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LADS REPORT PREPARED BY:

Michele Gerardi

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1881. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Raymond Wolf (SCTM No. 0200-461.00-04.00-025.002). (Co. Exec.) WAYS & MEANS
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1883. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Leonard S. Picariello, as Trustee of the Rose M. Picariello Irrevocable Trust (SCTM No. 0600-092.00-03.00-031.000). (Co. Exec.) WAYS & MEANS
1884. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law (Town of Brookhaven) (SCTM No. 0200-981.90-02.00-034.000). (Co. Exec.) WAYS & MEANS
1885. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Jesus and Samaria Maldonado (SCTM No. 0200-976.00-02.00-032.000). (Co. Exec.) WAYS & MEANS
1886. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Jack Seferian (SCTM No. 0200-183.00-03.00-016.000). (Co. Exec.) WAYS & MEANS
1887. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Lenora V. Davis (SCTM No. 0100-014.00-01.00-018.000). (Co. Exec.) WAYS & MEANS
1888. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Robert Arnold and Debra Arnold, his wife (SCTM No. 0100-201.00-01.00-055.002). (Co. Exec.) WAYS & MEANS
1889. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act John Paul Hankins (SCTM No. 0200-486.00-04.00-025.000). (Co. Exec.) WAYS & MEANS
1890. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Silder Martinez and Ilmar Guardado, as tenants in common (SCTM No. 0100-144.00-02.00-093.000). (Co. Exec.) WAYS & MEANS

1891. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act estate of Thelma Payton, as surviving tenant by the entirety, a/k/a Thelma S. Payton a/k/a Thelma L. Payton, by Robert Payton, as Administrator (SCTM No. 0100-174.00-03.00-059.000). (Co. Exec.) WAYS & MEANS
1892. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Mark Borstelmann (SCTM No. 1000-054.00-03.00-021.003). (Co. Exec.) WAYS & MEANS
1893. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Bayview Property Management Corp. (SCTM Nos. 0200-937.00-06.00-026.000 and 0200-978.90-04.00-053.000). (Co. Exec.) WAYS & MEANS
1894. Adopting Local Law No. -2009, A Local Law to ensure the integrity of prescription labels in Suffolk County. (Cooper) CONSUMER PROTECTION
1895. Adopting Local Law No. -2009, A Local Law prohibiting sex offenders from living near their victims. (D'Amaro) PUBLIC SAFETY
1896. Adopting Local Law No. -2009, A Local Law to preserve the Montauk Point Lighthouse by amending Resolution No. 805-2009, A Local Law to reauthorize the hotel and motel tax. (Schneiderman) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1897. Making a SEQRA determination in connection with the proposed sidewalks on CR 92, Oakwood Road, (CP 5497), Town of Huntington. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE
1898. Making a SEQRA determination in connection with the proposed sidewalks on CR 79, Bridgehampton-Sag Harbor Turnpike, (CP 5497), Town of Southampton. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE
1899. Making a SEQRA determination in connection with the proposed sidewalks on CR 85, Montauk Highway, (CP 5497), Town of Islip. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE
1900. Adopting Local Law No. -2009, A Local Law to reallocate hotel and motel tax revenues to enhance tourism promotion in the Peconic region. (Schneiderman.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1864

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

Laid on Table 10/13/09

**RESOLUTION NO. -2009, ADOPTING LOCAL LAW NO.
-2009, A LOCAL LAW ELIMINATING CAMPAIGN FINANCE
ELECTRONIC FILING REQUIREMENT**

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 ELIMINATING CAMPAIGN FINANCE ELECTRONIC FILING REQUIREMENT**", 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 ELIMINATING CAMPAIGN FINANCE
ELECTRONIC FILING REQUIREMENT**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Local Law 20-2002, as amended by Local Law 30-2004, established a requirement that every elected County official and candidate for County office file their campaign finance statements electronically with the Suffolk County Board of Elections.

This Legislature also finds and determines that the purpose of these local laws, which were the first of their kind in the state, was to facilitate full disclosure of election campaign finances and to provide Suffolk County residents with easy access to this information.

This Legislature finds that in enacting the electronic filing requirement for campaign finance statements, Suffolk County anticipated the use of technology to promote transparency and accountability in the political process.

This Legislature also finds that the State of New York now requires all candidates and political committees, which raise or spend more than \$1,000 during a calendar year, to file their finance statements electronically with the State's Board of Elections. The statements are available for public review on the New York State Board of Elections' website.

This Legislature determines that in light of the State's action, the County's electronic filing requirement is now redundant and unnecessarily burdensome to candidates, political committees and the County's Board of Elections.

Therefore, the purpose of this local law is end the County's electronic filing requirements for candidates and political committees.

Section 2. Repeal.

Section A30-11 of the SUFFOLK COUNTY ADMINSTRATIVE CODE and Local Laws 20-2002 and 30-2004, are hereby repealed in their entirety.

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



1864

GEORGE NOLAN
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DATE: SEPTEMBER 21, 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 ELIMINATING CAMPAIGN FINANCE ELECTRONIC FILING REQUIREMENT

SPONSOR: LEGISLATOR COOPER

DATE OF RECEIPT BY COUNSEL: 9/21/2009 PUBLIC HEARING: 11/17/2009
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

This proposed local law would repeal section A30-11 of the SUFFOLK COUNTY ADMINISTRATIVE CODE and thereby eliminate the requirement that elected officials and candidates for County office file their campaign finance statements electronically with the Suffolk County Board of Elections.

If enacted, this proposed law will take effect immediately upon its filing in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-terminated-campaign-finance-filing

1865

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

Laid on Table 10/13/09

**RESOLUTION NO. -2009, NAMING PARKLAND IN EAST
QUOGUE IN HONOR OF JOHN T. DONOHUE**

WHEREAS, John T. Donohue, a former Suffolk County Legislator, passed away in September 2008 from complications of Parkinson's disease; and

WHEREAS, as a Suffolk County Legislator, Mr. Donohue founded the Suffolk County Solar Energy Commission, worked to secure County funding for a new Ponquogue Bridge in Hampton Bays, and lobbied for the development of the Gabreski Airport; and

WHEREAS, Mr. Donohue worked to ensure that Suffolk County's Gabreski Airport in Westhampton Beach remained a productive resource for the community; and

WHEREAS, Mr. Donohue was instrumental in establishing Hubbard Park in Flanders and the Rural Health Initiative to provide better health care in rural areas of Suffolk County; and

WHEREAS, the members of the Suffolk County Legislature wish to show their sincere respect and admiration for John Donohue and his dedication, efforts and commitment to the residents of the County of Suffolk; and

WHEREAS, Suffolk County owns parkland in the community Mr. Donohue represented while a member of the Suffolk County Legislature which would be appropriate to name in his honor; now, therefore be it

1st RESOLVED, that, pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, the property consisting of 6.4 acres of designated parkland located on Lewis Road and Quogue-Riverhead Road in East Quogue, Town of Southampton (Tax Map No. 0900-249-01-012) is hereby named "The John T. Donohue Preserve" in recognition of his dedicated service as a County Legislator; and be it further

2nd RESOLVED, that the Suffolk County Department of Parks, Recreation, and Conservation is hereby authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to provide and install appropriate signs and to take such other actions as shall be necessary to effectuate this name change; 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:

RESOLUTION NO. -2009, APPROPRIATING FUNDS IN CONNECTION WITH ESTABLISHMENT OF A DOG PARK AT SOUTHAVEN COUNTY PARK (CP 7065)

WHEREAS, Resolution No. 566-1998 authorized the Commissioner of the County Department of Parks, Recreation and Conservation to construct dog runs for the use of families with pet dogs within West Hills County Park and dog runs for the use of families in such other separate County facilities as deemed appropriate; and

WHEREAS, dog runs and/or dog parks have since been established at West Hills County Park in Huntington, Blydenburgh County Park in Smithtown, and on the grounds of Coindre Hall in the Town of Huntington; and

WHEREAS, Resolution No. 461-2007 directed the Department of Parks, Recreation and Conservation to identify locations at five (5) County properties that could be used as dog parks; and

WHEREAS, Resolution No. 143-2009 authorized the Department of Parks, Recreation and Conservation to plan and design a dog park at Southaven County Park; and

WHEREAS, there are sufficient funds within the 2009 Capital Budget and Program to cover the cost of said request under Capital Program Number 7065; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$50,000 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 30 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 proceeds of \$50,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7065.310	26	Establishment of Dog Runs at County Facilities – Southaven Park	\$50,000

and be it further

3rd 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 Code of Rules and Regulations (“NYCRR”), the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

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1867

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

Laid on Table 10/13/09

RESOLUTION NO. -2009, ADOPTING LOCAL LAW NO. -2009, A LOCAL LAW TO EXPEDITE CONSTRUCTION OF AFFORDABLE HOUSING

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2009, a proposed local law entitled, "**TO EXPEDITE CONSTRUCTION OF AFFORDABLE HOUSING**" now, therefore, be it

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

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

A LOCAL LAW TO EXPEDITE CONSTRUCTION OF AFFORDABLE HOUSING

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County of Suffolk has made the creation of affordable housing for first time homebuyers a top priority.

This Legislature further finds and determines that one of the key components of the County's Affordable/Workforce Housing Program is the transfer of vacant County-owned parcels to towns and villages for the express purpose of constructing housing that meets affordable housing guidelines.

This Legislature finds that when the County transfers land to other municipalities pursuant to Section 72-h of NEW YORK GENERAL MUNICIPAL LAW, it foregoes potential revenues that could be generated from an auction sale of the properties. The County also does not require municipalities to pay back taxes as a condition for § 72-h transfers.

This Legislature also finds that the rationale underlying the County's § 72-h transfer program is undermined when receiving municipalities do not create housing on conveyed parcels in a timely manner.

This Legislature further finds that under existing law construction of housing on conveyed parcels must be completed within three years of transfer but the Director of Affordable Housing is authorized to grant 2 two-year extensions for good cause.

This Legislature finds that a seven year window of opportunity to construct housing on parcels that are conveyed pursuant to § 72-h is simply too long and that towns, villages, and prospective builders must be required to move quickly to create needed housing.

Therefore, the purpose of this local law is to authorize the Director of Affordable Housing to grant a single two year extension for construction of affordable housing and thereby expedite the construction of necessary housing.

Section 2. Amendments.

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

ARTICLE XXXVI AFFORDABLE HOUSING

* * * *

§ A36-2. Suffolk County housing opportunities programs.

* * * *

B. New York State General Municipal Law § 72-h transfer program.

* * * *

(2) Deed restrictions.

(a) Parcels transferred pursuant to this section shall be to a first-time homebuyer and shall contain deed restrictions as follows:

[1] For owner-occupied housing:

* * * *

[d] Construction must be completed and the housing occupied by eligible purchasers within three years of transfer unless an extension of time is granted in writing by the Director after good cause is shown. Said extension shall not exceed [two] one two-year extension[s] unless approved by duly enacted resolution.

* * * *

[2] For rental housing:

* * * *

[d] Construction must be completed and the housing occupied by eligible tenants within three years of transfer unless an extension of time is granted in writing by the Director after good cause is shown. Said extension shall not exceed [two] one two-year extension[s] unless approved by duly enacted resolution; and

* * * *

Section 3. Applicability.

This law shall apply to parcels conveyed pursuant to Section 72-h of NEW YORK GENERAL MUNICIPAL LAW on or after the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



1867

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DATE: September 25, 2009
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2009

TITLE: I.R. NO. -2009; A LOCAL LAW TO EXPEDITE CONSTRUCTION OF AFFORDABLE HOUSING
SPONSOR: LEGISLATOR SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 9/25/09 PUBLIC HEARING: 11/17/09
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

Under existing law, construction of housing on parcels conveyed under the County's §72-h program for housing purposes must be completed within three years. However, the Director of Affordable Housing is authorized to provide two two-year extensions for good cause.

The proposed law would amend Article 36 of the SUFFOLK COUNTY ADMINISTRATIVE CODE so that the Director would be authorized to grant only one 2 year extension.

This law shall apply to all parcels conveyed by the County for affordable housing purposes on or after the effective date of this law.

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-expedite construction affordable housing

**RESOLUTION NO. -2009, AUTHORIZING PUBLIC
HEARING FOR APPROVAL OF RATES FOR RONCALLI
FREIGHT COMPANY INC. d/b/a COASTLINE FREIGHT**

WHEREAS, Roncalli Freight Company Inc. d/b/a Coastline Freight has applied to the Suffolk County Legislature, by a Petition dated and verified September 29, 2009, pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law of the State of New York and Local Law No. 7 of 1982 of Suffolk County for the establishment of freight rates, which will be applicable to Roncalli Freight Company Inc. d/b/a Coastline Freight for ferry service for the purpose of transporting freight for hire between ferry terminals located at Sayville, New York and the Fire Island communities of Fire Island Pines and Cherry Grove, both located in the Town of Brookhaven, all of which lie within the County of Suffolk, at approved rates, to; now, therefore be it

1st RESOLVED, that Consideration of the Petition of Roncalli Freight Company Inc. d/b/a Coastline Freight for the purposes of publication of the notice required by the Suffolk County Legislature, the Public Hearing on this Petition shall be held at the Regular Meeting of the Suffolk County Legislature at 2:30 p.m. on the 1st day of December 2009, Hauppauge, New York; and be it further

2nd RESOLVED, that pending the consideration of this Petition and the Public Hearing, the Petition be and it hereby is referred to the Public Works and Public Transportation Committee for its consideration and recommendation to the Suffolk County Legislature.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

**RESOLUTION NO. -2009, APPROVING FERRY
LICENSE FOR RONCALLI FREIGHT COMPANY INC. d/b/a
COASTLINE FREIGHT**

WHEREAS, Roncalli Freight Company Inc. d/b/a Coastline Freight has applied to the Suffolk County Legislature, by a Petition dated and verified September 29, 2009, pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law of the State of New York and Local Law No. 7 of 1982 of Suffolk County for the approval of a freight ferry license and franchise for service between ferry terminals located at Sayville, New York and the Fire Island communities of Fire Island Pines and Cherry Grove; and

WHEREAS, said Petition was accompanied by the Consents in writing specified by Section 110 and the Navigation Law; and

WHEREAS, Roncalli Freight Company Inc. d/b/a Coastline Freight has heretofore filed with the Clerk of the Suffolk County Legislature its undertaking with a surety all pursuant to Article 8 of the Navigation Law; now, therefore be it

1st RESOLVED, that

- 1) The Petition of Roncalli Freight Company Inc. d/b/a Coastline Freight dated and verified September 29, 2009 is approved;
- 2) The undertaking heretofore filed with the Clerk of the Suffolk County Legislature in the sum of \$10,000.00 is hereby approved;
- 3) A ferry license and franchise be and the same hereby is granted to Roncalli Freight Company Inc. d/b/a Coastline Freight of Sayville, New York to operate a public ferry service over and upon the waters of the Great South Bay for service between Sayville, New York on the mainland of Long Island and the Fire Island Communities of Fire Island Pines and Cherry Grove, New York, all within the County of Suffolk commencing on the date of approval hereof up to and including March 15, 2014;
- 4) This ferry license and franchise is granted subject to all existing laws, rules and regulations of all federal, state, county and municipal governments and agencies having jurisdiction thereover;
- 5) The rates to be charged for freight transportation pursuant to his license and franchise shall not exceed the rates authorized for Roncalli Freight Company Inc. d/b/a Coastline Freight by the Suffolk County Legislature pursuant to Article 8 of the Navigation Law, Section 71 of the Transportation Corporations Law, Section 131-g of the Highway Law and Local Law No. 7 of 1982 of Suffolk County; and

- 6) Said rates and schedules shall be posted at each entrance of the ferry pursuant to Section 113 of the Navigation Law of the State of New York and Section 72 of the Transportation Corporations Law.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

Intro. Res. No. 1870-2009

Laid on Table 10/13/2009

Introduced by Presiding Officer pursuant to Rule 3F13 of the Suffolk County Legislature

**RESOLUTION NO. -2009, AUTHORIZING PUBLIC
HEARING FOR APPROVAL OF FERRY LICENSE FOR
RONCALLI FREIGHT COMPANY INC. d/b/a COASTLINE
FREIGHT**

WHEREAS, Roncalli Freight Company Inc. d/b/a Coastline Freight has applied to the Suffolk County Legislature, by a Petition dated and verified September 29, 2009, pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law of the State of New York and Local Law No. 7 of 1982 of Suffolk County for the approval of a freight ferry license and franchise for service between ferry terminals located at Sayville, New York and the Fire Island communities of Fire Island Pines and Cherry Grove, both located in the Town of Brookhaven, New York, all of which lie within the County of Suffolk, at approved rates, to; now, therefore be it

1st RESOLVED, that Consideration of the Petition of Roncalli Freight Company Inc. d/b/a Coastline Freight for the purposes of publication of the notice required by the Suffolk County Legislature, the Public Hearing on this Petition shall be held at the Regular Meeting of the Suffolk County Legislature at 2:30 p.m. on the 1st day of December 2009 Hauppauge, New York; and be it further

2nd RESOLVED, that pending the consideration of this Petition and the Public Hearing, the Petition be and it hereby is referred to the Public Works and Public Transportation Committee for its consideration and recommendation to the Suffolk County Legislature.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

RESOLUTION NO. -2009, APPROVING RATES ESTABLISHED FOR RONCALLI FREIGHT COMPANY INC. d/b/a COASTLINE FREIGHT

WHEREAS, Roncalli Freight Company Inc. d/b/a Coastline Freight has applied to the Suffolk County Legislature, by a Petition dated and verified September 29, 2009, pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law of the State of New York and Local Law No. 7 of 1982 of Suffolk County for the establishment of freight rates; and

WHEREAS, the office of Legislative Budget Review has submitted its recommendations on said application to this Legislature; and

WHEREAS, the Public Works and Public Transportation Committee of this Legislature has reported its recommendations on the application to the Legislature as a whole; now, therefore be it

1st RESOLVED, that the Petition of Roncalli Freight Company Inc. d/b/a Coastline Freight dated and verified as of September 29, 2009 is approved; and

2nd RESOLVED, that the Freight Tariff Rates are approved as follows:

AMUSEMENTS

Item	Proposed Rate
Bowling game	\$30.00*
Cigarette machine	\$40.00*
Football game	\$30.00*
Juke box	\$40.00*
Pinball machine	\$30.00*
Video game	\$30.00*
Pool table	\$50.00*
Piano	\$50.00*

APPLIANCES

Item	Proposed Rate
Dishwasher	\$22.00
Dishwasher-front panel	\$6.00
Dryer	\$22.00
Freezer-residential	\$44.00
Freezer-commercial	\$55.00*
Hot tub	\$55.00*
Microwave oven	\$9.00*
Range	\$22.00*
Range top	\$12.00
Refrigerator	\$33.00*
Refrigerator-commercial	\$55.00*
Soda machine	\$55.00

APPLIANCES (continued)

Item	<u>Proposed Rate</u>
Stove: coal, Franklin, etc.	\$33.00*
Trash compactor	\$15.00
Walk-in box	\$83.00*
Washer	\$22.00*
Water heater	\$22.00

BULK SHIPMENTS: LIQUIDS, GAS, ETC. (Prices include empties return)

Item	<u>Proposed Rate</u>
55-gal drum of gas, oil, kero, sand, grease, etc.	\$22.00
Acid drum (5 gal)	\$4.00
Chlorine-5 gal	\$4.00
15 gal	\$8.00
CO2 large	\$8.00
Stubbies	\$5.00
Gasoline tank, 5 gal & up	\$4.00
Propane 100#	\$7.00
BarBQ	\$5.00

FURNITURE

Item	<u>Proposed Rate</u>
Beds & Bedding	
Bed end-head board	\$6.00
Bed frame	\$3.00
Bed, folding	\$11.00
Mattress or box spring	
Single	\$6.00
Double	\$12.00
Queen	\$17.00
King	\$22.00
Chair, folding-each way	\$2.00
Chair	\$3.00*
Chair-recliner	\$17.00
Chaise, (aluminum, wood)	\$8.00
Chaise, folding	\$9.00
Cabinets, kitchen, per foot:	
Lower units	\$5.00
Upper units	\$4.00
Carpet or padding - roll	
Small	\$11.00
Large	\$17.00*
Dresser-small	\$11.00*
Dresser-large	\$16.00 - 22.00
Hutch	\$14.00 - 22.00
Lamp, floor style	\$5.00
Lamp, table style	\$3.00
Love seat	\$17.00
Recliner	\$11.00

FURNITURE (continued)

Item	Proposed Rate
Rocker	\$6.00*
Sofa	\$22.00
Sofa, convertible	\$33.00
Stereo component, per piece	\$6.00
Table, dining	\$22.00*
Table, end	\$5.00
Table, picnic	\$20.00*
TV Antennae	\$4.00
TV set, cabinet	\$27.00
TV set, portable	\$14.00

GARDEN SUPPLIES & TOOLS

Item	Proposed Rate
Bagged plants-large	\$2.25*
Bush-3 ft	\$3.25*
Chain saw	\$3.25
Cut flowers-box	\$2.25
Cut flowers-bndl	\$3.25
Fertilizer/Top Soil	
25# bag	\$1.25
40-50# bag	\$1.75
75-80# bag	\$2.25
100# bag	\$2.75
Flats-plants or flowers	\$1.75
Hanging plant	\$2.25
Hay, bale	\$2.25
Mower	\$5.50
Peat moss	
2 c.f. bale	\$1.25
4 c.f. bale	\$2.75
6 c.f. bale	\$4.50
Pine bark (chips)-bag	\$1.75
Plant, single sm container	\$2.25
Pots, empty (clay/plastic)	
Small-each	\$1.25
10" or larger-each	\$3.25
Roto-tiller	\$5.50
Stone Material-Pallet	\$44.00
Table saw	\$11.00*
Tree-first 1'	\$3.25
Each add! foot	\$3.25
Whiskey barrel	\$6.00
Woodchipper	\$28.00

GROCERIES, FOOD & RESTAURANT SUPPLIES

Item	Proposed Rate
Bag empty cans/bottles	\$1.75
Beer, case of cans	\$1.25
Beer, case of bottles	\$1.50
Beer, 1/4 keg w/return	\$3.25
Beer, 1/2 keg w/return	\$6.00
Bread, box or bag	\$1.25
Bread tray	\$1.75
Cake	\$2.25
Cigarettes-box	\$2.25
Cookies, carton	\$2.25
Dairy	\$1.75
Eggs, case	\$2.75
Fish, crate or box	\$3.75
Frozen, per piece	\$1.10
Groceries	\$0.90
Groceries, per carton, bulk	\$1.25
Per bag	\$1.00
Ice-master bag	\$2.75
Ice cream, large carton	\$5.50
Ice cream, small	\$3.25*
Juice/water-case	\$1.75
Liquor, case	\$3.25
Meat, large box	\$4.50
Meat, small carton	\$2.00
Milk, case w/return	\$1.75
Newspapers, magazines, per bundle	\$1.25
Pickle barrel w/return	\$5.50
Produce	\$1.25
Shell fish, bag	\$2.75
Soda, case of cans	\$1.25
Soda, case of bottles	\$1.50
Soda syrup, 4-gal carton	\$2.75
Soda, syrup, cyl w/return	\$4.50
Supplies, general	\$2.25
Vegetables & produce-carton/crate	\$1.25
Water - 5 gal bottle	\$3.50

ITEMS WHICH REQUIRE REFRIGERATION WILL BE CHARGED \$0.75 PIECE

LUMBER & BUILDING SUPPLIES

<u>Item</u>	<u>Proposed Rate</u>
Bricks, 1-100 per piece	\$0.35
Bricks, 100-999 per piece	\$0.15
Bricks, 1000 +	\$0.10
Cement, bag	\$3.25
Cement block, 8" std/4"solid	\$1.25
Cement block, 12' std	\$1.25
Cement covers, 5' x 12'	\$13.75
Cement mixer	\$33.00
Cement tub	\$6.00
DOORS:	
Std - Hollow	\$6.00
Std - Solid	\$7.00
Jalousie, w/glass	\$11.00*
Pre-hung, solid	\$11.00
Shower doors	\$17.00
Sliding glass set	\$44.00
Flue pipe, 8" x 8", piece	\$1.25
Flue pipe, 12' piece	\$3.25
Formica , 4' x 8' or roll	\$3.25
Glass, min per piece	\$5.00*
Homosote, 4' x 8' sheet	\$1.50
Insulation, bundle	\$2.75
Insulation, single roll	\$2.00
Ladder, step, per ft	\$0.35*
Ladder, 20' extension	\$6.00
Ladder, 40' extension	\$11.00
Leader or gutter-per ft	\$0.55
Lumber, per bd ft	\$0.10
Lumber - minimum order	\$2.00
Masonite, 4' x 8' panel	\$2.00
Molding-per ft	\$0.20
Nails, 50# box	\$2.25
Paint, case	\$3.00
Paint, gallon can	\$1.50
Paint, 5 gal pail	\$3.00
Plywood, 4'x 8' x 1/2"	\$2.00
Plywood, 4'x 10'x 1/2"	\$2.00
Poles, CCA:	
6" x 8'	\$4.50
6" x 20'	\$11.00
6" x 25'	\$13.25
8" x 20'	\$11.00
8" x 25'	\$13.25
10" x 20'	\$15.50
Over 20' add per	\$1.50

LUMBER & BUILDING SUPPLIES (continued)

Item	<u>Proposed Rate</u>
Roofing, roll or split sheet/felt	\$3.00
Scaffold w/return perfect	\$11.00*
Screens-sq ft	\$0.60
Sheetrock, 4'x8'x 1/2"sheet	\$2.00
Sheetrock,4'x10'x 1/2"sheet	\$3.00
Shingles, all types, bundle	\$2.00
Skylight	\$6.00*
Snow fence, 50'roll	\$6.00
Snow fence posts	\$4.00
Stockade fence, 6'x8' sect.	\$6.00
Stockade fence post-each	\$1.00
Styrofoam, 2'x 8' sheet	\$1.25
Tile, ceiling, box	\$3.00
Tile, floor, box	\$4.00
Tile, ceramic, box	\$4.00
WINDOWS:	
Single unit	\$6.00
Mullion-per unit	\$7.00
Triple or picture	\$33.00
Bay or bow	\$44.00
Wonderboard, 2'x4'pc.	\$4.00

