LAID ON THE TABLE FEBRUARY 2, 2010

LADS REPORT PREPARED BY:
Michele Gerardi

1053. Authorizing a Memorandum Of Understanding among the Suffolk County Police Department, the Suffolk County Office of Probation, the Suffolk County Sheriff's Office, the Suffolk County District Attorney's Office and the Suffolk County Department of Social Services for sharing domestic violence incident information. (Co. Exec.) HEALTH & HUMAN SERVICES

1054. Adopting Local Law No. -2010, A Local Law to address the penalties for unsafe helicopter operation in Suffolk County. (Romaine) PUBLIC WORKS & TRANSPORTATION

1055. Calling for a public hearing for the consent to the acquisition of additional land at Marinold Way, Town of Southampton, County of Suffolk, State of New York, by the Quogue Cemetery Association, Inc. for cemetery expansion purposes. (Schneiderman) WAYS & MEANS

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1058. Appointing Yves R. Michel as a member of the Suffolk County Industrial Development Agency (IDA). (Horsley) ECONOMIC DEVELOPMENT, HIGHER EDUCATION AND ENERGY

1059. Amending Resolution No. 1148-2009, implementing Budget, Staff and Taxes for the Fiscal Year 2010 (Mandated). (Pres. Off.) BUDGET & FINANCE

1060. Authorizing amended tax warrant for Resolution No. 1149-2009 (for the Town of East Hampton) to be signed by the Presiding Officer and the Clerk of the County Legislature. (Pres. Off.) BUDGET & FINANCE

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1062. Establishing a policy barring the release of home address information of law enforcement personnel. (Lindsay) LABOR, WORKFORCE, AND AFFORDABLE HOUSING

1063. Amending the 2010 Operating Budget to support St. Patrick's Parish Outreach and Bay Shore Chamber of Commerce. (Barraga) BUDGET & FINANCE

1064. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Ethridge Chong (SCTM No. 0500-267.00-03.00-041.000). (Co. Exec.) WAYS & MEANS

1065. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Deborah J. Grimaldi and Agnes Vezzuto (SCTM No. 0500-009.00-04.00-095.000). (Co. Exec.) WAYS & MEANS

1066. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Gerald Union and Lancene Union, his wife (SCTM No. 0800-130.00-04.00-046.000). (Co. Exec.) WAYS & MEANS

1067. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Raul Mora (50%), Joanne E. Mora (25%) and Anthony A. Mora (25%), as joint tenants with right of survivorship (SCTM No. 0500-052.00-04.00-024.000). (Co. Exec.) WAYS & MEANS

1068. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law Town of Smithtown (SCTM No. 0800-052.00-03.00-002.000). (Co. Exec.) WAYS & MEANS

1069. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law Town of Huntington (SCTM No. 0400-145.00-01.00-069.001). (Co. Exec.) WAYS & MEANS

1070. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 819-2010). (Co. Exec.) BUDGET & FINANCE

1071. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 818-2010). (Co. Exec.) BUDGET & FINANCE

1072. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 329-2010. (Co. Exec.) BUDGET & FINANCE

1073. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 328. (Co. Exec.) BUDGET & FINANCE

1074. Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Brookhaven for Affordable Housing Purposes. (Co. Exec.) LABOR, WORKFORCE, AND AFFORDABLE HOUSING

1075. Sale of County-owned real state pursuant to Local Law No. 13-1976 Rod Staten Corp. (SCTM No. 0100-170.00-02.00-053.000). (Co. Exec.) WAYS & MEANS

1076. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act J & J Sales and Renovation Properties, Inc. (SCTM No. 0500-120.00-03.00-074.000). (Co. Exec.) WAYS & MEANS

1077. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Fitz-Braun, LLC (SCTM Nos. 0800-077.00-04.00-007.00 and 0800-077.00-04.00-008.000). (Co. Exec.) WAYS & MEANS

1078. Adopting Local Law No. -2010, A Charter Law amending the membership of the County Fire, Rescue and Emergency Services Commission. (Losquadro) PUBLIC SAFETY

1079. Amending the 2010 Suffolk County Operating Budget in connection with the restoration of one Clerk Typist and one Courier position to maintain operations in the Office of the Suffolk County Clerk. (Pres. Off.) BUDGET & FINANCE

1080. Adopting Local Law No. -2010, A Local Law to recodify, strengthen and clarify the provisions for licensed occupations. (Co. Exec.) CONSUMER PROTECTION

1081. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Spin City Realty Corporation (SCTM No. 0100-055.00-02.00-083.000). (Co. Exec.) WAYS & MEANS

1082. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Plantgift.Com, Inc. (SCTM No. 0500-356.00-07.00-002.000). (Co. Exec.) WAYS & MEANS

1083. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Sean D. Grant a/k/a Sean Dana Grant (SCTM No. 0100-053.00-02.00-113.000). (Co. Exec.) WAYS & MEANS

1084. Amending Resolution No. 61-2009 to authorize additional time for the Long Island Maritime Museum to utilize the Carriage House in the West Sayville Park. (Lindsay) PARKS AND RECREATION

1085. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 820-2010). (Co. Exec.) BUDGET & FINANCE

1086. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 330-2010. (Co. Exec.) BUDGET & FINANCE

1087. Delegating authority to refund certain erroneous tax payments to the Suffolk County Treasurer. (Co. Exec.) BUDGET & FINANCE

1088. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 331. (Co. Exec.) BUDGET & FINANCE

1089. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Home Star Custom Homes LLC (SCTM No. 0200-969.00-01.00-031.000). (Co. Exec.) WAYS & MEANS

1090. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Barbara and Herbert Gershkowitz (SCTM No. 0300-157.00-04.00-004.004). (Co. Exec.) WAYS & MEANS

1091. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Stanzoni Realty Corp. (SCTM Nos. 0200-982.10-05.00-025.000, 0200-982.10-05.00-026.000 and 0200-982.10-05.00-027.000). (Co. Exec.) WAYS & MEANS

1092. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 821-2010). (Co. Exec.) BUDGET & FINANCE

1093. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 822-2010). (Co. Exec.) BUDGET & FINANCE

1094. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Peter A. and Svetlana L. Wilkeyson (SCTM No. 0500-402.00-03.00-p/o 024.002). (Co. Exec.) WAYS & MEANS

1095. Directing the Department of Health Services to make its database of automated external defibrillator locations available to emergency 911 dispatchers. (Lindsay) HEALTH & HUMAN SERVICES

1096. Directing the Department of Health Services to develop signs for locations of automated external defibrillators. (Lindsay) HEALTH & HUMAN SERVICES

1097. Adopting Local Law No. -2010, A Local Law amending the membership of the Dredging Project Screening Committee. (Schneiderman) PUBLIC WORKS & TRANSPORTATION

1098. Directing the Department of Information Technology to perform a feasibility study in relation to the creation of a phone application for finding automated external defibrillators in Suffolk County. (Lindsay) WAYS & MEANS

1099. Amending the 2010 Operating Budget to support the Long Island Philharmonic, Inc. (Lindsay) BUDGET & FINANCE

1100. Amending the 2010 Operating Budget and transferring funds to Medford Volunteer Ambulance. (Eddington) BUDGET & FINANCE

1101. Amending the 2010 Operating Budget and transferring funds to parents for Megan's Law Crime Victims Center. (Eddington) BUDGET & FINANCE

1102. Adopting Local Law No. -2010, A Local Law to ensure the timely removal of damaged utility poles on County-owned roadways. (Eddington) PUBLIC WORKS & TRANSPORTATION

1103. Amending Resolution No. 882-2008, creating an Oversight Management Committee for the John J. Foley Skilled Nursing Facility. (Lindsay) HEALTH & HUMAN SERVICES

1104. To reappoint Allan H. Varela, Jr. as a member of the Suffolk County Citizens Advisory Board for the Arts. (Losquadro) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1105. Waiving the Vanderbilt Museum's reimbursement for self-insurance. (Pres. Off.) PARKS & RECREATION

1106. Authorizing the County Treasurer to borrow cash funds from other County funds for 2010. (Pres. Off.) BUDGET & FINANCE

1107. Amending the 2010 Operating Budget and transferring funds to Babylon Village Youth Project. (Horsley) BUDGET & FINANCE

1108. Authorizing certain technical corrections to the 2010 Adopted Operating Budget for the Music Festival of the Hamptons Inc. (Schneiderman) WAYS & MEANS

1109. Authorizing certain technical corrections to the 2010 Adopted Operating Budget for the Wildlife Rescue Center of the Hamptons Inc. (Schneiderman) WAYS & MEANS

1110. Authorizing certain technical corrections to the 2010 Adopted Operating Budget for the Friends of the Big Duck. (Schneiderman) WAYS & MEANS

1111. Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 11 – Selden with the owner of Seeley Subdivision (BR-1567). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1112. Approving a license agreement for Patrick Boyles to reside in the Isaac Mills House, St. James. (Co. Exec.) PARKS & RECREATION

1113. Approving a license agreement for Susan Greer to reside at Robert Cushman Murphy County Park, Manorville. (Co. Exec.) PARKS & RECREATION

1114. Authorizing use of Blydenburgh County Park by the Care Center for its annual Walkathon Fundraiser. (Co. Exec.) PARKS & RECREATION

1115. Authorizing use of Southaven County Park by Contractors for Kids for their Family Fun Day and Picnic Fundraiser. (Co. Exec.) PARKS & RECREATION

1116. Authorizing use of Cathedral Pines County Park by Babylon Breast Cancer Coalition for its Mountain Bike Ride Fundraiser. (Co. Exec.) PARKS & RECREATION

1117. Accepting and appropriating 100% grant funds received from the New York State Senate, Office of Funding and Program Development, DWI Prosecutors Assistance Program. (Co. Exec.) PUBLIC SAFETY

1118. Accepting and appropriating 100% grant funds received from the United States Department of Justice, Bureau of Justice Assistance. (Co. Exec.) PUBLIC SAFETY

1119. Requesting legislative approval of a contract award for a financial printer for the Department of Audit and Control. (Co. Exec.) WAYS & MEANS

1120. Approving an increase in fleet for the Suffolk County Police Department. (Co. Exec.) PUBLIC SAFETY

1121. Accepting and appropriating a grant in the amount of $30,000 from the State of New York Governor's Traffic Safety Committee, for the Suffolk County Police Department to fund a Motorcycle Safety Enforcement and Education Program with 86.78% support. (Co. Exec.) PUBLIC SAFETY

1122. Accepting and appropriating a grant in the amount of $111,195 from the State of New York Governor's Traffic Safety Committee, to target speeding, aggressive and distracted driving, and commercial vehicle safety with 85.81% support. (Co. Exec.) PUBLIC SAFETY

1123. Accepting and appropriating $10,000 additional federal pass-through grant funds from the NYS Division of Criminal Justice Services to the Suffolk County Police Department for the S.T.O.P. Violence Against Women Program with 100% support. (Co. Exec.) PUBLIC SAFETY

1124. Accepting and appropriating a grant in the amount of $127,400 from the New York State Division of Criminal Justice Services for the Suffolk County Police Department's Operation Hot Wheels VI Program with 85.87% support. (Co. Exec.) PUBLIC SAFETY

1125. Accepting and appropriating an amendment to the College Budget for a grant award from the U. S. Department of Education for a Federal Work-Study Program 100% reimbursed by Federal funds at Suffolk County Community College. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1126. Accepting and appropriating a grant award from the New York State Environmental Facilities Corporation for a Green Innovation Grant Program in connection with a College-wide Water and Energy Conservation Initiative 90% reimbursed by State funds at Suffolk County Community College. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1127. Adopting Local Law No. -2010, A Charter Law requiring sound budget practices to ensure fiscal responsibility. (Stern) BUDGET & FINANCE

1128. To rename the intersection of CR 4, Commack Road and CR 67, Vanderbilt (Motor) Parkway, as "Glen Ciano Road". (Stern) PUBLIC WORKS & TRANSPORTATION

1129. Adopting Local Law No. -2010, A Local Law to ensure the integrity of prescription labels in Suffolk County. (Cooper) HEALTH & HUMAN SERVICES

1130. Appropriating funds in connection with the Science, Technology and General Classroom Building – Ammerman Campus (CP 2174). (Pres. Off.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERG

1131. Amending the 2010 Operating Budget and authorizing the purchase of three previously leased vehicles in the Suffolk County Department of Labor. (Lindsay) BUDGET & FINANCE

1132. Amending the 2010 Operating Budget and transferring funds for Suffolk County Bar Pro Bono Foundation. (Stern) BUDGET & FINANCE

1133. Accepting and appropriating 100% Federal pass-through grant funds from the NYS Office of Homeland Security (OHS) in the amount of $50,000 for "Creation of Explosive Detection Canine Team" under Homeland Security Explosive Detection Canine Team Grant Program to be administered by the Suffolk County Sheriff's Office in partnership with the Nassau County Sheriff's Office. (Lindsay) PUBLIC SAFETY

1134. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Rubenstein and Tanguturi property - Peconic River greenbelt addition - Town of Riverhead (SCTM No. 0600-125.00-02.00-037.001). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1135. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the J. Forence, R. Florence and Hallinen property - Patchogue River wetlands addition - Town of Brookhaven (SCTM No. 0200-865.00-04.00-066.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1136. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Porter property - Sagaponack Woods - Town of Southampton (SCTM No. 0900-041.00-01.00-023.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1137. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Rubenstein property Reeves Bay - Town of Southampton (SCTM No. 0900-147.00-02.00-023.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1138. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Deangelis property - Long Pond greenbelt - Town of Southampton -(SCTM No. 0900-053.00-01.00-071.001). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1139. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Delalio Sod Farm, Inc. property - Peconic River greenbelt addition - Town of Riverhead (SCTM No. 0600-137.00-02.00-002.001). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1140. Accepting and appropriating 100% Federal pass-through grant funds from the NYS Office of Homeland Security (OHS) in the amount of $50,000 for "Creation of Explosive Detection Canine Team" under Homeland Security 2009 Explosive Detection Canine Team Grant Program to be administered by the Suffolk County Sheriff's Office in partnership with the Nassau County Sheriff's Office. (Co. Exec.) PUBLIC SAFETY

1141. Authorizing payment of certain closing costs incurred relative to the acquisition of the Cohalan Court Complex. (Co. Exec.) WAYS & MEANS

1142. Accepting and appropriating 100% Local Government Records Management Improvement Fund Grant from New York State for Records Management Programs. (Co. Exec.) WAYS & MEANS

1143. Authorizing the purchase of up to 22 paratransit vans for Suffolk Transit and accepting and appropriating Federal Aid and State Aid and County funds (CP 5658). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1144. Amending the 2010 Capital Budget and Program and appropriating funds in connection with the reconstruction of CR 67, Motor Parkway Bridge, L.I.E. Exit 55 (CP 5172). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1145. Requiring homeless sex offenders to wear GPS tracking devices. (Eddington) PUBLIC SAFETY

1146. Directing the Department of Public Works to hold public hearings on new bus fares in order to implement Sunday bus service. (Schneiderman) PUBLIC WORKS & TRANSPORTATION

1147. Dedicating the revenue generated by the County's lease with Eastern Long Island Solar Project. (Romaine) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1148. VOID

1149. Amending the 2010 Operating Budget and transferring funds to Montauk Fire District. (Schneiderman) BUDGET & FINANCE

1150. Amending the 2010 Operating Budget to consolidate the Islip Health Center. (Lindsay) BUDGET & FINANCE

1151. Directing the Suffolk County Police Department to enhance the "Text-A-Tip" Program. (Horsley) PUBLIC SAFETY

1152. Authorizing use of Makamah Preserve in Northport by Northport Running Club. (Cooper) PARKS & RECREATION

1153. Making a SEQRA determination in connection with the proposed department of Public Works Sewer District No. 3 – Southwest-Bergen Point Wastewater Treatment Plant Expansion, CP 8183, Town of Babylon. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1154. Making a SEQRA determination in connection with the proposed improvements at CR 48, Middle Road and Cox Neck Road, CP 5571, Town of Southold. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1155. Making a SEQRA determination in connection with the proposed construction of parking facilities on CR 80, Montauk Highway from CR 46, William Floyd Parkway to Mastic Road, Town of Brookhaven. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1156. Amending the 2010 Operating Budget and transferring funds to Family Service League Huntington Station Manor Field Family Center. (Cooper) BUDGET & FINANCE

1157. Appointing Patricia McMahon to the Suffolk County Community College Board of Trustees. (D'Amaro) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1158. Amending the 2010 Operating Budget and transferring funds to St. Joseph's CYO. (Cilmi) BUDGET & FINANCE

1159. Appointing William C. Goggins to the Suffolk County Community College Board of Trustees. (Romaine) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1160. Approving the appointment of a relative of a County Court Judge in the Suffolk County Legislature (Lauren Auerbach). (Muratore) WAYS & MEANS

1161. Amending the 2010 Operating Budget to support the East End Arts Council. (Schneiderman) BUDGET & FINANCE

1162. Extend deadline for Suffolk County Health Center Financial Review Committee. (Browning) HEALTH & HUMAN SERVICES

1163. Adopting Local Law No. -2010, A Local Law to streamline procedures for selecting the County Legislature's Presiding Officer and Deputy Presiding Officer. (Cooper) WAYS & MEANS

1164. Adopting Local Law No. -2010, A Charter Law to guarantee continuity and stability in County Law Enforcement and ensure adequate resources for public safety. (Eddington) PUBLIC SAFETY

1165. Authorizing a further extension of Soccer Field Agreement with the Mastic Sports Club. (Browning) PARKS & RECREATION

1166. Reappointing member to the Council on Environmental Quality (Thomas C. Gulbransen). (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1167. Reappointing member to the Council on Environmental Quality (Daniel Pichney). (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1168. Reappointing member to the Council on Environmental Quality (Gloria G. Russo). (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1169. To re-establish the Lake Ronkonkoma Advisory Board. (Kennedy) ENVIRONMENT, PLANNING & AGRICULTURE

1170. Adopting Local Law No. -2010, A Local Law amending the Suffolk County Empire Zone Boundaries to include Amneal Pharmaceuticals of New York, LLC., (SCTM Nos. 0800-182.00-01.00-027.014 and 0800-182.00-01.00-027.006). (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1171. Adopting Local Law No. -2010, A Local Law amending the Suffolk County Empire Zone Boundaries to include A & Z Pharmaceuticals Inc. (SCTM No. 0100-068.00-01.00-011.001). (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1172. Adopting Local Law No. -2010, A Local Law imposing a surcharge on wireless communications service in the County of Suffolk. (Co. Exec.) PUBLIC SAFETY

1173. Adopting Local Law No. -2010, A Charter Law repealing Article III of Chapter 294 of the Suffolk County Code and enacting strengthened and improved regulation of the installation and servicing of portable fire extinguishers and automatic fire extinguishing systems. (Co. Exec.) PUBLIC SAFETY

1174. Adopting Local Law No. -2010, A Local Law amending Chapter 8 of the Suffolk County Code. (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1175. Adopting Local Law No. -2010, A Local Law expanding eligibility for County real property tax exemption to include disabled veterans. (Co. Exec.) VETERANS & SENIORS

1176. Adopting Local Law No. -2010, A Charter Law to repeal the Suffolk County Energy Tax via public referendum. (Romaine) BUDGET & FINANC

PROCEDURAL MOTION

PM.01 Designating Veterans organizations to receive funding for Memorial Day Observances for 2010. (Stern) VETERANS & SENIORS

PM.02 Authorizing remittance of monies from the maintenance fund to the Vanderbilt Museum. (Pres. Off.)

HOME RULE MESSAGES

HR.01 Requesting the State of New York to enact legislation establishing a Bi-County Commission to study the feasibility of establishing the State of Long Island (Senate Bill No. S.426-A and Assembly Bill No. A.1189-A). (Romaine) WAYS & MEANS

HR.02 Requesting State of New York to amend the Civil Service Law, in relation to resolution of disputes between a public employer and Suffolk County Probation Officers (Senate Bill S.4872 and Assembly Bill A.7171-A). (Pres. Off.) LABOR, WORKFORCE & AFFORDABLE HOUSING

HR.03 Requesting the State of New York to grant retroactive Tier I Membership in the New York State and Local Employees' Retirement System to Maria Williams (Assembly Bill A.7292, Senate Bill S.3661). (Losquadro) LABOR, WORKFORCE & AFFORDABLE HOUSING

Intro. Res. No. 1053 -2010 Laid on Table 2/2/10
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, AUTHORIZING A MEMORANDUM OF UNDERSTANDING AMONG THE SUFFOLK COUNTY POLICE DEPARTMENT, THE SUFFOLK COUNTY OFFICE OF PROBATION, THE SUFFOLK COUNTY SHERIFF'S OFFICE, THE SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE AND THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES FOR SHARING DOMESTIC VIOLENCE INCIDENT INFORMATION

WHEREAS, the prevalence of domestic violence on local, state and national levels continues to escalate despite increasing awareness and prevention efforts; and

WHEREAS, efforts to assist victims and families and to pursue perpetrators of domestic violence would be greatly enhanced if the County criminal justice and social services systems were to share comprehensive information on domestic violence incidents; and

WHEREAS, domestic violence incident information maintained by and accessible to individual entities within the criminal justice system may not be readily accessible among the various entities; and

WHEREAS, domestic violence incident information maintained by the criminal justice system may not always be readily available or accessible to the County Department of Social Services; and

WHEREAS, such information could benefit the victims and families served by the social services system by facilitating the appropriate handling of specific cases; and

WHEREAS, such information sharing would significantly assist, and in certain instances, protect caseworkers and other social service providers in their investigations of domestic violence situations and

WHEREAS, a Memorandum of Understanding (MOU) among the Suffolk County Police Department, the Suffolk County Office of Probation, the Suffolk County Sheriff's Office, the Suffolk County District Attorney's Office and the Suffolk County Department of Social Services for the purpose of sharing domestic violence incident information would address these concerns; now, therefore be it

1st **RESOLVED**, that the County Executive or his designee, is hereby authorized to execute an MOU Among the Suffolk County Police Department, the Suffolk County Office of Probation, the Suffolk County Sheriff's Office, the Suffolk County District Attorney's Office and the Suffolk County Department of Social Services for sharing domestic violence incident information, to the extent permitted by law; and be it further

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

DATED: , 2010

APPROVED BY:

_____
County Executive of Suffolk County

Date:

1054

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by Legislator Romaine

RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW TO ADDRESS THE PENALTIES FOR UNSAFE HELICOPTER OPERATION IN SUFFOLK COUNTY

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2010, a proposed local law entitled, "**A LOCAL LAW TO ADDRESS THE PENALTIES FOR UNSAFE HELICOPTER OPERATION IN SUFFOLK COUNTY**" now, therefore, be it

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

LOCAL LAW NO. -2010, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO ADDRESS THE PENALTIES FOR UNSAFE HELICOPTER OPERATION 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 this Legislature enacted Local Law No. 23-2009 to ensure the safe operation of helicopters flying over Suffolk County.

This Legislature also finds and determines that concerns have been raised regarding the criminal penalty for violating Local Law No. 23-2009, which includes up to one year in prison per offense.

This Legislature further finds and determines that very few violations of the SUFFOLK COUNTY CODE are subject to a criminal penalty of up to one year in prison.

This Legislature finds that a civil penalty would be a more appropriate way to punish violations of the helicopter law.

Therefore, the purpose of this law is to amend Chapter 212 of the SUFFOLK COUNTY CODE to remove the criminal penalties and establish a civil penalty for violations of Suffolk County's helicopter safety regulations.

Section 2. Amendments.

Chapter 212 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

Chapter 212. AIRCRAFT.

Article I. Helicopters.

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§212-5. Penalties for Offenses

Any person who violates the provisions of this article shall be [guilty of an unclassified misdemeanor, punishable by a fine of up to $1,000 and/or one year in prison per offense] subject to a civil penalty in an amount not to exceed $1,000 for each violation, to be recovered by Suffolk County in a civil action.

****

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\laws\l-amend helicopter penalties

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1054

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

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

DATE: **January 12, 2010**

TO: **CLERK OF THE COUNTY LEGISLATURE**

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

PROPOSED LOCAL LAW YEAR 2010

TITLE: **I.R. NO. -2010; A LOCAL LAW TO ADDRESS PENALTIES FOR UNSAFE HELICOPTER OPERATION IN SUFFOLK COUNTY**

SPONSOR: **LEGISLATOR ROMAINE**

DATE OF RECEIPT BY COUNSEL: 1/8/10 **PUBLIC HEARING:** 3/2/10

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

This proposed local law would amend Chapter 212 of the SUFFOLK COUNTY CODE to remove the criminal penalty for violating Suffolk County's laws regarding the safe operation of helicopters and establish a civil penalty of up to $1,000 per violation, to be recovered by Suffolk County in a civil action.

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

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-civil helicopter penalty

1055

Intro. Res. No. 2010 Laid on Table 2/2/10

Introduced by Legislator Schneiderman

RESOLUTION NO. -2010, CALLING FOR A PUBLIC HEARING FOR THE CONSENT TO THE ACQUISITION OF ADDITIONAL LAND AT MARINOLD WAY, TOWN OF SOUTHAMPTON, COUNTY OF SUFFOLK, STATE OF NEW YORK, BY THE QUOGUE CEMETERY ASSOCIATION, INC. FOR CEMETERY EXPANSION PURPOSES

WHEREAS, a petition, dated November 20, 2009, attached hereto and made a part hereof, has been filed with the Suffolk County Legislature by The Quogue Cemetery Association, Inc., pursuant to 451 of the NEW YORK REAL PROPERTY LAW and Section 1506(c) of the NEW YORK NOT-FOR-PROFIT CORPORATION LAW, requesting permission of the Suffolk County Legislature to expand its existing cemetery at in the Village of Quogue, Town of Southampton, County of Suffolk, by the acquisition a parcel of land of 25,686 square feet; and

WHEREAS, the Quogue Village Board, on March 20, 2009, granted an approval for the use of this proposed land as a cemetery pursuant to Section 1506(b) of the NEW YORK NOT-FOR-PROFIT CORPORATION LAW; and

WHEREAS, Section 1506(c) of the NEW YORK NOT-FOR-PROFIT CORPORATION LAW requires that a public hearing be held prior to the consent to acquisition of land for cemetery purposes and that Public Notice of said hearing be published for six (6) consecutive weeks in the official County newspapers; now, therefore, be it

RESOLVED, that a public hearing with regard to said petition shall be held at the, Suffolk County Legislative Auditorium located at 300 Center Drive, Riverhead, New York on April 27, 2010 at 2:30 p.m., and that the Clerk of the County Legislature shall cause to be published in six (6) successive issues of the official newspapers published in the County of Suffolk, at the petitioner's cost and expense, a notice of the time and place of said public hearing, which time shall be after the completion of said publications, and that at said public hearing the County Legislature shall afford a reasonable opportunity to all interested parties to make objections thereto, suggest changes therein, or be heard thereon.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-quogue cemetery expansion

RESOLUTION OF THE BOARD OF DIRECTORS

WHEREAS, QUOGUE CEMETERY ASSOCIATION, INC. (the "Association") maintains and has under its care a public cemetery situated in the Village of Quogue, Town of Southampton, County of Suffolk, State of New York; and

WHEREAS, the Association determined that it had a need to acquire additional land for cemetery purposes; and

WHEREAS, by deed dated September 1, 2009, the Association acquired and took land that it desires to use for cemetery purposes, consisting of a parcel of land of 25,686 square feet, located west of the cemetery and more particularly described as follows:

> BEGINNING at a point of the southwesterly corner of the premises about to be described said point being the intersection of the northerly and easterly sides of Marinold Way, as it turns;
>
> RUNNING THENCE north 0 degrees 13 minutes 0 seconds east, along the easterly side of Marinold Way, 162.59 feet (actual), *(north 0 degrees 9 minutes 0 seconds east, 162.50 feet (deed))* to a point;
>
> THENCE south 89 degrees 48 minutes 0 seconds east, 158.00 feet (actual), *(north 89 degrees 50 minutes 00 east, 158.00 feet (deed))* to a point;
>
> THENCE south 0 degrees 13 minutes 0 seconds west, 162.59 feet (actual), *(south 0 degrees 9 minutes 0 seconds west, 162.50 feet (deed))* to the northerly side of Marinold Way;
>
> THENCE north 89 degrees 48 minutes 00 seconds west, 158.00 feet (actual), *(south 89 degrees 50 minutes 00 west, 158.00 feet (deed))* to the point or place of BEGINNING; and

WHEREAS, the Association has the ability to acquire property contiguous to its cemetery property by condemnation pursuant to Not-for-Profit Corporation Law §1506(h); and

WHEREAS, the Association desires to acquire and take by condemnation additional

lands for cemetery purposes consisting of a parcel of land of 20,102 square feet immediately adjoining its cemetery on the west side and south side, and adjoining said property to the west of the cemetery that the Association acquired by deed dated September 1, 2009, more particularly described as follows:

> Beginning at a point said point being South 84° 13' 00" East 296.50ft from the point of intersection of the easterly side of Lamb Avenue with the southerly side of Midland Street; Thence from the point of beginning the following two courses and distances along the southerly side of Midland Street to a point:
>
> 1) South 84° 13' 00" East 2.97 feet
> 2) South 89° 48' 00" East 37.27ft
>
> Thence South 00° 13' 00' West 325.18ft along lands of now or formerly of Leonard J. Beck Jr. and now or formerly of the Quogue Cemetery Association Inc. to a point: Thence South 89° 48' 00" East 35.16ft along lands of now or formerly of the Quogue Cemetery Association Inc. to a point: Thence South 00° 12' 00" West 49.91ft across Marinold Way to a point: Thence North 89° 48' 00" West 94.96ft along lands now or formerly of John M. Davis and Edward S. Davis III to a point; Thence North 03° 43' 25" East 240.69ft along lands now or formerly of the Quogue Cemetery Association Inc. to a point; Thence North 02° 16' 10" East 135.23ft along lands now or formerly of Leonard J. Beck Jr. to the point of beginning. Containing an area of 20,102 square feet (hereinafter, "subject property"); and

WHEREAS, the Association must obtain the approval of the Suffolk County Legislature to acquire any real property by deed, devise, or otherwise to use for cemetery purposes, pursuant to Not-for-Profit Corporation Law §1506(c);

NOW, after due deliberation,

IT IS, THEREFORE, RESOLVED, that the Board of Directors of the Quogue Cemetery Association (hereinafter, "the Board") hereby authorizes the Association to make application to the Suffolk County Legislature for its consent to use and acquire the aforementioned properties for cemetery purposes; and

IT IS FURTHER RESOLVED, that the Board authorizes Esseks, Hefter & Angel, LLP, 108 East Main Street – P.O. Box 279, Riverhead, New York to represent the Association in its application to the Suffolk County Legislature for approval of its use and acquisition of the subject properties.

Dated: November 20, 2009

ADOPTED

Date: NOV. 20, 2009

Vote: All in Favor

Marcia Koziarz, Secretary

TO THE SUFFOLK COUNTY LEGISLATURE

Application for Consent to Take Lands for Cemetery Purposes

Quogue Cemetery Association, Inc., by its attorneys, Esseks, Hefter & Angel, LLP, hereby requests that the Suffolk County Legislature consent to the Association's use and acquisition of certain lands for cemetery purposes, pursuant to Paragraph (c) of Section 1506 of Not-for-Profit Corporation Law and Section 451 of Real Property Law, and in support of its request, respectfully shows:

1. Petitioner is a cemetery corporation incorporated on August 2, 1955, under the Laws of the State of New York, with offices located at Lamb Avenue, Village of Quogue, Town of Southampton, County of Suffolk, State of New York.

2. Petitioner now maintains and has under its care a public cemetery situated in the Village of Quogue, New York, and in connection therewith owns and maintains approximately 3 ½ acres of land for cemetery purposes.

3. Petitioner, by deed dated September 1, 2009, acquired and took by deed certain additional land it wishes to use for cemetery purposes, consisting of a parcel of 25, 686 square feet located west of its cemetery in Quogue, New York, and more particularly described as follows:

> BEGINNING at a point of the southwesterly corner of the premises about to be described said point being the intersection of the northerly and easterly sides of Marinold Way, as it turns;
>
> RUNNING THENCE north 0 degrees 13 minutes 0 seconds east, along the easterly side of Marinold Way, 162.59 feet (actual), (*north 0 degrees 9 minutes 0 seconds east, 162.50 feet (deed)*) to a point;
>
> THENCE south 89 degrees 48 minutes 0 seconds east, 158.00 feet (actual), *(north 89 degrees 50 minutes 00 east, 158.00 feet (deed))* to a point;

THENCE south 0 degrees 13 minutes 0 seconds west, 162.59 feet (actual), *(south 0 degrees 9 minutes 0 seconds west, 162.50 feet (deed))* to the northerly side of Marinold Way;

THENCE north 89 degrees 48 minutes 00 seconds west, 158.00 feet (actual), *(south 89 degrees 50 minutes 00 west, 158.00 feet (deed))* to the point or place of BEGINNING; and

4. Petitioner additionally desires to acquire and take by condemnation other land for cemetery purposes consisting of a parcel of land of 20,102 square feet immediately adjoining its cemetery on the west and south side, located between the present cemetery lands and the property petitioner took by deed as set forth in paragraph 3 above, more particularly described as follows:

Beginning at a point said point being South 84° 13' 00" East 296.50ft from the point of intersection of the easterly side of Lamb Avenue with the southerly side of Midland Street; Thence from the point of beginning the following two courses and distances along the southerly side of Midland Street to a point:

1) South 84° 13' 00" East 2.97 feet
2) South 89° 48' 00" East 37.27ft

Thence South 00° 13' 00' West 325.18ft along lands of now or formerly of Leonard J. Beck Jr. and now or formerly of the Quogue Cemetery Association Inc. to a point: Thence South 89° 48' 00" East 35.16ft along lands of now or formerly of the Quogue Cemetery Association Inc. to a point: Thence South 00° 12' 00" West 49.91ft across Marinold Way to a point: Thence North 89° 48' 00" West 94.96ft along lands now or formerly of John M. Davis and Edward S. Davis III to a point; Thence North 03° 43' 25" East 240.69ft along lands now or formerly of the Quogue Cemetery Association Inc. to a point; Thence North 02° 16' 10" East 135.23ft along lands now or formerly of Leonard J. Beck Jr. to the point of beginning. Containing an area of 20,102 square feet.

5. It is proper and necessary that the lands described above be acquired and used for cemetery purposes. At present, there is a lack of proper cemetery facilities in the Village of Quogue. There are no suitable lots unused and available in the existing 3.5

acres of cemetery land now maintained by Quogue Cemetery Association, Inc., which is the only cemetery within 10 miles from the Village of Quogue.

6. The use of the lands now sought to be acquired and set apart for cemetery purposes will be entirely consistent with the public health and welfare. The lands are situated in a sparsely populated area. There are no public buildings in the vicinity.

7. Petitioner is willing to comply with any and all reasonable regulations which may be imposed in connection with the use of such lands for cemetery purposes.

8. This application has been authorized by a resolution of the board of directors of the Quogue Cemetery Association, Inc., passed on November ~~16~~ 20, 2009.

Dated: November ~~16~~ 20, 2009

QUOGUE CEMETERY ASSOCIATION

By: Marcia Koziarz

Marcia Koziarz, Secretary

1056

Intro. Res. No. -2010 Laid on Table 2/2/2010

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2010, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 1071-2009

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1071-2009; and

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

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

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

Resolution No. 1071-2009

In the 3rd RESOLVED paragraph change the point number

FROM:

[7145.310]

TO:

[7145.311]

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1057

Intro. Res. No. -2010 Laid on Table 2/2/2010

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2010, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 1129-2009

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1129-2009; and

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

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

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

Resolution No. 1129-2009

In the 6th WHEREAS paragraph change the Resolution Number

FROM:

[26-2009]

TO:

[27-2009]

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1058

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by Legislator Horsley

RESOLUTION NO. -2010, APPOINTING YVES R. MICHEL AS A MEMBER OF THE SUFFOLK COUNTY INDUSTRIAL DEVELOPMENT AGENCY (IDA)

WHEREAS, Resolution Nos. 1142-1975 and 1245-1975 implemented the creation of the Suffolk County Industrial Development Agency ("IDA") pursuant to Section 991-a of the NEW YORK GENERAL MUNICIPAL LAW and made the initial appointments to that Agency; and

WHEREAS, Section 856 (2) of the NEW YORK GENERAL MUNICIPAL LAW permits the appointment of seven (7) members to said IDA; and

WHEREAS, all such members of the IDA serve at the pleasure of the Suffolk County Legislature; now, therefore be it

1st **RESOLVED**, that Yves R. Michel residing in Port Jefferson, New York, be and he hereby is appointed as a member of the Suffolk County Industrial Development Agency (IDA) to replace Kathleen Giamo who resigned from the board; and be it further

2nd **RESOLVED**, that such member so appointed shall serve at the pleasure of the Suffolk County Legislature; and be it further

3rd **RESOLVED**, that this resolution shall take effect immediately.

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15 (A) OF THE SUFFOLK COUNTY CHARTER AND SECTION 856 (2) OF THE NEW YORK GENERAL MUNICIPAL LAW

s:\res\r-ida-appt-michel

1058

YVES R. MICHEL

Yves.Michel@suffolkcountyny.gov (631) 853.6088

EXECUTIVE SUMMARY

A SEASONED EXECUTIVE with over 25 years of private sector experience in the fields of Business Development, Sales, Marketing, Information Technology and International Business. Presently utilizes a portfolio of private sector experiences in the public sector on Economic Development, Workforce Housing, Community Development, Office of Film and Cultural Affairs and the Aviation Division. A proven track record for being exceptionally motivated, creative and resourceful in resolving issues, empowering others, improving organizational effectiveness and controlling costs. The recipient of numerous awards in recognition of superior management and sales achievements. Technically astute and consistently demonstrates good business acumen.

CORE STRENGTHS AND COMPETENCIES

- Corporate Vision and Strategic/Operational Planning
- High-impact Sales Presentations and Programs
- Cost Reduction/Containment and Profit Optimization
- Project Management and Resource Forecasting
- Global Market Penetration and Pricing Strategies
- Joint Venture Partnerships and International Alliances
- Strategic Relationship Building and Management
- Reorganization and Turnaround Management
- Multimillion-dollar Sales Negotiations
- P&L Management and Budget Administration
- Tactical Market Planning
- Cross-Border Trade and Finance Transactions
- Joint Ventures and Strategic Business Partnerships
- Key Partnership Development and Management

Master of Business Administration, Banking and Finance ■ Hofstra University, Hempstead, Long Island, New York

Bachelor of Science, Computer Science/Business ■ Hofstra University, Hempstead, Long Island, New York

EXECUTIVE CAREER HIGHLIGHTS

COUNTY OF SUFFOLK *December 2009 – Present*
Hauppauge, NY
Commissioner, Department of Economic Development and Workforce Housing
Responsible for elevating the overall economic conditions of the residents of Suffolk County. This includes, but is not limited to, the retention, expansion and attraction of industry to the county, overseeing Workforce Housing, Community Development, Office of Film and Cultural Affairs and the Aviation Division located at Francis S. Gabreski Airport in Westhampton Beach.

TOWN OF BROOKHAVEN *June 2007 – November 2009*
Farmingville, NY
Chief Executive Officer, Brookhaven Industrial Development Agency
Deputy Director, Economic Development and Workforce Development
Chairman, Workforce Development Subcommittee
Minority Business Compliance Officer
Empire Zone Coordinator
Responsible for elevating the overall economic conditions of the residents within the Town of Brookhaven. This includes, but is not limited to, the attraction and retention of industry to the township, the execution and management of its groundbreaking Workforce Development Program, Tourism, managing the New York State Empire Zone Program and project managing the critical infrastructure needed for smart-growth expansion within the Empire Zone.

- Work closely with the Board of the Brookhaven Industrial Development Agency resulting in over 25 new significant projects relocating to the Town with over $400M in capital investments to date.
- Created, introduced and implemented the "Continuum of Care" Initiative which focuses on "Employment Preparedness," "Employment Attainment" and "Employment Retention," as well as programs to provide support and career counseling to adults from all walks of life.
- Liaison and member of the Brookhaven Small Business Advisory Council, which acts as a resource to support the growth and development of the small business community and add to the quality of life experience within the Town of Brookhaven.
- Project Director for the implementation of a $10.5M Sewer District #2 within the town's Empire Zone which will increase the attractiveness of industry seeking to relocate or expand and increase the property value of existing corporations within the District.

MICHEL ENTERPRISES, LLC *2005 – 2009*
Palo Alto, CA
Business Consultant

- Assisted in raising $5M in Venture Capital and the implementation of Sales and Business Development strategies for ColorView, Incorporated for the USA. Worked closely with Vice President of International Sales and Business Development in Japan. (http://www.color-view.com)
- Performed marketing and participated at the National Association of Broadcasters with Intrinet Systems, a minority-owned company, for their Data Asset Management package that resulted in several sales during the exhibition. Worked closely with President & Founder. (www.intrinetsystems.com)
- Participated in the development, marketing and sales efforts for the Noah Basketball Shooting System and achieved sales in the Professional, Collegiate, High School and Middle School Basketball arenas (www.noahbasketball.com).

ADVANCED SYSTEMS GROUP *2004 - 2005*
Emeryville, CA
Vice President of Business Development and Key Account Sales
Responsible for penetrating key accounts and selling high-end editing systems, identifying and driving key Business Development opportunities and leveraging past relationships resulting in revenue generation.

- Successfully increased new key account penetration with accounts such as NASA, Univision, PBS, LeapFrog, Academy of Art College and Cox Cable. These new accounts yielded over $250,000 within a nine-month period from prospect to customer.
- Successfully planned and executed product demonstration in San Francisco, Phoenix, Las Vegas, San Diego and Los Angeles of the Media 100 844/X flagship high-end editing systems. These activities have generated a pipeline of $2.5 M in potential business.
- Participated in MacWorld where I successfully sold over 50 seats of Discreet's Combustion animations application.
- Organized and drove Open House event with Apple Computers to drive interest with the Final Cut Pro editing system.

REALVIZ CORPORATION *2000 - 2004*
San Francisco, CA
Vice President of Sales and Distribution ***(The Americas)***
Responsible for the sales and distribution of unique content creation applications from a French-based organization expanding to the Americas, as well as recruiting, training and mentoring a young sales team.

- Reorganized the Sales & Support organizations in geographical regions for more effective penetration of a hybrid sales model consisting of Direct and Indirect sales structures.
- Recruited the youngest sales team in the industry and provided sales and product training within a 30-day period which enabled the organization to effectively provide sales, service and support in a new market.
- Successfully recruited and installed professional Resellers from 1 to 37, which expanded our market penetration within the Digital Content Creation vertical market.
- Initiated, drove and managed sales programs which delivered $1.3M in revenue for 2001, compared to $410K in the year prior.
- Researched, initiated and managed a two-tier distribution model to supplement the existing sales structure and expand our product dissemination.
- Consistently delivered over 57% of REALVIZ's worldwide revenue from The Americas.
- Initiated a program where top students from local universities and colleges received a 1-year license of our full suite of products. This program created a demand for our tools once these students entered the workforce.

DISCREET LOGIC, INCORPORATED, a division of AUTODESK, INCORPORATED *1996 - 2000*
New York, NY and Santa Monica, CA
Regional Sales Director and General Manager of Channel Sales
Responsible for all sales and local marketing for the Eastern Region which consists of the Northeast, Mid-Atlantic, Southeast, The Caribbean, Latin America and managed all aspects of Indirect sales and marketing for The Americas.

- Initiated and managed sales and marketing programs which delivered $13.7M in revenue, compared to $1M in the fiscal year prior with no increase to the team of 15 professionals.
- Established and managed a sales team and Indirect sales channel in Latin America which increased sales within the territory by 127%.
- Increased new named Accounts by 70% and new Channel Partners by 40%.

SILICON GRAPHICS, INCORPORATED *1995 - 1996*
Mountain View, CA
Corporate Business Manager
Managed the worldwide business relationship of Silicon Graphics' top Premier Partners that represented annual revenue opportunities of over $30M per Premier Partner.

- Initiated and managed sales programs, which increased influenced revenue by 45%.
- Reduced worldwide channel conflicts, which enabled harmonious joint selling campaigns.
- Managed Partner's Marketing Development Funds, which increased internal and external awareness of the product, relationship, corporate sponsorship and market acceptance.
- Initiated alliances with multiple Partners to delivery full end-to-end solutions promoting SGI hardware and a complete workflow.

TANDEM COMPUTERS, INCORPORATED, a division of HEWLETT-PACKARD *1990 - 1995*
Cupertino, CA and New York, NY
Senior Partnership Manager
Managed the worldwide business relationship of Tandem's established Independent Software Vendors that represented annual revenue opportunities of over $10M.

- Developed and implemented 1- and 3-year business plans aligned with Tandem's strategic direction to compete in new markets and increase market share.
- Established and maintained solid working relationships between senior management of both organizations resulting in a tightly integrated sales model consistently seizing 120% of quota.
- Full P&L responsibility for partner region in conjunction with evaluating, recommending, and managing all financial investments and vertical marketing campaigns.
- Negotiated the recruitment of a Fortune 100 company yielding $1M in revenues within one quarter.
- Participated in the sales, installation and acceptance of the DirectConnect projects to NYNEX and Pac Bell, which delivered over $5M in revenue respectively.
- Participated in the OEM relationship with Silicon Graphics that expanded our product offering to include the UNIX platform and secure a $10M Business Unit in our initial year.

DIME SAVINGS BANK OF NEW YORK *1980 - 1990*
Uniondale, NY
Project Leader - Lending in the 90's

Professional Affiliations

Board of Directors, Brookhaven Memorial Hospital Medical Center

Commissioner, Suffolk County Human Rights Commission

First Vice President and Executive Board Member, Boys and Girls Club of the Bellport Area

Board Member, Sachem School District Business Alliance Program

Advisory Board Member, Dress for Success of Brookhaven

Advisory Board Member, Stony Brook University Corporate Education & Training

Volunteer Interest

Basketball Official and Basketball Coach

Instructor, Microsoft Windows XP and Office

Volunteer Cook and Server for the homeless during Holiday Season, Salvation Army

Former Chairman, Boys Sports Council, Diocese of Oakland California CYO

Former President, Mission Valley Athletic League

Former Executive Board Member and Athletic Director, Holy Spirit CYO Boys & Girls Sports Program

References available upon request

Intro. Res. No. 1059-2010 Laid on Table 2/2/2010
Introduced by Presiding Officer

RESOLUTION NO. –2009, AMENDING RESOLUTION NO. 1148-2009, IMPLEMENTING BUDGET, STAFF AND TAXES FOR THE FISCAL YEAR 2010 (MANDATED)

WHEREAS, Resolution No. 1148-2009 implemented budget, staff and taxes for the fiscal year 2010 (Mandated); and

WHEREAS, the tax levy amounts contained in Resolution No. 1148-2009 must be amended to reflect the proper amounts in the line for the Fire Districts and Unpaid Clean Up Fees Districts under the Town of East Hampton; now, therefore be it

1st **RESOLVED**, that the 11th RESOLVED clause of Resolution No. 1148-2009 is hereby amended as follows:

> **11th** **RESOLVED**, that taxes for the year 2009-2010 be levied against the taxable property in the Towns of Babylon, Brookhaven, East Hampton, Huntington, Islip, Riverhead, Shelter Island, Smithtown, Southampton and Southold for the purposes outlined as follows, to wit:

* * * *

Intro. Res. No. 2066-2009		
TOWN OF EAST HAMPTON		
School Districts	$	93,397,949.48
Highway (Town Outside Village)		5,372,481.24
Fire Districts		3,347,585.88
Fire Protection Districts		2,417,982.76
Lighting Districts		173,007.86
Sewer Districts		478,113.15
Refuse and Garbage Districts		4,712,091.85
Airport		188,779.22
Merchants Path		46,185.22
Goodfriend Park Road Improvement		0.00
Goodfriend Park Water Improvement		7,069.35
So. Durham Road		0.00
Unpaid Clean Up Fees		29,450.00
General (Town Wide)		25,438,978.05
General (Town Outside Village)		20,242,694.09
TOTAL TOWN PURPOSES	$	155,852,368.15
County Tax - General	$	8,885,939.00
2008 Actual Surplus – County Tax General		(6,998,119.00)
2009 Estimated Deficit – County Tax General		3,091,707.00
County Tax – Suffolk Community College		488,411.00
District Superintendent of Schools		1,479.32
Total	$	5,469,417.32
Less Credits		(32,415.38)
Total Payable to County Treasurer for County General	$	5,437,001.94
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		56,009.14
Erroneous Assessments & Tax Refunds - Community College		8,188.31
Erroneous Assessments & Tax Refunds - Town Only		691,610.10
Total Adjustments Mandated by Law for		
Town of East Hampton - $755,807.55		
NYS Mandated MTA Commuter Tax		
General Fund		191,152.78
MTA Commuter Tax Total-$191,152.78		
TOTAL COUNTY PURPOSES	$	6,383,962.27
TOTAL AMOUNT OF LEVY	$	162,236,330.42

* * * *

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

Intro. Res. No. 1060-2010 Laid on Table 2/2/2010
Introduced by Presiding Officer

RESOLUTION NO. –2010, AUTHORIZING AMENDED TAX WARRANT FOR RESOLUTION NO. 1149-2009 (FOR THE TOWN OF EAST HAMPTON) TO BE SIGNED BY THE PRESIDING OFFICER AND THE CLERK OF THE COUNTY LEGISLATURE

1st **RESOLVED**, that the taxes and levies as extended on the 2009-2010 tax assessment rolls for the Town of East Hampton are hereby amended to correct the amounts reported for the lines of Fire Districts and Unpaid Clean Up Fees Districts and the same are hereby ratified and confirmed in the revised amounts set forth in the Exhibit "A" attached hereto and made a part hereof; and be it further

2nd **RESOLVED**, that the amended tax warrant for the Town of East Hampton for the collection of such taxes as are provided by law be annexed to the tax rolls of the Town of East Hampton under the seal of the County and signed by the Presiding Officer and the Clerk of the County Legislature.

* * * *

Intro. Res. No. 2067-2009		
TOWN OF EAST HAMPTON		
TO THE SUPERVISOR OF SAID TOWN:		
School Districts	$	93,433,397.06
Highway (Town Outside Village)		5,372,481.24
Fire Districts		3,347,944.91
Fire Protection Districts		2,417,982.76
Lighting Districts		173,007.86
Sewer Districts		478,113.15
Refuse and Garbage Districts		4,712,091.85
Airport		188,779.22
Merchants Path		46,185.22
Goodfriend Park Road Improvement		0.00
Goodfriend Park Water Improvement		7,069.35
So. Durham Road		0.00
Unpaid Clean Up Fees		29,450.00
General (Town Wide)		25,438,978.05
General (Town Outside Village)		20,242,694.09
TOTAL PAYABLE TO SUPERVISOR	$	155,888,174.76
TO THE TREASURER OF SAID COUNTY:		
County Tax - General	$	8,885,939.00
2008 Actual Surplus – County Tax General		(6,998,119.00)
2009 Estimated Deficit – County Tax General		3,091,707.00
County Tax – Suffolk Community College		488,411.00
District Superintendent of Schools		1,479.32
Total	$	5,469,417.32
Less Credits		(32,415.38)
Total Payable to County Treasurer for County General	$	5,437,001.94
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		56,009.14
Erroneous Assessments & Tax Refunds - Community College		8,188.31
Erroneous Assessments & Tax Refunds - Town Only		691,610.10
Total Adjustments Mandated by Law for		
Town of East Hampton - $755,807.55		
NYS Mandated MTA Commuter Tax		
General Fund		191,152.78
MTA Commuter Tax Total-$191,152.78		
Excess Due to Tax Extension		44,688.34
TOTAL PAYABLE TO COUNTY TREASURER	$	6,428,650.61
TOTAL AMOUNT OF WARRANT	$	162,316,825.37

* * *

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

Intro. Res. No. 1061-2010
Introduced by Presiding Officer

Laid on Table 2/2/2010

RESOLUTION NO. –2009, AMENDING RESOLUTION NO. 1147-2009, IMPLEMENTING BUDGET STAFF, AND TAXES FOR THE FISCAL YEAR 2010 (DISCRETIONARY)

WHEREAS, Resolution No. 1147-2009 implemented budget, staff and taxes for the 2010 fiscal year (Discretionary); and

WHEREAS, the tax levy amounts contained in Resolution No. 1147-2009 must be amended to reflect the proper amounts in the line for the Fire Districts and Unpaid Clean Up Fees Districts under the Town of East Hampton; now, therefore be it

1st **RESOLVED**, that the 11th RESOLVED clause of Resolution No. 1147-2009 is hereby amended as follows:

> **11th** **RESOLVED**, that taxes for the year 2009-2010 be levied against the taxable property in the Towns of Babylon, Brookhaven, East Hampton, Huntington, Islip, Riverhead, Shelter Island, Smithtown, Southampton and Southold for the purposes outlined as follows, to wit:

* * * *

Intro. Res. No. 2065-2009		
TOWN OF EAST HAMPTON		
School Districts	$	93,397,949.48
Highway (Town Outside Village)		5,372,481.24
Fire Districts		3,347,585.88
Fire Protection Districts		2,417,982.76
Lighting Districts		173,007.86
Sewer Districts		478,113.15
Refuse and Garbage Districts		4,712,091.85
Airport		188,779.22
Merchants Path		46,185.22
Goodfriend Park Road Improvement		0.00
Goodfriend Park Water Improvement		7,069.35
So. Durham Road		0.00
Unpaid Clean Up Fees		29,450.00
General (Town Wide)		25,438,978.05
General (Town Outside Village)		20,242,694.09
TOTAL TOWN PURPOSES	$	155,852,368.15
County Tax - General	$	8,885,939.00
2008 Actual Surplus – County Tax General		(6,998,119.00)
2009 Estimated Deficit – County Tax General		3,091,707.00
County Tax – Suffolk Community College		488,411.00
District Superintendent of Schools		1,479.32
Total	$	5,469,417.32
Less Credits		(32,415.38)
Total Payable to County Treasurer for County General	$	5,437,001.94
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		56,009.14
Erroneous Assessments & Tax Refunds - Community College		8,188.31
Erroneous Assessments & Tax Refunds - Town Only		691,610.10
Total Adjustments Mandated by Law for		
Town of East Hampton - $755,807.55		
NYS Mandated MTA Commuter Tax		
General Fund		191,152.78
MTA Commuter Tax Total-$191,152.78		
TOTAL COUNTY PURPOSES	$	6,383,962.27
TOTAL AMOUNT OF LEVY	$	162,236,330.42

* * * *

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1062

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by Presiding Officer Lindsay

RESOLUTION NO. –2010, ESTABLISHING A POLICY BARRING THE RELEASE OF HOME ADDRESS INFORMATION OF LAW ENFORCEMENT PERSONNEL

WHEREAS, it was reported in the media last year that the home addresses of hundreds of correction officers were released by a county department to a person or persons not employed by Suffolk County; and

WHEREAS, the home addresses of the County's law enforcement personnel can and should be withheld from public dissemination because such a disclosure constitutes an unwarranted invasion of personal privacy and could, under some circumstances, endanger the safety of law enforcement employees and their families; and

WHEREAS, the Freedom of Information Law does not mandate the release of such information to the public, and, in fact, the release of home address information serves no valid public purpose; and

WHEREAS, this Legislature wishes to establish a policy that protects the home address information of all Suffolk County law enforcement employees; now, therefore, be it

1st **RESOLVED**, that no department, office, agency, employee, or officer of the County of Suffolk shall release the home address of any Suffolk County police officer, deputy sheriff, correction officer, probation officer, park police officer or assistant district attorney to a person or organization not associated with Suffolk County government; and be it further

2nd **RESOLVED**, that any request under the Freedom of Information Law for the home address of a law enforcement employee shall be denied pursuant to the exceptions contained in said law; and be it further

3rd **RESOLVED**, that no county department, agency, office of employee shall access and/or use the home address information of a law enforcement employee for a non-government purpose; 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-law enforcement procedure - FOIL

1063

Intro. Res. No. -2010 Laid on Table 2/2/2010
Introduced by Legislator Barraga

RESOLUTION NO. –2010, AMENDING THE 2010 OPERATING BUDGET TO SUPPORT ST. PATRICK'S PARISH OUTREACH AND BAY SHORE CHAMBER OF COMMERCE

WHEREAS, St. Patrick's Parish Outreach helps those in need with food, housing, employment, financial assistance, shut-in support, social services, rides for medical treatment, a bereaved and divorced & separated support group, and other social necessities; and

WHEREAS, Bay Shore Chamber of Commerce has assisted in expanding Bay Shore's economic base for the betterment of more than 30,000 residents; and

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

1st RESOLVED, that the 2010 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	DSS	6004	JBR1	4980	St. Peter's Parish Outreach	-$10,000

TO:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	DSS	6004	XXXX	4980	St. Patrick's Parish Outreach	$5,000
001	ECD	6410	GZJ1	4980	Bay Shore Chamber of Commerce	$5,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for St. Patrick's Parish Outreach; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding St. Patrick's Parish Outreach and Bay Shore Chamber of Commerce.

