town Supervisor
Hon. Joseph DeVincent Islip Deputy Town Supervisor

Intro. Res. No. 1531 -2009
Introduced by Legislator Montano

Laid on Table 6/9/09

RESOLUTION NO. -2009, AUTHORIZING WAIVER OF INTEREST AND PENALTIES FOR PROPERTY TAX FOR RICHARD & ISABELLA PARISI (SCTM NO. 0500-079.00-03.00-071.000)

WHEREAS, Richard & Isabella Parisi are the owners of a parcel of real property located at 223 Fruitwood Lane, Central Islip, NY, bearing Suffolk County Tax Map (SCTM No. 0500-079.00-03.00-071.000); and

WHEREAS, the Town of Islip advises and represents that the Town did not send a tax bill to Richard & Isabella Parisi in a timely fashion which led to the late payment of their property taxes; and

WHEREAS, pursuant to Section 30 of the SUFFOLK COUNTY TAX ACT, this Legislature may waive penalties and interest for the late payment of taxes under these circumstances; now, therefore be it

1st **RESOLVED**, that this Legislature hereby authorizes the Suffolk County Treasurer, pursuant to Section 30 of the SUFFOLK COUNTY TAX ACT, to accept the amount of $3,696.84 in full payment of taxes for the 2008-2009 tax year from the property owners without payment of the interest charges and penalty charges in the amount of $35.97 for a parcel in Central Islip, New York, bearing SCTM No. 0500-079.00-03.00-071.000:

Tax Year:	**Taxes:**	**Penalty and Interest To Be Waived:**
2008-2009	$3,696.84	$35.97

and be it further

2nd **RESOLVED**, that the Suffolk County Treasurer is authorized , empowered, and directed to refund the penalties and interest that were paid by Richard & Isabella Parisi; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

TOWN OF ISLIP OFFICE OF THE ASSESSOR
40 NASSAU AVENUE • ISLIP, NEW YORK 11751 • PHONE: (631) 224-5585 • FAX: (631) 224-5572

Phil Nolan, Supervisor
Ronald F. Devine Jr., Assessor

May 27, 2009

Hon. Ricardo Montano
Suffolk County Legislator
Courthouse Corporate Center
320 Carleton Avenue, Suite 4300
Central Islip NY 11722

Dear Legislator Montano:

In November of 2008, the Town of Islip Data Processing Department contracted a virus which spread to all the departments in the town. As a result of this, some computers were out of service for a period of time.

One department where this occurred was the Tax Receiver's. Fortunately, it could have been much worse, but as a result of this virus there were six Central Islip residents who never received their tax bills for the January 10, 2009 payment. These residents eventually paid their taxes and of course received a penalty for paying after the due date.

We are therefore requesting legislation to enable Suffolk County to reimburse these six residents for the penalties they incurred. The names and addresses of the residents are as follows:

Edward Nedwick Carmen Betancourt 9 Lace Lane Central Islip 11722	$3820.29 plus $38.20 penalty	Pd. 1/27/09
Ulises & Sulma Juarez 60 Cranberry St. Central Islip 11722	$3255.99 plus $32.56 penalty	Pd. 1/23/09

Richard & Isabella Parisi 223 Fruitwood Lane Central Islip 11722	$3696.84 plus $35.97 penalty	Pd. 1/16/09
James Leak 184 Root Avenue Central Islip 11722	$3838.63 plus $76.37 penalty	Pd. 3/2/09
Livia Romeo 55 Adams Road, Apt. 1A Central Islip 11722	$ 415.14 plus $8.30 penalty	Pd. 3/16/09
Vernon & Theresa Sexton 46 Peters Blvd. Central Islip 11722	$3874.28 plus $77.49 penalty	Pd. 3/9/09

Thank you for your consideration of this request.

Very truly yours,

RONALD F. DEVINE, JR.
Assessor

RFDJr.

Cc: Hon. Phil Nolan, Islip Town Supervisor
Hon. Joseph DeVincent Islip Deputy Town Supervisor

1532

Intro. Res. No. -2009 Laid on Table 6/9/09

Introduced by Legislator Montano

RESOLUTION NO. -2009, AUTHORIZING WAIVER OF INTEREST AND PENALTIES FOR PROPERTY TAX FOR JAMES E. LEAK (SCTM NO. 0500-140.00-04.00-037.000)

WHEREAS, James E. Leak is the owner of a parcel of real property located at 184 Root Avenue, Central Islip, NY, bearing Suffolk County Tax Map (SCTM No. 0500-140.00-04.00-037.000); and

WHEREAS, the Town of Islip advises and represents that the Town did not send a tax bill to James E. Leak in a timely fashion which led to the late payment of his property taxes; and

WHEREAS, pursuant to Section 30 of the SUFFOLK COUNTY TAX ACT, this Legislature may waive penalties and interest for the late payment of taxes under these circumstances; now, therefore be it

1st **RESOLVED**, that this Legislature hereby authorizes the Suffolk County Treasurer, pursuant to Section 30 of the SUFFOLK COUNTY TAX ACT, to accept the amount of $3,838.63 in full payment of taxes for the 2008-2009 tax year from the property owner without payment of the interest charges and penalty charges in the amount of $76.37 for a parcel in Central Islip, New York, bearing SCTM No. 0500-140.00-04.00-037.000:

Tax Year:	Taxes:	Penalty and Interest To Be Waived:
2008-2009	$3,838.63	$76.37

and be it further

2nd **RESOLVED**, that the Suffolk County Treasurer is authorized , empowered, and directed to refund the penalties and interest that were paid by James E. Leak; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

TOWN OF ISLIP OFFICE OF THE ASSESSOR
40 NASSAU AVENUE • ISLIP, NEW YORK 11751 • PHONE: (631) 224-5585 • FAX: (631) 224-5572

Phil Nolan, Supervisor
Ronald F. Devine Jr., Assessor

May 27, 2009

Hon. Ricardo Montano
Suffolk County Legislator
Courthouse Corporate Center
320 Carleton Avenue, Suite 4300
Central Islip NY 11722

Dear Legislator Montano:

In November of 2008, the Town of Islip Data Processing Department contracted a virus which spread to all the departments in the town. As a result of this, some computers were out of service for a period of time.

One department where this occurred was the Tax Receiver's. Fortunately, it could have been much worse, but as a result of this virus there were six Central Islip residents who never received their tax bills for the January 10, 2009 payment. These residents eventually paid their taxes and of course received a penalty for paying after the due date.

We are therefore requesting legislation to enable Suffolk County to reimburse these six residents for the penalties they incurred. The names and addresses of the residents are as follows:

Edward Nedwick Carmen Betancourt 9 Lace Lane Central Islip 11722	$3820.29 plus $38.20 penalty	Pd. 1/27/09
Ulises & Sulma Juarez 60 Cranberry St. Central Islip 11722	$3255.99 plus $32.56 penalty	Pd. 1/23/09

Richard & Isabella Parisi 223 Fruitwood Lane Central Islip 11722	$3696.84 plus $35.97 penalty	Pd. 1/16/09
James Leak 184 Root Avenue Central Islip 11722	$3838.63 plus $76.37 penalty	Pd. 3/2/09
Livia Romeo 55 Adams Road, Apt. 1A Central Islip 11722	$ 415.14 plus $8.30 penalty	Pd. 3/16/09
Vernon & Theresa Sexton 46 Peters Blvd. Central Islip 11722	$3874.28 plus $77.49 penalty	Pd. 3/9/09

Thank you for your consideration of this request.

Very truly yours,

RONALD F. DEVINE, JR.
Assessor

RFDJr.

Cc: Hon. Phil Nolan, Islip Town Supervisor
Hon. Joseph DeVincent Islip Deputy Town Supervisor

1533

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

Laid on Table 6/9/09

RESOLUTION NO. -2009, AUTHORIZING WAIVER OF INTEREST AND PENALTIES FOR PROPERTY TAX FOR LIVIA ROMEO (SCTM NO. 0500-055.01-01.00-033.000)

WHEREAS, Livia Romeo is the owner of a parcel of real property located at 55 Adams Road, Central Islip, NY, bearing Suffolk County Tax Map (SCTM No. 0500-055.01-01.00-033.000); and

WHEREAS, the Town of Islip advises and represents that the Town did not send a tax bill to Livia Romeo in a timely fashion which led to the late payment of his property taxes; and

WHEREAS, pursuant to Section 30 of the SUFFOLK COUNTY TAX ACT, this Legislature may waive penalties and interest for the late payment of taxes under these circumstances; now, therefore be it

1st **RESOLVED**, that this Legislature hereby authorizes the Suffolk County Treasurer, pursuant to Section 30 of the SUFFOLK COUNTY TAX ACT, to accept the amount of $3,874.28 in full payment of taxes for the 2008-2009 tax year from the property owner without payment of the interest charges and penalty charges in the amount of $77.49 for a parcel in Central Islip, New York, bearing SCTM No. 0500-055.01-01.00-033.000:

Tax Year:	Taxes:	Penalty and Interest To Be Waived:
2008-2009	$3,874.28	$77.49

and be it further

2nd **RESOLVED**, that the Suffolk County Treasurer is authorized , empowered, and directed to refund the penalties and interest that were paid by Livia Romeo; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

TOWN OF ISLIP OFFICE OF THE ASSESSOR
40 NASSAU AVENUE • ISLIP, NEW YORK 11751 • PHONE: (631) 224-5585 • FAX: (631) 224-5572

Phil Nolan, Supervisor
Ronald F. Devine Jr., Assessor

May 27, 2009

Hon. Ricardo Montano
Suffolk County Legislator
Courthouse Corporate Center
320 Carleton Avenue, Suite 4300
Central Islip NY 11722

Dear Legislator Montano:

In November of 2008, the Town of Islip Data Processing Department contracted a virus which spread to all the departments in the town. As a result of this, some computers were out of service for a period of time.

One department where this occurred was the Tax Receiver's. Fortunately, it could have been much worse, but as a result of this virus there were six Central Islip residents who never received their tax bills for the January 10, 2009 payment. These residents eventually paid their taxes and of course received a penalty for paying after the due date.

We are therefore requesting legislation to enable Suffolk County to reimburse these six residents for the penalties they incurred. The names and addresses of the residents are as follows:

Edward Nedwick Carmen Betancourt 9 Lace Lane Central Islip 11722	$3820.29 plus $38.20 penalty	Pd. 1/27/09
Ulises & Sulma Juarez 60 Cranberry St. Central Islip 11722	$3255.99 plus $32.56 penalty	Pd. 1/23/09

Richard & Isabella Parisi 223 Fruitwood Lane Central Islip 11722	$3696.84 plus $35.97 penalty	Pd. 1/16/09
James Leak 184 Root Avenue Central Islip 11722	$3838.63 plus $76.37 penalty	Pd. 3/2/09
Livia Romeo 55 Adams Road, Apt. 1A Central Islip 11722	$ 415.14 plus $8.30 penalty	Pd. 3/16/09
Vernon & Theresa Sexton 46 Peters Blvd. Central Islip 11722	$3874.28 plus $77.49 penalty	Pd. 3/9/09

Thank you for your consideration of this request.

Very truly yours,

RONALD F. DEVINE, JR.
Assessor

RFDJr.

Cc: Hon. Phil Nolan, Islip Town Supervisor
Hon. Joseph DeVincent Islip Deputy Town Supervisor

1534

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

Laid on Table 6/9/09

RESOLUTION NO. –2009, APPOINT MEMBER TO THE EQUESTRIAN TASK FORCE (ROCKY DI VELLO)

WHEREAS, Resolution No. 187-2009 established the Equestrian Task Force 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

WHEREAS, the Task Force consists of 11 members; now, therefore, be it

1st **RESOLVED**, that Rocky DiVello is hereby appointed to the Equestrian Task Force as the representative of the Long island Farm Bureau, to serve at the pleasure of the Legislature; 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\r-appt-equestrian-divello

1535

Intro. Res. No. - 2009 Laid on the Table 6/9/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2009, APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION AND REHABILITATION OF HIGHWAY MAINTENANCE FACILITIES (CP 5048)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Construction and Rehabilitation of Highway Maintenance Facilities; and

WHEREAS, there are sufficient funds within the 2009 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 and as amended by Resolution No. 461-2006 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,000,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED,** that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines, in accordance with CEQ Resolution No. 63-04 for the Babylon Salt Storage facility, Resolution 1015-2006 for the Southold Salt Storage facility, and Resolution 347-2009 for the Hampton Bays Salt Storage Facility, that this law constitutes an unlisted action which will not have significant adverse impacts on the environment under the provisions of Title 617 of New York Code of Rules and Regulations ("NYCRR"), and Chapter 279 of the Suffolk County Code, and the Legislature has no further responsibilities under SEQRA for the facilities at Babylon, Southold and Hampton Bays; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-two (62) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete Construction and Rehabilitation of Highway Maintenance Facilities, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

4th **RESOLVED**, that the proceeds of $1,000,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5048.314 (Fund 016 Debt Service)	50	Construction and Rehabilitation of Highway Maintenance Facilities	$1,000,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1535

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. - 2009, APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION AND REHABILITATION OF HIGHWAY MAINTENANCE FACILITIES (CP 5048)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		May 15th, 2009

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1535

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$94,829**	**$0.18**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$94,829**	**$0.18**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2008.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
Project Name
General Obligation Serial Bonds
Level Debt

1535

Term of Bonds: 15
Amount to Bond: $1,000,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2009					
11/1/2009					
5/1/2010	4.500%	$47,162.12	$47,666.67	$94,828.78	$94,828.78
			$22,709.30	$22,709.30	
5/1/2011	4.500%	$49,410.18	$22,709.30	$72,119.48	$94,828.78
			$21,531.69	$21,531.69	
5/1/2012	4.500%	$51,765.40	$21,531.69	$73,297.09	$94,828.78
			$20,297.95	$20,297.95	
5/1/2013	4.500%	$54,232.88	$20,297.95	$74,530.83	$94,828.78
			$19,005.40	$19,005.40	
5/1/2014	4.500%	$56,817.98	$19,005.40	$75,823.38	$94,828.78
			$17,651.24	$17,651.24	
5/1/2015	4.500%	$59,526.30	$17,651.24	$77,177.54	$94,828.78
			$16,232.53	$16,232.53	
	4.500%	$62,363.72	$16,232.53	$78,596.25	$94,828.78
			$14,746.19	$14,746.19	
5/1/2017	5.000%	$65,336.39	$14,746.19	$80,082.59	$94,828.78
			$13,189.01	$13,189.01	
5/1/2018	5.000%	$68,450.76	$13,189.01	$81,639.77	$94,828.78
			$11,557.60	$11,557.60	
5/1/2019	5.000%	$71,713.58	$11,557.60	$83,271.18	$94,828.78
			$9,848.43	$9,848.43	
	5.000%	$75,131.93	$9,848.43	$84,980.36	$94,828.78
			$8,057.78	$8,057.78	
5/1/2021	5.000%	$78,713.22	$8,057.78	$86,771.00	$94,828.78
			$6,181.78	$6,181.78	
5/1/2022	5.000%	$82,465.21	$6,181.78	$88,647.00	$94,828.78
			$4,216.36	$4,216.36	
5/1/2023	5.000%	$86,396.06	$4,216.36	$90,612.42	$94,828.78
			$2,157.26	$2,157.26	
	5.000%	$90,514.27	$2,157.26	$92,671.53	$94,828.78
		$1,000,000.00	$422,431.74	$1,422,431.74	$1,422,431.74

COUNTY OF SUFFOLK

1535

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

DATE: May 18, 2009

RE: **APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION AND REHABILITATION OF HIGHWAY MAINTENANCE FACILITIES (CAPITAL PROGRAM NUMBER, 5048**

Attached are a draft resolution and duplicate copy to appropriate the sum of $1,000,000 for construction in connection with the above referenced project. There are sufficient funds included in the 2009 Capital Budget and Program for this project. This project is a multi year project that includes the construction and refurbishing of various Highway Maintenance facilities. This project includes new buildings at Babylon, Hampton Bays and Southold and equipment storage buildings at various highway maintenance facilities. It may be necessary to add and/or substitute work parameters due to changes in priorities or other requirements to be determined by this Department.

The Department will continue to evaluate and prioritize the rehabilitation needs at the Maintenance Facilities to minimize the need for costly building replacements and extend the useful life of the facilities.

SEQRA determinations have been made for the Babylon Salt Storage facility by CEQ Resolution 63-04, Southold Salt Storage facility by Resolution 1015-2006 and 1328-09 for the Hampton Bays Facility. The Suffolk County Legislature has no further responsibilities under SEQRA for these facilities.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "RESO-DPW-CP 5048.doc".