PLUMBING SUPPLIES

Item	<u>Proposed Rate</u>
Basin	\$5.50
Boiler	\$33.00*
Cast iron fittings	\$1.50*
Fire hydrant	\$22.00
PIPE:	
C.I. 6' length	\$3.25
C.I. 8' length	\$3.25
C.I. 10' length	\$3.25
Copper, 10' length	\$2.25
PVC or vinyl, 10'	\$2.25
PVC or vinyl, 20'	\$2.25
PVC, 4"-6", 20'	\$2.25
Steel"B.I./galv perft	\$0.15
Vinyl, coil	\$2.75
Shower unit, fiberglass	\$28.00
Spa w/accessories	\$55.00*
Toilet bowl	\$6.00
Toilet tank	\$5.00
Tub, fiberglass	\$28.00*
Tub, steel	\$28.00*
Tub, complete unit	\$28.00*
Water heater, 5-10 gal	\$22.00

UPS/FEDERAL EXPRESS

<u>Item</u>	<u>Proposed Rate</u>
UPS/FedEx Minimum	\$2.2
Envelope	5
Up to 30 lbs	\$2.2
31-45 lbs	5
46-80 lbs	\$3.0
Over 80	0

THERE WILL BE AN ADDITIONAL CHARGE FOR C.O.D. PACKAGES.
IF PAID BY CHECK \$3.00, BY CASH \$4.00

VEHICLES IN OPERATING CONDITION

<u>Item</u>	<u>Proposed Rate</u>
Delivery cart-each way	\$33.00
Cushman-type scooter	\$33.00
Golf cart	\$33.00*
Payloader, sm bobcat	\$33.00*
NOT IN OPERATING CONDITION ADD TO PRICE	\$16.50

MISCELLANEOUS

<u>Item</u>	<u>Proposed Rate</u>
Air conditioner	\$17.00*
Barbecue	\$17.00*
Battery, std size	\$4.00
Bicycle	\$6.00*
Boats, per ft	\$3.00*
Cash register	\$6.00
Coal, per 100 lbs	\$3.00
Computer-per piece	\$5.50*
Copy machine	\$11.00*
Dry cleaning	\$2.75
Fire extinguisher-sm/lq.	\$2.25
Garbage can, empty-1 can	\$2.25
Additional	\$1.25
Laundry, bag or bundle w/return	\$3.50
Motor, outboard	\$17.00*
Surfboard	\$6.00
Tar kettle w/return	\$33.00
Wagon	\$3.00
Windsurfer	\$17.00
Firewood, cord	\$110.00

LIMITATION OF LIABILITY

Liability on the part of Roncalli Freight Company Inc. d/b/a Coastline Freight shall be limited to \$50.00 maximum per shipment of items shipped aboard regularly scheduled freight ferries.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1872

UPDATED AS OF 9/30/2009

Intro. Res No. -2009
Introduced by Legislator Beedenbender

Laid on Table 10/13/2009

**RESOLUTION NO. -2009 DIRECTING THE
CRIMINAL JUSTICE COORDINATING COUNCIL TO
PREPARE A REPORT ON THE COMMUNITY SERVICE
PROGRAM AND TO MAKE RECOMMENDATIONS TO
INCREASE ITS EFFECTIVENESS**

WHEREAS, Stephen M. Harrington died in an automobile accident in October, 2006 in Suffolk County; and

WHEREAS, at the time of the accident, the driver who struck Mr. Harrington's automobile had 19 license suspensions and had accumulated 50 points against his license in the six months immediately preceding the accident; and

WHEREAS, Suffolk County District Court gave the driver in this case a conditional discharge contingent upon completing 140 hours of community service; and

WHEREAS, despite an explicit warning from the court, the driver did not complete any of the required community service; and

WHEREAS, the driver's period of conditional discharge has now expired; and

WHEREAS, the driver cannot be forced to complete the community service requirement because his failure to complete the service portion of his sentence was not identified during his period of conditional discharge; and

WHEREAS, it has been difficult for the Legislature to ascertain the errors in oversight that prevented the proper execution of the driver's sentence; and

WHEREAS, it is unclear whether this travesty of justice is an isolated incident or representative of a systemic problem within the community service program; and

WHEREAS, it is essential that the public has confidence in the criminal justice system and can be assured that criminals complete their sentences; now, therefore be it

1st RESOLVED, that the Criminal Justice Coordinating Council (CJCC) is hereby directed to conduct a review of the above matter and the current policies within the community service program which shall include, but not be limited to, the following information:

- 1) A full accounting of the above described event from the date of the accident to present;
- 2) An outline of how the criminal justice system is designed to handle cases of this nature, including all communications and referrals required for the

efficient operation of this system, as well as any procedures specific to the County of Suffolk;

- 3) A documented outline of how this specific case was handled, including those instances where the applicable procedures failed;
- 4) An evaluation of whether those procedures are in accordance with the New York State Alternative to Incarceration Service Plan;
- 5) An analysis of the frequency of similar incidents occurring in Suffolk County;
- 6) A detailed plan and recommendations to ensure that similar incidents do not occur in the future;
- 7) A list of the resources necessary to effectuate such recommendations; and
- 8) Any other pertinent facts or information regarding this inquiry;

and be it further

2nd **RESOLVED**, that the CJCC shall include with the report a copy of the Suffolk County Alternative to Incarceration Service Plan; and be it further

3rd **RESOLVED**, that the CJCC shall complete and present a written report on its findings and recommendations to the County Executive and each member of the County Legislature no later than sixty (60) 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-CJCC report

1873

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

Laid on Table 10/13/09

**RESOLUTION NO. -2009,
ESTABLISHING A LOCAL HOME ENERGY
EFFICIENCY TASK FORCE**

WHEREAS, Suffolk County is seeking to reduce its carbon footprint by improving the energy efficiency of its buildings, facilities and fleet; and

WHEREAS, Suffolk County government should also encourage County residents to examine their own energy use and improve efficiencies in their daily lives; and

WHEREAS, homeowners in Suffolk County can reduce their carbon footprint and save on their energy costs by conducting a home energy audit and making suggested improvements; and

WHEREAS, the Town of Babylon's Long Island Green Homes Program helps residents improve their home's energy efficiency with little to no out-of-pocket cost; and

WHEREAS, the State and federal governments have made funding available to counties and towns to help homeowners improve the energy efficiency of their homes; and

WHEREAS, Suffolk County is seeking to obtain available funding and establish more energy efficiency programs to assist County residents in reducing their environmental impact while saving money; and

WHEREAS, the Suffolk County Legislature is planning a meeting with the ten (10) Town Supervisors and their staffs to discuss the creation of additional programs that will encourage local homeowners to improve their energy efficiency; and

WHEREAS, at this meeting, information will be shared about Babylon's Long Island Green Homes Program, the Suffolk County Community College's Green Homes Green Jobs Program, and funding sources available through the U.S. Environmental Protection Agency and the State of New York; and

WHEREAS, a task force should be established to allow the County and towns to further examine the information presented at the County-wide energy efficiency meeting and continue a dialogue, with the goal of establishing programs by which local homeowners can improve their home's energy efficiency at a reduced cost; now, therefore be it

1st **RESOLVED**, that a special Suffolk County Local Home Energy Efficiency Task Force (“Task Force”) is hereby created to study and analyze the feasibility of the towns in Suffolk County participating in programs to improve the energy efficiency of homes in their towns; to share information on current programs established by the various towns that seek to improve home energy efficiency; and to further research funding available at the State and federal levels for such programs; and be it further

2nd **RESOLVED**, that this Task Force shall consist of the following sixteen (16) members:

- 1.) a representative from each of the ten towns in Suffolk County, to be selected by the Town Supervisor of each respective town;
- 2.) a representative from the County Executive's office, to be selected by the County Executive;
- 3.) a representative from the County Legislature, to be selected by the Presiding Officer;
- 4.) an energy expert, to be selected by the Suffolk County Legislature;
- 5.) the Commissioner of the Department of Public Works, or his or her designee; and
- 6.) two representatives of the labor industry, to be selected by the Suffolk County Legislature;

and be it further

3rd **RESOLVED**, that the chairperson of the Task Force shall be selected by a majority of the membership of said Task Force; and be it further

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

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

6th **RESOLVED**, that the Task Force shall hold regular meetings, keep a record of all its proceedings, and determine the rules of its own proceedings with special meetings to be called by the chairperson upon his or her own initiative or upon receipt of a written request therefor signed by at least three (3) members of the Task Force. Written notice of the time and place of such special meetings shall be given by the secretary to each member at least four (4) days before the date fixed by the notice for such special meeting; and be it further

7th **RESOLVED**, that nine (9) members of the Task Force shall constitute a quorum to transact the business of the Task Force at both regular and special meetings; and be it further

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

9th **RESOLVED**, that clerical services involving the month-to-month operation of this Task Force, as well as supplies and postage as necessary, will be provided by the staff of the County Department of Public Works; and be it further

10th **RESOLVED**, that the Task Force may conduct such informal hearings and meetings at any place or places within the County of Suffolk for the purpose of obtaining necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary; and be it further

11th **RESOLVED**, that the Task Force may delegate to any member of the Task Force the power and authority to conduct such hearings and meetings; and be it further

12th **RESOLVED**, that the Task Force shall cooperate with the Legislative Committees of the County Legislature and make available to each Committee's use, upon request, any records and other data it may accumulate or obtain; and be it further

13th **RESOLVED**, that the Task Force is hereby authorized, empowered, and directed to hold at least four (4) public hearings throughout the County of Suffolk, holding two (2) hearings in the East End Towns and two (2) hearings in the West End Towns, to assemble the data and information necessary to complete the valuation, study, and report required with all reasonable efforts to be made to ascertain the views, wishes, and opinions of the residents of Suffolk County; and be it further

14th **RESOLVED**, that said Task Force shall issue a written report, after a comprehensive study and analysis of the feasibility of the towns' participation in programs to increase energy efficiency in Suffolk County homes, proposed energy efficiency programs that may be established, and identify sources of funding for such programs; and be it further

15th **RESOLVED**, that this special Task Force shall submit a written report of its findings and determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive no later than one hundred eighty (180) days subsequent to the effective date of this Resolution for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

16th **RESOLVED**, that the Task Force shall expire, and the terms of office of its members terminate, as of December 31st, 2010, at which time the Task Force shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

17th **RESOLVED**, that this study shall not be performed by any outside consultant or consulting firm unless explicit approval and authorization for such consultant or consulting firm is granted pursuant to a duly enacted resolution of the County Legislature; and be it further

18th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-energy consortium

Intro. Res. No. 1874 -2009
Introduced by Legislator Gregory

Laid on Table 10/13/09

**RESOLUTION NO. -2009, ADOPTING LOCAL LAW
NO. -2009, A CHARTER LAW MODIFYING THE
PROCESS FOR LEGISLATIVE BUDGET AMENDMENTS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2009 a proposed local law entitled, "**A CHARTER LAW MODIFYING THE PROCESS FOR LEGISLATIVE BUDGET AMENDMENTS**"; 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 MODIFYING THE PROCESS FOR LEGISLATIVE
BUDGET AMENDMENTS**

**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, pursuant to Section C4-31 of the SUFFOLK COUNTY CHARTER, resolutions amending the budget may be introduced by members of the Legislature four times a year.

This Legislature also finds and determines that, currently, legislative budget amendments may only be laid on the table at the Legislature's first regular meetings in February, May, September and December.

This Legislature further finds that, in practice, budget amendments adopted late in a fiscal year are often not carried out, as there is simply not enough time to complete necessary paperwork and other technical requirements.

This Legislature determines that it would be prudent to move up the months in which budget amendments may be introduced to provide sufficient time to effectuate new budget priorities.

Therefore, the purpose of this law is to amend the SUFFOLK COUNTY CHARTER to change the meeting dates at which budget amending resolutions may be laid on the table.

Section 2. Amendment.

Section C4-31 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

ARTICLE IV, County Budget and Capital Program

§C4-31. Modification to budget after adoption.

G. During a fiscal year and after adoption of the annual expense budget, any budget modification to the annual expense budget may be effectuated by the adoption of an appropriate resolution introduced by any Legislator in accordance with § C2-11 of this Charter and this subsection and approved by at least a majority of the entire membership of the County Legislature, even though the head of the pertinent county department has not submitted a request for such budget modification, as long as the purpose of such budgetary modification is to reduce, lower, terminate or cancel appropriations; to abolish positions of employment; to terminate contract agencies; to terminate or reduce the size of county programs or departments; or to make transfers of appropriations that are offset by reductions in other appropriations. Resolutions incorporating such budget modifications introduced by any Legislator may only be laid on the table at the first regular legislative meeting in February, ~~[May]~~ April, ~~[September]~~ June or ~~[December]~~ September of any fiscal year. Any resolutions introduced by any Legislator in accordance with these provisions may then be acted upon by the full County Legislature whenever eligible for consideration pursuant to the Rules of the County Legislature and subject to the laws of Suffolk County.

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 on January 1, 2010.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\cl-change months for budget amendments

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



1874

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

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

DATE: October 1, 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 MODIFYING THE PROCESS FOR LEGISLATIVE BUDGET AMENDMENTS

SPONSOR: LEGISLATOR GREGORY

DATE OF RECEIPT BY COUNSEL: 10/1/09 PUBLIC HEARING: 11/17/09

DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED:

This proposed charter law would amend Section C4-31 of the SUFFOLK COUNTY CHARTER to change the meetings at which legislative budget amendments may be laid on the table.

The current law allows budget amendments to be introduced at the first regular meeting in the months of February, May, September and December. This law will require that budget amendments be laid on the table at the first regular meeting in the months of February, April, June and September.

This law will take effect on January 1, 2010.

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-modify months budget amendments

Intro. Res. No. 1815-09

Laid on Table 10/13/09

Introduced by Presiding Officer Lindsay on request of the County Executive

**RESOLUTION NO. - 2009, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION
NO. 526-2009**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 526-2009; and

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

WHEREAS, the County Executive and the Presiding Officer desire to make the following technical correction to this resolution; now, therefore, be it

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

Resolution No. 526-2009

Suffolk County Tax Map Number should read as follows:
District 0100, Section 039.000, Block 03.00 and Lot 117.002 f/k/a p/o
117.001 f/k/a 116.000

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Intro. Res. No. 1876-09
Introduced by the Presiding Officer on Request of County Executive Steve Levy

Laid on Table

10/13/09

**RESOLUTION NO. -2009, APPROVING
THE RE-APPOINTMENT OF MARSHAL
SCHWARTZ 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 re-appointed Marshal Schwartz, residing in Rocky Point, New York 11778, as a member of the Suffolk County Citizens Corp Council; now, therefore, be it

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

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

Dated:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

MARSHAL SCHWARTZ

Rocky Point, NY 11773

1876

HIGHLIGHTS OF QUALIFICATIONS:

- Outstanding organizational skills, with a talent for "seeing the big picture."
- Strength in management of special projects and creative program design.
- Skills in research, analysis and administrative problem solving.
- Competent, reliable, and committed professional, with a proven record of success in assuming increasing levels of responsibility.

EXPERIENCE:

1996 - Oct. 2007 **ARROW ELECTRONICS INC.**, Melville, New York 11747

This \$15 billion dollar a year global corporation provides products, both electronic components and computer products, and value-added services to customers in many regions around the world. My primary focus was to support the 4 domestic and 3 international warehouses with transportation and distribution functionality requirements.

Solutions Architect (June 2006 - October 2007)

- Developed and implemented IT standards to be used throughout the entire IT organization
- Worked on developing repeatable solutions to unique problems
- Researched data integration technologies and methodologies.
- Worked on the Oracle ERP (Enterprise Resource Planning) Conversion effort.
 - This entailed coordinating between the WMS (Warehouse Management System) and conversion teams to guarantee both teams were working towards the same end goal.
 - Developed PL/SQL scripts to extract data for the conversion and field mapping efforts.
 - Received training on both the Technical and Functional aspects of the ERP system.
 - Gained Experience on Part. Customer and Accounting Functionality
- Converted Microsoft Access databases to Oracle using PL/SQL
 - Created tables, triggers, views and stored procedures
- Analyzed Oracle APEX (Application Express) software and set up and maintained an Oracle database to test new applications using APEX

Senior Programmer/Analyst

Programmer/Analyst

- Supported all transportation related projects.
- Developed systems and processes to increase the productivity of domestic and international warehouses.
- Provided on-site support to the warehouses during the implementation of new systems.
- Supervised projects that were being developed by in house and off-site personnel.
- Participated on task forces to develop processes, procedures and software and language recommendations to increase the productivity of the Application Development and Database Administration teams.
- Assisted and troubleshoot all situations involving end users, giving support and training where needed.

Major Accomplishments:

- Designed and developed software to automate the calculation of freight charges, the generation of tracking numbers and the creation of shipping labels for Airborne (DHL, UPS and Federal Express as well as for numerous LTL (Less Than Truckload) carriers. This was done using Oracle and PL/SQL.
- Created a work order system used for the assembly of kits and finished goods.
- Developed a system to track the movement of inventory between the warehouse and programming centers.
- Participated on the development team responsible for migrating the warehousing system from a DEC Alpha system using Fortran and C to a UNIX based system using Oracle Forms, PL/SQL, C, Pro C and UNIX shell scripts.

1991 - 1996 **TURA LP**, Lake Success, New York, 11042

This was a large distributor of eyewear frames.

Project Leader

Programmer/Analyst

- Supervised and provided direction to a five person programming staff in the development of new software and enhancements to and maintenance of current system software on a 5-node VAX/VMS network.
- Provided guidance and support on special projects given to third party consultants.
- Analyzed system additions/upgrades providing recommendations to upper management.

- Development and verification of project time charts to improve the use of department resources.
- Assisted and troubleshoot all situations involving end users, giving support and training where needed.
- Furnished support for the computer operations department which was responsible for system and PC hardware maintenance, computer operations and telecommunications.

1876

Major Accomplishments:

- Designed and formulated a Warehousing and Barcoding System that increased personnel performance as well as furnished the tools for reporting at various levels, i.e. usage, demand and forecasting.
- Conversion of Purchase Order and Receiving systems from a PDP - 11/73 to a VAX system.
- Developing specifications and implementation of a Rep Sample Bag Inventory Management System.
- Integrated and expanded existing Purchase Order and Receiving systems.
- Developed an Automatic Number Identification system for the Order Entry program.
- Established an Automatic Network Mass Faxing utility.
- Redesigned the adjustments system improving the ability of Credit and Collections to assist customers.
- Initiated a UPC system for current and new product.
- Developed of a returns system integrated with an order processing system.
- Designed a Computerized Physical Inventory System from a manual system.

1986 - 1991 HERMANS SPORTING GOODS, INC., Lake Grove, New York

Department Manager

- Management of sales staff in \$1.3 million golf, tennis and ski departments.
- Processed new employees through all phases of operations.
- Analyzed new products, sales promotions and product line changes.
- Supervision of customer relations, inventory control and cash take-in procedures.

Major Accomplishments:

- Recommended inventory control system and register operation changes utilizing computer background.
- Increase in Christmas golf sales 75% and an annual sales growth of 15%. Transferred to Roosevelt Field store to improve declining sales. Full year sales decline of 7% was reversed during this 4 month special assignment.
- Coordinated the transfer of merchandise between stores to decrease overstock and shortage conditions.
- Received numerous customer service awards.

SPECIAL SKILLS:

HARDWARE: IBM-PC and compatibles, DEC VAX & Alpha/VMS, IBM AIX (UNIX based)

SOFTWARE: PL/SQL, SQL, Oracle Forms, Oracle Reports, C, Pro C, UNIX Shell Scripts, Fortran, BASIC, PLI, PASCAL

OTHER SKILLS: TOAD (Tool for Oracle Application Developers) for the design of database layouts and for developing PL/SQL code

EDUCATION:

SUFFOLK COMMUNITY COLLEGE, Selden, New York
A.A.S. in Computer Science, May 1984

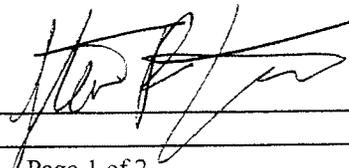
New York Institute of Technology, Old Westbury, New York
Presidential Honors List: Spring 1996, Fall 1996, Spring 1997

COMMUNITY ACTIVITIES:

- Rocky Point Civic Association – Elected as a Trustee – Feb 2009
- Suffolk County CERT (Community Emergency Response Team) – President – 2005 – 2007
- Appointed to the Suffolk County Citizen Corp Council – At-Large member – 2006 – Present
- Completed CERT Training Program, IS-100 – Introduction to the ICS (Incident Command System), IS-700 – NIMS (National Incident Management System), IS-120 – Orientation to Community Disaster Exercises, IS-139 – Exercise Design, IS-300 NRP (National Response Plan), HSEEP (Homeland Security Exercise and Evaluation Program) Effective Communications and Basic Public Information Officer (PIO) training classes
- Served on LITP 2000 (Long Island Transportation Plan to Manage Congestion) Cargo Movements subcommittee – 1998
- Elected to the LITP 2000 TAC (Technical Advisory Committee) – 1998 – Present
- Habitat for Humanity
- Volunteered for LIVE (Long Island Volunteer Effort)

1876

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
APPROVING THE RE-APPOINTMENT OF MARSHAL SCHWARTZ TO THE SUFFOLK COUNTY CITIZENS CORP COUNCIL		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes No <u>XX</u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
THE CITIZENS CORP COUNCIL IS A NON-PAYING BOARD		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
THERE IS NO FISCAL IMPACT; THE SUFFOLK COUNTY CITIZENS CORP COUNCIL IS NOT A PAYING BOARD.		
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		9/21/2009

Intro. Res. # 1877-09

Laid on Table 10/13/0

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 #814-2009)

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#814-2009

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

Key	Town	Year	Item No	S.C. Tax Map No	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
A	BROOKHAVEN	08/09		0200-489.00-04.00-029.001	90854.10	71717.19	19136.91
A	BROOKHAVEN	08/09		0200-507.00-04.00-012.000	6656.38	101.75	6554.63
C	BROOKHAVEN	08/09		0206-017.00-07.00-002.000	73980.13	30833.63	43146.50
C	BROOKHAVEN	08/09		0200-975.70-01.00-005.000	172571.66	92201.36	80370.30
C	BROOKHAVEN	07/08		0200-985.80-07.00-044.002	7038.86	1200.93	5837.93
C	BROOKHAVEN	08/09		0200-985.80-07.00-044.002	7091.80	1209.98	5881.82
A	BROOKHAVEN	08/09		0200-982.31-01.00-049.000	5568.68	2912.54	2656.14
A	EAST HAMPTON	08/09		0300-059.00-02.00-005.002	7288.46	2958.22	4330.24
C	SMITHTOWN	08/09		0800-046.00-02.00-016.001	17739.50	10564.86	7174.64
A	SMITHTOWN	08/09		0800-149.00-02.00-015.000	11562.27	6815.43	4746.84
C	SOUTHAMPTON	08/09		0900-005.00-03.00-035.001	10971.76	6844.32	4127.44
C	SOUTHAMPTON	07/08		0900-005.00-03.00-035.001	11030.10	6880.70	4149.40
A	SOUTHAMPTON	08/09		0900-384.00-03.00-053.000	14076.58	11261.25	2815.33

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

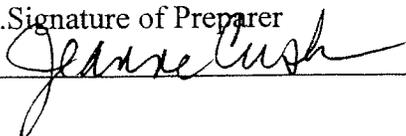
APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1877

1. Type of Legislation					
Resolution	<input checked="" type="checkbox"/>	Local Law	<input type="checkbox"/>	Charter Law	<input type="checkbox"/>
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 <input checked="" type="checkbox"/>					
5. If the answer to item 4 is "yes," on what will it impact? (Circle appropriate category)					
County	<input type="checkbox"/>	Town	<input type="checkbox"/>	Economic Impact	<input type="checkbox"/>
Village	<input type="checkbox"/>	School District	<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/>
Library District	<input type="checkbox"/>	Fire District	<input type="checkbox"/>		<input type="checkbox"/>
6. If the answer to item 5 is "yes," Provide Detailed Explanation of Impact					
N/A					
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.					
N/A					
8. Proposed Source of Funding					
N/A					
9. Timing of Impact					
2009					
10. Typed Name & Title of Preparer		11. Signature of Preparer		12. 8/31/09	
Jeanne Cush, Appraisal Tech II					

**Additional back-up material regarding IR 1877 is on file in the
Legislative Clerk's Office, Hauppauge.**

Intro Res. No. 1878-09

Laid on Table 10/13/09

Introduced by Presiding Officer on the Request of the County Executive

RESOLUTION NO. TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #324

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
ISLIP:				
0500-121.00-02.00-083.000	2007/08	\$4,742.33	0.00	\$4,742.33
0500-120.00-03.00-099.002	2007/08	\$27,817.69	0.00	\$27,817.69

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1878

1. Type of Legislation

ResolutionXXX

Local Law

Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

4. Will the Proposed Legislation Have a Fiscal Impact?

YES XXX

NO

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

County

Town

Economic Impact

Village

School District

Other (Specify):

Library District

Fire District

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

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

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

Unknown

8. Proposed Source of Funding

To be refunded from the County General Fund

9. Timing of Impact

Variable

10. Typed Name & Title of Preparer

11. Signature of Preparer

12. Date

Angie M. Carpenter
County Treasurer

**Additional back-up material regarding IR 1878 is on file in the
Legislative Clerk's Office, Hauppauge.**

Introductory Resolution No. 1879-09

Laid on Table 10/13/09

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO.
SALE OF COUNTY-OWNED REAL ESTATE
PURSUANT TO SECTION 72-h OF THE
GENERAL MUNICIPAL LAW
(NORTHPORT-EAST NORTHPORT UNION FREE SCHOOL DISTRICT)
(SCTM 0400-115.00-02.00-095.000)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400 Section 115.00, Block 02.00 Lot 095.000 and acquired by Tax Deed on March 12, 1981 from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and recorded on March 13, 1981 in Liber 8973 at Page 62 and described as follows, Town of Huntington, known and designated as 10 Foot Right of Way on a certain map entitled "Map of Bellrose Manor, Section 3", and filed in the Office of the Clerk of the County of Suffolk on September 23, 1963 as Map No. 3868; and

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

WHEREAS, the Northport-East Northport Union Free School District has requested that the County of Suffolk convey this parcel to it (see annexed resolution-Exhibit "A"); and

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

1st RESOLVED, that Pamela J. Greene, Director of the Division of Real Property Acquisition and Management, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said Northport-East Northport Union Free School District for the sum of One Dollar and be it further,

2nd RESOLVED, that the Northport-East Northport Union Free School District will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for Pedestrian Access Walkway purposes; with all right title and interest reverting to the County of Suffolk in the event that the Northport-East Northport Union Free School District, at any time, uses or attempts to use said subject parcel for other than Pedestrian Access Walkway purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for Pedestrian Access Walkway purposes; and be it further

3rd RESOLVED, that said quitclaim deed tendered by Pamela J. Greene, Director of the Division of Real Property Acquisition and Management, pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of

reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the property is not used for the above-described public governmental purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

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

DATED: _____

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Northport-East Northport Union Free School District

EXTRACT OF MINUTES OF AUGUST 31, 2009
REGULAR MEETING OF THE BOARD OF EDUCATION

Members present: Mrs. Liz Dragone, Mr. Joe Gannon, Mr. Rob Ingraham, Mr. Tim Madden, Mrs. Donna McNaughton, Mrs. Arlene S. Munson, Dr. Kay Hutchins Sato, Mr. Stephen V. Waldenburg, Jr., Mrs. Karen Wills

Members absent: None

Motion was made by Trustee Gannon, seconded by Trustee Dragone, to approve item 9.6.