DATED:

APPROVED BY:

Introductory Resolution No. 1064-10 Laid on Table 2/2/10

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
ETHRIDGE CHONG
0500-267.00-03.00-041.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 267.00, Block 03.00, Lot 041.000, and acquired by tax deed on September 23, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 28, 2009, in Liber 12601, at Page 254, and otherwise known and designated by the Town of Islip, as Suffolk County Tax Map Number District 0500, Section 267.00, Block 03.00 and Lot 041.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on September 23, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 28, 2009 in Liber 12601 at Page 254.

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, ETHRIDGE CHONG has made application of said above described parcel and ETHRIDGE CHONG has paid the application fee and has paid $43,326.72, 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, 2010, 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 ETHRIDGE CHONG, 46 Beldon Lane, Bayshore NY 11706, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1064

December 21, 2009

Tax Map No.: 0500-267.00-03.00-041.000
Name of Last Legal Fee Owner: ETHRIDGE CHONG

TREASURER'S COMPUTATION.....$43,326.72

Taxes.....2009/2010.....

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

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....$43,326.72

Monies Received.....$43,326.72

RESOLUTION AMOUNT.....$43,326.72

APPROVED:

Karen A Slater 12/22/09
Accounting
CO:lag

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

1064

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0500-267.00-03.00-041.000

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

2010

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

Cathy O'Neal Cathy O'Neal 12/21/09

Chong

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0500	267.00	03.00	041.000

1064

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05	1166.23
2005/06	10817.74
2006/07	10277.57
2007/08	9891.53
2008/09	7868.83
TOTAL:	40021.90
B. INTEREST DUE	1241.65
C. TOTAL	41263.55
D. 5% LINE C	2063.18
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$43,326.72

01 Short 12/22/09

CERTIFICATION BY COUNTY TREASURER

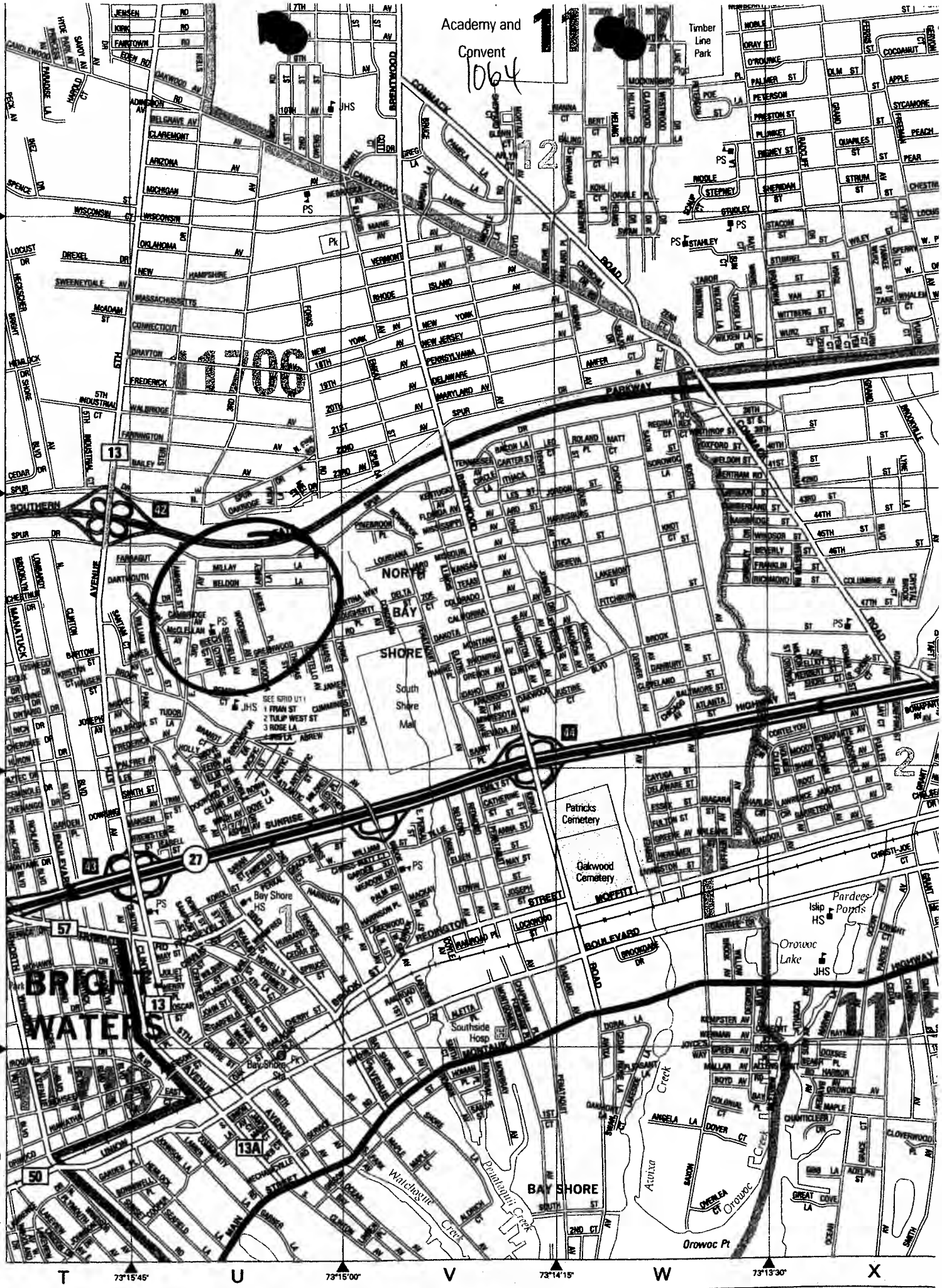
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 05-Oct-09

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 04/03/10

dz


Academy and Convent
1064
Timber Line Park
11706
NORTH BAY SHORE
South Shore Mall
SEE GRID U11
1 FRAN ST
2 TULIP WEST ST
3 ROSE LA
Patricks Cemetery
Oakwood Cemetery
Bay Shore HS
Southside Hosp
BRIGHT WATERS
BAY SHORE
Orowoc Lake
Pardees Ponds
Islip HS
Orowoc Pt
Watchogue Creek
Penataquit Creek
Awixa Creek
Orowoc Creek
Joins Map 10
Joins Map 17
14
13
12
11
10
40°45'45"
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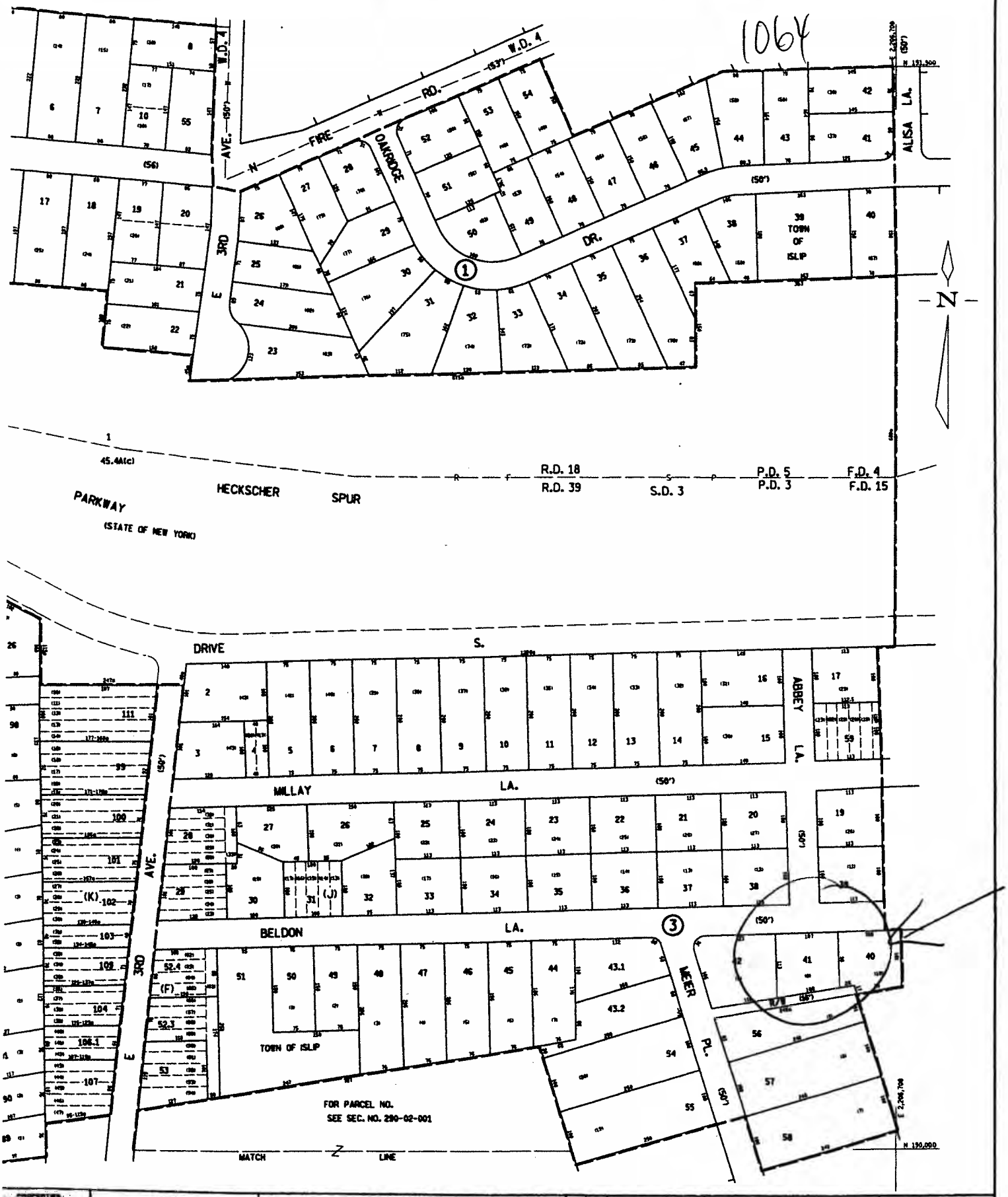


NOTICE

COUNTY OF SUFFOLK ©
Real Property Tax Service Agency

TOWN OF ISLIP

SECTION NO 267

Gen A1

COUNTY OF SUFFOLK

1064 JAN 06 2010

STEVE LEVY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER
COMMISSIONER

Ben Zwirn
Intergovernmental Relations
H. Lee Dennison Bldg. – 11th Floor
Hauppauge, New York 11788-0099

January 4, 2010

Re: Tax Map No. 0500-267.00-03.00-041.000
ETHRIDGE CHONG

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

CO:lag

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

Copy of Resolution to:
Ben Zwirn, Intergovernmental Relations (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
Eric Naughton, Budget Director
Thomas A. Isles, Director, Planning Dept.
Lauretta Fischer, Principal Planner, Planning Dept.

DIVISION OF REAL PROPERTY & ACQUISITION & MANAGEMENT • H. LEE DENNISON BUILDING • 100 VETERANS MEMORIAL HIGHWAY
P.O.BOX 6100 • HAUPPAUGE, NY 11788-0099 • Ph: (631)853-5972 • FAX (631)853-5905

Introductory Resolution No. 1065-10 Laid on Table 2/2/10

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
DEBORAH J. GRIMALDI and AGNES VEZZUTO
0500-009.00-04.00-095.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 009.00, Block 04.00, Lot 095.000, and acquired by tax deed on September 28, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 29, 2009, in Liber 12601, at Page 425, and otherwise known and designated by the Town of Islip, as District 0500, Section 009.00, Block 04.00 and Lot 095.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on September 28, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 29, 2009 in Liber 12601 at Page 425.

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, Deutsche Bank National Trust Company, by Lionel Antunes, VP Loan Administrator, as Mortgagee has made application of said above described parcel and Deutsche Bank National Trust Company, by Lionel Antunes, VP Loan Administrator, as Mortgagee has paid the application fee and has paid $8,080.92, 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, 2010, 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 DEBORAH J. GRIMALDI and AGNES VEZZUTO, 31 Lakeview Court, Ronkonkoma NY 11779, 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

1065

December 16, 2009

Tax Map No.: 0500-009.00-04.00-095.000
Name of Last Legal Fee Owner: DEBORAH J. GRIMALDI and AGNES VEZZUTO

TREASURER'S COMPUTATION.....$8,080.92

Taxes.....2009/2010.....INCLUDED

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

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....$8,080.92

Monies Received.....$8,080.92

RESOLUTION AMOUNT.....$8,080.92

APPROVED:

Karen A Slater 12/22/09
Accounting
DB:lag

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

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1065

1. Type of Legislation

Resolution X
Tax Map Number 0500-009.00-04.00-095.000

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

Diane Bishop Diane Bishop 12/16/09

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK		LOT
0500	009.00	04.00	1065	095.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07	1187.06
2007/08	2453.98
2008/09	1934.82
TOTAL:	5575.86
B. INTEREST DUE	224.17
C. TOTAL	5800.03
D. 5% LINE C	290.00
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$6,090.03

12/22/09

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. 01-Dec-09

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 05/30/10

dz

TOWN OF ISLIP, SUFFOLK COUNTY, NEW YORK
TAXABLE STATUS DATE MARCH 1, 2009

5130209

MAKE FUNDS PAYABLE TO:
VIRGINIA E. ALLEN
RECEIVER OF TAXES
40 NASSAU AVE., ISLIP, NEW YORK 11751-3645

OFFICE PAYMENT HOURS
MON. TO FRI. 8:30 A.M. TO 4:30 P.M.
PHONE 631-224-5580

IF PROPERTY HAS BEEN SOLD OR TRANSFERRED AFTER MARCH 1, 2009 PLEASE FORWARD THIS STATEMENT TO THE NEW OWNER OR RETURN TO THE SUPERVISOR
SCHOOL: (631) 244-2211

OWNER AS OF TAXABLE STATUS DATE MARCH 1, 2009

DEBORAH J. GRIMALDI
AGNES VEZZUTO
31 LAKEVIEW CT
RONKONKOMA NY 11779

COUNTY OF SUFFOLK
330 CENTER DR
RIVERHEAD NY 11901

1065

TAXING DISTRICT	Levy%	Exempt Code	Taxable Value	Tax Rate Per $100	% Change from Prior Year	TAX AMOUNT
CONNETQUOT SCHOOL DIST	72.0		9,800	[illegible]	2.7	[illegible]
CONNETQUOT LIBRARY	3.6		9,800	0.7350	1.8	72.04
COUNTY GENERAL FUND	1.1		9,800	0.3210	-3.2	31.46
COUNTY POLICE	12.2		9,800	2.4770	7.7	242.75
GENERAL TOWN	2.7		9,800	0.5550	3.1	54.39
TOWN EXCLUDING VILLAGES	0.2		9,800	0.0300	-18.9	2.94
COMBINED HIGHWAY	1.4		9,800	0.2810	-6.6	27.54
NYS REAL PROP TAX LAW	2.1		9,800	0.4300	13.7	42.14
LAKELAND FIRE DISTRICT	4.0		9,800	0.8120	6.0	79.58
STREET LIGHTING DISTRICT	0.5		9,800	0.0950	5.5	9.31
TOWN WATER	0.2		9,800	0.0400	2.5	3.92
NEW YORK STATE MTA TAX						1.39

FIRST HALF TAX 995.45 **SECOND HALF TAX** 995.44 **TOTAL TAX** 1,990.89

---DUPLICATE TAX BILL---DUPLICATE TAX BILL---DUPLICATE TAX B

YOUR TAX SAVINGS THIS YEAR RESULTING FROM THE NEW YORK STATE SCHOOL TAX RELIEF (STAR) PROGRAM IS .00

SECOND HALF PAYMENT

SECOND HALF TAXES
DUE MAY 31, 2010

When paying by mail, detach and return this stub with payment of the second half tax. If paying TOTAL TAX, return both first and second half stubs with payment. When paying in person, detach proper stub.

☐ Check here if receipt requested.

MAKE FUNDS PAYABLE TO:
VIRGINIA E. ALLEN
RECEIVER OF TAXES

2 5130209

SECOND HALF TAX 995.44

FIRST HALF PAYMENT

FIRST HALF TAXES
FIRST HALF TAX PAYABLE WITHOUT PENALTY TO JANUARY 10, 2010

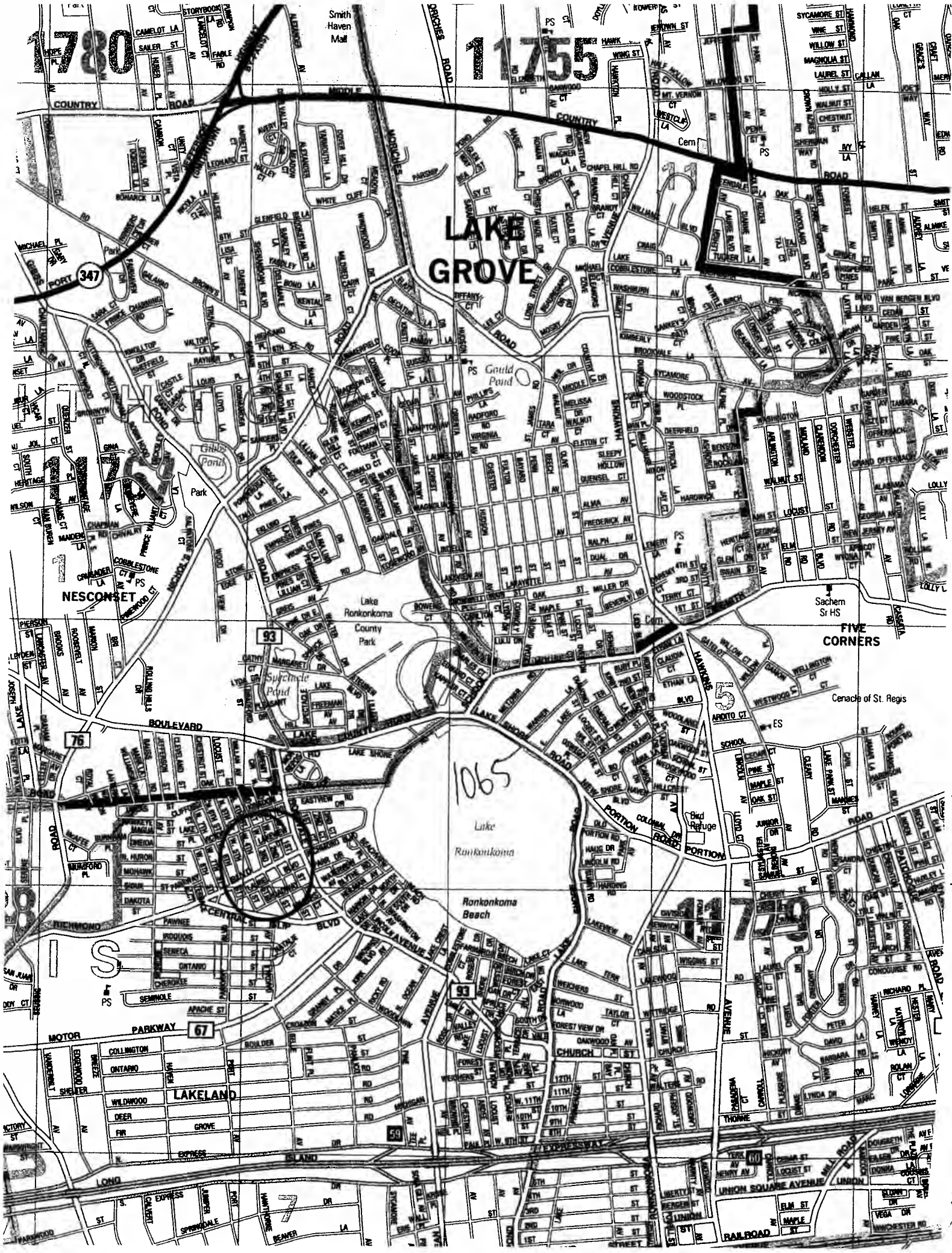
When paying by mail, detach and return this stub with payment of the first half tax. If paying TOTAL TAX, return both first and second half stubs with payment. When paying in person, detach proper stub.

MAKE FUNDS PAYABLE TO:
VIRGINIA E. ALLEN
RECEIVER OF TAXES

1 5130209

FIRST HALF TAX 995.45

TOTAL P.01


Smith Haven Mall
LAKE GROVE
NESCONSET
Lake Ronkonkoma County Park
Lake Ronkonkoma
Ronkonkoma Beach
FIVE CORNERS
Sachem Sr HS
Cenacle of St. Regis
Bird Refuge
LAKELAND
1065

CONVERSION DATE: Feb. 14, 1997

0500-009.00-04.00-095.000

1065

PROPERTIES DISTRICTS:	NOTICE	COUNTY OF SUFFOLK © Real Property Tax Service Agency	KEY MAP	TOWN OF	SECTION NO
	MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION OF THE REAL PROPERTY TAX SERVICE AGENCY.	County Center Riverhead, N Y 11901 SCALE IN FEET:	TOWN OF SMITHTOWN	TOWN OF ISLIP	009
				VILLAGE OF	
				DISTRICT NO 0500	PROPERTY MAP

CONVERSION DATE: Dec. 12, 1996

Gen A 2

COUNTY OF SUFFOLK

JAN 06 2010

1065

STEVE LEVY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER
COMMISSIONER

Ben Zwirn
Intergovernmental Relations
H. Lee Dennison Bldg. – 11th Floor
Hauppauge, New York 11788-0099

January 4, 2010

Re: Tax Map No. 0500-009.00-04.00-095.000
DEBORAH J. GRIMALDI and AGNES VEZZUTO

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, Intergovernmental Relations (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
Eric Naughton, Budget Director
Thomas A. Isles, Director, Planning Dept.
Lauretta Fischer, Principal Planner, Planning Dept.

53

Introductory Resolution No. 1066-10 Laid on Table 2/2/10

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
GERALD UNION and LANCENE UNION, his wife
0800-130.00-04.00-046.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Smithtown, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0800, Section 130.00, Block 04.00, Lot 046.000, and acquired by tax deed on June 8, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 10, 2009, in Liber 12590, at Page 508, and otherwise known as and by Town of Smithtown, as 59' x 74' pt of Lot 149 as shown on a certain map entitled "9th Amended map of the House and Home Co." as filed in the office of the Clerk of the County of Suffolk on August 2, 1900 as Map 571; 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 8, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 10, 2009 in Liber 12590 at Page 508.

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, Gerald Union and Lancene Union have made application of said above described parcel and Gerald Union and Lancene Union have paid the application fee and $37, 837.87, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 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 GERALD UNION and LANCENE UNION,15 Stephens Court, Hauppauge, NY 11788 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: _____

1066

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

December 29, 2009

Tax Map No.: 0800-130.00-04.00-046.000
Name of Last Legal Fee Owner: GERALD UNION and LANCENE UNION

TREASURER'S COMPUTATION.....$37,837.87

Taxes.....2009/2010.....OPEN

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

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL..... $37,837.87

Monies Received..... $37,837.87

RESOLUTION AMOUNT..... $37,837.87

APPROVED:

Karen A Slater 12/31/09
Accounting
DB

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

1066

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0800-130.00-04.00-046.000

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

Diane Bishop Diane Bishop 12/29/09

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0800	130.00	04.00	046.000

1066

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05	5000.00
2005/06	8100.46
2006/07	7931.37
2007/08	7501.25
2008/09	5776.85
TOTAL:	34309.93
B. INTEREST DUE	1726.14
C. TOTAL	36036.07
D. 5% LINE C	1801.80
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$37,837.87

12/31/09

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. 22-Oct-09

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 04/20/10

dz

PROPERTIES DISTRICTS:

NOTICE

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

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

KEY MAP

TOWN OF	SMITHTOWN
VILLAGE OF	
DISTRICT NO	0800

SECTION NO 130

PROPERTY MAP

CONVERSION DATE: Nov. 06, 1996

0800-130.00-04.00-046.000

Joins Map 15

Gen A3

COUNTY OF SUFFOLK

JAN 06 2010

1066

PAMELA J. GREENE
DIVISION DIRECTOR

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

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

Ben Zwirn, Intergovernmental Relations
H. Lee Dennison Bldg. – 11th Floor
Hauppauge, New York 11788-0099

January 4, 2010

Re: Tax Map No. 0800-130.00-04.00-046.000
GERALD UNION and LANCENE UNION

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 of Division of Real Property
Acquisition and Management

DB

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

Copy of Resolution to:
Ben Zwirn, Intergovernmental Relations (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
Eric Naughton, Budget Director
Thomas A. Isles, Director, Planning Dept.
Lauretta Fischer, Principal Planner, Planning Dept.

53

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

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

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

Introductory Resolution No. 1067-10 Laid on Table 2\2\10

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
RAUL MORA (50%), JOANNE E. MORA (25%) AND ANTHONY A. MORA (25%), AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP
0500-052.00-04.00-024.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 052.00, Block 04.00, Lot 024.000, and acquired by tax deed on September 23, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 28, 2009, in Liber 12601, at Page 254, and otherwise known and designated by the Town of Islip, as Suffolk County Tax Map Number District 0500, Section 052.00, Block 04.00 and Lot 024.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on September 23, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 28, 2009 in Liber 12601 at Page 254.

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, RAUL MORA (50%), JOANNE E. MORA (25%) and ANTHONY A. MORA (25%), as Joint Tenants with Right of Survivorship have made application of said above described parcel and RAUL MORA (50%), JOANNE E. MORA (25%) and ANTHONY A. MORA (25%), as Joint Tenants with Right of Survivorship have paid the application fee and has paid $49,184.05, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 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 RAUL MORA (50%), JOANNE E. MORA (25%) and ANTHONY A. MORA (25%), as Joint Tenants with Right of Survivorship, 363 Hancock St., Brentwood NY 11717, 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: _____

1067

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

December 21, 2009

Tax Map No.: 0500-052.00-04.00-024.000
Name of Last Legal Fee Owner: RAUL MORA (50%), JOANNE E. MORA (25%) and ANTHONY A. MORA (25%), as Joint Tenants with Right of Survivorship

TREASURER'S COMPUTATION.....$49,184.05

Taxes.....2009/2010.....OPEN

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

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....$49,184.05

Monies Received.....$49,184.05

RESOLUTION AMOUNT.....$49,184.05

APPROVED:

Karen A Slater 12/22/09
Accounting
DB:lag

PREPARED BY:

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

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1067

1. Type of Legislation

Resolution X
Tax Map Number 0500-052.00-04.00-024.000

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

2010

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

Diane Bishop | Diane Bishop | 12/21/09

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK		LOT
500	052.00	04.00	1067	024.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05	$9,556.30
2005/06	$10,158.97
2006/07	$9,509.87
2007/08	$8,972.68
2008/09	$7,228.00
TOTAL:	$45,425.82
B. INTEREST DUE	$1,416.13
C. TOTAL	$46,841.95
D. 5% LINE C	$2,342.10
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$49,184.05

12/9/09

CERTIFICATION BY COUNTY TREASURER

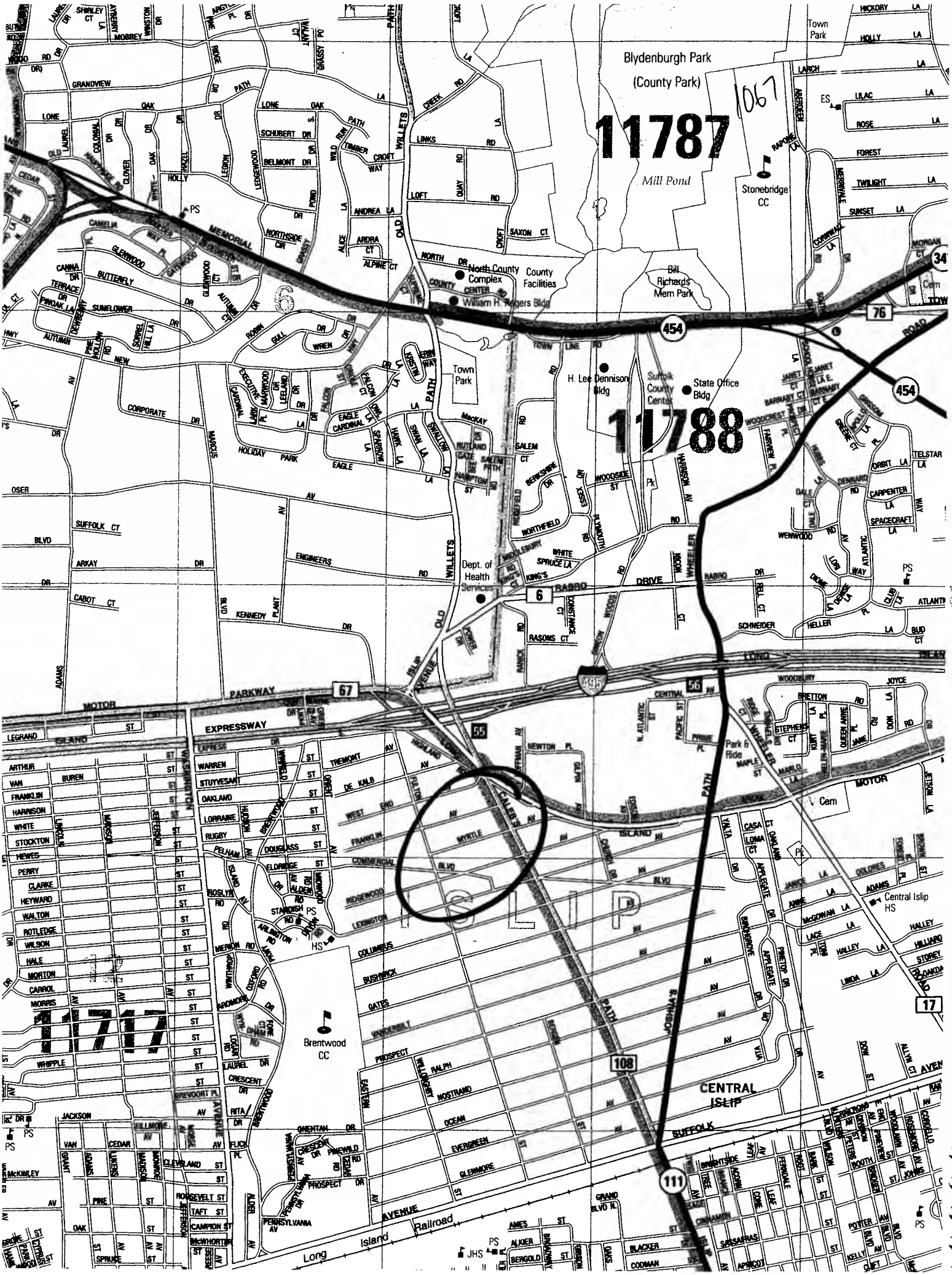
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 05-Oct-09

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 04/03/10

TS



Blydenburgh Park
(County Park)
11787
Mill Pond
Stonebridge CC
Town Park
North County Complex
County Facilities
William H. Rogers Bldg
Bill Richards Mem Park
H. Lee Dennison Bldg
Suffolk County Center
State Office Bldg
11788
Dept. of Health Services
Park & Ride
Central Islip HS
Brentwood CC
CENTRAL ISLIP
Long Island Railroad
MOTOR PARKWAY
EXPRESSWAY
LONG ISLAND
SUFFOLK
AVENUE
PATH
WILLETS
OLD
RABRO DRIVE
WHEELER
CALEB'S
JOSHUA'S
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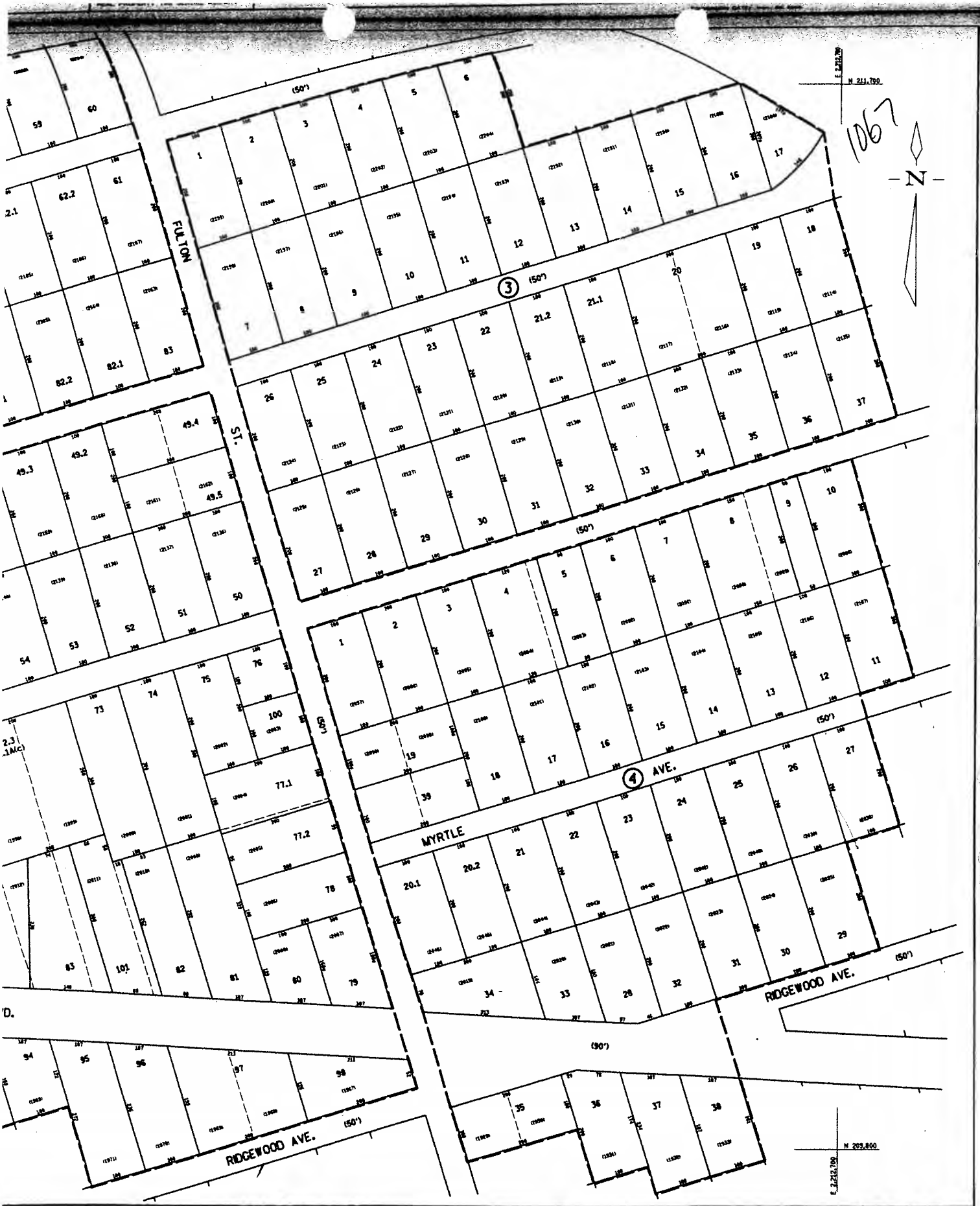


PROPERTIES DISTRICTS:	NOTICE	COUNTY OF SUFFOLK © Real Property Tax Service Agency County Center Riverhead, N Y 11901 SCALE IN FEET:	KEY MAP	TOWN OF ISLIP	SECTION NO
2	MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION OF THE REAL PROPERTY TAX SERVICE AGENCY.		036 037 038 051 052 053 074 075 076	VILLAGE OF	052
9,10				DISTRICT NO 0500	PROPERTY MAP
R					

CONVERSION DATE: Aug. 09, 1996

Gen A4

JAN 06 2010

1067

COUNTY OF SUFFOLK

STEVE LEVY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER
COMMISSIONER

Ben Zwirn
Intergovernmental Relations
H. Lee Dennison Bldg. – 11th Floor
Hauppauge, New York 11788-0099

January 4, 2010

Re: Tax Map No. 0500-052.00-04.00-024.000
RAUL MORA (50%), JOANNE E. MORA (25%) and ANTHONY A. MORA (25%), as Joint Tenants with Right of Survivorship

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, Intergovernmental Relations (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
Eric Naughton, Budget Director
Thomas A. Isles, Director, Planning Dept.
Lauretta Fischer, Principal Planner, Planning Dept.

53

Introductory Resolution No. 1068-10 Laid on Table 2/2/10

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 SMITHTOWN)
(SCTM 0800-052.00-03.00-002.000)

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 Smithtown, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0800 Section 052.00, Block 03.00 Lot 002.000 and acquired by Tax Deed on February 5, 1980 from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and recorded on February 5, 1980 in Liber 8774 at Page 346 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Smithtown under Suffolk County Tax Map No. District 0800, Section 052.00, Block 03.00, Lot 002.000,

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 Smithtown 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 Smithtown for the sum of $904.85 plus the pro rata share of the current tax adjustment due at closing; and be it further

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

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:

Exhibit "A"

Smithtown Town Board
99 West Main Street
Smithtown, NY 11787

1068

ADOPTED

Meeting: 12/01/09 02:00 PM
Department: Planning & Comm.
Category: Conveyance of Property
Prepared By: Agnes Vion
Initiator: Frank DeRubeis
Sponsors: Councilman Robert Creighton
DOC ID: 2826 C

RESOLUTION 2009-1012

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board be and hereby authorizes the purchase of a portion of Brangle Brink Road, identified as SCTM #0800-52-03-002, at a cost of $904.85 from the County of Suffolk for highway purposes, pursuant to the recommendation of the Planning Department.

Dated: December 1, 2009

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Thomas McCarthy, Councilman
SECONDER:	Edward Wehrheim, Councilman
AYES:	Thomas McCarthy, Edward Wehrheim, Patricia Biancaniello, Robert Creighton
ABSENT:	Patrick Vecchio

Exhibit "A"

1068

RE: ***Smithtown Town Board Resolution #2009-1012***
Purchase of portion of Brangle Brink Road

DATED: ***December 1, 2009***

STATE OF NEW YORK)

TOWN OF SMITHTOWN) ***SS:***
COUNTY OF SUFFOLK)

I, VINCENT PULEO, TOWN CLERK, of the Town of Smithtown, County of Suffolk, State of New York, do hereby certify that the foregoing is a true copy of an original on file in the Town Clerk's Office, and further certify that the said has been compared by me with an original thereof, and that the foregoing is a correct transcript therefrom, and of that whole of said original.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the seal of said Town to be hereunto affixed at Smithtown, in said County and State this ***4th*** day of ***December, 2009.***

Vincent Puleo - Town Clerk
Town of Smithtown

1068

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 SMITHTOWN

Tax Map No.: 0800-052.00-03.00-002.000

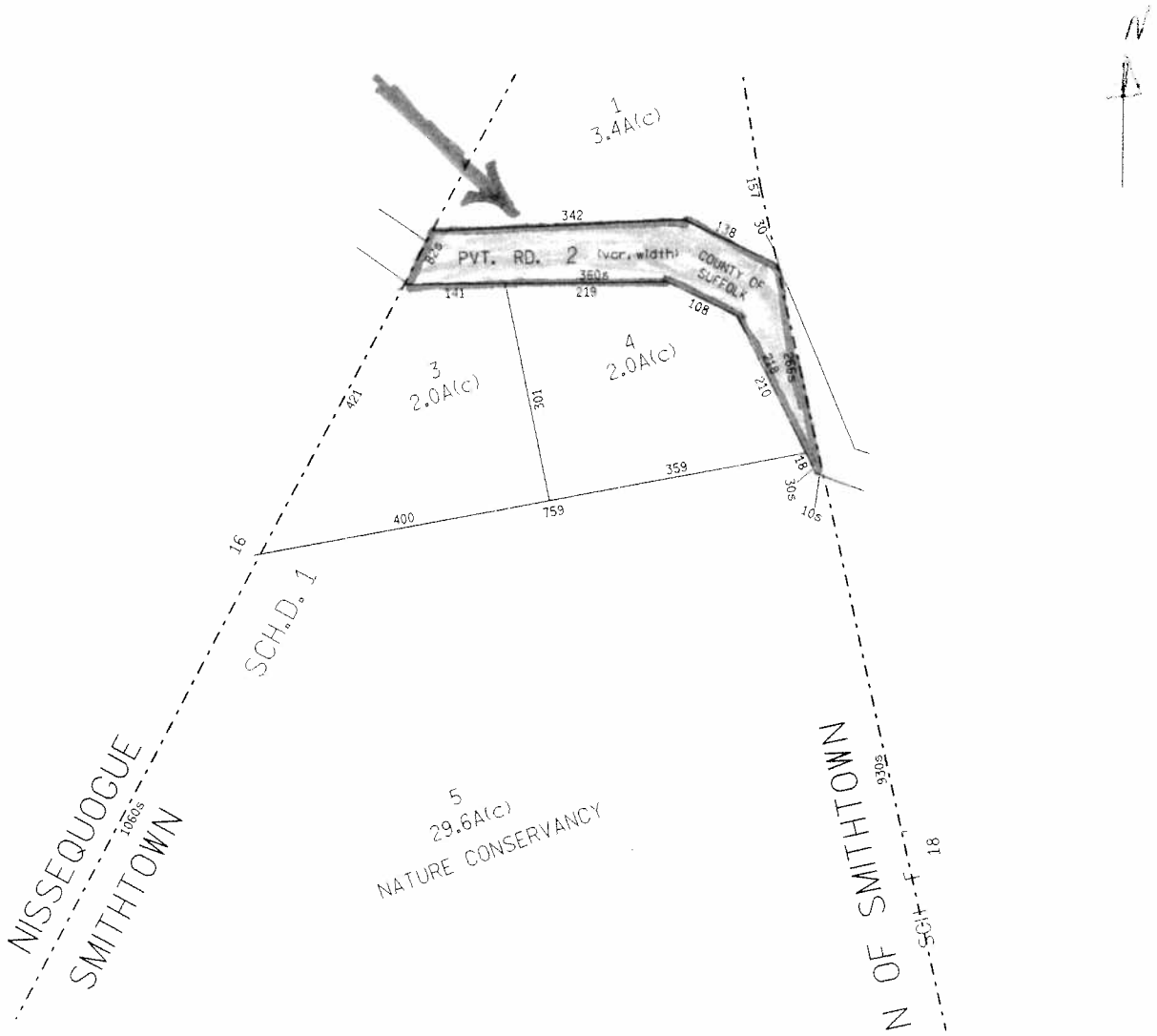
Section 72-h, Gen'l Municipal Law

		Amount
County Investment		$ 904.85
PURPOSE:		
	A. Affordable Housing	_____
	B. Town Parks	_____
	C. Road/Highway	X
	D. Drainage/Recharge Basin	_____
	E. Other	_____.

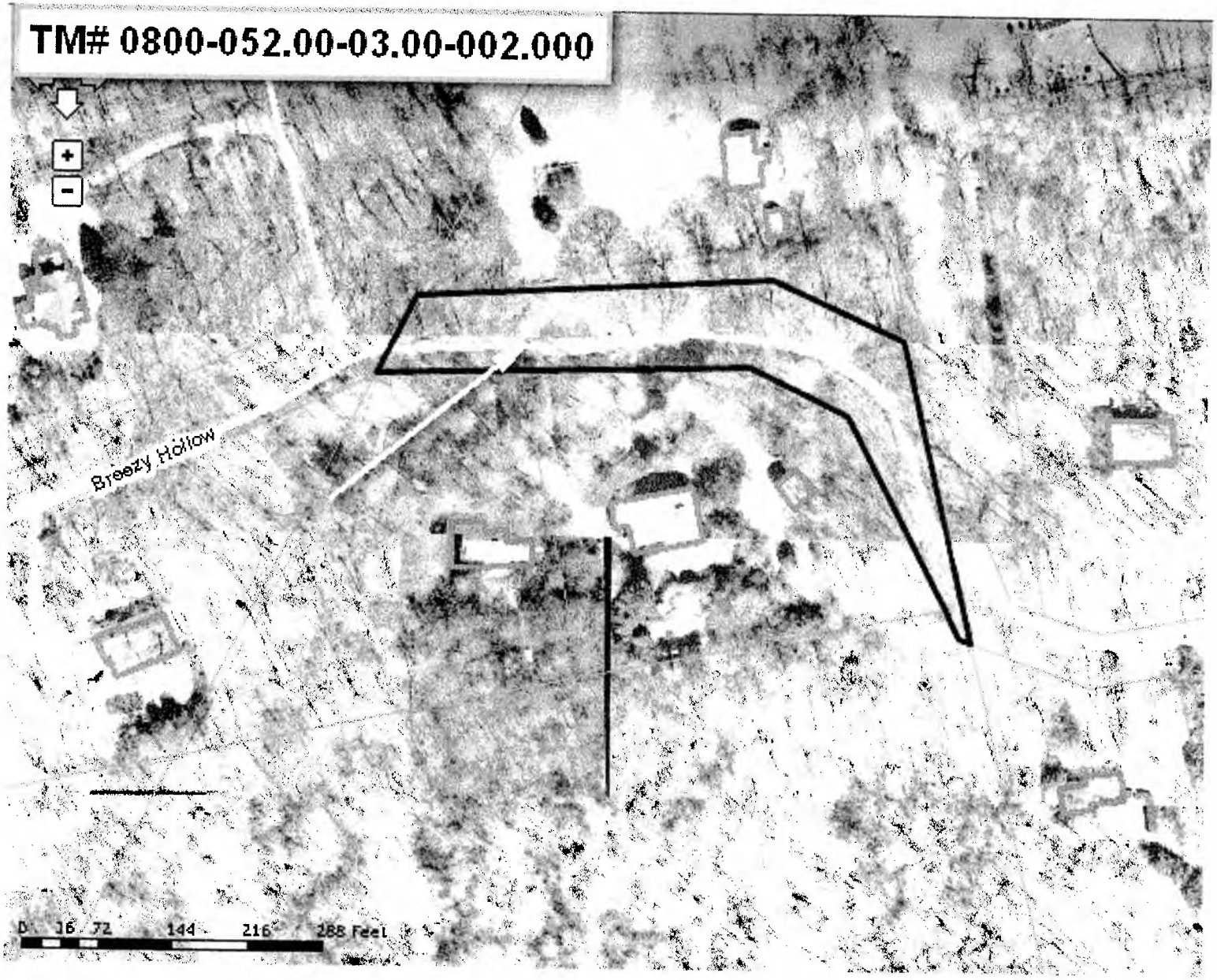
Wayne R. Thompson
Property Manager
(631) 853-5971

WRT: slb

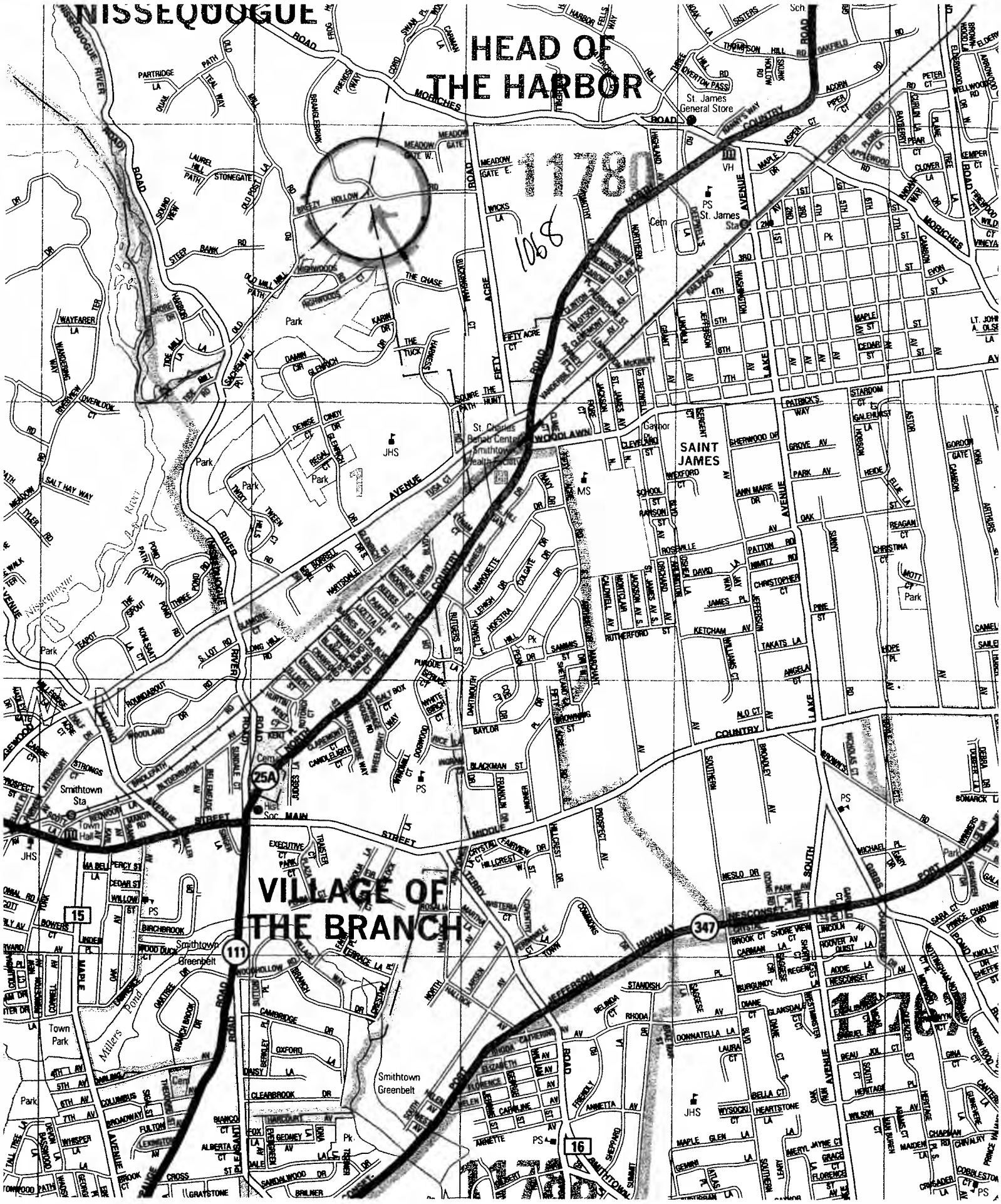
TM# 0800 - 052.00 - 03.00 - 022.000



1068


TM# 0800-052.00-03.00-002.000
Breezy Hollow
0 36 72 144 216 288 Feet

1068



Tm# 0800 - 052.00 - 03.00 - 002.000

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1068

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 Smithtown 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

2010

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

R.J. Bhatt-LMS IV _____ | RJ Bhatt | 1/4/2010

Gen A5

COUNTY OF SUFFOLK
OFFICE OF THE COUNTY EXECUTIVE

1068

JAN 08 2010

STEVE LEVY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

CARRIE MEEK GALLAGHER
COMMISSIONER

January 6, 2010

Ken Crannell
Deputy County Executive
H. Lee Dennison Building - 12th Floor
100 Veterans Memorial Highway
Post Office Box 6100
Hauppauge, NY 11788

Re: Tax Map No.: 0800-052.00-03.00-002.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to a Municipality, State, or Federal Government.

Dear Mr. Crannell:

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 Smithtown 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. 1069-10 Laid on Table 2/2/10

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 HUNTINGTON)
(SCTM 0400-145.00-01.00-069.001)

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 145.00, Block 01.00 Lot 069.001 and acquired by Tax Deed on June 30, 1993 from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and recorded on July 2, 1993 in Liber 11634 at Page 958 and described as follows, Town of Huntington, known and designated as part of Lot 778 on a certain map entitled "Map of Huntington Manor, section C" and filed in the Office of the Clerk of the County of Suffolk on May 15, 1905 as Map No. 423; 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 Huntington 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 Huntington for the sum of $4,661.82 plus the pro rata share of the current tax adjustment due at closing; and be it further

2nd **RESOLVED,** that the Town of Huntington will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for Recharge Basin purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Huntington, at any time, uses or attempts to use said subject parcel for other than Recharge Basin 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 Recharge Basin 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:

Exhibit "A" 1069

2009-144.

RESOLUTION AUTHORIZING THE NECESSARY ACTION TO EFFECT TRANSFER OF A PARCEL OF LAND OWNED BY SUFFOLK COUNTY AS AN ADDITION TO TOWN RECHARGE BASIN OFF DEPOT ROAD

Resolution for Town Board Meeting Dated: March 10, 2009

The following resolution was offered by **COUNCILWOMAN JACKSON**

and seconded by **COUNCILWOMAN BERLAND**

WHEREAS, Suffolk County owns a 0.16-acre parcel of land, identified as 0400-145.00-01.00-069.001 on the Suffolk County Tax Map and located west of Depot Road in Huntington Station, that was to be auctioned, but pulled from the list at the Town Board's request, and

WHEREAS, the Suffolk County Department of Real Estate has communicated willingness to transfer the property pursuant to General Municipal Law §72(h), subject to payment of a total of $4,661.82 to cover reimbursement of County investment in the parcel that was taken for tax arrears, and

WHEREAS, the Town Board wishes to proceed with acquisition for continued recharge basin use as recommended by the Superintendent of Highways, and

WHEREAS, a public hearing was held pursuant to General Municipal Law §247 on December 9, 2008, and

WHEREAS, prior to completing the acquisition of the subject property, the Town Board has determined that its action to acquire the property is Unlisted pursuant to SEQRA, and the Town Board is the only agency "involved" in authorizing the expenditure to acquire the parcel, and therefore has been established as lead agency, and

WHEREAS, the Department of Planning and Environment has prepared a short Environmental Assessment Form for the proposed action to facilitate completion of the necessary SEQRA evaluation prior to the Town Board authorizing any action;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board finds, on review of the short form EAF, there shall be no significant adverse impacts associated with acquisition of the property as an addition to the depot Road recharge basin and hereby issues a Negative Declaration pursuant to SEQRA, and

BE IT FURTHER

RESOLVED, that the Supervisor and Town Attorney are authorized to take the necessary action to effect the inter-agency transfer of Suffolk County-owned parcel 0400-145.00-01.00-069.001 to the Town of Huntington, for stormwater management purposes for the benefit of Huntington residents for an amount not to exceed the sum of FOUR THOUSAND

2009-144

1069

SIX HUNDRED AND SIXTY-ONE AND 82/100 DOLLARS ($4,661.82), excluding customary closing costs, to cover costs related to the Town's acquisition of the subject property by inter-agency transfer from Suffolk County which are hereby authorized such as title insurance and recording fees; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute any necessary documentation, on such terms and conditions as may be acceptable to the Town Attorney, to purchase the County property as identified above as an inter-agency transfer; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funding from A-1940-2108 (Purchase of Land) in an amount not to exceed the purchase price of FOUR THOUSAND SIX HUNDRED AND SIXTY-ONE AND 82/100 DOLLARS ($4,661.82), excluding customary closing expenses; and

BE IT FURTHER

RESOLVED, that upon securing such property in the ownership of the Town, it is hereby declared to be and dedicated as a component of Town of Huntington recharge basin # 108.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

1069

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 HUNTINGTON

Tax Map No.: 0400-145.00-01.00-069.001

Section 72-h, Gen'l Municipal Law

		Amount
County Investment		$ 4,661.82
PURPOSE:		
	A. Affordable Housing	_____
	B. Town Parks	_____
	C. Road/Highway	_____
	D. Drainage/Recharge Basin	X
	E. Other	_____

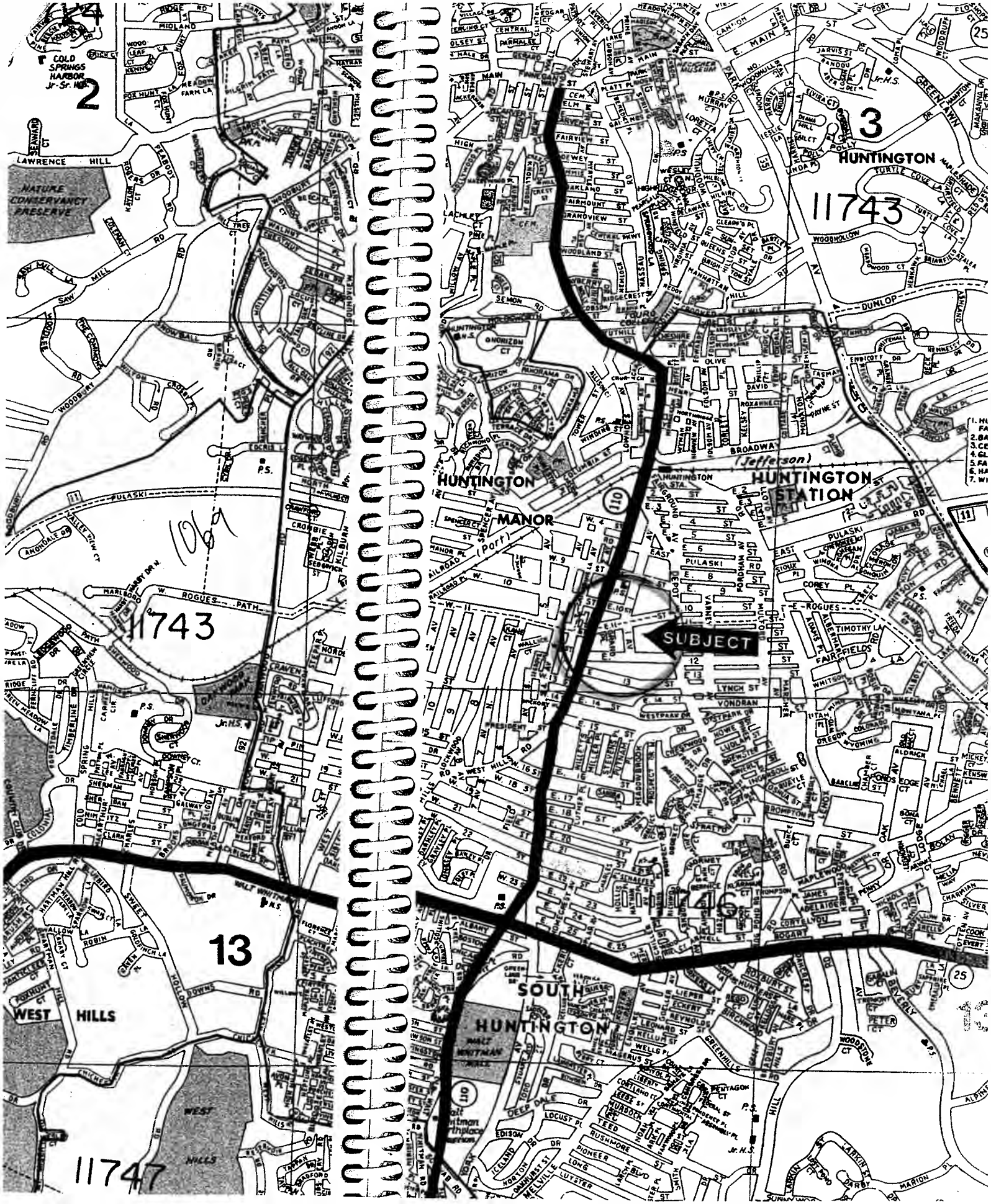
Wayne R. Thompson
Property Manager
(631) 853-5971

WRT: slb

TM# 0400-145.00-01.00-069.001

TM# 0400-145.00-01.00-069.001
E 11th St
1st Ave
Depot Rd
Leyder
E 12th St
0 30 60 240 Feet

1069



TM # 0400-145.00-01.00-069.001

1069

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 Huntington for Drainage/Recharge Basin 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

   2010

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

    R.J. Bhatt-LMS IV _____ _____ 1/4/10

Gen A4

JAN 08 2010

1069

COUNTY OF SUFFOLK

PAMELA J. GREENE
DIVISION DIRECTOR

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

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

January 6, 2010

Ken Crannell
Deputy County Executive
H. Lee Dennison Building - 12th Floor
100 Veterans Memorial Highway
Post Office Box 6100
Hauppauge, NY 11788

Re: Tax Map No.: 0400-145.00-01.00-069.001
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to a Municipality, State, or Federal Government.