TL:WH:sk
attach.
cc Chris Kent, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Principal Financial Analyst

1536

Intro. Res. No. – 2009 Laid on Table 6/9/09

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

RESOLUTION NO. -2009 AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE CHARTER LAW EXTENDING AND ACCELERATING THE SUFFOLK COUNTY ¼% DRINKING WATER PROTECTION PROGRAM FOR ENVIRONMENTAL PROTECTION FOR LAND ACQUISITIONS

WHEREAS, at the general election held on November 6, 2007, the electorate approved the mandatory referendum on Resolution No. 770-2007, Adopting a Charter Law Extending and Accelerating the Existing Suffolk County ¼% Drinking Water Protection Program for Environmental Protection, Sewer District Tax Rate Stabilization and County-wide Property Tax Protection from December 31, 2013 to November 30, 2030 (Local Law No. 24-2007); and

WHEREAS, the intent of Local Law No. 24-2007 is to extend the ¼% Suffolk County Drinking Water Protection Program for 17 years and to accelerate the land acquisition component of the program, by permitting borrowing of up to $322 million over the first four (4) years, with the cost of the borrowing to be repaid from the ¼% Sales Tax Revenue Stream; and

WHEREAS, Local Law No. 24-2007 will allow the County to borrow money now at reduced interest rates, purchase the last vestiges of land available, and pay off its debt service at a later date, all to the benefit of the Suffolk County taxpayers; and

WHEREAS, under said law, 31.10% of the total revenues generated each calendar year by the ¼% Sales Tax Revenue Stream is allocated annually to the Suffolk County Environmental Programs Trust Fund; and

WHEREAS, the Suffolk County Environmental Programs Trust Fund can be used for the payment of debt service on serial bonds or notes authorized via duly enacted resolution of the County of Suffolk and issued for the purchase of farmland development rights, open space, wetlands, woodlands, pine barrens, and other lands which are suitable only for passive, recreational use, land for use as Hamlet Greens, Hamlet Parks, pocket parks, active parkland, active recreation, historic and/or cultural park uses; and

WHEREAS, principal and interest expenses, bond or note issuance costs and all other expenses directly related to the bonds or notes issued for such purchases may be paid from the sales tax revenues allocated and deposited annually to the Suffolk County Environmental Programs Trust Fund; and

WHEREAS, the serial bonds or notes issued for the purchase of development rights or land under this program are required to be authorized by a duly enacted bond or note resolution of the County of Suffolk adopted in the calendar years 2008, 2009, 2010 or 2011; and

WHEREAS, any such bonds or notes must be issued on or prior to December 31, 2011, and the final maturity of such bonds and notes shall be no later that December 31, 2030; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2009 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature by even date herewith has authorized the issuance of $55,000,000 in Suffolk County Serial Bonds to cover the cost of purchasing land under the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection; now, therefore be it

1st **RESOLVED,** that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, not including new programs or major reordering of priorities that may affect the environment; and, be it further

2nd **RESOLVED,** that prior to the approval by this Legislature of any property for purchase under this capital project, an environmental review of each property shall be undertaken and completed in accordance with SEQRA; and, be it further

3rd **RESOLVED,** that the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law; and, be it further

4th **RESOLVED,** that it is hereby determined that this project, with a priority ranking of seventy-two (72), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and, be it further

5th **RESOLVED,** that the 2009 Capital Budget and Program be and they are hereby amended as follows:

Project No. 8712
Project Title: Suffolk County ¼% Drinking Water Protection Program for Environmental Protection-Land Acquisition Component

	Total Estimated Cost	Current 2009 Capital Program and Budget	Revised 2009 Capital Program and Budget
2 Land Acquisition	$112,000,000	$0	$55,000,000 B
Total	**$112,000,000**	**$0**	**$55,000,000**

6th RESOLVED, that the proceeds of $55,000,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8712.210 (Fund 477-Debt Service)	Suffolk County ¼% Drinking Water Protection Program for Environmental Protection-Land Acquisition Component	$55,000,000

and, be it further

7th RESOLVED, that no funds appropriated by this resolution may be expended unless and until a resolution authorizing planning and/or acquisition of a piece of property for the purposes of these capital projects has been duly adopted.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1536

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. -2009 AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE CHARTER LAW EXTENDING AND ACCELERATING THE SUFFOLK COUNTY ¼% DRINKING WATER PROTECTION PROGRAM FOR ENVIRONMENTAL PROTECTION FOR LAND ACQUISITIONS

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS. DEBT SERVICE WILL BE PAID FROM FUND 477.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Steven Forst Senior Accountant	Steve Forst	May 27, 2009

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

1536

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER $100	2010 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 2008.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

1536

Term of Bonds	20
Amount to Bond:	$55,000,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2009					
5/1/2010					
11/1/2010	4.500%	$1,694,343.45	$2,653,750.00	$4,348,093.45	$4,348,093.45
			$1,285,998.96	$1,285,998.96	
11/1/2011	4.500%	$1,776,095.52	$1,285,998.96	$3,062,094.48	$4,348,093.45
			$1,243,150.66	$1,243,150.66	
11/1/2012	4.500%	$1,861,792.13	$1,243,150.66	$3,104,942.79	$4,348,093.45
			$1,198,234.92	$1,198,234.92	
11/1/2013	4.500%	$1,951,623.60	$1,198,234.92	$3,149,858.52	$4,348,093.45
			$1,151,152.01	$1,151,152.01	
11/1/2014	4.500%	$2,045,789.44	$1,151,152.01	$3,196,941.44	$4,348,093.45
			$1,101,797.34	$1,101,797.34	
11/1/2015	4.500%	$2,144,498.78	$1,101,797.34	$3,246,296.11	$4,348,093.45
			$1,050,061.30	$1,050,061.30	
10/31/2016	4.500%	$2,247,970.84	$1,050,061.30	$3,298,032.15	$4,348,093.45
			$995,829.01	$995,829.01	
11/1/2017	5.000%	$2,356,435.44	$995,829.01	$3,352,264.44	$4,348,093.45
			$938,980.00	$938,980.00	
11/1/2018	5.000%	$2,470,133.45	$938,980.00	$3,409,113.45	$4,348,093.45
			$879,388.03	$879,388.03	
11/1/2019	5.000%	$2,589,317.39	$879,388.03	$3,468,705.42	$4,348,093.45
			$816,920.75	$816,920.75	
10/31/2020	5.000%	$2,714,251.95	$816,920.75	$3,531,172.70	$4,348,093.45
			$751,439.42	$751,439.42	
11/1/2021	5.000%	$2,845,214.61	$751,439.42	$3,596,654.03	$4,348,093.45
			$682,798.62	$682,798.62	
11/1/2022	5.000%	$2,982,496.21	$682,798.62	$3,665,294.83	$4,348,093.45
			$610,845.90	$610,845.90	
11/1/2023	5.000%	$3,126,401.65	$610,845.90	$3,737,247.55	$4,348,093.45
			$535,421.46	$535,421.46	
10/31/2024	5.000%	$3,277,250.53	$535,421.46	$3,812,671.99	$4,348,093.45
			$456,357.79	$456,357.79	
11/1/2025	5.000%	$3,435,377.87	$456,357.79	$3,891,735.66	$4,348,093.45
			$373,479.30	$373,479.30	
11/1/2026	5.000%	$3,601,134.85	$373,479.30	$3,974,614.15	$4,348,093.45
			$286,601.92	$286,601.92	
11/1/2027	5.000%	$3,774,889.61	$286,601.92	$4,061,491.53	$4,348,093.45
			$195,532.71	$195,532.71	
10/31/2028	5.000%	$3,957,028.04	$195,532.71	$4,152,560.74	$4,348,093.45
			$100,069.41	$100,069.41	
11/1/2029	5.000%	$4,147,954.64	$100,069.41	$4,248,024.04	$4,348,093.45
		$55,000,000.00	$31,961,868.98	$86,961,868.98	$86,961,868.98

MCS62

COUNTY OF SUFFOLK

1536

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

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

May 8, 2009

Mr. Ben Zwirn, Asst. Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to appropriate funds in connection with the New Suffolk County ¼% Drinking Water Protection Program for environmental protection and land acquisitions in the amount of $55,000,000.00.

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene
Assistant Director

PJG:pd
Att.
cc: Christopher E. Kent, Chief Deputy County Executive
Jeff Szabo, Deputy County Executive
Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
Thomas A. Isles, Director, Planning Department
Janet M. Longo, Acquisition Supervisor
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
Carmine Chiusano, Director, Budget Review
Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
Tom Vaughn, County Executive Assistant
Brendan Chamberlain, County Executive Assistant
CE Reso Review (e-mail copy only)

Intro Res. No. 1537 -09 LOT 6/9/09
Introduced by the Presiding Officer Lindsay on request of the County Executive

RESOLUTION NO. -09, ACCEPTING AND APPROPRIATING WORKFORCE INVESTMENT ACT FUNDS FOR THE PURCHASE OF COMPUTERS

WHEREAS, the New York State Department of Labor (NYSDOL) has awarded a grant in the amount of $49,859 to the Suffolk County Department of Labor to fund purchase of computers and

WHEREAS, this grant is funded by the Workforce Investment Act (WIA) program, for the express purpose of purchasing computers; and

WHEREAS, the funds were awarded to provide customers with updated computer technology

WHEREAS, these additional funds have not been included in the 2009 Adopted Operating Budget; and

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

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

REVENUES:
320- LAB - 4790 FED Aid WIA: Various Labor Programs $49,859

ORGANIZATIONS:

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

2000 CONTRACTUAL EXPENSES **$49,859**
2450 – Replacement Computers $49,859

and be it further

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

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

1537

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ___ Charter Law

2. Title of Proposed Legislation: **ACCEPTING AND APPROPRIATING WORKFORCE INVESTMENT ACT FUNDS FOR THE PURCHASE OF COMPUTERS.**

3. Purpose of Proposed Legislation

ACCEPT AND APPROPRIATE WORKFORCE INVESTMENT ACT FUNDS TO PURCHASE COMPUTERS.

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

REVENUE TO COUNTY

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

X County	____Town	____Economic Impact
____Village	____School District	____Other (Specify
____Library District	____Fire District	____NOT APPLICABLE

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

REVENUE TO THE COUNTY.

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

N/A

8. Proposed Source of Funding

NEW YORK STATE DEPARTMENT OF LABOR

9. Timing of Impact

IMMEDIATE

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
~~Theresa C. Ho~~ Principal Financial Analyst **James M. Andrews** **Principal Management Analyst**		6/2/09 **May 12, 2009**

SCIN FORM 175b (10/95)

1537

COORDINATION OF GRANT APPLICATION OR CONTRACT **County of Suffolk**	Date May 12, 2009
Submitting Department/Agency **Suffolk County Department of Labor**	Location **Bldg. 17, No. County Complex** **Veterans Memorial Highway** **Hauppauge, NY 11788**

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

INSTRUCTIONS: Applicant will complete all items on this form. If an item is not applicable enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" x 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

Grant Title: **ACCEPTING AND APPROPRIATING WORKFORCE INVESTMENT ACT FUNDS FOR THE PURCHASE OF COMPUTERS.**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)
NEW YORK STATE DEPARTMENT OF LABOR

3. Grant/Contract Status (Check One)

a. ___ New Program Application
b. ___ Renewal Application
c. _x_ Supplemental (Funding to provide additional computers and updated technology to better serve customers.)
d. ___ Extension of Funding Period
e. ___ Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment)
TO PROVIDE FUNDS TO PURCHASE COMPUTERS.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program).
SUFFOLK COUNTY DEPARTMENT OF LABOR

II. BUDGET INFORMATION

1. Term of Contract
FROM: 05/5/09 TO: 6/30/09

2. Financial Assistance Requested

	FIRST FUNDING CYCLE		SECOND FUNDING CYCLE		THIRD FUNDING CYCLE	
SOURCE	Amount	Percent	Amount	Percent	Amount	Percent
Federal	$49,859		$	%	$	%
State			$	%	$	%
Town	$	%	$	%	$	%
County	$	%	$	%	$	%
Total	$ 49,859	**100%**	$	%	$	%

SCIN Form 164b (10-80) This form replaces EXGC Form 1, which is obsolete

3. EXPLANATION OF REQUESTED COUNTY FINANCIAL ASSISTANCE			
CATEGORY	TOTAL REQUESTED	PERSONNEL COSTS REQUESTED	NON-PERSONNEL COSTS REQUESTED
TOTAL COUNTY SHARE:	$ -0-	$ -0-	$ -0-
Cash Contribution: a.	$ -0-	$ -0-	$ -0-
b. In-kind Contribution:	$ -0-	$ -0-	$ -0-

4. Total Number of Positions Requested
-0-

5. Can This Program Be Re-funded by the Proposed Non-County Sources? __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.)
-0-

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinued (That is, program termination, reduced services, financial implication, layoffs, etc.

Program terminates.

8. Attach a List of Potential Subcontractors, If Any, Outlining the Purpose of Each Subcontract (That is, 456 and 498 Account Items; use an additional 8 1/2" x 11" sheet).

N/A

III. COUNTY EXECUTIVE'S OFFICE REVIEW			
Intergovernmental Relations Division Review:	_____ Approved _____ Disapproved	Signature of Coordinator	Date
Comments			
Budget Office Review:	_____ Approved _____ Disapproved	Signature of Budget Director	Date
Comments			

1537

NOTICE OF OBLIGATIONAL AUTHORITY LWIA# 78 NOA #PY06- 13

LWIA: Suffolk Co. GRANTOR: The Governor of New York through the New York State Department of Labor

Grantee:
Steve Levy
County Executive, Suffolk County

This NOA authorizes Program Year 2006 funding for the period (07/01/06 through 6/30/08), except Youth (04/01/06 through 6/30/08.)
Work Incentive Grant Disability Program Navigator ($8,856.46; 07/01/06 through 6/30/07; $18,750; 07/01/07 through 06/30/08).
Statewide Rapid Response-TAA ($92,745.00, 3/1/07 through 6/30/08.)
Statewide Activities Incentive Grant (12/01/06 through 11/30/07)
Statewide Activities Disability Program Navigator($18,750.00;7/01/07 through 6/30/08.)
Statewide Technology Purchase (5/5/09 through 6/30/09.)
NYSDOL Contact: Henry Daisey TELEPHONE: (212) 775-3346

WIA GRANT	PRIOR LEVEL	CHANGE THIS NOA	NEW LEVEL
CFDA# 17.259 T-1B Youth	$2,010,161.05	$0.00	$2,010,161.05
CFDA# 17.258,17.259,17.260 T-1B Admin	$735,108.44	$0.00	$735,108.44
CFDA# 17.258 T-1B Adult	$1,930,444.27	$0.00	$1,930,444.27
CFDA# 17.260 T-1B Dislocated Worker	$2,675,370.67	$0.00	$2,675,370.67
CFDA# 17.266 T-1B Work Incentive Grant Disability Program Navigator	$27,606.46	$0.00	$27,606.46
CFDA# 17.260 T-1B Statewide Rapid Response-TAA Staff Services	$355,647.00	$0.00	$355,647.00
CFDA# 17.260 T-1B Statewide Rapid Response-TAA Training Related Services	$237,098.00	$0.00	$237,098.00
CFDA# 17.258,17.259,17.260 T-1B Statewide Activities Incentive Grant	$47,008.00	$0.00	$47,008.00
CFDA# 17.258,17.259,17.260 T-1B Statewide Activities Disability Program Navigator	$18,750.00	$0.00	$18,750.00
CFDA# 17.258,17.259,17.260 T-1B Statewide Technology Purchase	$0.00	$49,859.00	$49,859.00

Approved by: Karen A Coleman 05/05/09
Karen A. Coleman
Director
Division of Employment and Workforce Solutions

1537

New York State Department of Labor
David A. Paterson, *Governor*
M. Patricia Smith, *Commissioner*

May 5, 2009

Mr. Steve Levy
County Executive
Suffolk County
H. Lee Dennison Building
100 Veteran's Memorial Highway
P.O. Box 6100, 12th Floor
Hauppauge, New York 11788

Dear Mr. Levy:

Attached is a Notice of Obligation Authority (NOA) #PY06-13 for LWIA – Suffolk County. This NOA is for Suffolk County to make technology purchases. This NOA is being issued based on the budget submitted by the local area per Technical Advisory (TA) 09-6.

These funds are being distributed to local areas that have approved budgets. Items within the budgets, that cost $5,000 or more, are subject to the requirement of prior approval from the New York State Department of Labor. If your budget contained items over this threshold, please submit a request for prior approval immediately to this office. The request should include a justification for the purchase and a copy of a price quote(s) or purchase order(s).

To expedite the process, requests may be emailed, provided the purchase order(s) or price quote(s) are scanned and sent with the request. Please submit your request to Sharie FitzGibbon, email address: Sharie.Fitzgibbon@labor.state.ny.us.

If you have any questions, please contact your State Representative.