9.6 Approving the following resolution:

“WHEREAS, by letter dated April 29, 2009, addressed to the Superintendent by R.J. Baht, Land Management Specialist of the Auction/Sales Unit of The Division of Real Property, Acquisition and Management of the Department of Environment and Energy of the County of Suffolk, the District was advised that the County is offering Suffolk County tax map parcel 0400-115-2-95 to the School District; and

WHEREAS, the aforesaid parcel constitutes an access walkway from Dublin Court to the Pulaski Road Elementary School; and

WHEREAS, some years ago the County offered to sell the aforesaid parcel to the School District but now appears willing to convey same to the District without consideration provided that the District will use same for municipal purposes, now therefore be it

RESOLVED, that the Board of Education of the Northport-East Northport Union Free School District, hereby memorializes its willingness to accept the conveyance of the aforesaid parcel from the County of Suffolk to the School District for municipal purposes, to wit, to provide a pedestrian access walkway from Dublin Court to the site of the Pulaski Road Elementary School and provided that the aforesaid conveyance is effected without consideration”

Vote on Trustee Gannon’s motion to approve item 9.6 was unanimously carried.

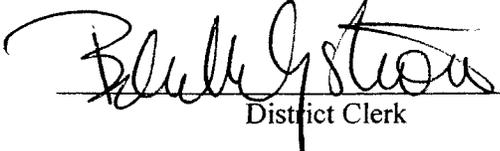
1879

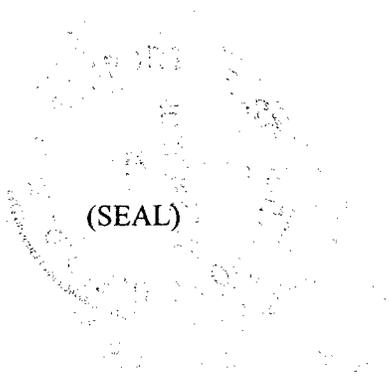
BOARD OF EDUCATION
Northport-East Northport Union Free School District

CERTIFICATE

I, Beth M. Nystrom, District Clerk of the Northport-East Northport Union Free School District, Suffolk County, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Board of Education of said School District, duly called and held on August 31, 2009 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Board of Education is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said School District this 4th day of September, 2009.


District Clerk



1879

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

S U M M A R Y S T A T E M E N T

SALES TO GOVERNMENTAL ENTITIES
 Northport-East Northport Union Free School District

Tax Map No.: 0400-115.00-02.00-095.000

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$ 1,073.45

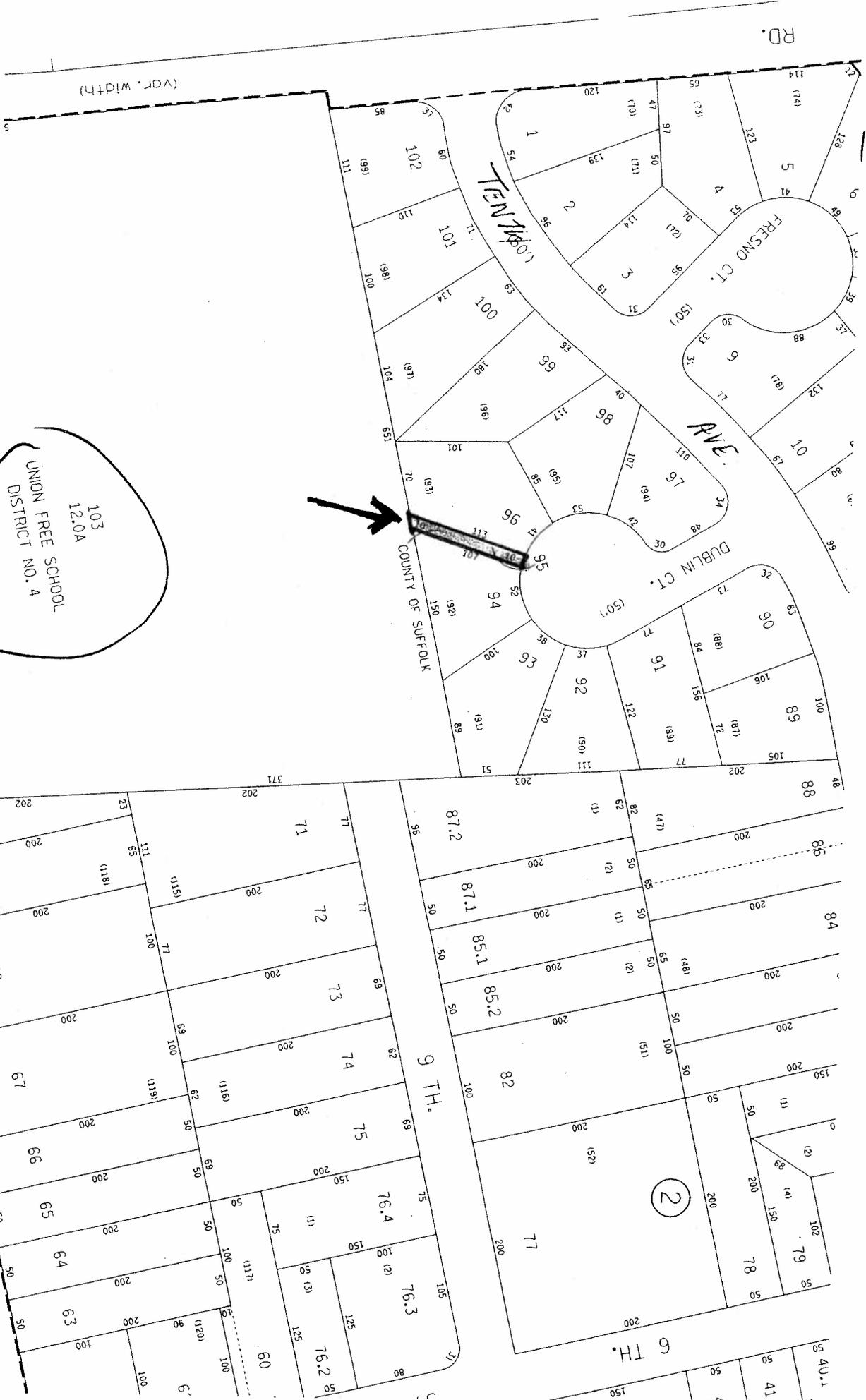
PURPOSE:

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

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

WRT: slb

681



103
12.0A
UNION FREE SCHOOL
DISTRICT NO. 4

TM# 0400-115.00-02.00-95.000

1879



TM# 0400-115.00-02.00-095.000

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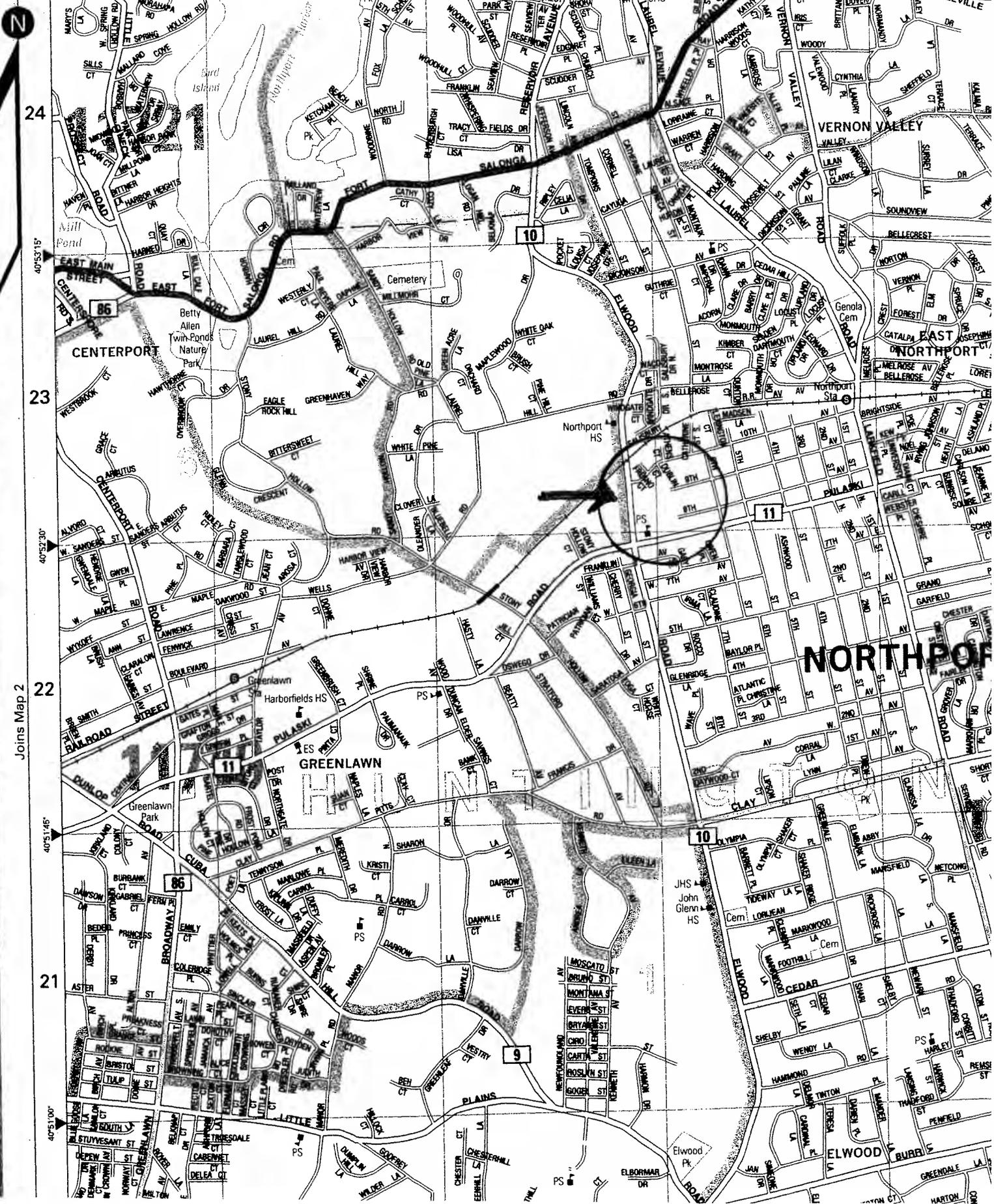
N

P

73°21'00"

73°20'15"

73°18'30"



Tm# 0400-115.00-02.00-095.000

1879

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 Northport-East Northport Union Free School District for Pedestrian Access Walkway purposes

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

5. If the answer to Item 4 is "yes", on what will it impact?
 X County _____ Town _____ Economic Impact
_____ Village _____ School District _____ Other (Specify):
_____ Library District _____ Fire District

6. If the answer to item 4 is "yes", Provide detailed explanation of Impact
Loss of sale at public auction

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

8. Proposed Source of Funding
Unknown

9. Timing of Impact
2009

10. Typed Name & Title of Preparer Signature of Preparer Date
 R.J. Bhatt- LMS IV RJBhatt 9/18/09

COUNTY OF SUFFOLK

Gen B3



SEP 29 2009

1879

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

PAMELA J. GREENE
DIVISION DIRECTOR

DEPARTMENT OF ENVIRONMENT AND ENERGY
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
September 17, 2009

CARRIE MEEK GALLAGHER
COMMISSIONER

Ben Zwirn
Assistant 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.: 0400-115.00-02.00-095.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to a Municipality, State, or Federal Government.

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 Northport-East Northport Union Free School District for municipal purposes.

I would appreciate your placing this on the legislative agenda.

Yours truly,

Pamela J. Greene
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, International Relations (2 hard copies)
Connie Corso, Budget Director
Thomas A. Isles, Director of Planning
CE Reso Review via e-mail

Introductory Resolution No. 1880-09

Laid on Table 10/13/09

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO.
SALE OF COUNTY-OWNED REAL ESTATE
PURSUANT TO SECTION 72-h OF THE
GENERAL MUNICIPAL LAW
(INCORPORATED VILLAGE OF NORTHAVEN,
(SCTM 0901-002.00-04.00-109.00 & 111.000)**

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

0901-002.00-04.00-109.000

ALL, that certain plot, piece or parcels of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of North Haven, Town of Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0901 Section 002.00, Block 04.00 Lot 109.000 and acquired by Tax Deed on July 26, 1999 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 9, 1999 in Liber 11981 at Page 309 and described as follows, Incorporated Village of North Haven, Town of Southampton, known and designated as Lot 125 on a certain map entitled "Map of North Haven Hills", and filed in the Office of the Clerk of the County of Suffolk on May 14, 1980 as Map No. 6901; and

0901-002.00-04.00-111.000

ALL, that certain plot, piece or parcels of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of North Haven, Town of Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0901 Section 002.00, Block 04.00 Lot 111.000 and acquired by Tax Deed on July 26, 1999 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 9, 1999 in Liber 11981 at Page 309 and described as follows, Incorporated Village of North Haven, Town of Southampton, known and designated as Lot 126 on a certain map entitled "Map of North Haven Hills", and filed in the Office of the Clerk of the County of Suffolk on May 14, 1980 as Map No. 6901; and

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

WHEREAS, the Incorporated Village of North Haven, has requested that the County of Suffolk convey to the town the parcels described in Exhibit A annexed hereto; and

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

1st **RESOLVED**, that Pamela J. Greene, Director of the Division of Real Property Acquisition and Management, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said Incorporated Village of North Haven, for the sum of One Dollar; and be it further;

2nd **RESOLVED**, that the Incorporated Village of North Haven, will be restricted in its use of the subject parcels and will use said parcel solely and exclusively for Drainage purposes; with all right title and interest reverting to the County of Suffolk in the event that the Incorporated Village of North Haven, at any time, uses or attempts to use said subject parcels for other than Drainage purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcels without said parcels being used thereafter for Drainage purposes; and be it further

3rd **RESOLVED**, that said quitclaim deed tendered by Pamela J. Greene, Director of the Division of Real Property Acquisition and Management, pursuant to this resolution, shall contain a reverter clause declaring that title to the above described properties shall revert to the County of Suffolk if: 1) the properties are not used for the above-described public governmental purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the properties or does sell, transfer, or otherwise dispose of said subject properties without said properties being used thereafter for the above described public governmental purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the properties in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

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

DATED: _____

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Village of North Haven

1880

335 FERRY ROAD
SAG HARBOR, NEW YORK 11963

PHONE: 631-725-1378

FAX: 631-725-1120

WHEREAS, the County of Suffolk, Division of Real Property Acquisition and Management, has by letter dated September 1, 2009, offered the following parcels to the Village of North Haven, SCTM#s: 901-2-4-109 and 2-4-111, and

WHEREAS, the parcels have been identified as Lots 125 and 126 in the North Haven Hills Subdivision for use as drainage recharge areas, and

WHEREAS, no building permits are to be issued on the aforementioned parcels as outlined in Article IV of the Covenants and Restrictions of the North Haven Hills Subdivision, and

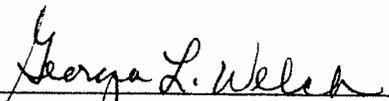
WHEREAS, the Board of Trustees of the Village of North Haven is desirous of this offering, now therefore

BE IT RESOLVED, that the Board of Trustees of the Village of North Haven by this resolution wishes to pursue the acquisition of the aforementioned parcels and the clerk of the Board is authorized to send a copy of this resolution to R.J. Bhatt, Land Management Specialist, Division of Real Property Acquisition and Management County of Suffolk.

The Vote was as follows:

Nolan	-	Aye
Smyth	-	Aye
Sander	-	Aye
Morrissey	-	Aye
Butts	-	Absent

DATED: September 8, 2009



Georgia L. Welch, Village Clerk



1880

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
Incorporated Village of North Haven
Tax Map No.: 0901-002.00-04.00-109.000 & 0901-002.00-04.00-111.000

Section 72-h, Gen'l Municipal Law

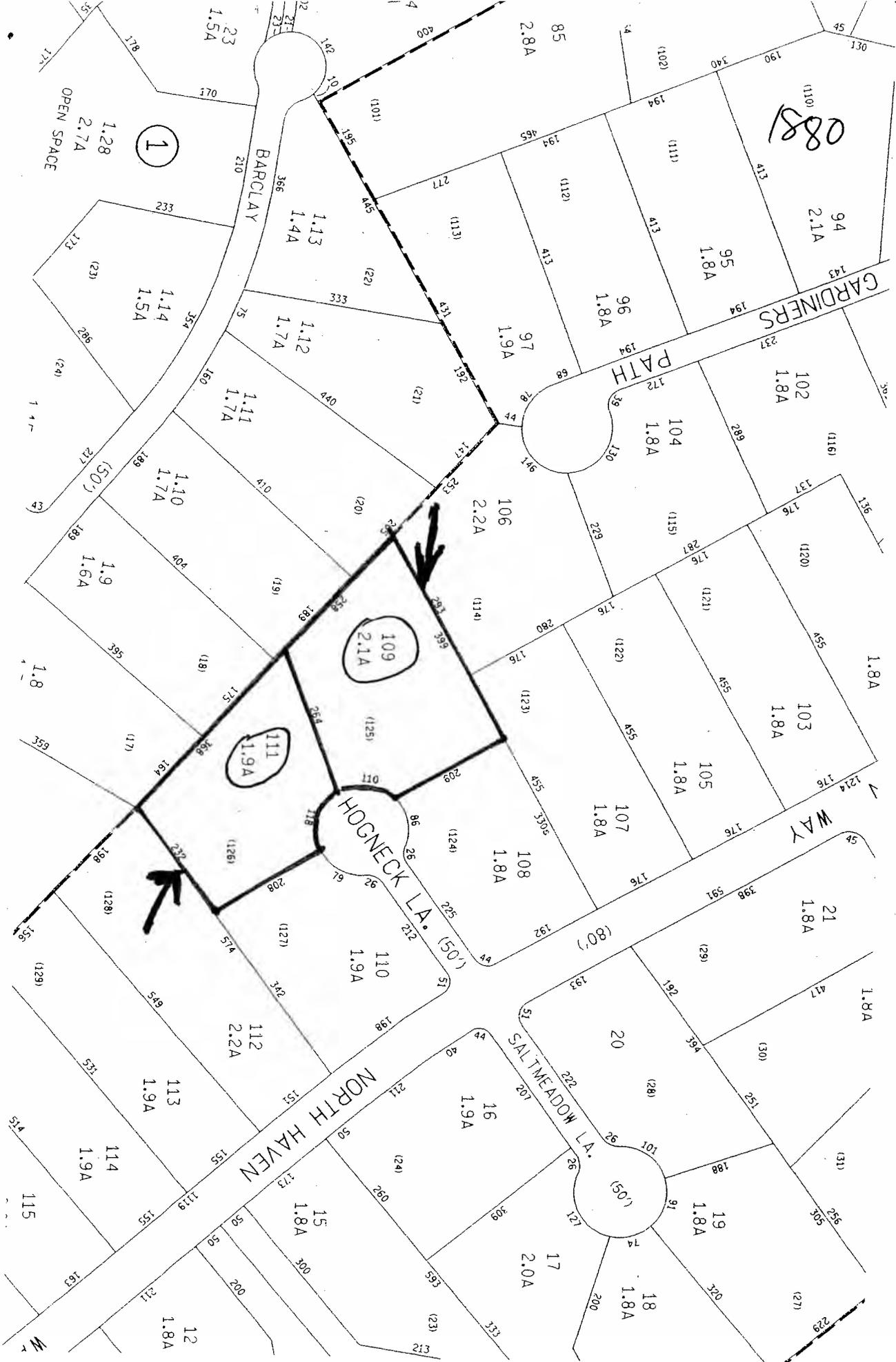
	<u>Amount</u>
County Investment	\$ 48,236.76

PURPOSE:

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

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

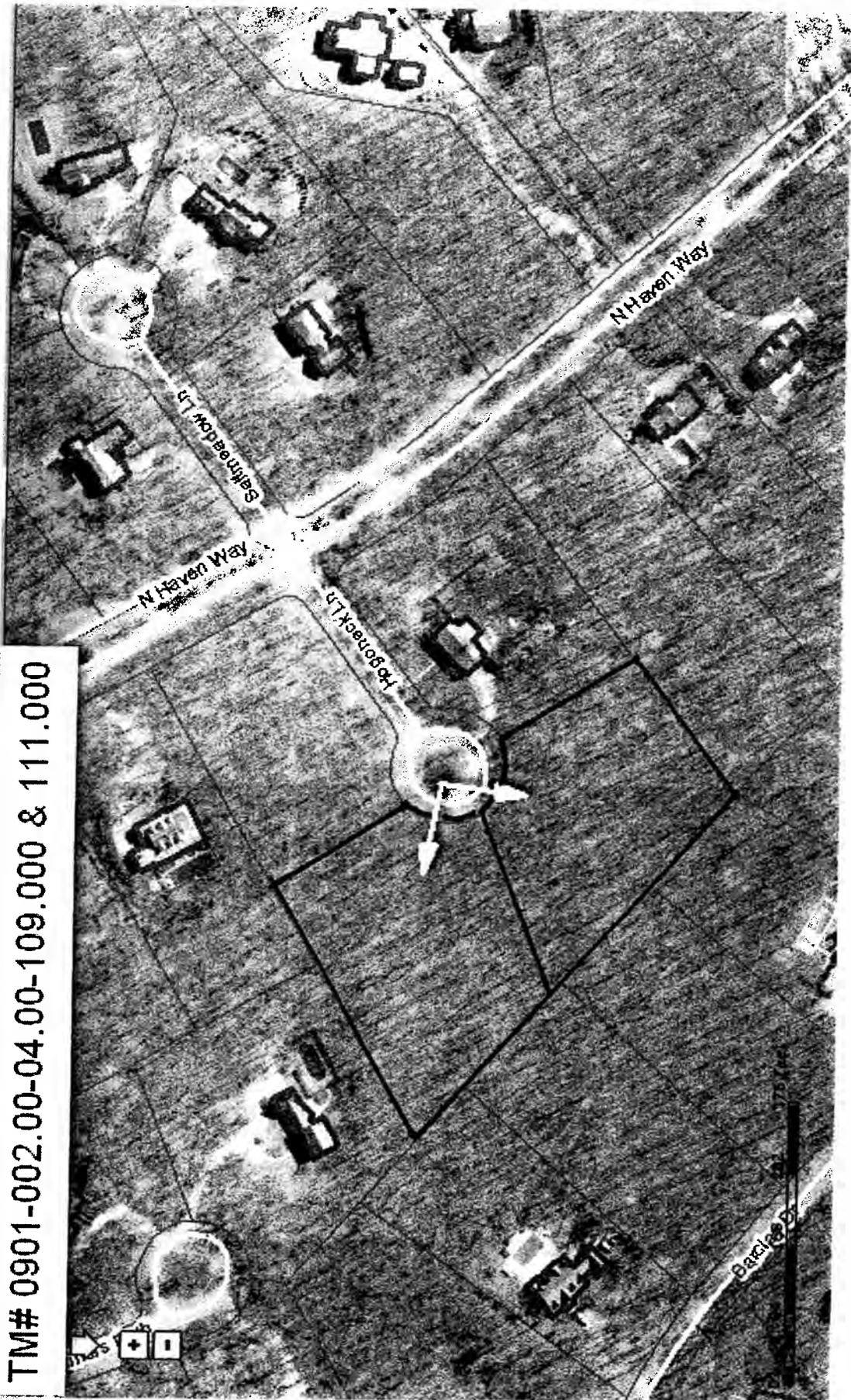
WRT: slb

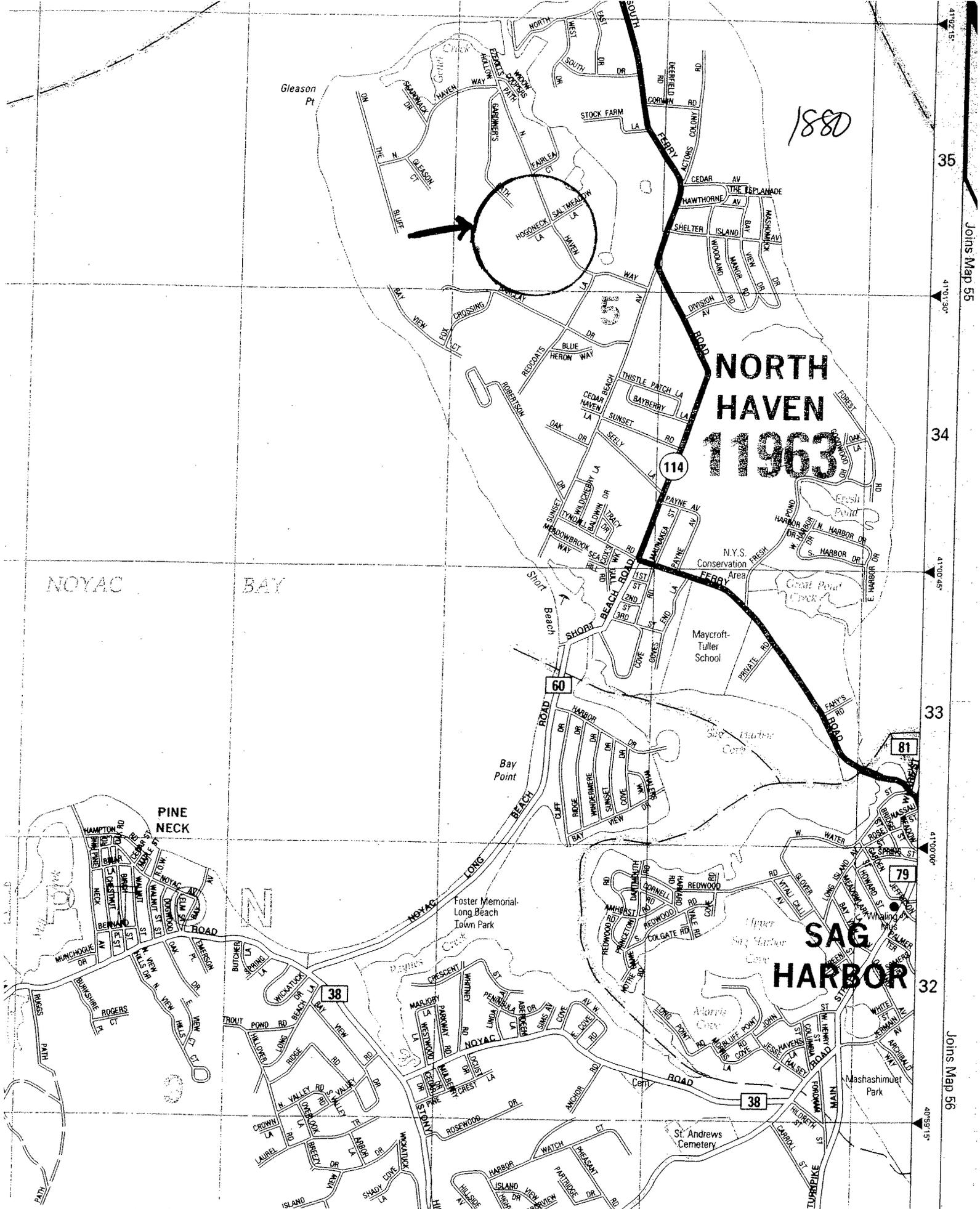


TM # 0901-002.00-04.00-109.000 & 111.000

11/10/2008 10:00 AM 10/10/2008 10:00 AM 10/10/2008 10:00 AM

TM# 0901-002.00-04.00-109.000 & 111.000





1880

NORTH HAVEN
1963

SAG HARBOR

TM# 0901-002.00-04.00-109.000 & 111.000

41°21'15" 35
41°10'30" 34
41°08'45" 33
41°00'00" 32
40°59'15" 31

Joins Map 55
Joins Map 56

1880

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution Local Law _____ Charter Law _____

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to the Incorporated Village of North Haven, Town of Southampton for Drainage purposes

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

5. If the answer to Item 4 is "yes", on what will it impact?

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

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

Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2009

10. Typed Name & Title of Preparer

Signature of Preparer

Date

R. J. Bhatt- LMS IV



9/18/09

COUNTY OF SUFFOLK

Gen B4



SEP 29 2009

1880

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

PAMELA J. GREENE
DIVISION DIRECTOR

DEPARTMENT OF ENVIRONMENT AND ENERGY
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
September 17, 2009

CARRIE MEEK GALLAGHER
COMMISSIONER

Ben Zwirn
Assistant 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 Nos.: 0901-002.00-04.00-109.000 & 0901-002.00-04.00-111.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to a Municipality, State, or Federal Government.