Dear Mr. Crannell:

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

Intro. Res. # 1070-10 REVISED 1/21/10 Laid on Table 2/2/10

INTRODUCED BY THE PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

RESOLUTION NO. _____2010
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #819-2010)

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#819-2010

(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	09/10		0200-757.00-01.00-006.000	17086.11	13104.05	3982.06
A	BROOKHAVEN	09/10		0200-089.00-05.00-024.002	10737.68	7842.20	2895.48
A	BROOKHAVEN	09/10		0200-985.80-07.00-044.002	7266.51	1239.79	6026.72
A	BROOKHAVEN	09/10		0206-021.00-05.00-002.000	18601.10	13286.50	5314.60
A	BROOKHAVEN	09/10		0200-951.00-04.00-002.000	76043.59	60719.95	15323.64
A	BROOKHAVEN	09/10		0200-283.00-04.00-019.003	11853.15	7130.66	4722.49
A	BROOKHAVEN	09/10		0200-096.00-07.00-005.001	38391.42	29009.54	9381.88
A	BROOKHAVEN	09/10		0204-010.00-05.00-005.000	31192.04	20416.61	10775.43
A	BROOKHAVEN	09/10		0200-096.00-07.00-005.002	13974.30	10821.74	3152.56
A	BROOKHAVEN	09/10		0200-197.00-06.00-004.000	28499.55	21374.67	7124.88
A	BROOKHAVEN	09/10		0200-219.00-02.00-005.000	107998.20	78598.70	29399.50
A	BROOKHAVEN	09/10		0200-197.00-06.00-031.000	98998.35	72598.80	26399.55
A	BROOKHAVEN	09/10		0200-197.00-06.00-002.000	13499.80	10124.85	3374.95
A	BROOKHAVEN	09/10		0200-197.00-06.00-011.000	11099.83	8324.87	2774.96
A	BROOKHAVEN	09/10		0200-197.00-06.00-010.000	21599.65	16199.72	5399.93
A	BROOKHAVEN	09/10		0200-197.00-06.00-009.000	16574.74	12419.80	4154.94
A	BROOKHAVEN	09/10		0200-197.00-06.00-008.001	13349.78	10004.83	3344.95
A	BROOKHAVEN	09/10		0200-197.00-06.00-007.000	11324.82	8489.87	2834.95
A	BROOKHAVEN	09/10		0200-721.00-05.00-006.001	18048.09	13322.53	4725.56

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

APPROVED BY:

County Executive of Suffolk County Date of Approval:

1070

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes ____ No____

SEE NO. 2 ABOVE

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2009

10. Typed Name & Title of Preparer
Jeanne Cush RPAT. I

11. Signature of Preparer
Jeanne Cush

12.Date:12/28/09

REVISED 1/21/10

Intro. Res. # 1071-10 Laid on Table 2/2/10

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

RESOLUTION NO. _____2010
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #818-2010)

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#818-2010

(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	09/10		0200-197.00-06.00-006.000	17549.74	13154.79	4394.95
C	BROOKHAVEN	09/10		0200-540.00-05.00-022.000	4929.25	871.89	4057.36
A	BROOKHAVEN	09/10		0200-860.00-01.00-014.002	8506.02	170.12	8335.90
A	BROOKHAVEN	09/10		0200-388.00-04.00-069.000	13221.16	8906.89	4314.27
A	BROOKHAVEN	09/10		0200-688.00-01.00-037.002	20268.72	10134.36	10134.36
C	BROOKHAVEN	09/10		0200-425.00-01.00-007.000	4898.14	622.78	4275.36
A	BROOKHAVEN	09/10		0206-012.00-09.00-003.000	29298.18	24926.46	4371.72
A	BROOKHAVEN	09/10		0200-507.00-04.00-012.000	6969.56	133.19	6836.37
A	HUNTINGTON	09/10		0402-002.00-03.00-007.000	19618.99	9361.78	10257.21
A	HUNTINGTON	09/10		0400-246.00-05.00-045.000	18938.82	15313.94	3624.88
A	HUNTINGTON	09/10		0400-268.00-01.00-001.002	242589.00	198922.98	43666.02
A	HUNTINGTON	09/10		0400-152.00-01.00-052.000	7783.26	4691.15	3092.11
A	HUNTINGTON	09/10		0400-214.00-01.00-042.000	15001.14	1969.70	13031.44
A	HUNTINGTON	09/10		0400-077.00-02.00-001.000	17306.18	8335.82	8970.36
A	HUNTINGTON	09/10		0400-103.00-02.00-020.000	8988.33	2912.25	6076.08
A	HUNTINGTON	09/10		0400-189.00-02.00-051.000	14068.23	11144.83	2923.40
A	HUNTINGTON	09/10		0400-114.00-03.00-088.000	3161.30	364.18	2797.12
A	SMITHTOWN	09/10		0800-136.00-03.00-020.000	13180.32	9497.57	3682.75
A	SOUTHOLD	09/10		1000-074.00-02.00-011.002	16572.58	13206.01	3366.57
A	SOUTHOLD	09/10		1000-113.00-03.00-007.002	17415.29	13736.88	3678.41
A	SOUTHOLD	09/10		1000-115.00-17.00-017.023	15279.42	12550.29	2729.13
A	SOUTHOLD	09/10		1000-059.00-09.00-004.001	11324.93	8787.96	2536.97

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

APPROVED BY:

County Executive of Suffolk County Date of Approval:

1071

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes ____ No____

SEE NO. 2 ABOVE

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2009

10. Typed Name & Title of Preparer 11. Signature of Preparer 12.Date:12/28/09

Jeanne Cush RPAT. I Jeanne Cush

Intro Res. No. 1072-10 Laid on Table 2/2/10
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 #329-2010

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.

Description	Year	Original Tax	Corrected Tax	Chargeback or Refund, if paid
0200-830.00-02.00-026.003 Item No. 8535944	2009/2010	$46,237.88	0	$46,237.88
0200-898.00-08.00-012.000 Item No. 3307389	2009/2010	$ 8,866.35	0	$ 8,866.35
0500-005.00-02.00-001.000	2009/2010	$10,927.23	$8,003.59	$2,923.64
0500-120.00-05.00-035.000	2009/2010	$38,957.40	$32,474.85	$6,482.55
0502-001.00-03.00-039.000	2009/2010	$8,280.77	$4,363.01	$3,917.76

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1072

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

Angie M. Carpenter

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

Angie M. Carpenter
County Treasurer

Intro Res. No. 1073-10 Laid on Table 2/2/10
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 #328

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.

Description	Year	Original Tax	Corrected Tax	Chargeback or Refund, if paid
BROOKHAVEN:				
0200-494.00-01.00-039.000 ITEM # 8204203	**2005/06**	**$157,496.13**	**0.00**	**$157,496.13**

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1073

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	Angie M. Carpenter	12/28/09

Introductory Resolution No. 1074-10 Laid on Table 2/2/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. –2010, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8. If the grantee shall fail to provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31 of each year commencing December 31, 2010, on the subject premises, including, but not limited to, the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises; or

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

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

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

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

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

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

EXHIBIT "A"

Tax Map No.	Location	Acres
0200-527.00-06.00-017.000	N/S/O Shirley Lane, 100' W/O Pine Grove Avenue, Medford	0.25
0200-928.00-04.00-027.000	W/S/O Mead Avenue, (paper street) 80' S/O Martha Avenue, Bellport	0.18
0200-958.00-08.00-043.000	W/S/O Mead Avenue, (paper street) 160' N/O Louise Avenue, Bellport	0.18
0200-958.00-09.00-001.000	E/S/O Mead Avenue, (paper street) 480' N/O Louise Avenue, Bellport	0.18
0200-958.00-09.00-002.000	E/S/O Mead Avenue, (paper street) 400' N/O Louise Avenue, Bellport	0.18
0200-958.00-09.00-003.000	E/S/O Mead Avenue, (paper street) 320' N/O Louise Avenue, Bellport	0.18
0200-958.00-09.00-004.000	E/S/O Mead Avenue, (paper street) 240' N/O Louise Avenue, Bellport	0.18
0200-998.00-09.00-005.000	E/S/O Mead Avenue, (paper street) 200' N/O Louise Avenue, Bellport	0.09
0200-958.00-09.00-006.000	E/S/O Mead Avenue, (paper street) 160' N/O Louise Avenue, Bellport	0.09
0200-958.00-09.00-007.000	E/S/O Mead Avenue, (paper street) 80' N/O Louise Avenue, Bellport	0.18
0200-958.00-09.00-008.000	N/E/C/O Mead Avenue, (paper street) And Louise Avenue, Bellport	0.18
0200-973.80-07.00-013.000	N/E/C/O Hoffman Avenue, and Patchogue Avenue, (paper streets), Bellport	0.17

Exhibit "B"

RESOLUTION NO. 2009-671
MEETING: AUGUST 4, 2009

ADOPTED

BY THE BROOKHAVEN TOWN BOARD

AUTHORIZING THE TRANSFER OF LAND FROM THE COUNTY OF SUFFOLK TO THE TOWN OF BROOKHAVEN AND FROM THE TOWN OF BROOKHAVEN TO HABITAT FOR HUMANITY OF SUFFOLK AND THE LONG ISLAND HOUSING PARTNERSHIP TO PROMOTE THE AVAILABILITY OF AFFORDABLE HOUSING

WHEREAS, the County of Suffolk wishes to transfer certain undeveloped parcels of land from its foreclosure inventory to the Town of Brookhaven in order for the Town to transfer these parcels to a not-for-profit corporation for the development of affordable housing; and

WHEREAS, Habitat for Humanity of Suffolk and the Long Island Housing Partnership have expressed a need for building parcels comprised of foreclosed properties, more particularly described as follows for their ongoing affordable housing construction projects as part of the Brookhaven Town affordable housing program and has agreed in principle to cooperate with and assist the Town in promoting affordable housing:

SCTM#	ADDRESS	NOT-FOR-PROFIT
200-527-06-17	Shirley Lane, Medford	Long Island Housing Partnership
200-973.80-07-13	Hoffman Ave., Bellport	Long Island Housing Partnership
200-958-09-001	Meade Ave., Bellport	Long Island Housing Partnership
200-958-09-002	Meade Ave., Bellport	Long Island Housing Partnership
200-958-09-006	Meade Ave., Bellport	Long Island Housing Partnership
200-958-09-007	Meade Ave., Bellport	Long Island Housing Partnership
200-958-09-008	Meade Ave., Bellport	Long Island Housing Partnership

200-928-04-27	Meade Ave., Bellport	Habitat for Humanity of Suffolk
200-958-08-43	Meade Ave., Bellport	Habitat for Humanity of Suffolk
200-958-09-003	Meade Ave., Bellport	Habitat for Humanity of Suffolk
200-958-09-004	Meade Ave., Bellport	Habitat for Humanity of Suffolk
200-958-09-005	Meade Ave., Bellport	Habitat for Humanity of Suffolk

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Brookhaven that the Supervisor/Deputy Supervisor is hereby authorized to execute any agreements and/or instruments, approved as to form by the Department of Law, providing for the conveyance of the above properties from the County of Suffolk to the Town of Brookhaven and subsequently from the Town of Brookhaven to Habitat for Humanity of Suffolk and the Long Island Housing Partnership for the express purpose of developing affordable housing; and be it further

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

1074

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 II788

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES
TOWN OF BROOKHAVEN

Tax Map No.: See attached Exhibit "A"

Section 72-h, Gen'l Municipal Law

	Amount
County Investment	$51,142.58

PURPOSE:

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

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

WRT:slb

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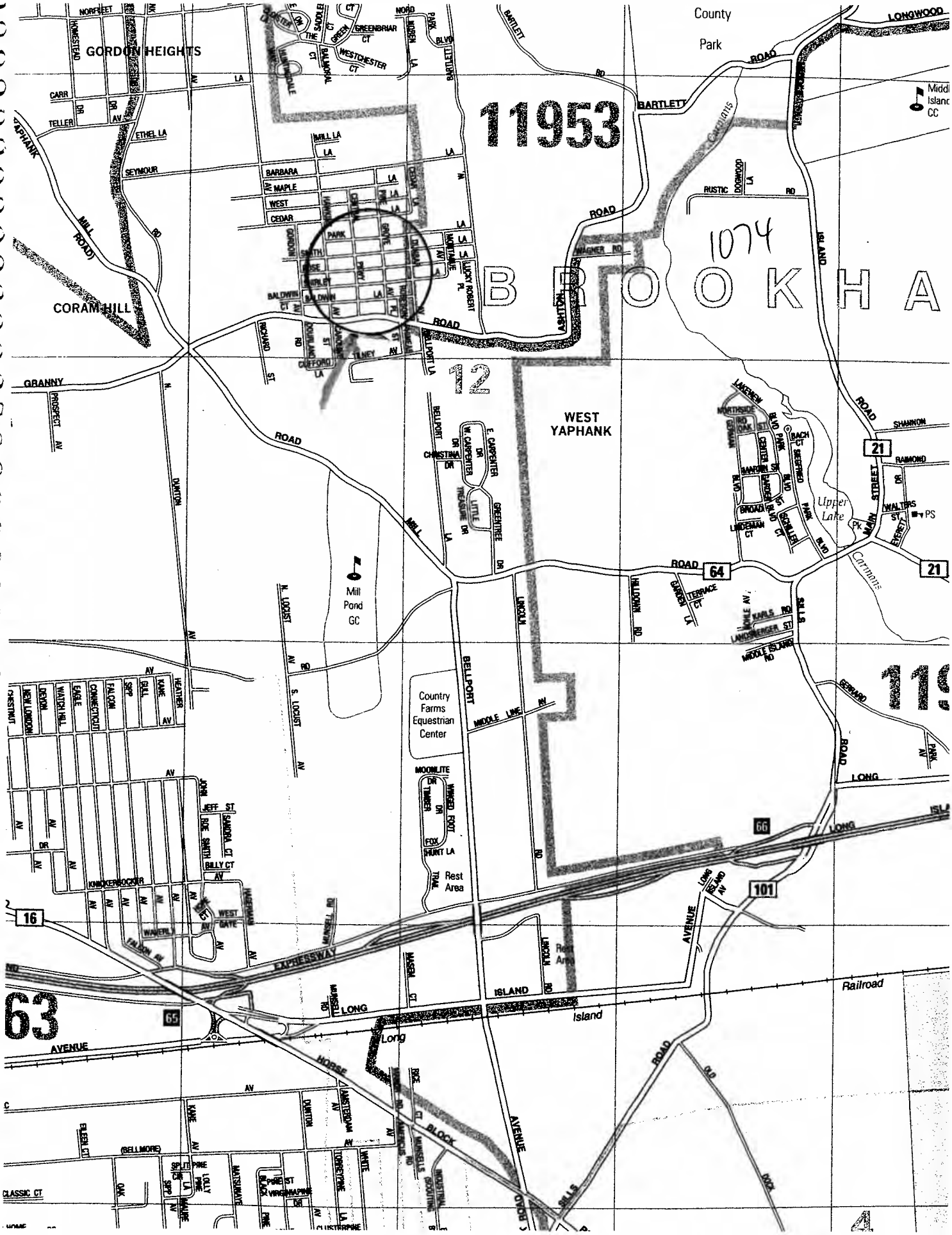
TM# 0200-527.00-06.00-017.000
Smith Ln
Central Pkwy
Rose Ln
Pinegrove Ave
Dunbar Ave
Shirley Ln
Hawkins Ave
Baldwin Ln
Robeson Pl
0 39 78 156 234 312 Feet

1074



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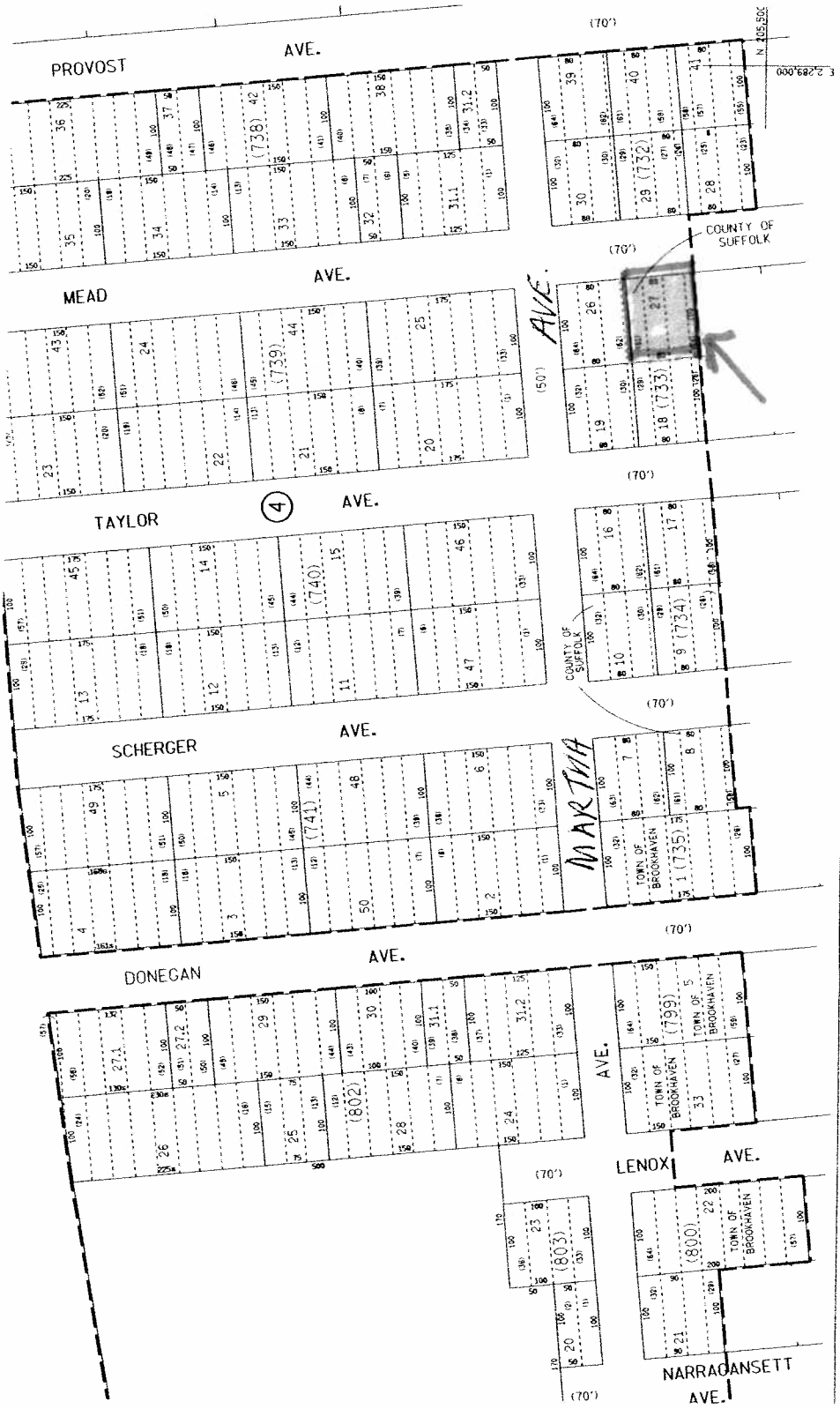

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Driveway
Martha Ave
Unnamed Street
Provost Ave
Taylor Ave
Schaeffer Ave
0 39 78 156 234 312 Feet

1674

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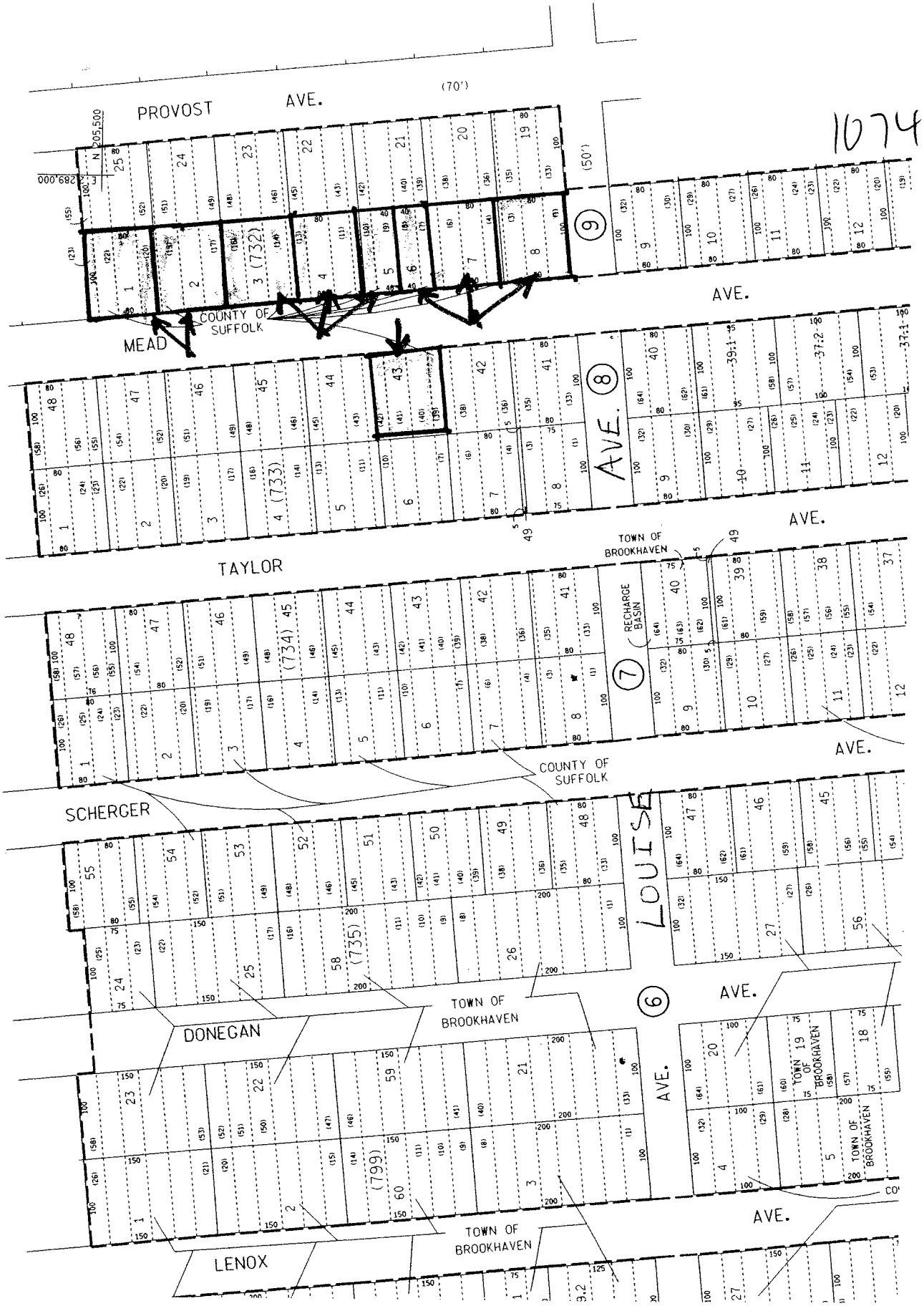

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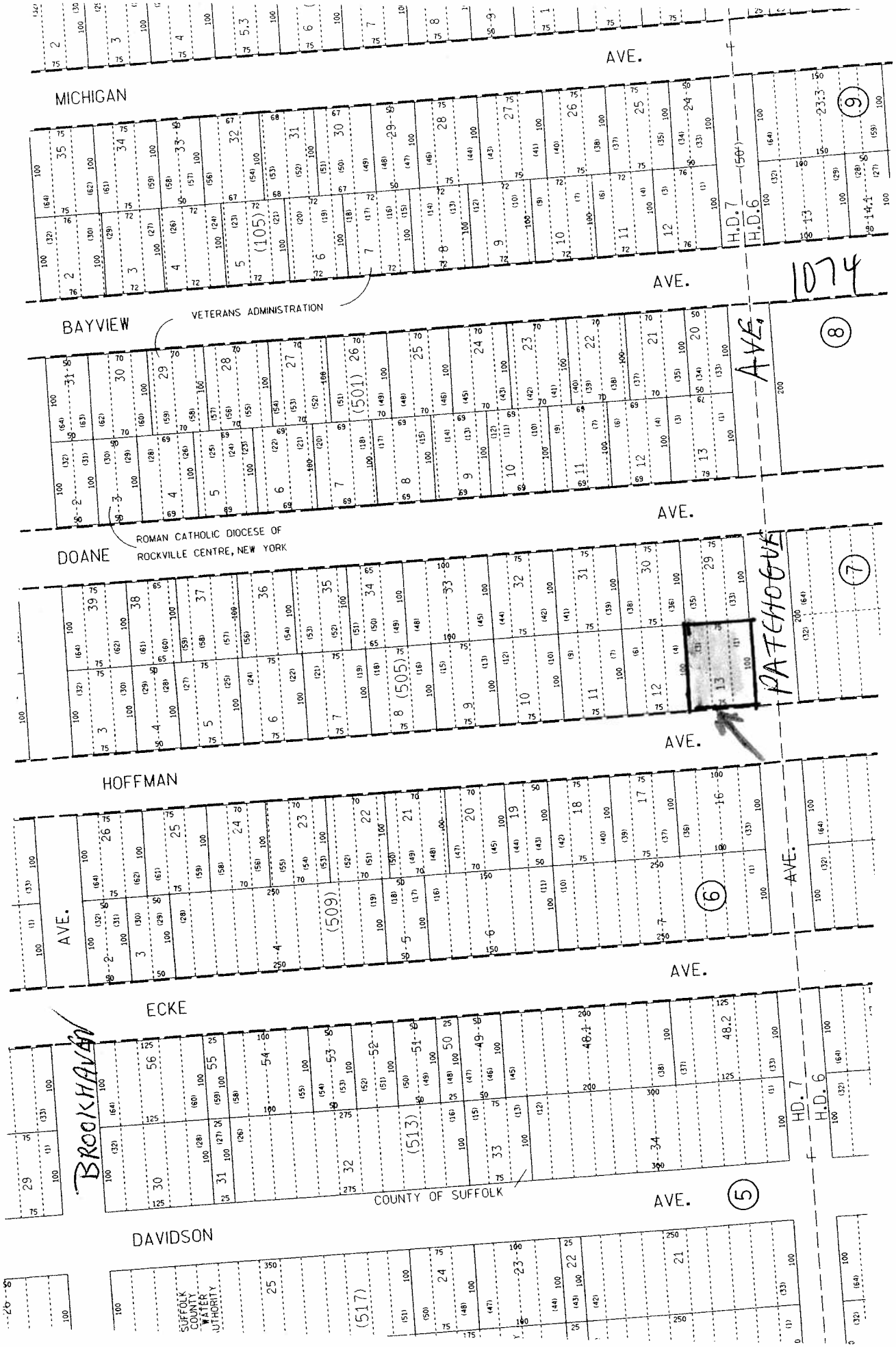
005.000, 006.000, 007.000 & 008.000

1074

TM# 0200-958.00-08.00-043.000
0200-959.00-09.00-001. 002. 003
004. 005. 006. 007 & 008
Unnamed Street
Provost Ave
Meade Ave
Louise Ave
Taylor Ave
Scherger Ave
0 30 60 120 180 240 Feet



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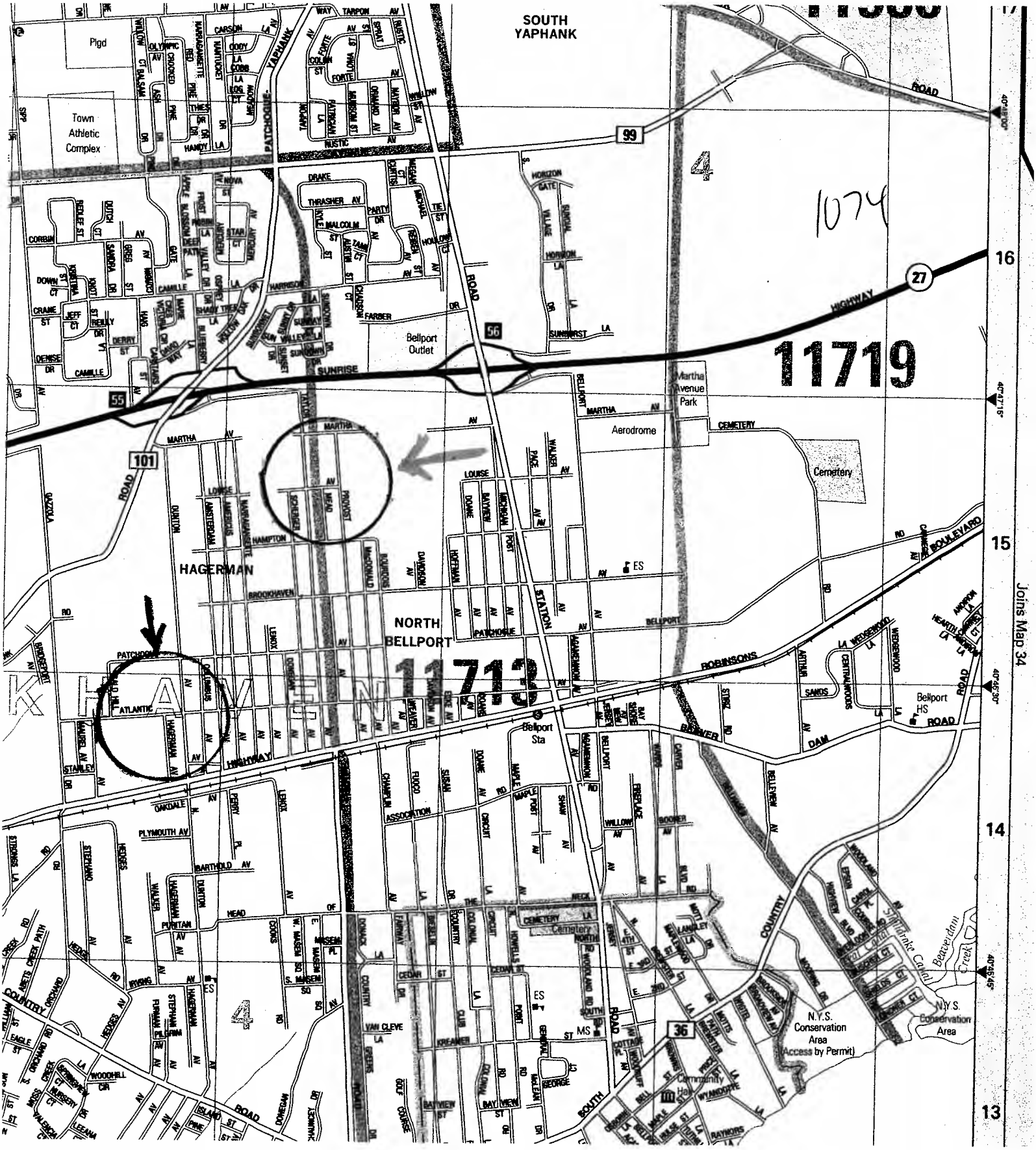
TM# 0200-973.80-07.00-013.000
Hoffman Ave
Doane Ave
Bayview Ave
Michigan Ave
Patchogue Ave
0 44 88 176 264 352 Feet

1074



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0200-958.00-09.00-001, 002, 003, 004, 005, 006, 007, & 008
0200-973.80-07.00-013.000

1074

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

   Resolution __X_____ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

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

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

   __X__ County _____ Town _____ Economic Impact

   _____ Village _____ School District _____ Other (Specify):

   _____ Library District _____ Fire District

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

   Loss of County investment
   Loss of sale at public auction

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

   Unknown

8. Proposed Source of Funding

   Unknown

9. Timing of Impact

   2010

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

    R. J. Bhatt- LMS IV | RJ Bhatt | 1/7/2010

Gen All

COUNTY OF SUFFOLK

JAN 08 2010

1074

PAMELA J. GREENE
DIVISION DIRECTOR

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

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

January 7, 2010

Ken Crannell
Deputy County Executive
H. Lee Dennison Building - 12th Floor
100 Veterans Memorial Highway
Post Office Box 6100
Hauppauge, NY 11788

Re: Tax Map No.: see attached Exhibit "A"
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the Town of Brookhaven for Affordable Housing Purposes.

Dear Mr. Crannell:

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

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

I would appreciate your placing this on the legislative agenda.

Very truly yours,

Pamela J. Greene
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 w/ Resolution to:
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Connie Corso, Budget Director
Thomas A. Isles, Director of Planning
Jill Rosen-Nikoloff, Director of Affordable Housing
CE Reso Review, via e-mail

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

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

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

Introductory Resolution No. 1075-10 Laid on Table 2/2/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 ROD STATEN CORP. (SCTM NO. 0100-170.00-02.00-053.000)

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 170.00 Block 02.00 Lot 053.000 and acquired by Tax Deed on October 27, 2000 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on November 2, 2000 in Liber 12082 at Page 202 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Babylon, known and designated as Lot 331 on a certain map entitled "Map of Lincoln Estates", and filed in the Office of the Clerk of the County of Suffolk on January 11, 1926 as Map No. 186; 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, Rod Staten Corp., 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 $2,000.00, 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 her 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 Rod Staten Corp., 290 Exeter Street, Brooklyn, New York 11235.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1075

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. 0100-170.00-02.00-053.000

ADJOINING OWNER	BID	BID	BID
Rod Staten Corp. 290 Exeter Street Brooklyn, New York 11235 0100-170.00-02.00-054.000	$2,200.00		
Marvin Cruz 3 Roosevelt Avenue Amityville, New York 11701 0100-170.00-02.00-035.000	$0		
Daphne Pierre Louis 5 Roosevelt Avenue Amityville, New York 11701 0100-170.00-02.00-052.000	$0		

SIZE OF PARCEL: 20' x 100'
APPRAISED VALUE: $2,000.00
COMMENT: Direct Sale to Adjacent Owner

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

1075

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

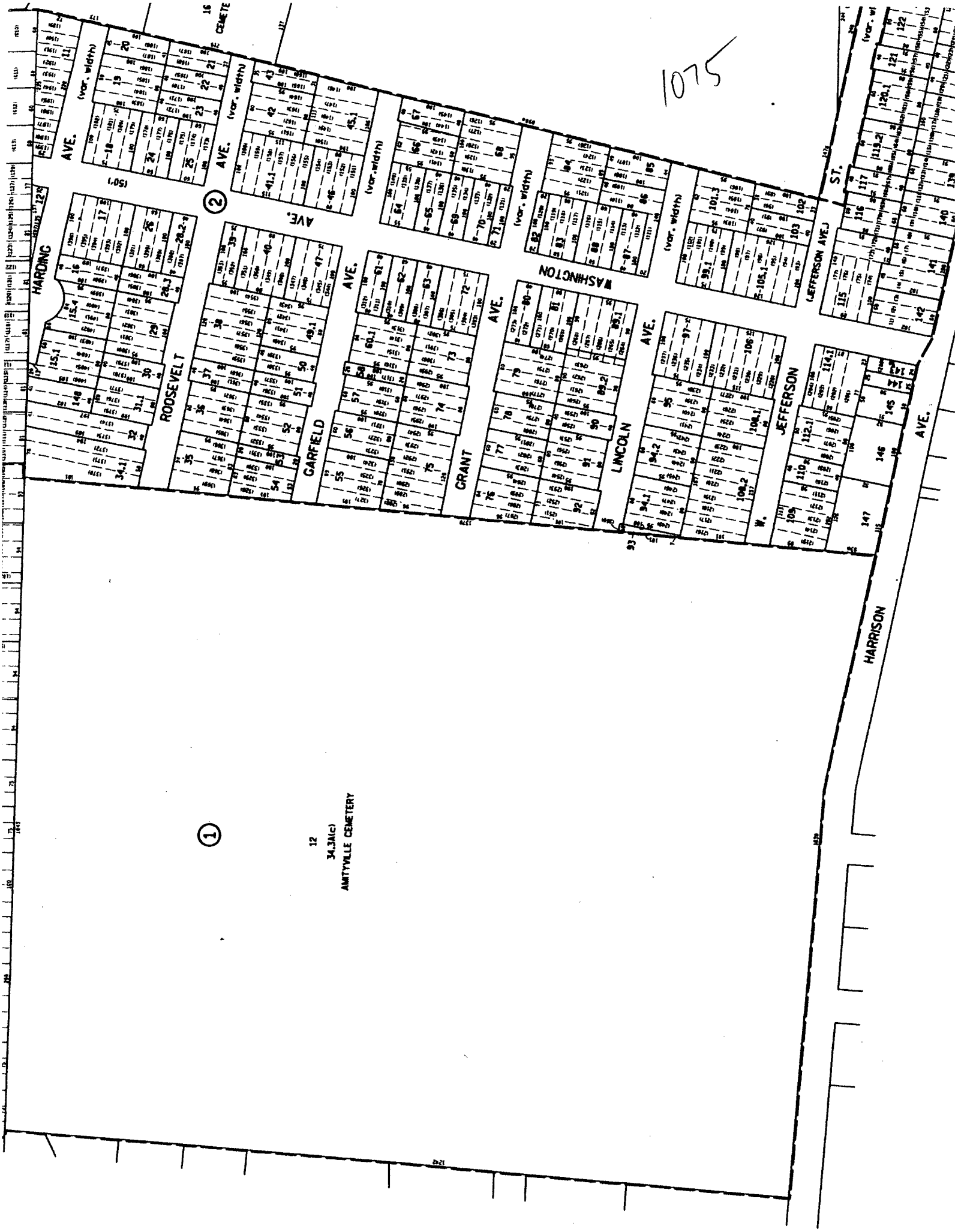
   None

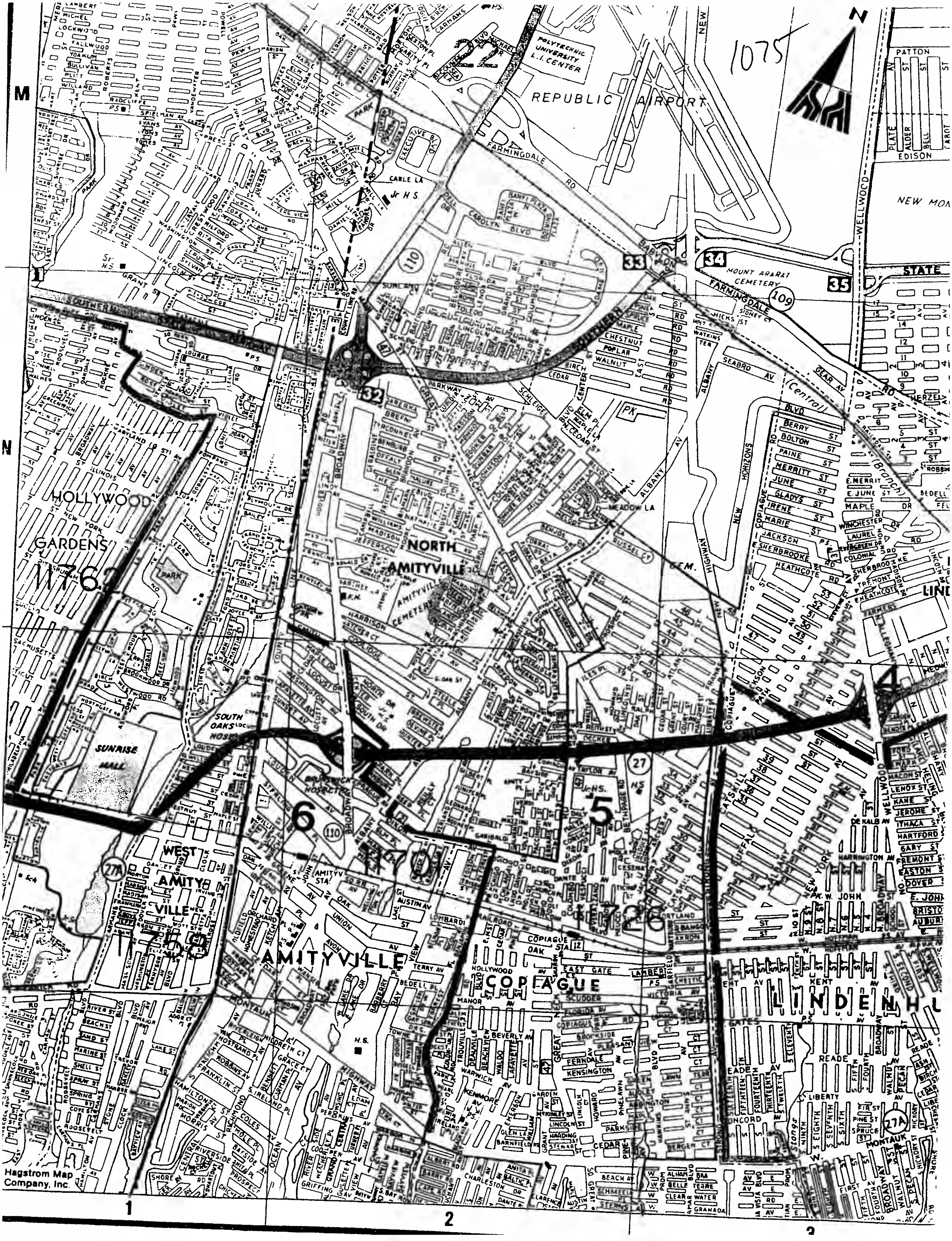
9. Timing of Impact

   2010

10. Name & Title of Preparer Signature of Preparer Date

    Lori Sklar – LMS III Lori Sklar 1/7/10


1075
HARDING
AVE.
ROOSEVELT
AVE.
GARFIELD
AVE.
GRANT
AVE.
WASHINGTON
AVE.
LINCOLN
AVE.
JEFFERSON
AVE.
(JEFFERSON AVE.)
ST.
HARRISON
AVE.
(var. width)
(50')
12
34.3A(c)
AMITYVILLE CEMETERY


1075
N
REPUBLIC AIRPORT
POLYTECHNIC UNIVERSITY L.I. CENTER
HOLLYWOOD GARDENS
11762
NORTH AMITYVILLE
AMITYVILLE CEMETERY
SOUTH OAKS HOSP.
SUNRISE MALL
BRUNSWICK HOSPITAL
WEST AMITYVILLE
11758
AMITYVILLE
11701
COPIAGUE
11726
LINDENHURST
MOUNT ARARAT CEMETERY
6
5
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M
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1
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3
Hagstrom Map Company, Inc.

0100 170-02-053
Garfield St

Gen A12

1075 JAN 13 2010

COUNTY OF SUFFOLK
OFFICE OF THE COUNTY EXECUTIVE

STEVE LEVY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

CARRIE MEEK GALLAGHER
COMMISSIONER

January 7, 2010

Ken Crannell
Deputy County Executive
H. Lee Dennison Bldg. 12th Fl.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 0100-170.00-02.00-053.000

Dear Mr. Crannell:

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. 1076-10 Laid on Table 2/2/10

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
J & J SALES AND RENOVATION PROPERTIES, INC.
0500-120.00-03.00-074.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 120.00, Block 03.00, Lot 074.000, and acquired by tax deed on September 11, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 12, 2008, in Liber 12564, at Page 791, and otherwise known and designated by the Town of Islip, as Suffolk County Tax Map Number District 0500, Section 120.00, Block 03.00 and Lot 074.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on September 11, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 12, 2008 in Liber 12564 at Page 791.

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, J & J SALES AND RENOVATION PROPERTIES, INC., by JAHANSHAH KERENDIAN, as President has made application of said above described parcel and J & J SALES AND RENOVATION PROPERTIES, INC., by JAHANSHAH KERENDIAN, as President has paid the application fee and will be paying $79,855.60, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, 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 J & J SALES AND RENOVATION PROPERTIES, INC., 6 Fairview Avenue, Great Neck NY 11023, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

1076

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

December 08, 2009

Tax Map No.: 0500-120.00-03.00-074.000
Name of Last Legal Fee Owner: J & J SALES AND RENOVATION PROPERTIES, INC.

TREASURER'S COMPUTATION..... $79,855.60

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

Taxes.....2009/2010.....OPEN

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

License Fee.....OPEN

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....$79,855.60

Monies to be Received.....$79,855.60

RESOLUTION AMOUNT.....$79,855.60

APPROVED:

Karen A Slater 12/9/09
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 0500-120.00-03.00-074.000

1076

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

2010

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

Cathy O'Neal Cathy O'Neal 12/21/09

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0500	120.00	03.00	074.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES: 1076

2005/06	$16,299.29
2006/07	$29,707.22
2007/08	$23,091.20

2008/09 Taxes were exempt

TOTAL: $69,097.71

B. INTEREST DUE	$6,955.24
C. TOTAL	$76,052.95
D. 5% LINE C	$3,802.65
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE $79,855.60

12/9/09

CERTIFICATION BY COUNTY TREASURER

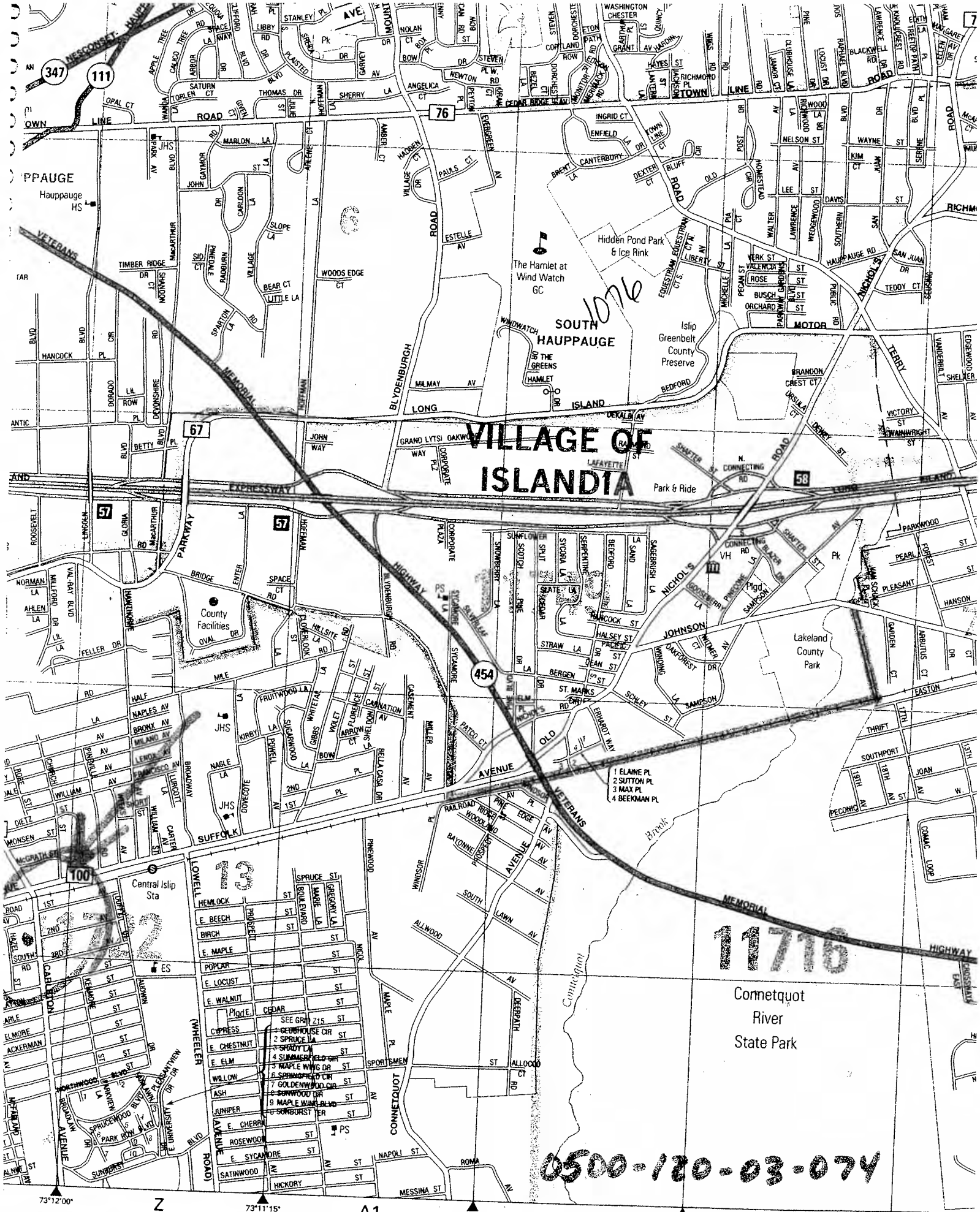
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 19-Nov-09

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 05/18/10

TS


VILLAGE OF ISLANDIA
SOUTH HAUPPAUGE
The Hamlet at Wind Watch GC
Hidden Pond Park & Ice Rink
Islip Greenbelt County Preserve
Park & Ride
County Facilities
Lakeland County Park
Central Islip Sta
Connetquot River State Park
Hauppauge HS
1 ELAINE PL
2 SUTTON PL
3 MAX PL
4 BEEKMAN PL
SEE GRID Z15
1 GEDDHOUSE CIR
2 SPRUCE LA
3 SHADY LA
4 SUMMERFIELD CIR
5 MAPLE WING DR
6 SPRINGFIELD CIR
7 GOLDENWOOD CIR
8 SUNWOOD CIR
9 MAPLE WING BLVD
10 SUNBURST TER
1076
11716
0500-120-03-074
73°12'00"
73°11'15"
73°10'30"
73°09'45"
73°09'00"
Z
A1
B1
C1

Joins Map 16

PROPERTIES DISTRICTS:

11.24

NOTICE

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

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

KEY MAP: 097, 098, 099, 119, 120, 121, 207, 140, 141, 142

TOWN OF ISLIP

VILLAGE OF

DISTRICT NO 0500

SECTIO

12

PROPER

CONVERSION DATE:

Gen A13

COUNTY OF SUFFOLK

JAN 06 2010

1076

STEVE LEVY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER
COMMISSIONER

Ben Zwirn
Intergovernmental Relations
H. Lee Dennison Bldg. – 11th Floor
Hauppauge, New York 11788-0099

January 4, 2010

Re: Tax Map No. 0500-120.00-03.00-074.000
J & J SALES AND RENOVATION PROPERTIES, INC.

Dear Mr. Zwirn:

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

Local Law 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

CO:lag

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

Copy of Resolution to:
Ben Zwirn, Intergovernmental Relations (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
Eric Naughton, Budget Director
Thomas A. Isles, Director, Planning Dept.
Lauretta Fischer, Principal Planner, Planning Dept.

53

Introductory Resolution No. 1077-10 Laid on Table 2/2/10

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
FITZ-BRAUN, LLC
0800-077.00-04.00-007.000
0800-077.00-04.00-008.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Smithtown, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0800, Section 077.00, Block 04.00, Lot 007.000 and District 0800, Section 077.00, Block 04.00, Lot 008.000 and acquired by tax deed on September 21, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 23, 2009, in Liber 12600, at Page 859, and otherwise known and designated by the Town of Smithtown, as Parcel I Suffolk County Tax Map Number District 0800, Section 077.00, Block 04.00 and Lot 007.000 and Parcel II Suffolk County Tax Map Number District 0800, Section 077.00, Block 04.00 and Lot 008.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on September 21, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 23, 2009 in Liber 12600 at Page 859.