Sincerely,

Karen A. Coleman
Director, Division of Employment
and Workforce Solutions

Attachment

cc: Mr. Robert W. Dow, Jr.
Mr. James Andrews
Mr. Henry Daisey - State Rep
Mr. Joe Lowenstein

www.labor.state.ny.us
Phone: (518) 457-0380 Fax: (518) 457-9526
W. Averell Harriman State Office Campus, Building 12, Room 450, Albany, NY 12240
Karen.Coleman@labor.state.ny.us

ML 387
Gen I 3

COUNTY OF SUFFOLK

1537

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

ROBERT W. DOW, JR.
COMMISSIONER
DEPARTMENT OF LABOR
725 VETERANS MEMORIAL HIGHWAY
HAUPPAUGE, N.Y. 11788

ADDRESS CORRESPONDENCE TO:
P.O. BOX 1319
SMITHTOWN, N.Y. 11787-0895
e-mail:sc.dol@suffolkcountyny.gov
FAX # (631) 853-6510
www.suffolkcountyny.gov/labor

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive for Intergovernmental Relations
Suffolk County Executive's Office

FROM: Robert W. Dow, Jr., Commissioner

DATE: May 12, 2009

RE: **INTRODUCTORY RESOLUTION**

Attached please find the following Introductory Resolution for the next Legislative meeting:

RESOLUTION NO. -09, ACCEPTING AND APPROPRIATING WORKFORCE INVESTMENT ACT FUNDS FOR THE PURCHASE OF COMPUTERS.

Thank you for your assistance.

* * *

RWD:dv
Attachment

cc: Christopher Kent, Chief Deputy County Executive

1538

Intro Res. No. –09

Laid on the Table 6/9/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. –2009, ACCEPTING AND APPROPRIATING UNRECOGNIZED REVENUE FOR PROGRAM YEAR 2008 ADULT, DISLOCATED WORKER AND YOUTH FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.

WHEREAS, the New York State Department of Labor has awarded funds for the Workforce Investment Act (WIA) Program to the Suffolk County Department of Labor in the amount of $1,231,939; and

WHEREAS, the funds were awarded to integrate employment and training services into a comprehensive workforce delivery system for impacted workers; and

WHEREAS, these additional funds have not been included in the 2009 Adopted Operating Budget; and

WHEREAS, it is in the best interest of the County to accept this 100% grant funding now, therefore be it

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

REVENUES:

320-4790 Federal Aid $1,231,939

ORGANIZATIONS: $1,231,939

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

1000- Personal Services **$1,231,939**

1100-Permanent Salaries $1,231,939

and, be it further

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

APPROVED BY: _____

County Executive of Suffolk County
Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1538

1. Type of Legislation

Resolution _X___ Local Law ___ Charter Law

2. **Title of Proposed Legislation:**

ACCEPTING AND APPROPRIATING UNRECOGNIZED REVENUE FOR PROGRAM YEAR 2008 ADULT, DISLOCATED WORKER AND YOUTH FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.

3. Purpose of Proposed Legislation

To integrate Dislocated Worker related employment and training services into a comprehensive workforce delivery system for impacted workers.

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? (check appropriate category)

___X_ **County**	_____Town	_____Economic Impact
_____Village	_____School District	_____Other (Specify)
_____Library District	_____Fire District	_____NOT APPLICABLE

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

Revenue to County

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

Revenue to County

8. Proposed Source of Funding

New York State Department of Labor

9. Timing of Impact

Immediate

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
James M. Andrews **Principal Management Analyst**	for	**May 5, 2009**

SCIN FORM 175b (10/96)

Theresa Lollo
Principal Financial Analyst

Theresa Lollo 6/2/09

1538

COORDINATION OF GRANT APPLICATION OR CONTRACT **County of Suffolk**	Date: May 5, 2009
Submitting Department/Agency **Suffolk County Department of Labor**	Location **Bldg. 17, No. County Complex Veterans Memorial Highway Hauppauge, NY 11788**

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

INSTRUCTIONS: Applicant will complete all items on this form. If an item is not applicable enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" x 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title:
ACCEPTING AND APPROPRIATING UNRECOGNIZED REVENUE FOR PROGRAM YEAR 2008 ADULT, DISLOCATED WORKER AND YOUTH FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)
NEW YORK STATE DEPARTMENT OF LABOR

3. Grant/Contract Status (Check One)

a. ___ New Program Application
b. ___ Renewal Application
c. _x_ **Supplemental (Specify) Revenue not expended in 2008 and available in 2009 .**
d. ___ Extension of Funding Period
e. ___ Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment)
To integrate employment and training services into a comprehensive workforce delivery system for impacted workers.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program).
SUFFOLK COUNTY DEPARTMENT OF LABOR

II. BUDGET INFORMATION

1. Term of Contract
FROM: **7/01/08** TO: **6/30/10**

2. Financial Assistance Requested

SOURCE	FIRST FUNDING CYCLE		SECOND FUNDING CYCLE		THIRD FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	$	%	$	%	$	%
State	**$1,231,939**	**100%**	$	%	$	%
Town	$	%	$	%	$	%
County	$	%	$	%	$	%
Total	**$1,231,939**	**100%**	$	%	$	%

SCIN Form 164b (10-80) This form replaces EXGC Form 1, which is obsolete

1538

3. EXPLANATION OF REQUESTED COUNTY FINANCIAL ASSISTANCE			
CATEGORY	TOTAL REQUESTED	PERSONNEL COSTS REQUESTED	NON-PERSONNEL COSTS REQUESTED
TOTAL COUNTY SHARE:	$ -0-	$ -0-	$ -0-
Cash Contribution: a.	$ -0-	$ -0-	$ -0-
b. In-kind Contribution:	$ -0-	$ -0-	$ -0-

4. Total Number of Positions Requested
-0-

5. Can This Program Be Re-funded by the Proposed Non-County Sources? __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.)
-0-

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinued (That is, program termination, reduced services, financial implication, layoffs, etc.

Program terminates.

8. Attach a List of Potential Subcontractors, If Any, Outlining the Purpose of Each Subcontract (That is, 456 and 498 Account Items; use an additional 8 1/2" x 11" sheet).

N/A

III. COUNTY EXECUTIVE'S OFFICE REVIEW			
Intergovernmental Relations Division Review:	_____ Approved _____ Disapproved	Signature of Coordinator	Date
Comments			
Budget Office Review:	_____ Approved _____ Disapproved	Signature of Budget Director	Date
Comments			

PY 08 PRINCIPAL Cash Reciepts

	ADULT	YOUTH	DISLOCATED WORKER	ADMIN	TOTAL	
3/31/2008						
5/5/2008						
5/20/2008						
5/27/2008						
6/1/2008						
6/30/2008						
7/28/2008						
8/21/2008						
9/2/2008				$3,500.00	$3,500.00	
9/15/2008						
9/29/2008				$56,672.70	$56,672.70	
10/7/2008						
10/21/2008					$0.00	
10/27/2008	$11,099.83	$107,422.62		$11,734.78	$130,257.23	
12/4/2008	$93,503.54	$139,658.41		$31,946.99	$265,108.94	
12/16/2008						
12/29/2008	$187,681.04	$149,067.09	$38,858.64	$44,785.25	$420,392.02	
1/26/2009	$95,938.57	$131,558.80	$91,317.13	$32,671.15	$351,485.65	
2/17/2009					$0.00	
3/4/2009	$95,472.90	$38,279.15	$24,353.46	$5,813.10	$163,918.61	
Actual Draw Down	$483,695.88	$565,986.07	$154,529.23	$187,123.97	$1,391,335.15	
Budgeted Amounts PY '08						
7/1/08 - 12/31/08	$729,657.00	$739,614.00	$862,102.00	$291,902.00	$2,623,275.00	
Diference Budget Vs. Actual	$245,961.12	$173,627.93	$707,572.77	$104,778.03	**$1,231,939.85**	Total Unexpended of PY '08 revenue.
PY '08 Total Allocations per NOA						
7/1/08 - 6/30/10	$1,459,315	$1,479,228	$1,724,204	$583,803	$5,246,550	

1538

1538

NOTICE OF OBLIGATIONAL AUTHORITY LWIA# 78 NOA #PY08- 8

LWIA: Suffolk Co.
Grantee:
Steve Levy
County Executive, Suffolk County

GRANTOR: The Governor of New York through the New York State Department of Labor

This NOA authorizes Program Year 2008 funding for the period (07/01/08 through 6/30/10), except Youth (04/01/08 through 6/30/10.)
Supplemental Dislocated Worker ($391,482.00, 10/01/08 through 09/30/09).
Supplemental Adult (10/01/08 through 09/30/09).
Statewide Activities Incentive Grant ($67,487.73, 12/01/08 through 11/30/09).
Work Incentive Grant Disability Program Navigator ($32,662.50, 07/01/08 through 06/30/09).

NYSDOL Contact: Henry Daisey TELEPHONE: (212) 775-3346

WIA GRANT	PRIOR LEVEL	CHANGE THIS NOA	NEW LEVEL
CFDA# 17.259 T-1B Youth	$1,479,228.30	$0.00	$1,479,228.30
CFDA# 17.258,17.259,17.260 T-1B Admin	$583,803.20	$0.00	$583,803.20
CFDA# 17.258 T-1B Adult	$1,459,314.90	$0.00	$1,459,314.90
CFDA# 17.260 T-1B Dislocated Worker	$2,315,685.60	($200,000.00)	$2,115,685.60
CFDA# 17.258,17.259,17.260 T-1B Statewide Supplemental Adult	$141,884.00	$0.00	$141,884.00
CFDA# 17.258,17.259,17.260 T-1B Statewide Activities Incentive Grant	$67,487.73	$0.00	$67,487.73
CFDA# 17.266 T-1B Work Incentive Grant Disability Program Navigator	$16,331.25	$0.00	$16,331.25
CFDA# 17.260 T-1B Dislocated Worker Funds Transferred for Adult Activities	$0.00	$200,000.00	$200,000.00

Approved by: Karen A. Coleman 02/03/09
Karen A. Coleman
Director
Division of Employment and Workforce Solutions

New York State Department of Labor
David A. Paterson, *Governor*
M. Patricia Smith, *Commissioner*

1538

February 3, 2009

Mr. Steve Levy
County Executive
Suffolk County
H. Lee Dennison Building
100 Veteran's Memorial Highway
P.O. Box 6100, 12th Floor
Hauppauge, New York 11788

Dear Mr. Levy:

Attached is a Notice of Obligational Authority (NOA) #PY08-8 for LWIA – Suffolk County.

In accordance with the Workforce Investment Board of Suffolk County request pursuant to Section 667.140 of the Workforce Investment Act (WIA) and the FY 2008 Omnibus Bill, we are approving the transfer of $200,000.00 from Dislocated Worker to Adult funds.

As a result of changes to the Federal Reporting Requirements enacted in September 2007, there has been a change to the reporting requirements for transferred funds. Transfers between Adult and Dislocated Worker funds will be reported on the Monthly Accrued Expenditure Report separately in a section identified expressly for expenditures associated with the transfer. Your approved transfer amount will be shown on its own line on your Notice of Obligational Authority.

Questions concerning this information should be directed to your State Representative.

Sincerely,

Karen A Coleman

Karen A. Coleman
Director, Division of Employment
and Workforce Solutions

Attachment
cc: Mr. Robert W. Dow, Jr.
Mr. James Andrews
Mr. Henry Daisey - State Rep

Phone: (518) 457-0380 Fax: (518) 457-9526
W. Averell Harriman State Office Campus, Building 12, Room 450, Albany, NY 12240
www.labor.state.ny.us
Karen.Coleman@labor.state.ny.us

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COUNTY OF SUFFOLK

MAY 07 2009

1538

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

ROBERT W. DOW, JR.
COMMISSIONER
DEPARTMENT OF LABOR
725 VETERANS MEMORIAL HIGHWAY
HAUPPAUGE, N.Y. 11788

ADDRESS CORRESPONDENCE TO:
P.O. BOX 1319
SMITHTOWN, N.Y. 11787-0895
e-mail:sc.dol@suffolkcountyny.gov
FAX # (631) 853-6510
www.suffolkcountyny.gov/labor

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive for Intergovernmental Relations
Suffolk County Executive's Office

FROM: Robert W. Dow, Jr., Commissioner

DATE: May 5, 2009

RE: **INTRODUCTORY RESOLUTION**

Attached please find the following Introductory Resolution for the next Legislative meeting:

RESOLUTION NO. -09, **ACCEPTING AND APPROPRIATING UNRECOGNIZED REVENUE FOR PROGRAM YEAR 2008 ADULT, DISLOCATED WORKER AND YOUTH FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.**

Thank you for your assistance.

* * *

RWD:dv
Attachment

cc: Christopher Kent, Chief Deputy County Executive

Intro Res. No. 1539 -09 LOT 6/9/09

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

RESOLUTION NO. -09, ACCEPTING AND APPROPRIATING WORKFORCE INVESTMENT ACT TRANSPORTATION FUNDS.

WHEREAS, the New York State Department of Labor (NYSDOL) has awarded a grant in the amount of $6,250 to the Suffolk County Department of Labor to fund Transportation; and

WHEREAS, this grant is funded by the Workforce Investment Act (WIA) program, for the express purpose of providing transportation services to those in training; and

WHEREAS, the funds were awarded to provide customers additional funds to enable them to complete training.

WHEREAS, these additional funds have not been included in the 2009 Adopted Operating Budget; and

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

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

REVENUES:

320- LAB - 4790 FED Aid WIA: Various Labor Programs $6,250

ORGANIZATIONS:

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

4000 CONTRACTUAL EXPENSES **$6,250**

4770 – Special Services $6,250

and be it further

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

APPROVED BY:_____

County Executive of Suffolk County
Date of Approval:

1539

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ___ Charter Law

2. Title of Proposed Legislation: **ACCEPTING AND APPROPRIATING WORKFORCE INVESTMENT ACT TRANSPORTATION FUNDS.**

3. Purpose of Proposed Legislation

ACCEPT AND APPROPRIATE WORKFORCE INVESTMENT ACT TRANSPORTATION FUNDS.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes X No
REVENUE TO COUNTY

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

X County	____Town	____Economic Impact
____Village	____School District	____Other (Specify
____Library District	____Fire District	____NOT APPLICABLE

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

REVENUE TO THE COUNTY.

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

8. Proposed Source of Funding
NEW YORK STATE DEPARTMENT OF LABOR

9. Timing of Impact
IMMEDIATE

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
James M. Andrews **Principal Management Analyst**		**May 5, 2009**

SCIN FORM 175b (10/95)
Theresa Lello
Principal Financial Analyst

Theresa Lello 6/2/09

1539

COORDINATION OF GRANT APPLICATION OR CONTRACT **County of Suffolk**		Date May 5, 2009
Submitting Department/Agency **Suffolk County Department of Labor**	Location **Bldg. 17, No. County Complex Veterans Memorial Highway Hauppauge, NY 11788**	
Contact Person in Dept/Agency **James M. Andrews**	Telephone Number **853-6610**	Grant Application Due Date **N/A**

INSTRUCTIONS: Applicant will complete all items on this form. If an item is not applicable enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" x 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

Grant Title: **ACCEPTING AND APPROPRIATING WORKFORCE INVESTMENT ACT TRANSPORTATION FUNDS.**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)
NEW YORK STATE DEPARTMENT OF LABOR

3. Grant/Contract Status (Check One)

a. ___ New Program Application
b. ___ Renewal Application
c. _x_ Supplemental (Additional funding to provide transportation to customers in Labor Department WIA funded training.)
d. ___ Extension of Funding Period
e. ___ Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment)
TO PROVIDE FUNDS FOR TRANSPORTATION.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program).
SUFFOLK COUNTY DEPARTMENT OF LABOR

II. BUDGET INFORMATION

1. Term of Contract

FROM: 04/24/09 TO: 6/30/09

2. Financial Assistance Requested

SOURCE	FIRST FUNDING CYCLE		SECOND FUNDING CYCLE		THIRD FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	$		$	%	$	%
State	**$6,250**	**100%**	$	%	$	%
Town	$	%	$	%	$	%
County	$	%	$	%	$	%
Total	$ 6,250	**100%**	$	%	$	%

SCIN Form 164b (10-80) This form replaces EXGC Form 1, which is obsolete

1539

3. EXPLANATION OF REQUESTED COUNTY FINANCIAL ASSISTANCE			
CATEGORY	TOTAL REQUESTED	PERSONNEL COSTS REQUESTED	NON-PERSONNEL COSTS REQUESTED
TOTAL COUNTY SHARE:	$ -0-	$ -0-	$ -0-
Cash Contribution: a.	$ -0-	$ -0-	$ -0-
b. In-kind Contribution:	$ -0-	$ -0-	$ -0-

4. Total Number of Positions Requested

-0-

5. Can This Program Be Re-funded by the Proposed Non-County Sources? __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.)

-0-

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinued (That is, program termination, reduced services, financial implication, layoffs, etc.

Program terminates.

8. Attach a List of Potential Subcontractors, If Any, Outlining the Purpose of Each Subcontract (That is, 456 and 498 Account Items; use an additional 8 1/2" x 11" sheet).