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 Incorporated Village of North Haven, for municipal purposes.

I would appreciate your placing this on the legislative agenda.

Yours truly,

Pamela J. Greene
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, International Relations (2 hard copies)
Connie Corso, Budget Director
Thomas A. Isles, Director of Planning
CE Reso Review via e-mail

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

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

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

Introductory Resolution No. 1881-09

Laid on Table 10/13/09

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
RAYMOND WOLF
(SCTM NO. 0200-461.00-04.00-025.002)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 461.00 Block 04.00 Lot 025.002 and acquired by Tax Deed on February 21, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on March 7, 2003 in Liber 12239 at Page 108 and described as follows, Town of Brookhaven, known and designate as p/o Abandon Ledyard Ave. in Block 3 on a certain map entitled "Map of Villa Plots" and filed in the Office of the Clerk of the County of Suffolk on June 11, 1908 as Map No. 346; 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, RAYMOND WOLF, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$2,200.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$2,200.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of \$2,200.00, 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)(1)(b) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

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

3rd **RESOLVED**, that the Director 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 RAYMOND WOLF, 65 Ryerson Avenue, Manorville, New York 11949.

DATED:

APPROVED BY

County Executive of Suffolk County

Date of Approval:

COUNTY OF SUFFOLK

Gen B5



1881

SEP 29 2009

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

PAMELA J. GREENE
DIVISION DIRECTOR

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

CARRIE MEEK-GALLAGHER
COMMISSIONER

July 24, 2009

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

Re: Tax Map Number: 0200-461.00-04.00-025.002

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
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

1881

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. 0200-461.00-04.00-025.002

ADJOINING OWNER	BID	BID	BID
Raymond Wolf 65 Ryerson Avenue Manorville, New York 11949 0200-461.00-04.00-029.002	\$2,200.00		
Leonard & Heidi Selanikio 63 Ryerson Avenue Manorville, New York 11949 0200-461.00-04.00-030.001	\$0		

SIZE OF PARCEL: 20' x 140'
APPRAISED VALUE: \$2,200.00
COMMENT: Direct Sale to Adjacent Owner

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

1881

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 7/24/09

AVE
M AVE

2.2A(c)

549

25

150s

200s

202s

S.R. 495

1887

EXPWY.

SLAND

49.1
10.0A(c)

NATURAL
PRESERVE

NATURAL
PRESERVE

COUNTY OF SUFFOLK

1
5.8A(c)

LEDYARD AVE. (40')

DARCEY AVE. (40')

SILAS CARTER
RD.

4

(7) 11.1

39.1 39.2 36.1 36.2 (40')

30.1 31 32 33

25.2 29.2 29.3

29.4 29.5 (4) 1.2A

JOHNSON AVE. (40')

WADLEIGH AVE. (40')

(6) 17

13.3 1.1A

13.1

13.2

15.4 1.1A

15.3 1.1A

15.2

15.1

(5) 22

19 18

16

51.3 1.6A

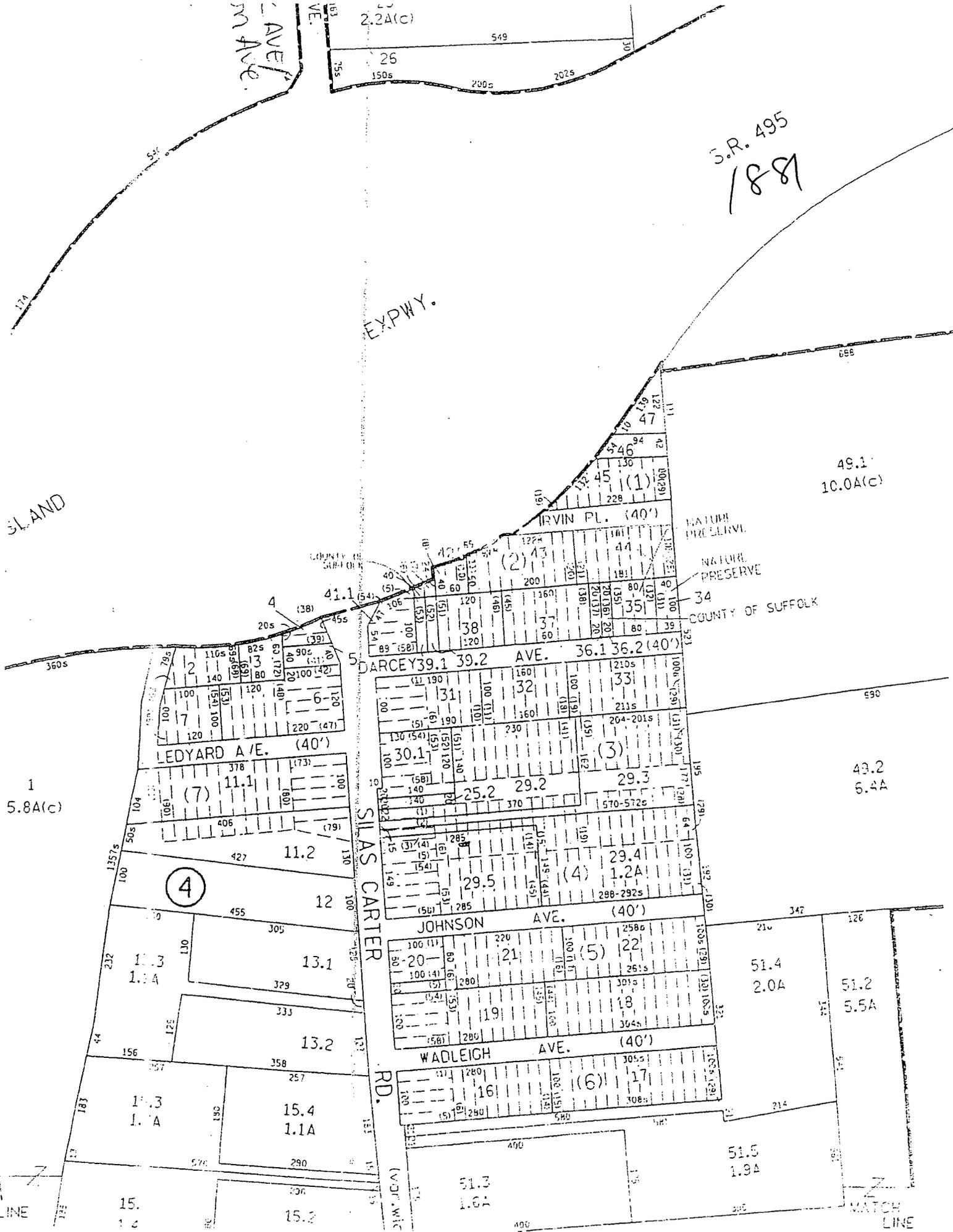
51.4
2.0A

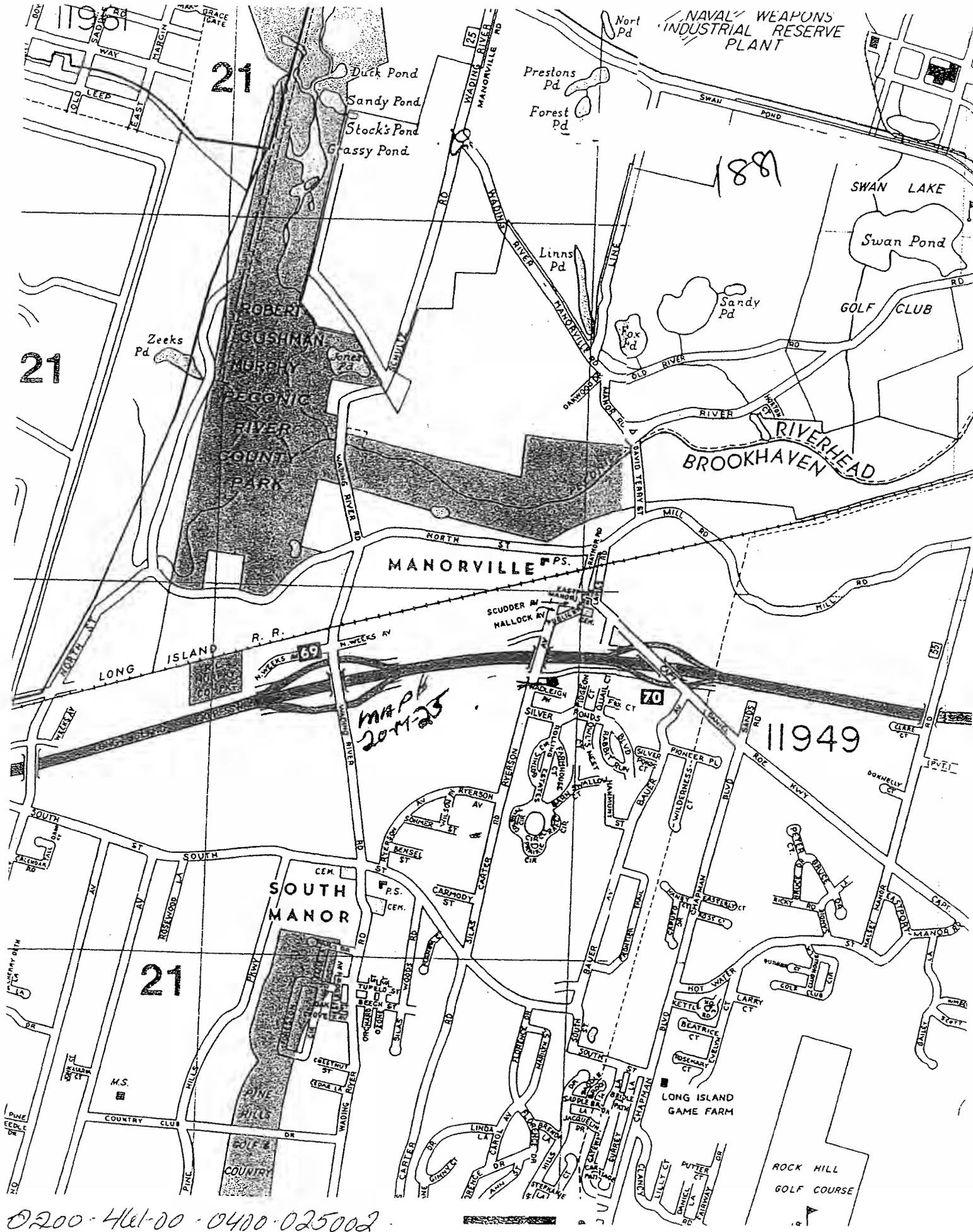
51.2
5.5A

51.5
1.9A

MATCH
LINE

LINE





0200-461-00-0400-025002

Introductory Resolution No. 1882-09

Laid on Table 10/13/09

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
KEITH B. GREEN
(SCTM NO. 0100-171.00-01.00-006.009)**

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 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 171.00 Block 01.00 Lot 006.009 and acquired by Tax Deed on February 2, 1978 from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and recorded on February 3, 1978 in Liber 8385 at Page 173 and described as follows, Town of Babylon, known and designate as p/o Wedge s/o Block 15 on a certain map entitled "Map of Darrynane" and filed in the Office of the Clerk of the County of Suffolk on November 25, 1873 as Map No. 287; 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, Keith B. Green, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$2,200.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$2,200.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of \$2,200.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said KEITH B. GREEN, 3 Cahill Street, Amityville, New York 11701.

DATED:

APPROVED BY

County Executive of Suffolk County

Date of Approval:

1882

**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. 0100-171.00-01.00-006.009

ADJOINING OWNER	BID	BID	BID
Keith B. Green 3 Cahill Street Amityville, New York 11701 0100-171.00-01.00-006.006	\$2,200.00		
Clifford & Janice Jones 1 Musette Place Amityville, New York 11701 0100-171.00-01.00-006.008	\$0		

SIZE OF PARCEL: 36' x 125'
APPRAISED VALUE: \$2,200.00
COMMENT: Direct Sale to Adjacent Owner

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

1882

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

9/4/09

- 03-30-96
- 07-22-96
- 08-12-96
- 11-05-96
- 04-20-00
- 03-28-03
- 01-19-05

N 2142000
E 2141200

THE BLVD.

6.8	10	10	10
6.09	6.06	6.2	5

MUSSETTE PL. (50')

ST. MARKS PL. (50')

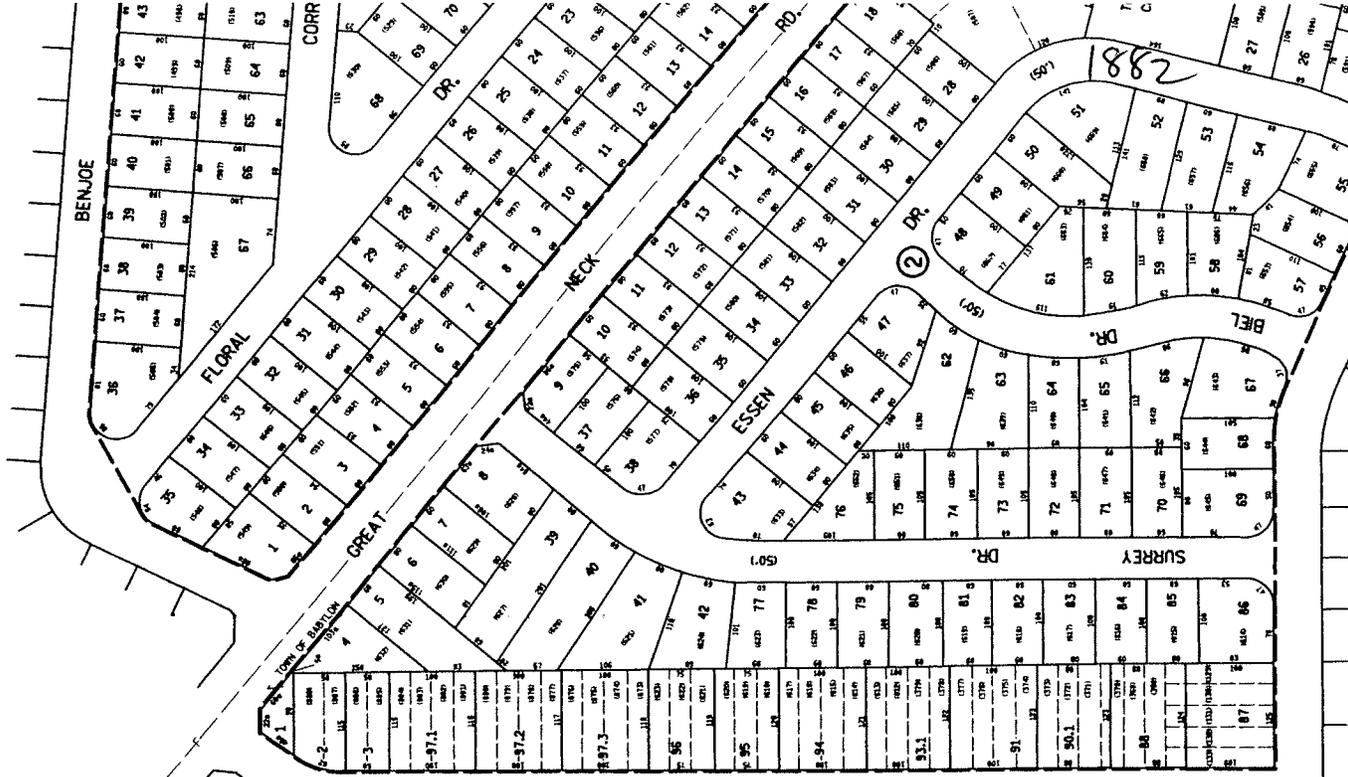
11	12	13	14	15	16	17	18
13.1	13.2	13.3	13.4	13.5	13.6	13.7	13.8

PARK PL. (50')

19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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ST. (50')

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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Suffolk Co.

Joins Map 4

1882



Map

1882



Hospitals



College-University



Public Schools



Owner Parcel

Natural Color 2006

Red: Band_1

Green: Band_2

Blue: Band_3

Surface Waters

Land Use (continued)

PARK/MONUMENT (NATIONAL)

SHOPPING CENTRE

UNIVERSITY/COLLEGE

Towns

BABYLON

BROOKHAVEN

COUNTY OF SUFFOLK

Greene



SEP 29 2009

1882

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

PAMELA J. GREENE
DIRECTOR

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

CARRIE MEEK GALLAGHER
COMMISSIONER

September 4, 2009

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

Re: Tax Map Number: 0100-171.00-01.00-006.009

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
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

Introductory Resolution No. 1883-09 Laid on Table 10/13/09

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
**LEONARD S. PICARIELLO, as Trustee of the
Rose M. Picariello Irrevocable Trust
0600-092.00-03.00-031.000**

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 Riverhead, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0600, Section 092.00, Block 03.00, Lot 031.000, and acquired by tax deed on July 15, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 16, 2009, in Liber 12593, at Page 699, and otherwise known as and by Town of Riverhead at Jamesport, known as Suffolk County Tax Map Number District 0600, Section 092.00, Block 03.00 and Lot 031.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 15, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 16, 2009 in Liber 12593 at Page 699.

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, LEONARD S. PICARIELLO, as Trustee of the Rose M. Picariello Irrevocable Trust has made application of said above described parcel and LEONARD S. PICARIELLO, as Trustee of the Rose M. Picariello Irrevocable Trust has paid the application fee and \$10,676.99, 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 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 Quitclaim Deed to LEONARD S. PICARIELLO, as Trustee of the Rose M. Picariello Irrevocable Trust, 151 West 93rd Street, New York, New York 10025, 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: _____

1883

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

September 8, 2009

Tax Map No.: 0600-092.00-03.00-031.000

Name of Last Legal Fee Owner: LEONARD S. PICARIELLO, as Trustee of the
Rose M. Picariello Irrevocable Trust

TREASURER'S COMPUTATION.....\$10,676.99

Taxes.....2008/2009.....included

Recording Fees collected for County Clerk.....N/A

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....\$10,676.99

Monies Received.....\$10,676.99

RESOLUTION AMOUNT.....\$10,676.99

APPROVED:

Karen A. Blais 9/9/09
Accounting
CO:lag

PREPARED BY:

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

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0600-092.00-03.00-031.000

1883

2. Title of Proposed Legislation

Authorizing the 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)

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2009

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

Cathy O'Neal

Cathy O'Neal 9/8/09

10-01-00
11-02-00
11-15-00
04-16-02
05-15-02
02-25-04
03-17-05
06-09-05
02-20-06



LICENSED	Property or All Line	Subdivision Lot No.	Block Limit	School District Line	Hydrant District Line	UNLESS DRAWN OTHERWISE, A ARE WITHIN THE FOLLOW: SCHOOL 22 SEWER HYDRANT LIGHT 25 WATER REFUSE AMBULANCE
	Denotes Common Owner	Subdivision Block/Block No. (21)	Block No. (2)	Fire District Line	Refuse District Line	
	Subdivision Lot Line	Deed Dimension	County Line	Boiler District Line	Historical District Line	
	Stream / Shore	Scaled Dimension	Town Line	Light District Line	Ambulance District Line	
Parcel No. 23	Deed Area 12.1 A(d) or 12.1A	Calculated Area 12.1 A(c)	Village Line	Park District Line	Boatwaler District Line	

Introductory Resolution No. 1884-09

Laid on Table 10/13/09

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO.
SALE OF COUNTY-OWNED REAL ESTATE
PURSUANT TO SECTION 72-h OF THE
GENERAL MUNICIPAL LAW
(TOWN OF BROOKHAVEN)
(SCTM 0200-981.90-02.00-034.000)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 981.90, Block 02.00 Lot 034.000 and acquired by Tax Deed on August 16, 2004 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004 in Liber 12341 at Page 445 and described as follows, Town of Brookhaven, known and designated as Lots 80 and 81 on a certain map entitled "Map of Mastic Acres, Unit Twenty-Two", and filed in the Office of the Clerk of the County of Suffolk on August 18, 1948 as Map No. 1643; and

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

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

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

1st RESOLVED, that Pamela J. Greene, Director of the Division of Real Property Acquisition and Management, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said Town of Brookhaven for the sum of \$3,043.21 plus the pro rata share of the current tax adjustment due at closing; and be it further

2nd RESOLVED, that the Town of Brookhaven will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for Road/Highway purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Brookhaven, at any time, uses or attempts to use said subject parcel for other than Road/Highway purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for Road/Highway purposes; and be it further

3rd **RESOLVED**, that said quitclaim deed tendered by Pamela J. Greene, Director of the Division of Real Property Acquisition and Management, pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the property is not used for the above-described public governmental purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

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

DATED: _____

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

RESOLUTION NO. 2009-476
MEETING OF May 28, 2009

ADOPTED
BY THE BROOKHAVEN TOWN BOARD

AUTHORIZATION TO ACQUIRE A VACANT
PARCEL OF SUFFOLK COUNTY OWNED LAND
FOR HIGHWAY PURPOSES PURSUANT TO
SECTION 72-H OF THE GENERAL MUNICIPAL
LAW – PALMETTO DRIVE, SHIRLEY
(SCTM No. 0200-981.90-02.00-034.000)

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

WHEREAS, there is a vacant parcel of Suffolk County owned land located on Palmetto Drive, Shirley, further identified as SCTM No. 0200-981.90-02.00-034.000 as shown on the attached map; and

WHEREAS, the Superintendent of Highways of the Town of Brookhaven is interested in acquiring said parcel of real property for highway purposes for a total consideration not to exceed \$3,043.21 plus pro-rata taxes at the time of closing; and

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

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

1884

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel further identified as SCTM No. 0200-981.90-02.00-034.000 and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed \$3,043.21 plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above.