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, FITZ-BRAUN, LLC has made application of said above described parcel and FITZ-BRAUN, LLC has paid the application fee and will be paying $50,039.61, 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, 2010, 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

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1077

December 21, 2009

Tax Map No.: 0800-077.00-04.00-007.000
0800-077.00-04.00-008.000
Name of Last Legal Fee Owner: FITZ-BRAUN, LLC

TREASURER'S COMPUTATION.....$50,039.61

Taxes.....2009/2010.....OPEN

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

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....$50,039.61

Monies to be Received.....$50,039.61

RESOLUTION AMOUNT.....$50,039.61

PREPARED BY:

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

APPROVED:

Karen A Blates 12/22/09
Accounting
DB:lag

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0800-077.00-04.00-007.000

1077

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

2010

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

Diane Bishop Diane Bishop 12/21/09

COMPUTATIO[illegible] BY SUFFOLK COUNTY TRE[illegible]URER

[illegible]TRICT	SECTION	BLOCK	LOT
[illegible]00	077.00	04.00	007.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES: 1077

2006/07	$2,511.36
2007/08	$5,235.72
2008/09	$4,019.42

TOTAL: $11,766.50

B. INTEREST DUE	$489.14
C. TOTAL	$12,255.64
D. 5% LINE C	$612.78
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE $12,868.42 12/8/09

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. 03-Dec-09

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 06/01/10

TS

COMPUTATIC BY SUFFOLK COUNTY TRE SURER

DISTRICT	SECTION	BLOCK	LOT
0800	077.00	04.00	008.000

1077

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07	$6,836.09
2007/08	$14,317.19
2008/09	$12,835.08

TOTAL: $33,988.36

B. INTEREST DUE	$1,412.77
C. TOTAL	$35,401.13
D. 5% LINE C	$1,770.06
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE $37,171.19 12/8/09

CERTIFICATION BY COUNTY TREASURER

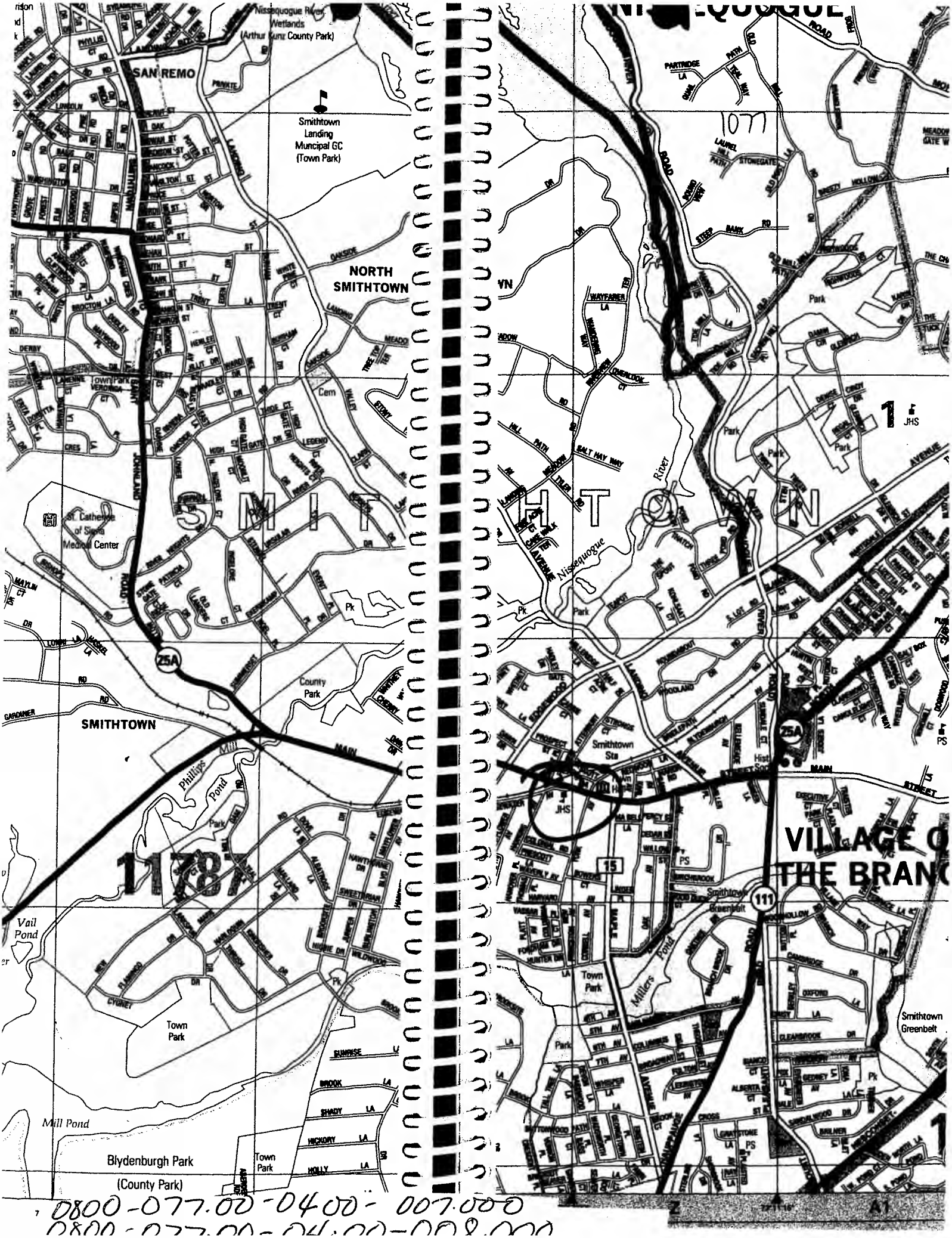
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 03-Dec-09

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 06/01/10

TS



0800-077.00-0400- 007.000
0800-077.00-04.00-008.000

0800-077.00-04.00-007.000
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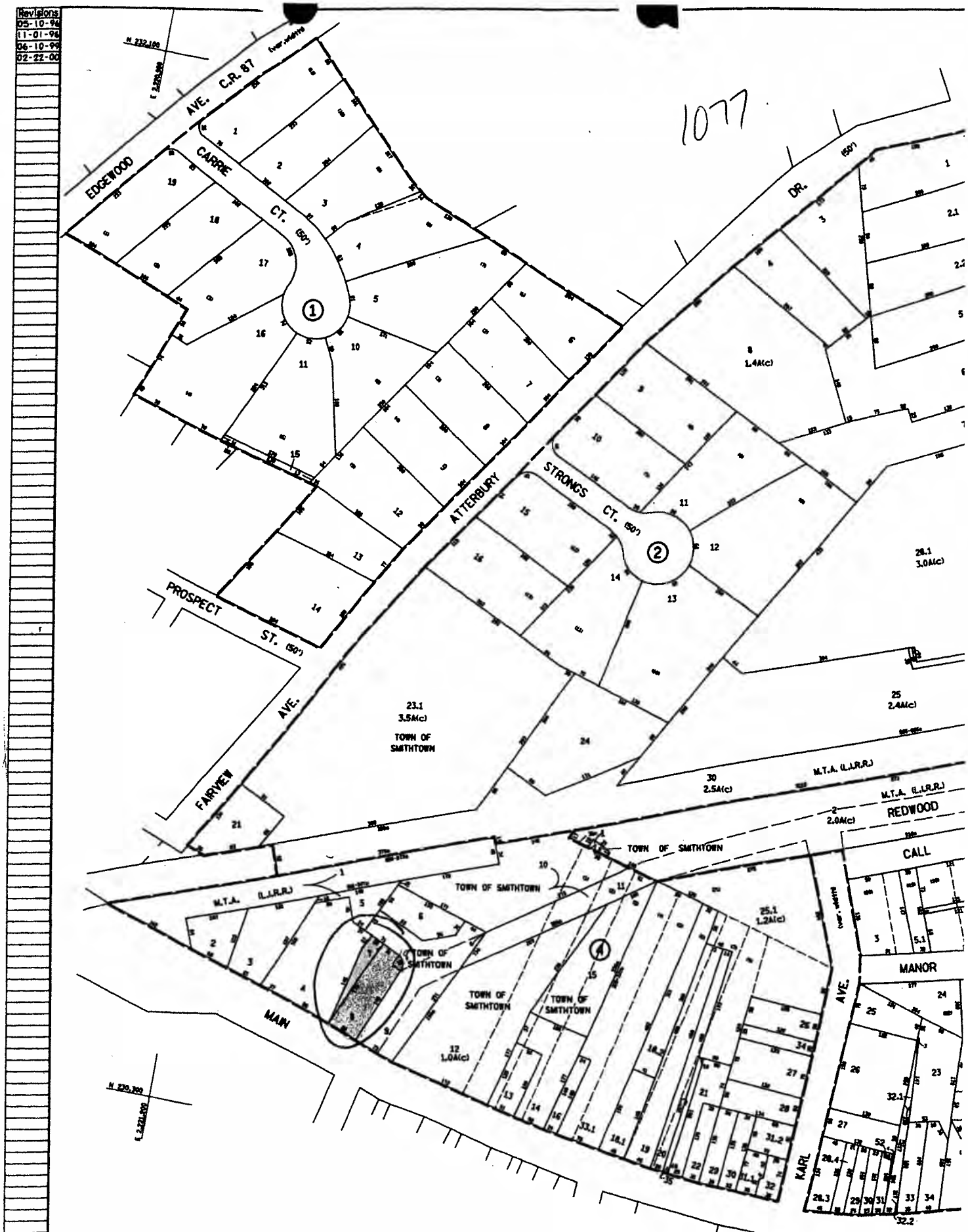
1077



LEGEND											
Property or RW Line		Subdivision Lot No.		Block Limit		School District Line	SCH	Hydrant District Line	H	UNLESS DRAWN OTHERWISE, ARE WITHIN THE FOL	
Denotes Common Owner	Z	Subdivision Block/Bldg. No.	(21)	Block No.	2	Fire District Line	F	Refuse District Line	R	SCHOOL 1	SE
Subdivision Lot Line		Bond Dimension		County Line		Water District Line	W	Historical District Line	HST	FIRE 21	HY
Stream / Shore		Scaled Dimension		Town Line		Light District Line	L	Ambulance District Line	A	LIGHT	WA
Parcel No.	23	Bond Area	12.1 A(d) or 12.1A	Village Line		Park District Line	P	Wastewater District Line	WW	PARK	RE
		Calculated Area	12.1 A(c)			Sewer District Line	S			AMBULANCE	WA

1078

Intro. Res. No. - 2010 Laid on Table 2/2/10
Introduced by Legislator Losquadro

RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A CHARTER LAW AMENDING THE MEMBERSHIP OF THE COUNTY FIRE, RESCUE AND EMERGENCY SERVICES COMMISSION

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2010 a proposed local law entitled, "**A CHARTER LAW AMENDING THE MEMBERSHIP OF THE COUNTY FIRE, RESCUE AND EMERGENCY SERVICES COMMISSION** "; now, therefore be it

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

LOCAL LAW NO. -2010, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW AMENDING THE MEMBERSHIP OF THE COUNTY FIRE, RESCUE AND EMERGENCY SERVICES COMMISSION

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, every ten (10) years, a Charter Review Commission convenes to examine the Suffolk County Charter and provide recommendations to improve the document.

This Legislature also finds and determines that a Charter Review Commission was organized and convened on February 7, 2008.

This Legislature further finds and determines that the Charter Review Commission met eleven (11) times over the next fourteen (14) months to hear testimony and discuss possible changes to the Charter.

This Legislature finds that the Charter Review Commission submitted its report and recommendations to the County Executive and the County Legislature on June 12, 2009, outlining twelve (12) recommended changes to the County Charter.

This Legislature determines that among the recommendations made by the Commission was to increase the Ambulance Chiefs Association's representation on the Fire, Rescue and Emergency Services Commission.

This Legislature also finds that the increased representation for Ambulance Chiefs will improve the balance of the Fire, Rescue and Emergency Services Commission, which is predominantly comprised of fire safety professionals.

Therefore, the purpose of this law is to increase the representation of the Ambulance Chiefs Association on the Suffolk County Fire, Rescue and Emergency Services Commission to two (2) members.

Section 2. Amendment.

Article 11 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

ARTICLE XI, DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES

****

§ C11-4. Fire, Rescue and Emergency Services Commission.

A. There shall be a County Fire, Rescue and Emergency Services Commission pursuant to County Law § 225-a. The Commission shall be comprised of **[**18**]** 19 members. Each member shall be appointed by the County Executive with approval of the County Legislature. The term of office for members shall be three years, except that of those members first appointed, six shall serve for three years, six shall serve for two years and five shall serve for one year. At such time that members are reappointed or new members are appointed, the term of office shall be three years.

B. The County Fire, Rescue and Emergency Services Commission shall include one member from each township and an alternate member, two members from the Suffolk County Fire District Officers Association, two members from the Fire Chiefs Council of Suffolk County, two members from the Suffolk County Volunteer Firemen's Association, **[**one**]** two members from the Suffolk County Ambulance Chiefs Association and an alternate member and one member from the Fire Inspectors Association of Suffolk County and an alternate member. The alternate members shall vote in the absence of the appointed members. The members of the Commission shall be County officers and shall serve without compensation; however, members shall be reimbursed at standard County rates for travel expenses incurred for meeting attendance. The members of the Fire Advisory Board in office at the time of enactment of this legislation shall continue in office as members of the new Commission until expiration of their current terms of office.

****

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:

s:\laws\cl-Losquadro-amending FRES Membership

1078

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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

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

DATE: JANUARY 19, 2010

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. 1078-2010; A CHARTER LAW AMENDING THE MEMBERSHIP OF THE COUNTY FIRE, RESCUE AND EMERGENCY SERVICES COMMISSION

SPONSOR: LEGISLATOR LOSQUADRO

DATE OF RECEIPT BY COUNSEL:	1/14/2010	PUBLIC HEARING:	3/2/2010
DATE ADOPTED/NOT ADOPTED:		CERTIFIED COPY RECEIVED:	

This proposed charter law would amend Article 11 of the SUFFOLK COUNTY CHARTER to increase the representation of the Suffolk County Ambulance Chiefs Association on the County Fire, Rescue and Emergency Services Commission from one (1) representative to two (2) representatives.

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

GEORGE NOLAN
Counsel to the Legislature

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1079

Intro. Res. No. -2010 Laid on Table 2/2/2010
Introduced by Presiding Officer Lindsay

RESOLUTION NO. –2010, AMENDING THE 2010 SUFFOLK COUNTY OPERATING BUDGET IN CONNECTION WITH THE RESTORATION OF ONE CLERK TYPIST AND ONE COURIER POSITION TO MAINTAIN OPERATIONS IN THE OFFICE OF THE SUFFOLK COUNTY CLERK

WHEREAS, the adoption of the 2010 County Operating Budget included the Legislature's desire to reorder priorities to assure continuity of efficient delivery of health, and other government services to the residents of Suffolk County without increasing the General Fund Property Tax; and

WHEREAS, the Legislature abolished vacant positions in order to make certain cuts in surplus salary appropriations; and

WHEREAS, the Legislature reduced 2010 permanent salaries by $37,542 in the County Clerk's Office by abolishing one vacant Clerk Typist and one vacant Courier position; and

WHEREAS, after the adoption of the 2010 Operating Budget, the Office of the Suffolk County Clerk informed the Legislature that the Office is reimbursed its administrative costs associated with the collection of the Mortgage Tax; and

WHEREAS, 40% of the Courier's salary and 60% of the Clerk Typist's salary are reimbursable Mortgage Tax administrative costs; and

WHEREAS, the Office of the Suffolk County Clerk has requested the restoration of the Courier position and the Clerk Typist position with the knowledge that the Office is maintaining four contingent vacant Clerk Typist positions to provide for the possible return of the incumbents; and

WHEREAS, it is the desire of the Suffolk County Legislature to restore the two abolished positions without increasing appropriations, and

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

1st RESOLVED, that the 2010 Suffolk County Operating Budget is hereby amended as follows:

ADDITIONS

Position No.	Spec No.	JC	Position Title	Grade	BU
001-1410-0400-0223	0021	C	Clerk Typist	09	02
001-1410-0100-0014	7215	N	Courier	12	06

and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

T:\BRO\IR 2010 OB Amendment Restoration of Clerk Typist and Courier - Office of County Clerk.doc

Intro. Res. No. 1080 –2010 Laid on Table 2/2/10
Introduced by the Presiding Officer, on Request of the County Executive

RESOLUTION NO. –2010, ADOPTING LOCAL LAW NO. – 2010, A LOCAL LAW TO RECODIFY, STRENGTHEN AND CLARIFY THE PROVISIONS FOR LICENSED OCCUPATIONS

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2010, a proposed local law entitled, **"A LOCAL LAW TO RECODIFY, STRENGTHEN AND CLARIFY THE PROVISIONS FOR LICENSED OCCUPATIONS,"** and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

LOCAL LAW NO. –2010, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO RECODIFY, STRENGTHEN AND CLARIFY THE ENFORCEMENT PROVISIONS FOR LICENSED OCCUPATIONS

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 Suffolk County Code contains various provisions that require licensing of certain occupations and that regulate those licensed occupations.

This Legislature finds and determines that provisions relating to licensed occupations are not currently codified in one coherent chapter and therefore the administration and enforcement of these licensed occupations is hampered.

This Legislature therefore finds and determines that in order to provide for better administration and enforcement of Chapter 275 of the Suffolk County Code, which applies to electricians and plumbers, such Chapter should be recodified to fall under Chapter 345 of the Suffolk County Code, which addresses all licensed occupations.

This Legislature also finds and determines that certain provisions in Chapter 275 of the Suffolk County Code need to be made consistent with the provisions of Chapter 345 which are applicable to all licenses.

This Legislature further finds that Sections 345-9 and 345-12 of Chapter 345 of the Suffolk County Code establish civil fines and criminal penalties to be imposed upon persons for violating certain licensing provisions of the Suffolk County Code and that the language of those sections of the Suffolk County Code needs to be clarified to ensure that such fines apply to all professions under the jurisdiction of the Department of Consumer Affairs and that all persons, as that term is defined in Chapter 345 of the Code, are subject to such civil fines and criminal penalties.

This Legislature further finds and determines that, in light of the time and administrative costs to the County in overseeing the licensing provisions of Chapter 345 of the Suffolk County Code, it is appropriate to authorize the Commissioner of the Suffolk County Department of Consumer Affairs to impose civil penalties on all persons who conduct businesses regulated by the County without a valid license, and the Code should reflect same.

This Legislature also finds that while Chapter 345 currently contains provisions that employees of certain government entities, as well as employees of certain electric, water, and telephone companies do not have to hold licenses in order to perform, among other things, septic work and commercial and industrial paint work on behalf of those entities and companies, as currently drafted private contractors of such entities would likewise not have to hold licenses.

This Legislature finds that in order to provide for consistent administration of county local laws, county resolutions and county ordinances pertaining to consumer affairs, as well as to better protect the residents of Suffolk County, the Suffolk County Administrative Code should be amended to require that non-employee contractors of government entities and electric, water and telephone companies must obtain the appropriate licenses before performing work on behalf of those entities.

This Legislature further finds that while Chapter 345 of the Suffolk County Code currently requires applicants for licenses to demonstrate good character and financial responsibility, there are currently no provisions which require the maintenance of good character standing and financial responsibility and that, in order to better protect the consumers of Suffolk County, good character standing and financial responsibility should be required throughout the duration of a license and/or certificate.

This Legislature also finds and determines that the New York State General Business Law grants concurrent jurisdiction for enforcement of the

provisions of Article 36-a of the New York State General Business Law (Home Improvement Contracts), including the provisions found in Section 771 of that Article (Contract Provisions), to the Commissioner of the Suffolk County Department of Consumer Affairs.

This Legislature finds and determines that Section 345-21 of the Suffolk County Code establishes prohibited acts regarding to licensed occupations, but does not specifically reflect a prohibition against violating the provisions of Section 771 of the New York State General Business Law.

This Legislature further finds that in order to better protect the public against harmful and dishonest home improvement contract provisions, the language of Section 345-21 of the Suffolk County Code needs to be clarified to include among prohibited acts a violation of Section 771 of the New York State General Business Law.

Therefore, the purpose of this law is to recodify and harmonize the provisions of Chapter 275 of the Suffolk County Code and Chapter 345 of the Suffolk County Code and to strengthen and clarify the application of the provisions Chapter 345 of the Suffolk County Code.

Section 2. Recodification

The provisions of Chapter 275 of the Suffolk County Code, entitled ELECTRICIANS AND PLUMBERS, shall be recodified as Article XI of Chapter 345 of the Suffolk County Code, entitled LICENSED OCCUPATIONS. All references to the current codified provisions of Chapter 275 of the Suffolk County Code shall be updated to reflect the recodification. Such recodification shall not be construed in any way to repeal any provision of Chapter 275 nor impact on Chapter 275 applicability or effectiveness.

Section 3 Amendments.

1) Section 275-5 of the SUFFOLK COUNTY CODE is amended as follows:

§275-5 - Term of license; fee; display

A Notwithstanding the provisions of §345-6, a [A] certificate of competency and license issued hereunder shall be for a period of two years from the date of issuance thereof, at the discretion of the Office, and shall expire on the last day of the 24th month of such issuance, subject to the provisions contained in § 275-7 of this chapter. Subsequent renewal shall be for a period of two years.

2) Section 275-16 of the SUFFOLK COUNTY CODE is amended as follows:

§275-16 - Penalties for offenses

In addition to the civil penalties applicable to all licenses pursuant to § 345-9 of this Chapter [A] any person who shall violate any provision of this article [chapter] shall be guilty of a misdemeanor and subject to a fine of not more than $5,000 or imprisonment for not more than one year, or both.

3) Section 345-2 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§ 345-2. Definitions.

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

****

COMMISSIONER or DIRECTOR -- The Commissioner [Director] of the Department of Consumer Affairs.

****

DEPARTMENT or OFFICE -- The Department [Office] of Consumer Affairs

4) Section 345-4 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§ 345-4. Exempted operations.

The provisions of this chapter shall not apply to:

A. Employees of any federal, state or local government, or any agencies thereof or of a state or local public authority, as that term is defined in section 2 of the New York Public Authorities Law, provided that such employees are performing the work on behalf of a government entity or public authority. This exemption shall not apply to any work performed by a person, as that term is defined in this chapter, who is not an employee of federal, state or local government or any agencies thereof or of a public authority even if such work is performed on behalf of or pursuant to an agreement with a governmental entity or public authority. [Employees of and on behalf of any federal, state or local government or any agencies thereof.]

B. Employees of and on behalf of any gas or electric corporation, waterworks corporation or telegraph and telephone corporation, provided that such employees are performing the work on behalf of a gas or electric

corporation, waterworks corporation or telegraph and telephone corporation. This exemption shall not apply to any work performed by a person, as that term is defined in this chapter, who is not an employee of a gas or electric corporation, waterworks corporation or telegraph or telephone corporation, even if such work is performed on behalf of or pursuant to an agreement with a gas or electric corporation, waterworks corporation or telegraph and telephone corporation.

5.) Section 345-73 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§ 345-73 - Exempted operations

Exemptions shall be as follows

A. Employees of any federal, state or local government, or any agencies thereof or of a state or local public authority, as that term is defined in section 2 of the New York Public Authorities Law, provided that such employees are performing the work on behalf of a government entity or public authority. This exemption shall not apply to any work performed by a person, as that term is defined in this chapter, who is not an employee of federal, state or local government or any agencies thereof or of a public authority even if such work is performed on behalf of or pursuant to an agreement with a governmental entity or public authority. [Employees of and on behalf of any federal, state or local government or any agencies thereof.]

6) Section 345-88 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§ 345-88 - Exempted operations

Exemptions shall be as follows

A. Employees of any federal, state or local government, or any agencies thereof or of a state or local public authority, as that term is defined in section 2 of the New York Public Authorities Law, provided that such employees are performing the work on behalf of a government entity or public authority. This exemption shall not apply to any work performed by a person, as that term is defined in this chapter, who is not an employee of federal, state or local government or any agencies thereof or of a public authority even if such work is performed on behalf of or pursuant to an agreement with a governmental entity or public authority. [Employees of and on behalf of any federal, state or local government or any agencies thereof.]

7) Section 345-5 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§ 345-5. Application procedure; information required; qualifications; issuance of license

****

E. Except as otherwise provided in this chapter, a[A]n individual applicant must be at least 18 years of age, of good character and financially responsible. A licensee must maintain good character standing and maintain financial responsibility during the term of the Licensee's license(s) and/or certificate(s).

8.) Section 345-9 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§ 345-9. Civil Penalties [Fines; suspension or revocation of licenses].

A. In addition to any other penalties provided pursuant to this chapter or pursuant to any provisions of any county local law, county resolution, or county ordinance pertaining to consumer affairs, consumer protection, or any matter subject to the jurisdiction of the Department, including, but not limited to, Chapter 249 of the Suffolk County Code, [T] the Director shall have the power to impose a [fine] civil penalty upon a person not to exceed $750 for a first violation and $1,500 for any subsequent violation [upon a licensee] or to suspend or revoke a license or to deny an application for a license or the renewal of a license for any one or more of the following causes:

(1) Fraud, deceit, misrepresentation or bribery in securing or attempting to secure a license[.] ;

(2) The making of any false statement in an application for a license[.] ;

(3) Violation of any provision of this chapter [article, any other appropriate article of this chapter] or any rule or regulation promulgated thereunder[.] ;

(4) Violation of any provisions of any county local law, county resolution, or county ordinance pertaining to consumer affairs, consumer protection, or any matter subject to the jurisdiction of the Department, including, but not limited to, Chapter 249 of the Suffolk County Code [any provision of § § 275-3B(3)[, 345-17F, 345-28C, 345-36E, or 345-48C of] the Suffolk County Code[.] ;

(5) Engaging in prohibited acts as defined in § 345-10 of this article.

(6) Conducting a business regulated by this chapter without a valid license.

(7) Failing to maintain good character standing during the term of the license(s) and/or certificate(s).

(8) Failing to maintain financial responsibility during the term of the license(s) and/or certificate(s).

B. No license shall be suspended or revoked nor a fine imposed until after a hearing has been held before the Director upon at least seven business days' notice to the person [licensee]. Such notice shall be served either personally or by certified mail, return receipt requested, to the last known address of the person [licensee] and shall state the date and place of the hearing as well as enumerate the grounds constituting the allegations against such person [licensee]. The person [licensee] may be represented by counsel and may produce witnesses in his/her/its own behalf. A record of the hearing shall be taken and preserved. For purposes of such hearing, the Director may administer oaths, take testimony, subpoena witnesses and compel the production of books, papers, records or other documents deemed pertinent to the subject of the hearing.

9.) Section 345-10 of SUFFOLK COUNTY CODE is hereby amended to read as follows:

§ 345-10. Prohibited acts.

In addition to any prohibitions contained in this chapter or in any other county local law, county resolution, or county ordinance pertaining to consumer affairs, consumer protection, or any matter subject to the jurisdiction of the Department, including, but not limited to, Chapter 249 of the Suffolk County Code, the following acts are prohibited:

****

10) Section 345-12 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§ 345-12. Unlicensed Activities [Penalties for offenses].

In addition to any civil penalties imposed by the Director pursuant to this chapter or pursuant to any provisions of any county local law, county resolution, or county ordinance pertaining to consumer affairs, consumer protection, or any matter subject to the jurisdiction of the Department, including, but not limited to, Chapter 249 of the Suffolk County Code, [A]any person who shall conduct a business licensed by this chapter without obtaining a license therefor or who shall continue to engage in such licensed business after [,] having had a valid license [which has

been] suspended or revoked, [shall continue to engage in such licensed business] shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than $5,000 or imprisonment for not more than one year, or both. Each such violation shall be deemed a separate offense.

11) Section 345-82 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§ 345-82 - Unlicensed Activities [Penalties for offenses].

In addition to any civil penalties imposed by the Director pursuant to this chapter or pursuant to any provisions of any county local law, county resolution, or county ordinance pertaining to consumer affairs, consumer protection, or any matter subject to the jurisdiction of the Department, including, but not limited to, Chapter 249 of the Suffolk County Code, [A]any person who shall conduct a business licensed by this article without obtaining a license therefor or who shall continue to engage in such licensed business after [,], having had a valid license [which has been] suspended or revoked, [shall continue to engage in such licensed business] shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than $5,000 [$1,000] or imprisonment for not more than one year, or both. Each such violation shall be deemed a separate offense.

12) Section 345-97 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§ 345-97 - Unlicensed Activities [Penalties for offenses].

In addition to any civil penalties imposed by the Director pursuant to this chapter or pursuant to any provisions of any county local law, county resolution, or county ordinance pertaining to consumer affairs, consumer protection, or any matter subject to the jurisdiction of the Department, including, but not limited to, Chapter 249 of the Suffolk County Code, [A]any person who shall conduct a business licensed by this article without obtaining a license therefor or who shall continue to engage in such licensed business after [,], having had a valid license [which has been] suspended or revoked, [shall continue to engage in such licensed business] shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than $5,000 [$1,000] or imprisonment for not more than one year, or both. Each such violation shall be deemed a separate offense.

13) Section 345-112 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§ 345-112. Unlicensed Activities [Penalties for unlicensed operation].

In addition to any civil penalties imposed by the Director pursuant to this chapter or pursuant to any provisions of any county local law, county resolution, or county ordinance pertaining to consumer affairs, consumer protection, or any matter subject to the jurisdiction of the Department, including, but not limited to, Chapter 249 of the Suffolk County Code, [A]any person who shall conduct a business licensed by this article without obtaining a license therefor or who shall continue to engage in such licensed business after [,], having had a valid license [which has been] suspended or revoked, [shall continue to engage in such licensed business] shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than $5,000 [$1,000] or imprisonment for not more than one year, or both. Each such violation shall be deemed a separate offense.

14.) Section 345-21 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§ 345-21. Prohibited Acts.

* * * *

E. A failure to abide by any provision of Section 771 of the New York State General Business Law.

Section 4. Applicability.

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

Section 5. Severability.

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

Section 6. SEQRA Determination.

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

Section 7. Effective Date.

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

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

1080

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

GEORGE NOLAN
COUNSEL TO THE LEGISLATURE
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HAUPPAUGE, NY 11788-0099
(631) 853-5494 (PHONE)
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DATE: JANUARY 19, 2010

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. -2010; A LOCAL LAW TO RECODIFY, STRENGTHEN AND CLARIFY THE PROVISONS FOR LICENSED OCCUPATIONS

SPONSOR: PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 1/19/2010 **PUBLIC HEARING:** 3/2/2010

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

This proposed local law would make several changes to County Code provisions applicable to Licensed Occupations. The proposed changes can be summarized as follows:

1. Recodifies Chapter 275 of the SUFFOLK COUNTY CODE as Article XI of Chapter 345, so plumbers and electricians are regulated under the same chapter as all other occupations licensed by the Department of Consumer Affairs.

2. Clarifies that plumbers and electricians are subject to civil penalties, as well as criminal penalties, for violations of the Code

3. Clarifies that while employees of federal, state and local governments are exempted from the county code requirements, non-employees performing work on behalf of these entities are not exempt from the law's requirements.

4. Authorizes the Commissioner of Consumer Affairs to impose civil penalties upon persons who conduct a business without a required license. Presently, unlicensed operators are subject to criminal penalties only.

5. Broadens prohibited acts related to licensed occupations to include violations of § 771 of NEW YORK GENERAL BUSINESS LAW.

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

GEORGE NOLAN
Counsel to the Legislature

Introductory Resolution No. 1081-10 Laid on Table 2/2/10

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
SPIN CITY REALTY CORPORATION
0100-055.00-02.00-083.000

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 055.00, Block 02.00, Lot 083.000, and acquired by tax deed on December 04, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on December 07, 2009, in Liber 12608, at Page 664, and otherwise known and designated by the Town of Babylon, as Filed Map 44 Block 13 Lots W. Pts 23-27 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 December 04, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on December 07, 2009 in Liber 12608 at Page 664.

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, SPIN CITY REALTY CORPORATION by ANTHONY FALZONE, as President has made application of said above described parcel and SPIN CITY REALTY CORP has paid the application fee and will be paying $7,084.23, 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, 2010, 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 SPIN CITY REALTY CORPORATION, 72 Osceola Avenue, Deer Park, NY 11729, 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: _____

1081

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

January 11, 2010

Tax Map No.: 0100-055.00-02.00-083.000
Name of Last Legal Fee Owner: SPIN CITY REALTY CORPORATION

TREASURER'S COMPUTATION.....$5,088.32

Taxes.....2009/2010.....$1,995.91

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

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....$7,084.23

Monies to be Received.....$7,084.23

RESOLUTION AMOUNT.....$7,084.23

APPROVED:

Karen A Slater 1/12/10
Accounting
CO:lag

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

1081

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0100-055.00-02.00-083.000

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

2010

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

Cathy O'Neal Cathy O'Neal 1/11/10

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0100	055.00	02.00	083.000

1081

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07	440.60
2007/08	2365.35
2008/09	1876.75
TOTAL:	4682.70
B. INTEREST DUE	163.32
C. TOTAL	4846.02
D. 5% LINE C	242.30
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$5,088.32

2009/10 1995.91

$7084.23

KL 1/12/10

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.

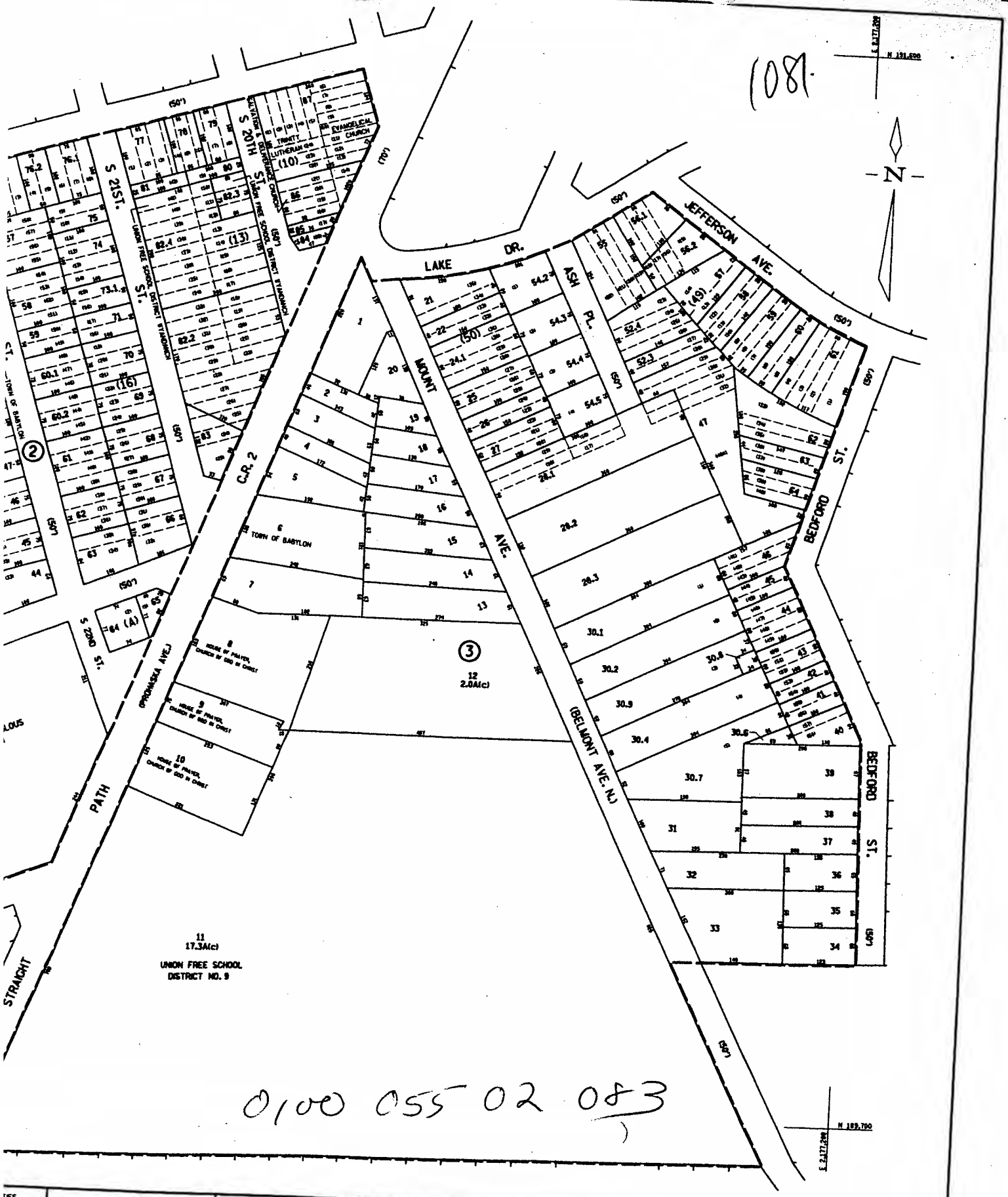
IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 07-Jan-10

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 07/06/10

dz

1081



0100 055 02 083

NOTICE

MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROHIBITED EXCEPT WITH PERMISSION OF THE

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

KEY MAP

TOWN OF BABYLON

VILLAGE OF

SECTION NO 055

0100 055 02 083

Scale 1:24,000

Joins Map 3

11746

11747

11704

HUNTINGTON

BABYLON

HALF HOLLOW HILLS Park

Strathmore Park

WHEATLEY HEIGHTS

WYANDANCH

Long Island National Cemetery

American Field of Honor

Cemetery

Pinelawn Sta

Colonial Springs GC

Beth Moses Cemetery

Wellwood Cemetery

Wyandanch Memorial HS

St. John's Catholic Cemetery

Joins Map 10

Introductory Resolution No. 1082-10 Laid on Table 2/2/10

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
PLANTGIFT.COM, INC.
0500-356.00-07.00-002.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 356.00, Block 07.00, Lot 002.000, and acquired by tax deed on September 28, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 29, 2009, in Liber 12601, at Page 425, and otherwise known and designated by the Town of Islip, as Suffolk County Tax Map Number District 0500, Section 356.00, Block 07.00 and Lot 002.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on September 28, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 29, 2009 in Liber 12601 at Page 425.

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, PLANTGIFT.COM, INC. by ROBERT SYSKA, as President has made application of said above described parcel and PLANTGIFT.COM INC. by ROBERT SYSKA, as President has paid the application fee and has paid $18,396.25, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through 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 PLANTGIFT.COM, INC., 49 Hiddink Street, Sayville NY 11782, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

1082

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

January 11, 2010

Tax Map No.: 0500-356.00-07.00-002.000
Name of Last Legal Fee Owner: PLANTGIFT.COM INC.

TREASURER'S COMPUTATION.....$18,396.25

Taxes.....2009/2010.....OPEN

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

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL..... $18,396.25

Monies Received.....$18,396.25

RESOLUTION AMOUNT.....$18,396.25

APPROVED:

Karen A. Slater 1/12/10
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

1082

1. Type of Legislation

Resolution X
Tax Map Number 0500-356.00-07.00-002.000

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

2010

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

Cathy O'Neal | Cathy O'Neal | 1/11/2010

COMPUTATI BY SUFFOLK COUNTY TRI URER

DISTRICT	SECTION	BLOCK	LOT
0500	356.00	07.00	002.000

1082

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07	$2,834.87
2007/08	$7,830.53
2008/09	$6,124.02

2009/2010 TAXES IN THE AMOUNT OF $6,627.18 NOT INCLUDED IN COMPUTATION

TOTAL:	$16,789.42
B. INTEREST DUE	$730.82
C. TOTAL	$17,520.24
D. 5% LINE C	$876.01
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$18,396.25

1/12/10

CERTIFICATION BY COUNTY TREASURER

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

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

Douglas W. Sutherland
Chief Deputy County Treasurer

**Interest and penalty computed to and including 06/19/10

TS

1082

0500 356 07 002

PROPERTIES DISTRICTS:

NOTICE

MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION OF THE

COUNTY OF SUFFOLK ©
Real Property Tax Service Agency
County Center Riverhead, N.Y. 11901

TOWN OF ISLIP

VILLAGE OF

0500

SECTION NO 356

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

1082

Scale 1:[illegible]

0 1,000 2,000 3,000 4,000 5,000
0 200 400 600 800 1,000 1,200 1,400 Meters

Joins Map 22

73°05'15" J1 73°04'30" K1 73°03'45" L1 73°03'00" M1 73°02'15" N1

11732

11705

11715

PATCHOGUE

SAYVILLE

BAYPORT

BLUEPOINT

Sayville Sta

Sayville Learning Center

St Ann's Cem

Roosevelt Estate County Park

Sans-Souci Lakes County Nature Preserve

Lotus Lake

Long Island Railroad

Bayport Aerodrome

Bayport-Blueport HS

N.Y.S Conservation Area Access by Permit

N.Y.S Conservation Area

Five Mile Look Park

Sayville Beach

Brown Pt

Bayport Beach

Blue Pt

Brown Creek

Ferry

Patchogue (Summer Only)

SOUTH BAY

BROOKHAVEN

0500 356 07 002

Introductory Resolution No. 1083-10 Laid on Table 2/2/10

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
SEAN D. GRANT a/k/a SEAN DANA GRANT
0100-053.00-02.00-113.000

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 053.00, Block 02.00, Lot 113.000, and acquired by tax deed on July 09, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2008, in Liber 12557, at Page 861, and otherwise known and designated by the Town of Babylon, as Filed Map Number 44 Block 36 Lots 23 & 24; 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 09, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2008 in Liber 12557 at Page 861.

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

WHEREAS, SEAN D. GRANT a/k/a SEAN DANA GRANT has made application of said above described parcel and SEAN GRANT has paid the application fee and has paid $1,805.06, 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 SEAN D. GRANT a/k/a SEAN DANA GRANT, 6 Fifth Ave., Westbury NY 11590, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1083

January 11, 2010

Tax Map No.: 0100-053.00-02.00-113.000
Name of Last Legal Fee Owner: SEAN D. GRANT a/k/a SEAN DANA GRANT

TREASURER'S COMPUTATION.....$1,805.06

Taxes.....2009/2010.....OPEN

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

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....$1,805.06

Monies Received.....$1,805.06

RESOLUTION AMOUNT.....$1,805.06

APPROVED:

Karen A Slater 4/12/10
Accounting
CO:lag

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK		LOT
0100	053.00	02.00	1083	113.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	427.20
2006/07	454.87
2007/08	339.05
2008/09	356.36
TOTAL:	1577.48
B. INTEREST DUE	141.62
C. TOTAL	1719.10
D. 5% LINE C	85.96
E. FEE	
F. MISC	
G. MISC	
H. TOTAL DUE	$1,805.06

1/12/10

CERTIFICATION BY COUNTY TREASURER

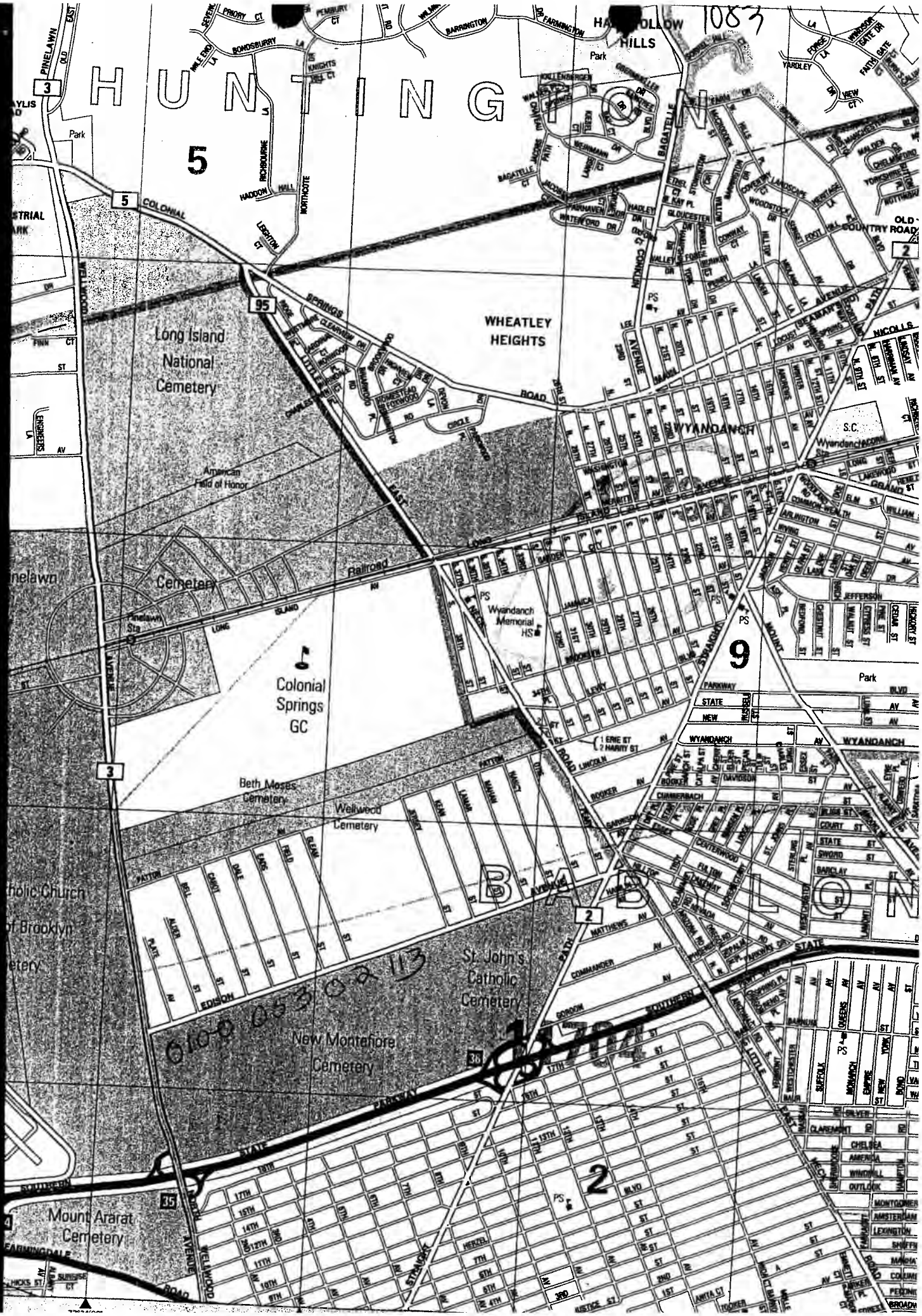
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 06-Oct-09

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 04/04/10

dz



HUNTINGTON
5
WHEATLEY HEIGHTS
Long Island National Cemetery
American Field of Honor
Pinelawn Cemetery
Pinelawn Sta
Colonial Springs GC
Wyandanch Memorial HS
Beth Moses Cemetery
Wellwood Cemetery
St. John's Catholic Cemetery
New Montefiore Cemetery
Mount Ararat Cemetery
9
2
WYANDANCH
BAGATELLE
COLONIAL
SPRINGS
ROAD
Railroad
LONG ISLAND
EAST
WELLWOOD
AVENUE
PARKWAY
STATE
SOUTHERN
FARMINGDALE
ROAD
Park
1083
0100 0530 2113

53-2-113

1083

0100 053 02 113

ALL PROPERTIES DISTRICTS:	NOTICE MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION OF THE REAL PROPERTY TAX SERVICE AGENCY.	COUNTY OF SUFFOLK © Real Property Tax Service Agency County Center Riverhead, N Y 11901 SCALE IN FEET:	KEY MAP	TOWN OF BABYLON VILLAGE OF DISTRICT NO 0100	SECTION NO 053 PROPERTY MAP

1084

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by Presiding Officer Lindsay

RESOLUTION NO. –2010, AMENDING RESOLUTION NO. 61-2009 TO AUTHORIZE ADDITIONAL TIME FOR THE LONG ISLAND MARITIME MUSEUM TO UTILIZE THE CARRIAGE HOUSE IN THE WEST SAYVILLE PARK

WHEREAS, Resolution No. 727-2007, as amended by Resolution No. 61-2009, authorized the Department of Parks, Recreation and Conservation to make the Carriage House on the grounds of the Suffolk County Park in West Sayville available to the Long Island Maritime Museum to locate administrative staff or house its Director; and

WHEREAS, Resolution No. 61-2009 gave the Long Island Maritime Museum one year to utilize the Carriage House before it would be made available for lease or license by the Department of Parks, Recreation and Conservation pursuant to Local Law No. 30-2008; and

WHEREAS, the Long Island Maritime Museum has indicated it needs additional time to implement its planned use of the Carriage House; now, therefore be it

1st RESOLVED, that the 2nd RESOLVED Clause of Resolution No. 61-2009 is hereby amended to read as follows:

> **2nd RESOLVED**, that in the event the Long Island Maritime Museum fails to utilize the Carriage House for use by its administrative staff or as housing for its Director within [one year] <u>eighteen months</u> of the effective date of this resolution, the Carriage House will be available for lease or license by the Department of Parks, Recreation and Conservation in accordance with the provisions of Local Law No. 30-2008 ("A Local Law to Protect the County's Historic and Culturally Significant Properties"); and be it further

; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Intro. Res. # 1085-10

Laid on Table 2/2/10

INTRODUCED BY THE PRESIDING OFFICER
ON REQUEST OF THE COUNTY EXECUTIVE

RESOLUTION NO. _____2010
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #820-2010)

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#820-2010

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

Key	Town	Year	S.C. Tax Map No	Original Tax	Corrected Tax	Chargeback Refund, if Tax Paid
A	BROOKHAVEN	09/10	0200-229.10-01.00-017.000	9352.83	6618.92	2733.91
A	BROOKHAVEN	09/10	0200-229.10-01.00-018.000	9352.83	6618.92	2733.91
A	BROOKHAVEN	09/10	0200-493.00-01.00-004.003	144707.00	124820.12	19886.88
A	BROOKHAVEN	09/10	0200-847.00-03.00-030.003	21199.08	10710.20	10488.88
A	HUNTINGTON	09/10	0400-185.00-02.00-017.000	10614.19	7611.81	3002.38
C	RIVERHEAD	09/10	0600-100.00-02.00-014.010	13143.14	4192.71	8950.43
A	RIVERHEAD	09/10	0600-009.00-02.00-011.000	77334.59	63178.57	14156.02
A	SMITHTOWN	09/10	0800-054.00-03.00-041.000	6914.13	2519.04	4395.09
A	SMITHTOWN	08/09	0800-160.00-04.00-010.000	9526.07	4691.35	4834.72
A	SMITHTOWN	09/10	0800-160.00-04.00-010.000	9388.35	4527.37	4860.98
A	SMITHTOWN	09/10	0800-024.00-08.00-018.008	19659.25	14437.02	5222.23
A	SMITHTOWN	09/10	0800-137.00-01.00-038.000	17136.10	10674.75	6461.35
A	SMITHTOWN	09/10	0800-100.00-04.00-066.000	14320.95	11649.10	2671.85
A	SMITHTOWN	09/10	0800-066.00-02.00-019.000	7822.97	3914.03	3908.94
A	SMITHTOWN	09/10	0800-026.00-03.00-056.000	9663.77	4015.77	5648.00
A	SMITHTOWN	09/10	0800-081.00-01.00-049.000	8750.36	4990.80	3759.56
A	SOUTHAMPTON	08/09	0900-222.00-01.00-010.006	29453.08	16535.07	12918.01
A	SOUTHOLD	09/10	1000-079.00-07.00-043.003	10859.90	8199.23	2660.67

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

APPROVED BY:

County Executive of Suffolk County Date of Approval:

1085

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes ____ No____

SEE NO. 2 ABOVE

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2010

10. Typed Name & Title of Preparer
Jeanne Cush RPAT. I

11. Signature of Preparer
Jeanne Cush

12. Date: 1/12/10

Additional back-up regarding IR1085 is on file in the Legislative Clerk's Office, Hauppauge.

Intro Res. No. 1086-10

Laid on Table 2/2/10

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 #330-2010

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.

Description	Year	Original Tax	Corrected Tax	Chargeback or Refund, if paid
0200-214.00-02.00-003.001 (Item No. 1734761)	2009/2010	$12,761.28	0	$12,761.28
0200-277.00-02.00-017.012 (Item No. 0632038)	2009/2010	$39,789.07	0	$39,789.07

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1086

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

Angie M. Carpenter

Additional back-up regarding IR1086 is on file in the Legislative Clerk's Office, Hauppauge.

Intro. Res. No. 1087-10

Laid on Table 2/2/10

Introduced by Presiding Officer at the request of the Suffolk County Executive

RESOLUTION NO. 2010, DELEGATING AUTHORITY TO REFUND CERTAIN ERRONEOUS TAX PAYMENTS TO THE SUFFOLK COUNTY TREASURER

Whereas, Section 556, New York **REAL PROPERTY TAX LAW** has been amended to permit the Suffolk County Legislature to delegate its authority to refund erroneous tax payments of TWO THOUSAND FIVE HUNDRED ($2500.00) DOLLARS or less; now, therefore, be it

Resolved, that this Legislature hereby delegates to the Suffolk County Treasurer the authority to grant real property tax refunds of **TWO THOUSAND FIVE HUNDRED ($2500.00) DOLLARS** or less to property owners in the County of Suffolk upon receipt of written reports of investigation and recommendation by the County Director of Real Property Tax Service Agency; and be it further

Resolved, that if the County Treasurer denies the refund, in whole or in part, the County Treasurer shall transmit to the Suffolk County Legislature together with copies of the application and the reasons for denial of the refund, and be it further

Resolved, that the County Treasurer shall submit a report of the refunds processed to the Suffolk County Legislature on or before the fifteenth (15) day of each month for the actions taken during the preceding month amount of the refund; and be it further

Resolved, that this resolution shall only be in effect through December 31st of 2010.

DATED:

APPROVED BY:

County Executive of Suffolk County
Date of Approval:

1087

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   ResolutionXXX Local Law Charter Law

2. Title of Proposed Legislation
   To readjust, compromise and grant refunds and charge backs on Correction of Errors/County Treasurer By: County Treasurer

3. Purpose of Proposed Legislation
   To cancel or adjust taxes and make refunds and charge backs due to erroneous or improper assessments.

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

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

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

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

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

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

9. Timing of Impact
   Variable

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Angie M. Carpenter County Treasurer	Angie M. Carpenter	11/6/09

Additional back-up regarding IR1087 is on file in the Legislative Clerk's Office, Hauppauge.

Intro Res. No. 1088-10 Laid on Table 2/2/10
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 #331

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.

Description	Year	Original Tax	Corrected Tax	Chargeback or Refund, if paid
HUNTINGTON:				
0400-278.00-01.00-017.000	**2008/09**	**$11,917.57**	**0.00**	**$11,917.57**
0400-278.00-01.00-017.000	**2009/10**	**$12,005.32**	**0.00**	**$12,005.32**

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

1088

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   ResolutionXXX Local Law Charter Law

2. Title of Proposed Legislation
   To readjust, compromise and grant refunds and charge backs on Correction of Errors/County Treasurer By: County Treasurer

3. Purpose of Proposed Legislation
   To cancel or adjust taxes and make refunds and charge backs due to erroneous or improper assessments.

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

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

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

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

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

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

9. Timing of Impact
   Variable

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Angie M. Carpenter County Treasurer	Angie M. Carpenter	1/13/10

Additional back-up regarding IR1088 is on file in the Legislative Clerk's Office, Hauppauge.

Introductory Resolution No. 1089-10 Laid on Table 2/2/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 HOME STAR CUSTOM HOMES LLC (SCTM NO. 0200-969.00-01.00-031.000)

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 969.00 Block 01.00 Lot 031.000 and acquired by Tax Deed on August 17, 1998 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 14, 1998 in Liber 11916 at Page 755 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Brookhaven, known and designated as Lots 109-110 on a certain map entitled "Map of Mastic Acres, Sec. 6B", and filed in the Office of the Clerk of the County of Suffolk on April 5, 1946 as Map No. 1479; 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, Home Star Custom Homes LLC, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $5,001.99. 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 $4,000.00, 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 her designee, has received and deposited the sum of $5,001.99, 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 HOME STAR CUSTOM HOMES LLC, 4717 Macafee Road, Torrance, CA 90505.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1089

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. 0200-969.00-01.00-031.000

ADJOINING OWNER	BID	BID	BID
Home Star Custom Homes LLC 4717 Macafee Road Torrance, CA 90505 0200-969.00-01.00-030.000	$5001.99		
Louis & Antonio Zamboli 581 Mastic Road Mastic Beach, New York 11951 0200-939.00-04.00-038.000	$0		
Robert & Daniel Seavers 60 Market Street Mastic Beach, New York 11951 0200-969.00-01.00-032.000	$0		

SIZE OF PARCEL: 40' x 100'
APPRAISED VALUE: $4,000.00
COMMENT: Direct Sale to Adjacent Owner

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

1089

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

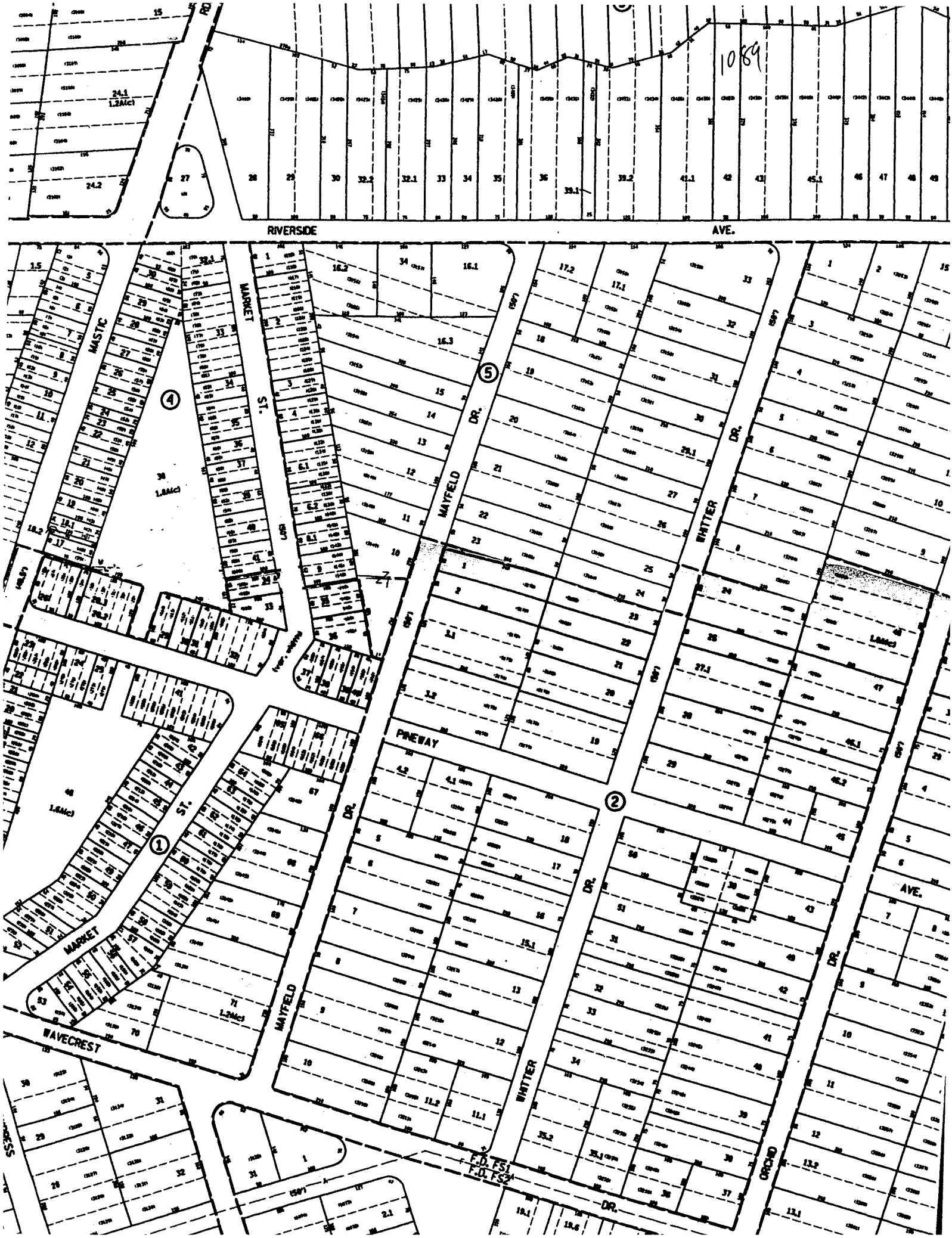
   None

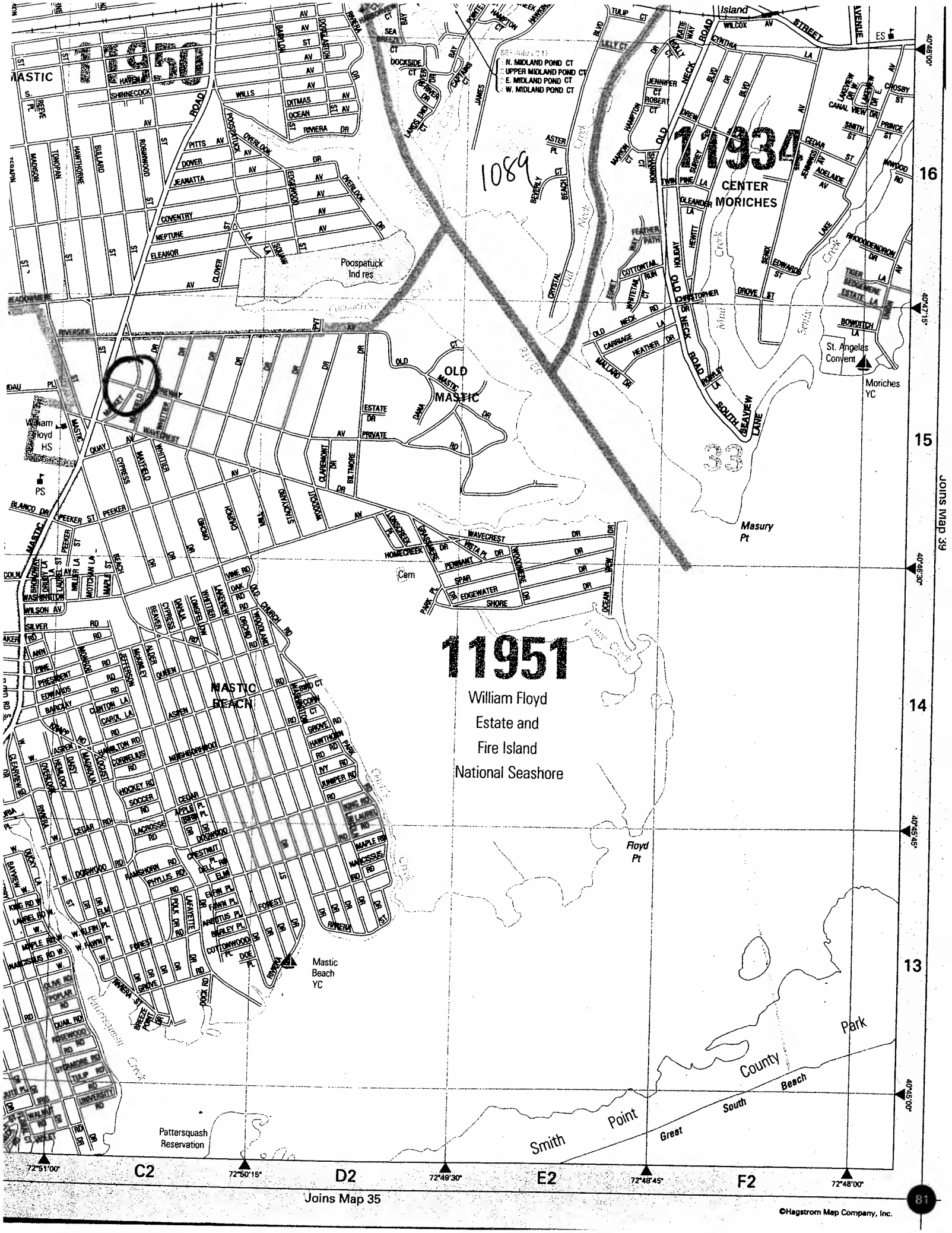
9. Timing of Impact

   2010

10. Name & Title of Preparer Signature of Preparer Date

    Lori Sklar – LMS III Lori Sklar 1/12/10


1089
RIVERSIDE
AVE.
MASTIC
MARKET
ST.
MAYFIELD
DR.
WHITTIER
DR.
PINEWAY
WAVECREST
ORCHID
F.D. FS1
F.D. FS2
1
2
4
5



©Hagstrom Map Company, Inc.