N/A

III. COUNTY EXECUTIVE'S OFFICE REVIEW			
Intergovernmental Relations Division Review:	_____ Approved _____ Disapproved	Signature of Coordinator	Date
Comments			
Budget Office Review:	_____ Approved _____ Disapproved	Signature of Budget Director	Date
Comments			

1539

NOTICE OF OBLIGATIONAL AUTHORITY LWIA# 78 NOA #PY07- 17

LWIA: Suffolk Co.
Grantee: Steve Levy
County Executive, Suffolk County

GRANTOR: The Governor of New York through the New York State Department of Labor

This NOA authorizes Program Year 2007 funding for the period (07/01/07 through 6/30/09), except Youth (04/01/07 through 6/30/09.)
Work Incentive Grant Disability Program Navigator ($37,500; 07/01/07 through 06/30/08).
Work Incentive Grant Disability Program Navigator-($32,662.50; 07/01/08 through 06/30/09).
Statewide Activities Incentive Grant (01/01/08 through 12/31/08)
Dislocated Worker Rapid Response Supplemental Funds (05/01/08 through 12/31/08).
Statewide Activities Funds - E-Learning (6/19/08 through 12/31/09).
Statewide Activities Disability Program Navigator (07/01/08 through 06/30/09)
Statewide Transportation Assistance ($6,250.00; 4/24/09 through 6/30/09).

NYSDOL Contact: Henry Daisey TELEPHONE: (212)775-3346

WIA GRANT	PRIOR LEVEL	CHANGE THIS NOA	NEW LEVEL
CFDA# 17.259 T-1B Youth	$1,736,343.90	$0.00	$1,736,343.90
CFDA# 17.258,17.259,17.26(T-1B Admin .	$374,122.18	$0.00	$374,122.18
CFDA# 17.258 T-1B Adult	$1,628,436.91	$0.00	$1,628,436.91
CFDA# 17.260 T-1B Dislocated Worker	$2,642,722.93	$0.00	$2,642,722.93
CFDA# 17.266 T-1B Work Incentive Grant Disability Program Navigator	$70,162.50	$0.00	$70,162.50
CFDA# 17.258,17.259,17.26(T-1B Statewide Activities Incentive Grant	$57,811.00	$0.00	$57,811.00
CFDA# 17.260 T-1B Dislocated Worker Rapid Response Supplemental Funds	$420,948.00	$0.00	$420,948.00
CFDA# 17.259,17.260 T-1B Statewide Activities Funds - E-Learning	$50,000.00	$0.00	$50,000.00
CFDA# 17.258,17.259,17.26(T-1B Statewide Activities Disability Program Navigator	$0.00	$0.00	$0.00
CFDA# 17.258,17.259,17.26(T-1B SWA Transportation Assistance	$0.00	$6,250.00	$6,250.00

Approved by: Karen A Coleman 04/24/09
Karen A. Coleman
Director
Division of Employment and Workforce Solutions

1539

New York State Department of Labor
David A. Paterson, *Governor*
M. Patricia Smith, *Commissioner*

April 24, 2009

Mr. Steve Levy
County Executive
Suffolk County
H. Lee Dennison Building
100 Veteran's Memorial Highway
P.O. Box 6100, 12th Floor
Hauppauge, New York 11788

Dear Mr. Levy:

Attached is a Notice of Obligational Authority (NOA) #PY07-17 for LWIA - Suffolk County. This NOA is for Transportation Assistance for use by WIA eligible participants in your local area. This NOA is being issued based on your local area's certification confirming there is a Board-approved policy in place, as well as the procedures and controls for distribution of the funds.

As noted in Technical Advisory (TA) 09-10, these funds are being distributed equally among those areas that have approved policies, procedures and controls in place.

NYSDOL will subsequently monitor the disbursement of these funds and review the developed policies, procedures and controls to ensure compliance, allowability and reasonableness of the costs.

If you have any questions, please contact your State Representative.

Sincerely,

Karen A Coleman

Karen A. Coleman
Director, Division of Employment
and Workforce Solutions

Attachment

cc: Mr. Robert W. Dow, Jr.
Mr. James Andrews
Mr. Henry Daisey - State Rep
Mr. Joe Lowenstein

Phone: (518) 457-0380 Fax: (518) 457-9526
W. Averell Harriman State Office Campus, Building 12, Room 450, Albany, NY 12240
www.labor.state.ny.us
Karen.Coleman@labor.state.ny.us

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Gen IS

COUNTY OF SUFFOLK

MAY 07 2009

1539

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

ROBERT W. DOW, JR.
COMMISSIONER
DEPARTMENT OF LABOR
725 VETERANS MEMORIAL HIGHWAY
HAUPPAUGE, N.Y. 11788

ADDRESS CORRESPONDENCE TO:
P.O. BOX 1319
SMITHTOWN, N.Y. 11787-0895
e-mail:sc.dol@suffolkcountyny.gov
FAX # (631) 853-6510
www.suffolkcountyny.gov/labor

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive for Intergovernmental Relations
Suffolk County Executive's Office

FROM: Robert W. Dow, Jr., Commissioner

DATE: May 5, 2009

RE: **INTRODUCTORY RESOLUTION**

Attached please find the following Introductory Resolution for the next Legislative meeting:

RESOLUTION NO. -09, ACCEPTING AND APPROPRIATING WORKFORCE INVESTMENT ACT TRANSPORTATION FUNDS.

Thank you for your assistance.

* * *

RWD:dv
Attachment

cc: Christopher Kent, Chief Deputy County Executive

Intro. Res. No. 1540-09 LOT 6/9/09

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AMENDING THE SUFFOLK COUNTY CLASSIFICATION AND SALARY PLAN IN CONNECTION WITH A NEW POSITION TITLE IN THE DEPARTMENT OF HEALTH SERVICES [MEDICAL ASSISTANT (SPANISH SPEAKING)]

WHEREAS, the Department of Civil Service/Human Resources has completed a review of the duties and responsibilities of a certain position; and

WHEREAS, on the basis of this review they have determined that the new title of Medical Assistant (Spanish Speaking) be created; and

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

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

ADDITION TO CLASSIFICATION AND SALARY PLAN

Spec No.	JC	Position Title	Grade	BU
2610	C	Medical Assistant (Spanish Speaking)	09	02

AMENDMENTS TO OPERATING BUDGET
ADDITIONS

Position No.	Spec No.	JC	Position Title	Grade	BU
01-4104-3600-0150	2610	C	Medical Assistant (Spanish Speaking)	09	02
01-4109-3104-0126	2610	C	Medical Assistant (Spanish Speaking)	09	02

DELETIONS

Position No.	Spec No.	JC	Position Title	Grade	BU
01-4104-3600-0159	2606	C	Medical Assistant	09	02
01-4109-3104-0123	2606	C	Medical Assistant	09	02

and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County
Date:

1540

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION No._____AMENDING THE SUFFOLK COUNTY CLASSIFICATION AND SALARY PLAN IN CONNECTION WITH A NEW POSITION TITLE IN THE DEPARTMENT OF HEALTH SERVICES: MEDICAL ASSISTANT (SPANISH SPEAKING)

3. Purpose of Proposed Legislation

To add the new title of Medical Assistant (Spanish Speaking) to the Classification and Salary Plan and to amend the Department of Health Services Operating Budget to add two Medical Assistant (Spanish Speaking) positions and delete two Medical Assistant positions.

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

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

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

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

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

8. Proposed Source of Funding

9. Timing of Impact

10. Typed Name & Title of Preparer	11. Signature of Preparer	
Cynthia DiStefano Director of Classification	Cynthia DiStefano	May 14, 2009

SCIN FORM 175b (10/95)

1540

DISTINGUISHING FEATURES OF THE CLASS

An employee in this class performs para-professional work, or assists physicians in conducting medical examinations of patients in health centers or related health programs. The work differs from that of a Medical Assistant in that the incumbent is also responsible for communicating with Spanish-speaking persons in Spanish and assisting them in their contacts with the department. Work includes performing various clerical duties. The incumbent's performance is supervised and subject to review by professional supervisors. Does related work as required.

TYPICAL WORK ACTIVITIES

Interviews clients, including Spanish-speaking, to obtain medical history and records information on charts;

Takes blood pressure and pulse, tests urine specimens, takes blood samples and checks height, weight and vision to prepare client for complete physical examination by physician;

Conducts electrocardiograph, hearing and pulmonary function examinations;

Sets up examining rooms and tables; sterilizes and cleans equipment;

Makes appointments, maintains records and prepares correspondence and reports;

May administer written psychological examinations to employees in specialized employment.

FULL PERFORMANCE KNOWLEDGES, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS

Working knowledge of medical office policies and procedures; working knowledge of medical terminology, medical instruments and equipment and their applicability and uses; skill in the use of sphygmomanometer, electrocardiograph, audiometer, spirometer and vision-testing equipment; ability to safely draw intravenous blood; ability to deal effectively with clients in a tactful and courteous manner; ability to speak and understand fluent Spanish; ability to maintain records and prepare reports; ability to follow oral and written instructions; physical condition commensurate with the demands of the position.

MINIMUM QUALIFICATIONS

OPEN COMPETITIVE

One (1) year of experience in a position which involved assisting with medical treatment or in the examination of patients, and included the performance of intravenous blood drawing.

NOTE: Satisfactory completion of an accredited Medical Assistant Program may be substituted for the one (1) year of required experience.

NECESSARY SPECIAL REQUIREMENTS

There will be a qualifying Spanish language examination.

5/13/09
SUFFOLK COUNTY
Competitive

ROUGH DRAFT

MC590 ~ 14

COUNTY OF SUFFOLK

1540

MAY 18 2009

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: **May 14, 2009**

RE: **New Title Request**

A draft of a resolution to amend the Classification and Salary Plan to add the title Medical Assistant (Spanish Speaking) is attached. The Department of Health Services has requested a new title with a Spanish speaking parenthetic as a companion for the existing Medical Assistant title to better serve the needs of the patient population at community health centers and to eliminate the need to pull other bi-lingual staff members away from their primary assignments.

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-HS-Medical Assistant (SpSpk) title 5-09."

Attachment

cc: Christopher Kent, Chief Deputy County Executive
Jeff Szabo, Deputy County Executive - Administration
Matt Miner, Deputy Commissioner of Health Services – Administration
Jeffrey Tempera, Director of Labor Relations

Intro. Res. No. 1541-09 LOT 6/9/09
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AMENDING THE
SUFFOLK COUNTY CLASSIFICATION AND
SALARY PLAN IN CONNECTION WITH A NEW
POSITION TITLE IN THE DEPARTMENT OF HEALTH SERVICES
(SENIOR BOAT OPERATOR)

WHEREAS, the Department of Civil Service/Human Resources has completed a review of the duties and responsibilities of a certain position; and

WHEREAS, on the basis of this review they have determined that the new title of Senior Boat Operator be created; and

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

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

ADDITION TO CLASSIFICATION AND SALARY PLAN

Spec No.	JC	Position Title	Grade	BU
7233	NC	Senior Boat Operator	18	06

AMENDMENTS TO OPERATING BUDGET
ADDITION

Position No.	Spec No.	JC	Position Title	Grade	BU
01-4400-2610-0244	7233	NC	Senior Boat Operator	18	06

DELETION

Position No.	Spec No.	JC	Position Title	Grade	BU
01-4400-2610-0245	7231	NC	Boat Operator	16	06

and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County
Date:

1541

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION No.____AMENDING THE SUFFOLK COUNTY CLASSIFICATION AND SALARY PLAN IN CONNECTION WITH A NEW POSITION TITLE IN THE DEPARTMENT OF HEALTH SERVICES (SENIOR BOAT OPERATOR)

3. Purpose of Proposed Legislation

To add the new title of Senior Boat Operator to the Classification and Salary Plan and to amend the Department of Health Services Operating Budget to add one Senior Boat Operator position and delete one Boat Operator position.

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

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

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

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

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

8. Proposed Source of Funding

9. Timing of Impact

10. Typed Name & Title of Preparer	11. Signature of Preparer	
Cynthia DiStefano Director of Classification	Cynthia DiStefano	May 13, 2009

SCIN FORM 175b (10/95)

1541

DISTINGUISHING FEATURES OF THE CLASS

Under general supervision, an employee in this class is responsible for operating and supervising the operation of a large and complex motorboat. Depending on assignment, the boat may be used for: collecting water, sediment, shellfish and finfish samples in marine waters of Suffolk County, including near shore Atlantic Ocean; spraying and fogging mosquito insecticides over coastal marshland areas; tending and towing dredge and dredge equipment; transporting staff to work on off-shore islands; or transporting passengers from docks to their boat moorings. The employee plans and supervises the work necessary for the operation, repair, maintenance and servicing of all motorboats and related equipment. Assignments frequently require the operation of various types of automotive equipment and light trucks. Assignments are received through an administrative supervisor who reviews the work through oral and written reports. Does related work as required.

TYPICAL WORK ACTIVITIES

Supervises Boat Operators in the operation of a large and complex motorboat and attached equipment;

Assists in carrying out the designated work objectives;

Operates smaller outboard-powered boats in collecting samples from marine waters;

Supervises and repairs and maintains the boat and diesel engine and smaller boats, motors and boat trailers;

Supervises and operates light trucks and boat trailers and other automotive equipment as necessary;

Operates fixed sanitary pump-out station;

Observes boats in mooring field for any problems such as worn pennant lines, dragging anchors, boats drifting and bumping into each other, vandalism, etc;

Supervises and maintains daily time records and boat operating logs;

Prepares and submits weekly reports of work accomplished;

Requisitions and keeps inventory on supplies and parts and arranges for major repairs;

Assists in scheduling activities for the Department related to sampling and sediment collection.

FULL PERFORMANCE KNOWLEDGES, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS

Thorough knowledge of the operation, maintenance, adaptabilities, limitations and safety practices to include United States Coast Guard regulations concerning safety, rules of the road and navigation of large motor boats; good knowledge of the maintenance and repair methods and techniques used on large diesel marine engines; working knowledge of maintenance and repair methods and techniques used on outboard motors; knowledge of Loran C, electronic sonar equipment, GPS, VHF radio and radar operation; knowledge of local marine waters and processes; skill in the use of hand tools and painting equipment; skill in the operation and navigation of a large boat in marine waters, including near-shore ocean; ability to plan, supervise and review the work of employees in a manner conducive to full performance and high morale, ability to maintain routine inventory records, and to prepare oral and written reports; physical condition commensurate with the demands of the position.

MINIMUM QUALIFICATIONS

Either:

(a) Possession of an operator's license issued by the United States Coast Guard and one year of experience supervising the operation of large and complex boats; or,

(b) Completion of eight (8) school grades, and two (2) years of experience in the operation of large and complex boats, including one year of supervisory experience.

NECESSARY SPECIAL REQUIREMENTS:

If required for the type of boat and/or its use, at the time of appointment and throughout employment in this title, employees must possess an appropriate United States Coast Guard license. The type of license will be determined by the appointing authority based on the type of boat and its use.

-Continued-

1541

At the time of appointment and throughout employment in this title, employees are required to possess a valid license to operate a motor vehicle in New York State or otherwise demonstrate their ability to meet the transportation needs of the job.

For positions in vector control, the candidate must possess a commercial pesticide applicator certification card issued by the New York State Department of Environmental Control at the time of appointment. This certification must be maintained throughout employment in this title.

DRAFT

3/4/09
SUFFOLK COUNTY
Pending (Non-Competitive)

COUNTY OF SUFFOLK

1541

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: **May 13, 2009**

RE: **New Title Request**

A draft of a resolution to amend the Classification and Salary Plan to add the title Senior Boat Operator is attached. We have determined that a new title is needed in the Department of Health Services for the position charged with supervision of another Boat Operator and responsible for record keeping, work and maintenance scheduling, and researching purchasing needs.

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-HS-Sr. Boat Operator title 5-09."

Attachment

cc: Christopher Kent, Chief Deputy County Executive
Jeff Szabo, Deputy County Executive - Administration
Matt Miner, Deputy Commissioner of Health Services – Administration
Jeffrey Tempera, Director of Labor Relations

1542

Intro. Res. No. - 2009 Laid on Table 6/9/09

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2009, AUTHORIZING THE CHANGE OF LEASE TERMS ASSOCIATED WITH THE OPERATIONS OF THE SUFFOLK COUNTY DISTRICT ATTORNEY'S EAST END BUREAU

WHEREAS, the Suffolk County District Attorney's East End Bureau currently operates in 1,332 square feet of office space at 116 Hampton Road, Southampton; and

WHEREAS, the Town of Southampton is preparing a new 2,100-square-foot office location for Suffolk County's District Attorney's East End Bureau at 32 Jackson Ave., in Hampton Bays as part of its efforts to relocate the Town Justice Court from Southampton to Hampton Bays; and

WHEREAS, the District Attorney's East End Bureau has expressed its approval of the relocation and will utilize this facility for operations associated for which the Department is charged; and

WHEREAS, the landlord has expressed a willingness to maintain the current lease terms associated with the space at 116 Hampton Road at the 32 Jackson Ave. site until its expiration on October 31, 2010; and

WHEREAS, the Space Management Steering Committee recommended the approval of this lease on April 30, 2009; and

WHEREAS, sufficient funds are included in the 2009 Operating Budget for lease payments to be made in connection with the premises; now, therefore, be it

1ST RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.59(c)(20) and (27) of Title 6 of the New York Code of Rules and Regulations (6 NYCRR) and within the meaning of Section 8-109 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. Furthermore, in accordance with Section 1-4(A)(1)(d) of the Suffolk County Charter and Section 279-5(C)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality is directed to prepare and circulate all appropriate notices of determination of non-applicability or non-significance in accordance with this law; and be it further

2ND RESOLVED, that the County Executive be and hereby is authorized to permit the relocation in accordance with the terms and conditions of this resolution and in substantial conformance with the form annexed.