1884

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

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES
TOWN OF BROOKHAVEN

Tax Map No.: 0200-981.90-02.00-034.000

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$ 3,043.21

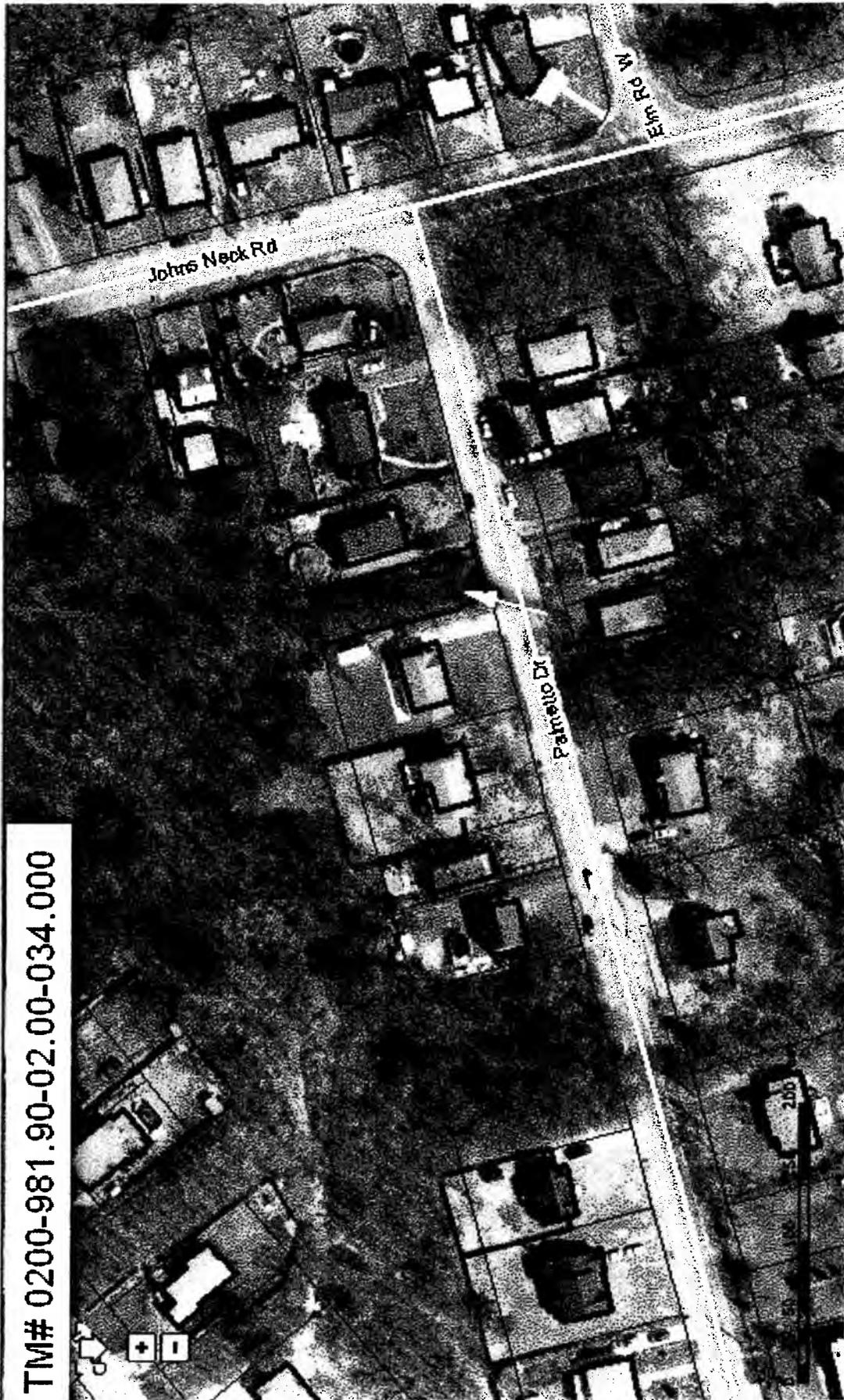
PURPOSE:

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

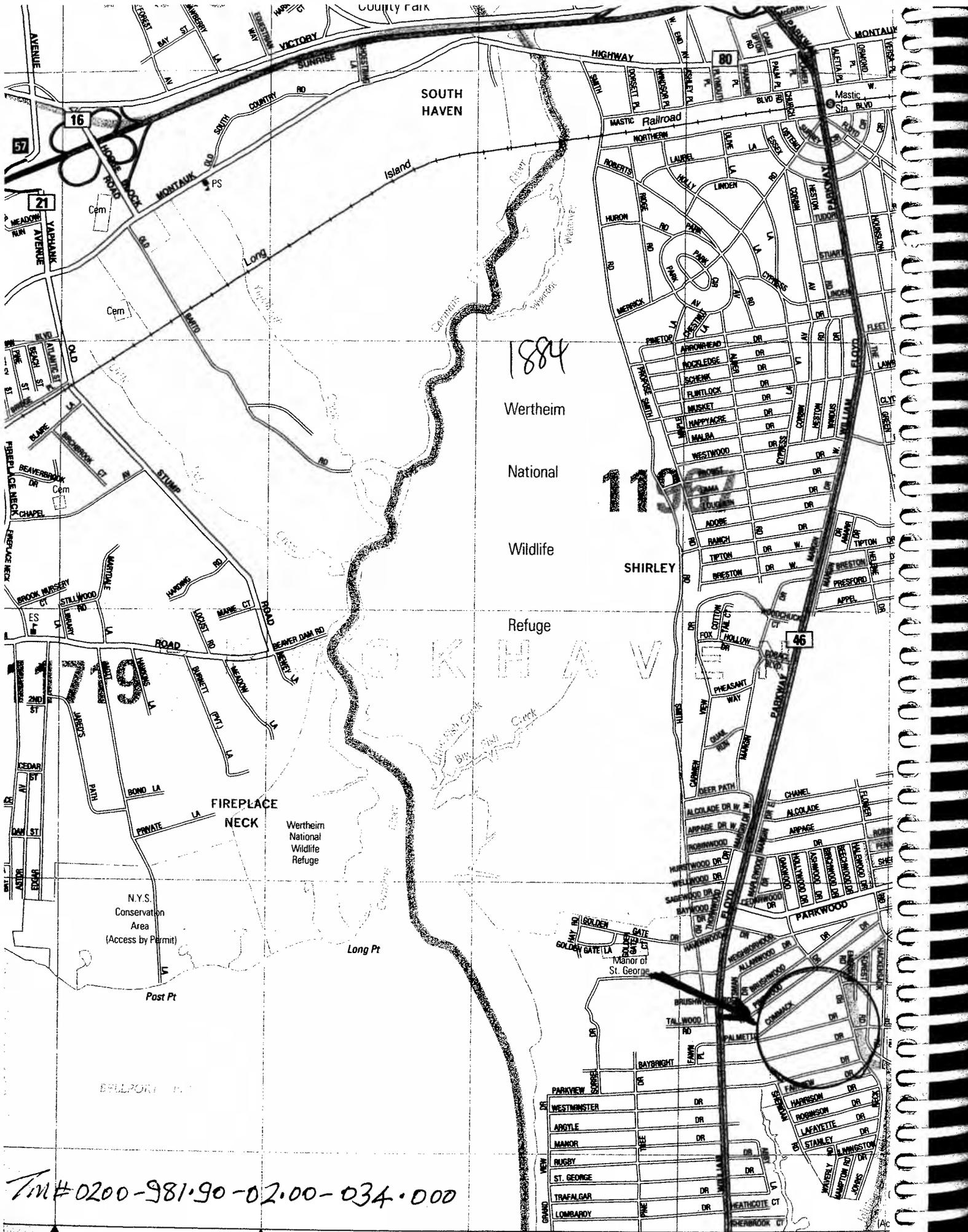
Wayne R. Thompson
Property Manager
(631) 853-5971

WRT: slb

1884



TM# 0200-981.90-02.00-034.000



1884

Wertheim
National
Wildlife
Refuge

119

SHIRLEY

SOUTH HAVEN

FIREPLACE
NECK

Wertheim
National
Wildlife
Refuge

Long Pt

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

Post Pt

Tm# 0200-981.90-02.00-034.000

72°54'45" X1 72°54'00" Y1 72°53'15" Z1 72°52'30" A2 72°51'

1884

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 Road/Highway purposes

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

5. If the answer to Item 4 is "yes", on what will it impact?

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

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

Loss of sale at public auction

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

2009

10. Typed Name & Title of Preparer

R. J. Bhatt-LMS IV

Signature of Preparer

RJBhatt

Date

9/3/09

COUNTY OF SUFFOLK

Gen B8



SEP 29 2009

1884

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

PAMELA J. GREENE
DIVISION DIRECTOR

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

CARRIE MEEK GALLAGHER
COMMISSIONER

September 3, 2009

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

Re: Tax Map No.: 0200-981.90-02.00-034.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real
Estate to a Municipality, State, or Federal Government.

Dear Mr. Zwirn:

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

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

I would appreciate your placing this on the legislative agenda.

Yours truly,
Pamela J. Greene

Pamela J. Greene
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
CE Reso Review via e-mail

Introductory Resolution No. 1885-09

Laid on Table 10/13/09

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
JESUS & SAMARIA MALDONADO
(SCTM NO. 0200-976.00-02.00-032.000)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 976.00 Block 02.00 Lot 032.000 and acquired by Tax Deed on September 15, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 25, 2003 in Liber 12274 at Page 112 and described as follows, Town of Brookhaven, known and designate as Lots 55 to 58 in Block 612 on a certain map entitled "Map of New York & Brooklyn Suburban Investment Co.", and filed in the Office of the Clerk of the County of Suffolk on July 30, 1890 as Map No. 8; 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, Jesus and Samaria Maldonado, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$5,100.00. 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 \$5,100.00, 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 \$5,100.00, pursuant to said purchase offer; and

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

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

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

3rd RESOLVED, that the Director 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 JESUS and SAMARIA MALDONADO, 152 Bellport Avenue, Bellport, New York 11713.

DATED:

APPROVED BY

County Executive of Suffolk County

Date of Approval:

1885

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. 0200-976.00-02.00-032.000

ADJOINING OWNER	BID	BID	BID
Jesus & Samaria Maldonado 152 Bellport Avenue Bellport, New York 11713 0200-976.00-02.00-044.000	\$5,100.00		
Lonnie & Barbara Brame 173 Bellport Avenue Bellport, New York 11713 0200-976.00-02.00-031.000	\$0		
Theodore Clairborne 150 Bellport Avenue Bellport, New York 11713 0200-976.00-02.00-043.000	\$0		
Lisa Forsythe 23 Carle Road Bellport, New York 11713 0200-976.00-02.00-085.000	\$0		

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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
(Page 2)

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0200-976.00-02.00-032.000

John Mannino & Josephine Steiger 10 Glen McLean Drive Bellport, New York 11713 0200-976.00-02.00-086.000	\$0		
Michael Green 98 Association Road Bellport, New York 11713 0200-976.00-02.00-033.000	\$0		

SIZE OF PARCEL: 25' x 55' x var.
APPRAISED VALUE: \$5,100.00
COMMENT: Direct Sale to Adjacent Owner

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

1885

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

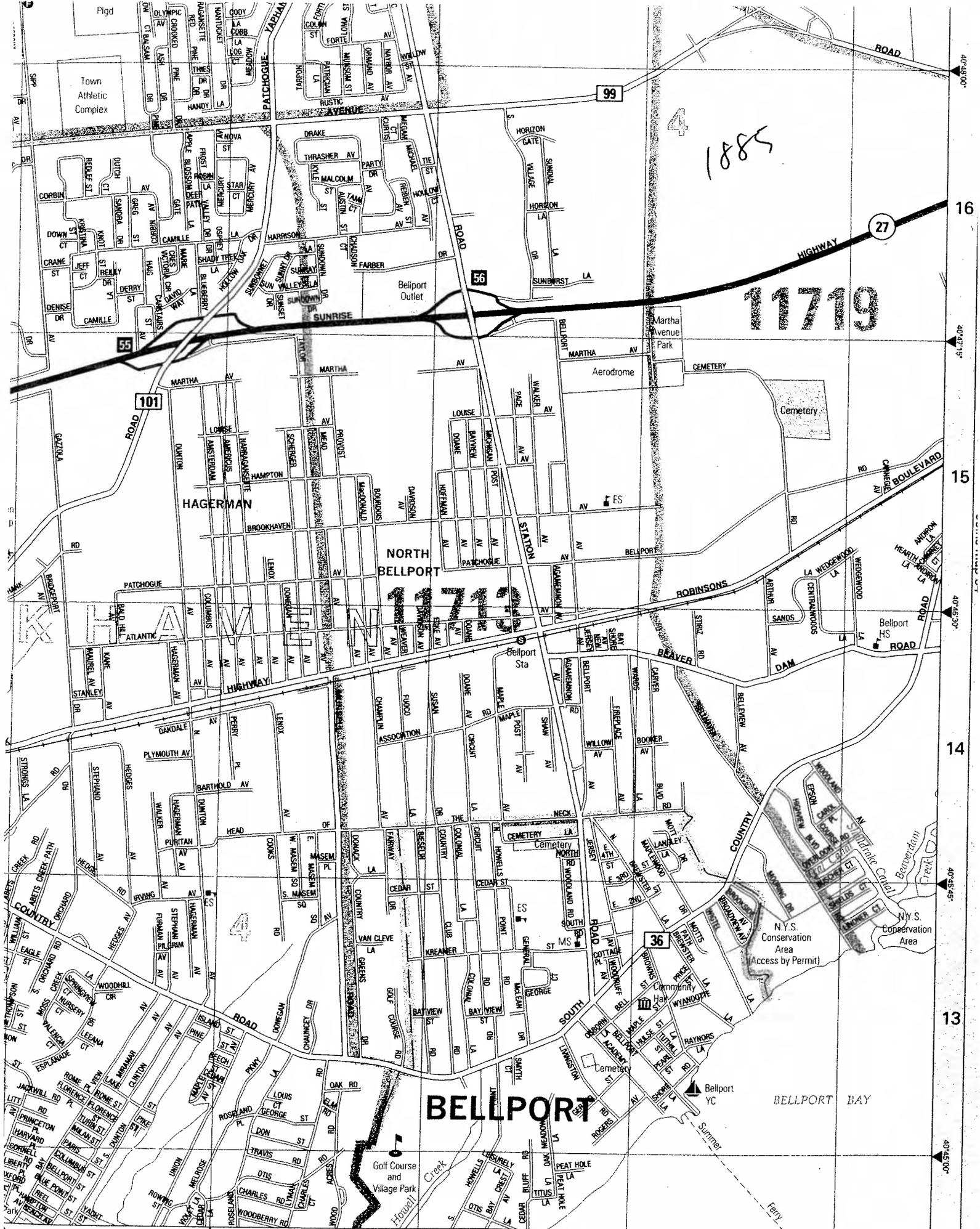
6. If the answer to item 4 is "yes", Provide detailed explanation of Impact
Income from sale

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 9/14/09



1885

11719

BELLPORT

BELLPORT

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

588



PROPERTY OF MR. L. W. WOOD

Devised Common Owner
 Submission 1st line
 Stream / Pond
 Parcel No. 23

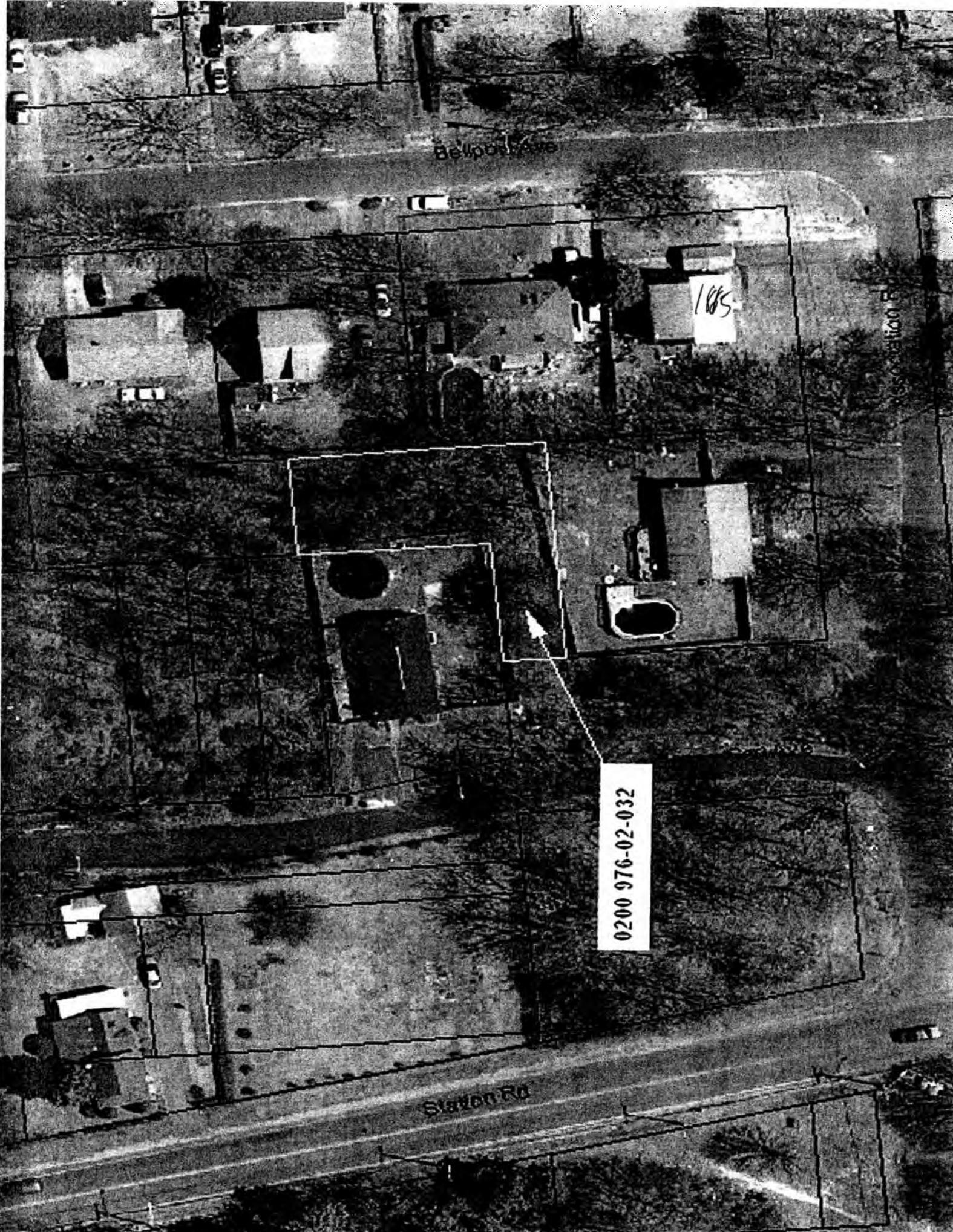
Submission 1st line
 Subdivision No. (21)
 Section No. 2
 Lot No. 121 ACD or 121A
 County Line
 Town Line

Section District Line
 Fire District Line
 Water District Line
 Light District Line
 Post Office Line
 School District Line

Highway District Line
 Water District Line
 Sewer District Line
 Fire District Line
 Light District Line
 Post Office Line
 School District Line

UNLESS OTHERWISE FOLLOWING ALL DISTRICTS:
 ARE WITHIN THE SEVERAL FOLLOWING DISTRICTS:
 SCHOOL DISTRICT NO. 4
 FIRE DISTRICT NO. 1
 WATER DISTRICT NO. 1
 SEWER DISTRICT NO. 1
 POST OFFICE DISTRICT NO. 1

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.



Belmont Ave

Association Rd

1885

0200 976-02-032

Station Rd

COUNTY OF SUFFOLK

Gen B9
SEP 29 2009



1885

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

PAMELA J. GREENE
DIRECTOR

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

CARRIE MEEK GALLAGHER
COMMISSIONER

September 11, 2009

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

Re: Tax Map Number: 0200-976.00-02.00-032.000

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
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

Introductory Resolution No. 1886-09

Laid on Table 10/13/09

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
JACK SEFERIAN
(SCTM NO. 0200-183.00-03.00-016.000)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 183.00 Block 03.00 Lot 016.000 and acquired by Tax Deed on September 27, 1999 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 19, 1999 in Liber 11995 at Page 605 and described as follows, Town of Brookhaven, known and designated as South half of Lot 154, all 155 & 156 on a certain map entitled "Map of Lincoln Park", and filed in the Office of the Clerk of the County of Suffolk on June 25, 1906 as Map No. 263 Sec 1; 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, Jack Seferian, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$6,500.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$6,500.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of \$6,500.00, pursuant to said purchase offer; and

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

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

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

3rd **RESOLVED**, that the Director 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 Jack Seferian, 201 Canal Road, Port Jefferson Station, New York 11776.

DATED:

APPROVED BY

County Executive of Suffolk County

Date of Approval:

1886

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. 0200-183.00-03.00-016.000

ADJOINING OWNER	BID	BID	BID
Jack Seferian 201 Canal Road Port Jefferson Station, New York 11776 0200-183.00-03.00-015.000 & 018.000	\$6,500.00		
LIPA 175 East Old Country Road Hicksville, New York 11801 0200-183.00-03.00-014.000	\$0		
Haig Seferian 188 Old Field Road East Setauket, New York 11733 0200-183.00-03.00-017.000	\$0		

SIZE OF PARCEL: 65' x 100'
APPRAISED VALUE: \$6,500.00
COMMENT: Direct Sale to Adjacent Owner

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

1886

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 9/15/09

5.800
E 2.253.000

SEE SEC. NO. 162
LINE

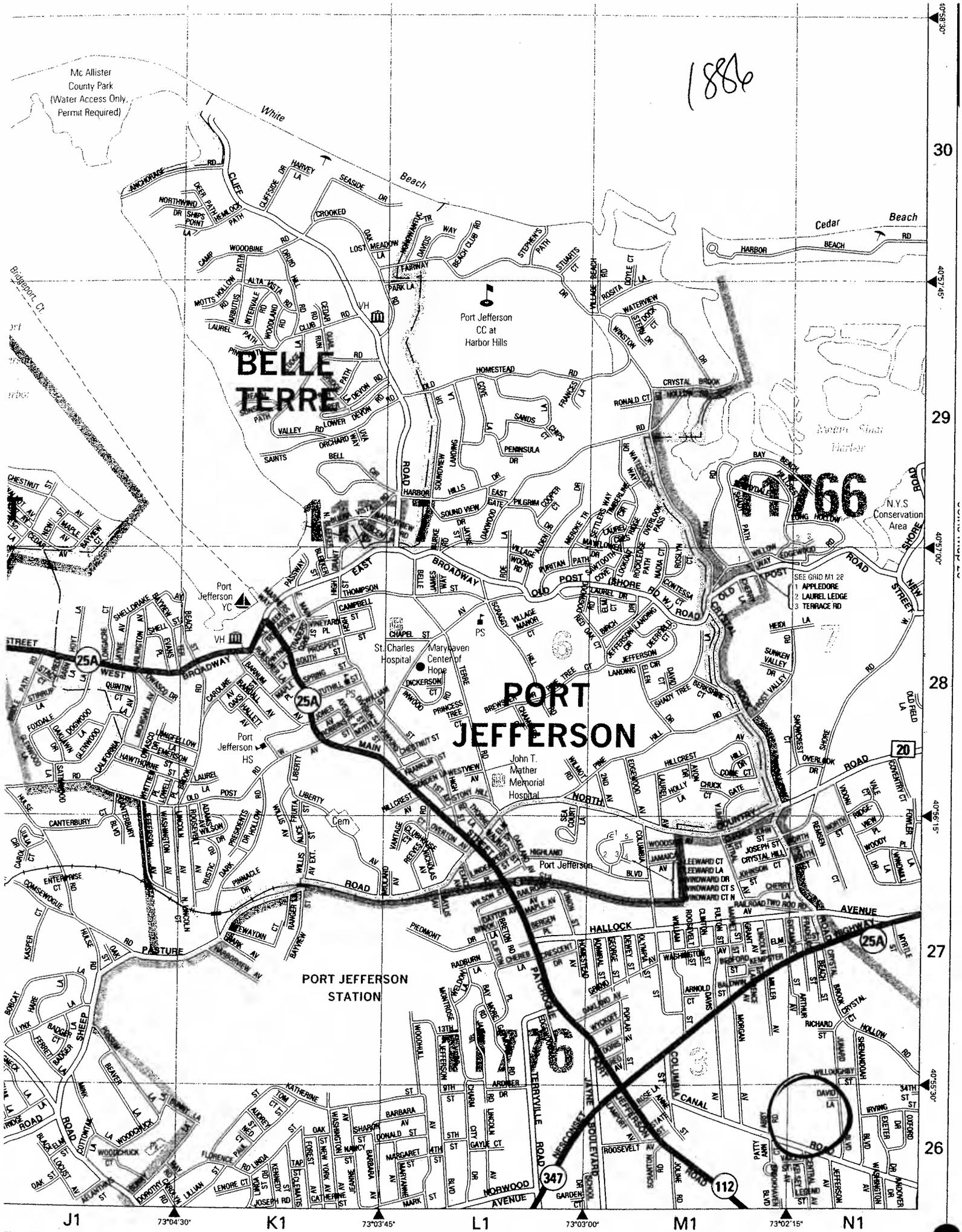
FOR P.L. NO.
SEE SEC. NO.
162-02-001



188

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1
3.7(Ac)



1886

BELLE TERRE

PORT JEFFERSON

1766

- SEE GRID M1 28
- 1 APPLDORRE
- 2 LAUREL LEDGE
- 3 TERRACE RD



30
40°57'45"
29
40°57'00"
28
40°56'15"
27
40°55'30"
26
40°54'45"

J1 73°04'30" K1 73°03'45" L1 73°03'00" M1 73°02'15" N1

Map

1886



Hospitals



College-University



Public Schools



Owner Parcel



Natural Color 2006

Red: Band_1

Green: Band_2

Blue: Band_3

Surface Waters

Land Use (continued)

PARK/MONUMENT (NATIONAL)

SHOPPING CENTRE

UNIVERSITY/COLLEGE

Towns

BABYLON

BROOKHAVEN

COUNTY OF SUFFOLK

Gen B10

SEP 29 2009



1886

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

PAMELA J. GREENE
DIRECTOR

DEPARTMENT OF ENVIRONMENT AND ENERGY
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
September 14, 2009

CARRIE MEEK GALLAGHER
COMMISSIONER

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

Re: Tax Map Number: 0200-183.00-03.00-016.000

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
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

Introductory Resolution No.

1887-09

Laid on Table

10/13/09

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
LENORA V. DAVIS
(SCTM NO. 0100-014.00-01.00-018.000)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 014.00 Block 01.00 Lot 018.000 and acquired by Tax Deed on June 9, 2005 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 13, 2005 in Liber 12392 at Page 121 and described as follows, Town of Babylon, known and designated as Lot 17 in Block 50 on a certain map entitled "Map of Wheatley Heights Estate", and filed in the Office of the Clerk of the County of Suffolk on May 1, 1933 as Map No. 1122; 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, Lenora V. Davis, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$1,600.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$1,500.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of \$1,600.00, pursuant to said purchase offer; and

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

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

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

3rd RESOLVED, that the Director 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 Lenora V. Davis, 110 North 16th Street, PO Box 976, Wheatley Heights, New York 11798.