Map

1089

OwnerParcel

Hospitals

College-University

Public Schools

Railroads

Major Roads

Streets

Owner Parcel

Land Use

AIRPORT

CEMETERY

HOSPITAL

MILITARY BASE

PARK (CITY/COUNTY)

PARK (STATE)

Gen C5

COUNTY OF SUFFOLK
OFFICE OF THE COUNTY EXECUTIVE

1089 JAN 15 2010

STEVE LEVY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

CARRIE MEEK GALLAGHER
COMMISSIONER

January 12, 2010

Ken Crannell
Deputy County Executive
H. Lee Dennison Bldg. 12th Fl.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 0200-969.00-01.00-031.000

Dear Mr. Crannell:

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: Christopher E. Kent, Chief Deputy County Executive
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Thomas A. Isles, Director of Planning
CE Reso Review, via e-mail

Introductory Resolution No. 1090-10 Laid on Table 2/2/10

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
BARBARA AND HERBERT GERSHKOWITZ
0300-157.00-04.00-004.004

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of East Hampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0300, Section 157.00, Block 04.00, Lot 004.004, and acquired by tax deed on June 09, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 10, 2009, in Liber 12590, at Page 512, and otherwise known and designated by the Town of East Hampton, as Lot No. 3 on a certain map entitled "Map of Pine Ridge, Town of East Hampton, Suffolk Co., New York" filed in the office of the Clerk of the County of Suffolk on September 12, 1984 as Map No. 7773; 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 09, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 10, 2009 in Liber 12590 at Page 512.

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, BARBARA AND HERBERT GERSHKOWITZ has made application of said above described parcel and BARBARA AND HERBERT GERSHKOWITZ has paid the application fee and will be paying $90,276.17, 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, 2010, 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 BARBARA AND HERBERT GERSHKOWITZ, 8 Joshua's Path, East Hampton NY 11937, 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: _____

1090

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

January 13, 2010

Tax Map No.: 0300-157.00-04.00-004.004
Name of Last Legal Fee Owner: BARBARA AND HERBERT GERSHKOWITZ

TREASURER'S COMPUTATION.....$76,219.75

Taxes.....2009/2010.....$14,056.42

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

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....$90,276.17

Monies to be Received.....$90,276.17

RESOLUTION AMOUNT.....$90,276.17

APPROVED:

Karen A Slater 1/13/10
Accounting
DB:lag

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

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1090

1. Type of Legislation

Resolution X
Tax Map Number 0300-157.00-04.00-004.004

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

2010

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

Diane Bishop Diane Bishop 1/13/10

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK		LOT
0300	157.00	04.00	1090	004.004

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05	$6,331.29
2005/06	$16,836.92
2006/07	$16,679.56
2007/08	$15,423.20
2008/09	$13,108.40

2009/2010 TAXES IN THE AMOUNT OF $14,056.42 IS NOT INCLUDED IN COMPUTATION.

TOTAL: $68,379.37

B. INTEREST DUE	$4,210.87
C. TOTAL	$72,590.24
D. 5% LINE C	$3,629.51
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE $76,219.75 (10) 1/18/10

CERTIFICATION BY COUNTY TREASURER

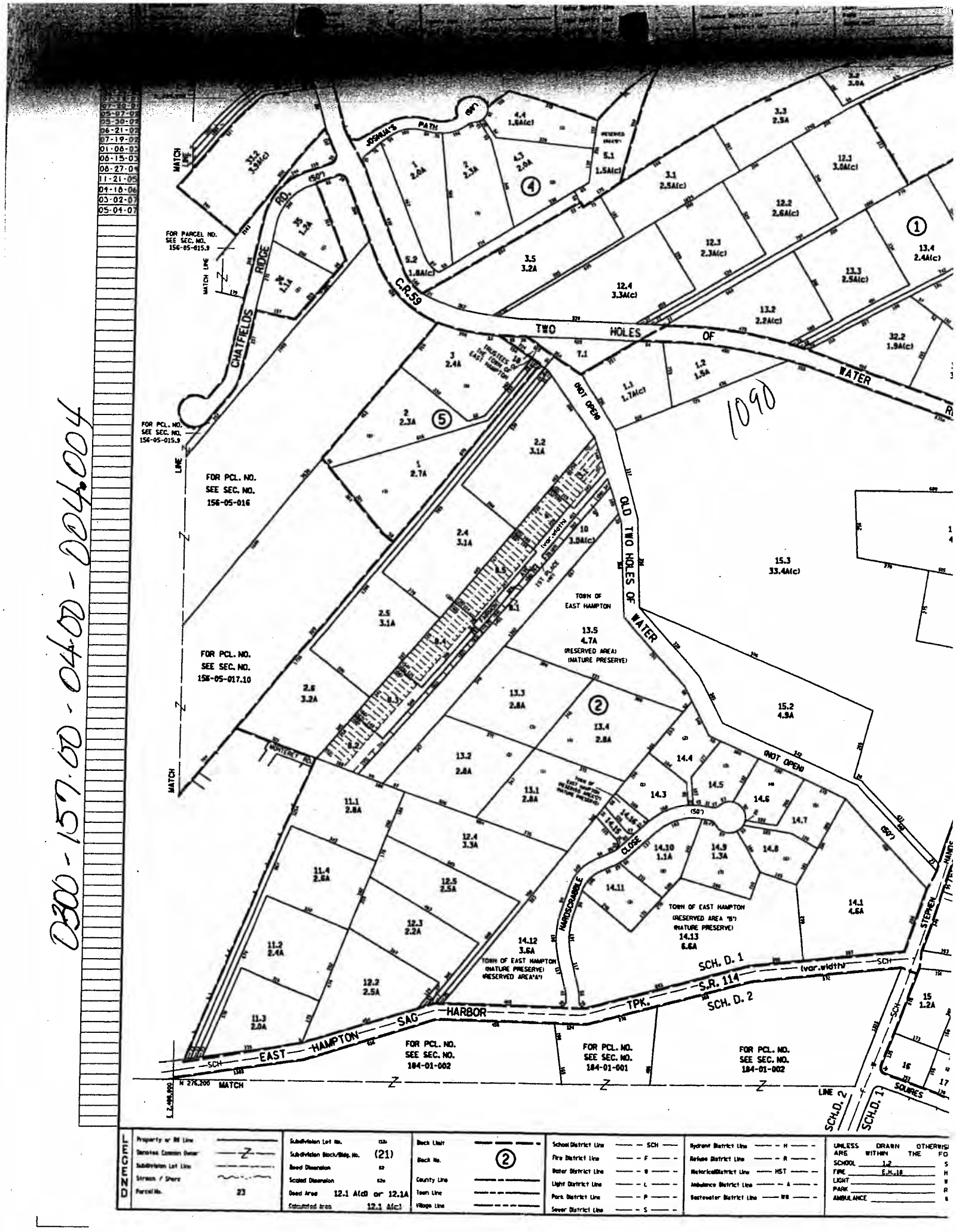
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 29-Dec-09

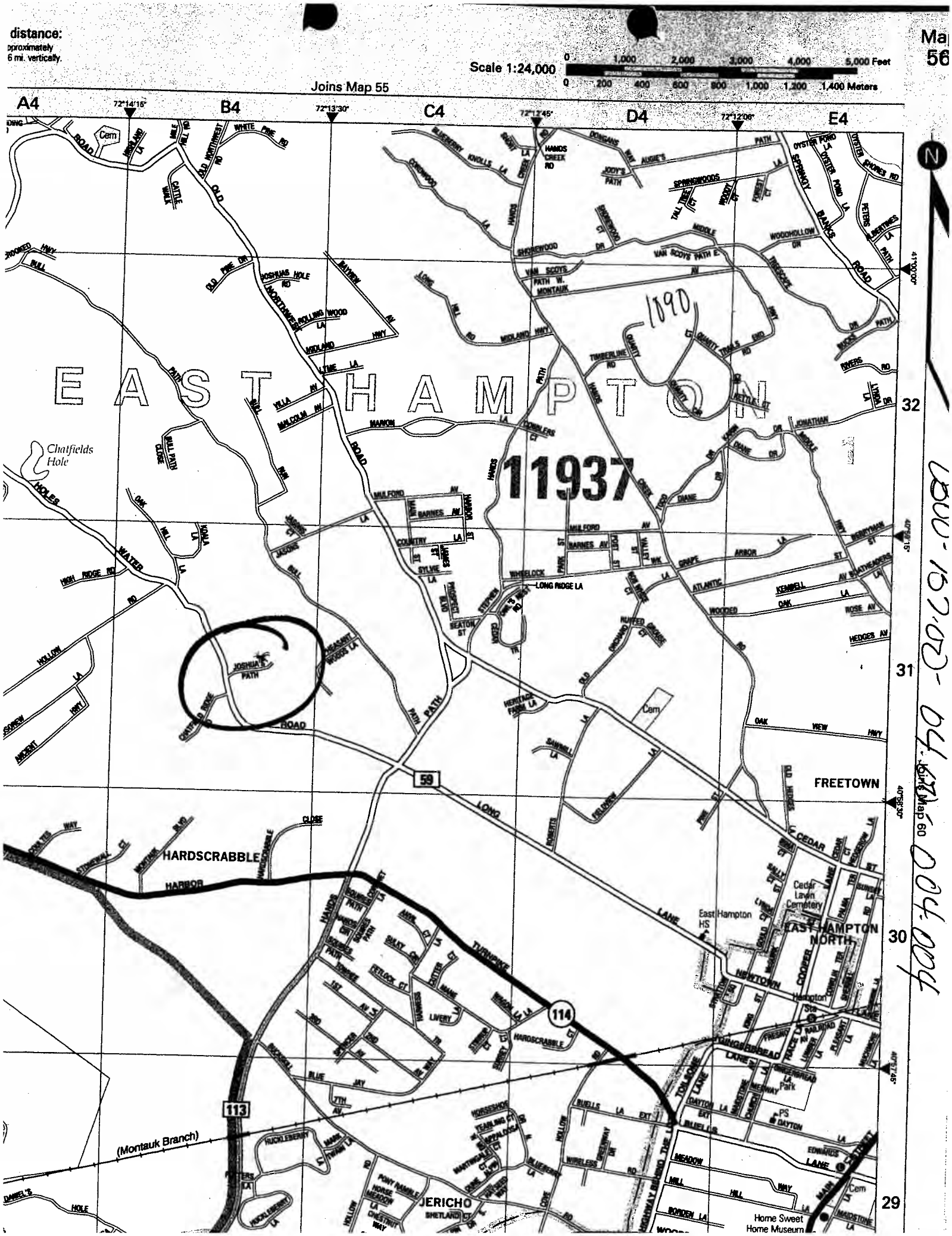
Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 06/27/10

TS



JOSHUA'S PATH
CHATFIELDS RIDGE RD.
C.R.59
TWO HOLES OF WATER
OLD TWO HOLES OF WATER
(NOT OPEN)
TOWN OF EAST HAMPTON
13.5
4.7A
(RESERVED AREA)
(NATURE PRESERVE)
TOWN OF EAST HAMPTON
(RESERVED AREA "B")
(NATURE PRESERVE)
14.13
6.6A
TOWN OF EAST HAMPTON
(NATURE PRESERVE)
(RESERVED AREA "A")
14.12
3.6A
HARDSCRABBLE CLOSE
EAST HAMPTON SAG HARBOR TPK.
S.R. 114
SCH. D. 1
SCH. D. 2
(var. width)
STEPHEN HANDS
SQUIRES
FOR PCL. NO.
SEE SEC. NO.
156-05-016
FOR PCL. NO.
SEE SEC. NO.
156-05-017.10
FOR PARCEL NO.
SEE SEC. NO.
156-05-015.9
FOR PCL. NO.
SEE SEC. NO.
184-01-002
FOR PCL. NO.
SEE SEC. NO.
184-01-001
FOR PCL. NO.
SEE SEC. NO.
184-01-002
MATCH LINE
N 276,200
1090
0300-157.00-04.00-004.004
LEGEND
Property or RR Line
Denotes Common Owner
Subdivision Lot Line
Stream / Shore
Parcel No. 23
Subdivision Lot No.
Subdivision Block/Bldg. No. (21)
Road Dimension
Scaled Dimension
Deed Area 12.1 A(d) or 12.1A
Calculated Area 12.1 A(c)
Block Limit
Block No. 2
County Line
Town Line
Village Line
School District Line SCH
Fire District Line F
Water District Line W
Light District Line L
Park District Line P
Sewer District Line S
Hydrant District Line H
Refuse District Line R
Historical District Line HST
Ambulance District Line A
Wastewater District Line WW
UNLESS DRAWN OTHERWISE ARE WITHIN THE FO
SCHOOL 1,2
FIRE E.H.18
LIGHT
PARK
AMBULANCE


distance:
pproximately
6 mi. vertically.
Scale 1:24,000
0 1,000 2,000 3,000 4,000 5,000 Feet
0 200 400 600 800 1,000 1,200 1,400 Meters
Joins Map 55
Joins Map 60
A4
B4
C4
D4
E4
72°14'15"
72°13'30"
72°12'45"
72°12'06"
41°00'00"
40°59'15"
40°58'30"
40°57'45"
EAST HAMPTON
11937
1090
Chatfields Hole
FREETOWN
HARDSCRABBLE
EAST HAMPTON NORTH
JERICHO
East Hampton HS
Cedar Lawn Cemetery
Home Sweet Home Museum
(Montauk Branch)
59
114
113
Cem
N

Introductory Resolution No. 1091-10 Laid on Table 2/2/10

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
STANZONI REALTY CORP.
0200-982.10-05.00-025.000
0200-982.10-05.00-026.000
0200-982.10-05.00-027.000

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 982.10, Block 05.00, Lot 025.000, District 0200, Section 982.10, Block 05.00, Lot 026.000 and District 0200, Section 982.10, Block 05.00, Lot 027.000 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 and designated by the Town of Brookhaven,

PARCEL I – 0200-982.10-05.00-025.000
Known as Lots 625 to 628, on a certain map entitled "Mastic Beach, Suffolk County, Long Island, New York" and filed in the office of the Clerk of the County of Suffolk on June 3, 1926 as Map No. 1004;

PARCEL II – 0200-982.10-05.00-026.000
Known as Lots 629 to 631, on a certain map entitled "Mastic Beach, Suffolk County, Long Island, New York" and filed in the office of the Clerk of the County of Suffolk on June 3, 1926 as Map No. 1004;

PARCEL III – 0200-982.10-05.00-027.000
Known as Lots 632 to 635, on a certain map entitled "Mastic Beach, Suffolk County, Long Island, New York" and filed in the office of the Clerk of the County of Suffolk on June 3, 1926 as Map No. 1004; and

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

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

WHEREAS, STANZONI REALTY CORP. has made application of said above described parcel and STANZONI REALTY CORP. has paid the application fee and has paid $3,542.17, 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, 2010, 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 STANZONI REALTY CORP., 518 William Floyd Parkway, Shirley NY 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: _____

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

1091

January 13, 2010

Tax Map No.: 0200-982.10-05.00-025.000
0200-982.10-05.00-026.000
0200-982.10-05.00-027.000

Name of Last Legal Fee Owner: STANZONI REALTY CORP.

TREASURER'S COMPUTATION.....$3,541.45

Taxes.....2009/2010.....OPEN

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

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....$3,542.17

Monies Received.....$3,542.17

RESOLUTION AMOUNT.....$3,542.17

APPROVED:

Karen A Slater 1/13/10
Accounting
DB:lag

PREPARED BY:

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

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0200-982.10-05.00-025.000
0200-982.10-05.00-026.000
0200-982.10-05.00-027.000

1091

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

2010

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

Diane Bishop Diane Bishop 1/13/10

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0200	982.10	05.00	025.000

1091

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	$306.15
2006/07	$328.95
2007/08	$240.62
2008/09	$251.75

TOTAL: $1,127.47

B. INTEREST DUE	$92.19
C. TOTAL	$1,219.66
D. 5% LINE C	$60.98
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE $1,280.64

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. 06-Nov-09

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 05/05/10

TS

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0200	982.10	05.00	026.000

1091

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	$238.17
2006/07	$255.33
2007/08	$180.46
2008/09	$188.80

TOTAL: $862.76

B. INTEREST DUE	$70.73
C. TOTAL	$933.49
D. 5% LINE C	$46.67
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE $980.17 .01 over

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. 06-Nov-09

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 05/05/10

TS

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT	SECTION	BLOCK	LOT
0200	982.10	05.00	027.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES: 1091

2005/06	$306.15
2006/07	$328.95
2007/08	$240.62
2008/09	$251.75

TOTAL: $1,127.47

B. INTEREST DUE	$92.19
C. TOTAL	$1,219.66
D. 5% LINE C	$60.98
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE $1,280.64

CERTIFICATION BY COUNTY TREASURER

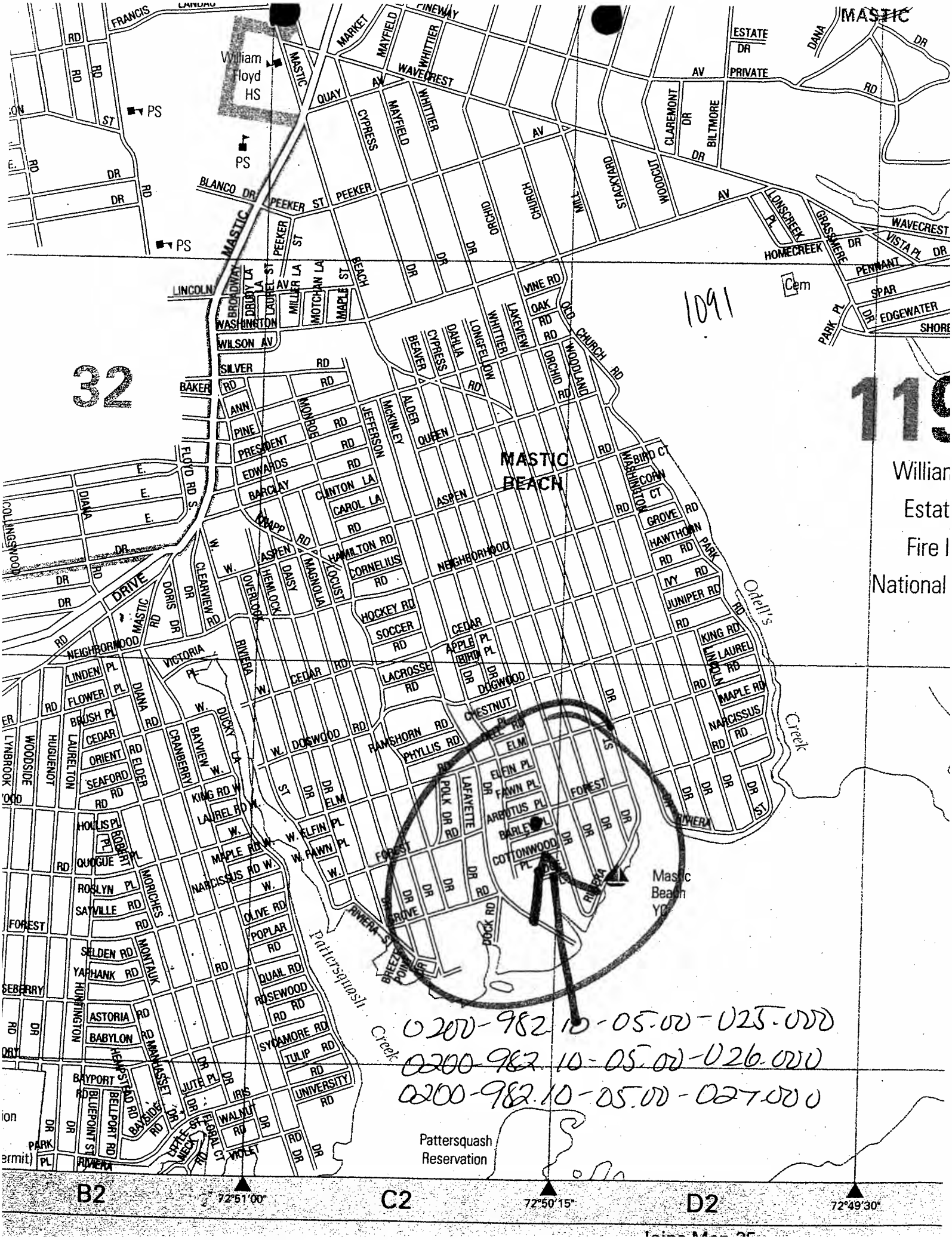
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

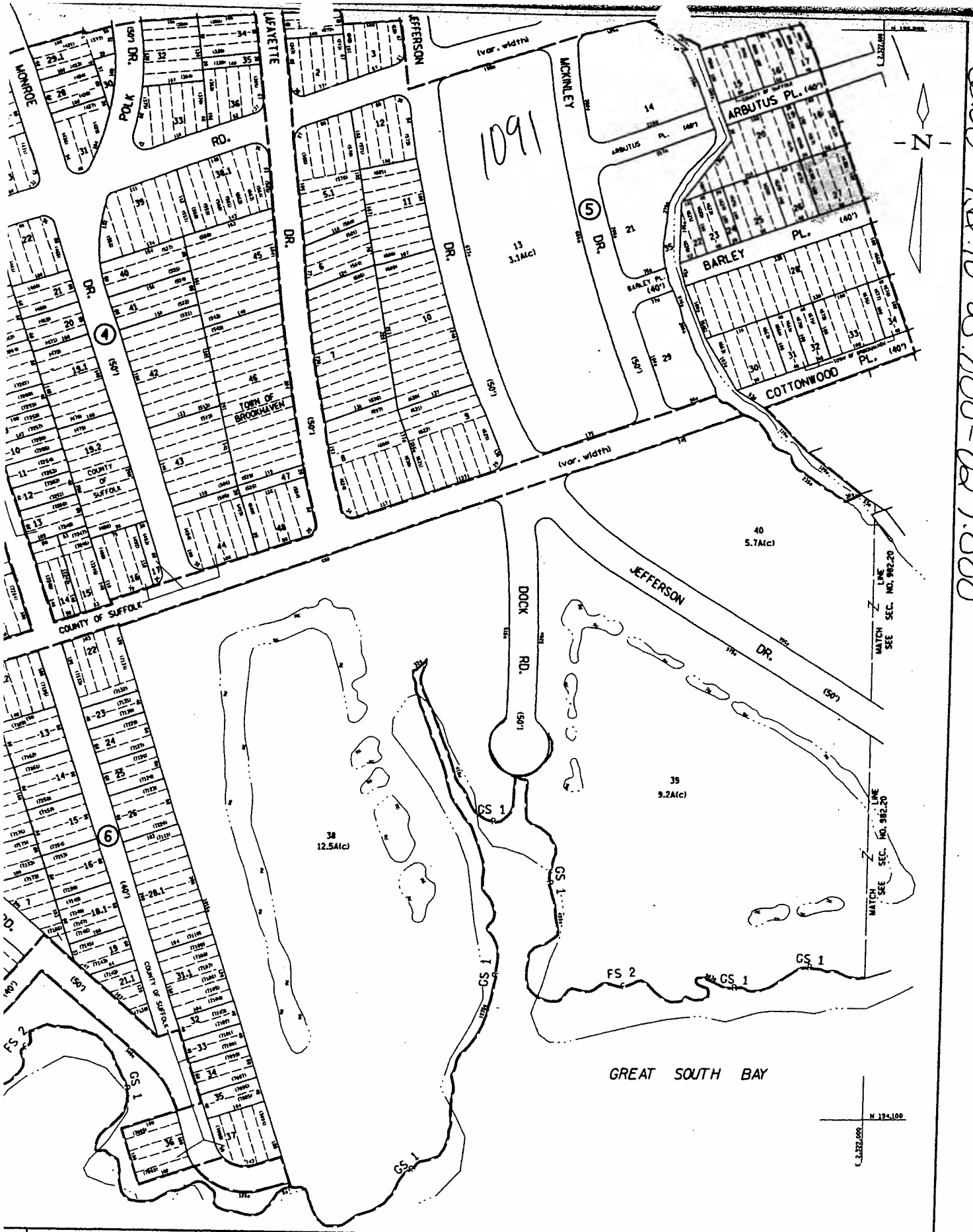
IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 06-Nov-09

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 05/05/10

TS


MASTIC
William Floyd HS
PS
MASTIC BEACH
Cem
1091
32
119
Willian
Estat
Fire I
National
Odell's Creek
Pattersquash Creek
Mastic Beach YC
Pattersquash Reservation
0200-982.10-05.00-025.000
0200-982.10-05.00-026.000
0200-982.10-05.00-027.000
B2
72°51'00"
C2
72°50'15"
D2
72°49'30"



0200-982.10-05.00-026.000
0200-982.10-05.000-027.000

NOTICE

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

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

KEY MAP

TOWN OF	BROOKHAVEN
VILLAGE OF	
DISTRICT NO	0200

SECTION NO 982.10

PROPERTY MAP

CONVERSION DATE: Aug. 26, 1996

Intro. Res. # 1092-10

Laid on Table 2/2/10

INTRODUCED BY THE PRESIDING OFFICER
ON REQUEST OF THE COUNTY EXECUTIVE

RESOLUTION NO. _____2010
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL # 821-2010)

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# 821-2010

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

Key	Town	Year	S.C. Tax Map No	Original Tax	Corrected Tax	Chargeback Refund, if Tax Paid
A	BROOKHAVEN	09/10	0200 79900 0400 006000	9940.13	7431.88	2508.25
A	BROOKHAVEN	09/10	0200 82200 0500 017003	9622.00	7108.75	2513.25
A	BROOKHAVEN	09/10	0200 85500 0400 001010	10777.51	8250.36	2527.15
A	BROOKHAVEN	09/10	0200 84000 0300 013023	14831.04	12281.19	2549.85
A	BROOKHAVEN	09/10	0200 08300 0200 001048	11741.07	9183.31	2557.76
A	BROOKHAVEN	09/10	0200 80600 0200 083000	12276.76	97160.57	2560.19
A	BROOKHAVEN	09/10	0200 83900 0300 006001	11670.45	9074.80	2595.65
A	BROOKHAVEN	09/10	0200 78300 0200 016000	10130.66	7528.10	2602.56
A	BROOKHAVEN	09/10	0200 08000 0300 007000	10372.32	7766.72	2605.60
A	BROOKHAVEN	09/10	0200 85600 0700 002000	14750.03	12116.51	2633.52
A	BROOKHAVEN	09/10	0200 75900 0500 015000	13541.95	10864.13	2677.82
A	BROOKHAVEN	09/10	0200 08400 0400 017000	12254.50	9521.73	2732.77
A	BROOKHAVEN	09/10	0200 83800 0300 030004	12128.51	9380.18	2748.33
A	BROOKHAVEN	09/10	0200 80700 0200 001016	14226.35	11478.01	2748.34
A	BROOKHAVEN	09/10	0202 00800 0500 001005	26748.85	24008.19	2740.66
A	BROOKHAVEN	09/10	0200 76500 0100 016000	10953.54	8166.61	2786.93
A	BROOKHAVEN	09/10	0200 85400 0500 001000	12957.96	10130.44	2827.52
A	BROOKHAVEN	09/10	0200 86000 0100 039000	18476.00	15640.80	2835.20
A	BROOKHAVEN	09/10	0200 83200 0300 003004	17637.40	14802.08	2835.32
A	BROOKHAVEN	09/10	0200 08700 0300 015001	31409.30	28571.73	2837.57

*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 1092

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes ____ No____

SEE NO. 2 ABOVE

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2010

10. Typed Name & Title of Preparer
R. Motschenbacher RPAT. II

11. Signature of Preparer

12. Date January 13, 2010

Additional back-up regarding IR1092 is on file in the Legislative Clerk's Office, Hauppauge.

Intro. Res. # 1093-10

Laid on Table 2/2/10

INTRODUCED BY THE PRESIDING OFFICER
ON REQUEST OF THE COUNTY EXECUTIVE

RESOLUTION NO. _____2010
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL # 822-2010)

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# 822-2010

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

Key	Town	Year	S.C. Tax Map No	Original Tax	Corrected Tax	Chargeback Refund, if Tax Paid
A	BROOKHAVEN	09/10	0200 08600 0500 010000	20524.40	17686.82	2837.58
A	BROOKHAVEN	09/10	0200 08000 0200 039000	11058.00	8178.13	2879.87
A	BROOKHAVEN	09/10	0200 08600 0500 016002	20582.30	17686.82	2895.48
A	BROOKHAVEN	09/10	0200 85500 0400 001013	10333.83	7396.07	2937.76
A	BROOKHAVEN	09/10	0200 77000 0300 023004	16216.51	13208.62	3007.89
A	BROOKHAVEN	09/10	0208 00800 0400 018001	18961.80	15801.52	3160.28
A	BROOKHAVEN	09/10	0200 75400 0400 011001	13313.58	10041.64	3271.94
A	BROOKHAVEN	09/10	0200 07600 0400 005010	13901.43	10418.11	3483.32
A	BROOKHAVEN	09/10	0200 08300 0300 051000	14921.82	11421.75	3500.07
A	BROOKHAVEN	09/10	0200 85500 0400 001021	14062.76	10461.62	3601.14
A	BROOKHAVEN	09/10	0201 00800 0100 013003	21614.40	18012.00	3602.40
A	BROOKHAVEN	09/10	0201 00800 0200 016005	24857.04	21074.51	3782.53
A	BROOKHAVEN	09/10	0200 08600 0500 020002	20151.28	16242.42	3908.86

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

APPROVED BY:

County Executive of Suffolk County Date of Approval:

1093

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation Yes ____ No____

SEE NO. 2 ABOVE

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2010

10. Typed Name & Title of Preparer
R. Motschenbacher RPAT. II

11. Signature of Preparer

12. Date January 13, 2010

Additional back-up regarding IR1093 is on file in the Legislative Clerk's Office, Hauppauge.

Introductory Resolution No. 1094-10 Laid on Table 2/2/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 PETER A. & SVETLANA L. WILKEYSON (SCTM NO. 0500-402.00-03.00-p/o 024.002)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 402.00 Block 03.00 p/o Lot 024.002 and acquired by Tax Deed on September 16, 1994 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 28, 1994 in Liber 11696 at Page 75, all that certain piece or parcel of land, situate, and being in Oakdale, in the Town of Islip County of Suffolk, and State of New York, bounded and described as follows:

Commence at a point on the Southerly side of tower Mews, distant 865.13 feet Southeasterly and Easterly as measured along the Southerly side of Tower Mews, from the corner formed by the intersection of the Southerly side of Ocean View Avenue with the Southwesterly side of Tower Mews;

Running thence South 20 Degrees 19 Minutes 30 Seconds West, for a distance of 101.00 feet, to the Point of Beginning;

Thence South 70 Degrees 49 Minutes 15 Seconds East, for a distance of 100.02 feet;

Thence South 20 Degrees 19 Minutes 30 Seconds West, for a distance of 6.81 feet;

Thence North 72 Degrees 15 Minutes 03 Seconds West, for a distance of 43.73 feet;

Thence North 69 Degrees 11 Minutes 04 Seconds West, for a distance of 56.31 feet;

Thence North 20 Degrees 19 Minutes 30 Seconds East, for a distance of 6.29 feet, to the Point of Beginning.

Said track contains 721 square feet, more or less.

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, Peter A. & Svetlana L. Wilkeyson, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $4,600.00. 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 $4,600.00, 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 her designee, has received and deposited the sum of $4,600.00, pursuant to said purchase offer; 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 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 PETER A. & SVETLANA L. WILKEYSON, 688 Tower Mews, Oakdale, New York 11769.

DATED:

APPROVED BY

_____

County Executive of Suffolk County

Date of Approval:

1094

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

SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0500-402.00-03.00-p/o 024.002

ADJOINING OWNER	BID	BID	BID
Peter A. & Svetlana L. Wilkeyson 688 Tower Mews Oakdale, New York 11769 0500-402.00-03.00-013.000	$4,600.00		

SIZE OF PARCEL: 721 sq. ft.
APPRAISED VALUE: $4,600.00
COMMENT: Direct Sale to Adjacent Owner

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

1094

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

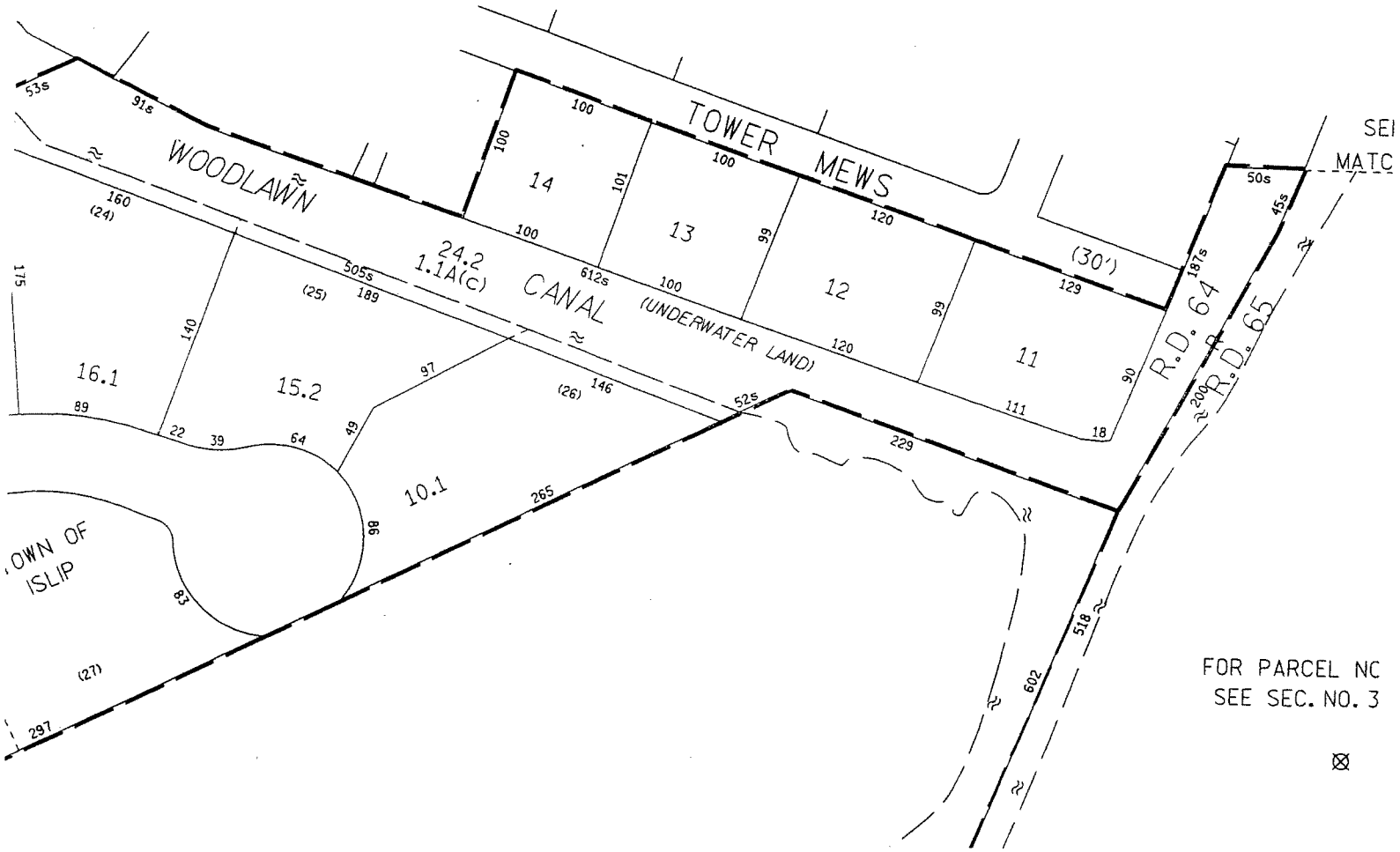
9. Timing of Impact

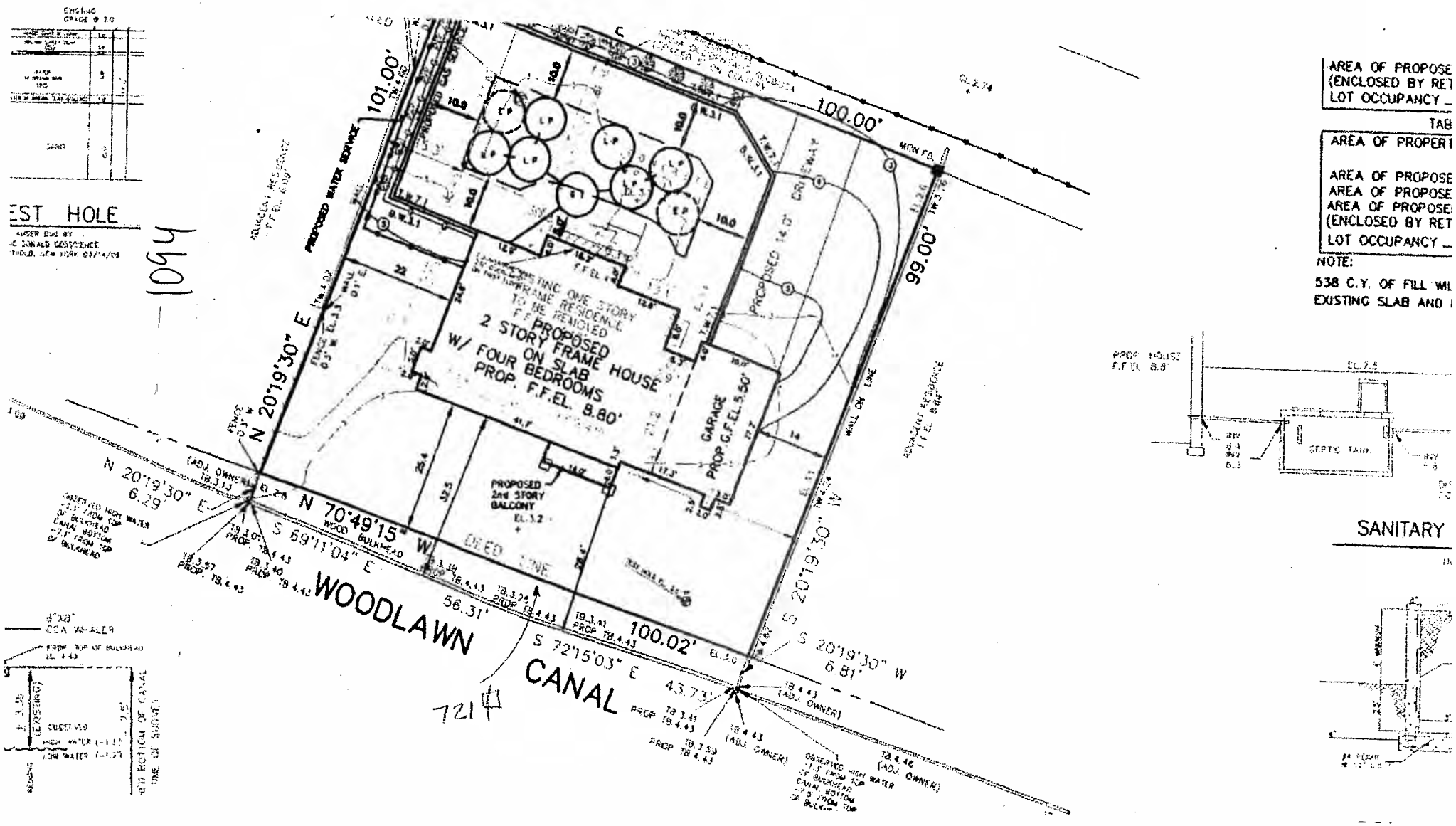
   2010

10. Name & Title of Preparer Signature of Preparer Date

    Lori Sklar – LMS III _____ _____

1094


WOODLAWN
TOWER MEWS
CANAL
(UNDERWATER LAND)
24.2
1.1A(C)
14
13
12
11
16.1
15.2
10.1
(30')
R.D. 64
R.D. 65
SEI
MATC
FOR PARCEL NC
SEE SEC. NO. 3



EST HOLE
1094
PROPOSED WATER SERVICE
101.00'
100.00'
99.00'
N 20°19'30" E
N 70°49'15" W
S 69°11'04" E
56.31'
100.02'
S 72°15'03" E
43.73'
S 20°19'30" W
6.81'
N 20°19'30" E
6.29'
WOODLAWN
CANAL
721
EXISTING ONE STORY FRAME RESIDENCE TO BE REMOVED
PROPOSED 2 STORY FRAME HOUSE ON SLAB W/ FOUR BEDROOMS PROP. F.F.EL. 8.80'
PROPOSED 2nd STORY BALCONY
GARAGE PROP. G.F.EL. 5.50'
PROPOSED 14.0' DRIVEWAY
DEED LINE
WALL ON LINE
WOOD BULKHEAD
AREA OF PROPOSE
(ENCLOSED BY RET
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TAB
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NOTE:
538 C.Y. OF FILL WI
EXISTING SLAB AND
SANITARY

Map

1094

OwnerParcel

Hospitals

College-University

Public Schools

Railroads

Major Roads

Streets

Owner Parcel

Land Use

AIRPORT

CEMETERY

HOSPITAL

MILITARY BASE

PARK (CITY/COUNTY)

PARK (STATE)

Gen C

1094

JAN 19 2010

COUNTY OF SUFFOLK
OFFICE OF THE COUNTY EXECUTIVE

STEVE LEVY
COUNTY EXECUTIVE

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

PAMELA J. GREENE
DIVISION DIRECTOR

CARRIE MEEK GALLAGHER
COMMISSIONER

January 15, 2010

Ken Crannell
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: 0500-402.00-03.00-p/o 024.002

Dear Mr. Crannell:

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: Christopher E. Kent, Chief Deputy County Executive
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Thomas A. Isles, Director of Planning
CE Reso Review, via e-mail

1095

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by Presiding Officer Lindsay

RESOLUTION NO. –2010, DIRECTING THE DEPARTMENT OF HEALTH SERVICES TO MAKE ITS DATABASE OF AUTOMATED EXTERNAL DEFIBRILLATOR LOCATIONS AVAILABLE TO EMERGENCY 911 DISPATCHERS

WHEREAS, automated external defibrillators ("AEDs") are simple to use, life saving devices that treat cardiac arrhythmias; and

WHEREAS, many businesses and public buildings have started purchasing AEDs to have on-site so that individuals presenting with cardiac problems can be treated while waiting for emergency medical care to arrive; and

WHEREAS, New York State Public Health Law § 3000-b requires entities that purchase and use AEDs to register the locations of the AEDs with their local Department of Health Services; and

WHEREAS, the Suffolk County Department of Health Services has a database containing the locations of all AEDs in the County; and

WHEREAS, emergency 911 dispatchers should have access to the AED database as a tool they can use when taking medical emergency calls; and

WHEREAS, providing this information to 911 dispatchers could save the lives of people in cardiac crisis; now, therefore be it

1st **RESOLVED**, the Suffolk County Department of Health Services is hereby authorized, empowered and directed to make its database containing AED locations available to the County's emergency 911 dispatchers; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1096

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by Presiding Officer Lindsay

RESOLUTION NO. –2010, DIRECTING THE DEPARTMENT OF HEALTH SERVICES TO DEVELOP SIGNS FOR LOCATIONS OF AUTOMATED EXTERNAL DEFIBRILLATORS

WHEREAS, automated external defibrillators ("AEDs") are simple to use, life saving devices that treat cardiac arrhythmias; and

WHEREAS, New York State Public Health Law §3000-b and Local Law No. 3-2005 require that all organizations that own AEDs register with their local Department of Health Services and post signs at the main entrance of the building in which an AED is located; and

WHEREAS, some AED locations in Suffolk County do not have the requisite signage on their buildings to comply with Public Health Law §3000-b and Local Law No. 3-2005; and

WHEREAS, it is essential that AED locations have signs to ensure that the public has access to these devices if an emergency occurs; and

WHEREAS, the Suffolk County Department of Health Services should assist AED owners to meet the signage requirements found in state and local laws and provide County residents with important emergency information; now, therefore be it

1st **RESOLVED**, the Department of Health Services, in conjunction with the Department of Public Works, is hereby authorized, empowered and directed to develop signs for buildings containing AED devices that meet the requirements of New York State Public Health Law §3000-b and Local Law No. 2-3005; and be it further

2nd **RESOLVED**, that the Department of Health Services is hereby authorized, empowered and directed to make the AED signs available to any registered AED location to ensure compliance with New York State Public Health Law §3000-b; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

1097

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by Legislator Schneiderman

RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW AMENDING THE MEMBERSHIP OF THE DREDGING PROJECT SCREENING COMMITTEE

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2010, a proposed local law entitled, "**A LOCAL LAW AMENDING THE MEMBERSHIP OF THE DREDGING PROJECT SCREENING COMMITTEE**" now, therefore, be it

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

LOCAL LAW NO. -2010, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW AMENDING THE MEMBERSHIP OF THE DREDGING PROJECT SCREENING COMMITTEE

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 frequently undertakes important dredging projects that are in the public interest.

This Legislature also finds and determines that all dredging projects must be reviewed and approved by the Suffolk County Dredging Project Screening Committee.

This Legislature further finds and determines that the County Legislature's Public Works and Transportation Committee oversees all dredging projects.

This Legislature finds that it would be beneficial to have the Chairman of the Public Works and Transportation Committee serve as a member of the Dredging Project Screening Committee.

Therefore, the purpose of this law is to amend the SUFFOLK COUNTY ADMINISTRATIVE CODE to add the Chairman of the Public Works and Transportation Committee of the County Legislature to the Dredging Project Screening Committee.

Section 2. Amendments.

Article VIII of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to read as follows:

Article VIII. Department of Public Works

****

§A8-4. Dredging Project Screening Committee.

****

B. The said Dredging Project Screening Committee shall be composed of the following members: the County Executive, the Presiding Officer of the County Legislature or his designee, one majority member and one minority member of the County Legislature appointed by the Presiding Officer, the Chairman of the Public Works & Transportation Committee of the County Legislature or any successor committee, the Planning Director, the Commissioner of the Department of Public Works and one representative from the Council on Environmental Quality appointed by the Council on Environmental Quality.

****

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\laws\l-amend dredging committee membership

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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

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

1097

DATE: January 22, 2010

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. -2010; A LOCAL LAW AMENDING THE MEMBERSHIP OF THE DREDGING PROJECT SCREENING COMMITTEE

SPONSOR: LEGISLATOR SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 1/21/10 **PUBLIC HEARING:** 3/2/10

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

This proposed local law would amend Article VIII of the SUFFOLK COUNTY CODE to include the Chairman of the Public Works and Transportation Committee of the Suffolk County Legislature as a member of the Dredging Project Screening Committee.

This 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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1098

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by Presiding Officer Lindsay

RESOLUTION NO. –2010, DIRECTING THE DEPARTMENT OF INFORMATION TECHNOLOGY TO PERFORM A FEASIBILITY STUDY IN RELATION TO THE CREATION OF A PHONE APPLICATION FOR FINDING AUTOMATED EXTERNAL DEFIBRILLATORS IN SUFFOLK COUNTY

WHEREAS, technology has increased the accessibility of information, allowing people to obtain information on the Internet quickly using "smart" cellular phones ("smart phones") like Blackberries and iPhones; and

WHEREAS, in addition to accessing the Internet, smart phones can also run software applications that perform a wide variety of tasks, from knowing dates and times to finding restaurants close to an entered location; and

WHEREAS, applications can also be developed that provide critical information to people when they most need it; and

WHEREAS, automated external defibrillators ("AEDs") are simple to use, life saving devices that treat cardiac arrhythmias; and

WHEREAS, the Suffolk County Department of Health Services maintains a database listing the locations of all AEDs in the County; and

WHEREAS, Suffolk County should consider developing an application that would allow individuals to find the location of the closest AED; and

WHEREAS, if this application was created, an individual who had the application on their phone would be able to locate the nearest AED in the event of an emergency; and

WHEREAS, creating an application that provides users with the location of AEDs in Suffolk County has the potential to save the lives of individuals in cardiac crisis; now, therefore be it

1st **RESOLVED**, the Director of the Suffolk County Department of Information Technology, in conjunction with the Department of Health Services, is hereby authorized, empowered and directed to conduct a study to determine the feasibility and practicality of developing an application for smart phones that will provide the user with the location of the AED device closest to them; and be it further

2nd **RESOLVED**, that the study shall evaluate the benefits, costs and practical implications of developing and releasing such an application to the general population; and be it further

3rd **RESOLVED**, that the Director shall complete this study and present a written report on its findings and recommendations to the County Executive and each member of the County Legislature no later than one hundred twenty (120) days subsequent to the effective date of this resolution; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-AED phone app

1099

Intro. Res. No. -2010 Laid on Table 2/2/2010
Introduced by Presiding Officer Lindsay

RESOLUTION NO. –2010, AMENDING THE 2010 OPERATING BUDGET TO SUPPORT THE LONG ISLAND PHILHARMONIC, INC.

WHEREAS, the Long Island Philharmonic, Inc. provides cultural and educational benefits and is among the most respected and widely-recognized regional orchestras in the nation; and

WHEREAS, it is the desire of this Legislature to support the Long Island Philharmonic in this economic climate to assist in its continuation; and

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

1st RESOLVED, that the 2010 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	FRE	3400	HMM1	4980	Community Ambulance Co. Inc.	-$10,000

TO:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	ECD	6410	XXXX	4980	Long Island Philharmonic, Inc.	+$10,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the Long Island Philharmonic, Inc.; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Long Island Philharmonic, Inc.

DATED:

APPROVED BY:

Intro. Res. No. 1100 -2010
Introduced by Legislator Eddington

Laid on Table 2/2/2010

RESOLUTION NO. –2010, AMENDING THE 2010 OPERATING BUDGET AND TRANSFERRING FUNDS TO MEDFORD VOLUNTEER AMBULANCE

WHEREAS, there are insufficient funds included in the 2010 Adopted Operating Budget for the Medford Volunteer Ambulance Company; and

WHEREAS, it is the desire of this Legislature to provide additional funding for the Medford Volunteer Ambulance Company; and

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

1st RESOLVED, that the 2010 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	PKS	7110	HHX1	4980	IGHL Foundation	-$5,000

TO:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	FRE	3400	HTA1	4980	Medford Volunteer Ambulance	+$5,000

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Medford Volunteer Ambulance Company.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Intro. Res. No. 1101 -2010
Introduced by Legislator Eddington

Laid on Table 2/2/2010

RESOLUTION NO. -2010, AMENDING THE 2010 OPERATING BUDGET AND TRANSFERRING FUNDS TO PARENTS FOR MEGAN'S LAW CRIME VICTIMS CENTER

WHEREAS, 2010 Operating Budget does not include sufficient funds for Parents for Megan's Law Crime Victims Center; and

WHEREAS, hate crimes in Suffolk County have and can continue to tear at the very fabric of our society placing not only individuals, but entire communities in fear. Funding will assist in providing a Hate Crime Advocate position in the Suffolk County Crime Victim Center (CVC) Program to help prevent and mitigate the deleterious impact of hate crimes in our communities. The advocate position will provide for a bilingual case worker to do hate crime outreach; and

WHEREAS, The CVC Hate Crime Advocate will be charged with conducting outreach to all protected classes, providing crime victim assistance, support services and information on crime victims' rights in New York State. Early intervention will be enabled by an already existing established cooperative working protocol with the Suffolk County Police Department wherein hate crime victims are made aware of CVC services and contact information is provided to the Crime Victim Center; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2010 Operating Budget and transfer $45,000 to the contracted agency Parents for Megan's Law Crime Victims Center; and

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

1st **RESOLVED**, that the 2010 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations:

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	OBJECT NAME	AMOUNT
001	EMP	9030	0000	8330	Social Security	-$45,000

TO:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	POL	3120	XXXX	4980	Parents for Megan's Law Crime Victims Center	+$45,000

and be it further

2nd **RESOLVED**, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for Parents for Megan's Law Crime Victims Center; and be it further

3rd **RESOLVED**, that the monies appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Parents for Megan's Law and the Crime Victims Center.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

DATE:

T:\BRO\Megans Law IR.Doc

1102

Intro. Res. No. -2010 Laid on Table 2/2/10
Introduced by Legislator Eddington

RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW TO ENSURE THE TIMELY REMOVAL OF DAMAGED UTILITY POLES ON COUNTY-OWNED ROADWAYS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2010, a proposed local law entitled, "**A LOCAL LAW TO ENSURE THE TIMELY REMOVAL OF DAMAGED UTILITY POLES ON COUNTY-OWNED ROADWAYS**" now, therefore, be it

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

LOCAL LAW NO. -2010, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO ENSURE THE TIMELY REMOVAL OF DAMAGED UTILITY POLES ON COUNTY-OWNED ROADWAYS

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 utility companies are frequently required to replace damaged utility poles.

This Legislature also finds that this process often involves the installation of a new pole directly next to or in close proximity to the damaged pole, a practice known in the industry as a "double wood".

This Legislature further determines that double woods should be in place only temporarily to allow the various utility companies a reasonable amount of time to move their equipment to the new pole.

This Legislature determines that, increasingly, double woods are being left in place for long periods of time, sometimes for several years.

This Legislature also finds and determines that double woods have proliferated to the point where there are now hundreds, if not thousands, of aesthetically unpleasant damaged poles lining the county's roadways.

This Legislature determines that in addition to being eyesores, damaged poles left standing for unreasonably long periods of time pose a serious threat to the safety of Suffolk County residents.

Therefore, the purpose of this law is to incorporate into the Department of Public Works' utility pole permitting process a requirement that damaged poles be removed in a timely

manner and to authorize penalties against utilities when they fail to comply with this permit requirement.

Section 2. Definitions.

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

"DOUBLE WOOD" shall mean a new utility pole that is attached, or placed in close proximity, to a damaged utility pole.

Section 3. Permit Requirements.

The Suffolk County Department of Public Works shall include in all permits for the installation of utility poles on County roadways the following provisions:

1. The permittee shall have ninety (90) days to remove a damaged pole following the installation of a new pole.

2. If a damaged pole remains as part of a double wood after the ninety (90) day period has expired, the Suffolk County Department of Public Works shall notify the permittee that the damaged pole must be removed within sixty (60) days of receipt of the notice or a penalty will be imposed.