DATED:

_____

County Executive of Suffolk County
Date of Approval:

1543

6/9/09

Intro. Res. No. - 2009 Laid on Table

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. -2009, AUTHORIZING THE EXTENSION OF THE LEASE OF PREMISES UTILIZED BY THE SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

WHEREAS, the Suffolk County District Attorney's Office has operated a base of operations in eastern Suffolk County for investigative purposes and is desirous of remaining in that location; and

WHEREAS, the County entered into a Lease with the current landlord, Golfo Development Corp., which expired on August 31, 2008; and

WHEREAS, the County utilizes this facility for the operations for which the Department is charged; and

WHEREAS, the landlord and the County have agreed to terms to extend the lease through May 31, 2014; and

WHEREAS, the Space Management Steering Committee recommended the approval of this lease on April 30, 2009; and

WHEREAS, sufficient funds are included in the 2009 Operating Budget for lease payments to be made in connection with the premises; now, therefore, be it

1ST RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.59(c)(20) and (27) of Title 6 of the New York Code of Rules and Regulations (6 NYCRR) and within the meaning of Section 8-109 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. Furthermore, in accordance with Section 1-4(A)(1)(d) of the Suffolk County Charter and Section 279-5(C)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality is directed to prepare and circulate all appropriate notices of determination of non-applicability or non-significance in accordance with this law; and be it further

2ND RESOLVED, that the County Executive be and hereby is authorized to execute a five (5) year Lease in accordance with the terms and conditions of this resolution and in substantial conformance with the form annexed.

DATED:

_____

1544

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

Laid on Table 6/9/09

RESOLUTION NO. -2009, APPOINT MEMBER TO THE EQUESTRIAN TASK FORCE (SAM ULIANO)

WHEREAS, Resolution No. 187-2009 established the Equestrian Task Force 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

WHEREAS, the Task Force consists of 11 members; now, therefore, be it

1st **RESOLVED**, that Sam Uliano is hereby appointed to the Equestrian Task Force as the representative of the equestrian community recommended by the Nassau Suffolk Horsemen's Association, to serve at the pleasure of the Legislature; 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\r-appt-equestrian-uliano

1545

Intro. Res. No. –2009 Laid on Table 6/9/09

Introduced by the **Presiding Officer, on request of the County Executive and Legislators Gregory, Horsley, Stern, Schneiderman & D'Amaro**

RESOLUTION NO. –2009, A LOCAL LAW REQUIRING FAIRNESS IN COOPERATIVE HOME OWNERSHIP

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2009, a proposed local law entitled, **"A LOCAL LAW AUTHORIZING REQUIRING FAIRNESS IN COOPERATIVE HOME OWNERSHIP,"** and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

LOCAL LAW NO. –2009, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW REQUIRING FAIRNESS IN COOPERATIVE HOME OWNERSHIP

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

Section 1. Legislative Intent.

This Legislature finds that cooperative home ownership has increasingly become a more popular form of ownership in Suffolk County.

This Legislature finds that residential cooperative home buyers are subject to processes and conditions that do not apply to buyers of other forms of home ownership.

This Legislature finds that in many instances, a cooperative board or association rejects a potential buyer, that is seemingly well qualified, without advising the potential buyer of the reasons for said rejection and the concern of the potential buyer has been that the cooperative board or association has rejected the potential buyer unlawfully, based either upon race, creed, ethnicity, gender, age or family status.

This Legislature further finds that both federal and state laws protect Suffolk County residents from unfair housing practices which include discrimination based upon race, creed, ethnicity, gender, age or family status.

This Legislature also finds that presently there are no such measures in place that adequately protect potential buyers from an unlawful rejection by a cooperative board or association.

Therefore, the purpose of this law is to promote transparency in the application process for cooperative home purchases by requiring cooperative home boards or associations to disclose in writing to prospective buyers the reasons for a denial of an

application to ensure that the process for cooperative home purchase is fair and protects against illegal discrimination.

Section 2. Definitions.

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

"APPLICATION" means the standardized form developed and utilized by a cooperative for the purchase or acquisition of certificates of stock or other evidence of ownership of an interest in the cooperative.

"COOPERATIVE" means real property which is improved and used or occupied, or intended to be used or occupied, as the home or residence of one or more persons, which is subject to Article Twenty-Three-A of the New York State General Business Law, and shall include its cooperative management, cooperative tenants, cooperative shareholders or any appointees or successors in interest thereof.

"PERSON" means a natural person, corporation, partnership, association, trustee, limited liability company, or other legal entity.

"PURCHASE" means the acquisition of certificates of stock or other evidence of ownership of an interest in a cooperative.

"UNIT" means a part of a cooperative used or intended to be used for the home or residence of one or more persons.

Section 3. Requirements.

A.) Purchase Applications. Every cooperative shall develop a standardized form application for purchase and shall provide such application to any person seeking to purchase a unit in such cooperative. Every application shall set forth the requirements for purchase of a unit and shall include a notice advising how the applicant may access information on fair housing and anti-discrimination laws.

B.) Action Upon Applications.

1.) Within ten days of receipt of a completed application, the cooperative shall provide the applicant with written acknowledgement of receipt of the application. If the application is incomplete or completed incorrectly, the acknowledgment shall instruct the applicant of the time and manner by which the application shall be corrected.

2.) Within forty-five days of receipt of an application, the cooperative shall either reject or approve the application and provide the applicant with written notice thereof, and in the case of any rejection, there shall be notice of the grounds for such rejection.

C.) Public Policy. Every agreement, negative covenant, restrictive covenant or other provision, whether written or oral and wherever contained, inconsistent with this law, shall be void and unenforceable.

Section 4. Reverse Preemption.

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

Section 5. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person 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 hereof, 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 or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 6. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/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 7. Effective Date.

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

DATED:

APPROVED BY:

_____
Steve Levy
County Executive of Suffolk County

Date of Approval:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1545

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: June 4, 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. 1545 -2009; A LOCAL LAW REQUIRING FAIRNESS IN COOPERATIVE HOME OWNERSHIP

SPONSOR: THE PRESIDING OFFICER, ON THE REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 6/3/09 **PUBLIC HEARING:** 6/23/09

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

This proposed local law would prevent cooperative home owner boards or associations from discriminating against potential buyers in violation of fair housing and anti-discrimination laws. The law requires that all cooperatives develop a standardized application form, which shall set forth the requirements for purchasing a unit in the cooperative and notify applicants on how to access fair housing and anti-discrimination laws. The cooperative must provide an application to any person seeking to purchase a unit in their community.

The cooperative must provide applicants with written acknowledgment of receipt of their application within ten (10) business days. If an application is incomplete or has been incorrectly completed, the acknowledgment must instruct the applicant as to the time and manner in which the application may be corrected. Within forty five (45) days of receipt of an application, the cooperative must either reject or approve the application and provide the applicant with written notice thereof, including a notice stating the grounds of any rejection.

Any agreement, negative covenant, restrictive covenant or other provision held by a cooperative that is inconsistent with this law shall be void and unenforceable.

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

GEORGE NOLAN
Counsel to the Legislature

Intro. Res. No. 1546-2009 Laid on Table 6/9/09
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2009, ADOPTING LOCAL LAW NO. -2009, A LOCAL LAW ESTABLISHING THE SUFFOLK COUNTY SHELLFISH AQUACULTURE LEASE PROGRAM IN PECONIC BAY AND GARDINERS BAY

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 ESTABLISHING THE SUFFOLK COUNTY SHELLFISH AQUACULTURE LEASE PROGRAM IN PECONIC BAY AND GARDINERS BAY**;" 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 ESTABLISHING THE SUFFOLK COUNTY SHELLFISH AQUACULTURE LEASE PROGRAM IN PECONIC BAY AND GARDINERS BAY

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

Section 1. Legislative Intent.

This Legislature finds that New York State ceded all rights, title and interest to certain underwater lands of Peconic and Gardiner Bays formerly owned by the People of the State of New York to the County for purposes of Shellfish Cultivation, under New York Environmental Conservation Law §13-0302.

This Legislature finds that New York Environmental Conservation Law §13-0302 requires adoption of a local law in order to establish the Suffolk County Shellfish Aquaculture Lease Program for the underwater lands in Peconic and Gardiners Bays.

This Legislature further finds that since 1884, New York State has repeatedly attempted to establish a statutory framework whereby the business of cultivating Shellfish could be fostered and managed.

This Legislature finds that in New York Environmental Conservation Law §13-0302, it was found that failure to undertake an Aquaculture leasing program for the underwater lands in Gardiners and Peconic Bays resulted in adverse economic impacts and the loss of economic opportunity for the region, and that New York Environmental Conservation Law §13-0302 was adopted in order to eliminate impediments, foster the establishment and obtain the economic benefits of a Shellfish Aquaculture lease program consistent with established conservation principles.

This Legislature finds and agrees that there will be potential economic benefits from the Suffolk County Shellfish Aquaculture Lease Program, including:

- Provision of additional opportunity for commercial fisherman to maintain their economic viability;
- An increase in employment in Shellfish Cultivation and marine related industries;
- Provision of income from sale of Shellfish and increased sales tax revenue to the County.

This Legislature finds that the County's Shellfish Aquaculture Lease Program is consistent with established conservation principles and will provide water quality and environmental benefits to the County and its residents, such as:

- Augmenting the spawning potential of native Shellfish populations;
- Exerting a positive influence on water quality by helping to control nutrient cycling and preventing noxious plankton blooms;
- Providing increased substrate for both flora and fauna on bottom structures.

This Legislature finds that the Suffolk County Shellfish Aquaculture Lease Program will provide cultural benefits, by strengthening the historic tradition of Shellfishing in Suffolk County waters.

This Legislature finds that the Suffolk County Shellfish Aquaculture Lease Program will provide the additional public benefit of increasing access to underwater lands in the Peconic and Gardiners Bays for raising Shellfish, while minimizing conflicts with commercial fishermen and other bay users.

This Legislature finds that the Suffolk County Shellfish Aquaculture Lease Program was developed by the Department of Planning with extensive input from the Aquaculture Lease Program Advisory Committee (ALPAC), established by Suffolk County Executive Orders No. 44-2005 and 45-2005, government officials, experts and the public, over a period of 4 years.

This Legislature finds that the Suffolk County Shellfish Aquaculture Lease Program was reviewed pursuant to the State Environmental Quality Review Act, New York Environmental Conservation Law Article 8 (SEQRA) as a Type I action, that a positive declaration was issued, and that a Draft and Final Generic Environmental Impact Statement were prepared.

This Legislature finds that the SEQRA process was completed by adoption of Res. No. 1028-2008, Adopting the State Environmental Quality Review Act Statement of Findings for the Final Generic Environmental Impact Statement on the Suffolk County Shellfish Aquaculture Lease Program in Peconic Bay and Gardiners Bay.

This Legislature finds that the Suffolk County Shellfish Aquaculture Lease Program, as adopted herein, fully complies with the requirements of New York Environmental Conservation Law §13-0302.

Therefore, the purpose of this law is to establish the Suffolk County Shellfish Aquaculture Lease Program in a manner which complies with New York Environmental Conservation Law §13-0302, SEQRA and applicable laws concerning Shellfish Aquaculture.

Section 2. Definitions.

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

A.) Administrative Guidance: The document entitled "Suffolk County Shellfish Aquaculture Lease Program in Peconic Bay and Gardiners Bay Administrative Guidance," dated May 20, 2009, prepared by the Department, incorporated by reference and made a part hereof as Exhibit A, as adopted herein and as may be amended from time to time. The Administrative Guidance contains administrative procedures and forms for implementation of the Suffolk County Shellfish Aquaculture Lease Program and directives for conducting Shellfish Aquaculture under the Program.

B.) Approved Waters: Waters which have been classified by the New York State Department of Environmental Conservation (NYSDEC) as certified for the taking of Shellfish for human consumption on a regular basis.

C.) Aquaculture: Shellfish Cultivation for human use, consumption and resource restoration.

D.) Aquaculture Lease Board: A board established by this local law to determine which proposed lease sites within the Shellfish Cultivation Zone will be eligible for leasing.

E.) Department: Suffolk County Department of Planning.

F.) Director: The Director of the Suffolk County Department of Planning.

G.) Person: individuals, corporations of all types, partnerships, joint ventures, associations, trusts, educational institutions, governments, trusts, trustees, and any other lawful entity.

H.) Private Oyster Grant: The underwater lands previously granted to private individuals by Suffolk County during the mid 1800s to the early 1900s, for purposes of Oyster Cultivation, pursuant to Chapter 385, Laws of 1884, and subsequent amendments.

I.) Shellfish: Oysters, scallops, and all kinds of clams and mussels.

J.) Shellfish Aquaculture Lease ("Lease"): The document that conveys a leasehold interest and the right to conduct Shellfish Aquaculture activities on Suffolk County owned underwater lands in Gardiners and Peconic Bays.

K.) Shellfish Cultivation: The controlled, or partially controlled, raising, breeding, growing, and containment of Shellfish in any marine hatchery or through on-bottom or off-bottom culture as permitted by the County of Suffolk, New York State Fish and Wildlife Law (New York Environmental Conservation Law Article 11), and other applicable Federal, State and local laws and regulations. Shellfish Cultivation is the equivalent of Shellfish Aquaculture.

L.) Shellfish Cultivation Zone: The area in Peconic Bay and Gardiners Bay within which Shellfish Aquaculture leases can be issued by the County of Suffolk. These areas are shown on the Shellfish Cultivation Zone Map adopted herein.

M.) Shellfish Cultivation Zone Map: The map, dated May 20, 2009, prepared by the Department and the Suffolk County Department of Environment and Energy, depicting the Shellfish Cultivation Zone, incorporated by reference and made a part hereof as Exhibit B, as adopted herein and as may be amended from time to time.

N.) Substantial Shellfish Aquaculture Activity: A good faith effort to prepare an Aquaculture site; acquire financing, permits, equipment and/or seed; plant, cultivate, or harvest cultivated product; or other Shellfish Aquaculture-related activity related to a Shellfish Aquaculture lease.

O.) Suffolk County Shellfish Aquaculture Lease Program: The program established herein for conveyance of Shellfish Aquaculture Leases, and all written county policies, as amended, concerning the Program, including, without limitation, this law and the Administrative Guidance.

P.) Temporary Marine Area Use Assignment (TMAUA): An approval document issued by the New York State Department of Environmental Conservation for use of a circular parcel of underwater land with a diameter of 500 feet (approximately five acres) for the purposes of Shellfish Cultivation. All TMAUAs are for temporary use only, expiring on December 31 of the year issued.

Section 3. Acceptance of Underwater Lands in Peconic and Gardiners Bays.

A.) The County of Suffolk hereby accepts from the State of New York all the right, title and interest in which the people of the State of New York have in and to the lands under water of Gardiners (a/k/a Gardiner's) and Peconic Bays in the County of Suffolk, except underwater lands within one thousand feet of the high water mark, as ceded to the County of Suffolk by New York Environmental Conservation Law §13-0302 (L. 2004, c. 425), subject to all terms and conditions thereof, for the purposes of shellfish cultivation, to be managed and controlled by the County of Suffolk, provided that such lands shall revert to the State of New York when they shall cease to be used for shellfish cultivation. Gardiners (a/k/a Gardiner's) and Peconic Bays" shall mean the waters of Gardiners (a/k/a Gardiner's) and Peconic Bays and the tributaries hereof between the westerly shore of Great Peconic Bay and an easterly line running from the most easterly point of Plum Island to Goff Point at the entrance of Napeague Harbor.

B.) In New York Environmental Conservation Law §13-0302 (L. 2004, c. 425), the State of New York ratified and confirmed the grant of lands under the waters of Gardiners (a/k/a Gardiner's) and Peconic Bays, by the New York State Commissioners of Shell Fisheries, in accordance with the provisions of chapter 385 of the laws of 1884, as amended, subsequently held and used by the grantees, heirs, successors, and assigns on which all taxes and assessments have been paid. The State of New York also provided that any underwater lands in Gardiners (a/k/a Gardiner's) and Peconic Bays previously granted that revert or escheat to the State of New York or are subject to tax deed by the County of Suffolk shall be available to the County of Suffolk for leasing, pursuant to New York Environmental Conservation Law §13-0302 (L. 2004, c.425). The County of Suffolk hereby accepts from the State of New York all the right, title and interest in which the people of the State of New York have or shall have in and to such lands described in this Subsection 3(B) and in New York Environmental Conservation Law §13-0302(2) (L. 2004, c.425).