DATED:

APPROVED BY

County Executive of Suffolk County

Date of Approval:

1887

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. 0100-014.00-01.00-018.000

ADJOINING OWNER	BID	BID	BID
Lenora V. Davis 110 North 16 th Street PO Box 976 Wheatley Heights, New York 11798 0100-014.00-01.00-020.001	\$1,600.00		
Michael J. Pisciotta 127 North 17 th Street Wyandanch, New York 11798 0100-014.00-01.00-008.000	\$0		
Ellen Mann 106 North 16 th Street Wyandanch, New York 11798 0100-014.00-01.00-017.000	\$0		

SIZE OF PARCEL: 25' x 100'
APPRAISED VALUE: \$1,500.00
COMMENT: Direct Sale to Adjacent Owner

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

1887

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

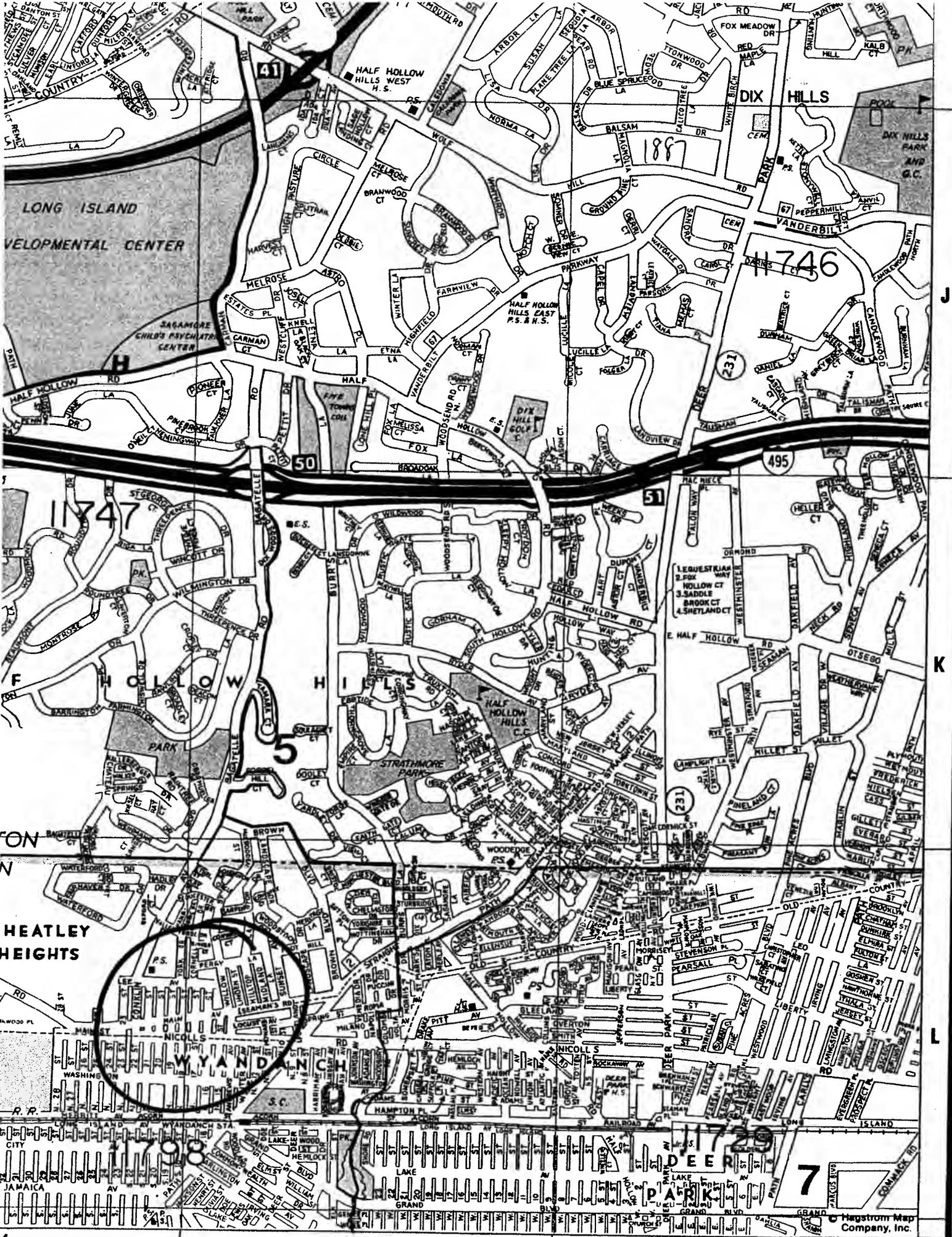
Lori Sklar

9/14/09



NOTE: FILED MAP LOT & BLOCK NUMBERS
 PRECEDED & FOLLOWED BY A DASH
 INDICATE A MAP OF WYDANCE SPRINGS,
 FILE No. 62

LEGEND	Property or RW Line	_____	Subdivision Lot No.	(12)	Block Limit	-----	School District Line	_____
	Denotes Common Owner	— Z —	Subdivision Block/Bldg. No.	(21)	Block No.	(2)	Fire District Line	_____
	Subdivision Lot Line	-----	Deed Dimension	62	County Line	_____	Water District Line	_____
	Stream / Shore	~~~~~	Scaled Dimension	62s	Town Line	_____	Light District Line	_____
	Parcel No.	23	Deed Area	12.1 A(d) or 12.1A	Village Line	_____	Park District Line	_____
			Calculated Area	12.1 A(c)			Sewer District Line	_____



LONG ISLAND
DEVELOPMENTAL CENTER

HALF HOLLOW
HILLS WEST
H. S.

DIX HILLS

HALF HOLLOW
HILLS EAST
P. S. & H. S.

SAGAMORE
CHILD'S PSYCHIATRIC
CENTER

HALF HOLLOW
HILLS C.C.

STRATHMORE
PARK

HEATLEY
HEIGHTS

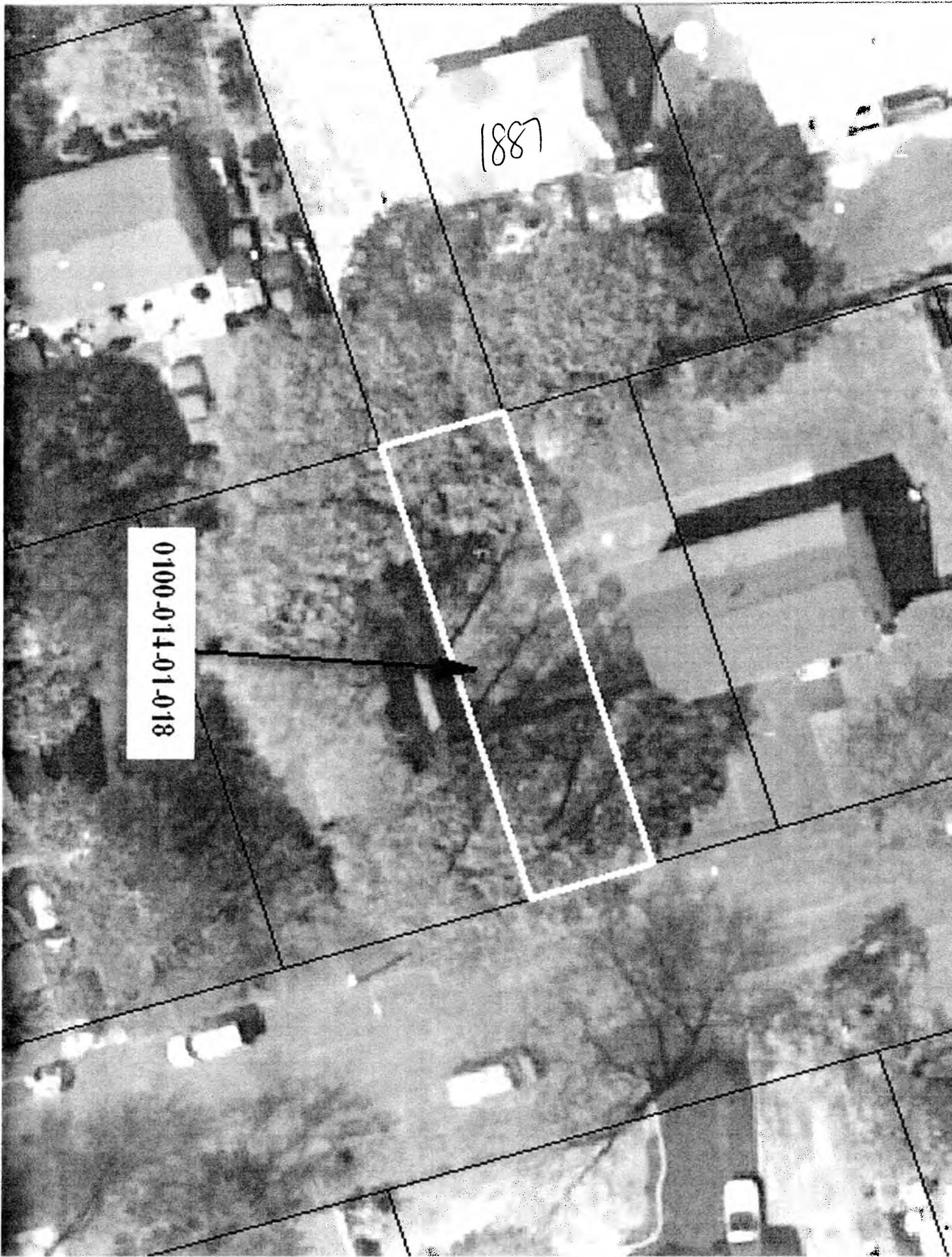


WYANDANCH

DEER
PARK

1887

0100-014-01-018



Gen Bill

COUNTY OF SUFFOLK

SEP 29 2009



1887

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

PAMELA J. GREENE
DIRECTOR

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

CARRIE MEEK GALLAGHER
COMMISSIONER

September 14, 2009

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

Re: Tax Map Number: 0100-014.00-01.00-018.000

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
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

Introductory Resolution No. 1888-09 Laid on Table 10/13/09

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
ROBERT ARNOLD and DEBRA ARNOLD, his wife
0100-201.00-01.00-055.002

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 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 201.00, Block 01.00, Lot 055.002, and acquired by tax deed on June 5, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 9, 2009, in Liber 12590, at Page 413, and otherwise known as and by Town of Babylon, Map No. 642 filed in the office of the Clerk of Suffolk County on October 7, 1926, known and designated as Park of Lots 31-34 Block 26; 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 5, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 9, 2009 in Liber 12590 at Page 413.

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, ROBERT ARNOLD and DEBRA ARNOLD, his wife have made application of said above described parcel and HSBC Bank has paid the application fee and \$51,021.96, 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 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 Quitclaim Deed to ROBERT ARNOLD and DEBRA ARNOLD, his wife, 328 41st Street, Copiague, NY 11726, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1888

September 24, 2009

Tax Map No.: 0100-201.00-01.00-055.002

Name of Last Legal Fee Owner: ROBERT ARNOLD and DEBRA ARNOLD, his wife

TREASURER'S COMPUTATION.....\$51,021.96

Taxes.....2008/2009.....included

Recording Fees collected for County Clerk.....N/A

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....\$51,021.96

Monies Received.....\$51,021.96

RESOLUTION AMOUNT.....\$51,021.96

APPROVED:

Karen A Slater 9/26/09

Accounting
CO:lag

PREPARED BY:

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

1888

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0100-201.00-01.00-055.002

2. Title of Proposed Legislation

Authorizing the 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 9/24/09

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0100	201.00	01.00	055.002

1888

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05	8546.83
2005/06	11307.50
2006/07	11033.30
2007/08	8747.24
2008/09	6969.57

TOTAL: 46604.44

B. INTEREST DUE	1987.90
C. TOTAL	48592.34
D. 5% LINE C	2429.62
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

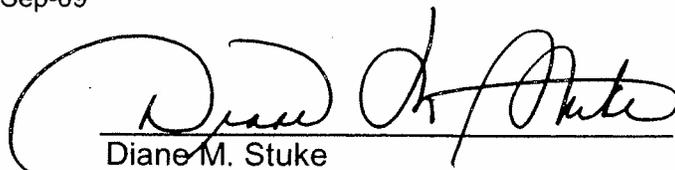
\$51,021.96

CP
9/25/09

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. 04-Sep-09


Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 03/03/10

CE:
ely
cally.

1888

Scale 1:24,000



Joins Map 4



40°42'45"

9

40°42'00"

8

40°41'15"

7

40°40'30"

6

Joins Map 11

Indian Island

1888

- Revisions
 07-14-97
 11-13-97
 07-09-98
 09-16-98
 05-06-99
 11-24-98
 05-14-00
 05-23-01
 06-20-01
 05-03-02
 06-26-02
 03-20-03
 09-10-07

N 172,500
 E 2,165,000



3 19 20 3 10 15 20

N 170,600
 E 2,165,000

Property or PL Line	Subdivision Lot No.	Block Limit	School District Line	Hydrant District Line	UNLESS DRAWN OTHERWISE WITHIN THE
Denotes Common Owner	Subd. No. (21)	Block No. (2)	Fire District Line	Return District Line	
Subdivision Lot Line	Scale 1" = 100'	County Line	Water District Line	Historic District Line	
Street / Shore	Board No. 32.3 Aerial 32.3A	Town Line	Light District Line	Ambulance District Line	
Parcel No.	32.3 Aerial 32.3A	Other Line	Park District Line	Postoffice District Line	
					SCHOOL S
					FIRE F
					LIGHT L
					PARK P
					AMBULANCE A

Introductory Resolution No. 1889-09 Laid on Table 10/13/09

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 PAUL HANKINS
0200-486.00-04.00-025.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 486.00, Block 04.00, Lot 025.000, and acquired by tax deed on June 7, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 12, 2006, in Liber 12454, at Page 674, and otherwise known as and by Town of Brookhaven, known and designated as Suffolk County Tax Map District 0200, Section 486.00, Block 04.00 and Lot 025.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on June 7, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 12, 2006 in Liber 12454 at Page 674.

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, JOHN PAUL HANKINS has made application of said above described parcel and JOHN PAUL HANKINS has paid the application fee and \$72,793.49, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 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 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 Quitclaim Deed to JOHN PAUL HANKINS, 3 William Penn Drive, Stony Brook, New York 11790-1317, 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: _____

1889

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

September 24, 2009

Tax Map No.: 0200-486.00-04.00-025.000
Name of Last Legal Fee Owner: JOHN PAUL HANKINS

TREASURER'S COMPUTATION.....\$72,793.49

Taxes.....2008/2009.....included

Recording Fees collected for County Clerk.....N/A

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....\$72,793.49

Monies Received.....\$72,793.49

RESOLUTION AMOUNT.....\$72,793.49

APPROVED:

Karen A. Blater 9/26/09

Accounting
CO:lag

PREPARED BY:
Cathy O'Neal

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

1889

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0200-486.00-04.00-025.000

2. Title of Proposed Legislation

Authorizing the 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)

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2009

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

Cathy O'Neal

Cathy O'Neal

9/24/09

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	486.00	04.00	025.000

1889

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2001/02	\$10,085.29
2002/03	\$10,751.41
2003/04	\$10,627.58
2004/05	\$10,346.42
2005/06	\$8,481.69
2007/08	\$7,516.61

2008/09 TAXES ARE PAID IN FULL

TOTAL: \$57,809.00

B. INTEREST DUE	\$11,518.13
C. TOTAL	\$69,327.13
D. 5% LINE C	\$3,466.36
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$72,793.49

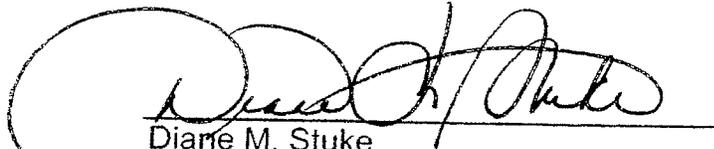
9/25/09

CERTIFICATION BY COUNTY TREASURER

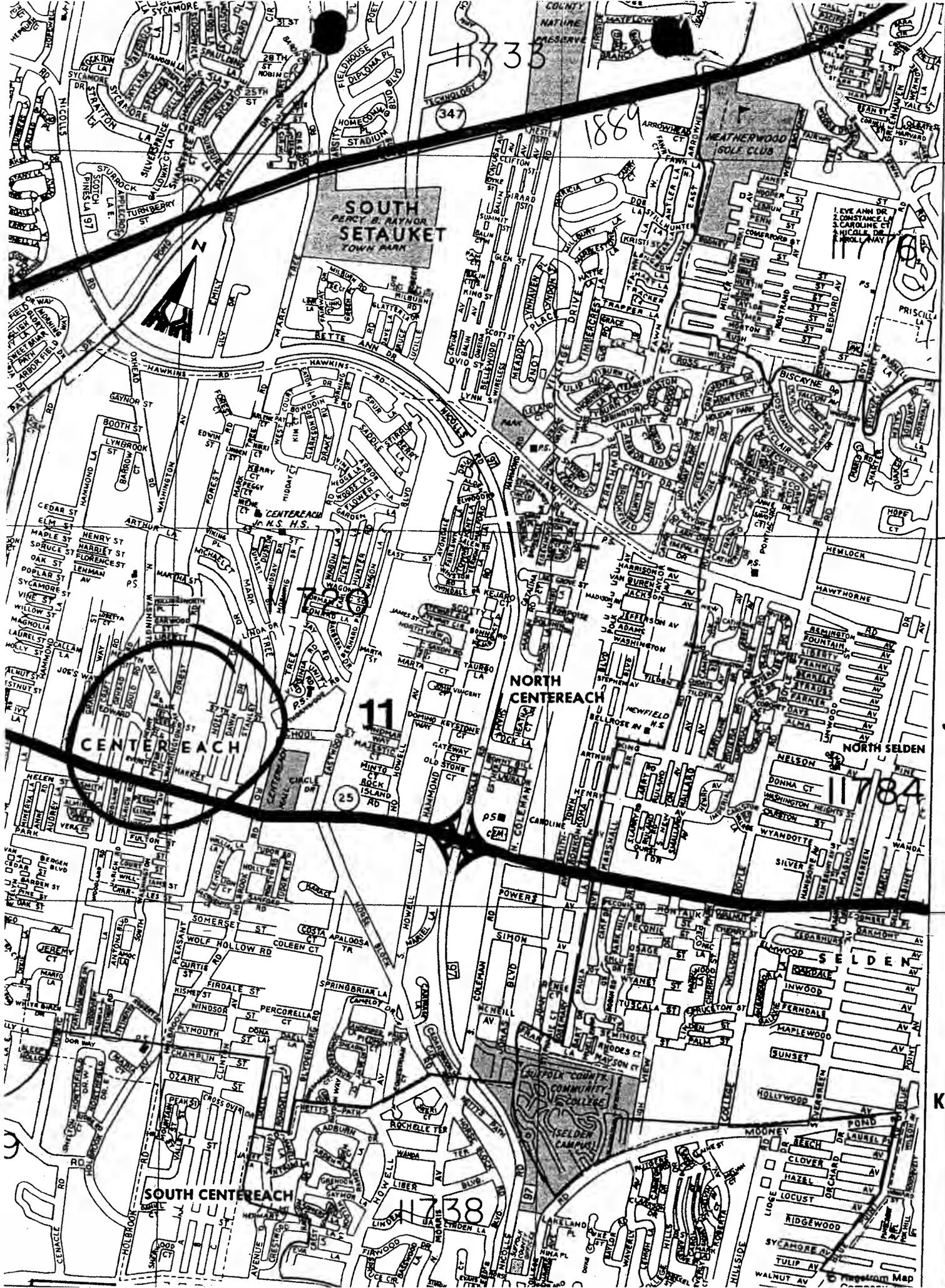
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

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

31-Jul-09


Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 01/27/10



SOUTH
PERCY B. MAYNOR
SETAUKET
TOWN PARK



11

NORTH
CENTEREACH

CENTEREACH

NORTH SELDEN

SOUTH CENTEREACH

SELDEN

38

1784

1889

34

33

H

J

K

- Revisions
- 05-22-98
- 09-16-98
- 10-10-98
- 02-19-97
- 03-18-97
- 09-19-97
- 04-24-98
- 11-17-98
- 01-26-99
- 11-30-99
- 06-07-00
- 06-20-00
- 07-13-00
- 05-08-01
- 09-06-02
- 07-07-03
- 01-27-04
- 10-29-04
- 02-24-05
- 07-27-05



LEGEND	Property or All Line	-----	Subdivision Lot No.	121	Block Limit	-----	School District Line	----- SCH	Hydrox District Line	----- H	UNLESS DRAWN OTHERWISE ARE WITHIN THE PD SCHOOL S FIRE FRI, FR LIGHT LVI PATH R AMBULANCE R
	Denotes Common Owner	-----	Subdivision Block/Block No.	(21)	Block No.	②	Fire District Line	----- F	Refuse District Line	----- R	
	Subdivision Lot Line	-----	Block Dimension	47	County Line	-----	Water District Line	----- W	Historical District Line	----- HIST	
	Stream / Shore	~~~~~	Scale Dimension	025	Town Line	-----	Light District Line	----- L	Ambulance District Line	----- A	
	Parcel No.	23	Deed Area	12.1 A(c) or 12.1A	Viaduct Line	-----	Park District Line	----- P	Postwater District Line	----- PW	
			Calculated Area	12.1 A(c)			Sewer District Line	----- S			

Introductory Resolution No. 1890-09 Laid on Table 10/13/09

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
SILDER MARTINEZ and ILMAR GUARDADO, as Tenants in Common
0100-144.00-02.00-093.000

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 144.00, Block 02.00, Lot 093.000, and acquired by tax deed on June 5, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 9, 2009, in Liber 12590, at Page 413, and otherwise known as and by Town of Babylon, known as filed Map 183 Section B, Block 31, Parts of Lots 41-45 Inc.; 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 5, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 9, 2009 in Liber 12590 at Page 413.

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, Countrywide Homes Loans, Inc., as Mortgagee by Stephen Marcus, as Attorney has made application of said above described parcel and Countrywide Homes Loans, Inc., as Mortgagee by Stephen Marcus, as Attorney has paid the application fee and \$7,160.84, 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 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 Quitclaim Deed to SILDER MARTINEZ and ILMAR GUARDADO, as Tenants in Common, 747 Outlook Avenue, North Babylon, New York 11703 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: _____

1890

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

September 11, 2009

Tax Map No.: 0100-144.00-02.00-093.000

Name of Last Legal Fee Owner: SILDER MARTINEZ and ILMAR GUARDADO,
as Tenants in Common

TREASURER'S COMPUTATION.....\$7,160.84

Taxes.....2008/2009.....included

Recording Fees collected for County Clerk.....N/A

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....\$7,160.84

Monies Received.....\$7,160.84

RESOLUTION AMOUNT.....\$7,160.84

APPROVED:

Karen A. Slater 9/11/09
 Accounting
 CO:lag

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

1890

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0100-144.00-02.00-093.000

2. Title of Proposed Legislation

Authorizing the 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 9/11/09

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0100	144.00	02.00	093.000

1890

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05 6539.75

2005/06 THROUGH 2008/09 PROPERTY TAXES PAID BY MORTGAGE COMPANY

TOTAL: 6539.75

B. INTEREST DUE 280.10
C. TOTAL 6819.85
D. 5% LINE C 340.99
E. FEE
F. MISC
G. MISC

H. TOTAL DUE \$7,160.84

108
9/11/09

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. 26-Aug-09


Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 02/22/10

Joins Map 4

14
13
12
11
10



COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0100	144.00	02.00	093.000

1890

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05 6539.75

2005/06 THROUGH 2008/09 PROPERTY TAXES PAID BY MORTGAGE COMPANY

TOTAL: 6539.75

B. INTEREST DUE 280.10

C. TOTAL 6819.85

D. 5% LINE C 340.99

E. FEE

F. MISC

G. MISC

H. TOTAL DUE \$7,160.84

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. 26-Aug-09


Diane M. Stuke

Deputy County Treasurer

**Interest and penalty computed to
and including 02/22/10

COUNTY OF SUFFOLK

Gen B14



1890

SEP 29 2009

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

PAMELA J. GREENE
DIVISION DIRECTOR

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

CARRIE MEEK GALLAGHER
COMMISSIONER

September 16, 2009

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

Re: Tax Map No. 0100-144.00-02.00-093.000
SILDER MARTINEZ and ILMAR GUARDADO, as Tenants in Common

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 at your earliest convenience.

Very truly yours,

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

CO:lag

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.

Introductory Resolution No. 1891-09

Laid on Table 10/13/09

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
**ESTATE OF THELMA PAYTON, as Surviving Tenant by the Entirety,
a/k/a Thelma S. Payton a/k/a Thelma L. Payton, by Robert Payton, as
Administrator**
0100-174.00-03.00-059.000

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 174.00, Block 03.00, Lot 059.000, and acquired by tax deed on March 31, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 4, 2008, in Liber 12546, at Page 601, and otherwise known as and by Town of Babylon, know as filed Map No. 1751 Sec. 2 Lot 141; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on March 31, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 4, 2008 in Liber 12546 at Page 601.

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, Robert Payton, as Administrator of the Estate of Thelma Payton, as Surviving Tenant by the Entirety, a/k/a Thelma S. Payton a/k/a Thelma L. Payton has made application of said above described parcel and Robert Payton, as Administrator of the Estate of Thelma Payton, as Surviving Tenant by the Entirety, a/k/a Thelma S. Payton a/k/a Thelma L. Payton has paid the application fee and will be paying \$28,799.57 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; and

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

2nd - **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to Estate of Thelma Payton, as Surviving Tenant by the Entirety, a/k/a Thelma S. Payton a/k/a Thelma L. Payton, by Robert Payton, as Administrator, 52 Maple Place, 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: _____

1891

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

September 9, 2009

Tax Map No.: 0100-174.00-03.00-059.000

Name of Last Legal Fee Owner: Estate of Thelma Payton, as Surviving Tenant by the Entirety,
a/k/a Thelma S. Payton a/k/a Thelma L. Payton,
by Robert Payton, as Administrator

TREASURER'S COMPUTATION.....\$24,613.16

Taxes.....2008/2009.....\$4,186.41

Recording Fees collected for County Clerk.....N/A

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

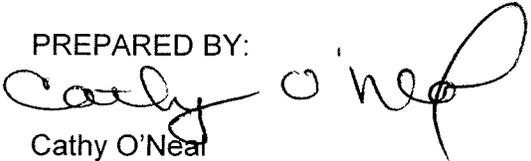
TOTAL.....\$28,799.57

Monies to be Received.....\$28,799.57

RESOLUTION AMOUNT.....\$28,799.57

APPROVED:

PREPARED BY:



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

Karen A. Bates 9/9/09
Accounting

CO:lag

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

1891

Resolution
Tax Map Number 0100-174.00-03.00-059.000

2. Title of Proposed Legislation

Authorizing the 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 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

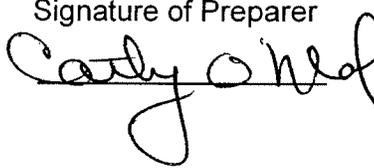
N/A

9. Timing of Impact

2009

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

Cathy O'Neal

 9/9/09

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0100	174.00	03.00	059.000

1891

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2003/04	\$4,826.02
2004/05	\$4,957.79
2005/06	\$4,082.57
2006/07	\$4,006.93
2007/08	\$3,364.30

2008/09 TAXES IN THE AMOUNT OF \$4,186.41 NOT INCLUDED IN COMPUTATION

TOTAL: \$21,237.61

B. INTEREST DUE	\$2,203.50
C. TOTAL	\$23,441.11
D. 5% LINE C	\$1,172.06
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE	\$24,613.16
--------------	-------------

4186.41

 \$28,799.57

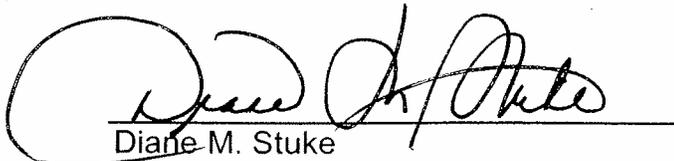
10/16/09
 [Signature]

CERTIFICATION BY COUNTY TREASURER

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

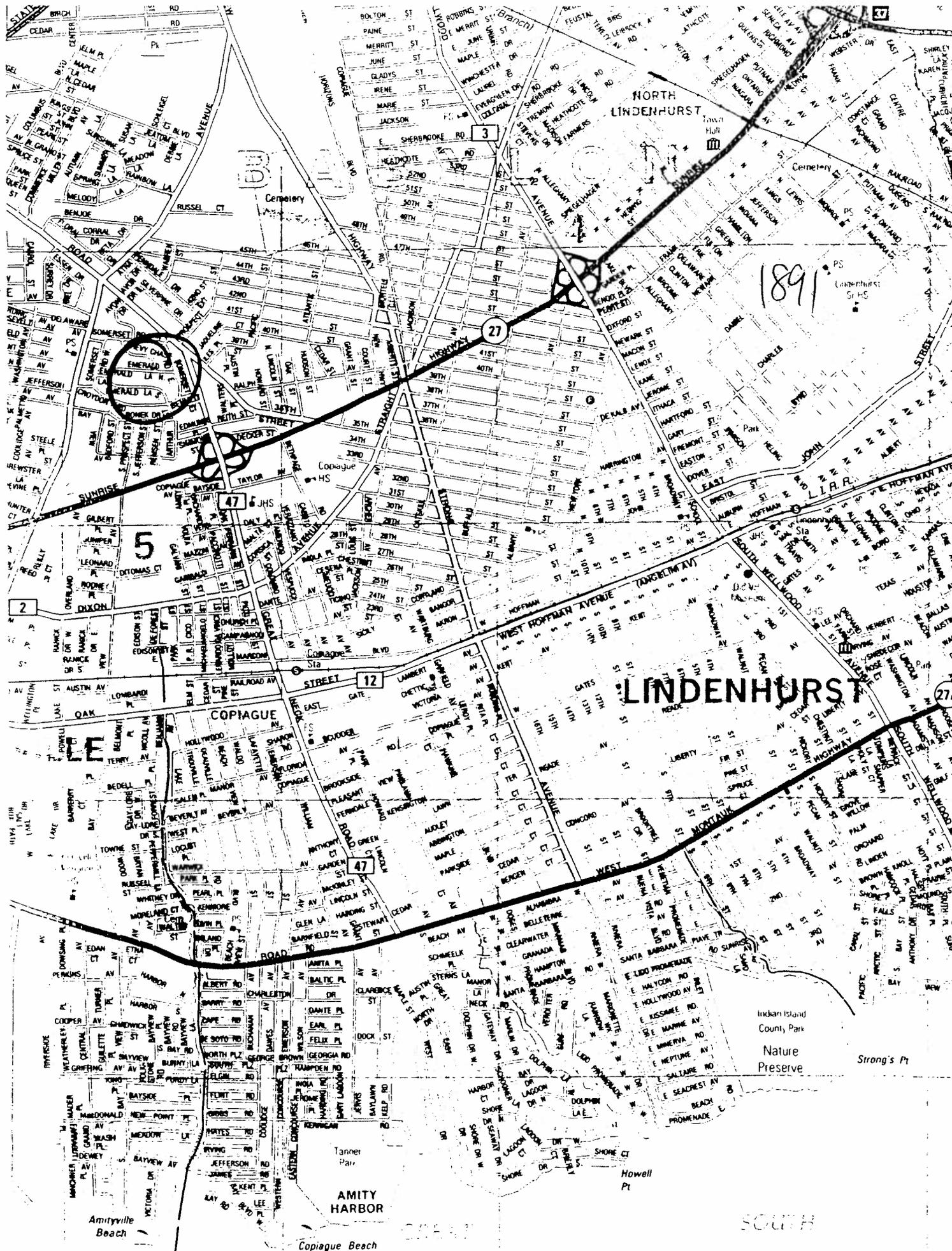
IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York.