3. If a damaged pole remains as part of a double wood sixty (60) days after the County's notification, the permittee shall be assessed a penalty of two hundred fifty dollars ($250.00) for each day the damaged pole is left standing.

Section 4. Authority to Impose Penalties.

The Commissioner of the Department of Public Works is hereby authorized and empowered to impose the penalties described in Section 3 of this law for the violation of permit terms related to the removal of damaged poles.

Section 5. Applicability.

This law shall apply to all utility pole permits issued by the Department of Public Works on or after the effective date of this law.

Section 6. 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 7. 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 8. Effective Date.

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\laws\l-double poles

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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

1102

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

DATE: **January 22, 2010**

TO: **CLERK OF THE COUNTY LEGISLATURE**

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

PROPOSED LOCAL LAW YEAR 2010

TITLE: **I.R. NO. -2010; A LOCAL LAW TO ENSURE THE TIMELY REMOVAL OF DAMAGED UTILITY POLES ON COUNTY OWNED ROADWAYS**

SPONSOR: **LEGISLATOR EDDINGTON**

DATE OF RECEIPT BY COUNSEL: 1/21/10 **PUBLIC HEARING:** 3/2/10

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

This proposed local law would require that the Suffolk County Department of Public Works include in permits issued to utility companies for the installation of utility poles on County roadways a provision addressing the issue of "double woods". A double wood is defined as a new utility pole attached, or placed in close proximity, to a damaged utility pole.

Under this law, permits issued for the installation of new utility poles will require that the permittee remove damaged poles within ninety (90) days of installing a new pole. If a damaged pole remains as part of a double wood after the ninety (90) day period, the Department of Public Works will notify the permittee that the damaged pole must be removed within sixty (60) days of receipt of the notice or a penalty will be imposed. If a damaged pole remains standing past the sixty (60) notice period, the permittee will be assessed a penalty of two hundred fifty dollars ($250.00) for each day it is left standing. The Commissioner of the Department of Public Works shall be authorized to impose penalties for violations of the permit conditions.

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-double woods

1103

Intro. Res. No. -2010 Laid on Table 2/2/10
Introduced by Presiding Officer Lindsay

RESOLUTION NO. –2010, AMENDING RESOLUTION NO. 882-2008, CREATING AN OVERSIGHT MANAGEMENT COMMITTEE FOR THE JOHN J. FOLEY SKILLED NURSING FACILITY

WHEREAS, Resolution No. 882-2008 created an Oversight Management Committee for the John J. Foley Skilled Nursing Facility; and

WHEREAS, the Oversight Management Committee's efforts has helped the facility realize cost savings and achieve new revenues; and

WHEREAS, Resolution No. 882-2008, as amended by Resolution No. 400-2009, requires the Oversight Management Committee to meet on a monthly basis; and

WHEREAS, the Oversight Management Committee for the John J. Foley Nursing Facility no longer needs to meet on a monthly basis; now, therefore be it

1st **RESOLVED**, that the 6th RESOLVED clause of Resolution No. 882-2008, as amended by Resolution No. 400-2009, is hereby amended to read as follows:

> **6th RESOLVED**, that the Committee shall meet with the management consultant [at least monthly] <u>on a quarterly basis</u>, to ensure that all practicable steps are being implemented to improve the Foley Facility's balance sheet; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\res\r-amending resolutions 882-08 & 400-09

1104

Intro. Res. No. -2010 Laid on Table 2/2/10
Introduced by Legislator Losquadro

RESOLUTION NO. -2010, TO REAPPOINT ALLAN H. VARELA, JR. AS A MEMBER OF THE SUFFOLK COUNTY CITIZENS ADVISORY BOARD FOR THE ARTS

WHEREAS, the term of **Allan H. Varela, Jr.**, as a member of the Suffolk County Citizens Advisory Board for the Arts, expired as of June 30, 2009, and he is currently a holdover member of said Board; now, therefore, be it

1st **RESOLVED**, that **Allan H. Varela, Jr.**, currently residing in Port Jefferson Station, New York, is hereby reappointed as a member of the Suffolk County Citizens Advisory Board for the Arts for a three year term of office to expire on June 30, 2012 pursuant to Section 68-3(C)(1) of the SUFFOLK COUNTY CODE; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

s:\res\r-varela-reappt-citizens-advisory

1105

Intro. Res. No. -2010 Laid on Table 2/2/10
Introduced by Presiding Officer Lindsay

RESOLUTION NO. –2010, WAIVING THE VANDERBILT MUSEUM'S REIMBURSEMENT FOR SELF-INSURANCE

WHEREAS, William K. Vanderbilt II, in his Will, bequeathed to the County of Suffolk his estate in the Town of Huntington, together with all furnishings, exhibits, works of art, artifacts and memorabilia found there to be maintained as a public park and educational facility; and

WHEREAS, pursuant to the terms of the Will, the County of Suffolk has operated the Suffolk County Vanderbilt Museum ("Vanderbilt Museum") for nearly 60 years; and

WHEREAS, the Vanderbilt Will also provided for a maintenance fund, the income from which was to be used to maintain and operate the Museum; and

WHEREAS, the Museum's maintenance fund suffered severe financial set backs in late 2008; and

WHEREAS, to assure the Museum's continued operation, the County of Suffolk provided $800,000 in the 2009 Operating Budget to fund the Museum; and

WHEREAS, ten percent (10%) of the revenues derived from the reauthorized Hotel and Motel tax will be used to support the Vanderbilt Museum beginning in 2010; and

WHEREAS, by Resolution No. 1036-2008, this Legislature created a Vanderbilt Museum Oversight Committee to work with the Museum's Board of Trustees to analyze new ideas to increase revenues, cut costs and assure the Museum's financial viability; and

WHEREAS, despite the County's efforts, the Vanderbilt Museum continues to struggle financially; and

WHEREAS, Resolution No. 683-1993 authorized the Vanderbilt Museum to participate in the County's self-insurance program by paying appropriate reimbursement to the County; and

WHEREAS, the Museum has not made payments towards the self-insurance policy since 2001; and

WHEREAS, the County's Division of Insurance and Risk Management has asked the Museum to bring their self-insurance payments for liability up-to-date, by remitting $180,677.70; and

WHEREAS, the Vanderbilt Museum does not have the financial resources to make this sizable reimbursement payment; and

WHEREAS, forcing the Vanderbilt Museum to make this reimbursement payment would undermine the progress that has been made to restore the Museum's fiscal health; and

WHEREAS, it is the responsibility of the County of Suffolk to take all reasonable actions to assure the continued operation of the Vanderbilt Museum for the benefit of County residents in accordance with the terms of the Vanderbilt Will; now, therefore be it

1st **RESOLVED**, the County of Suffolk hereby waives its claims for all past due payments and any scheduled payments through December 31, 2009, from the Vanderbilt Museum for the reimbursement of actual expenses paid by the County of Suffolk for the Museum's benefit in the self-insurance programs for liability; and be it further

2nd **RESOLVED**, the Division of Insurance and Risk Management shall establish an appropriate reimbursement schedule for the Vanderbilt Museum's participation in the self-insurance program and bill the Museum accordingly; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-waive insurance Vanderbilt Museum

1106

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by Presiding Officer Lindsay

RESOLUTION NO. – 2010, AUTHORIZING THE COUNTY TREASURER TO BORROW CASH FUNDS FROM OTHER COUNTY FUNDS FOR 2010

WHEREAS, the County Treasurer recommends that moneys be borrowed from a variety of County Funds to meet a temporary shortfall of cash during the remainder of 2010; and

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

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

WHEREAS, the Suffolk County Legislature has previously granted the County Treasurer approval to temporarily borrow cash in Resolution Nos. 105-2009; 62-2008; 609-2007; 1011-2006; 1097-2005; 800-2004; 711-2003; 878-2002; and prior years; and

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

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

2nd **RESOLVED**, that any moneys borrowed from any County Fund pursuant to this resolution shall be repaid to said fund with interest at the prevailing rate from subsequent revenues as soon as it is fiscally practicable, but no later than December 31, 2010; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-interfund borrowing 2010

1107

Intro. Res. No. -2010 Laid on Table 2/2/2010
Introduced by Legislator Horsley

RESOLUTION NO. –2010, AMENDING THE 2010 OPERATING BUDGET AND TRANSFERRING FUNDS TO BABYLON VILLAGE YOUTH PROJECT

WHEREAS, the 2010 Operating Budget does not include sufficient funds for Babylon Village Youth Project; and

WHEREAS, Babylon Village Youth Project provides youth with valuable cultural and community service opportunities; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2010 Operating Budget to transfer $7,500 to the contracted agency Babylon Village Youth Project; and

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

1st RESOLVED, that the 2010 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	ECD	6410	JBY1	4980	Babylon Village Arts Council	-$7,500

TO:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	EXE	7320	AAS1	4980	Babylon Village Youth Project Inc.	+$7,500

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding Babylon Village Youth Project.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

T:\BRO\IR 2010 O.B. Amend., Babylon Village Youth Project.doc

1108

Intro. Res. No. -2010 Laid on Table 2/2/2010
Introduced by Legislator Schneiderman

RESOLUTION NO. –2010, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO THE 2010 ADOPTED OPERATING BUDGET FOR THE MUSIC FESTIVAL OF THE HAMPTONS INC.

WHEREAS, the 2010 Operating Budget when adopted contained technical errors to certain contract agencies; and

WHEREAS, the County Legislature desires to make technical corrections to the 2010 Adopted Operating Budget to assist in funding the Music Festival of the Hamptons Inc.; now, therefore be it

1st RESOLVED, that the Clerk of the Legislature shall make the following technical corrections to the 2010 Adopted Operating Budget;

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
192	ECD	6414	JHB1	4980	Bard Music Fest. of the Hamptons	$5,000

TO:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
192	ECD	6414	JHB1	4980	Music Festival of the Hamptons Inc.	$5,000

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Music Festival of the Hamptons Inc.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

T:\BRO\IR 2010 Technical Corrections The Music Fastival of the Hamptons Inc.doc

Intro. Res. No. 1109 -2010 Laid on Table 2/2/2010
Introduced by Legislator Schneiderman

RESOLUTION NO. –2010, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO THE 2010 ADOPTED OPERATING BUDGET FOR THE WILDLIFE RESCUE CENTER OF THE HAMPTONS INC.

WHEREAS, the 2010 Operating Budget when adopted contained technical errors to certain contract agencies; and

WHEREAS, the County Legislature desires to make technical corrections to the 2010 Adopted Operating Budget to assist in funding the Wildlife Rescue Center of the Hamptons, Inc.; now, therefore be it

1st RESOLVED, that the Clerk of the Legislature shall make the following technical corrections to the 2010 Adopted Operating Budget;

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	PKS	7110	HEN1	4980	Wildlife Rehab. Ctr. of the Hamp	$5,000

TO:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	PKS	7110	HEN1	4980	Wildlife Rescue Center of the Hamptons Inc.	$5,000

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Wildlife Rescue Center of the Hamptons Inc.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

T:\BRO\IR 2010 Technical Corrections Wildlife Rescue Center of the Hamptons, Inc.doc

1110

Intro. Res. No. -2010 Laid on Table 2/2/2010
Introduced by Legislator Schneiderman

RESOLUTION NO. –2010, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO THE 2010 ADOPTED OPERATING BUDGET FOR THE FRIENDS OF THE BIG DUCK

WHEREAS, the 2010 Operating Budget when adopted contained technical errors to certain contract agencies; and

WHEREAS, the County Legislature desires to make technical corrections to the 2010 Adopted Operating Budget to assist in funding the Friends of the Big Duck; now, therefore be it

1st RESOLVED, that the Clerk of the Legislature shall make the following technical corrections to the 2010 Adopted Operating Budget;

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
192	ECD	6414	JET1	4980	Friends of the Big Duck	-$5,000

TO:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
192	PKS	7512	JET1	4980	Friends of the Big Duck	+$5,000

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Friends of the Big Duck.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

T:\BRO\IR 2010 Technical Corrections Friends of the Big Duck.doc

Intro Res. No. 1111 -2010 Laid on Table 2/2/10
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, AUTHORIZING
EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD
OF SUFFOLK COUNTY SEWER DISTRICT NO. 11 - SELDEN WITH THE OWNER
OF SEELEY SUBDIVISION (BR-1567)

WHEREAS, Seeley Subdivision, is located outside the boundary of Suffolk County Sewer District No. 11 - Selden; and

WHEREAS, the owner of Seeley Subdivision, has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 11 - Selden; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity available in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 11 - Selden and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; and

WHEREAS, such connection has been approved by the Suffolk County Sewer Agency, Resolution 42-2009; and

WHEREAS, Seeley Subdivision, will pay $7.06 per gallon per day ($8,472.00) of the connection fee to the District 11 Venture as part of the agreement for expanding the District and the balance of the $15.00 connection fee ($7.94) per gallon per day ($9,528.00) to the District; and

WHEREAS, the Suffolk County Sewer Agency has determined that pursuant to Section 617.5 (c), (11), & (20), of the SEQRA regulations, this project is listed as a Type II Action, and requires no further action, now, therefore, be it

1st RESOLVED, that pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is a Type II Action, and requires no further action, now, therefore, be it further

2nd RESOLVED, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 11 - Selden and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County
Date of Approval

1111

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO: ____- 2010 AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 11 - SELDEN WITH THE OWNER OF SEELEY SUBDIVISION (BR-1567)

3. Purpose of Proposed Legislation

To authorize execution of an agreement by the administrative head of Suffolk County Sewer District No. 11 – Selden with Seeley Subdivision, four single family homes seeking permission to discharge 1200 GPD.

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**	SCSD #11 - Selden

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

Agency Resolution 6-2006, established that the connection fee rate at $15.00 GPD and set $7.06 GPD as the amount the District 11 Venture could charge the connectees to cover the cost of construction. The balance of the $15.00 connection fee ($7.94 GPD) is to be paid to the District ($9,528.00).

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

NA

8. Proposed Source of Funding

NA

9. Timing of Impact

NA

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Craig A Platt Assistant Director of Sewer District Activation	Craig A. Platt	1/4/10

Deb Kolver Debra Kolver
PRINCIPAL FINANCIAL ANALYST 1/22/10

SCIN FORM 175b (10/95)

1111

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 6-2006

AMENDING A CONSTRUCTION CONTRACT BETWEEN SUFFOLK COUNTY SEWER DISTRICT 11 - SELDEN AND A CONSORTIUM KNOWN AS DISTRICT 11 VENTURE

WHEREAS, the developments of various projects collectively known as District 11 Venture located in the vicinity of Suffolk County Sewer District 11 - Selden have expanded the District treatment facility and connected their developments to that District; and

WHEREAS, the District had requested and the District 11 Venture had complied with constructing capacity beyond their initial needs; and

WHEREAS, the additional cost to the District 11 Venture for this additional work has been documented and confirmed as $332,000; and

WHEREAS, the additional capacity created by this work results in a flow value of 47,000 gallons per day (gpd); and

WHEREAS, a request has been made by the District 11 Venture to recover their costs of this additional capacity through the shared sale of the 47,000 gpd; and

WHEREAS, the value of the 47,000 gpd to be recovered by the District 11 Venture is $7.06 per gpd of capacity; and

WHEREAS, the current value of the sale of capacity (connection fee) is $15 per gpd; now therefore be it

1ST RESOLVED, that the District secure from the New York State Department of Environmental Conservation the necessary approvals to utilize the excess capacity of 47,000 gpd; and be it further

2ND RESOLVED, that the District 11 Venture would be reimbursed $7.06 per gpd of capacity sold with the District receiving the remainder of the then current connection fee and; be it further

3RD RESOLVED, that the Administrative Head of the District be and he hereby is authorized, directed, and empowered to enter into a contract amendment with District 11 Venture and that the District 11 Venture be required to satisfy the conditions that the Administrative Head deems necessary to ensure performance of such agreement amendment.

(Suffolk County Sewer Agency meeting 04/17/06)

SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 42 - 2009

AUTHORIZING THE FORMAL APPROVAL FOR THE CONNECTION OF SEELEY SUBDIVISION (BR-1567) TO SUFFOLK COUNTY SEWER DISTRICT No. 11 - SELDEN

WHEREAS, Seeley Subdivision is a four (4) unit subdivision in Coram, New York, on property identified on the Suffolk County Tax Map as District 0200, Section 370.00, Block 04.00, Lot 003.000

WHEREAS, the Premises are not located within the boundaries of Suffolk County Sewer District No. 11 – Selden (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, it is anticipated that Seeley Subdivision will generate a sewage flow of Twelve Hundred gallons per day (1,200 GPD), and

WHEREAS, the owner of Seeley Subdivision has applied to this Agency for permission to connect Seeley Subdivision to the sanitary sewerage facilities of the District, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the sewage (the District 11 Venture plant expansion) which is expected to emanate from Seeley Subdivision, and

WHEREAS, Sewer Agency Resolution 6-2006 (4/17/06), stated that the connection fee was at the rate of $15.00 GPD and established $7.06 GPD as the amount the District 11 Venture could charge the connectees to cover the cost of construction. The District 11 Venture has a right to recover their costs as part of the agreement for expanding the District and the balance of the $15.00 connection fee ($7.94 GPD) is to be paid to the District, and

WHEREAS, the connection of Seeley Subdivision to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County,

WHEREAS, pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is listed as a Type II Action, and requires no further action, and

NOW, THEREFORE, IT IS

1st RESOLVED, that pursuant to Section 617.5(c) (11) and (20), of the SEQRA regulations, this project is a Type II Action, and requires no further action, now, therefore, be it further

2nd RESOLVED, that Seeley Subdivision be permitted to connect to the sanitary sewerage facilities of the District, upon such terms and conditions as the Administrative Head of the District may impose, subject to the terms and conditions hereof, and it is further

3rd RESOLVED, that Twelve Hundred gallons per day (1,200 GPD), of capacity in the District's sewage treatment plant be allocated to Seeley Subdivision, and it is further

4th RESOLVED, that the connection authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further

5th RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the developer of Seeley Subdivision, the District, the Suffolk County Department of Public Works ("DPW"), the Suffolk County Department of Health Services, the County of Suffolk and this Agency, which agreement shall contain such terms and conditions as the Administrative Head of the District shall determine, and it is further

6th RESOLVED, that the connection fee to be paid for Seeley Subdivision shall be paid at the rate of $7.94 per gallon of sewage per day for a total of Nine Thousand Five Hundred Twenty-Eight Dollars ($9,528.00) and it is further

7th RESOLVED, that Seeley Subdivision shall, at its sole cost, expense and effort, construct a sewage collection facility for Seeley Subdivision and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

8th RESOLVED, that no Certificate of Occupancy shall be issued for any additional portion of Seeley Subdivision until the sewage collection facility for Seeley Subdivision has been completed and the Premises have been connected to the sanitary sewerage facilities of the District, all to the satisfaction of DPW, and it is further

9th RESOLVED, that the developer of Seeley Subdivision shall furnish a Letter of Credit, in form, wording and amount, and on such terms and conditions, as determined by this Agency's staff, as security for the construction of the sewage collection facility for Seeley Subdivision, as well as for all of the developer's obligations under the Connection Agreement, and it is further

10th RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to the developer of Seeley Subdivision if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

(Suffolk County Sewer Agency Meeting December 21, 2009)

1111

RESOLUTION SUBMITTAL SHEET

Capital Project	NA	Legislative Districts	6th
Operating Fund	NA	Federal Aid %	NA
Other		State Aid %	NA

Give a complete description of why we are asking for reso; if aided, state status of aid

To authorize execution of an agreement by the administrative head of Suffolk County Sewer District No. 11 – Selden with Seeley Subdivision, four single family homes seeking permission to discharge 1200 GPD.

Previous resolution (list previous reso for the same work)

Resolution Number	Purpose	Amount

Amounts being requested		Current Funding	
Planning	0	Planning	0
Site	0	Site	0
Construction	0	Construction	0
Land	0	Land	0
F&E	0	F&E	0

Project Status

Est. planning completion	NA	Design consultant	
Est. construction start		Contractor	
Est. construction completion			

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue

Offset	Leg. District	Comments

COUNTY OF SUFFOLK

JAN 06 2010

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

To: Ben Zwirn, Deputy County Executive

From: Thomas LaGuardia, P.E., Chief Deputy Commissioner, SCDPW

Date: January 4, 2010

Subject: Introductory Resolution Calling for Approval of the Connection of Seeley Subdivision to Suffolk County Sewer District No. 11 – Selden.

Attached is a draft resolution filed as Reso-DPW-SA 42-2009 BR 1567 Seeley Subdivision and appropriate forms with the backup filed as Backup-DPW-SA 42-2009 BR 1567 Seeley Subdivision SCIN 175A. This is a resolution authorizing the execution of a connection agreement by the Administrative Head of Suffolk County Sewer District No. 11 – Selden with Seeley Subdivision (BR-1567).

Project Facts:

Type/units:	Four Single Family Homes	Flow:	1200 GPD
Groundwater Zone:	III	SCSD No.	11– Selden
SC Tax Parcel	0200 651.00 03.00 18.000	Acreage	1.94 acres
Legislative District:	8th	SEQRA:	Complete

TL:BW:cap

cc: Chris Kent, Chief Deputy County Executive
Gilbert Anderson, P.E. Commissioner, SCDPW
Ben Wright, P.E.
John Donovan, P.E.
Laura Conway
Linda Spahr, Esq.
Debra Kolyer
Brendan Chamberlain
E-mail to CE Reso Review

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4010 FAX (631) 852-4150

1112

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, APPROVING A LICENSE AGREEMENT FOR PATRICK BOYLES TO RESIDE AT THE ISAAC MILLS HOUSE, ST. JAMES

WHEREAS, Article II of Chapter 378 of the Suffolk County Code, enacted through the adoption of Local Law No. 30-2008 ("A Local Law to Protect the County's Historic and Culturally Significant Properties"), established a new process to govern the rental of properties under the jurisdiction of the Department of Parks, Recreation and Conservation; and

WHEREAS, in accordance with the process set forth by the aforementioned Local Law, the Commissioner of the Department of Parks, Recreation, and Conservation recommends that Patrick Boyles, Park Police Officer I for the Parks Department, be approved to enter into a license agreement to reside at the Isaac Mills House in St. James; and

WHEREAS, Resolution No. 973-2009 adopted the rental charge recommended by the Parks Housing Rental Board and the Commissioner of Parks, Recreation and Conservation for the Isaac Mills House in St. James; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered, and directed, to enter into a License Agreement with Patrick Boyles to reside at the Isaac Mills House in St. James, in accordance with the provisions set forth in Chapter 378 of the SUFFOLK COUNTY CODE and Resolution No. 973-2009; and be it further

2nd **RESOLVED**, that the Isaac Mills House and grounds on said premises shall be returned to the County of Suffolk at the conclusion of the License Agreement authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law ____

1112

2. Title of Proposed Legislation

APPROVING A LICENSE AGREEMENT FOR PATRICK BOYLES TO RESIDE AT THE ISAAC MILLS HOUSE, ST. JAMES

3. Purpose of Proposed Legislation

See #2.

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

County will receive $600.00 per month during the term of the license agreement.

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

N/A

8. Proposed Source of Funding

N/A

9. Timing Impact

Monthly, during the agreement term.

NICHOLAS E. PAGLIA JR
EXECUTIVE TECHNICIAN
1/22/2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tom Malanga **Intergovernmental Relations Coordinator** **Dept. of Parks, Recreation &Conservation**	Thomas J Malanga	1/13/2010

Gen D2

COUNTY OF SUFFOLK

1112

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: **KEN CRANNELL, Deputy County Executive**

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

CC: **CHRISTOPHER KENT, Chief Deputy County Executive**

DATE: **January 13, 2010**

RE: **INTRODUCTORY RESOLUTION APPROVING A LICENSE AGREEMENT PATRICK BOYLES TO RESIDE AT THE ISAAC MILLS HOUSE, ST. JAMES**

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "Reso-PKS-Approving License for Patrick Boyles to reside in Isaac Mills House.doc".

In accordance with the procedures set forth by Local Law No. 30-2008, I recommend that the County enter into a license agreement with Patrick Boyles, who works as a Park Police Officer I in the Parks Department, to reside at the Isaac Mills House in St. James.

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

Enclosures

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977

SUFFOLK COUNTY PARKS

1113

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, APPROVING A LICENSE AGREEMENT FOR SUSAN GREER TO RESIDE AT AT ROBERT CUSHMAN MURPHY COUNTY PARK, MANORVILLE

WHEREAS, Article II of Chapter 378 of the Suffolk County Code, enacted through the adoption of Local Law No. 30-2008 ("A Local Law to Protect the County's Historic and Culturally Significant Properties"), established a new process to govern the rental of properties under the jurisdiction of the Department of Parks, Recreation and Conservation; and

WHEREAS, in accordance with the process set forth by the aforementioned Local Law, the Commissioner of the Department of Parks, Recreation, and Conservation recommends that Susan Greer, Senior Neighborhood Aide for the Parks Department, be approved to enter into a license agreement to reside at , at Robert Cushman Murphy County Park; and

WHEREAS, Resolution No. 973-2009 adopted the rental charge recommended by the Parks Housing Rental Board and the Commissioner of Parks, Recreation and Conservation for at Robert Cushman Murphy County Park; now, therefore, be it

1st **RESOLVED**, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered, and directed, to enter into a License Agreement with Susan Greer to reside at at Robert Cushman Murphy County Park, in Manorville, in accordance with the provisions set forth in Chapter 378 of the SUFFOLK COUNTY CODE and Resolution No. 973-2009; and be it further

2nd **RESOLVED**, that at Robert Cushman Murphy County Park and grounds on said premises shall be returned to the County of Suffolk at the conclusion of the License Agreement authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1113

1. Type of Legislation

Resolution X Local Law _____ Charter Law ____

2. Title of Proposed Legislation

APPROVING A LICENSE AGREEMENT FOR SUSAN GREER TO RESIDE AT ROBERT CUSHMAN MURPHY COUNTY PARK, MANORVILLE

3. Purpose of Proposed Legislation

See #2.

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

County will receive $800.00 per month during the term of the license agreement.

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

N/A

8. Proposed Source of Funding

N/A

9. Timing Impact

Monthly, during the agreement term.

NICHOLAS E. PAGLIA JR
EXECUTIVE TECHNICIAN
1/22/2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tom Malanga **Intergovernmental Relations Coordinator** **Dept. of Parks, Recreation &Conservation**	Thomas J Malanga	1/13/2010

Gen D3

COUNTY OF SUFFOLK

1113

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: **KEN CRANNELL, Deputy County Executive**

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

CC: **CHRISTOPHER KENT, Chief Deputy County Executive**

DATE: **January 13, 2010**

RE: **INTRODUCTORY RESOLUTION APPROVING A LICENSE AGREEMENT FOR SUSAN GREER TO RESIDE AT AT ROBERT CUSHMAN MURPHY COUNTY PARK, MANORVILLE**

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "Reso-PKS-Approving License for Susan Greer to reside in at Robert Cushman Murphy County Park.doc".

In accordance with the procedures set forth by Local Law No. 30-2008, I recommend that the County enter into a license agreement with Susan Greer, who works as a Senior Neighborhood Aide in the Parks Department, to reside at , at Robert Cushman Murphy County Park.

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

Enclosures

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977

SUFFOLK COUNTY PARKS

1114

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, AUTHORIZING USE OF BLYDENBURGH COUNTY PARK BY THE CARE CENTER FOR ITS ANNUAL WALKATHON FUNDRAISER

WHEREAS, The Care Center is a 501(c)(3) private, nonprofit organization having its principal place of business at 1930 Veterans Memorial Highway, Suite 15, Islandia, New York; and

WHEREAS, The Care Center would like to hold its Annual Walkathon Fundraiser at Blydenburgh County Park in the Town of Smithtown; and

WHEREAS, the Annual Walkathon Fundraiser is scheduled to be held on Saturday, May 22, 2010; and

WHEREAS, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by The Care Center; now, therefore, be it

1st **RESOLVED,** that the use of Blydenburgh County Park by The Care Center for the purpose of hosting a fundraiser on Saturday, May 22, 2010, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance and the accompanying declaration page by the County of Suffolk from The Care Center, and the payment of One Hundred Dollars ($100.00) event fee, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel and Civil Service; and be it further

2nd **RESOLVED,** that before this event shall be permitted to occur, The Care Center must apply for and obtain a permit from the Commissioner of the Department of Parks, Recreation, and Conservation as required by Section 378-7(B) of the Suffolk County Code; and be it further

3rd **RESOLVED**, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4 (A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at Blydenburgh County Park by The Care Center; and be it further

4th **RESOLVED**, that The Care Center shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

5th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") § 617.5 (C)(15), (20) and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1114

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law ____

2. Title of Proposed Legislation

AUTHORIZING USE OF BLYDENBURGH COUNTY PARK BY THE CARE CENTER FOR ITS ANNUAL WALKATHON FUNDRAISER

3. Purpose of Proposed Legislation

Authorize use of County Parkland for fundraising event.

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

There is a nominal fee ($100.00) collected by the County for use of the Park.

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

N/A

8. Proposed Source of Funding

N/A

9. Timing Impact

N/A

NICHOLAS E. PAGLIA JR
EXECUTIVE TECHNICIAN
1/22/2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tom Malanga Intergovernmental Relations Coordinator Dept. of Parks, Recreation &Conservation	Thomas J Malanga	1/13/2010

Suffolk County Department of Parks, Recreation & Conservation
Mail Application to: P.O. Box 144, West Sayville, NY 11796
Phone: 631-854-4951
www.suffolkcountyny.gov/parks

SUFFOLK COUNTY PARKS

1114

APPLICATION FOR PARKLAND GROUP PERMIT

Permit Requested (Check One)

YOUTH GROUP CAMPING _____ **GROUP PICNIC** _____ **ADULT (FAMILY) CAMPING CLUB** _____

SPECIAL GROUP EVENT ✓ **(Specify Below)** **GENERAL GROUP** _____ **(HIKE/FIELD TRIP)**

_____

(Horse/Dog Event, Fundraiser, Other)

PARK(S) Requested

1st Choice Blydenburgh

2nd Choice _____

DATE(S) Requested

1st Choice May 22, 2010

2nd Choice _____

Name of Group/Organization The Care Center, Inc.

Address 1930 Veterans Memorial Hwy, Ste 15 Zip Code 11749

Applicant Name Loretta Moses Phone 631 630 9778 Cell # 631 338-3638

Address 43 Bunkerhill Drive Applicant Signature Loretta D Moses

Town Huntington State NY Zip 11743 Today's Date 11/30/09

Arrival Time 8:00 a.m./p.m. Departure Time 12:00 (Parks Close at Dusk)

Estimated # Attending 75 # Cars/Vans 35 # Buses _____

ADULT (FAMILY) CAMPING CLUBS: Total # of Units _____ (7 unit minimum non-holiday weekends, 10 unit minimum holiday weekends)

SPECIAL EVENTS & PICNICS

Will Food/Beverages be provided? **YES** ____ **NO** ✓

Is event open to the general public? **YES** ____ **NO** ✓

If event is open to public ***AND*** food/beverages are being provided a *SUFFOLK COUNTY HEALTH SERVICES ORGANIZER'S APPLICATION FOR TEMPORARY PERMIT* *must* be filed. Non-compliance with Health Services regulations may result in event being shut down.

Is event being catered? **YES** ____ **NO** ✓ Name of Caterer _____

Will alcoholic beverages be provided? **YES** ____ **NO** ✓ (If **YES** the Hold Harmless Agreement attached must be Signed & notarized).

Will alcoholic beverages be **sold? YES** ____ **NO** ✓ (If **YES** a *Special Event Permit* must be filed with the *NYS Liquor Authority* to obtain a temporary liquor license).

Is this a **Fundraiser? YES** ✓ **NO** ____ Groups wishing to hold fundraisers on Suffolk County Park property must contact the Parks Permit Department at 854-4951 a ***minimum of three months prior*** to event for permission as Suffolk County Legislative approval is required.

TENTS - Suffolk County Fire Marshall inspection may be required contact Permit Dept. at 854-4951 for information.

VENDORS? **YES** ____ **NO** ✓ List all _____

Names of vendors (amusement/entertainment, etc.) at event must be listed above. Attach separate sheet if necessary. Vendor(s) chosen must provide a certificate of insurance naming SUFFOLK COUNTY as an additional insured in the amount of **$2,000,000** per occurrence Comprehensive General Liability.

SPECIAL REQUESTS/COMMENTS: _____

Office Use Only

DATE(S) APPROVED _____ AREA ASSIGNED _____ Picnic ___ Youth ___ Adult ___

PARK APPROVED _____ County Park _____

Received of _____ Amount $ _____ Cash ___ MO ___ Credit ___

Alcohol Permit Approved _____ (Staff Initials) Transaction # _____ Check _____

SPECIAL INSTRUCTIONS _____

PERMIT # [illegible] PARKS DEPT. APPROVAL

The Care Center

1114

November 30, 2009

Leslie Butler
Suffolk County Department of Parks,
PO Box 144
West Sayville, NY 11796-0144

Dear Leslie:

The Care Center will be having its annual fundraising Walkathon at Blydenburgh County Park on Saturday, May 22nd, 2010 from 8:00 am-12:00pm. All proceeds to benefit The Care Center.

The Care Center is a not for profit organization that offers compassionate, confidential, caring assistance to women in unplanned pregnancies. Our services include pregnancy testing, counseling, material aid and referrals to resources. All our services are free to single or married women in need. We have served the Suffolk County area for over 19 years.

Thank you for your consideration.

Yours truly,

Nina Aprea

Nina Aprea
Executive Director

The Care Center

1114

November 30, 2009

Leslie Butler
Suffolk County Dept. of Parks
P.O. Box 144
West Sayville, NY 11796

Dear Leslie,

The Care Center, Inc. in Islandia, NY is a 501C3 women's resource center. We have had our annual walk fundraiser in Blydenburg Park for a number of years. We have been informed that the requirements for insurance have been raised from $1,000,000 to $2,000,000 per occurrence. Our insurance company does not offer this coverage, and in order to obtain it, we would need to purchase an additional policy at further expense.

As a faith based organization we try very hard to use our financial resources wisely. We receive no government monies, and all our funding comes from churches and individuals that share our vision. This event provides a substantial part of our annual budget. Would it be possible for the additional insurance requirement be waived for us for this event? Any help that you could give us pertaining to this matter would be greatly appreciated.

To the extent permitted by law, we shall indemnify and hold harmless the County of Suffolk, its consultant (if any), employees, agents and other persons from and against all claims, costs, judgments, liens, encumbrances and expenses, including attorneys' fees, arising out of the acts or omissions or negligence of this organization, its officers, agents, servants or employees in connection with the services described or referred to The Care Center 2010 Event.

Sincerely,

Dale Moses
President

Visit our website at: www.freepregnancyhelp.com
1930 Veterans Memorial Highway, Suite 15, Islandia, NY 11749 • (631) 630-9779

1114

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 11/30/2009

PRODUCER (520)455-9252 FAX (520)455-9358
Patriot Insurance Agency, Inc.
PO Box 1298
Sonoita, AZ 85637-1298

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED The Care Center, Inc.
1930 Vets Memorial Highway
Suite 15
Islandia, NY 11749

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Spirit Mountain Ins Co RRG Inc	10754
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
A	X	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY X CLAIMS MADE ☐ OCCUR X PROF.LIAB.INCLUDED X DED: $2500 GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC	SMIC-LPP2009-NIN002 RETRODATE: 06/30/2004	06/30/2009	06/30/2010	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 100,000 $ 0 $ 1,000,000 $ 3,000,000 $ 1,000,000
A	X	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS X HIRED AUTOS X NON-OWNED AUTOS	SMIC-LPP2009-NIN002	06/30/2009	06/30/2010	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 300,000 $ $ $
		GARAGE LIABILITY ☐ ANY AUTO				AUTO ONLY - EA ACCIDENT OTHER THAN AUTO ONLY: EA ACC AGG	$ $ $
		EXCESS / UMBRELLA LIABILITY ☐ OCCUR ☐ CLAIMS MADE ☐ DEDUCTIBLE ☐ RETENTION $				EACH OCCURRENCE AGGREGATE	$ $ $ $ $
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N ☐ (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS ☐ OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ $ $
		OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
EVENT: WALK FOR LIFE ON 05/22/2010

CERTIFICATE HOLDER

SUFFOLK COUNTY DEPARTMENT OF PARKS
PO BOX 144
WEST SAYVILLE, NY 11796

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Dwayne Lequire/AEM

ACORD 25 (2009/01)

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Gen D4

COUNTY OF SUFFOLK

1114

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: **KEN CRANNELL, Deputy County Executive**

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

CC: **CHRISTOPHER KENT, Chief Deputy County Executive**

DATE: **January 13, 2010**

RE: **INTRODUCTORY RESOLUTION AUTHORIZING USE OF BLYDENBURGH COUNTY PARK BY THE CARE CENTER FOR ITS ANNUAL WALKATHON FUNDRAISER**

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS-Care Center Fundraising Event at Blydenburgh Park.doc."

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

Enclosures

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977

SUFFOLK COUNTY PARKS

1115

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, AUTHORIZING USE OF SOUTHAVEN COUNTY PARK BY CONTRACTORS FOR KIDS FOR THEIR FAMILY FUN DAY AND PICNIC FUNDRAISER

WHEREAS, Contractors for Kids, Inc. is a not-for-profit organization; and

WHEREAS, Contractors for Kids would like to use Southaven County Park for the purpose of hosting their Family Fun Day and Picnic Fundraiser to raise money for the organization; and

WHEREAS, the fundraiser will be held on the grounds of Southaven County Park on Saturday, September 11, 2010; and

WHEREAS, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured will be provided by the Contractors for Kids; now therefore, be it

1st **RESOLVED,** that the use of Southaven County Park by Contractors for Kids, Inc. for the purpose of hosting a fundraiser on Saturday, September 11, 2010, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance with accompanying declaration page by the County of Suffolk from the Contractors for Kids, Inc. and the payment of the Six Hundred Dollars ($600.00) event fee, and the issuance of a permit by the Commissioner of Parks, Recreation and Conservation pursuant to section 378-7B(c) of the Suffolk County Code, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

2nd **RESOLVED,** that before this event shall be permitted to occur, Contractors for Kids must apply for and obtain a permit from the Commissioner of the Department of Parks, Recreation, and Conservation as required by Section 378-7(B) of the Suffolk County Code; and be it further

3rd **RESOLVED**, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at Southaven County Park by Contractors for Kids, and be it further

4th **RESOLVED**, that Contractors for Kids shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

5th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1115

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

AUTHORIZING USE OF SOUTHAVEN COUNTY PARK BY CONTRACTORS FOR KIDS FOR THEIR FAMILY FUN DAY AND PICNIC FUNDRAISER

3. Purpose of Proposed Legislation

Authorize use of County Parkland for fundraising event.

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

There is a fee of $600.00 collected by the County for use of the Park.

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

N/A

8. Proposed Source of Funding

N/A

9. Timing Impact

N/A

NICHOLAS E. PAGLIA JR
EXECUTIVE TECHNICIAN
1/22/2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tom Malanga Intergovernmental Relations Coordinator Dept. of Parks, Recreation &Conservation	Thomas J Malanga	1/13/2010

Suffolk County Department of Parks, Recreation & Conservation
Mail Application to: P.O. Box 144, West Sayville, NY 11796
Phone: 631-854-~~4951~~ 4964
www.suffolkcountyny.gov/parks

SUFFOLK COUNTY PARKS

1115

APPLICATION FOR PARKLAND GROUP PERMIT

Permit Requested (Check One)

YOUTH GROUP CAMPING _____ GROUP PICNIC _____ ADULT (FAMILY) CAMPING CLUB _____

SPECIAL GROUP EVENT _____(Specify Below) GENERAL GROUP _____ (HIKE/FIELD TRIP)

Fundraiser

(Horse/Dog Event, Fundraiser, Other)

PARK(S) Requested

1st Choice Southaven Upper Level

2nd Choice _____

DATE(S) Requested

1st Choice Sept 11 2010

2nd Choice Sept. 12 2010

Name of Group/Organization Contractors For Kids

Address 1316 Motor Parkway - Islandia, NY Zip Code 11749

Applicant Name Deborah O'Rourke Phone 631-617-5150 Cell # 631-~~[illegible]~~ 220 2940

Address 258 Hawkins Ave - Suite C ~~Ronkonkoma, NY 11779~~ Applicant Signature Debbie O'Rourke

Town Ronkonkoma State NY Zip 11779 Today's Date _____

Arrival Time 8 a.m./p.m. Departure Time 7 pm (Parks Close at Dusk)

Estimated # Attending 1500 # Cars/Vans 500 # Buses _____

ADULT (FAMILY) CAMPING CLUBS: Total # of Units _____ (7 unit minimum non-holiday weekends, 10 unit minimum holiday weekends)

SPECIAL EVENTS & PICNICS

Will Food/Beverages be provided? **YES** ✓ **NO** ____

Is event open to the general public? **YES** ✓ **NO** ____

If event is open to public ***AND*** food/beverages are being provided a *SUFFOLK COUNTY HEALTH SERVICES ORGANIZER'S APPLICATION FOR TEMPORARY PERMIT* *must* be filed. Non-compliance with Health Services regulations may result in event being shut down.

Is event being catered? **YES** ✓ **NO** ____ Name of Caterer Windows on the Lake - Anthony's

Will alcoholic beverages be provided? **YES** ____ **NO** X (If **YES** the Hold Harmless Agreement attached must be Signed & notarized).

Will alcoholic beverages be **sold? YES** ____ **NO** X (If **YES** a *Special Event Permit* must be filed with the *NYS Liquor Authority* to obtain a temporary liquor license).

Is this a **Fundraiser? YES** ✓ **NO** ____ Groups wishing to hold fundraisers on Suffolk County Park property must contact the Parks Permit Department at 854-4951 a ***minimum of three months prior*** to event for permission as Suffolk County Legislative approval is required.

TENTS - Suffolk County Fire Marshall inspection may be required contact Permit Dept. at 854-4951 for information.

VENDORS? **YES** ____ **NO** X List all _____

Names of vendors (amusement/entertainment, etc.) at event must be listed above. Attach separate sheet if necessary. Vendor(s) chosen must provide a certificate of insurance naming SUFFOLK COUNTY as an additional insured in the amount of **$2,000,000** per occurrence Comprehensive General Liability.

SPECIAL REQUESTS/COMMENTS: _____

Office Use Only

DATE(S) APPROVED _____ AREA ASSIGNED _____ Picnic ___ Youth ___ Adult ___

PARK APPROVED _____ County Park _____

Received of _____ Amount $ _____ Cash ____ MO ____ Credit ____

Alcohol Permit Approved _____ (Staff Initials) Transaction # _____ Check _____

SPECIAL INSTRUCTIONS _____

PERMIT # 033731

PARKS DEPT. APPROVAL _____

43-0201 - 03/07

1115

January 8, 2010

Suffolk County Parks
Attn: Permit Dept.
P. O. Box 144
West Sayville, NY 11796

To whom it may concern:

We are processing our application to hold a Family Fun Day and Picnic
On September 11, 2010 at South Haven County Park, Upper Level, from 11:00am to 6:00pm. The event will include food, non-alcoholic beverages, games, raffles and door prizes. Anticipated number of attendees will be approximately 1,500.

All proceeds will go to Contractor's For Kids, an authorized 501c(3) organization which assists children and their families overcome obstacles that have unfortunately changed or impacted their lives through sickness, injury or death.

If you require any additional information, please do not hesitate to let me know. Thank you for your assistance.

Sincerely yours,

Debbie O'Rourke

Client#: 312225 CONFOR 1115

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 8/17/2009

PRODUCER
Morstan General Agency, Inc.
P.O. Box 4500
Manhasset, NY 11030-4500
516 488-4747

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
Contractors For Kids Inc.
1316 Motor Parkway
ISlandia, NY 11749

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: U.S. Underwriters Insurance Co.	
INSURER B: Mt. Vernon Fire Insurance Co.	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	X	GENERAL LIABILITY	NBP3000002	01/19/09	01/19/10	EACH OCCURRENCE	$1,000,000
		X COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence)	$50,000
		CLAIMS MADE X OCCUR				MED EXP (Any one person)	$5,000
						PERSONAL & ADV INJURY	$1,000,000
						GENERAL AGGREGATE	$1,000,000
		GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC				PRODUCTS - COMP/OP AGG	$1,000,000
		AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident)	$
		ANY AUTO					
		ALL OWNED AUTOS				BODILY INJURY (Per person)	$
		SCHEDULED AUTOS					
		HIRED AUTOS				BODILY INJURY (Per accident)	$
		NON-OWNED AUTOS					
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	$
		ANY AUTO				OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
B	X	EXCESS/UMBRELLA LIABILITY	CUP2112266B	06/01/09	06/01/10	EACH OCCURRENCE	$1,000,000
		X OCCUR X CLAIMS MADE				AGGREGATE	$1,000,000
							$
		DEDUCTIBLE					$
		RETENTION $					$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATU-TORY LIMITS / OTH-ER	
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT	$
		If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$
		OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Certificate is subject to terms, conditions & exclusions of the actual insurance policy at the time of issuance.
Certificate Holder is also listed as Additional Insured
Picnic & Southaven County Park on September 19, 2009

CERTIFICATE HOLDER

Suffolk County
PO Box 114
West Sayville, NY 11796

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

© ACORD CORPORATION 1988

1115

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: MAR

CONTRACTORS FOR KIDS INC
44 JEFRYN BLVD W
DEER PARK, NY 11729

Employer Identification Number:
20-1189521
DLN:
17053177049026
Contact Person:
DONNA ELLIOT-MOORE
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
June 14, 2006
Contribution Deductibility:
Yes
Advance Ruling Ending Date:
December 31, 2010

1115

ID# 50304

OWNER
RECEIVED
STALCO CONSTRUCTION INC
MAR 26 2007
PM
ACCT

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

Letter 1045 (DO/CG)

CONTRACTORS FOR KIDS INC

1115

Sincerely,

Lois G. Lerner
Director, Exempt Organizations
Rulings and Agreements

Enclosures: Information for Organizations Exempt Under Section 501(c)(3)
Statute Extension

Letter 1045 (DO/CC

Gen D5

COUNTY OF SUFFOLK

1115

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: KEN CRANNELL, Deputy County Executive

FROM: JOHN W. PAVACIC, Commissioner

CC: CHRISTOPHER KENT, Chief Deputy County Executive

DATE: January 13, 2010

RE: INTRODUCTORY RESOLUTION AUTHORIZING USE OF SOUTHAVEN COUNTY PARK BY CONTRACTORS FOR KIDS FOR THEIR FAMILY FUN DAY AND PICNIC FUNDRAISER

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS-Contractors for Kids Fundraising Event at Southaven Park.doc."

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

Enclosures

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977

SUFFOLK COUNTY PARKS

1116

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by the Presiding Officer on request of County Executive

RESOLUTION NO. -2010, AUTHORIZING USE OF CATHEDRAL PINES COUNTY PARK BY BABYLON BREAST CANCER COALITION FOR ITS MOUNTAIN BIKE RIDE FUNDRAISER

WHEREAS, the Babylon Breast Cancer Coalition would like to use Cathedral Pines County Park for its Mountain Bike Ride fundraiser; and

WHEREAS, the Mountain Bike Ride is scheduled to be held on Sunday, March 14, 2010; and

WHEREAS, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by Babylon Breast Cancer Coalition; now therefore, be it

1st **RESOLVED**, that the use of Cathedral Pines County Park by Babylon Breast Cancer Coalition for the purpose of hosting a fundraiser on Sunday, March 14, 2010, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance and the accompanying declaration page by the County of Suffolk from Babylon Breast Cancer Coalition, and the payment of the One Hundred Dollars ($100.00) event fee, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel and Civil Service; and be it further

2nd **RESOLVED,** that before this event shall be permitted to occur, Babylon Breast Cancer Coalition must apply for and obtain a permit from the Commissioner of the Department of Parks, Recreation, and Conservation as required by Section 378-7(B) of the Suffolk County Code; and be it further

3rd **RESOLVED**, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at Cathedral Pines County Park by Babylon Breast Cancer Coalition, and be it further

4th **RESOLVED**, that Babylon Breast Cancer Coalition shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

5th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1116

1. Type of Legislation

Resolution X Local Law _____ Charter Law ____

2. Title of Proposed Legislation

AUTHORIZING USE OF CATHEDRAL PINES COUNTY PARK BY BABYLON BREAST CANCER COALITION FOR ITS MOUNTAIN BIKE RIDE FUNDRAISER

3. Purpose of Proposed Legislation

Authorize use of County Parkland for fundraising event.

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

County will receive $100.00 special event fee from organization.

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

N/A

8. Proposed Source of Funding

N/A

9. Timing Impact

N/A

NICHOLAS E. PAGLIA JR
EXECUTIVE TECHNICIAN
1/22/2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tom Malanga Intergovernmental Relations Coordinator Dept. of Parks, Recreation &Conservation	Thomas J Malanga	1/13/2010

1116

SUFFOLK COUNTY PARKS

Suffolk County Department of Parks, Recreation & Conservation
Mail Application to: P.O. Box 144, West Sayville, NY 11796
Phone: 631-854-4951
www.suffolkcountyny.gov/parks

APPLICATION FOR PARKLAND GROUP PERMIT

Permit Requested (Check One)

YOUTH GROUP CAMPING ____ **GROUP PICNIC** ____ **ADULT (FAMILY) CAMPING CLUB** ____

SPECIAL GROUP EVENT ✓ **(Specify Below)** **GENERAL GROUP** ____ **(HIKE/FIELD TRIP)**

Babylon Breast Cancer Coalition Fundraiser - Mountain Bike Ride

(Horse/Dog Event, Fundraiser, Other)

PARK(S) Requested

1st Choice Cathedral Pines

2nd Choice

DATE(S) Requested

1st Choice March 14, 2010

2nd Choice

Name of Group/Organization Babylon Breast Cancer Coalition / CLIMB

Address 100 Montauk Highway Copiague Zip Code 11726

Applicant Name Donna Jurasits Phone 6318934110 Cell # 6318395380

Address SAME as Above Applicant Signature Donna Jurasits

Town ____ State ____ Zip ____ Today's Date 11/18/09

Arrival Time 730 a.m./p.m. Departure Time 100 PM (Parks Close at Dusk)

Estimated # Attending 50-75 # Cars/Vans 30 # Buses 0

ADULT (FAMILY) CAMPING CLUBS: Total # of Units ____ (7 unit minimum non-holiday weekends, 10 unit minimum holiday weekends)

SPECIAL EVENTS & PICNICS

Will Food/Beverages be provided? **YES** ____ **NO** ✓

Is event open to the general public? **YES** ____ **NO** ✓

If event is open to public ***AND*** food/beverages are being provided a *SUFFOLK COUNTY HEALTH SERVICES ORGANIZER'S APPLICATION FOR TEMPORARY PERMIT* *must* be filed. Non-compliance with Health Services regulations may result in event being shut down.

Is event being catered? **YES** ____ **NO** ✓ Name of Caterer ____

Will alcoholic beverages be provided? **YES** ____ **NO** ✓ (If **YES** the Hold Harmless Agreement attached must be Signed & notarized).

Will alcoholic beverages be **sold? YES** ____ **NO** ✓ (If **YES** a *Special Event Permit* must be filed with the *NYS Liquor Authority* to obtain a temporary liquor license).

Is this a **Fundraiser? YES** ✓ **NO** ____ Groups wishing to hold fundraisers on Suffolk County Park property must contact the Parks Permit Department at 854-4951 a ***minimum of three months prior*** to event for permission as Suffolk County Legislative approval is required.

TENTS - Suffolk County Fire Marshall inspection may be required contact Permit Dept. at 854-4951 for information.

VENDORS? **YES** ____ **NO** ✓ List all ____

Names of vendors (amusement/entertainment, etc.) at event must be listed above. Attach separate sheet if necessary. Vendor(s) chosen must provide a certificate of insurance naming SUFFOLK COUNTY as an additional insured in the amount of **$2,000,000** per occurrence Comprehensive General Liability.

SPECIAL REQUESTS/COMMENTS: ____

Office Use Only

DATE(S) APPROVED ____ AREA ASSIGNED ____ Picnic ____ Youth ____ Adult ____

PARK APPROVED ____ County Park ____

Received of ____ Amount $ 100.00 Cash ____ MO ____ Credit ____

~~Alcohol Permit Approved~~ ____ (Staff Initials) Transaction # ____ Check 1605

SPECIAL INSTRUCTIONS Bike Trails

PERMIT # ____

CAPITAL ONE, N.A.

1605

BABYLON BREAST CANCER COALITION INC.
100 MONTAUK HIGHWAY
COPIAGUE, NY 11726

1116 12/15/2009

50-791/214

PAY TO THE ORDER OF Suffolk county Parks Department $ **100.00

One Hundred and 00/100********** DOLLARS

Suffolk County
County Parks Department
P.O. Box 144
West Sayville, NY 11796-0144

MEMO

Deborah Polowich
AUTHORIZED SIGNATURE

⑈001605⑈ ⑆021407912⑆ 7040 071 1⑈

THIS DOCUMENT MUST HAVE A COLORED BACKGROUND, ULTRAVIOLET FIBERS AND AN ARTIFICIAL WATERMARK ON THE BACK - VERIFY FOR AUTHENTICITY.

BABYLON BREAST CANCER COALITION INC.

Suffolk county Parks Department Other Direct Fundraising Expens:Permit	12/15/2009	1605 100.00

Ca

West Sayville Administration
Montauk Highway
West Sayville, NY
(631) 854-4949

Sales Receipt

Transaction #: 32725
Account #: 1
Date: 12/22/2009 Time: 11:16:07 AM
Cashier: Julie Register #: 1

Reference: Babylon Breast Cancer Coalition Inc.
check #1605 fundraising expense- permit

Item	Description	Amount
MISC	Miscellaneous	$100.00

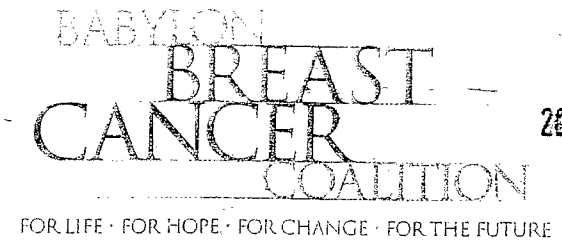
Sub Total	$100.00
Total	$100.00
Check Tendered	$100.00
Change Due	$0.00

32725

Thank you.
We hope you'll come back soon!
West Sayville Administration
http://www.suffolkcountyny.gov/parks

100.00

1116



SUFFOLK COUNTY
DEPT. OF PARKS

2009 DEC 18 AM 10: 31

December 15, 2009

DEC 18 2009

Ms. Leslie Butler
Suffolk County Parks Department
PO Box 144
West Sayville, New York 11796-0144

Dear Ms. Butler,

The Babylon Breast Cancer Coalition would like to hold a small fundraising event at Cathedral Pines Park in Middle Island on Sunday, March 14, 2010. The event is a mountain bike ride that will be conducted on the mountain bike trails beginning at 8:00 am until approximately 11:00 am The anticipated amount of riders will be between 30 and 50. We do not need special facilities or personnel.

The event is a fundraiser for the Babylon Breast Cancer Coalition's Lend A Helping Hand Program which provides breast and gynecological cancer patients with housecleaning, prepared meals, transportation to medical appointments, financial assistance and other necessities.

Enclosed are the following documents:

- $100 check for payment of the permit fee
- Accord liability form naming Suffolk County Parks Department as an additional insured
- Flyer advertising the event

Please let me know if you require additional information regarding the above.

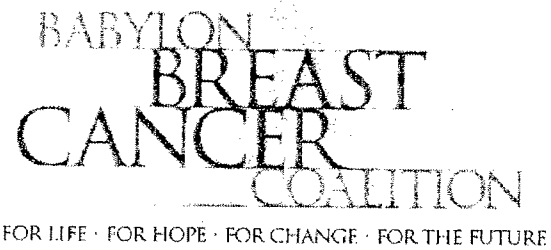
Sincerely,

Donna Jurasits, Director
Babylon Breast Cancer Coalition

/enc.

100 Montauk Highway Copiague New York, 11726 (631) 893-4110
www.babylonbreastcancer.org

1116



December 18, 2009

Mr. John Pavacic, Commissioner
Suffolk County Parks Department
PO Box 144
West Sayville, New York 11796

Dear Commissioner Pavacic,

The Babylon Breast Cancer Coalition is hoping to hold a mountain biking fundraiser at Cathedral Pines Park on March 14th from 8:00 a.m. to approximately 11:30 a.m.

I have submitted a permit fee, application, a copy of our advertising and proof of our liability insurance, as instructed. However, I was just informed that while our organization does have $2,000,000 worth of liability insurance, we only have $1,000,000 of insurance for each occurrence.

Commissioner Pavacic, I am respectfully requesting that the Coalition be exempt from purchasing additional insurance for this event. We are a small, grass roots organization and we do not have the funds to purchase more insurance, no matter how nominal the cost.

To the extent permitted by law, we shall indemnify and hold harmless the County of Suffolk, its consultant (if any), employees, agents and other persons from all claims, costs, judgments, liens, encumbrances and expenses, including attorney's fees, arising out of the acts or omissions or negligence of this organization, its officers, agents, servants or employees in connection with the services described or referred to in the Babylon Breast Cancer Coalition permit.