C.) Pursuant to New York Environmental Conservation Law §13-0302 (L. 2004, c. 425), all lands other than those described in Subsection 3(B) hereof under the waters of Gardiners (a/k/a Gardiner's) and Peconic Bays, which have escheated or reverted to the State of New York were ceded to the County of Suffolk for the purposes of the cultivation of shellfish, subject to existing valid grants and easements; provided however, that nothing in New York Environmental Conservation Law §13-0302 shall interfere with the right of the New York State Commissioner of General Services to grant lands and easements under water to owners of adjacent uplands, pursuant to the provisions of the public lands law, or of the New York State Legislature to make such grants without regard to upland ownership, and to grant franchises to utilities, municipalities and governmental, educational, or scientific bodies for cables, outfalls, ecological studies, and experimentation with controlled marine life. The County of Suffolk hereby accepts from the State of New York all the right, title and interest in which the people of the State of New York have in and to such lands described in this Subsection 3(C) and in New York Environmental Conservation Law §13-0302(2) (L. 2004, c. 425).

D.) The Director, in consultation with the County Attorney, is hereby authorized, empowered and directed to take any and all steps necessary protect the County's interest in the land accepted by this law.

Section 4. Establishment of the Suffolk County Shellfish Aquaculture Lease Program.

A.) There is hereby established the Suffolk County Shellfish Aquaculture Lease Program, in order to foster Shellfish Aquaculture and restore and conserve the natural resources in Peconic and Gardiners Bays, and to implement the leasing program authorized by § 13-0302 of the New York Environmental Conservation Law.

B.) Under the Suffolk County Shellfish Aquaculture Lease Program, the County of Suffolk may issue leases to underwater lands within the Shellfish Cultivation Zone for the purpose of Shellfish Aquaculture.

C.) The Suffolk County Shellfish Aquaculture Lease Program shall be implemented in compliance with this law and New York Environmental Conservation Law §13-0302, notwithstanding any provision of the New York County Law or the Suffolk County Administrative Code or any other provisions to the contrary.

D.) The Suffolk County Shellfish Aquaculture Lease Program shall be implemented in accordance with the conditions, thresholds and criteria adopted in Res. No. 1028-2008, Adopting the State Environmental Quality Review Act Statement of Findings for the Final Generic Environmental Impact Statement on the Suffolk County Shellfish Aquaculture Lease Program in Peconic Bay and Gardiners Bay, and the Final Generic Environmental Impact Statement.

E.) The Suffolk County Shellfish Aquaculture Lease Program shall be implemented in accordance with the New York State Fish and Wildlife Law (New York Environmental Conservation Law Article 11) and the New York Navigation Law.

Section 5. Requirements.

A.) Prior to commencement of Shellfish Aquaculture on the underwater lands subject to the Suffolk County Shellfish Aquaculture Lease Program, any person conducting Shellfish Aquaculture shall obtain a Lease from the County of Suffolk.

B.) A person shall conduct Shellfish Aquaculture in compliance with this law, the Administrative Guidance as defined herein, the Lease and any other written policies adopted by the County of Suffolk or the Director.

C.) A person shall conduct Shellfish Aquaculture in compliance with all applicable Federal, State and local laws and permits.

D.) This section shall not apply to Private Oyster Grant holders who are cultivating oysters only without a Lease.

Section 6. Prohibition.

A.) No person shall conduct Shellfish Aquaculture on underwater lands ceded to the County of Suffolk by New York Environmental Conservation Law §13-0302 (L. 2004, c. 425), and accepted by this law, without a Lease from the County of Suffolk.

B.) This section shall not apply to Private Oyster Grant holders who are cultivating oysters only without a Lease.

Section 7. Administration of Suffolk County Shellfish Aquaculture Lease Program; Administrative Guidance.

A.) The document entitled "Suffolk County Shellfish Aquaculture Lease Program in Peconic Bay and Gardiners Bay Administrative Guidance," dated May 20, 2009, prepared by the Department, incorporated by reference and made a part hereof as Exhibit A, is hereby approved and shall constitute, in substantial form, the regulations of the Suffolk County Shellfish Aquaculture Lease Program, including the model forms and documents therein.

B.) The Administrative Guidance may be amended from time to time by local law. After adoption of any amendments, the Director shall mail notice of such amendments (by regular or

electronic mail) to the Supervisors of the Towns of Riverhead, Southampton, East Hampton, Southold and Shelter Island, the New York State Department of Environmental Conservation and all lessees.

C.) The Department is hereby authorized, empowered and directed to administer, oversee and provide staff support for the Suffolk County Shellfish Aquaculture Lease Program and the Aquaculture Lease Board in accordance with this law and the Administrative Guidance.

D.) The Department may establish procedures, timelines and additional model forms and documents, and may make non-substantive changes to the model forms and documents included in the Administrative Guidance, as necessary for implementation of the program or as deemed necessary by the Suffolk County Department of Law.

E.) The Director shall maintain an official copy of the Administrative Guidance and shall post the document on the Suffolk County website.

Section 8. Suffolk County Shellfish Cultivation Zone Map.

A.) The Shellfish Cultivation Zone Map, dated May 20, 2009, prepared by the Department and the Suffolk County Department of Environment and Energy, incorporated by reference and made a part hereof as Exhibit B, is hereby approved The Shellfish Cultivation Zone Map shall depict the Shellfish Cultivation Zone.

B.) The Shellfish Cultivation Zone Map shall be subject to review and update at least every five (5) years and a report thereon shall be submitted by the Director to the County Legislature and County Executive. The Shellfish Cultivation Zone Map shall be updated and amended by resolution of the Suffolk County Legislature.

C.) The Director and the Suffolk County Clerk shall maintain official copies of the Shellfish Cultivation Zone Map and shall make the Map available for inspection. The Director shall also post the document on the Suffolk County website.

Section 9. Suffolk County Shellfish Aquaculture Lease Premises.

A.) The premises leased by a Lease under the Suffolk County Shellfish Aquaculture Lease Program shall meet the following criteria:

1.) Lease premises shall be located within the Shellfish Cultivation Zone.

2.) Lease premises shall meet the criteria in New York Environmental Conservation Law §13-0302(4).

3.) Lease premises shall be located in Approved Waters and shall meet all regulatory criteria.

4.) The Aquaculture Lease Board shall determine which sites shall be available for leasing, in accordance with Section 13 of this law. Lease premises shall be located within a site approved by the Aquaculture Lease Board.

B.) Maximum size of Lease premises shall be limited to 10 acres, except for the premises of Leases on Private Oyster Grants and Leases for *bona fide* non-commercial experimental, educational or resource restoration purposes.

C.) The boundaries of premises leased hereunder shall be surveyed by a licensed land surveyor and a survey map shall be prepared by the surveyor and included in the Lease.

D.) No more than 600 acres shall be leased at any one time over the first ten (10) year period of the program, exclusive of Leases issued for former Temporary Marine Area Use Assignment sites, Private Oyster Grants and Leases for experimental, educational and resource restoration purposes.

Section 10. Lease Approval, Renewal, Denial and Termination

A.) A Lease shall only be granted or renewed upon written application on forms furnished by the Department, properly executed and signed by the applicant, and submitted with the required fee.

B.) The Director is hereby authorized, empowered and directed to take the following actions on behalf of the County of Suffolk where authorized by and in accordance with the standards, criteria and procedures in this law, the Administrative Guidance and the Suffolk County Shellfish Aquaculture Lease Program:

1.) Enter into and renew Leases.

2.) Expand the size of or relocate the Lease premises.

3.) Deny or terminate a Lease.

The Director is hereby authorized, empowered and directed to execute any documents necessary to implement this law.

C.) To be eligible for a Lease, a person must meet the following criteria:

1.) An applicant for a lease shall be at least 18 years of age.

2.) An applicant or lessee shall not have been convicted of significant or repeated civil, criminal or administrative violations of the New York Environmental Conservation Law or other Federal, State or local law, as it pertains to Shellfish, finfish, other marine resources, environmental protection, food sanitation, navigation or operation of a vessel by the applicant or lessee. Such determination shall be made by the Director in accordance with the New York Correction Law Article 23-A.

3.) A lessee shall obtain and be in compliance with permits or other approvals required by Federal, State or local law, as necessary for the activities on the Lease premises.

4.) An applicant or lessee shall be in compliance, and shall have complied with, the Suffolk County Shellfish Aquaculture Lease Program, as expressed in this law, the Administrative Guidance and any written policies adopted by the County of Suffolk.

5.) An applicant or lessee shall be, and shall have been, in compliance with the terms of any existing or previous lease.

6.) An applicant or lessee shall not have submitted false or fraudulent information or made misrepresentations to the Department.

7.) An applicant or lessee shall have submitted the documentation required for an applicant or lessee.

8.) An applicant or lessee shall have submitted fees and rent required by the Suffolk County Shellfish Aquaculture Lease Program.

The applicant or lessee shall have the opportunity to submit written comments regarding these criteria or on any other relevant topic to the Director.

D.) When the number of applicants for Leases exceeds the number of available Leases, the potential lessees shall be selected and prioritized through a random selection process of the applicants.

Section 11. Additional Terms and Conditions of Lease.

A.) A lease may be issued for a maximum term of 10 years, with one (1) option to renew for an additional ten (10) years, within the discretion of the County. A renewal shall be subject to the terms and conditions of the Suffolk County Shellfish Aquaculture Lease Program, the Administrative Guidance, the application fee and the annual Lease rental fee as they exist at the time of renewal.

B.) A lessee shall be required to conduct Substantial Shellfish Aquaculture Activity unless excused by a hardship exemption.

C.) Activities on lands leased under this Program (including, but not limited to, Shellfish Cultivation, boundary marking, placement of equipment and navigation) shall be subject to all laws, rules, and regulations of, and permits required by, the Federal, State and local governments and agencies having jurisdiction.

D.) Issuance of all Leases shall be subject to public notice. Notices shall be published and posted, and shall be available for inspection and copying, as required by New York Environmental Conservation Law §13-0302.

E.) No Lease shall be granted which infringes upon an existing property right.

F.) A Lease shall require that in the event that fees, taxes, assessments or other governmental charges are imposed upon the County of Suffolk as a result of the Lease or the lessee's Shellfish Cultivation activities, the lessee shall be required to reimburse the County for such fees, taxes, assessments or other governmental charges.

G.) A lessee shall be required to indemnify the County of Suffolk and defend it against all liabilities, fines, judgments and damages arising out of the acts, omissions or negligence of the lessee, arising out of or in connection with lessee's use of the lease site. The form of the indemnification shall be subject to approval by the County Attorney.

H.) A Lease shall contain provisions for assignment and subletting.

I.) Each Lease, or a Memorandum of Lease thereof, shall be recorded by the lessee in the Office of the Suffolk County Clerk.

J.) A Lease shall be substantially the same as the model Lease in the Administrative Guidance, subject to approval by the County Attorney.

K.) A lessee shall not be required to post a bond.

L.) Upon the failure of a lessee to pay the annual Lease rental fee when due or upon revocation, the County may, after written notice to the lessee, declare the Lease cancelled as of the date set forth in such notice and may immediately thereafter evict the lessee from such lands. The provisions of article seven of the New York Real Property Actions and Proceedings Law shall apply and govern the procedure in such cases. The Lease may specify other remedies.

Section 12 . Fees and Rent.

A.) The Lease application fee shall be one hundred ($100.00) dollars and shall be non-refundable, except that the fee shall be refunded if an applicant is eliminated in the random selection process referred to in Subsection 10(D) of this law. An application fee shall be paid for initial Lease applications and applications to renew a Lease, expand the Lease premises acreage, and assign or sublet a lease. When a lessee desires to change the location of the Lease premises at its convenience, an application fee shall also be paid.

B.) The annual Lease rental fee shall be two hundred ($200.00) dollars plus five ($5.00) dollars per acre, except for oyster grant lands which shall not be charged an additional fee for acreage.

C.) The State of New York and towns and villages within the County of Suffolk shall be exempt from payment of an application fee and the annual Lease rental fee.

D.) The application fees and annual Lease rental fees may be amended by resolution of the Suffolk County Legislature.

E.) Fees and rent shall be deposited in the County's general fund.

Section 13. Aquaculture Lease Board.

A.) The Aquaculture Lease Board is hereby established.

B.) The members of the Aquaculture Lease Board shall consist of the Director (who shall act as chairperson), the Commissioner of the Department of Environment and Energy and the Commissioner of the Department of Economic Development and Workforce Housing, or their designees.

C.) The Aquaculture Lease Board shall review all proposed Lease sites and determine whether the proposed Lease sites shall be available for Leasing. The Aquaculture Lease Board shall conduct meetings as necessary to provide an opportunity for oral and written testimony or evidence concerning each proposed Lease site. The Aquaculture Lease Board shall consider such testimony or evidence in making its determinations. The Aquaculture Lease Board shall make its determination based upon:

1.) Whether proposed sites meet the criteria of New York Environmental Conservation Law §13-0302 and the Suffolk County Shellfish Aquaculture Lease Program.

2.) Factors affecting the desirability of the sites for shellfish cultivation, including, but not limited to, regional and environmental factors.

D.) If an objection based on natural hard clam (*Mercenaria mercenaria*) productivity is deemed credible by the Aquaculture Lease Board, the Aquaculture Lease Board may find that a proposed Lease site is conditionally eligible, as provided in the Administrative Guidance. In this event, the Aquaculture Lease Board shall provide the Director with specific instructions for further disposition, in accordance with the Administrative Guidance.

E.) The Aquaculture Lease Board shall act by resolution adopted by a majority of its members, shall keep minutes of its proceedings, and may establish its own meeting procedures.

Section 14. Monitoring Program.

Subject to available funding, the Department shall implement an environmental monitoring program and shall seek the cooperation of the Suffolk County Departments of Health Services and

Environment and Energy in formulating and implementing the monitoring program. The monitoring program shall include collection of data on water quality and other ecological factors to assess potential beneficial or adverse impacts of the Shellfish Aquaculture Lease Program on the Peconic Estuary.

Section 15. Enforcement; Penalties; Other Remedies.

A.) The Director shall enforce this law.

B.) A violation of Subsection 6(A) of this law shall be subject to a civil penalty of one thousand ($1,000.00) dollars for the first violation, and a civil penalty of five thousand ($5,000.00) dollars for a subsequent violation. Such penalties may be obtained by an action brought in a court of competent jurisdiction.

C.) Enforcement by imposition of civil penalties and/or equipment removal shall be in addition to, and not in lieu of, any other remedies available to the County of Suffolk at law or in equity, or available pursuant to a Lease.

Section 16. Equipment Removal.

A.) Any equipment determined by the Department to be on underwater lands ceded to the County of Suffolk by New York Environmental Conservation Law §13-0302 (L. 2004, c. 425), and accepted by this law without a Lease in violation of this law shall be subject to removal. Upon such removal, the County shall hold the equipment for ten (10) calendar days. Upon the expiration of such ten (10) day period, if no claims of ownership are received and no attempt is made to secure return of the equipment, the equipment shall be deemed abandoned and may be disposed of by the County in any manner the County deems fit, including, but not limited to, sale, donation or destruction of such property. The County shall retain any sale proceeds.

B.) Upon such removal, if the equipment is legibly tagged with the name of the owner and an address, the Department shall notify the owner by regular mail.

C.) The owner may commence the process for return of the equipment by contacting the Department in writing to claim ownership. The written claim must be received before the expiration of the ten (10) day period in Subsection A. hereof. The Department shall return the equipment to the owner/claimant upon claimant's payment of the County of Suffolk's costs to remove, transport and store the equipment. The storage cost for such equipment shall be fifty ($50) dollars per day.

D.) The claimant shall have twenty (20) calendar days after the Department's receipt of a claim of ownership to complete all steps necessary for return of the equipment. After such twenty (20) day period, the equipment shall be deemed abandoned and may be disposed of in any manner the County deems fit, including, but not limited to, sale, donation or destruction of such property. The County shall retain any sale proceeds.

E.) The County of Suffolk shall not be obligated to keep the equipment beyond the time periods described herein.

F.) In the event of such equipment removal, the County shall not be liable for loss or damage to the equipment or to any contents thereof, or for disposal or destruction in accordance with this law.

Section 17. SEQRA Determination.

Res. No. 1028-2008, Adopting the State Environmental Quality Review Act Statement of Findings for the Final Generic Environmental Impact Statement on the Suffolk County Shellfish Aquaculture Lease Program in Peconic Bay and Gardiners Bay, completed the process for review of this action under the State Environmental Quality Review Act, New York Environmental Conservation Law article 8 (SEQRA). The Suffolk County Shellfish Aquaculture Lease Program shall comply with the conditions, thresholds and criteria of Res. No. 1028-2008. Accordingly, this Legislature, as SEQRA lead agency, hereby 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)(20) and (27), in that the resolution pertains to routine or continuing agency administration and management, and implementation of a Program that was previously reviewed. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determinations.

Section 18. 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 adjudge by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not effect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 19. Applicability.

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

Section 20. Effective Date.

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

Section 21. Termination.

If a lease for Shellfish Aquaculture is not executed by December 31, 2010, the Suffolk County Shellfish Aquaculture Leasing Program shall terminate.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1546

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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: June 4, 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. 1546 -2009; A LOCAL LAW ESTABLISHING THE SUFFOLK COUNTY SHELLFISH AQUACULTURE LEASE PROGRAM IN PECONIC BAY AND GARDINERS BAY

SPONSOR: THE PRESIDING OFFICER, ON THE REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 6/3/09 **PUBLIC HEARING:** 6/23/09

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

This proposed local law would accept underwater land in Peconic and Gardiners Bays from the State of New York for shellfish cultivation. This law will also establish the Suffolk County Shellfish Aquaculture Lease Program, which will allow for the leasing of said underwater land for shellfish cultivation.