16-Jul-09



Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 01/12/10



1891

LINDENHURST

Indian Island County Park
Nature Preserve
Strang's Pt

AMITY HARBOR

SOUTH

73 24 45

H

73 24 00

J

73 23 15

K

73 22 30

L

73 21 45

DIDD-174-03-059

Johns Map 6

11-27-94
 05-14-94
 05-07-00
 01-02-03
 01-08-04
 01-13-05
 00-16-06

N 112,899 L 113,000

N 171,000

0100 174 03 059



L O C A T I O N	Property or 66 Line	Subdivision Lot No.	Block Lot	School District Line	Hydant District Line	UNLESS OTHERWISE STATED WITHIN THIS PLAT THE DISTRICT LINES SHOWN ARE APPROXIMATE AND SUBJECT TO THE ACTUAL RECORDS OF THE COUNTY CLERK AND THE DISTRICT OFFICERS
	Denotes Common Owner	Subdivision Block/Block No. (21)	Block No.	Fire District Line	Water District Line	
	Subdivision Lot Line	Deed Dimension	County Line	Water District Line	Historical District Line	
	Stream / Shore	Scale Dimension	Town Line	Police District Line	Amusement District Line	
	Force Line	Deed Area 12.1 A(c) or 12.1A	Range Line	Sanitary District Line	Postoffice District Line	
	Calculated Area 12.1 A(c)					

COUNTY OF SUFFOLK

Gen B15

SEP 29 2009



1891

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

PAMELA J. GREENE
DIVISION DIRECTOR

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

CARRIE MEEK GALLAGHER
COMMISSIONER

September 16, 2009

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

Re: Tax Map No. 0100-174.00-03.00-059.000
Estate of Thelma Payton, as Surviving Tenant by the Entirety, a/k/a Thelma S. Payton
a/k/a Thelma L. Payton, by Robert Payton, as Administrator

Dear Mr. Zwirn:

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

Local Law No. 16-1976, as amended – Authorizing the redemption of real property.

I would appreciate your placing this on the legislative agenda at your earliest convenience.

Very truly yours,

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

CO:lag

- 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.

Introductory Resolution No. 1892-09 Laid on Table 10/13/09

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
MARK BORSTELMANN
1000-054.00-03.00-021.003

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 Southold, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 1000, Section 054.00, Block 03.00, Lot 021.003, and acquired by tax deed on June 4, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 4, 2009, in Liber 12590, at Page 170, and otherwise known as and by Town of Southold, know as and by the Town of Southold as District 1000, Section 054.00, Block 03.00 and Lot 021.003; 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 4, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 4, 2009 in Liber 12590 at Page 170.

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, James Plevritis and Pota Plevritis, as Mortgagees have made application of said above described parcel and James Plevritis and Pota Plevritis, as Mortgagees have paid the application fee and \$9,884.24, 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 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 Quitclaim Deed to MARK BORSTELMANN, 1975 Hempstead Turnpike, East Meadow, New York 11514, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1892

September 10, 2009

Tax Map No.: 1000-054.00-03.00-021.003

Name of Last Legal Fee Owner: MARK BORSTELMANN

TREASURER'S COMPUTATION.....\$9,884.24

Taxes.....2008/2009.....included

Recording Fees collected for County Clerk.....N/A

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....\$9,884.24

Monies Received.....\$9,884.24

RESOLUTION AMOUNT.....\$9,884.24

APPROVED:

Karen A. Slater 9/11/09
Accounting
DB:lag

PREPARED BY:

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

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1897

1. Type of Legislation

Resolution X
Tax Map Number 1000-054.00-03.00-021.003

2. Title of Proposed Legislation

Authorizing the 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)

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2009

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

Diane Bishop

Diane Bishop

9/10/09

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
1000	054.00	03.00	021.003

1892

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07	\$3,217.55
2007/08	\$3,171.50
2008/09	\$2,671.28

TOTAL: \$9,060.33

B. INTEREST DUE	\$353.23
C. TOTAL	\$9,413.56
D. 5% LINE C	\$470.68
E. FEE	
F. MISC	
G. MISC	

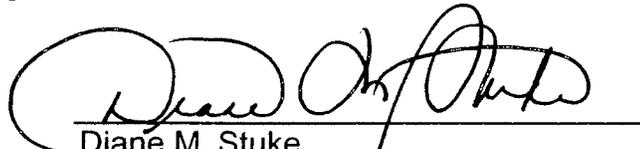
H. TOTAL DUE \$9,884.24

Handwritten: 8/11/09

CERTIFICATION BY COUNTY TREASURER

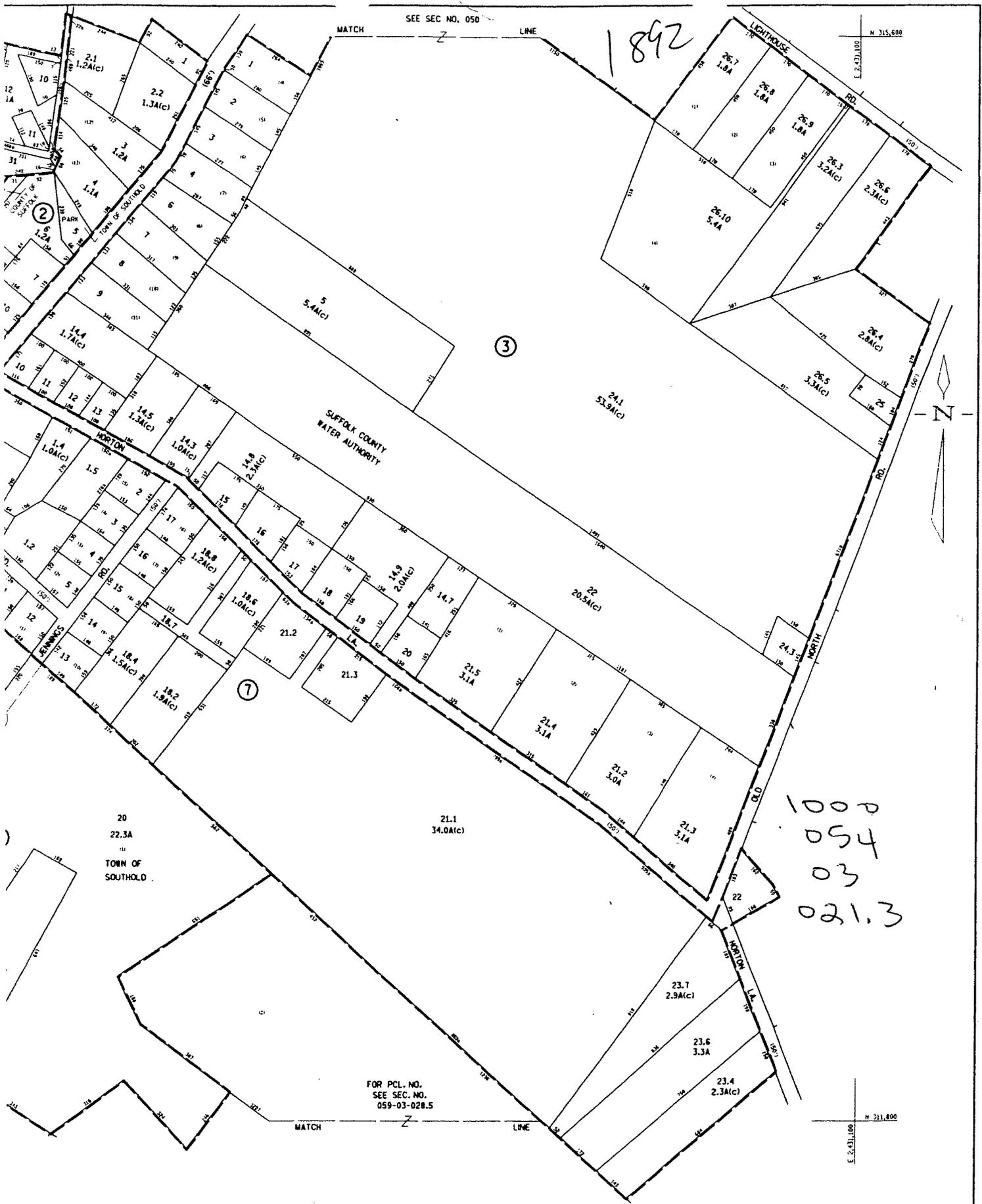
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 14-Aug-09



Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 02/10/10



1892

1000
054
03
021.3

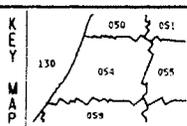
SEE SEC. NO. 050

FOR PCL. NO.
SEE SEC. NO.
059-03-028.5

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



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



TOWN OF	SOUTHOLD
VILLAGE OF	
DISTRICT NO	1000

SECTION NO	054
PROPERTY MAP	



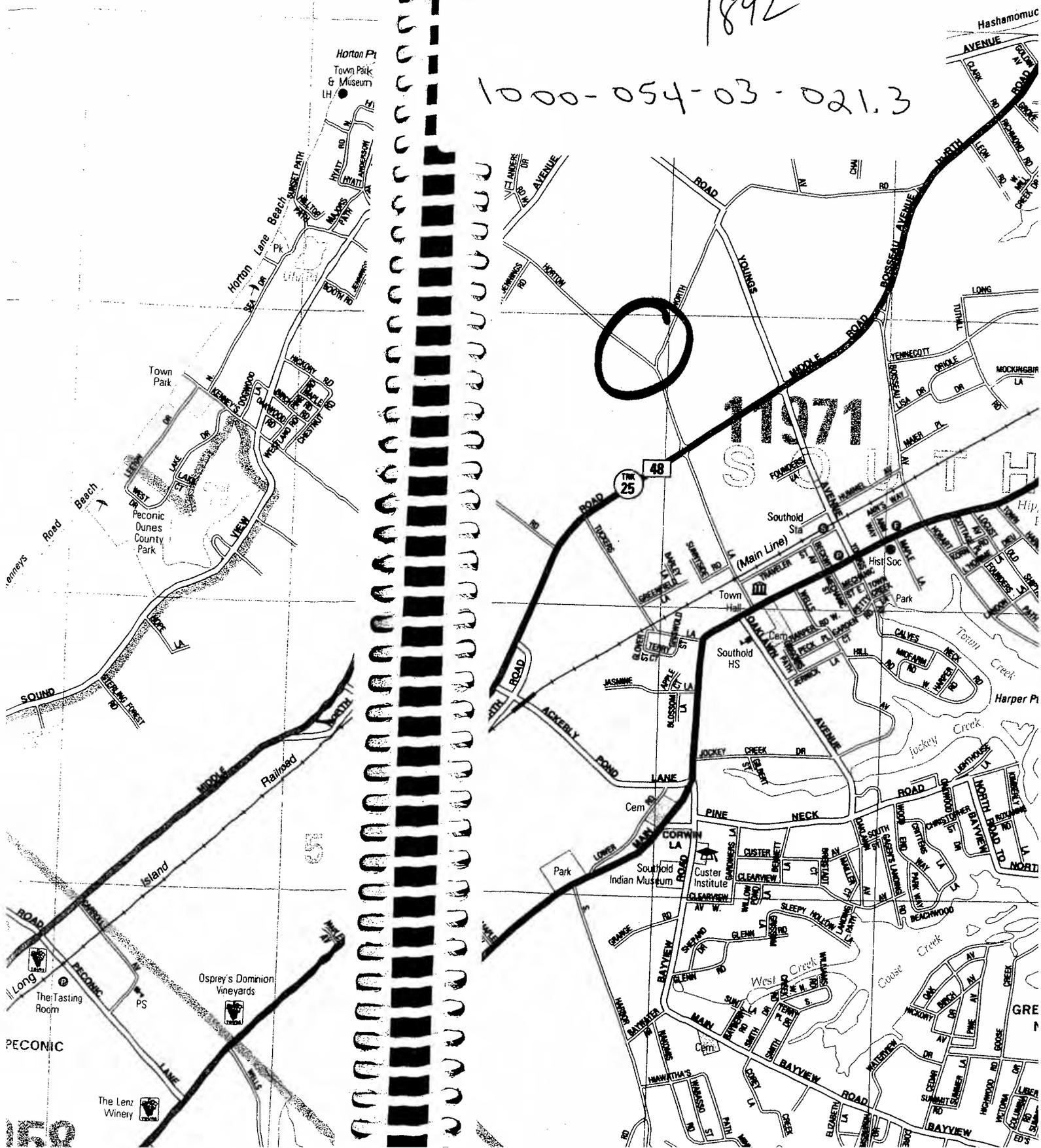
Quickly estimate distance:
 Each grid box represents approximately
 0.65 mi. horizontally by 0.86 mi. vertically.

72°27'45" J3 72°27'00"

K3 72°26'16" L3 72°25'30" M3

1892

1000-054-03-021.3



11971 SOUTH

COUNTY OF SUFFOLK

Gen B16

SEP 18 2009



1892

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

PAMELA J. GREENE
DIVISION DIRECTOR

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

CARRIE MEEK GALLAGHER
COMMISSIONER

September 16, 2009

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

Re: Tax Map No. 1000-054.00-03.00-021.003
MARK BORSTELMANN

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 at your earliest convenience.

Very truly yours,

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

DB:lag

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.

Introductory Resolution No. **1893-09** Laid on Table **10/13/09**

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
BAYVIEW PROPERTY MANAGEMENT CORP.
0200-937.00-06.00-026.000
0200-978.90-04.00-053.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 937.00, Block 06.00, Lot 026.000 **and** District 0200, Section 978.90, Block 04.00, Lot 053.000, and acquired by tax deed on October 15, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2008, in Liber 12569, at Page 171, and otherwise known as and by Town of Brookhaven,

PARCEL I – 0200-937.00-06.00-026.000

Known and designated as Lot: Southerly one half of Plot No. 492 as shown on a certain map entitled “Map of Shirley Long Island Unit L” made by Peter J. Van Weele, Licensed Surveyor, Islip, Long Island, New York, dated April 28, 1953 and filed in the office of the Clerk of the County of Suffolk on July 6, 1953 as Map No. 2090; and

PARCEL II – 0200-978.90-04.00-053.000

Known as and by the Town of Brookhaven as District 0200, Section 978.90, Block 04.00, Lot 053.000

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

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

WHEREAS, BAYVIEW PROPERTY MANAGEMENT CORP. has made application of said above described parcel and BAYVIEW PROPERTY MANAGEMENT CORP. has paid the application fee and \$7,445.27, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 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 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 Quitclaim Deed to BAYVIEW PROPERTY MANAGEMENT CORP., 518 William Floyd Parkway, Shirley, New York 11967, 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: _____

1893

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

September 8, 2009

Tax Map No.: 0200-937.00-06.00-026.000

Name of Last Legal Fee Owner: BAYVIEW PROPERTY MANAGEMENT CORP.

TREASURER'S COMPUTATION.....\$2,393.98

Taxes.....2008/2009.....\$652.07

Recording Fees collected for County Clerk.....N/A

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....\$3,046.05

Monies Received.....\$3,046.05

RESOLUTION AMOUNT.....\$3,046.05

APPROVED:

Karen A. Slater 9/8/09
 Accounting
 DB:lag

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	937.00	06.00	026.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	\$725.77
2006/07	\$796.70
2007/08	\$621.59

1893

2008/09 TAXES IN THE AMOUNT OF \$652.07 NOT INCLUDED IN COMPUTATION

TOTAL: \$2,144.06

B. INTEREST DUE	\$135.92
C. TOTAL	\$2,279.98
D. 5% LINE C	\$114.00
E. FEE	
F. MISC	
G. MISC	

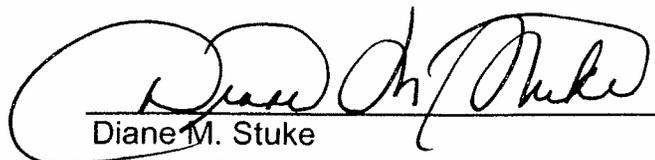
H. TOTAL DUE \$2,393.98

KR
5/19/09

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. 13-May-09



Diane M. Stuke
Deputy County Treasurer

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

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1893

September 8, 2009

Tax Map No.: 0200-978.90-04.00-053.000

Name of Last Legal Fee Owner: BAYVIEW PROPERTY MANAGEMENT CORP.

TREASURER'S COMPUTATION.....\$3,455.21
Taxes.....2008/2009.....\$944.01
Recording Fees collected for County Clerk.....N/A
License Fee.....N/A
Repairs.....N/A
Interest.....N/A
Miscellaneous Expenses.....N/A

TOTAL.....\$4,399.22

Monies Received.....\$4,399.22

RESOLUTION AMOUNT.....\$4,399.22

APPROVED:

Karen J. Plater 9/9/09
Accounting
DB:lag

PREPARED BY:

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT

0200

SECTION

978.90

BLOCK

04.00

LOT

053.000

1893

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	\$1,053.31
2006/07	\$1,138.89
2007/08	\$902.29

2008/09 TAXES IN THE AMOUNT OF \$944.01 NOT INCLUDED IN COMPUTATION

TOTAL: \$3,094.49

B. INTEREST DUE	\$196.19
C. TOTAL	\$3,290.68
D. 5% LINE C	\$164.53
E. FEE	
F. MISC	
G. MISC	

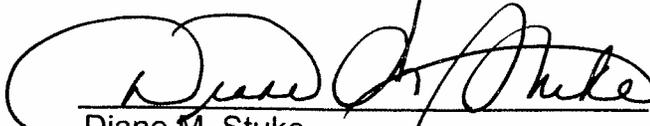
H. TOTAL DUE \$3,455.21

108
9/19/09

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. 13-May-09


Diane M. Stuke

Deputy County Treasurer

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

TS

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number: 0200-937.00-06.00-026.000
0200-978.90-04.00-053.000

1893

2. Title of Proposed Legislation

Authorizing the 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)

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2009

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

Diane Bishop

Diane Bishop

9/8/09



1893

1967

0800-931,00-06-00-026,000

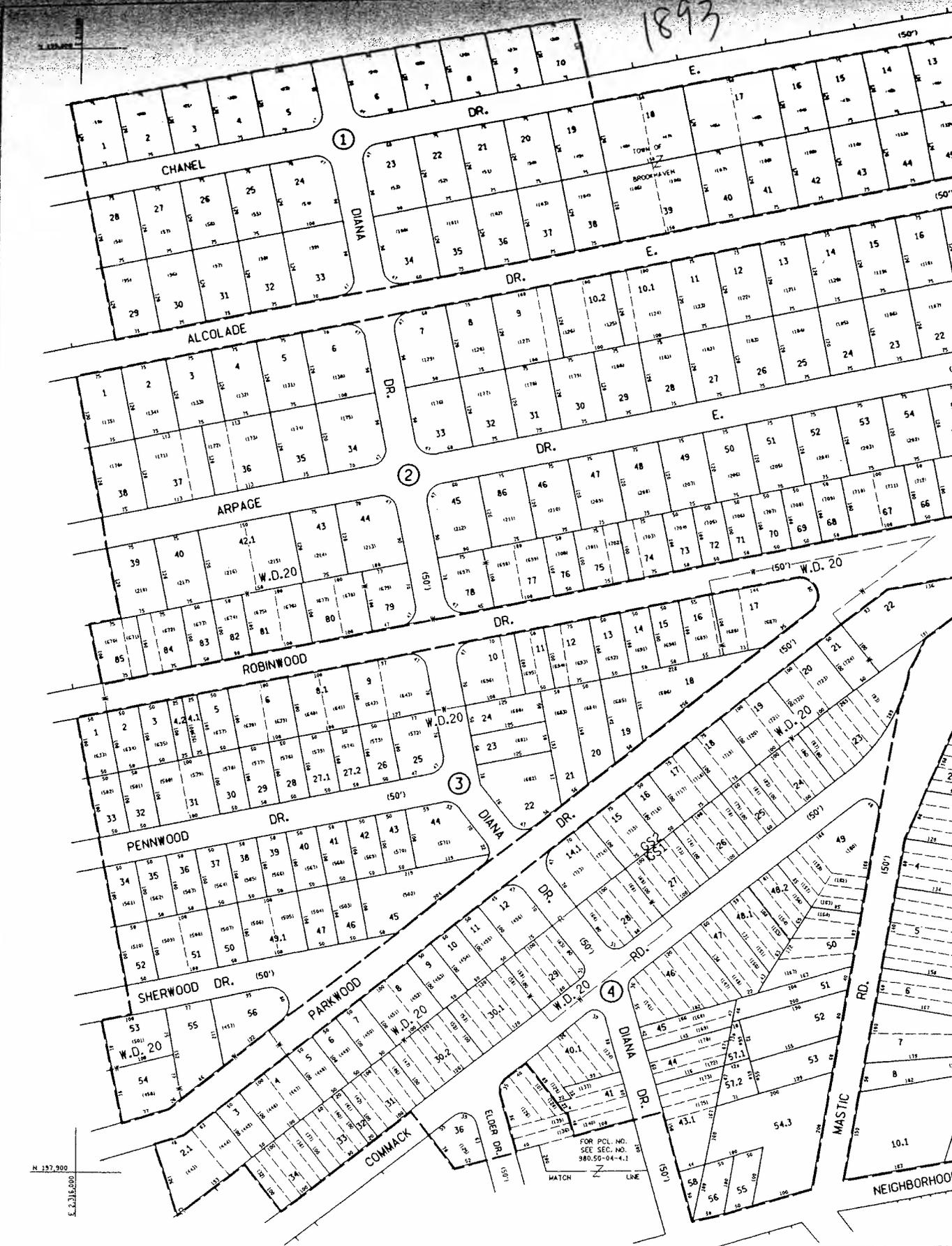
FOR ADJOINING AREA SEE MAP NO. 21

R

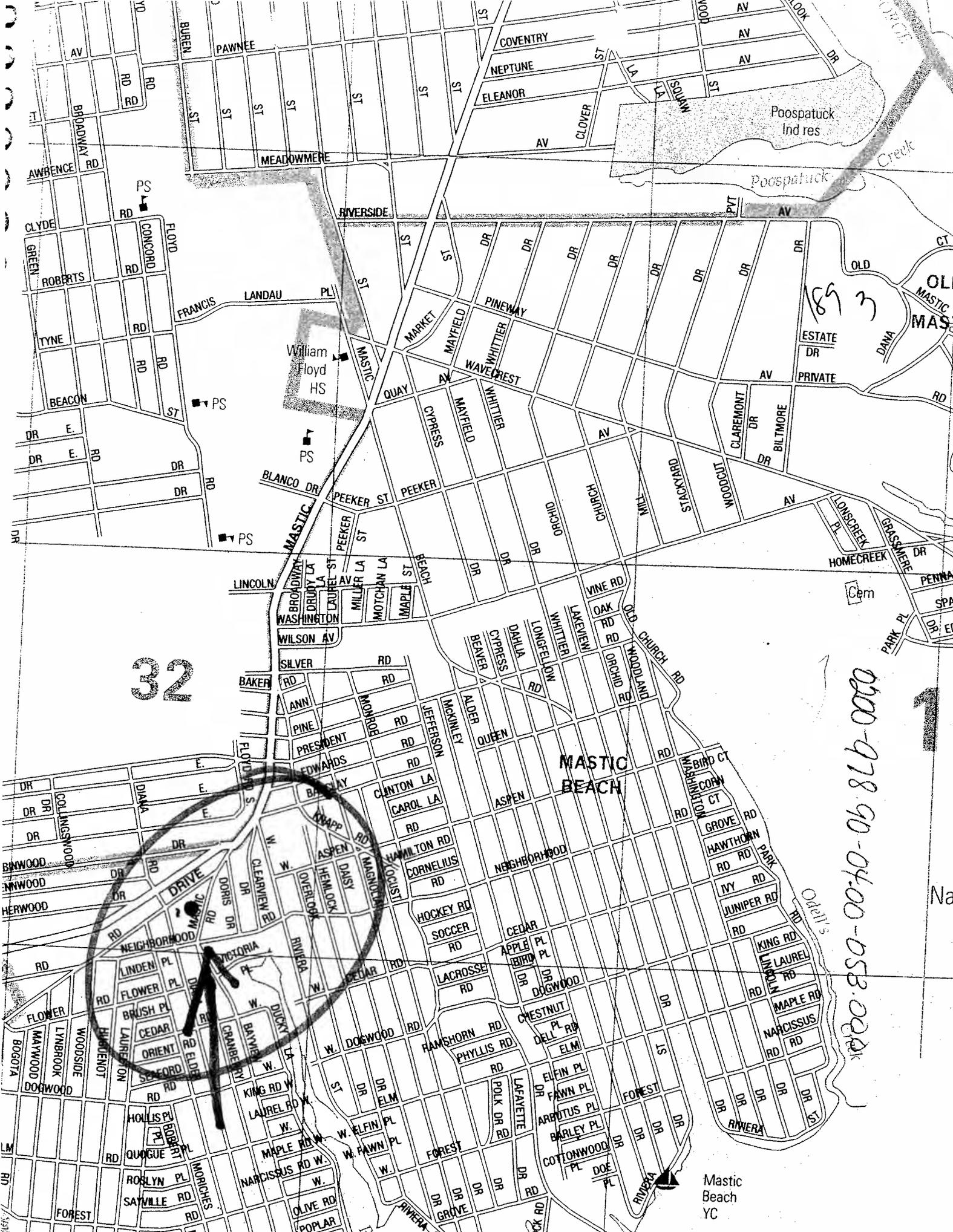
Property or RI Line	Subdivision Lot No.	Block Light	School District Line	Hydrant District Line	UNLESS DRAWN OTHERWISE ARE WITHIN THE FOL SCHOOL 32 SE FIRE F52 HY LIGHT L23 PA PARK RE
Denotes Common Owner	Subdivision Block/Bag No.	Block No.	Fire District Line	Refuse District Line	
Subdivision Lot Line	Deed Dimension	County Line	Water District Line	Historical District Line	
Stream / Shore	Scaled Dimension	Town Line	Light District Line	Ambulance District Line	
Parcel No.	Deed Area		Park District Line	Postwater District Line	

03-01-00
03-06-00
01-05-00
09-17-01
06-07-00
07-01-00
12-23-00
08-06-04
02-24-00
04-07-00
05-21-07

0200-978900400-053000



Property or RI Line	Subdivision Lot No.	Block Light	School District Line	Hydrant District Line	UNLESS DRAWN OTHERWISE ARE WITHIN THE FOL SCHOOL 32 SE FIRE F52 HY LIGHT L23 PA PARK RE
Denotes Common Owner	Subdivision Block/Bag No.	Block No.	Fire District Line	Refuse District Line	
Subdivision Lot Line	Deed Dimension	County Line	Water District Line	Historical District Line	
Stream / Shore	Scaled Dimension	Town Line	Light District Line	Ambulance District Line	
Parcel No.	Deed Area		Park District Line	Postwater District Line	



32

89 3

0200-978-90-0400-058-0001

1

Na

Mastic Beach
NY

COUNTY OF SUFFOLK

Gen B17



1893

SEP 29 2009

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

PAMELA J. GREENE
DIVISION DIRECTOR

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

CARRIE MEEK GALLAGHER
COMMISSIONER

September 16, 2009

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

Re: Tax Map No. 0200-937.00-06.00-026.000
0200-978.90-04.00-053.000
BAYVIEW PROPERTY MANAGEMENT CORP.