I hope you will consider the above request. I can be reached at 631.893.4110 should you require additional information or have any questions.

Sincerely,

Donna Jurasits
Donna Jurasits, Director
Babylon Breast Cancer Coalition

100 Montauk Highway Copiague New York 11726 631.893.4110
www.babylonbreastcancer.org

1116

ACORD CERTIFICATE OF LIABILITY INSURANCE

OP ID DO
BABYL-4

DATE (MM/DD/YYYY) 12/16/09

PRODUCER

Regan Agency, Inc.
463 Deer Park Ave
Babylon NY 11702
Phone: 631-669-3434 Fax: 631-669-3035

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED

Babylon Breast Cancer Coalition
100 Montauk Highway
Copiague NY 11726

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: CNA	343
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
A	X	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS MADE / OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY / PRO-JECT / LOC	1069255971	04/01/09	04/01/10	EACH OCCURRENCE	$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurence)	$ 100,000
						MED EXP (Any one person)	$ 10,000
						PERSONAL & ADV INJURY	$ 1,000,000
						GENERAL AGGREGATE	$ 2,000,000
						PRODUCTS - COMP/OP AGG	$ 2,000,000
		AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	$
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY EA ACC	$
						AGG	$
		EXCESS / UMBRELLA LIABILITY OCCUR / CLAIMS MADE DEDUCTIBLE RETENTION $				EACH OCCURRENCE	$
						AGGREGATE	$
							$
							$
							$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below				WC STATUTORY LIMITS / OTHER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$
A		OTHER CNA	1069255971	04/01/09	04/01/10	Pers Prop	$20,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

the certificate holder is also included as additional insured.

CERTIFICATE HOLDER

SUFF003

Suffolk County Department of Parks
PO Box 144
West Sayville NY 11796-0144

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

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IRS Department of the Treasury
Internal Revenue Service
P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248349863
Mar. 10, 2009 LTR 4168C E0
11-3191035 000000 00 000
00026852
BODC: TE

1116

BABYLON BREAST CANCER COALITION INC
100 MONTAUK HWY
COPIAGUE NY 11726

009018

Employer Identification Number: 11-3191035
Person to Contact: Ms. Riley
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your request of Feb. 27, 2009, regarding your tax-exempt status.

Our records indicate that a determination letter was issued in October 1994, that recognized you as exempt from Federal income tax, and discloses that you are currently exempt under section 501(c)(3) of the Internal Revenue Code.

Our records also indicate you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,

Michele M. Sullivan

Michele M. Sullivan, Oper. Mgr.
Accounts Management Operations I

NON PROFIT PROFESSIONAL LIABILITY POLICY RENEWAL CERTIFICATE

Please attach this Renewal Certificate to your expiring Policy.

UNITED STATES LIABILITY INSURANCE COMPANY

1116

ORIGINAL

WAYNE, PENNSYLVANIA

In consideration of the renewal premium stated below, expiring Policy Number **NDO1054572C** is renewed for the Policy Period stated below. The Company will issue a complete copy of this Policy upon receipt of a written request from the Insured.

The New Policy Number is **NDO1054572D** .

The Application (if any) for this renewal, and all previous Applications made to the Company for this insurance, including any material submitted therewith, shall be made a part of this Renewal Policy as if physically attached hereto. PLEASE REFER TO YOUR POLICY FOR THE DEFINITION OF "APPLICATION."

POLICY DECLARATIONS

ITEM I. PARENT ORGANIZATION AND PRINCIPAL ADDRESS
Babylon Breast Cancer Coalition, Inc.
100 Montauk Highway
Copiague, NY 11726

ITEM II. POLICY PERIOD: (MM/DD/YYYY)
FROM **10/31/2009** TO **10/31/2010**

12:01 AM STANDARD TIME AT YOUR MAILING ADDRESS SHOWN

THIS POLICY CONSISTS OF THE FOLLOWING COVERAGE PARTS FOR WHICH LIMITS OF LIABILITY ARE INDICATED.

Coverage Part A. Non Profit Directors and Officers Liability

ITEM III. LIMITS OF LIABILITY:

a. Non Profit Directors & Officers	**$1,000,000**	EACH CLAIM
b. Non Profit Directors & Officers	**$1,000,000**	IN THE AGGREGATE
c. Fiduciary Liability	**Not Covered**	EACH CLAIM

ITEM IV. RETENTION: **$1,000** EACH CLAIM

ITEM V. PREMIUM: **$800**

Coverage Part B. Employment Practices Liability

ITEM III. LIMITS OF LIABILITY: **$1,000,000** EACH CLAIM
$1,000,000 IN THE AGGREGATE

ITEM IV. RETENTION: **$1,000** EACH CLAIM

ITEM V. PREMIUM: **$156**

ITEM VI. Coverage Form(s)/Part(s) and Endorsement(s) made a part of this policy at time of issue:

DO-100 (04-00) Coverage Part A
DO-101 (04-00) Coverage Part B
DO-220 (01-94) Professional Services Exclusion Endt
DO-273 (04-02) FLSA, Exclusion
DO-275 (11-02) Coverage Clarification Endt
DO-NY (03-04) New York State Amendatory Endt
USL-DOJ (04-00) Policy Jacket

Endorsements marked with an asterisk(*) have been added to the policy or have a new edition date and are attached with this certificate.

Agent: **LOVULLO ASSOCIATES, INC. [1161]**

Date Issued: **9/15/2009**

By_

NORTON & SIEGEL INC.
2 East Main Street
P.O. Box 22
Babylon, New York 11702
(631) 669-0865

USL-DOD CERT (11/97)

Gen D6

COUNTY OF SUFFOLK

1116

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: **KEN CRANNELL, Deputy County Executive**

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

CC: **CHRISTOPHER KENT, Chief Deputy County Executive**

DATE: **January 13, 2010**

RE: **INTRODUCTORY RESOLUTION AUTHORIZING USE OF CATHEDRAL PINES COUNTY PARK BY BABYLON BREAST CANCER COALITION FOR ITS MOUNTAIN BIKE RIDE FUNDRAISER**

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS-Babylon Breast Cancer Coalition Fundraiser at Cathedral Pines County Park.doc".

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

Enclosures

MONTAUK HIGHWAY – P.O. BOX 144 WEST SAYVILLE, NEW YORK 11796-0144 (631) 854-4949 FAX: (631) 854-4977

SUFFOLK COUNTY PARKS

Intro Res. No. 1117-10

Laid on Table 2/2/10

Introduced by the Presiding Officer on request of County Executive

RESOLUTION NO. 2010, ACCEPTING AND APPROPRIATING 100 % GRANT FUNDS RECEIVED FROM THE NEW YORK STATE SENATE, OFICE OF FUNDING AND PROGRAM DEVELOPMENT, DWI PROSECUTORS ASSISTANCE PROGRAM

WHEREAS, the State of New York, Office of Funding and Program Development, has awarded a grant in the amount of $25,000.00 to the Office of the Suffolk County District Attorney. The objective of this grant is to provide a Para Legal Assistant to assist Assistant District Attorneys during the prosecution of individuals accused of driving while intoxicated; and

WHEREAS, said grant is to run for the period 2/1/2010 through 7/31/2011; and

WHEREAS, no funding has been included in the District Attorney's 2010/2011 Suffolk County Adopted Operating Budget for the purposes of this program; now, therefore, be it

WHEREAS, sufficient positions exist in the District Attorney's 2010 Suffolk County Adopted Operating Budget, no new positions will be added for the purposes of this grant; and

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows;

REVENUES:	AMOUNT
001-3326-DWI Prosecutor Assistance Program	$ 25,000

ORGANIZATIONS:

District Attorney (DIS)
DWI Prosecutor Assistance Program
001-1186

PERSONAL SERVICES	$ 25,000
1100—Permanent Salaries	25,000

and be it further

2nd RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes Type II action; and be it further

3rd RESOLVED, that the County Executive be authorized to execute the grant related agreement between Suffolk County and the New York State Division of Criminal Justice Services.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County
Date of Approval

1117

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING 100% GRANT FUNDS RECEIVED FROM THE NEW YORK STATE SENATE, OFFICE OF FUNDING AND PROGRAM DEVELOPMENT, DWI PROSECUTORS ASSISTANCE PROGRAM

3. Purpose of Resolution: Same as above

TO ACCEPT AND APPROPRIATE 100% GRANT FUNDS RECEIVED FROM THE NEW YORK STATE SENATE, OFFICE OF FUNDING AND PROGRAM DEVELOPMENT, DWI PROSECUTORS ASSISTANCE PROGRAM.

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify): Community College**

Library District **Fire District**

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

THERE IS NO NET EFFECT ON THE OPERATING BUDGET.

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

No financial impact- 100% grant funding.

8. Proposed Source of Funding

THE NEW YORK STATE SENATE OFFICE OF FUNDING AND PROGRAM DEVELOPMENT

9. Timing of Impact

UPON ADOPTION

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
SUZANNE MARTIN Sr. Budget Analyst	Suzanne Martin	January 22, 2010

SIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1117

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK
OFFICE OF DISTRICT ATTORNEY

1117

JAN 11 2010

ML# 10-075 1 copy incl

THOMAS J. SPOTA
DISTRICT ATTORNEY

January 6, 2010

Christopher Kent, Chief Deputy County Executive
Office of the Suffolk County Executive
H. Lee Dennison Building
100 Veterans Highway
Hauppauge, New York 11788-0099

Dear Mr. Kent,

At the direction of the District Attorney and in accordance with the County Executive All Department Heads Memorandum 04-09, I have attached a request for a Suffolk County Resolution.

The purpose of the resolution will be to accept grant funding from the New York State Senate, Office of Funding and Program Development.

An e-mail version of this resolution has been sent to CE RESO REVIEW and saved under the file name "Reso-DIS-DWI Prosecutors Assistance Program".

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

Thank you for your attention to this matter.

Sincerely,

Lon H. Kochany
Executive Assistant for Finance & Administration

CC-Brendan Chamberlain, Intergovernmental Relations
Jim Burt, Suffolk County Budget Office
Suzanne Martin, Suffolk County Budget Office
Evelyn Creen, Federal and State Aid Claims Unit

ADMINISTRATION OFFICE
CRIMINAL COURTS BUILDING • 200 CENTER DRIVE • RIVERHEAD, N.Y. 11901-3388 • TELEPHONE (631) 852-2500
FAX TRANSMITTAL (631) 852-1769

1117

Kochany, Lon

From: Kochany, Lon
Sent: Thursday, January 07, 2010 11:54 AM
To: CE RESO REVIEW
Cc: Kearon, Robert; Pavlik, Craig; Moran, Katey
Subject: Resolution-DIS-DWI Prosecutors Assistance Program
Attachments: back up-dwi prosecutors assistance program SCIN 175a.doc; back up-dwi prosecutor assistance program SCIN 175b.xls; reso-dwi prosecutor assistance grant.doc

For a copy of the above captioned resolution, please see the attached files.

OWEN H. JOHNSON
NYS SENATOR, 4TH DISTRICT

RANKING MINORITY MEMBER
ETHICS COMMITTEE

VICE RANKING MINORITY MEMBER
FINANCE COMMITTEE

COMMITTEES:
BANKS
ENVIRONMENTAL CONSERVATION
RULES
TRANSPORTATION

THE SENATE
STATE OF NEW YORK

1117

DISTRICT OFFICE:
23-24 ARGYLE SQUARE
BABYLON, LONG ISLAND, NY 11702
(631) 669-9200

ALBANY OFFICE:
ROOM 812
LEGISLATIVE OFFICE BLDG.
ALBANY, NY 12247
(518) 455-2411

E-MAIL ADDRESS:
olohnson@senate.state.ny.us

WEBSITE:
owenjohnson.nysenate.gov

December 10, 2009

SENT VIA FACSIMILE &
REGULAR MAIL

Mr. Larry Singer
NYS Division of Criminal Justice Services
4 Tower Place
Office of Funding and Program Development
3rd Floor
Albany NY, 12203

Re: Contract No.: TM 68346
Project No.: LG06-1162-D00
DCJS No.: LG6068346

Dear Mr. Singer:

As per your conversation with my office, this letter will acknowledge my consent to changing the County of Suffolk District Attorney's Office use of its 2006-2007 Member Item Initiative in the sum of $25,000 so that the money can be used to hire a paralegal assistant and/or other support personnel assigned to the Suffolk County DWI Unit. I am making this change at the request of the Suffolk County District Attorney and have submitted a Revised Initiative form to Dave Natoli, Minority Senate Finance.

Thank you for your consideration and please let me know if you need any other information or documentation. .

With best personal regards, I remain

Very truly yours,

Owen H. Johnson
Member of the Senate

OHJ/jb

1117

Page No. Line No.

Item No.

Revised

2006-2007 SENATE MAJORITY INITIATIVE FORM

Project Title: County of Suffolk District Attorney's Office
(Incorporated Name of Organization)

Location of Project: Suffolk County

County: Suffolk

Description of Project: hire paralegal assistant and/or other support personnel assigned to DWI Unit

Funding Level: $25,000.00

Previous Funding

2005-2006

Requested Agency to Administer Program: DCJS

Program Contact Information:

Name: Thomas J. Spota

Title: District Attorney

Address: North County Complex
Veterans Memorial Highway
Hauppauge, NY 11787

Phone: 631-853-4153

Ext.

Senator's Name: Senator Johnson

Date: December 10, 2009

Signature

1117

Legislative Initiatives

Grant Application

Project No.
LG06-1162-D00

Grantee Name
Suffolk County

12/16/2009

Project Title: DWI Prosecutor Assistance Program

Contacts

Mr. Ed Dumas
Chief Deputy County Executive for Policy and Communications
H. Lee Dennison Bldg. 12th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788
Phone:631-853-5718, Ext: Fax:
Email:ed.dumas@suffolkcountyny.gov

Mr. Craig D. Pavlik
Assistant District Attorney
Building 77, North County Complex
Veterans Memorial Highway
Hauppauge, NY 11787-4311
Phone:(631) 853-4153, Ext: Fax:(631) 853-6211
Email:craig.pavlik@co.suffolk.ny.us

Ms. Kathleen A. Moran
Grant Analyst
Building 77, North County Complex
Veterans Memorial Highway
Hauppauge, NY 11787-4311
Phone:631-853-3879, Ext: Fax:631-853-6211
Email:katey.moran@suffolkcountyny.gov

Mr. Lon H. Kochany
Administrator III
Criminal Courts Building
200 Center Drive
Riverhead, NY 11901
Phone:(631) 852-2508, Ext: Fax:(631) 852-1769
Email:lon.kochany@co.suffolk.ny.us

Project Start:	02/01/2010
Project End:	07/31/2011
Project Period	Years 1 Months 5
Submission Date	not submitted

EIN:
11-6000464
Municipality No:
470100000 000
Dun & Bradstreet No:

Charities Registration No:
N/A
_ Not For Profit
_ Sectarian Entity

County:
Suffolk
Region:
Long Island

BUDGET SUMMARY

Grant Funds:	$25,000.00	100.00%
Matching Funds	$0.00	0.00%
Total Funds	$25,000.00	

1117

Legislative Initiatives

Grant Application

Project No.	Grantee Name	
LG06-1162-D00	Suffolk County	12/16/2009

Summary Description of Project

Funds will be used to assign a much needed paralegal assistant to the Suffolk County DWI Unit in District Court. As a result of stricter enforcement and prosecution of violators of the Suffolk County Driving While Intoxicated laws a paralegal is needed to assist the prosecutors in processing these cases. Due to the current recession and resulting fiscal constraints it would not be possible to hire and assign a paralegal to perform these duties without these funds. The Paralegal Assistant will provide assistance to the ADA's on DWI and other related VTL violations.

Federal Program Purpose Area

Program Purpose Code	Description

Participants

Participant Name	Type	Comments
Suffolk County	Grantee	

Contacts for Suffolk County

Contact Name	Type	Phone
Mr. Ed Dumas	Signatory	631-853-5718

Participant Name	Type	Comments
Suffolk County District Attorney	Implementing Agency	

Contacts for Suffolk County District Attorney

Contact Name	Type	Phone
Mr. Craig D. Pavlik	Primary	(631) 853-4153
Ms. Kathleen A. Moran	Secondary	631-853-3879
Mr. Lon H. Kochany	Fiscal	(631) 852-2508

Grant Application

Legislative Initiatives

Project No.
LG06-1162-D00

Grantee Name
Suffolk County

1117

12/16/2009

Budget Summary by Participant

Suffolk County

Suffolk County District Attorney

Version 1

#	Personnel	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	Paralegal Assistant - to assist prosecutors in District Court on DWI and other VTL related cases.	1	$25,000.00	$25,000.00	$25,000.00	$0.00
Justification: These funds will be used to hire a Paralegal Assistant to be assigned to the DWI Unit of the District Attorney's Office in District Court to assist ADA's in processing the increased volume of DWI and related VTL cases. 50% of the paralegal assistant's salary will be paid by grant funds for the grant period of 1.5 years. The balance of salary will be paid by the county.						
	Total			$25,000.00	$25,000.00	$0.00

Version 1 Total	Total Cost	Grant Funds	Matching Funds
	$25,000.00	$25,000.00	$0.00

Advance Request

Advance: $0.00

Justification:

Intro Res. No. 1118-10

Laid on Table 2/2/10

Introduced by the Presiding Officer on request of County Executive

RESOLUTION NO. 2010, ACCEPTING AND APPROPRIATING 100% GRANT FUNDS RECEIVED FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE

WHEREAS, the United States Department of Justice, Bureau of Justice Assistance has awarded a grant in the amount of $245,000.00 to the Office of the Suffolk County District Attorney. The objective of this grant is to investigate, prosecute, and develop the most effective procedure to remove illegal firearms from Suffolk County; and

WHEREAS, said grant is to run for the period 08/01/2009 through 01/31/2011; and

WHEREAS, no funding has been included in the District Attorney's 2010 Suffolk County Adopted Operating Budget for the purposes of this program; and

WHEREAS, sufficient positions exist in the District Attorney's 2010 Suffolk County Adopted Operating Budget, no additional positions will be created for this program; now, therefore, be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows;

REVENUES:	AMOUNT
001-4306-Illegal Firearms Prevention Program	$ 245,000

ORGANIZATIONS:

District Attorney (DIS)
Illegal Firearms Prevention Program
001-1184

PERSONAL SERVICES	$ 178,864
1100—Permanent Salaries	$ 178,864
SUPPLIES AND OTHER EXPENSES	$ 15,000
3520—Lease of Undercover Vehicles	$ 15,000
CONTRACTUAL EXPENSES	$ 5,000
4340—Travel, Other	$ 5,000

EMPLOYEE BENEFITS
RETIREMENT
001-EMP-9010

EMPLOYEE BENEFITS	$ 13,684
8280—Retirement	$ 13,684

EMPLOYEE BENEFITS
SOCIAL SECURITY
001-EMP-9030

EMPLOYEE BENEFITS	$ 12,520
8330—Social Security	$ 12,520

EMPLOYEE BENEFITS
WELFARE FUND CONTRIBUTION
001-EMP-9080

EMPLOYEE BENEFITS	$ 3,440
8380—Welfare Contribution	$ 3,440

INTERFUND TRANSER
TRANSFER TO FUND 039
001-IFT-E039

INTERFUND TRANSFERS	$ 16,492
9600—E039—Transfers to Funds –FD 039	$ 16,492

and be it further

2nd **RESOLVED**, that the following inter-fund revenues for Employee Medical Health Plan be accepted and appropriated as follows:

REVENUES:	
039-IFT-R001 Transfer from General Fund	$ 16,492

EMPLOYEE BENEFITS
MAJOR MEDICAL CLAIM
039-EMP-9060

EMPLOYEE BENEFITS	$ 16,492
8360—Health Benefits	$ 16,492

3rd **RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes Type II action; and be it further

4th **RESOLVED**, that the County Executive be authorized to execute the grant related agreement between Suffolk County and the New York State Division of Criminal Justice Services.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County
Date of Approval

1118

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING 100% GRANT FUNDS RECEIVED FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE

3. Purpose of Resolution: Same as above

TO ACCEPT AND APPROPRIATE 100% GRANT FUNDS RECEIVED FROM THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify): Community College**

Library District **Fire District**

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

THERE IS NO NET EFFECT ON THE OPERATING BUDGET.

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

No financial impact- 100% grant funding.

8. Proposed Source of Funding

The United States Bureau of Justice Assistance

9. Timing of Impact

UPON ADOPTION

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
SUZANNE MARTIN Sr. Budget Analyst	Suzanne Martin	January 22, 2010

SIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1118

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK
OFFICE OF DISTRICT ATTORNEY

1118

JAN 11 2010

THOMAS J. SPOTA
DISTRICT ATTORNEY

January 6, 2010

Christopher Kent, Chief Deputy County Executive
Office of the Suffolk County Executive
H. Lee Dennison Building
100 Veterans Highway
Hauppauge, New York 11788-0099

Dear Mr. Kent,

At the direction of the District Attorney and in accordance with the County Executive All Department Heads Memorandum 04-09, I have attached a request for a Suffolk County Resolution.

The purpose of the resolution will be to accept grant funding from the United States Department of Justice, Bureau of Justice Assistance.

An e-mail version of this resolution has been sent to CE RESO REVIEW and saved under the file name "Reso-DIS-Illegal Firearms Prevention Program".

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

Thank you for your attention to this matter.

Sincerely,

Lon H. Kochany
Executive Assistant for Finance & Administration

CC-Brendan Chamberlain, Intergovernmental Relations
Jim Burt, Suffolk County Budget Office
Suzanne Martin, Suffolk County Budget Office
Evelyn Creen, Federal and State Aid Claims Unit

ADMINISTRATION OFFICE
CRIMINAL COURTS BUILDING • 200 CENTER DRIVE • RIVERHEAD, N.Y. 11901-3388 • TELEPHONE (631) 852-2500
FAX TRANSMITTAL (631) 852-1769

1118

Award No. 2009-D1-BX-0149

OMB Approval No. 1121-0188
Expires 5-98 (Rev. 12/97)

Budget Detail Worksheet

Purpose: The Budget Detail Worksheet may be used as an aide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

A. Personnel - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

Name/Position	Computation	Cost
Kevin Ward/Principal Assistant District Attorney	$ 97,301 @ 75% x 2.0 yrs	$145,952
Paralegal Assistant – new hire	$ 32,912 @ 50% x 2.0 yrs	32,912

TOTAL: $178,864

$64,750 was allotted for police department detective investigators overtime; we would like to reallocate these funds instead to fund the ADA position and the paralegal assistant position together with the related fringe benefits for an additional 6 months and one year respectively bringing the allotted time for these two position to two years. The reason being, this is a one time award; we do not anticipate getting this funding renewed, and there is a real need to have a prosecutor and paralegal focused on this grant goal of investigation and prosecution of the illegal use and transporting of illegal firearms; we feel a two year program is required for a successful outcome. The police department overtime will be funded from other sources.

B. Fringe Benefits - Fringe benefits should be based on actual known costs or an established formula- Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.

Name/Position	**Computation**	**Cost**
Fringe:		
FICA	7.65%	
FICA – Med	1.45%	
Employee Retirement(ERS)	9.1%	
Health benefits $549.74 - $1172.60 per month		
Kevin Ward/Principal ADA	$ 97,301 X .75 = 72,976 X 2.0 YRS	
FICA	$5583 x 2 = 11,166	
FICA – Med	1,058 x 2 = 2,116	
ERS	6,641 x 2 = 13,282	
Health	4,198 x 2 = 8,396	
	Total fringe Kevin Ward	$34,960
Paralegal Assistant	$ 32,912 x .50 = 16,456 x 2.0 yrs	
FICA	$ 1,259 x 2 = 2,518	
FICA – Med	239 x 2 = 478	
ERS	1,498 x 2 = 2,996	
Health	2,592 x 2 = 5,184	
	Total fringe Paralegal Asst	11,176

TOTAL $ 46,136

Total Personnel & Fringe Benefits $ 225,000

C. Travel - Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3day training at $X airfare, $X lodging, $X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

Purpose of Travel	Location	Item	Computation (all times 3 employees)	Cost
Prosecutors Assigned to this project Will participate in DOJ	2 ADA's & 1 Det Inv for 5 day/4 night conferences	hotel	$230/night x 4 nights	$ 2,760
		meals	$12 per meal x 13m	468
Sponsored training as well As gang and illegal firearm Investigation and prosecution through other Sources such as the NY Prosecutors Training Institute & the National College of DA's. County policy for employees travel is followed which includes reimbursement @ $12 per meal for each meal during county employees travel.		flight	$499 x 3 personnel	1,497
		car rentals etc		275
			TOTAL	$ 5,000

D. Equipment - List non-expendable items that are to be purchased, (Note: Organization's own capitalization policy for classification of equipment should be used). Expendable items should be included in the "Supplies" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or]eased equipment costs should be listed in the "Contractual" category. Explain **how** the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

Item	Computation	Cost

1118

E. **Supplies** - List items by type (office supplies, Postage, training materials, copying paper, and
other expendable items such as books, hand held tape recorders) and show the basis for computation. Generally, supplies include any materials that are expendable or consumed during
the course of the project.

Supply Items	Computation	Cost

F. Construction - As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Consults with the program office before budgeting funds in this category.

Purpose	Description of Work	Cost

TOTAL_____

1118

G. Consultants/Contracts - Indicate **whether applicants** formal, written Procurement Policy or
the Federal Acquisition Regulations are followed.

Consultant Fees: For each consultant enter the **name,** if **known,** service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of $450 per day require additional justification and prior approval from OJP.

Name of Consultant	Service Provided	Computation	Cost

Subtotal _____

Consultant Expenses- List all expenses to be paid from the grant to the individual consultant in addition to their fees (i.e., travel, meals, lodging, etc.)

Item	Location	Computation	Cost

Subtotal _____

Contracts: Provide a description of the product or services to be. Procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of $ 100,000.

Item		Cost
One leased vehicle Will allow investigators to Perform undercover surveillance Of suspected illegal gang and gun Activity. The cost for the rental of ~~The vehicle is estimated at $1250/mo~~ And will be used for a 12 month period.	$1250 x 12 months	$15,000

Lease of Vehicle

TOTAL $ 15,000

TOTAL $ 0

1118

H. **Other Costs** - List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, and provide a monthly rental cost and how many months to rent.

Description	Computation	Cost

TOTAL _____

I. Indirect Costs - Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

Description	Computation	Cost

TOTAL _____

1118

Budget Summary - When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

Budget Category		Amount
A.	Personnel	$ 178,864
B.	Fringe Benefits	46,136
C.	Travel	5,000
D.	Equipment	
E.	Supplies	
F.	Construction	
G.	Consultants/Contracts	15,000
H.	Other	
	Total Direct Costs	
I.	Indirect Costs	
TOTAL PROJECT COSTS		**$ 245,000**
Federal Request		**$245,000**
Non-Federal Amount		

Additional back-up material regarding IR 1118 is on file in the Legislative Clerk's Office, Hauppauge.

Intro. Res. No. 1119 -2010 Laid on Table 2/2/10
Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. -2010, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR A FINANCIAL PRINTER FOR THE DEPARTMENT OF AUDIT AND CONTROL

WHEREAS, the Department of Audit and Control utilizes the services of a financial printer to print and disseminate financial documents related to the County's sale of bonds and notes; and

WHEREAS, the Department of Audit and Control requested an RFP for a financial printer to provided such services; and

WHEREAS, the Purchasing Division of the Department of Public Works advertised for these services and provided the RFP to four (4) potential contractors and received only one response from World Sales Inc.; and

WHEREAS, an independent evaluation committee reviewed the proposal from World Sales Inc. and found its quality of work and experience satisfactory, and its cost proposal submission within the industry standards, and has recommended that the Department of Audit and Control enter into a contractual agreement with the provider; and

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

WHEREAS, there are sufficient funds in the 2010 Suffolk County Operating Budget to cover the cost of the first year of the contract; therefore be it

1ST RESOLVED, that upon receiving a two-thirds vote of the County Legislature as required by Local Law No. 3-1996 that the Department of Audit and Control enter into a contractual agreement with World Sales Inc. for performance of financial printing for the period January 1, 2010 through December 31, 2010 with two one year options to extend, at the County's option, through December 31, 2012; and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with World Sales Inc.

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

COUNTY OF SUFFOLK

OFFICE OF THE COUNTY COMPTROLLER

JOSEPH SAWICKI, JR.
Comptroller

January 7, 2010

Mr. Ken Crannell
Deputy County Executive
H. Lee Dennison Office Building – 11th Floor
100 Veterans Memorial Highway
Hauppauge, New York 11788

Subject: Resolution Requesting Legislative Approval of Financial Printer Contract Award

Dear Ken:

Attached please find the above referenced resolution. Same has been circulated to all parties via e-mail (CE RESO REVIEW) and is being hand delivered to you this date so the resolution may be laid on the table on February 2, 2010 and be eligible for consideration for adoption on March 2, 2010. The title of the electronic file is *Reso-A&C-2010 Financial Printer*.

This resolution requests Legislative approval of a contract award for financial printer services pursuant to an RFP process in which only one party responded to the County's solicitation of proposals.

Sincerely,

Joseph Sawicki, Jr.
County Comptroller

Encl
cc: Christopher Kent, Chief Deputy County Executive
Brendan Chamberlain, Director of Intergovernmental Relations
Christina Capobianco, Chief Deputy Comptroller
Patricia Grimes, Asst. Municipal Finance Administrator
Geraldine Olson, Asst. Municipal Finance Administrator

H. LEE DENNISON BUILDING • 100 VETERANS MEMORIAL HIGHWAY • P.O. BOX 6100 • HAUPPAUGE, NY 11788-0099
(631) 853-5060 Fax (631) 853-5964

1119

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR A FINANCIAL PRINTER FOR THE DEPARTMENT OF AUDIT AND CONTROL

3. Purpose of Resolution: Same as above

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

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

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

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

FUNDING INCLUDED IN THE 2010 ADOPTED BUDGET.

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

N/A

8. Proposed Source of Funding

OPERATING FUNDS

9. Timing of Impact

UPON ADOPTION

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
SUZANNE MARTIN SR BUDGET ANALYST	Suzanne Martin	January 21,2010

SIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1119

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Intro. Reso. No. 1120-10 **Laid on Table** 2/2/10
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, APPROVING AN INCREASE IN FLEET FOR THE SUFFOLK COUNTY POLICE DEPARTMENT

WHEREAS, in January 2009, the Police Commissioner established a Patrol Special Operations Team Bureau whose purpose is to assist and support Patrol Division Commands in actively suppressing violent crimes, assaults, illegal weapons possession and other crimes that adversely affect the quality of life within communities; and

WHEREAS, this bureau has proven to be extremely beneficial; and currently the Street Crime Section has two leased vehicles that are used with great success; and

WHEREAS, the Police Commissioner finds that additional undercover vehicles are needed to successfully conduct fixed and mobile surveillance of gun and gang related targets and would positively impact the effectiveness of the Gang Team Section; now, therefore, be it

Ist **RESOLVED**, that the Police Department is given authorization to increase the Police fleet by two vehicles (undercover vehicles to be determined), which leases will be funded through the use of Asset Forfeiture funds.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1120

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution XX Local Law _____ Charter Law

2. Title of Proposed Legislation

APPROVING AN INCREASE IN FLEET FOR THE SUFFOLK COUNTY POLICE DEPARTMENT.

3. Purpose of Proposed Legislation

Allow for an increase in the fleet by 2 vehicles needed for use by the Patrol Special Operations Team Bureau .

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

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

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

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

Vehicle lease will be funded with asset forfeiture funds.

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

Monthly lease payments will be paid for from Asset Forfeiture funds.

8. Proposed Source of Funding

Asset Forfeiture Funds

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst		1-22-10

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1120

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1120

JAN 08 2010

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT
MEMORANDUM

TO: **Christopher Kent, Chief Deputy County Executive**
Brendan Chamberlain, Director of Intergovernmental Relations
Suffolk County Executive's Office

FROM: **Richard Dormer, Police Commissioner**

DATE: **January 5, 2010**

SUBJECT: **INTRODUCTORY RESOLUTION REQUEST**

In 2009, a Patrol Special Operations Team Bureau was established to assist and support Patrol Division Commands in actively suppressing violent crimes, assaults, illegal weapons possession and other crimes that adversely affect the quality of life within communities. This bureau has proven to be extremely beneficial. Currently, the Street Crime Section has two leased vehicles that are used with great success. However, it has been found that two additional undercover vehicles are now needed to successfully conduct fixed and mobile surveillance of gun and gang related targets and would positively impact the effectiveness of the Gang Team Section. The Department is, therefore, requesting approval for an increase in fleet for this purpose.

Copies of a draft resolution, impact statement, introduction form and copy of current County contract are attached. An e-mail version was also sent to CE RESO REVIEW under the titles "Reso-POL-FLEET INCREASE-2010"; "Backup-POL-FLEET INCREASE-SCIN 175A"; and "Backup-POL-FLEET INCREASE-SCIN 175B"; Backup-POL-FLEET INCREASE –cover letter 2010.

If you have any questions, please contact Edward Webber, Chief of Support Services Division, at 852-6230.

/ms
Att.
cc: Roger K. Shannon, Deputy Police Commissioner
Robert Anthony Moore, Chief of Department
Edward Webber, Chief, Support Services Division
Robert Scharf, Lieutenant, C.O., Staff Services Bureau
Thomas Reichert, P. O. 3500, Transportation Section
John Kirshey, Fleet Service Manager, Transportation Section
Patricia E. Sitler, Principal Program Examiner, Administrative Services Bureau

DEPARTMENT OF PUBLIC WORKS
FINANCE SECTION
PURCHASING OFFICE

Steve Levy
County Executive

Gilbert Anderson, P.E.
Commissioner

360 Yaphank Ave., Yaphank, NY 11980-9645
Phone: (631)-852-5196 FAX: (631)-852-5221

1120

NOTICE OF CONTRACT
4TH EXTENSION

Annual Requirements Contract:	LEASE OF USED VEHICLES	**Commodity Code:**	97514
Contract #:	LUV-093010	**Initiating Dept:**	1345 DIS
Opening Date:	9/26/2005		
Period of Contract:	10/1/2009 through 9/30/2010	**Requisition #:**	5/22824
Vendor Name:	RAMP MOTORS LEASING CORP. 4869 NESCONSET HIGHWAY PORT JEFFERSON STATION, NY 11776		
Vendor Contact:	CHARLES R. RAMPONE		
Vendor Phone #:	631/473-1550		
Vendor Fax #:	631/473-1562	**Terms:**	
Vendor ID #:	11-2149789		
Vendor Email 1:	rampford@portjeff.net	**Vendor Email 2:**	
Delivery:	AS SPECIFIED		

Description/Specification/Prices: As per the terms and conditions of bid # 5/22824

LEASING OF USED VEHICLES PER THE ATTACHED SPECIFICATIONS.

PRICE PER VEHICLE.....$ 456.00/MONTH

For further information contact purchasing agent: STEVE ARATA
631/852-5218

8/19/2009

SA/LAF
CPA_____

STEVE ARATA
PURCHASING AGENT

PURCHASING OFFICE
360 YAPHANK AVENUE

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER
YAPHANK, NY 11980-9645

PHONE: (631) 852-5196
F AX: (631) 852-5221

Click for Contract Details

For technical assistance or technical comments **Click here**

Return to Contract List

VENDOR: RAMP MOTORS LEASING CORPORATION

THE PURPOSE OF THIS CONTRACT IS TO MAKE AVAILABLE A WIDE VARIETY OF VEHICLES FOR UNDERCOVER USE BY SUFFOLK COUNTY POLICE AND DISTRICT ATTORNEY" INVESTIGATORS.

THE TERM OF THE CONTRACT SHALL BE FOR ONE (1) YEAR AND MAY BE EXTENDED FOR TWO (2) ADDITIONAL YEARS AT THE OPTION OF THE COUNTY. AT THE END OF THE THIRD YEAR THE LEASE MAY BE EXTENDED ON A MONTHLY BASIS IF MUTUALLY AGREEABLE, FOR A MAXIMUM OF TWO (2) MONTHS.

PRICE QUOTED IS A SINGLE MONTHLY RATE FOR ANY VEHICLE LEASED UNDER THE TERMS OF THIS CONTRACT.

VEHICLE DESCRIPTION

VENDOR MUST BE ABLE TO PROVIDE A WIDE SELECTION OF 2001 OR NEWER VEHICLES INCLUDING SUB-COMPACT, COMPACT, MID-SIZE AND FULL SIZE CARS OF VARIOUS MAKES AND MODELS AS WELL AS SPORT/UTILITY TYPE VEHICLES (BLAZER, BRONCO ETC.). THE COUNTY WILL SELECT THOSE VEHICLES FOR LEASE WHICH ARE SUITED TO ITS UNDERCOVER NEEDS. EACH VEHICLE LEASED WILL BE BILLED AT THE STANDARD RATE.

QUANTITIES

THE COUNTY AGREES TO HAVE UNDER LEASE AT LEAST THREE (3) VEHICLES PER MONTH FOR A MINIMUM LEASE PERIOD OF 60 DAYS PER VEHICLE. IF A VEHICLE IS RETURNED TO THE VENDOR DUE TO MECHANICAL FAILURE OR ACCIDENT, IT SHALL NOT BE SUBJECT TO THE 60 DAY MINIMUM.

IT IS ANTICIPATED THAT BETWEEN TWENTY (20) AND THIRTY (30) VEHICLES WILL BE LEASED UNDER THIS CONTRACT.

THE VENDOR WILL BE REQUIRED TO REPLACE VEHICLES WHICH ARE JUDGED TO BE UNSUITABLE BY THE COUNTY WITH ACCEPTABLE VEHICLES AFTER THE MINIMUM LEASE PERIOD OF SIXTY (60) DAYS. "UNSUITABILITY" WILL ARISE FROM CAUSES SUCH AS UNACCEPTABLE DOWN TIME FOR REPAIRS OR FACTORS BEYOND COUNTY CONTROL SUCH AS A VEHICLE BECOMING TOO RECOGNIZABLE TO MEMBERS OF THE PUBLIC.

VEHICLE MAINTENANCE

IT WILL BE THE RESPONSIBILITY OF THE VENDOR TO MAINTAIN ALL LEASED VEHICLES IN WORKING ORDER. THIS WILL INCLUDE ALL MECHANICAL MAINTENANCE, REPAIRS, OIL AND FILTER CHANGES, LUBRICATION, ANTIFREEZE AND PROVIDING SERVICEABLE TIRES. IT SHALL BE THE RESPONSIBILITY OF THE VENDOR TO INFORM THE COUNTY OF THE MILEAGE AT WHICH EACH LEASED VEHICLE WILL REQUIRE ITS NEXT SCHEDULED MAINTENANCE. VENDOR SHALL BE RESPONSIBLE FOR NYS INSPECTIONS.

TO MEET THE LOGISTICAL REQUIREMENTS OF SUFFOLK COUNTY'S POLICE AND DISTRICT ATTORNEY'S OFFICE, THE VENDOR SHALL BE REQUIRED TO PROVIDE MULTIPLE LOCATIONS (AT LEAST THREE) THROUGHOUT SUFFOLK COUNTY WHERE THE VEHICLES MAY BE TAKEN FOR ROUTINE MAINTENANCE, SUCH AS OIL CHANGES.

THE COUNTY'S RESPONSIBILITY WILL BE LIMITED TO GASOLINE, OIL REQUIRED BETWEEN CHANGES, AND MAINTAINING PROPER LEVELS OF ALL FLUIDS. THE COUNTY WILL ALSO BE RESPONSIBLE FOR THE REPAIR OF FLAT TIRES AND THE REPLACEMENT OF TIRES DAMAGED THROUGH OTHER THAN NORMAL WEAR AND TEAR.

VENDOR: RAMP MOTORS LEASING CORPORATION

IF A LEASED VEHICLE BECOMES DISABLED OTHER THAN BY AN ACCIDENT IT SHALL BE THE RESPONSIBILITY OF THE VENDOR TO PROVIDE ALL NECESSARY TOWING.

IF A LEASED VEHICLE IS OUT OF SERVICE FOR REPAIRS FOR MORE THAN THREE (3) DAYS THE VENDOR WILL BE REQUIRED TO PROVIDE AN ACCEPTABLE LOAN CAR UNTIL REPAIRS ARE COMPLETED. IF A LOAN CAR IS NOT PROVIDED AN AMOUNT EQUAL TO 1/30TH OF THE MONTHLY LEASE PRICE IT WILL BE DEDUCTED FROM THE PAYMENT FOR EVERY DAY BEYOND THE INITIAL THREE (3) DAYS THAT THE VEHICLE IS UNAVAILABLE.

THE COUNTY AGREES TO RETURN ALL VEHICLES TO THE VENDOR FREE OF ANY COLLISION OR OTHER PHYSICAL DAMAGE NOT PREVIOUSLY EXISTING AT THE INCEPTION OF THE LEASE.

ANY STRUCTURAL OR COSMETIC ALTERATION TO THE VEHICLES SHALL NOT BE UNDERTAKEN BY THE COUNTY WITHOUT THE PRIOR CONSENT OF THE VENDOR WITH THE FOLLOWING EXCEPTION: THE COUNTY RESERVES THE RIGHT TO INSTALL RADIO RECEIVING DEVICES. SUCH DEVICES SHALL BE INSTALLED AND REMOVED BY THE COUNTY IN SUCH A MANNER SO AS NOT TO AFFECT THE COSMETIC APPEAL OF THE VEHICLES.

THE COUNTY WILL PROVIDE SUCH INSURANCE COVERAGE AS IS NECESSARY FOR THE LEGAL OPERATION OF THE VEHICLES. THE COUNTY'S LIABILITY SHALL BE LIMITED TO THE ACTUAL CASH VALUE OF VEHICLES AT THE TIME OF LOSS.

VEHICLES LEASED UNDER THE TERMS OF THIS CONTRACT SHALL REMAIN THE PROPERTY OF THE LESSOR. AT NOT TIME SHALL TITLE TO ANY VEHICLE LEASED UNDER TERMS OF THIS CONTRACT PASS TO SUFFOLK COUNTY OR ANY OF ITS AGENCIES. REGISTRATION OF THE LEASED VEHICLES SHALL BE THE RESPONSIBILITY OF SUFFOLK COUNTY. VEHICLES MAY BE REGISTERED TO SUFFOLK COUNTY OR TO ANY AGENCY THEREOF.

VEHICLE SELECTION

THE VENDOR WILL BE REQUIRED TO HAVE AVAILABLE FOR LEASE A WIDE SELECTION OF VEHICLES OF DIFFERING MAKES AND MODELS.

UPON SELECTION OF A VEHICLE, A VEHICLE ORDER WILL BE COMPLETED GIVING A DETAILED DESCRIPTION OF THE VEHICLE AND ITS CONDITION AS WELL AS THE ODOMETER READING. THE VEHICLE ORDER FORM MUST BE SIGNED BY REPRESENTATIVES OF THE VENDOR AND OF THE COUNTY BEFORE THE VEHICLE IS ACCEPTED.

UPON RETURN OF THE VEHICLE A SIMILAR CONDITION AND MILEAGE REPORT MUST BE COMPLETED AND SIGNED BY REPRESENTATIVES OF BOTH THE VENDOR AND THE COUNTY. PAYMENTS WILL BE MADE VIA SUFFOLK COUNTY CLAIM VOUCHERS PROVIDED BY THE LEASING DEPARTMENT (DISTRICT ATTORNEY OR POLICE DEPT.).

THIS CONTRACT SHALL BE DEEMED EXECUTORY ONLY TO THE EXTENT OF FUNDS APPROPRIATED AND AVAILABLE. SUFFOLK COUNTY RESERVES THE RIGHT TO CANCEL THIS AGREEMENT ON THIRTY (30) DAYS WRITTEN NOTICE.

Intro. Reso. No. 1121-10 Laid on Table 2/2/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $30,000 FROM THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT TO FUND A MOTORCYCLE SAFETY ENFORCEMENT AND EDUCATION PROGRAM WITH 86.78% SUPPORT

WHEREAS, the State of New York Governor's Traffic Safety Committee has awarded $30,000 in Federal Highway Safety pass-through monies to fund a program allowing the Suffolk County Police Department to continue to conduct enforcement and education activities to effectively reduce the number of motorcycle fatalities in Suffolk County; and

WHEREAS, the operational period for this program will be from October 1, 2009, through September 30, 2010; and

WHEREAS, said grant funds totaling $30,000 have not been included in the 2010 Suffolk County Operating Budget; now, therefore, be it

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

REVENUES:	AMOUNT
115-4325-Federal Aid: Motorcycle Safety Enforcement & Education	$30,000

ORGANIZATIONS:

Police Department (POL)
Motorcycle Safety Enforcement & Education
115-POL-3630

1000-Personal Services	$26,200
1120-Overtime Salaries	26,200
2000-Equipment	$ 3,800
2020-Office Machines	800
2500-Other Equipment Not Otherwise	3,000

and be it further

2nd RESOLVED, that the employee benefits of $4,572 associated with the overtime salaries for this grant are included in the 2010 Suffolk County Operating Budget; and be it further

3rd **RESOLVED,** that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the State of New York Governor's Traffic Safety Committee.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1121

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution XX Local Law _____ Charter Law

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $30,000 FROM THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT TO FUND A MOTORCYCLE SAFETY ENFORCEMENT AND EDUCATION PROGRAM WITH 86.78% SUPPORT.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

No impact. The resolution provides $30,000, and requires a 13.22% match which is included in the 2010 Operating budget.

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

The funds provided by this grant must be expended between October 1, 2009 and September 30, 2010.

8. Proposed Source of Funding

New York Governor's Traffic Safety Committee

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst	P Saunders	1-22-10

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1121

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

-1121

JAN 08 2010

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

TO: **Christopher Kent, Chief Deputy County Executive**
Brendan Chamberlain, Director of Intergovernmental Relations
Suffolk County Executive's Office

FROM: **Edward Webber, Chief of Support Services**
Suffolk County Police Department

DATE: **January 4, 2010**

SUBJECT: **Resolution Packets & SCIN Forms for**
Motorcycle Safety Enforcement & Education
Project Number: HS1-2010-Suffolk Co PD-00340-(052)

Attached please find two copies of the following for the Motorcycle Safety Enforcement & Education Grant Program:

1. Grant Resolution.
2. Grant SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. A copy of the Award Letter and Application.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, at 852-6601.

Thank you as always for your assistance with this project.

EW/sck
Att.

cc: Don Fahey, Federal & State Aid Claims Coordinator

GRANT BUDGET ANALYSIS COUNTY BUDGET YEAR 2010

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES:	**26,200**			
1100 Permanent Salaries				
1110 Interim Salaries				
1120 Overtime Salaries	26,200			
2000 EQUIPMENT:	**3,800**			
2010 Furniture & Fixtures				
2020 Office Machines	800			
2030 Automobiles & Motorcycles				
2070 Cameras and Photographic				
2500 Other Equip Not Otherwise	3,000			
3000 SUPPLIES MATERIALS & OTHERS:				
3010 Office Supplies				
3020 Postage				
3030 Photostat, Photograph, Blueprint				
3040 Printing				
3160 Computer Software				
3500 Other Unclassified				
3680 Repairs: Special Equipment				
4000 UTILITIES:				
4010 Telephone & Telegraph				
4300 TRAVEL:				
4310 Employee Misc - Expenses				
4330 Travel Employee Contracts				
4340 Travel Other Contracts				

SCIN Form 164D (10-80)

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GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2010			Page 2 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance		**4,572** 4,192 380		These expenses are not eligibile for funding under this program.
OTHER (List Source & Brief Explanation)				

I certify that the above in-kind contribution are not currently being used to support other grants

SCIN Form 164D (10-80)

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DETAIL LISTING OF 1000 ACCOUNT PERSONAL SERVICES

TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %		
				GRANTOR	COUNTY	IN-KIND
Police Officer	6	$79.17/hr. OT	Various	100%		
Sergeant		$93.39/hr. OT	Various	100%		

1121

SCIN Form 164D (10-80)

DAVID A. PATERSON
Governor

STATE OF NEW YORK
GOVERNOR'S TRAFFIC SAFETY COMMITTEE
DEPARTMENT OF MOTOR VEHICLES

DAVID J. SWARTS
Chair

1121

cc: Sgt Dini
Sgt. Reilly
Angela
Donna

November 18, 2009

Ms. Sarah Furey
Sr. Grants Analyst
Suffolk County Police Department
30 Yaphank Avenue
Yaphank, New York 11980

Re: HS1-2010-Suffolk Co PD -00340-(052)
SCPD Motorcycle Safety Enforcement and Education
EFFECTIVE DATE: October 1, 2009

Dear Ms. Furey:

On behalf of Governor David A. Paterson, I am pleased to notify you that Suffolk County has been awarded $30,000 to participate in the New York State's Highway Safety Program. Our goal is to reduce the number of crashes, injuries and deaths on New York's roads.

Thank you for participating in New York State's Highway Safety Program. I wish you success in your efforts. If you have any questions, please contact the Governor's Traffic Safety Committee at (518) 474-5111.

Sincerely,

David J. Swarts

David J. Swarts
Chair and
Commissioner of Motor Vehicles

DJS:et
Enclosure
cc: Donald Fahey
Thomas Palmieri

6 Empire State Plaza, Albany, NY 12228
Telephone: (518) 474-5111 & 474-5777 □ Fax: (518) 473-6946

Additional back-up material regarding IR 1121 is on file in the Legislative Clerk's Office, Hauppauge.

Intro. Reso. No. 1122-10 Laid on Table 2/2/10

Introduced by the Presiding Officer at the request of the County Executive

RESOLUTION NO. -2010, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $111,195 FROM THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE, TO TARGET SPEEDING, AGGRESSIVE AND DISTRACTED DRIVING, AND COMMERCIAL VEHICLE SAFETY WITH 85.81% SUPPORT.

WHEREAS, the State of New York Governor's Traffic Safety Committee has awarded $111,195 in Federal Highway Safety pass-through funds to the Suffolk County Police Department to perform targeted enforcement of speeding and aggressive and distracted driving behaviors, commercial vehicle safety, and to fund Operation Safe Stop; and

WHEREAS, the operational period of the program will be from October 1, 2009 through September 30, 2010; and

WHEREAS, said grant funds totaling $111,195 have not been included in the 2010 Suffolk County Operating Budget; now, therefore, be it

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

REVENUES:	**AMOUNT**
115-4398-Federal Aid: STEP 10	$111,195

ORGANIZATIONS:

Police Department (POL)
STEP 10
115-POL-3629

1000-PersonalServices	**$105,370**
1120-Overtime Salaries	105,370
2000-Equipment	**$ 5,825**
2500-Other equipment not otherwise	5,825

and be it further

2nd RESOLVED, that the fringe benefits of $18,387 associated with the overtime salaries for this grant are included in the 2010 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the State of New York Governor's Traffic Safety Committee.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County
Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1122

1. Type of Legislation

Resolution XX Local Law _____ Charter Law

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $111,195 FROM THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE, TO TARGET SPEEDING, AGGRESSIVE AND DISTRACTED DRIVING, AND COMMERCIAL VEHICLE SAFETY WITH 85.81% SUPPORT.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

No impact. The resolution provides $111,195, and requires a 14.19% match which is included in the 2010 Operating budget.

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

The funds provided by this grant must be expended between October 1, 2009 and September 30, 2010.

8. Proposed Source of Funding

New York Governor's Traffic Safety Committee

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst	P Saunders	1-22-10

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1122

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK 1122

JAN 08 2010

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

TO: **Christopher Kent, Chief Deputy County Executive**
Brendan Chamberlain, Director of Intergovernmental Relations
Suffolk County Executive's Office

FROM: **Edward Webber, Chief of Support Services**
Suffolk County Police Department

DATE: **January 4, 2010**

SUBJECT: **Resolution Packets & SCIN Forms for**
STEP (Selective Traffic Enforcement Program)-10
Governor's Traffic Safety Committee
Project # STEP-2010-Suffolk Co PD-00202-(052)

Attached please find two copies of the following for the STEP-10 grant program

1. Grant Resolution.
2. Grant SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the proposed contract between Suffolk County and the Governor's Traffic Safety Committee.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW. The original grant contract will be submitted for signature upon approval of the resolution.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, at 852-6601.

Thank you for your assistance with this project.

EW/sck
Att.

cc: Don Fahey, Federal & State Aid Claims Coordinator

GRANT BUDGET ANALYSIS COUNTY BUDGET YEAR 2010

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES:	**105,370**			
1100 Permanent Salaries				
1110 Interim Salaries				
1120 Overtime Salaries	105,370			
2000 EQUIPMENT:	**5,825**			
2010 Furniture & Fixtures				
2020 Office Machines				
2090 Radio and Communication				
2500 Other Equip Not Otherwise	5,825			
3000 SUPPLIES MATERIALS & OTHERS:				
3010 Office Supplies				
3020 Postage				
3030 Photostat, Photograph, Blueprint				
3040 Printing				
3160 Computer Software				
3310 Clothing and Accessories				
3500 Other Unclassified				
3680 Repairs: Special Equipment				
3770 Advertising				
4000 UTILITIES:				
4010 Telephone & Telegraph				
4210 Computer Services				
4300 TRAVEL:				
4310 Employee Misc - Expenses				
4330 Travel Employee Contracts				
4340 Travel Other Contracts				

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SCIN Form 164D (10-80)

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2010			Page 2 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees 4770 Special Services				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance		**18,387** 16,859 1,528		These expenses are not eligible for reimbursement under this program
OTHER (List Source & Brief Explanation)				

I certify that the above in-kind contribution are not currently being used to support other grants

SCIN Form 164D (10-80)

DETAIL LISTING OF 1000 ACCOUNT PERSONAL SERVICES

TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %		
				GRANTOR	COUNTY	IN-KIND
Police Officer	6	79.17/hr OT	Various	100%		
Sergeant		93.39/hr OT	Various	100%		

1122

SCIN Form 164D (10-80)

Rec'd 12/21/09 SF

STATE OF NEW YORK
GOVERNOR'S TRAFFIC SAFETY COMMITTEE
DEPARTMENT OF MOTOR VEHICLES

DAVID A. PATERSON
Governor

DAVID J. SWARTS
Chair

1122

CC: Sgt. Reilly

December 15, 2009

Ms. Sarah Furey
Sr. Grants Analyst
Suffolk County Police Department
30 Yaphank Avenue
Yaphank, New York 11980

Re: STEP-2010-Suffolk Co PD -00202-(052)
Selective Traffic Enforcement Program (STEP)
EFFECTIVE DATE: October 1, 2009

Dear Ms. Furey:

On behalf of Governor David A. Paterson, I am pleased to notify you that Suffolk County has been awarded $111,195 to participate in the statewide "Selective Traffic Enforcement Program." Our goal is to reduce aggressive driving and speeding.

Thank you for participating in this very important statewide program. I wish you success in your efforts. If you have any questions, please contact the Governor's Traffic Safety Committee at (518) 474-5111.

Sincerely,

David J. Swarts

David J. Swarts
Chair and
Commissioner of Motor Vehicles

DJS:et
Enclosure
cc: Donald Fahey
Thomas Palmieri

6 Empire State Plaza, Albany, NY 12228
Telephone: (518) 474-5111 & 474-5777 □ Fax: (518) 473-6946

Additional back-up material regarding IR 1122 is on file in the Legislative Clerk's Office, Hauppauge.

Intro. Reso. No. 1123-10 Laid on Table 2/2/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, ACCEPTING AND APPROPRIATING $10,000 ADDITIONAL FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES TO THE SUFFOLK COUNTY POLICE DEPARTMENT FOR THE S.T.O.P. VIOLENCE AGAINST WOMEN PROGRAM WITH 100% SUPPORT.

WHEREAS, the New York State Division of Criminal Justice Services has awarded to Suffolk County $122,772 in federal funds under the S.T.O.P. Violence Against Women Formula Grant Program for the period 8/1/09 – 7/31/10; and

WHEREAS, the funds will allow the continuation of existing services and will enhance the collaborative project between Suffolk County and community based organizations, addressing sexual assault and domestic violence against women through a coordinated effort; and

WHEREAS, the S.T.O.P. Violence Against Women Program will utilize these federal funds to continue specialized units in the Police and in the Probation Departments and to provide victim services through contracts with the Victims Information Bureau of Suffolk County, Retreat, and the Suffolk County Coalition Against Domestic Violence; and

WHEREAS, this program plan includes $10,000 in funding for the Suffolk County Police Department to purchase additional panic alarm kits that can be installed in the homes of victims of domestic violence and sexual assault; and

WHEREAS, $10,000 of the $122,772 has not been included in the 2010 Operating Budget to implement this initiative; now, therefore, be it

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

REVENUES:	AMOUNT
001-4320-Federal Aid: Criminal Justice Programs	$10,000

ORGANIZATIONS:

Suffolk County Police Department (POL)
STOP Violence Against Women 2009
001-POL-3200

2000 Equipment	$10,000
2090-Radio & Communication	10,000

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute related agreements.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

1123

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution XX Local Law _____ Charter Law

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING $10,000 ADDITIONAL FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES TO THE SUFFOLK COUNTY POLICE DEPARTMENT FOR THE S.T.O.P. VIOLENCE AGAINST WOMEN PROGRAM WITH 100% SUPPORT.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

No impact. The resolution provides $10,000

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

The funds provided by this grant must be expended between August 1, 2009 and July 31, 2010.