The program requires that any individual conducting shellfish cultivation, with the exception of holders of Private Oyster Grants, on the described underwater lands must apply in writing for and obtain a lease from the County of Suffolk. The Director of the Department of Planning ("the Director") is authorized to enter into, renew, deny or terminate leases. Leases may be issued for a maximum of ten (10) years, with one option to renew for an additional ten (10) years.

This law would create an Aquaculture Lease Board to review proposed lease sites and determine if said sites shall be made available for leasing. All land approved for leasing shall be placed on the Shellfish Cultivation Zone Map ("the Map"). The Map will be reviewed and updated at least once every five (5) years by the Director, who shall submit a written report to the County Executive and County Legislature. Any changes to the Map shall be amended by a resolution of the County Legislature. A maximum of six hundred (600) acres, exclusive of former temporary marine area use assignment sites, private oyster grants, and leases for experimental, educational and resource restoration purposes, may be leased at any one time over the first ten (10) year period of this program. Individual leases are limited to a maximum of ten (10) acres, excepting private oyster grants and leases for non-commercial experimental, educational or resource restoration purposes. If no lease for shellfish aquaculture is executed by December 31, 2010, this program will automatically terminate.

This program will be administered by the Suffolk County Department of Planning ("the Department"). The law establishes an Administrative Guidance, which has been assembled by the Department and provides a substantial amount of the regulations for the program. The lease application fee is one hundred dollars ($100.00) and annual rent is established as two hundred dollars ($200.00) plus five dollars ($5.00) per acre of land, except for oyster grants which shall not be subject to the additional fee. The fees and rent will be deposited in the General Fund. State and local governments will be exempt from these fees and rent. Any substantive changes to the Administrative Guidance, fees or rent must be approved by the County Legislature.

The Director shall enforce the law. Violations of this law shall be subject to a civil penalty of one thousand dollars ($1,000.00) for the first violation and five thousand dollars ($5,000.00) for subsequent violations. Civil penalties may be obtained by an action brought in a court of competent jurisdiction.

Any equipment found on underwater lands without a lease in violation of this law shall be subject to removal. Individuals whose equipment is removed may state a claim of ownership within ten (10) days of the equipment's removal and shall have up to twenty (20) days thereafter to complete all steps necessary for return of the equipment, but shall have to pay a storage fee of fifty dollars ($50.00) per day. If the equipment is not claimed, the County may dispose of the equipment in any manner the County deems fit.

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

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-shellfish aquaculture lease program

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1546

1. Type of Legislation

Resolution _____ Local Law __X__ Charter Law _____

2. Title of Proposed Legislation

A LOCAL LAW ESTABLISHING THE SUFFOLK COUNTY SHELLFISH AQUACULTURE LEASE PROGRAM IN PECONIC BAY AND GARDINERS BAY

3. Purpose of Proposed Legislation

To fulfill the requirements set forth in Chapter 425, Laws of New York; Environmental Conservation Law §13-0302; permitting the county to lease underwater lands of Peconic and Gardiners Bays for the purposes of shellfish cultivation. Execution of a lease prior to December 31, 2010 secure the county's rights and title to approximately 100,000 acres of underwater land in Peconic Bay and Gardiners Bay for shellfish cultivation.

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:

County: Implementation and administration of this program will make use of existing county staff. While there would be an administrative expense, no additional personnel are expected. Furthermore, implementation of this program will provide a modest cash flow for the county. All application fees ($100), annual lease rental fees ($200 + $5/ac.) and any additional fees will be deposited into the county's general fund. Currently, the Planning Department has $181,400 in capital project #7180.111, approved by resolution no. 610-2008 for the conduct of survey work related to program implementation.

Economic Impact: Implementation of this program will stimulate the local economy by encouraging marine related business. In addition to the existing aquaculturists currently working in the Peconics, 6-12 additional shellfish farms will be given the opportunity to enter into the program on a yearly basis.

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

Program administration requires no additional cost above existing department budgets.

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*
Gina Kommer Assistant Executive Analyst		May 28, 2009

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1546

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.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1546

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES, AICP
DIRECTOR OF PLANNING

May 27, 2009

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

Dear Mr. Zwirn:

Attached for your review and consideration is a revised version of the Introductory Resolution along with supporting documentation for the adoption of the Local Law establishing the *Suffolk County Shellfish Aquaculture Lease Program in Peconic Bay and Gardiners Bay*. This version replaces the draft you received May 20, 2009. Electronic copies of all files will be sent as well. Please contact me if you require any additional information.

Sincerely,

Thomas A. Isles
Director of Planning

TAI:mm

Encls.

cc: Christopher Kent, Chief Deputy County Executive
Carrie Meek Gallagher, Commissioner, Department of Environment & Energy
Brendan Chamberlain, County Executive Assistant
Jennifer Kohn, Assistant County Attorney, Department of Law
DeWitt Davies, Chief Environmental Analyst, Department of Planning
Lauretta R. Fischer, Principal Environmental Analyst, Department of Planning
Michael Mulé, Senior Planner, Department of Planning
Susan Filipowich, Environmental Planner, Department of Planning
CE Reso Review (email copy only)

I.R. 1546

Shellfish Aquaculture Lease Program Management Plan regarding Peconic Bay & Gardiners Bay is on file in the Legislative Clerk's Office, Hauppauge.

Home Rule Message No. 13-2009 LOT 6/9/2009
Introduced by Legislators Schneiderman and Romaine

HOME RULE MESSAGE REQUESTING THE STATE OF NEW YORK TO AMEND THE TAX LAW, IN RELATION TO REQUIRING A REVENUE DISTRIBUTION AGREEMENT FOR EQUITABLE ALLOCATION WITHIN SUFFOLK COUNTY FOR PUBLIC SAFETY PURPOSES OF SALES AND COMPENSATING USE TAX (SENATE BILL S.2272 AND ASSEMBLY BILL A.4789)

WHEREAS, New York State Tax Law allows Suffolk County to collect an additional one percent (1%) sales tax; and

WHEREAS, under the current state tax law, no less than one eighth (1/8) and no more than three eighths (3/8) of the net collections from this additional one percent tax is dedicated for public safety purposes; and

WHEREAS, historically, the Suffolk County Police District has received a disproportionate share of the sales tax revenue dedicated to public safety purposes while the towns and villages outside the Police District have been shortchanged; and

WHEREAS, New York State Tax Law should be amended to ensure that sales tax revenues dedicated for public safety are distributed in an equitable fashion; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby supports Assembly Bill A.4789 and Senate Bill S.2272, which require the establishment of a separate fund for sales tax revenue dedicated for public safety purposes and the equitable and proportionate distribution of these monies to the Suffolk County Police District and the towns and villages located outside the boundaries of the Police District; and be it further

2nd **RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor David A. Paterson; to the Majority Leader of the New York State Senate Malcolm Smith; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:

New York State ASSEMBLY
Sheldon Silver - Speaker

Monday, May 18, 2009

Summary - A04789

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See Text

A04789 Summary:

BILL NO A04789

SAME AS Same as S 2272

SPONSOR Thiele

COSPNSR

MLTSPNSR

Amd S1262-j, Tax L

Requires a revenue distribution agreement for equitable allocation within the county of Suffolk for public safety purposes of sales and compensating use taxes.

A04789 Actions:

BILL NO A04789

02/06/2009 referred to ways and means

A04789 Votes:

A04789 Memo:

BILL NUMBER: A4789

TITLE OF BILL : An act to amend the tax law, in relation to requiring a revenue distribution agreement for equitable allocation within the county of Suffolk for public safety purposes of sales and compensating use tax

PURPOSE : This bill would allow the County of Suffolk to allocate a

portion of the net collection of sales and compensating use taxes for equitable distribution county-wide for purposes of public safety and property tax stabilization and relief.

SUMMARY OF SPECIFIC PROVISIONS : Amends Subdivision c of Section 1262-j of the Tax Law, as amended by Chapter 684 of the Laws of 2007. This bill would require Suffolk County to deposit any monies from the one percent tax increase to be deposited into a special and separate fund, codified in the County Charter. If any monies are allocated from such special fund for property tax stabilization and relief to the Suffolk County Police District, then the county shall allocate monies to the towns and villages which are not part of the Suffolk County Police District in order to ensure equitable distribution county-wide.

The allocations from the special fund created pursuant to this section shall be subject to a revenue distribution agreement. The revenue distribution agreement shall be codified in the county charter and remain in effect as long as such sales and compensating use tax component is in effect, or any successor component, for such public safety purposes.

One of two methods for determining the reduction of Suffolk County police district taxes to the towns and villages which are not part of the Suffolk County police district shall be used: (1) the basis of the respective populations of the several towns and villages in Suffolk County, determined in accordance with the latest federal census or special population census taken pursuant to section twenty of the general municipal law, completed and published prior to the end of the quarter for which the allocation is made, which special population must include the entire area of the county; or (2) the basis of the nineteen hundred ninety-four amounts allocated and uniformly increasing in proportionality across Suffolk County and taking into account any successor component for the sales and compensating use tax, notwithstanding any year of inequitable distribution by the county of Suffolk to towns and villages outside of the Suffolk county police district.

If the County allocates monies from such special fund directly to the general fund to reduce the tax levy for county-wide public safety purposes, the corresponding property tax relief is provided on a county-wide basis and on the basis of full valuation of real property and no further revenue distribution agreement is required.

JUSTIFICATION : Under current New York State Law, no less than one-eighth and no more than three-eights of the net collections received by Suffolk County as a result of the one per cent tax increase shall be dedicated for public safety purposes; the balance to be deposited in the Suffolk County General Fund.

This legislation is intended to create an equitable distribution of the funds rather than permitting Suffolk County to impose the tax on all county residents, and providing disproportionate shares to any special assessment district.

PRIOR LEGISLATIVE HISTORY : New bill

FISCAL IMPLICATIONS : None to the State.

EFFECTIVE DATE : This act shall take effect immediately with

allocation and distributions of new collections to be proposed within the 2009 budget of the County of Suffolk.

Contact Webmaster

Page display time = 0.0238 sec

New York State ASSEMBLY
Sheldon Silver - Speaker

Monday, May 18, 2009

Text - A04789

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See Summary

STATE OF NEW YORK

4789

2009-2010 Regular Sessions

IN ASSEMBLY

February 6, 2009

Introduced by M. of A. THIELE -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to requiring a revenue distribution agreement for equitable allocation within the county of Suffolk for public safety purposes of sales and compensating use tax

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision (c) of section 1262-j of the tax law, as amended by chapter 684 of the laws of 2007, is amended to read as follows:

(c) Notwithstanding any provision of law to the contrary, of the net collections received by the county of Suffolk as a result of the increase of one percent to the tax authorized by section twelve hundred ten of this article for the period beginning June first, two thousand one and ending November thirtieth, two thousand [nine] ELEVEN, imposed by local laws or resolutions (by simple majority) by the county legislature, and signed by the county executive, the county of Suffolk shall allocate such net collections as follows: no less than one-eighth and no more than three-eighths of such net collections received shall be dedicated for public safety purposes and the balance shall be deposited in the general fund of the county of Suffolk. COMMENCING DECEMBER FIRST, TWO THOUSAND NINE, THE NET COLLECTIONS RECEIVED THAT ARE DEDICATED TO PUBLIC SAFETY PURPOSES FROM THE ADDITIONAL RATES IMPOSED PURSUANT TO THIS SECTION SHALL BE DEPOSITED IN A SPECIAL FUND TO BE CREATED BY SUCH COUNTY SEPARATE AND APART FROM ANY OTHER FUNDS AND ACCOUNTS OF THE COUNTY TO BE USED FOR GENERAL FUND PURPOSES. IF THE COUNTY ALLOCATES MONIES FROM SUCH SPECIAL FUND FOR PROPERTY TAX STABILIZATION AND RELIEF TO THE SUFFOLK COUNTY POLICE DISTRICT, THEN THE COUNTY SHALL ALLOCATE MONIES TO THE TOWNS AND VILLAGES WHICH ARE NOT PART OF THE SUFFOLK COUNTY POLICE DISTRICT IN ORDER TO ENSURE EQUITABLE DISTRIBUTION COUNTY-WIDE. THE ALLOCATIONS FROM THE SPECIAL FUND CREATED PURSUANT TO THIS SECTION SHALL

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD06372-01-9

BE SUBJECT TO A REVENUE DISTRIBUTION AGREEMENT ENTERED INTO PURSUANT TO THE AUTHORITY OF SUBDIVISION (C) OF SECTION TWELVE HUNDRED SIXTY-TWO OF THIS PART IN ORDER TO ENSURE PROPERTY TAX RELIEF ON A COUNTY-WIDE BASIS. THE REVENUE DISTRIBUTION AGREEMENT SHALL BE CODIFIED IN THE COUNTY CHARTER AND REMAIN IN EFFECT AS LONG AS SUCH SALES AND COMPENSATING USE TAX COMPONENT IS IN EFFECT, OR ANY SUCCESSOR COMPONENT, FOR SUCH PUBLIC SAFETY PURPOSES. THE AMOUNTS TO BE ALLOCATED IN REDUCTION OF THE SUFFOLK COUNTY POLICE DISTRICT TAXES AND TO THE TOWNS AND VILLAGES WHICH ARE NOT PART OF THE SUFFOLK COUNTY POLICE DISTRICT SHALL BE DETERMINED ON EITHER: (1) THE BASIS OF THE RESPECTIVE POPULATIONS OF THE SEVERAL TOWNS AND VILLAGES IN SUCH COUNTY, DETERMINED IN ACCORDANCE WITH THE LATEST FEDERAL CENSUS OR SPECIAL POPULATION CENSUS TAKEN PURSUANT TO SECTION TWENTY OF THE GENERAL MUNICIPAL LAW, COMPLETED AND PUBLISHED PRIOR TO THE END OF THE QUARTER FOR WHICH THE ALLOCATION IS MADE, WHICH SPECIAL POPULATION MUST INCLUDE THE ENTIRE AREA OF THE COUNTY; OR (2) THE BASIS OF THE NINETEEN HUNDRED NINETY-FOUR AMOUNTS ALLOCATED AND UNIFORMLY INCREASING IN PROPORTIONALITY ACROSS THE COUNTY AND TAKING INTO ACCOUNT ANY SUCCESSOR COMPONENT FOR THE SALES AND COMPENSATING USE TAX, NOTWITHSTANDING ANY YEAR OF INEQUITABLE DISTRIBUTION BY THE COUNTY OF SUFFOLK TO TOWNS AND VILLAGES OUTSIDE OF THE SUFFOLK COUNTY POLICE DISTRICT. HOWEVER, IF THE COUNTY ALLOCATES MONIES FROM SUCH SPECIAL FUND DIRECTLY TO THE GENERAL FUND TO REDUCE THE TAX LEVY FOR COUNTY-WIDE PUBLIC SAFETY PURPOSES, THE CORRESPONDING PROPERTY TAX RELIEF IS PROVIDED ON A COUNTY-WIDE BASIS AND ON THE BASIS OF FULL VALUATION OF REAL PROPERTY AND NO FURTHER REVENUE DISTRIBUTION AGREEMENT IS REQUIRED.

S 2. This act shall take effect immediately with allocation and distributions of net collections to be proposed within the 2009 budget of the county of Suffolk.