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 at your earliest convenience.

Very truly yours,

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

DB:lag

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.

1894

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

Laid on Table 10/13/09

**RESOLUTION NO. -2009, ADOPTING LOCAL LAW NO.
-2009, A LOCAL LAW TO ENSURE THE INTEGRITY OF
PRESCRIPTION LABELS IN SUFFOLK COUNTY**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2009, a proposed local law entitled, "**A LOCAL LAW TO ENSURE THE INTEGRITY OF PRESCRIPTION LABELS IN SUFFOLK COUNTY**" now, therefore, be it

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

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

**A LOCAL LAW TO ENSURE THE INTEGRITY OF PRESCRIPTION
LABELS IN SUFFOLK COUNTY**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that many Suffolk County residents rely on prescription medications to address a wide variety of health needs.

This Legislature also finds and determines that many of these medications are essential for the survival of individuals with serious medical conditions.

This Legislature finds that the labels affixed to prescription medications dispensed from pharmacies provide patients with important information, including the directions for taking a medication, potential side effects, drug warnings, and a medication's expiration date.

This Legislature finds that, frequently, prescription labels are printed on materials that are susceptible to fading or obfuscation from the sun, water, or simple wear and tear.

This Legislature determines that when a prescription label becomes illegible, the chances of a patient taking the wrong medication or an incorrect dosage of medication increase.

This Legislature also finds that the County of Suffolk has a responsibility to protect the health and safety of its residents.

This Legislature further finds that prescriptions dispensed in Suffolk County should have prescription labels that are protected from the elements and resistant to fading, wear and tear or other forms of damage.

Therefore, the purpose of this law is to require pharmacies operating in Suffolk County to cover their prescription labels with materials that will protect the labels from degradation.

Section 2. Definitions.

As used in this law, the following term shall have the meaning indicated:

“OPERATOR” shall mean the person in charge of a pharmacy. This term shall specifically include, but not necessarily be limited to, the owner, lessee, manager, assistant manager or any person in charge of managing the operation or activities of a pharmacy.

“PHARMACY” shall mean any place in which drugs, prescriptions or poisons are possessed for the purpose of compounding, preserving, dispensing or retailing, or in which drugs, prescriptions or poisons are compounded, preserved, dispensed or retailed, or in which such drugs, prescriptions or poisons are by advertising or otherwise offered for sale at retail, as defined under New York State Education Law § 6802.

“PRESCRIPTION LABEL” shall mean the label affixed to a container used in the dispensing of prescription medications.

Section 3. Requirements.

Pharmacies in Suffolk County must cover all prescription labels with a transparent, water-resistant material that will protect the label from damage and maintain the legibility of the label.

Section 4. Penalties.

Any operator of a pharmacy who intentionally violates any provision of this chapter shall be subject to a civil fine of \$250 for the first offense, \$500 for a second offense, and \$750 for all subsequent offenses.

Section 5. Enforcement.

This article shall be enforced by the Suffolk County Department of Health Services in accordance with the provisions of Article II of the Suffolk County Sanitary Code.

Section 6. Rules and Regulations.

The Suffolk County Department of Health Services shall promulgate such rules and regulations as it deems necessary and appropriate for the implementation and enforcement of any provisions of this chapter.

Section 7. Applicability.

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

Section 8. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or

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

Section 9. SEQRA Determination.

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

Section 10. Effective Date.

This law shall take effect on the one hundred twentieth (120th) day following its filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\l-cover prescription labels

OFFICE OF THE COUNTY LEGISLATURE
COUNTY OF SUFFOLK

1894



GEORGE NOLAN
COUNSEL TO THE LEGISLATURE
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(631) 853-5494 (PHONE)
(631) 853-4415 (FAX)

DATE: OCTOBER 5, 2009
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2009

TITLE: I.R. NO. -2009; A LOCAL LAW TO ENSURE THE INTEGRITY OF PRESCRIPTION LABELS IN SUFFOLK COUNTY

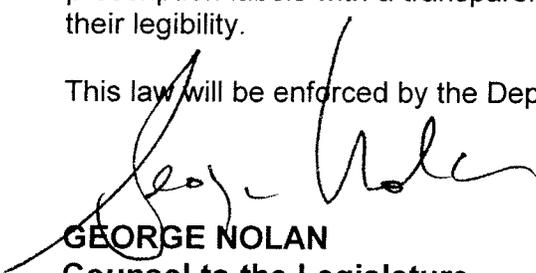
SPONSOR: LEGISLATOR COOPER

DATE OF RECEIPT BY COUNSEL: 10/2/2009 PUBLIC HEARING: 11/17/2009

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

This proposed local law would require pharmacies operating in Suffolk County to cover all prescription labels with a transparent, water resistant material to protect the labels and maintain their legibility.

This law will be enforced by the Department of Health Services.


GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-cover-prescription-labels

1895

Intro. Res. No. -2009
Introduced by Legislator D'Amaro

Laid on Table 10/13/09

**RESOLUTION NO. -2009, ADOPTING LOCAL LAW NO.
-2009, A LOCAL LAW PROHIBITING SEX OFFENDERS FROM
LIVING NEAR THEIR VICTIMS**

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 PROHIBITING SEX OFFENDERS FROM LIVING NEAR THEIR VICTIMS**" 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 PROHIBITING SEX OFFENDERS FROM LIVING
NEAR THEIR VICTIMS**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the crimes committed by sex offenders frequently leave their victims with significant emotional and psychological wounds, in addition to any physical harm caused.

This Legislature also finds and determines that victims of sex crimes may easily feel revictimized by seeing or speaking with their attacker.

This Legislature finds that, consequently, some sex offenders must refrain from contacting their victims as a condition of their supervision.

This Legislature further finds and determines that sex offenders often prey on victims in their own neighborhoods, particularly children.

This Legislature determines that, upon release, sex offenders may return to their prior residence if it meets Suffolk County's residency restrictions.

This Legislature also finds that, as a result, some sex offenders may be living a quarter of a mile from schools and playgrounds, but continue to live next door to their victims.

This Legislature further finds that victims of sex offenders in Suffolk County should have peace of mind knowing that the individuals who harmed them will not be living near their home or workplace upon their release from incarceration.

Therefore, the purpose of this law is amend Chapter 428 of the SUFFOLK COUNTY CODE to prohibit Level 2 and Level 3 sex offenders from living in close proximity to their prior victims' homes and workplaces.

Section 2. Amendments.

Chapter 428 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 428. Sex Offenders.

§428-3. Residence Limitation.

- A. It shall be unlawful for all registered sex offenders to reside within 1/4 mile of the property line of any school, including, but not limited to, any public or private nursery, elementary, middle or high school; or a licensed day-care center; or a playground; or the residence or principal place of employment of the victim(s) of their crime(s).
- B. No shelter or housing accommodation shall permit or cause the placement of any registered sex offender if such shelter or housing accommodation is within 1/4 mile of the property line of any school, including, but not limited to, any public or private nursery, elementary, middle or high school; or a licensed day-care center; or a playground; or the residence or principal place of employment of the victim(s) of their crime(s).
- C. The residence prohibition established by this section shall remain in effect for as long as the offender is classified as a registered sex offender.

§ 428-4. Exceptions.

- A. With the exception of the limitation on residence near the residence of a victim, [T]he provisions of this article shall not apply to [any] registered sex offenders who have established a residence prior to the effective date of this article.

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:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



1895

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

DATE: October 5, 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 PROHIBITING SEX OFFENDERS FROM LIVING NEAR THEIR VICTIMS

SPONSOR: LEGISLATOR D'AMARO

DATE OF RECEIPT BY COUNSEL: 10/5/09 PUBLIC HEARING: 11/17/09
DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED:

This proposed local law would restrict registered level 2 and 3 sex offenders from living within one-quarter (1/4) mile of the residence or principal place of employment of the victim(s) of their crime(s). This law will also prevent shelters or other housing accommodations from providing housing to registered sex offenders within one-quarter (1/4) mile of the residence or workplace of their victim(s).

An exception to the residency restriction is permitted when a registered sex offender has an established residence within one quarter (1/4) mile of the principal place of employment of the victim(s) of their crime(s) prior to the effective date of this law.

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

GEORGE NOLAN
Counsel to the Legislature

GN:

**RESOLUTION NO. -2009, ADOPTING LOCAL LAW
NO. -2009, A LOCAL LAW TO PRESERVE THE
MONTAUK POINT LIGHTHOUSE BY AMENDING
RESOLUTION NO. 805-2009, A LOCAL LAW TO
REAUTHORIZE THE HOTEL AND MOTEL TAX**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2009, a proposed local law entitled, "**A LOCAL LAW TO PRESERVE THE MONTAUK POINT LIGHTHOUSE BY AMENDING RESOLUTION NO. 805-2009, A LOCAL LAW TO REAUTHORIZE THE HOTEL AND MOTEL TAX**"; now, therefore, be it

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

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

**A LOCAL LAW TO PRESERVE THE MONTAUK POINT
LIGHTHOUSE BY AMENDING RESOLUTION NO. 805-2009, A
LOCAL LAW TO REAUTHORIZE THE HOTEL AND MOTEL
TAX**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Resolution No. 805-2009 reauthorized the Suffolk County hotel and motel tax, increasing it from three-quarters of one percent (0.75%) to three percent (3%).

This Legislature also finds and determines that, in accordance with the authorizing State legislation, Resolution No. 805-2009 specifically set aside funding for the Vanderbilt Museum and the Walt Whitman Birthplace State Historic Site and Interpretive Center ("Walt Whitman Birthplace").

This Legislature further finds and determines that the Montauk Point Lighthouse is the oldest lighthouse in New York State and the fourth oldest active lighthouse in the United States.

This Legislature finds that the Montauk Point Lighthouse is currently funded by a not-for-profit organization, the Montauk Historical Society.

This Legislature determines that, although the Montauk Point Lighthouse is one of the most frequently visited historic sites in Suffolk County, much like the Vanderbilt Museum and the Walt Whitman Birthplace, it is having difficulty meeting its operating expenses.

This Legislature also finds that it would be appropriate to provide the Montauk Point Lighthouse with a stream of revenue similar to that of the Walt Whitman Birthplace to

ensure that the residents of Suffolk County and visitors from across the nation and world have the opportunity to visit this important historic site.

Therefore, the purpose of this law is to amend the hotel and motel tax law to provide the Montauk Point Lighthouse with a steady stream of income.

Section 2. Amendments.

Section 2 of Resolution No. 805-2009 is hereby amended as follows:

Section 2. Amendments.

II. Section 327-14 of the SUFFOLK COUNTY CODE is hereby amended as follows:

§ 327-14. Distribution of tax revenues.

All revenues resulting from the imposition of the tax payable hereunder shall be paid into the treasury of the County of Suffolk and shall be distributed within 30 days after receipt by the County under the following formula:

D. Eight percent of all revenues collected shall be utilized by the County of Suffolk for the support of other museums, and historical societies, historic residences and historic birthplaces, provided that of such eight percent, an amount equal to one and one-half percent of all revenues collected shall be utilized for program support of the Walt Whitman Birthplace State Historic Site and Interpretive Center and an amount equal to one and one-half percent of all revenues collected shall be utilized for program support and preservation of the Montauk Point Lighthouse.

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



1896

GEORGE NOLAN
COUNSEL TO THE LEGISLATURE
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HAUPPAUGE, NY 11788-0099
(631) 853-5494 (PHONE)
(631) 853-4415 (FAX)

DATE: October 6, 2009

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2009

TITLE: I.R. NO. -2009; A LOCAL LAW TO PRESERVE THE MONTAUK POINT LIGHTHOUSE BY AMENDING RESOLUTION NO. 805-2009, A LOCAL LAW TO REAUTHORIZE THE HOTEL AND MOTEL TAX

SPONSOR: LEGISLATOR SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 10/6/09

PUBLIC HEARING: 11/17/09

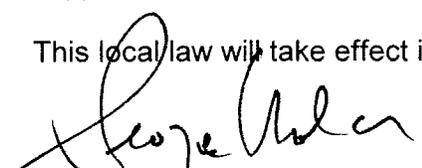
DATE ADOPTED/NOT ADOPTED: _____

CERTIFIED COPY RECEIVED: _____

This proposed local law would amend Resolution No. 805-2009, which increased and reauthorized the hotel and motel tax, to provide designated funding for the Montauk Point Lighthouse.

In accordance with the authorizing state legislation, Resolution No. 805-2009 provides that eight percent of all revenues collected from the hotel and motel tax shall be distributed to support museums, parks and historical structures, with one and one half percent (1.5%) of all revenues designated to support the Walt Whitman Birthplace State Historic Site. This law would mandate that one and one half percent (1.5%) of all revenues be utilized for program support and preservation of the Montauk Point Lighthouse.

This local 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-preserve Montauk lighthouse

1897

Intro. Res. No. -2009
Introduced by the Presiding Officer

Laid on Table 10/13/09

**RESOLUTION NO. -2009, MAKING A SEQRA
DETERMINATION IN CONNECTION WITH THE
PROPOSED SIDEWALKS ON CR 92, OAKWOOD
ROAD, CP 5497, TOWN OF HUNTINGTON**

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Sidewalks on CR 92, Oakwood Road, CP 5497, Town of Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project will install additional concrete sidewalks along CR 92 between Jericho Turnpike and the LIRR grade crossing to augment existing sidewalks. ADA requirements will include sidewalk ramps with detectable warning devices, additional pedestrian crosswalks and pedestrian signage. The project will provide a continuous, safe route for pedestrians to travel, provide a safe route for recreational walking and exercise and improve pedestrian connections to alternative modes of transportation (i.e. Suffolk County Transit Buses); and

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

WHEREAS, at its September 16, 2009 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated September 17, 2009 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Sidewalks on CR 92, Oakwood Road, CP 5497, Town of Huntington, constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

- 2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code;
- 3.) The parcel does not appear to suffer from any severe environmental development constraints (limiting soil properties; no high groundwater and no unmanageable slopes); and
- 4.) Pedestrian safety will be improved in the vicinity of the school and adjacent residential areas;

and be it further

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\s-sidewalks-oakwood-road

1898

Intro. Res. No. -2009
Introduced by the Presiding Officer

Laid on Table 10/13/09

**RESOLUTION NO. -2009, MAKING A SEQRA
DETERMINATION IN CONNECTION WITH THE
PROPOSED SIDEWALKS ON CR 79,
BRIDGEHAMPTON-SAG HARBOR TURNPIKE, CP
5497, TOWN OF SOUTHAMPTON**

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Sidewalks on CR 79, Bridgehampton-Sag Harbor Turnpike, CP 5497, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project will install additional concrete sidewalks along CR 79, Bridgehampton-Sag Harbor Turnpike, between Montauk Highway and Scuttle Hole Road to augment existing sidewalks. ADA requirements will include sidewalk ramps with detectable warning devices, additional pedestrian crosswalks and pedestrian signage. The project will provide a continuous, safe route for pedestrians to travel, provide a safe route for recreational walking and exercise, improve pedestrian connections to alternative modes of transportation (i.e. Suffolk County Transit Buses), and provide additional inlets to improve drainage at low points in the roadway gutter; and

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

WHEREAS, at its September 16, 2009 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated September 17, 2009 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Sidewalks on CR 79, Bridgehampton-Sag Harbor Turnpike, CP 5497, Town of Southampton, constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant

effect on the environment, as demonstrated in the Environmental Assessment Form;

- 2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code;
- 3.) The parcel does not appear to suffer from any severe environmental development constraints (limiting soil properties; no high groundwater and no unmanageable slopes);
- 4.) All necessary DEC permits will be obtained;
- 5.) Trees will be preserved where ever possible; and
- 6.) Pedestrian safety will be improved in the vicinity of the project;

and be it further

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\s-sidewalks-sag-harbor

1899
Intro. Res. No. -2009
Introduced by the Presiding Officer

Laid on Table 10/13/09

RESOLUTION NO. -2009, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED SIDEWALKS ON CR 85, MONTAUK HIGHWAY, CP 5497, TOWN OF ISLIP

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Sidewalks on CR 85, Montauk Highway, CP 5497, Town of Islip", pursuant to Section 6 of Local Law No. 22-1985 which project will install additional concrete sidewalks along CR 85, Montauk Highway, between Idle Hour Blvd., and West Street to augment existing sidewalks. ADA requirements will include sidewalk ramps with detectable warning devices, additional pedestrian crosswalks and pedestrian signage. The project will provide a continuous, safe route for pedestrians to travel, provide a safe route for recreational walking and exercise, improve pedestrian connections to alternative modes of transportation (i.e. Suffolk County Transit Buses), and provide additional inlets to improve drainage at low points in the roadway gutter; and

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

WHEREAS, at its September 16, 2009 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated September 17, 2009 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Sidewalks on CR 85, Montauk Highway, CP 5497, Town of Islip, constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

- 2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code;
- 3.) The parcel does not appear to suffer from any severe environmental development constraints (limiting soil properties; no high groundwater and no unmanageable slopes);
- 4.) DPW will meet with the Suffolk County Director of Historic Services to avoid impacting historic elements in the area; and
- 5.) Pedestrian safety will be improved in the vicinity of the project;

and be it further

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\s-sidewalks-montauk-highway

1900

Intro. Res. No. -2009
Introduced by Legislators Schneiderman and Romaine

Laid on Table 10/13/09

RESOLUTION NO. -2009, ADOPTING LOCAL LAW NO. -2009, A LOCAL LAW TO REALLOCATE HOTEL AND MOTEL TAX REVENUES TO ENHANCE TOURISM PROMOTION IN THE PECONIC REGION

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2009, a proposed local law entitled, "**A LOCAL LAW TO REALLOCATE HOTEL AND MOTEL TAX REVENUES TO ENHANCE TOURISM PROMOTION IN THE PECONIC REGION**" now, therefore, be it

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

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

A LOCAL LAW TO REALLOCATE HOTEL AND MOTEL TAX REVENUES TO ENHANCE TOURISM PROMOTION IN THE PECONIC REGION

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 Suffolk County recently reauthorized the County's hotel tax, increasing it from three-quarters of one percent (0.75%) to three percent (3%).

This Legislature also finds and determines that up two \$2 million of the revenue from this tax will go to a tourism promotion agency.

This Legislature further finds and determines that Suffolk County currently contracts with the Long Island Convention and Visitors Bureau to provide regional tourism promotion as required under the law.

This Legislature determines that the Peconic Region of Suffolk County – the Towns of Riverhead, Southold, Shelter Island, Southampton and East Hampton – is home to many open spaces, historic landmarks and other tourist attractions. This Region's tourism is largely seasonal and yet it accounts for 36% of the County's Hotel and Motel Tax Revenues.

This Legislature also finds that there are three distinct tourism areas within the Peconic Region:

- The North Fork includes the Towns of Southold, Riverhead and Shelter Island. North Fork farms and wineries have become a major tourist attraction and the Village of Greenport remains a popular tourist location.

- The Hamptons includes the Town of Southampton and portions of East Hampton and is known for its beaches and grand lifestyle. The Hamptons is home to many celebrities and attracts visitors from around the world.
- Montauk is known for its beaches and parklands and boasts some of the finest fishing in the nation.

This Legislature also finds that while regional tourism promotion draws many visitors to the largest attractions in Suffolk County, local entities operating in the Peconic region have specialized knowledge of their areas and know best how to promote their attractions.

This Legislature finds that the Hamptons Visitors Council, North Fork Promotional Council and the Montauk Chamber of Commerce are the three local entities best suited to promote tourism within the three distinct tourist areas in the Peconic Region.

Therefore, the purpose of this law is to require any tourism promotion agency that Suffolk County contracts with to distribute a portion of their funding to groups operating in the Peconic Region for the purpose of promoting tourism in this vital area.

Section 2. Amendments.

Chapter 327 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 327. HOTELS AND MOTELS

§ 327-13. Tourism promotion agency.

- A. The County of Suffolk shall enter into a contract, as mandated by Tax Law § 1202-o(5), with a tourism promotion agency to administer programs designed to develop, encourage, solicit and promote convention business and tourism within the County of Suffolk. The promotion of convention business and tourism shall include any service, function or activity, whether or not performed, sponsored or advertised by the tourism promotion agency with the intent to attract transient guests to the County. The County Executive, or his designated representative, is hereby authorized to negotiate and enter into such a contract. No such contract shall be executed without the prior approval of the Legislature.

* * * *

- (6) Such contracts shall provide that the tourism promotion agency shall annually allocate and distribute ten percent (10%) of the contract amount to the Hamptons Visitors Council, the North Fork Promotional Council and the Montauk Chamber of Commerce for the purpose of promoting tourism in the Hamptons, North Fork and Montauk areas respectively. The monies shall be distributed by the tourism promotion agency to the Hamptons Visitors Council, the North Fork Promotion Council and the Montauk Chamber of Commerce by May 1 of each year and paid on a proportional basis according to the amount of hotel\motel tax revenue

generated in the Hamptons, North Fork and Montauk areas during the preceding calendar year, as reported by the Suffolk County Treasurer. All monies directed to these entities pursuant to this subsection shall be used to promote tourism within the areas generally and shall not to direct visitors to any particular business.

* * * *

Section 3. Applicability.

This law shall apply to all contracts entered into between the County and tourism promotion agencies 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:

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OFFICE OF THE COUNTY LEGISLATURE
COUNTY OF SUFFOLK



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DATE: October 6, 2009
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2009

TITLE: I.R. NO. -2009; A LOCAL LAW TO REALLOCATE HOTEL AND MOTEL TAX REVENUES TO ENHANCE TOURISM PROMOTION IN THE PECONIC REGION

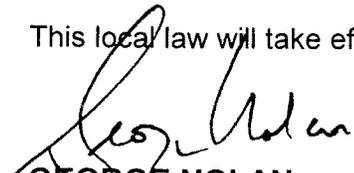
SPONSOR: LEGISLATOR SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 10/6/09 PUBLIC HEARING: 11/17/09
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

Pursuant to state authorizing legislation, the County of Suffolk is required to contract with, and remit a set percentage of its hotel and motel tax revenue to a tourism promotion agency. This proposed local law would amend Section 327-13 of the SUFFOLK COUNTY CODE to require that the tourism promotion agency under contract with Suffolk County distribute ten percent (10%) of the contract amount to designated organizations in the Peconic region for the purpose of promoting tourism in the region.

The local organizations which will receive funding under this law are the Hamptons Visitors Council, the North Fork Promotional Council and the Montauk Chamber of Commerce. The funding will be distributed by the tourism promotion agency by May 1st of each year and shall be distributed on a proportional basis according to the amount of hotel/motel tax revenue generated in the Hamptons, North Fork and Montauk areas during the preceding calendar year, as reported by the Suffolk County Treasurer. All funds distributed must be used to promote tourism within the area generally and shall not direct visitors to any particular businesses.

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


GEORGE NOLAN
Counsel to the Legislature

GN:

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