Contact Webmaster

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New York State ASSEMBLY

Sheldon Silver - Speaker

Monday, May 18, 2009

Text - S02272

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See Summary

STATE OF NEW YORK

2272

2009-2010 Regular Sessions

IN SENATE

February 17, 2009

Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the tax law, in relation to requiring a revenue distribution agreement for equitable allocation within the county of Suffolk for public safety purposes of sales and compensating use tax

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision (c) of section 1262-j of the tax law, as amended by chapter 684 of the laws of 2007, is amended to read as follows:

(c) Notwithstanding any provision of law to the contrary, of the net collections received by the county of Suffolk as a result of the increase of one percent to the tax authorized by section twelve hundred ten of this article for the period beginning June first, two thousand one and ending November thirtieth, two thousand [nine] ELEVEN, imposed by local laws or resolutions (by simple majority) by the county legislature, and signed by the county executive, the county of Suffolk shall allocate such net collections as follows: no less than one-eighth and no more than three-eighths of such net collections received shall be dedicated for public safety purposes and the balance shall be deposited in the general fund of the county of Suffolk. COMMENCING DECEMBER FIRST, TWO THOUSAND NINE, THE NET COLLECTIONS RECEIVED THAT ARE DEDICATED TO PUBLIC SAFETY PURPOSES FROM THE ADDITIONAL RATES IMPOSED PURSUANT TO THIS SECTION SHALL BE DEPOSITED IN A SPECIAL FUND TO BE CREATED BY SUCH COUNTY SEPARATE AND APART FROM ANY OTHER FUNDS AND ACCOUNTS OF THE COUNTY TO BE USED FOR GENERAL FUND PURPOSES. IF THE COUNTY ALLOCATES MONIES FROM SUCH SPECIAL FUND FOR PROPERTY TAX STABILIZATION AND RELIEF TO THE SUFFOLK COUNTY POLICE DISTRICT, THEN THE COUNTY SHALL ALLOCATE MONIES TO THE TOWNS AND VILLAGES WHICH ARE NOT PART OF THE SUFFOLK COUNTY POLICE DISTRICT IN ORDER TO ENSURE EQUITABLE DISTRIBUTION COUNTY-WIDE. THE

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD06372-01-9

ALLOCATIONS FROM THE SPECIAL FUND CREATED PURSUANT TO THIS SECTION SHALL BE SUBJECT TO A REVENUE DISTRIBUTION AGREEMENT ENTERED INTO PURSUANT TO THE AUTHORITY OF SUBDIVISION (C) OF SECTION TWELVE HUNDRED SIXTY-TWO OF THIS PART IN ORDER TO ENSURE PROPERTY TAX RELIEF ON A COUNTY-WIDE BASIS. THE REVENUE DISTRIBUTION AGREEMENT SHALL BE CODIFIED IN THE COUNTY CHARTER AND REMAIN IN EFFECT AS LONG AS SUCH SALES AND COMPENSATING USE TAX COMPONENT IS IN EFFECT, OR ANY SUCCESSOR COMPONENT, FOR SUCH PUBLIC SAFETY PURPOSES. THE AMOUNTS TO BE ALLOCATED IN REDUCTION OF THE SUFFOLK COUNTY POLICE DISTRICT TAXES AND TO THE TOWNS AND VILLAGES WHICH ARE NOT PART OF THE SUFFOLK COUNTY POLICE DISTRICT SHALL BE DETERMINED ON EITHER: (1) THE BASIS OF THE RESPECTIVE POPULATIONS OF THE SEVERAL TOWNS AND VILLAGES IN SUCH COUNTY, DETERMINED IN ACCORDANCE WITH THE LATEST FEDERAL CENSUS OR SPECIAL POPULATION CENSUS TAKEN PURSUANT TO SECTION TWENTY OF THE GENERAL MUNICIPAL LAW, COMPLETED AND PUBLISHED PRIOR TO THE END OF THE QUARTER FOR WHICH THE ALLOCATION IS MADE, WHICH SPECIAL POPULATION MUST INCLUDE THE ENTIRE AREA OF THE COUNTY; OR (2) THE BASIS OF THE NINETEEN HUNDRED NINETY-FOUR AMOUNTS ALLOCATED AND UNIFORMLY INCREASING IN PROPORTIONALITY ACROSS THE COUNTY AND TAKING INTO ACCOUNT ANY SUCCESSOR COMPONENT FOR THE SALES AND COMPENSATING USE TAX, NOTWITHSTANDING ANY YEAR OF INEQUITABLE DISTRIBUTION BY THE COUNTY OF SUFFOLK TO TOWNS AND VILLAGES OUTSIDE OF THE SUFFOLK COUNTY POLICE DISTRICT. HOWEVER, IF THE COUNTY ALLOCATES MONIES FROM SUCH SPECIAL FUND DIRECTLY TO THE GENERAL FUND TO REDUCE THE TAX LEVY FOR COUNTY-WIDE PUBLIC SAFETY PURPOSES, THE CORRESPONDING PROPERTY TAX RELIEF IS PROVIDED ON A COUNTY-WIDE BASIS AND ON THE BASIS OF FULL VALUATION OF REAL PROPERTY AND NO FURTHER REVENUE DISTRIBUTION AGREEMENT IS REQUIRED.

S 2. This act shall take effect immediately with allocation and distributions of net collections to be proposed within the 2009 budget of the county of Suffolk.

Contact Webmaster

Page display time = 0.0238 sec

Home Rule Message No. 14 -2009 LOT 6/9/09
Introduced by Presiding Officer Lindsay and Legislator Losquadro

HOME RULE MESSAGE REQUESTING STATE OF NEW YORK TO AMEND THE CIVIL SERVICE LAW, IN RELATION TO RESOLUTION OF DISPUTES BETWEEN A PUBLIC EMPLOYER AND SUFFOLK COUNTY PROBATION OFFICERS (SENATE BILL S.4872 AND ASSEMBLY BILL A.7171-A)

WHEREAS, Section 209(4)(c) of the New York Civil Service Law provides for mandatory arbitration in the event that an impasse is reached in collective bargaining negotiations between a municipality, such as the County of Suffolk, and employee organizations representing members of any organized fire department, police force, or police department; and

WHEREAS, binding arbitration for firefighters and police was initially adopted in 1974 to provide a fair and timely method for resolving contractual disputes involving police and firefighters and in turn to avoid strikes by employees who provide critical public safety services; and

WHEREAS, binding arbitration for compensatory issues was thereafter extended to State Police and State Correction Officers and deputy sheriffs; and

WHEREAS, binding arbitration was subsequently extended to Suffolk County Correction Officers and Suffolk County Park Police; and

WHEREAS, Suffolk County Probation Officers are classified as "Peace Officers"; and

WHEREAS, Probation Officers undergo intensive public safety/ rehabilitation training, including the use of firearms; and

WHEREAS, Suffolk County Probation Officers supervise approximately 14,000 felony/misdemeanor offenders in the community; and

WHEREAS, Probation Officers execute felony and misdemeanor arrest warrants, conduct warrantless searches for weapons and narcotics, confiscate contraband and make summary arrests; and

WHEREAS, similar to State Police, local police officers, deputy sheriffs, correction officers, Probation Officers and park police, face inherent dangers on a daily basis while performing analogous public safety services; and

WHEREAS, it is logical to extend the binding arbitration law to include Suffolk County Probation Officers in order to ensure orderly continuous protection of the public during protracted county contract negotiations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby requests the State of New York to enact Senate Bill S.4872 and Assembly Bill A.7171-A to amend the Civil Service Law by extending the Binding Arbitration Law provisions to Suffolk County Probation Officers; and be it further

2nd **RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor David A. Paterson; to the Majority Leader of the New York State Senate Malcolm Smith; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:

S:\memres\2009\arbitration probation officers

New York State ASSEMBLY
Sheldon Silver - Speaker

Friday, May 29, 2009

Text - A07171

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See Summary

STATE OF NEW YORK

7171--A

2009-2010 Regular Sessions

IN ASSEMBLY

March 25, 2009

Introduced by M. of A. ABBATE, TOWNSEND, SALADINO, ALESSI -- read once and referred to the Committee on Governmental Employees -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the civil service law, in relation to resolution of disputes between a public employer and Suffolk county probation officers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 2 of section 209 of the civil service law, as amended by section 1 of chapter 234 of the laws of 2008, is amended to read as follows:

2. Public employers are hereby empowered to enter into written agreements with recognized or certified employee organizations setting forth procedures to be invoked in the event of disputes which reach an impasse in the course of collective negotiations. Such agreements may include the undertaking by each party to submit unresolved issues to impartial arbitration. In the absence or upon the failure of such procedures, public employers and employee organizations may request the board to render assistance as provided in this section, or the board may render such assistance on its own motion, as provided in subdivision three of this section, or, in regard to officers or members of any organized fire department, or any unit of the public employer which previously was a part of an organized fire department whose primary mission includes the prevention and control of aircraft fires, police force or police department of any county, city, town, village or fire or police district, or detective-investigators, or rackets investigators employed in the office of a district attorney of a county, or in regard to any organized unit of troopers, commissioned or noncommissioned officers of the division of state police, or in regard to investigators, senior investigators and investigator specialists of the division of state police, or in regard

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD06729-02-9

to members of collective negotiating units designated as security services and security supervisors who are police officers, who are forest ranger captains or who are employed by the state department of correctional services and are designated as peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law, or in regard to members of the collective negotiating unit designated as the agency law enforcement services unit who are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law or who are forest rangers, or in regard to organized units of deputy sheriffs who are engaged directly in criminal law enforcement activities that aggregate more than fifty per centum of their service as certified by the county sheriff and are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police training council or Suffolk county correction officers or Suffolk county park police OR SUFFOLK COUNTY PROBATION OFFICERS, as provided in subdivision four of this section.

S 2. Subdivision 2 of section 209 of the civil service law, as amended by section 2 of chapter 234 of the laws of 2008, is amended to read as follows:

2. Public employers are hereby empowered to enter into written agreements with recognized or certified employee organizations setting forth procedures to be invoked in the event of disputes which reach an impasse in the course of collective negotiations. Such agreements may include the undertaking by each party to submit unresolved issues to impartial arbitration. In the absence or upon the failure of such procedures, public employers and employee organizations may request the board to render assistance as provided in this section, or the board may render such assistance on its own motion, as provided in subdivision three of this section, or, in regard to officers or members of any organized fire department, or any unit of the public employer which previously was a part of an organized fire department whose primary mission includes the prevention and control of aircraft fires, police force or police department of any county, city, except the city of New York, town, village or fire or police district, or in regard to organized units of deputy sheriffs who are engaged directly in criminal law enforcement activities that aggregate more than fifty per centum of their service as certified by the county sheriff and are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police training council or Suffolk county correction officers or Suffolk county park police OR SUFFOLK COUNTY PROBATION OFFICERS, as provided in subdivision four of this section.

S 3. The opening paragraph of subdivision 4 of section 209 of the civil service law, as amended by chapter 234 of the laws of 2008, is amended to read as follows:

On request of either party or upon its own motion, as provided in subdivision two of this section, and in the event the board determines that an impasse exists in collective negotiations between such employee organization and a public employer as to the conditions of employment of officers or members of any organized fire department, or any other unit of the public employer which previously was a part of an organized fire department whose primary mission includes the prevention and control of aircraft fires, police force or police department of any county, city, town, village or fire or police district, and detective-investigators, criminal investigators or rackets investigators employed in the office of a district attorney, or as to the conditions of employment of members of any organized unit of troopers, commissioned or noncommissioned officers of the division of state police or as to the conditions of employment of members of any organized unit of investigators, senior investigators and investigator specialists of the division of state police, or as to the terms and conditions of employment of members of collective negotiating units designated as security services and security supervisors, who are police officers, who are forest ranger captains or who are employed by the state department of correctional services and are designated as peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law, or in regard to members of the

collective negotiating unit designated as the agency law enforcement services unit who are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law or who are forest rangers, or as to the conditions of employment of any organized unit of deputy sheriffs who are engaged directly in criminal law enforcement activities that aggregate more than fifty per centum of their service as certified by the county sheriff and are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police training council or Suffolk county correction officers or Suffolk county park police OR SUFFOLK COUNTY PROBATION OFFICERS, the board shall render assistance as follows:

S 4. Subdivision 4 of section 209 of the civil service law is amended by adding a new paragraph (j) to read as follows:

(J) WITH REGARD TO SUFFOLK COUNTY PROBATION OFFICERS, THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO ISSUES RELATING TO DISCIPLINARY PROCEDURES AND INVESTIGATIONS OR ELIGIBILITY AND ASSIGNMENT TO DETAILS AND POSITIONS, WHICH SHALL BE GOVERNED BY OTHER PROVISIONS PRESCRIBED BY LAW.

S 5. This act shall take effect immediately, provided, however, that the amendments to subdivision 2 of section 209 of the civil service law made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 3 of chapter 485 of the laws of 1990, as amended, when upon such date the provisions of section two of this act shall take effect; and provided further that the amendments to subdivision 4 of section 209 of the civil service law, made by sections three and four of this act, shall not affect the expiration of such subdivision and shall be deemed to expire therewith.

Contact Webmaster

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New York State ASSEMBLY

Sheldon Silver - Speaker

Friday, May 29, 2009

Text - S04872

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See Summary

STATE OF NEW YORK

4872

2009-2010 Regular Sessions

IN SENATE

April 27, 2009

Introduced by Sen. FOLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the civil service law, in relation to resolution of disputes between a public employer and Suffolk county probation officers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 2 of section 209 of the civil service law, as amended by section 1 of chapter 234 of the laws of 2008, is amended to read as follows:

2. Public employers are hereby empowered to enter into written agreements with recognized or certified employee organizations setting forth procedures to be invoked in the event of disputes which reach an impasse in the course of collective negotiations. Such agreements may include the undertaking by each party to submit unresolved issues to impartial arbitration. In the absence or upon the failure of such procedures, public employers and employee organizations may request the board to render assistance as provided in this section, or the board may render such assistance on its own motion, as provided in subdivision three of this section, or, in regard to officers or members of any organized fire department, or any unit of the public employer which previously was a part of an organized fire department whose primary mission includes the prevention and control of aircraft fires, police force or police department of any county, city, town, village or fire or police district, or detective-investigators, or rackets investigators employed in the office of a district attorney of a county, or in regard to any organized unit of troopers, commissioned or noncommissioned officers of the division of state police, or in regard to investigators, senior investigators and investigator specialists of the division of state police, or in regard to members of collective negotiating units designated as security services and security supervisors who are police officers, who are

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD06729-03-9

forest ranger captains or who are employed by the state department of correctional services and are designated as peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law, or in regard to members of the collective negotiating unit designated as the agency law enforcement services unit who are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law or who are forest rangers, or in regard to organized units of deputy sheriffs who are engaged directly in criminal law enforcement activities that aggregate more than fifty per centum of their service as certified by the county sheriff and are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police training council or Suffolk county correction officers or Suffolk county park police OR SUFFOLK COUNTY PROBATION OFFICERS, as provided in subdivision four of this section.

S 2. Subdivision 2 of section 209 of the civil service law, as amended by section 2 of chapter 234 of the laws of 2008, is amended to read as follows:

2. Public employers are hereby empowered to enter into written agreements with recognized or certified employee organizations setting forth procedures to be invoked in the event of disputes which reach an impasse in the course of collective negotiations. Such agreements may include the undertaking by each party to submit unresolved issues to impartial arbitration. In the absence or upon the failure of such procedures, public employers and employee organizations may request the board to render assistance as provided in this section, or the board may render such assistance on its own motion, as provided in subdivision three of this section, or, in regard to officers or members of any organized fire department, or any unit of the public employer which previously was a part of an organized fire department whose primary mission includes the prevention and control of aircraft fires, police force or police department of any county, city, except the city of New York, town, village or fire or police district, or in regard to organized units of deputy sheriffs who are engaged directly in criminal law enforcement activities that aggregate more than fifty per centum of their service as certified by the county sheriff and are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police training council or Suffolk county correction officers or Suffolk county park police OR SUFFOLK COUNTY PROBATION OFFICERS, as provided in subdivision four of this section.

S 3. The opening paragraph of subdivision 4 of section 209 of the civil service law, as amended by chapter 234 of the laws of 2008, is amended to read as follows:

On request of either party or upon its own motion, as provided in subdivision two of this section, and in the event the board determines that an impasse exists in collective negotiations between such employee organization and a public employer as to the conditions of employment of officers or members of any organized fire department, or any other unit of the public employer which previously was a part of an organized fire department whose primary mission includes the prevention and control of aircraft fires, police force or police department of any county, city, town, village or fire or police district, and detective-investigators, criminal investigators or rackets investigators employed in the office of a district attorney, or as to the conditions of employment of members of any organized unit of troopers, commissioned or noncommissioned officers of the division of state police or as to the conditions of employment of members of any organized unit of investigators, senior investi-

gators and investigator specialists of the division of state police, or as to the terms and conditions of employment of members of collective negotiating units designated as security services and security supervisors, who are police officers, who are forest ranger captains or who are employed by the state department of correctional services and are designated as peace officers pursuant to subdivision twenty-five of section 2.10 of the criminal procedure law, or in regard to members of the collective negotiating unit designated as the agency law enforcement services unit who are police officers pursuant to subdivision thirty-

four of section 1.20 of the criminal procedure law or who are forest rangers, or as to the conditions of employment of any organized unit of deputy sheriffs who are engaged directly in criminal law enforcement activities that aggregate more than fifty per centum of their service as certified by the county sheriff and are police officers pursuant to subdivision thirty-four of section 1.20 of the criminal procedure law as certified by the municipal police training council or Suffolk county correction officers or Suffolk county park police OR SUFFOLK COUNTY PROBATION OFFICERS, the board shall render assistance as follows:

S 4. Subdivision 4 of section 209 of the civil service law is amended by adding a new paragraph (j) to read as follows:

(J) WITH REGARD TO SUFFOLK COUNTY PROBATION OFFICERS, THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO ISSUES RELATING TO DISCIPLINARY PROCEDURES AND INVESTIGATIONS OR ELIGIBILITY AND ASSIGNMENT TO DETAILS AND POSITIONS, WHICH SHALL BE GOVERNED BY OTHER PROVISIONS PRESCRIBED BY LAW.

S 5. This act shall take effect immediately, provided, however, that the amendments to subdivision 2 of section 209 of the civil service law made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 3 of chapter 485 of the laws of 1990, as amended, when upon such date the provisions of section two of this act shall take effect; and provided further that the amendments to subdivision 4 of section 209 of the civil service law, made by sections three and four of this act, shall not affect the expiration of such subdivision and shall be deemed to expire therewith.

Contact Webmaster

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