8. Proposed Source of Funding

New York State Department of Criminal Justice Services

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst	P Saunders	1-22-10

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1123

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1123

JAN 06 2010

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

TO: **Christopher Kent, Chief Deputy County Executive**
Brendan Chamberlain, Director of Intergovernmental Relations
Suffolk County Executive's Office

FROM: **Edward Webber, Chief of Support Services**
Suffolk County Police Department

DATE: **January 6, 2010**

SUBJECT: **Resolution Packets & SCIN Forms for**
S.T.O.P. Violence Against Women 2009
DCJS #VW09543644

Attached please find two copies of the following for the S.T.O.P. Violence Against Women 2009 Grant Program:

1. Proposed Grant Resolution.
2. Grant SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the proposed contract between Suffolk County and the New York State Division of Criminal Justice Services.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, at 852-6601.

Thank you as always for your assistance with this project.

EW/sck
Att.
cc: Don Fahey, Federal & State Aid Claims Coordinator

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2010			Page 1 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries				
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2030 Automobiles & Motorcycles 2070 Cameras and Photographic 2090 Radio & Communication 2500 Other Equip Not Otherwise	**10,000** 10,000			
3000 SUPPLIES MATERIALS & OTHERS: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3160 Computer Software 3500 Other Unclassified 3680 Repairs: Special Equipment				1123
4000 UTILITIES: 4010 Telephone & Telegraph				
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts				

SCIN Form 164D (10-80)

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2010			Page 2 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance				1125
OTHER (List Source & Brief Explanation)				

I certify that the above in-kind contribution are not currently being used to support other grants

SCIN Form 164D (10-80)

DETAIL LISTING OF 1000 ACCOUNT PERSONAL SERVICES

TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %		
				GRANTOR	COUNTY	IN-KIND
None						

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SCIN Form 164D (10-80)

Additional back-up material regarding IR 1123 is on file in the Legislative Clerk's Office, Hauppauge.

Intro. Reso. No. 1124-10 **Laid on Table** 2/2/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, ACCEPTING & APPROPRIATING A GRANT IN THE AMOUNT OF $127,400 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S OPERATION HOT WHEELS VI PROGRAM WITH 85.87% SUPPORT.

WHEREAS, the New York State Division of Criminal Justice Services has made $127,400.00 in State Motor Vehicle Theft and Insurance Fraud Prevention Program funds available to Suffolk County for the continuance of the Suffolk County Police Department's Operation Hot Wheels Program; and

WHEREAS, this program is designed to reduce the incidence of motor vehicle theft and insurance fraud within Suffolk County; and

WHEREAS, the operational period of the program will be from January 1, 2010 through December 31, 2010; and

WHEREAS, said grant funds have not been included in the 2010 Suffolk County Operating Budget; now, therefore, be it

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

REVENUE:	**Amount**
001-3380-State Aid: Operation Hot Wheels VI	$127,400

ORGANIZATIONS:

Police Department (POL)
Operation Hot Wheels VI
001-POL-3631

1000-Personnel Services	**$120,124**
1120-Overtime Salaries	120,124
4000-Utilities	**$3,478**
4015-Cellular Communications	3,478
4300-Travel	**$3,798**
4340-Travel Other Contracts	3,798

and be it further

2nd RESOLVED, that the employee benefits of $20,962 associated with the overtime salaries for this grant are included in the 2010 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the New York State Division of Criminal Justice Services.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County
Date of Approval:

1124

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution XX Local Law _____ Charter Law

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $127,400 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S OPERATION HOT WHEELS VI PROGRAM WITH 85.87% SUPPORT.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

No impact. The resolution provides $127,400, and requires a 14.13% match which is included in the 2010 Operating budget.

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

The funds provided by this grant must be expended between January 1, 2010 and December 31, 2010.

8. Proposed Source of Funding

New York State Department of Criminal Justice Services

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst	TSaunders	1-22-10

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1124

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1124

JAN 08 2010

STEVE LEVY
COUNTY EXECUTIVE

RICHARD DORMER
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

TO: **Christopher Kent, Chief Deputy County Executive**
Brendan Chamberlain, Director of Intergovernmental Relations
Suffolk County Executive's Office

FROM: **Edward Webber, Chief of Support Services**
Suffolk County Police Department

DATE: **January 6, 2010**

SUBJECT: **Resolution Packet & SCIN Forms for**
Operation Hot Wheels VI
DCJS # MV09464057
Contract # C464057

Attached please find two copies of the following for the New York State Division of Criminal Justice Services sponsored Operation Hot Wheels VI project:

1. Grant Resolution.
2. Grant SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the proposed contract between Suffolk County and the New York State Division of Criminal Justice Services

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW. The original grant contract will be submitted for signature upon approval of the resolution.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, 852-6601.

Thank you for your assistance with this project.

EW/sck
cc: Don Fahey, Federal & State Aid Claims Coordinator

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 9/24/09 REV 1/6/10
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank 1124	
Contact Person In Department/Agency Sarah Furey Sr. Grants Analyst	Telephone Number 852-6042	Grant Application Due Date 9/16/2009

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 ½" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title **Operation Hot Wheels VI**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program): 1994 NYS Executive Law 846, The Motor Vehicle Theft and Insurance Fraud Prevention Demonstration Program, administered by NYS Division of Criminal Justice Services.

3. Grant/Contract Status (Check One Box)
A. __New Program Application
B. _X __Renewal Application
C. ___Supplemental (Specify) _____
D. ___Extension of Funding Period
E. ___Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.).
The Suffolk County Police Department's Vehicle Theft Section proposes to continue its multi-pronged approach to reducing vehicle theft and insurance fraud in Suffolk County.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.) District Attorney

II. BUDGET INFORMATION

1. Term of Contract From 1/01/2010 To: 12/31/2010

2. Financial Assistance Requested

SOURCE	*FOURTH FUNDING CYCLE*		*FIFTH FUNDING CYCLE*		*SIXTH FUNDING CYCLE*	
	Amount	**Percent**	**Amount**	**Percent**	**Amount**	**Percent**
Federal	$	%	$	%	$	%
State	$160,000	100%	$154,000	85.55%	$127,400	85.87%
Private	$	%	$	%	$	%
County	$	%	$26,009	14.45%	$20,962	14.13%
Total	$160,000	100%	$180,009	100%	$148,362	100%

3. Explanation of Requested County Financial Assistance 1124

Category	*Total Requested*	*Personnel Costs Requested*	*Non-Personnel Costs Requested*
TOTAL COUNTY SHARE:	$ 20,962	$	$20,962
A. Cash Contribution	$ 20,962	$	$20,962
B. In-Kind Contribution	$	$	$

4. Total Number of New Positions Requested 0

5. Can This Program Be Refunded by the Proposed Non-County Sources?

X YES NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

Some additional indirect costs resulting from administrative oversight may be incurred.

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?

In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 ½" X 11" sheet).

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:	Approved Disapproved	2. Signature of Coordinator	3. Date

4. Comments

5. Budget Office Review:	Approved Disapproved	6. Signature of Budget Director	7. Date

8. Comments

GRANT BUDGET ANALYSIS COUNTY BUDGET YEAR 2010

CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
1000 PERSONAL SERVICES:	**120,124**			
1100 Permanent Salaries				
1110 Interim Salaries				
1120 Overtime Salaries	120,124			
2000 EQUIPMENT:				
2010 Furniture & Fixtures				
2020 Office Machines				
2090 Radio and Communication				
2500 Other Equip Not Otherwise				
3000 SUPPLIES MATERIALS & OTHERS:				
3010 Office Supplies				
3020 Postage				
3030 Photostat, Photograph, Blueprint				
3040 Printing				
3160 Computer Software				
3500 Other Unclassified				
3680 Repairs: Special Equipment				
4000 UTILITIES:	**3,478**			
4015 Cellular Communications	3,478			
4010 Telephone & Telegraph				
4210 Computer Services				
4300 TRAVEL:	**3,798**			
4310 Employee Misc - Expenses				
4330 Travel Employee Contracts				
4340 Travel Other Contracts	3,798			

SCIN Form 164D (10-80)

GRANT BUDGET ANALYSIS	COUNTY BUDGET YEAR 2010			Page 2 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees 4770 Special Services				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance		**20,962** 19,220 1,742		These expenses are not eligibile for funding under this program.
OTHER (List Source & Brief Explanation)				1124

I certify that the above in-kind contribution are not currently being used to support other grants

SCIN Form 164D (10-80)

DETAIL LISTING OF 1000 ACCOUNT PERSONAL SERVICES

TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	SOURCE OF FUNDING BY %		
				GRANTOR	COUNTY	IN-KIND
Detective	4	88.68/hr OT	Various	100		
Detective Sergeant		98.07/hr OT	Various	100		
Detective Lieutenant		109.17/hr OT	Various	100		

124

1124

STATE OF NEW YORK
DIVISION OF CRIMINAL JUSTICE SERVICES
Four Tower Place
Albany, New York 12203-3764
http://criminaljustice.state.ny.us

DAVID A. PATERSON
GOVERNOR

DENISE E. O'DONNELL
COMMISSIONER

December 16, 2009

Sarah Furey
Grant Analyst
Suffolk County Police Department
30 Yaphank Avenue
Yaphank, NY 11980

Re: MV2009/10 Award for Motor Vehicle Theft and Insurance Fraud Prevention Program

Dear Ms. Furey:

I am pleased to advise you that Suffolk County Police Department has been awarded $127,400 in SFY 2009/10 grant funds with agreement by the New York State Motor Vehicle Theft and Insurance Fraud Prevention Board (the Board). This funding is available through the Motor Vehicle Theft and Insurance Fraud Demonstration Program (MVTIFDP) to support the program proposal described in your recent grant application.

Over $6.3 million in grant funding was requested as compared to the $3.9 million available for awards in this cycle. As a result of this overwhelming response, the Board was able to recommend funding for only a limited number of programs. The significant competition for program funding necessitated award reductions from requested levels. We will work with you to help structure your proposed program consistent with the award amount.

Since the Board meeting of November 18th, an agreement between the Governor and the Legislature enacted a deficit reduction plan for the remainder of 2009-10 state fiscal year via Chapters 502 and 503 of the Laws of 2009. This includes a 12.5% reduction against the 2009-10 MVTIFDP grants. We already anticipated a 10% reduction when we made the initial award recommendations, therefore the 2009-10 awards need to be adjusted by approximately 2.8%. The award you are receiving reflects that reduction. Please be aware, in these times of serious fiscal crisis in New York State there is no guarantee of future funding for this program. All grantees should make every effort to manage funds efficiently and seek ways to sustain in their program with other resources wherever possible. We are pleased to have been able to provide funding assistance this year for your program.

1124

The Statewide Plan of Operation for motor vehicle theft and insurance fraud, as legislated by Article 36-A of the Executive Law, requires a coordinated approach to detect, prevent, deter and reduce motor vehicle theft and insurance fraud. The Division of Criminal Justice Services (DCJS) utilized the Plan in its assessment of the applications. DCJS requires that all MVTIFP grantees develop a strategy that included a threat assessment describing the scope of the motor vehicle theft and insurance fraud problem and the coordinated efforts that would be utilized to effectively combat these crimes. An evaluation of these efforts will be incorporated into the project work plan for the 2009/2010 grant period.

All grant recipients are required to enter investigative targets in the Secure Automated Fast Event Tracking Network (SAFETNet) as a special condition of the award. During the 2009/10 funding cycle, grantees will be expected to produce substantiated information, both statistical and programmatic, on the effectiveness of the initiatives implemented by the grant program. This information is essential to demonstrate the success of your program and may influence the continued support of your program initiatives in future funding cycles.

The primary contact for your project will receive a contract preparation package from the DCJS Office of Program Development and Funding (OPDF) Criminal Justice Program Representative assigned to this project. The Criminal Justice Program Representative will assist your office in the development of the 2009/2010 MVTIFP grant contract. If you have any questions related to the Motor Vehicle Theft and Insurance Fraud Prevention Program, please call the MVTIF Program staff at (518) 457-8404. On behalf of the Board and DCJS, congratulations on your award. We look forward to continuing to work with you to reduce motor vehicle theft and insurance fraud in New York State.

Very truly yours,

Denise E. O'Donnell

Denise E. O'Donnell

cc: Mr. Ed Dumas, Chief Deputy County Executive for Policy & Communications, Suffolk County

Additional back-up material regarding IR 1124 is on file in the Legislative Clerk's Office, Hauppauge.

1125

Introductory Resolution No. -2010 Laid on the Table 2/2/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2010 ACCEPTING AND APPROPRIATING AN AMENDMENT TO THE COLLEGE BUDGET FOR A GRANT AWARD FROM THE U. S. DEPARTMENT OF EDUCATION FOR A FEDERAL WORK-STUDY PROGRAM 100% REIMBURSED BY FEDERAL FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, the 2009-2010 College operating budget provides $544,086 in anticipation of a Federal Work-Study Program grant; and

WHEREAS, the actual grant award from the U. S. Department of Education included an additional amount of $172,058 bringing the total amount of the grant award to $716,144 for the period of July 1, 2009 through June 30, 2010; and

WHEREAS, it is necessary to amend the College budget in the amount of $172,058 to provide for the increase in the grant award; and

WHEREAS, the Federal Work-Study Program grant is allocated to Ammerman, Grant and East Campuses of Suffolk County Community College; and

WHEREAS, the amended amount of $172,058 will be allocated to all campuses as follows: Ammerman $79,146, East $25,809, and Grant $67,103; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the Federal Work-Study Program grant award on October 22, 2009, by Resolution No. 2009.78; and

WHEREAS, the College anticipates spending the increase in the grant award in the amount of $172,058 in accordance with the terms of said grant before June 30, 2010; now therefore, be it

1st **RESOLVED**, that said 2009-2010 College budget be amended to reflect the increase in the amount of the grant award and $172,058 to be appropriated for the operation of the program as follows:

REVENUES:	AMOUNT:
Federal Aid: Federal Work-Study Program:	
GA01-GA0110-544205	$ 79,146
GE01-GE0110-544205	$ 25,809
GW01-GW0110-544205	$ 67,103

APPROPRIATIONS:

Suffolk County Community College
Federal Work-Study Program
GA01-GA0110

611000-Personal Services	$ 79,146
611130-Temporary Salaries	79,146

Suffolk County Community College
Federal Work-Study Program
GE01-GE0110

611000-Personal Services	$ 25,809
611130-Temporary Salaries	25,809

Suffolk County Community College
Federal Work-Study Program
GW01-GW0110

611000-Personal Services	$ 67,103
611130-Temporary Salaries	67,103

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

1125

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution XX Local Law _____ Charter Law

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING AN AMENDMENT TO THE COLLEGE BUDGET FOR A GRANT AWARD FROM THE U.S. DEPARTMENT OF EDUCATION FOR A FEDERAL WORK-STUDY PROGRAM 100% REIMBURSED BY FEDERAL FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

No impact. Additional grant funds totaling $172,058 have been awarded for a Federal work study program

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

Funding must be expended between July 1, 2009 and June 30, 2010.

8. Proposed Source of Funding

U.S. Department of Education

9. Timing of Impact

THE RESOLUTION IS EFFECTIVE UPON ADOPTION.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst		1/22/10

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1125

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk
COUNTY COMMUNITY COLLEGE

1125

JAN 06 2010

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

From: Nancy Stier, V. P. for Business & Financial Affairs

Date: December 22, 2009

Subject: Request for Resolution Accepting and Appropriating Amendment to the 2009-2010 College budget for a Grant Award

Enclosed are the application and requisite forms to request acceptance and appropriation of an amendment to the 2009-2010 College budget for an increase in a grant award at Suffolk County Community College.

Proposal _____ Grant Award X Subcontract _____

Project Name: Federal Work-Study Program

Funding Source: U. S. Department of Education

Amount of Grant: $716,144 ($544,086 appropriated in the College's 2009-2010 operating budget)

Amount of Amendment: $ 172,058
Total Amount of Grant Award: $ 716,144

Full Time Positions: none

Please call me if there are questions regarding this request.
An e-mail version of the resolution was sent to CE RESO REVIEW: **File name: Reso-SCCC-CWSP Amend 10.doc**

cc: N. Dunnagan, Director of Financial Aid
J. Bullard, Jr., Associate Dean for Financial Affairs
J. Canniff, Vice President for Academic and Campus Affairs
M. L. Araneo, Vice President for Institutional Advancement

Suffolk
COUNTY COMMUNITY COLLEGE

1125

Office of the President

BOARD OF TRUSTEES
October 22, 2009

RESOLUTION NO. 2009.78 ACCEPTING A FEDERAL GRANT FOR THE 2009-2010 FEDERAL WORK STUDY PROGRAM (FWSP)

WHEREAS, Suffolk County Community College has applied to participate in the Federal Work Study Program (FWSP) authorized under Part C of Title IV of the Higher Education Act of 1965 as amended by the Education Amendments of 1968, 1972, 1976, 1980, 1986, 1992, 1998, and

WHEREAS, the application has been approved in the amount of $716,144, and

WHEREAS, the Federal regulations allow the sum of $75,000 or 10 percent of the allocation, whichever is less, to be set aside for the Job Locator & Development Program, and

WHEREAS, Federal regulations allow a maximum of 25% of funds to be transferred to the Federal Supplemental Educational Opportunity Grant Program in order to enhance grant opportunities for students, and

WHEREAS, this Federal grant must be matched by a 25 percent contribution, and

WHEREAS, an amount must be allocated for Community Service Employment/America Reads Project, and

WHEREAS, amendments to the law became effective in October 1986 allowing five percent administrative expense allowance based on total student expenditures for FWSP, be it therefore

RESOLVED, that the Board of Trustees hereby accepts the total Federal allotment of 2009-2010 Federal Work Study Program in the amount of $716,144, and be it further

RESOLVED, that $71,614 be set aside for Job Locator Program, with the College matching contribution of 20 percent to be provided by in-kind contributions, and be it further

RESOLVED, that the Federal Work Study Program's five percent administrative allowance be charged against FWSP and deposited in the appropriate account, and be it further

RESOLVED, that the On-Campus Work Study Program shall continue to be matched by a 25 percent contribution by the College and that the Off-Campus Work Study Program be matched by a 25 percent contribution from the respective participating off-campus agencies, except for the Community Service Employment, and be it further

Suffolk
COUNTY COMMUNITY COLLEGE

1125

RESOLVED, that $20,000 be reserved for Community Service/America Reads Project, and be it further

RESOLVED, that the off-campus agencies shall contribute their respective shares of Employer's FICA and Workmen's Compensation except for the Community Service Employment.

George Kane
Secretary

Central Administration
533 College Road
Selden, NY 11784-2899
(631) 451-4112

Ammerman Campus
533 College Road
Selden, NY 11784-2899
(631) 451-4110

Western Campus
Crooked Hill Road
Brentwood, NY 11717-1092
(631) 851-6700

Eastern Campus
121 Speonk-Riverhead Road
Riverhead, NY 11901-3499
(631) 548-2500

FWS Final Funding 2009-2010

10/07/2009
State: NY

(01) School: Suffolk County Community College
533 College Road
Selden, NY 117842899

1125

(02) OPEID Number: 00287800	
(03) DUNS Number: 068017615	
(04) FWS Request:	$1,000,000.00
(05) FWS National Total of Funds Available:	$1,174,492,000.00
(06) Base Guarantee:	$387,404.00
(07) National Total of Base Guarantees:	$661,188,454.00
(08) Base Guarantee Percent Fundable:	100
(09) Adjusted Base Guarantee:	$387,404.00
(10) Average Under-Grad Tuition & Fees:	$2,336.00
(11) Average Under-Grad Time in Attendance:	9
(12) Living Cost Allowance:	$6,930.00
(13) Books & Supplies Allowance:	$600.00
(14) Average Under-Grad Cost:	$9,866.00
(15) 25% of Average Under-Grad Cost:	$2,467.00
(16) Under-Grad Self Help Need:	$25,390,364.00
(17) Average Graduate Tuition & Fees:	$0.00
(18) Average Graduate Time in Attendance:	0
(19) Living Cost Allowance:	$6,930.00
(20) Books & Supplies Allowance:	$600.00
(21) Average Graduate Cost:	$7,530.00
(22) Graduate Self Help Need:	$0.00
(23) Total Self Help Need:	$25,390,364.00
(24) National Total Self Help Need:	$42,332,557,526.30
(25) Relative FWS Need:	0.0005998
(26) Fair Share:	$704,460.00
(27) National Funds Available for Fair Share:	$513,303,546.00
(28) Shortfall:	$317,056.00
(29) National Total of Shortfalls:	$613,605,834.00
(30) Relative Shortfall:	0.0005167
(31) Initial Fair Share Increase:	$265,224.00
(32) Additional Fair Share Increase:	$51,832.00
(33) Total Fair Share Increase:	$317,056.00
(34) Total FWS Allocation:	$704,460.00
(35) Under Used Percentage:	3.32
(36) Allocation Reduction:	$0.00
(37) Redistribution of Underutilization Reduction:	$11,684.00
(38) Adjusted FWS Allocation:	$716,144.00

1126

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO – 2010, ACCEPTING AND APPROPRIATING A GRANT AWARD FROM THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION FOR A GREEN INNOVATION GRANT PROGRAM IN CONNECTION WITH A COLLEGE-WIDE WATER & ENERGY CONSERVATION INITIATIVE 90% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, Suffolk County Community College has received a grant award from the New York State Environmental Facilities Corporation (NYSEFC), in the amount of $675,000, for a Green Innovation Grant Program, in connection with a College-wide Water and Energy Conservation Initiative, for the period of October 1, 2009 through September 30, 2010; and

WHEREAS, the program provides for the replacement of 20- to 30- year old water-using fixtures, fittings and equipment estimated to save close to 77 million gallons of water over a 10-year period, as well as implementation of improved technologies to reduce the energy consumption required to operate the Ammerman Campus sewage treatment facility; and

WHEREAS, the required ten percent matching funds, in the amount of $75,000, are provided for in the College's operating budget; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the grant award on October 22, 2009 by Resolution No. 2009.82 as amended on December 10, 2009 by Resolution No. 2009.92; and

WHEREAS, the College anticipates spending the $675,000 in accordance with the terms of said grant award before September 30, 2010; now therefore be it

1st **RESOLVED**, that said grant award, in the amount of $675,000, from the New York State Environmental Facilities Corporation (NYSEFC), for a Green Innovation Grant Program, in connection with a College-wide Water and Energy Conservation Initiative, be accepted and appropriated for the operation of the program as follows:

Revenues	Amount
State Aid: GC66-GC6610-543307	
College-wide Water and Energy Conservation Initiative	$675,000

Appropriations	Amount
GC66-GC6610	
College-wide Water and Energy Conservation Initiative	$675,000

Suffolk County Community College
College-wide Water and Energy Conservation Initiative
GC66-GC6610

71-Equipment, Supplies and Other Expenditures	
GC66-GC6610-713650 Repairs: Buildings	$675,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1126

1. Type of Legislation

Resolution XX Local Law _____ Charter Law

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING A GRANT AWARD FROM THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION FOR A GREEN INNOVATION GRANT PROGRAM IN CONNECTION WITH A COLLEGE-WIDE WATER & ENERGY CONSERVATION INITIATIVE 90% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

No impact. The resolution provides $675,000, and requires a 10% match which is included in the 2009/2010 Operating budget.

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

Funding must be expended between October 1, 2009 and September 30, 2010.

8. Proposed Source of Funding

New York State Environmental Facilities Corporation

9. Timing of Impact

THE RESOLUTION IS EFFECTIVE UPON ADOPTION.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst		1/22/10

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1126

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk
COUNTY COMMUNITY COLLEGE

JAN 14 2010

1126

To: Ken Crannell, Deputy County Executive
Christopher Kent, Chief Deputy County Executive
Brendan Chamberlain, Director, Intergovernmental Relations

From: Nancy Stiel, Vice President for Business & Financial Affairs

Date: January 11, 2010

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

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

Grant Proposal _____ Grant Award X

Project Name: College-wide Water & Energy Conservation Initiative Project

Funding Source: New York State Environmental Facilities Corporation

Total Amount of Grant Award: $675,000

Full Time Positions: None

Please call me if there are questions regarding this request.
An e-mail version of the resolution was sent to CE RESO REVIEW:
File names: Reso-SCCC-GIGP Award 10.doc
Backup-SCCC-GIGP Award 10.doc

cc: J. DeMaio, Administrative Director, Educational Facilities
J. Bullard, Jr., Associate Dean for Financial Affairs
J. Canniff, Vice President for Academic and Campus Affairs

Suffolk
COUNTY COMMUNITY COLLEGE

1126

Office of the President

BOARD OF TRUSTEES
December 10, 2009

RESOLUTION NO. 2009.92 AMENDING RESOLUTION NO. 2009.82 ACCEPTING A GREEN INNOVATION GRANT PROGRAM AWARD FROM THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION FOR A COLLEGE-WIDE WATER & ENERGY CONSERVATION INITIATIVE

WHEREAS, the Board of Trustees accepted a Green Innovation Grant Program Award in the amount of $675,000 from the New York State Environmental Facilities Corporation by Resolution 2009.82 at its October 22, 2009 meeting, and

WHEREAS, ten percent matching funds in the amount of $75,000 are required as a part of the grant stipulations, and

WHEREAS, the source of the matching funds has been amended to reflect the equipment replacement funds operating account #3650 for the entire grant match, be it therefore

RESOLVED, that grant matching funds in the amount of $75,000 from the College's operating account #3650 is hereby authorized and the College Interim President or his designee is authorized to execute a contract with the administering agency.

Project Director: Jon DeMaio

George Kane
Secretary

Central Administration
533 College Road
Selden, NY 11784-2899
(631) 451-4112

Ammerman Campus
533 College Road
Selden, NY 11784-2899
(631) 451-4110

Western Campus
Crooked Hill Road
Brentwood, NY 11717-1092
(631) 851-6700

Eastern Campus
121 Speonk-Riverhead Road
Riverhead, NY 11901-3499
(631) 548-2500

Board of Trustees Meeting
Date: December 10, 2009

1126

ABSTRACT

Grant Proposal ____ Grant Award _X_

Funding Source: New York State Environmental Facilities Corporation

Project Title: College-wide Water & Energy Conservation Initiative Project

Project Director: Jon DeMaio, Administrative Director, Educational Facilities

Project Period: October 1, 2009 through September 30, 2010

Campus: Central

Amount of Award: $ 675,000
Match/Fees: $ 75,000 College-operating budget: 181800 C62001 713650
Total Program Budget: $ 750,000

In-kind Contribution: None

Full-Time Positions/Reassigned Time: None

No. of Students to be Served: N/A

Type of Student to be Served: N/A

Description of Project:
The Green Innovation Grant Program grant from the New York State Environmental Facilities Corporation will provide funds for the replacement of 20- to 30- year old water-using fixtures, fittings and equipment estimated to save close to 77 million gallons of water over a 10-year period, as well as implementation of improved technologies to reduce the energy consumption required to operate the Ammerman Campus sewage treatment facility.

1126

New York State
ENVIRONMENTAL FACILITIES CORPORATION

ALEXANDER B. GRANNIS, Chairman

OCT 0 1 2009

Mr. George Gatta
Interim President
Suffolk County Community College
533 College Road
Selden, NY 11784

Re: Green Innovation Grant Program (GIGP) Award Commitment:
College-wide Water & Energy Conservation Initiative Project

Dear Mr. Gatta:

Congratulations! The New York State Environmental Facilities Corporation (EFC) is pleased to inform you that your project is eligible to receive up to $675,000 in funding under the American Recovery and Reinvestment Act of 2009 (ARRA) through the GIGP. With almost 300 applications representing approximately $470 million in grant requests, selection of projects to receive some $40 million in GIGP funds was extremely competitive.

At present your GIGP Application lacks certain critical information necessary to ensure compliance with the requirements of the GIGP, ARRA and the New York State Clean Water or Drinking Water State Revolving Funds (SRF). EFC will be contacting you very soon to schedule a conference call to discuss your project and identify needed information. Once requested, it is important that you move quickly to provide EFC with the required information and documents to maintain your eligibility. Fulfillment of these conditions and receipt by EFC of this material in proper form will enable us to prepare a Grant Agreement for your signature, enabling you to access federal stimulus funds for your project.

Remember, in order to receive the ARRA funding, you must be in full compliance with all applicable ARRA and GIGP requirements, including *fully executing all construction contracts for the approved project no later than January 1, 2010.* Failure to achieve this goal may disqualify your project from receiving ARRA funding through the GIGP. ***Please note that no disbursements will be made (e.g. for eligible planning and design costs) until all project construction contracts have been fully executed, which must occur no later than January 1, 2010.***

We look forward to working with you. Please call 1-800-882-9721 and ask to speak with a GIGP representative if you have any questions.

Sincerely,

Frederick McCandless
Director of Technical Advisory Services

FM/DTS

625 Broadway, Albany, New York 12207-2997
518.402.6924 • 800.882.9721
www.nysefc.org

1127

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by Legislator Stern, Presiding Officer Lindsay, Legislators Browning and Horsley

RESOLUTION NO. –2010, ADOPTING LOCAL LAW NO. -2010, A CHARTER LAW REQUIRING SOUND BUDGET PRACTICES TO ENSURE FISCAL RESPONSIBILITY

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2010 a proposed local law entitled, "**A CHARTER LAW REQUIRING SOUND BUDGET PRACTICES TO ENSURE SOUND FISCAL RESPONSIBILITY**"; now, therefore, be it

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

LOCAL LAW NO. -2010, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW REQUIRING SOUND BUDGET PRACTICES TO ENSURE FISCAL RESPONSIBILITY

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 enacted many budgetary reform measures for the purposes of controlling spending and debt, insuring transparency in the budget process and maintaining the County's fiscal stability.

This Legislature also finds that the Suffolk County Charter requires that any spending increase in the County's operating or capital budget during a fiscal year be offset by a corresponding reduction in other appropriations. This requirement helps the County control spending and debt and avoid mid-year budget deficits.

This Legislature also recognizes that the elimination or reduction of budgeted revenues in the middle of a fiscal year can be just as damaging to the County's fiscal health as unplanned increases in spending. Accordingly, this Legislature enacted Local Law 16-2000 which requires that any resolution that proposes to reduce or eliminate county-generated revenue mid-year "must have appended thereto a written statement as to how the loss of revenue shall be accommodated....for a period of at least three years."

This Legislature determines that while revenue impact statements help expose the serious consequences of irresponsible mid-year revenue reductions, stronger legislation is required to prevent mid-year revenue reductions that have the potential to damage the County finances and bond rating.

Therefore, the purpose of this local law is to require that any proposed mid-year reduction or elimination of county revenue be offset by corresponding cuts in appropriations and/or increases in other revenues.

Section 2. Amendments.

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

C4-31. Modifications to budget after adoption.

* * * *

E. For purposes of this section, a budget modification shall consist of any of the following which shall occur after adoption of the annual budget; or for those matters which pertain to the capital program, any that occur after adoption of the capital program:

* * * *

11) The enactment of a resolution or local law that decreases or eliminates revenue included in the expense budget.

* * * *

F. 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; or to decrease or eliminate revenues that are offset by a corresponding reduction of appropriations and/or increase of other revenues. Resolutions incorporating such budget modifications introduced by any Legislator may only be laid on the table at the first regular legislative meeting in February, April, June or September of any fiscal year. Any resolution[s] 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.

A) This law shall apply to resolutions and local laws laid on the table on or after the effective date of this law.

B) This law shall not be construed to affect the revenue impact statement requirements set forth in § C2-11(E) of the SUFFOLK COUNTY CHARTER.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\laws\cl-ensure-sound-budget-practices

OFFICE OF THE COUNTY LEGISLATURE

1127

COUNTY OF SUFFOLK

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

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

DATE: JANUARY 28, 2010

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. 1127-2010; A CHARTER LAW REQUIRING SOUND BUDGET PRACTICES TO ENSURE FISCAL RESPONSIBILITY

SPONSOR: LEGISLATOR STERN, PRESIDING OFFICER LINDSAY, LEGISLATORS BROWNING AND HORSLEY

DATE OF RECEIPT BY COUNSEL:	1/26/2010	PUBLIC HEARING:	3/2/2010
DATE ADOPTED/NOT ADOPTED:		CERTIFIED COPY RECEIVED:	

This proposed local law would amend the SUFFOLK COUNTY CHARTER to require that any resolution or local law that proposes to decrease or eliminate operating budget revenue in the middle of a fiscal year also provide a corresponding reduction of appropriations and/or increase of other revenues.

Further, this law would define a resolution or local law that decreases or eliminates operating budget revenue as a budget modification. Budget modifications proposed by a member of the County Legislature can only be laid on the table at the Legislature's first regular meetings in February, April, June or September of any given year.

This law will take effect immediately upon its filing in the Office of the Secretary of State and will apply to resolutions and local laws introduced after that date. This law will not affect the revenue impact statement requirements set forth in §C2-11(E) of the SUFFOLK COUNTY CHARTER.

GEORGE NOLAN
Counsel to the Legislature

GN:js

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1128

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by Legislator Stern

RESOLUTION NO. –2010, TO RENAME THE INTERSECTION OF CR 4, COMMACK ROAD AND CR 67, VANDERBILT (MOTOR) PARKWAY, AS "GLEN CIANO ROAD"

WHEREAS, Glen Ciano was a twenty-two year veteran of the Suffolk County Police Department when he was killed in the line of duty on February 22, 2009 by a drunk driver while responding to a request for assistance from another police officer; and

WHEREAS, Officer Ciano is survived by his wife and two children; and

WHEREAS, despite the challenges of police work, Officer Ciano always made time to spend with his immediate and extended family and was a devoted son, brother, husband and father whose loss is keenly felt everyday; and

WHEREAS, Officer Ciano was honored five times during his career for Outstanding Service; and

WHEREAS, an informal memorial has developed at the site of the accident which reminds passing motorists of the hazards of drunk driving and recognizes Officer Ciano's sacrifice; and

WHEREAS, it is the honor and privilege of Suffolk County to honor distinguished members of the Police Department who give so selflessly to their community; now, therefore be it

1st **RESOLVED**, that the intersection of CR 4, Commack Road and CR 67, Vanderbilt (Motor) Parkway, is hereby renamed "Glen Ciano Road" to honor a police officer who was dedicated to public service and suffered the ultimate price for his efforts; and be it further

2nd **RESOLVED**, that the Suffolk County Department of Public Works is hereby authorized, empowered and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take all actions necessary and appropriate to effectuate this naming and dedication; and be it further

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

DATED:

APPROVED BY:

1129

Intro. Res. No. -2010 Laid on Table 2/2/10
Introduced by Legislator Cooper

RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, 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 , 2010, 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. -2010, 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-prescription-drug-labels

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1129

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

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

DATE: **JANUARY 25, 2010**

TO: **CLERK OF THE COUNTY LEGISLATURE**

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

PROPOSED LOCAL LAW YEAR 2010

TITLE: **I.R. NO. -2010; A LOCAL LAW TO ENSURE THE INTEGRITY OF PRESCRIPTION LABELS IN SUFFOLK COUNTY**

SPONSOR: **LEGISLATOR COOPER**

DATE OF RECEIPT BY COUNSEL: 1/25/2010 **PUBLIC HEARING:** 3/2/2010

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-prescription-drug-labels

Intro. Res. No 1130-10
Introduced by the Presiding Officer

Laid on Table 2/2/10

RESOLUTION NO – APPROPRIATING FUNDS IN CONNECTION WITH THE SCIENCE, TECHNOLOGY AND GENERAL CLASSROOM BUILDING – AMMERMAN CAMPUS (CP 2174)

WHEREAS, the President of Suffolk County Community College and the Board of Trustees have requested funds for the implementation of the Master Plan Update – Phase I estimated at $65,274,000; and

WHEREAS, the New York State Legislature and the Governor have included funding in the New York State Budget to cover the State's share estimated at $32,547,000; and

WHEREAS, sufficient funds have been included in the 2010 Capital Budget and Program to cover the County's cost of the project; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2010 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by Resolution of even date herewith, has authorized the issuance of $13,475,000 in Suffolk County Serial Bonds; and, now, therefore be it

1st RESOLVED, that this Legislature, being a funding agency, hereby finds and determines in accordance with the State Environmental Quality Review Act (SEQRA) that the adoption of this law is an unlisted action with no significant adverse impacts on the environment pursuant to Title 6 NYCRR Part 617, for the following reasons:

1. The proposed action will not exceed any of the criteria in Title 6 NYCRR Part 617.7(c) which sets forth thresholds for determining significant adverse impacts on the environment;
2. The proposed action does not adversely impact surface or groundwater nor increase erosion, flooding, leaching or drainage problems as the building will be sewered;
3. The proposed action does not impact on a significant habitat area;
4. The proposed action does not conflict with the College Master Plan;
5. The Building will use the same energy sources as the rest of the Campus (i.e. electricity and fuel oil);
6. All necessary State and County approvals will be obtained including Leadership in Energy and Environmental Design (LEED) certification.

and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of 38 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

3rd RESOLVED, that the proceeds of $13,475,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	Project Title	JC	Amount
525-CAP-2174.310	Construction for the Science, Technology & General Classroom Building – Ammerman Campus	30	$11,000,000
525-CAP-2174.510	Furniture & Equipment for the Science, Technology & General Classroom Building – Ammerman Campus	30	$2,475,000

And be it further

4th RESOLVED, that State Aid be and it hereby is appropriated as follows:

Project No.	Project Title	JC	Amount
525-CAP-2174.310	Construction for the Science, Technology & General Classroom Building – Ammerman Campus	30	$11,000,000
525-CAP-2174.510	Furniture & Equipment for the Science, Technology & General Classroom Building – Ammerman Campus	30	$2,475,000

DATED:

APPROVED BY:

_____

County Executive of Suffolk County
Date of Approval:

1131

Intro. Res. No. -2010 Laid on Table 2/2/2010

Introduced by Presiding Officer Lindsay

RESOLUTION NO. –2010, AMENDING THE 2010 OPERATING BUDGET AND AUTHORIZING THE PURCHASE OF THREE PREVIOUSLY LEASED VEHICLES IN THE SUFFOLK COUNTY DAPARTMENT OF LABOR

WHEREAS, the Department of Labor's lease for five (5) low mileage 2007 Chevy Impalas in excellent working condition expires in March 2010; and

WHEREAS, purchasing these vehicles is a less expensive option for the County than purchasing new replacement vehicles for the County's fleet; and

WHEREAS, it is the desire of the Legislature to exercise the buyout option to purchase three (3) of the lease vehicles to achieve savings for Suffolk County taxpayers; and

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

1ST RESOLVED, that the County Department of Public Works, Division of Purchasing, is hereby authorized, empowered, and directed, pursuant to Section 186-2(B)(5)(a) and (6)(c) of the SUFFOLK COUNTY CODE, to purchase the best three (3) of the five (5) previously leased vehicles to replace three (3) high mileage vehicles in the Legislature, as soon as their underlying Labor Department leases expire, subject to an assessment of said vehicles by the Suffolk County Department of Public Works before the vehicles are purchased subject to assignment and County Vehicle Standard Provisions of Section 186-2(B)(5) and (6) of the SUFFOLK COUNTY CODE; and be it further

2ND RESOLVED, that it is the desire of the Legislature to purchase the best three (3) of the five (5) vehicles identified in the chart that follows, as determined by the Department of Public Works, at a total cost not to exceed $24,000 for the three (3) vehicles;

Vehicle Identification Number (VIN)	Color
2GIWB58NX79326737	BLACK
2GIWB58N679328310	RED
2GIWB58N079332255	SILVER
2GIWB58N279327638	BLUE
2GIWB58N979333503	BLACK

and be it further

3RD RESOLVED, that the 2010 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	OBJECT NAME	AMOUNT
001	LEG	1025	0000	4560	Fees for Services: Non-Employees	-$24,000

TO:

FD	AGY	UNIT	ACT	OBJ	OBJECT NAME	AMOUNT
016	DPW	5130	0000	2030	Purchase of Automobiles	+$24,000
001	IFT	E016	0000	9600	Transfer to Funds	+$24,000

REVENUES:

TO:

FD	AGY	REV CODE	REVENUE NAME	AMOUNT
016	IFT	R001	Transfer from General Fund	+$24,000

and be it further

4TH RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of purchasing three (3) previously leased vehicles from the Department of Labor to replace three high-mileage vehicles in the Legislature.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

T:\BRO\Labor cars.doc

1132

Intro. Res. No. -2010 Laid on Table 2/2/2010
Introduced by Legislator Stern

RESOLUTION NO. –2010, AMENDING THE 2010 OPERATING BUDGET AND TRANSFERRING FUNDS FOR SUFFOLK COUNTY BAR PRO BONO FOUNDATION

WHEREAS, there are insufficient funds included in the 2010 Adopted Operating Budget for the Suffolk County Bar Pro Bono Foundation; and

WHEREAS, during these difficult economic times, Suffolk County leads New York State in the number of foreclosures, with numerous homeowners also in danger of foreclosure; and

WHEREAS, many residents do not know their rights and do not receive legal assistance until it is too late to stop the foreclosure process; and

WHEREAS, it is the desire of this Legislature to provide additional funding for the Suffolk County Bar Pro Bono Foundation in order to provide legal counsel to Suffolk County residents in danger of losing their homes to foreclosure; and

WHEREAS, this program will provide critical services to residents that are important for homeowners and to preserve the vitality of our communities; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2010 Operating Budget to transfer $20,000 to the contracted agency Suffolk County Bar Pro Bono Foundation; and

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

1st RESOLVED, that the 2010 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	EXE	7320	GQD1	4980	Suffolk Jewish Comm Center	-$20,000

TO:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	DSS	6015	XXXX	4980	Suffolk County Bar Pro Bono Foundation	+$20,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the Suffolk County Bar Pro Bono Foundation; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Suffolk County Bar Pro Bono Foundation.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

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1133

Intro. Res. No. -2010
Introduced by Presiding Officer Lindsay

Laid on Table 2/2/10

RESOLUTION NO. -2010, ACCEPTING AND APPROPRIATING 100% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS OFFICE OF HOMELAND SECURITY (OHS) IN THE AMOUNT OF $50,000 FOR "CREATION OF EXPLOSIVE DETECTION CANINE TEAM" UNDER HOMELAND SECURITY EXPLOSIVE DETECTION CANINE TEAM GRANT PROGRAM TO BE ADMINISTERED BY THE SUFFOLK COUNTY SHERIFF'S OFFICE IN PARTNERSHIP WITH THE NASSAU COUNTY SHERIFF'S OFFICE

WHEREAS, the New York State Office of Homeland Security has awarded the Suffolk County Sheriff's Office $50,000 in funds under the Explosive Detection Canine Team Program to be administered by the Suffolk County Sheriff's Office; and

WHEREAS, the Explosive Detection Canine Team Program will provide funds for high visibility enforcement for prevention and response to terrorist attacks, and to minimize danger of and support recovery from terrorist attacks; and

WHEREAS, this grant provides funding for the creation of a new explosive Detection Canine Team and the Sheriff's Office will receive 100% grant funding in the amount of $50,000; and

WHEREAS, Said grant is a multi-year grant slated to operate for the period beginning 08/01/2009 through 07/31/2012; and

WHEREAS, said funds have not been included in the 2010 Operating Budget; now, therefore be it

1st **RESOLVED**, that the County Executive and Sheriff are authorized to execute any Agreement with the State of New York, as necessary, to secure said grant funds; and be it further

2nd **RESOLVED**, that the County Legislature hereby authorizes the fleet of the Sheriff's Office be increased by one (1) vehicle; and be it further

3rd **RESOLVED**, that the purchase of one (1) K9 vehicle for the Sheriff's Office is hereby approved pursuant to Chapter 186-2(b)6 of the SUFFOLK COUNTY CODE; and in accordance with or exceeding the County vehicle standard; and be it further

4th **RESOLVED**, that the Canine Explosive Detection Team, created pursuant to this resolution, shall only be used to screen for explosives at the County correctional facilities in Yaphank and Riverhead; and be it further

5th **RESOLVED**, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of $50,000 as follows:

REVENUES:	AMOUNT
4330 - 2010 Explosive Detection Canine Team Grant Program	$50,000

APPROPRIATION:

Suffolk County Sheriff's Office
Explosive Detection Canine Team
001-SHF-3160

1000-Personal Services	$2,618
1120-Overtime Salaries	$2,618
2200-Public Safety	$5,250
2260-Explosive Detection Canine (Dog)	$5,250
4300-Travel	$10,132
4340-Training Tuition, Travel, Lodging and Meals	$10,132
2000-Trucks Trailers Jeeps	$28,200
2040-Vehicle K9 Ready	$28,200
2500-Other Equipment Not Otherwise	$3,400
2500-Kennel with concrete base and fencing	$3,400
3400-Supplies	$400
3410-Training Supplies	$400

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\res\r-explosive-detection-canine-team-program

1134

Intro. Res. No. -2010 Laid on Table 2/2/10

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

RESOLUTION NO. -2010 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE RUBENSTEIN & TANGUTURI PROPERTY – PECONIC RIVER GREENBELT ADDITION (TOWN OF RIVERHEAD - SCTM#0600-125.00-02.00-037.001)

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 877-2005, authorized planning steps for the acquisition of said property; and

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

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

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

WHEREAS, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s), as described in the 1st Resolved, is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; now, therefore, be it;

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Two Hundred Forty Thousand Dollars ($240,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0600	1.3±	Richard B. Rubenstein 65 Tyler Drive Riverhead, NY 11901 and Satyanarayana Tanguturi 10 Poplar Lane Bayport, NY 11705
	Section	125.00		
	Block	02.00		
	Lot	037.001		

; and, be it further

2nd **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Two Hundred Forty Thousand Dollars ($240,000.00), subject to a final survey; and, be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $240,000.00, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

4th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th **RESOLVED,** that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the

Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th **RESOLVED,** that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

a.) freshwater/tidal wetlands and buffer lands for same; and, be it further

7th **RESOLVED,** that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th **RESOLVED,** that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

GEN E S

COUNTY OF SUFFOLK

1134

JAN 08 2010

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER
PAMELA J. GREENE
DIVISION DIRECTOR

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

January 7, 2010

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Rubenstein & Tanguturi property-Peconic River Greenbelt Addition, in the Town of Riverhead, under the New Suffolk County ¼% Drinking Water Protection Program. The purchase price is $240,000.00 for 1.3± acres.

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene
Director

PJG:pd
Att.
cc: Christopher E. Kent, Chief Deputy County Executive
Ed Dumas, Chief Deputy County Executive
Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
Thomas A. Isles, Director, Planning Department
Janet M. Longo, Acquisition Supervisor
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
Brendan Chamberlain, Director, Intergovernmental Relations
Tom Vaughn, County Executive Assistant
Peter Belyea, Acquisition Agent
CE Reso Review (e-mail copy only)

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

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

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

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1134

1. Type of Legislation

Resolution __X____ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program, of the Rubenstein & Tanguturi property-Peconic River Greenbelt Addition, SCTM#0600-125.00-02.00-037.001, (Town of Riverhead).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

New Suffolk County ¼% Drinking Water Protection Program

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Janet M. Longo Acquisition Supervisor	J Longo	January 7, 2010

SCIN FORM 175b (10/95)

Intro. Res. No. 1135 – 2010 Laid on Table 2/2/10
Introduced by the Presiding Officer, on request of the County Executive

RESOLUTION NO. -2010 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE J. FLORENCE, R. FLORENCE AND HALLINEN PROPERTY – PATCHOGUE RIVER WETLANDS ADDITION (TOWN OF BROOKHAVEN - SCTM#0200-865.00-04.00-066.000)

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 877-2005, authorized planning steps for the acquisition of said property; and

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

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

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

WHEREAS, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s), as described in the 1st Resolved, is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; now, therefore, be it;

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Eight Thousand Dollars ($8,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	0.20±	James J. Florence 24 Cherry Lane Church Road East Stroudsburg, PA 18301 and Raymond J. Florence 3 East Shore Road Lake Hopatcong, NJ 07840 and Roberta Hallinen 93 Nuthatch Trace Brevard, NC 28712
	Section	865.00		
	Block	04.00		
	Lot	066.000		

; and, be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Eight Thousand Dollars ($8,000.00), subject to a final survey; and, be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $8,000.00, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

4th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th **RESOLVED,** that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th **RESOLVED,** that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

a.) freshwater/tidal wetlands and buffer lands for same;
b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study; and, be it further

7th **RESOLVED,** that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th **RESOLVED,** that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date of Approval:

Gen E4

COUNTY OF SUFFOLK

JAN 08 2010

1135

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER
PAMELA J. GREENE
DIVISION DIRECTOR

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

January 7, 2010

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the J. Florence, R. Florence and Hallinen property-Patchogue River Wetlands Addition, in the Town of Brookhaven, under the New Suffolk County ¼% Drinking Water Protection Program. The purchase price is $8,000.00 for 0.20± acres.

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene
Director

PJG:pd
Att.
cc: Christopher E. Kent, Chief Deputy County Executive
Ed Dumas, Chief Deputy County Executive
Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
Thomas A. Isles, Director, Planning Department
Janet M. Longo, Acquisition Supervisor
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
Brendan Chamberlain, Director, Intergovernmental Relations
Tom Vaughn, County Executive Assistant
Phyllis Benincasa, Acquisition Agent
CE Reso Review (e-mail copy only)

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

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

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

1135

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program, of the J. Florence, R. Florence and Hallinen property- Patchogue River Wetlands Addition, SCTM#0200-865.00-04.00-066.000, (Town of Broolkhaven).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

New Suffolk County ¼% Drinking Water Protection Program

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Janet M. Longo Acquisition Supervisor	J Longo	January 7, 2010

SCIN FORM 175b (10/95)

1136

Intro. Res. No. – 2010 Laid on Table 2/2/10

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

RESOLUTION NO. -2010 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE PORTER PROPERTY – SAGAPONACK WOODS (TOWN OF SOUTHAMPTON - SCTM#0900-041.00-01.00-023.000)

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 877-2005, authorized planning steps for the acquisition of said property; and

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

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

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

WHEREAS, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s), as described in the 1st Resolved, is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; now, therefore, be it;

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Six Hundred Sixty Thousand Dollars ($660,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0900	1.1±	William T. Porter
	Section	041.00		P.O. Box 1545
	Block	01.00		66 Main Street
	Lot	023.000		Sag Harbor, NY 11963

; and, be it further

2nd **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Six Hundred Sixty Thousand Dollars ($660,000.00), subject to a final survey; and, be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $660,000.00, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

4th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th **RESOLVED,** that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and One (1) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th **RESOLVED,** that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

c.) any tract of land located fully or partially within the statutorily designated Special Groundwater Protection Area; and, be it further

7th **RESOLVED,** that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th **RESOLVED,** that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

GEN ES

COUNTY OF SUFFOLK

1136 JAN 08 2010

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

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

January 7, 2010

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Porter property (Sagaponack Woods), in the Town of Southampton, under the New Suffolk County ¼% Drinking Water Protection Program. The purchase price is $660,000.00 for 1.1± acres,

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene
Director

PJG:pd
Att.
cc: Christopher E. Kent, Chief Deputy County Executive
Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
Thomas A. Isles, Director, Planning Department
Janet M. Longo, Acquisition Supervisor
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
Tom Vaughn, County Executive Assistant
Brendan Chamberlain, Director, Intergovernmental Relations
Peter Belyea, Acquisition Agent
CE Reso Review (e-mail copy only)

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

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

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

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION 1136

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program, of the Porter property (Sagaponack Woods), SCTM#0900-041.00-01.00-023.000, (Town of Southampton).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

New Suffolk County ¼% Drinking Water Protection Program

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Janet M. Longo Acquisition Supervisor	Janet Longo	January 7, 2010

SCIN FORM 175b (10/95)

1137

Intro. Res. No. – 2010 Laid on Table 2/2/10

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

RESOLUTION NO. -2010 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE RUBENSTEIN PROPERTY – REEVES BAY (TOWN OF SOUTHAMPTON - SCTM#0900-147.00-02.00-023.000)

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 676-2008, authorized planning steps for the acquisition of said property; and

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

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

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

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Three Hundred Twenty Five Thousand Dollars ($325,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0900	1.50±	Marcy Rubenstein
	Section	147.00		248 East 33rd Street
	Block	02.00		New York, NY 10016
	Lot	023.000		

; and, be it further

2nd **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Three Hundred Twenty Five Thousand Dollars ($325,000.00), subject to a final survey; and, be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $325,000.00, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

4th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th **RESOLVED,** that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and One (1) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th **RESOLVED,** that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

a.) freshwater/tidal wetlands and buffer lands for same; and, be it further

7th **RESOLVED,** that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th **RESOLVED,** that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

9th **RESOLVED,** that the project will not have a significant effect on the environment for the following reasons:

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

2.) the proposed use of the subject parcel(s) is passive recreation; and

3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and, be it further

10th **RESOLVED,** that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

Robins

1137

Name **Reeves Bay Property** Introductory Resolution No. **1670-2008**

SUFFOLK COUNTY OPEN SPACE RATING SYSTEM FOR NATURAL ENVIRONMENTS

This rating system for natural environments is designed to clarify the recommendation and acquisition process for parcels of land that might be acquired with funds from the New Drinking Water Protection Program, the Multifaceted Land Preservation Program, the SOS Program, the Environmental Legacy Fund, or any of the other County open space programs that are designed for the protection of natural environments.

NEW DRINKING WATER PROTECTION PROGRAM

If the property is being recommended for acquisition under the **New Drinking Water Protection Program (1999)**, then it must meet at least one of the following criteria:

1. Freshwater/tidal wetlands and buffer lands for same ☒
2. Lands within the watershed of a coastal stream as determined by a reasonable planning or hydrological study ☐
3. Any tract of land located fully or partially within a statutorily designated Special Groundwater Protection Area ☐
4. Lands determined by the County Department of Planning to be necessary for maintaining the quality of surface or groundwater in Suffolk County ☐
5. Lands identified by the South Shore Estuary Reserve (SSER), Peconic Estuary Program (PEP), and/or the Long Island Sound Comprehensive Conservation *and* Management Plan (LICMP) as needed to protect coastal water resources ☐

If YES, then go to the next page.

MULTIFACETED LAND PRESERVATION PROGRAM

Property is being recommended for acquisition under the following component of the **Multifaceted Land Preservation Program:**

- under the Land Preservation Partnership Program (passive recreational use) ☐
- under the traditional (1986) Open Space Preservation Plan ☐
- for environmentally sensitive land acquisition ☐
- for watershed/estuary protection ☐
- for drinking water protection purposes ☐

If YES, then go to the next page.

OTHER OPEN SPACE PROGRAMS:

1986 Open Space Preservation, 1987 Drinking Water Protection, South Setauket Woods Conservation Area, Land Preservation Partnership (passive recreation), the Community Greenways Fund (Open Space component), SOS (Save Open Space) Program (Open Space component), Environmental Legacy Fund (Open Space category), etc. ☐

If YES, then go to the next page.

137

SUFFOLK COUNTY OPEN SPACE RATING SYSTEM FOR NATURAL ENVIRONMENTS

	Score	Subtotal
NATURAL RESOURCE CHARACTERISTICS		
A. WETLANDS AND BUFFER AREAS		
1. Site contains tidal or freshwater wetlands as identified by New York State Department of Environmental Conservation or local town/village approved maps. (> 50%=10pts.; between 50% and 25%=8pts.; less than 25%=5pts.)	10	
2. Site contains the buffer area of a tidal wetland (approx. 300 ft.) or freshwater wetland. (approx. 100 ft.) (5pts.)	5	
3. Site contains both tidal and freshwater wetlands as identified by New York State Department of Environmental Conservation or local town/village approved maps. (2pts.)		
4. Site is located within a drainageway with at least one of the following soil types: At, Bd, Ca, De, Mu, ScB, SdA, SdB, Su, Tm, Wa, Wd, We, Wh. (2pts.)	2	17
B. GROUNDWATER RESOURCES		
1. Site is located within the Pine Barrens Core Area. (10pts.)		
2. Site is located within a Special Groundwater Protection Area (SGPA), but not within the Pine Barrens Core Area. (8pts.)		
3. Site is located within Hydrogeologic Zone I or Zone III (deep aquifer recharge area), but not within the Pine Barrens Core Area or a SGPA. (3pts.)		0
C. NATURAL HABITAT		
1. Site contains endangered (10 pts.), threatened (10 pts.) and/or special concern (7 pts.) species pursuant to Federal/New York State listings as identified under ECL Section 11-0535; regulation 6NYCRR Part 182.5. (10pts.)		
2. Site contains a New York State Natural Heritage Program Element(s) with a Global rank of G1, G2 or G3 and/or a State rank of S1, S2 or S3. (5pts.)		
3. Site contains an endangered, threatened, exploitably vulnerable or rare New York State Protected Native Plant species as identified under ECL Section 9-1503; regulation 6 NYCRR Part 193.3. (4pts.)		
4. Habitat diversity – Site contains three or more habitat cover types (ie. pine barrens, mature oak forest, wetland, maritime shrubland, etc. (2pts.)	2	2
PHYSICAL CHARACTERISTICS		
A. GEOLOGICAL LANDFORMS AND BOUNDARIES		
1. Site includes or is adjacent (approx. 300 ft.) to a waterbody such as an ocean/ bay/ sound/ pond/ lake/ river/ stream/ creek. (5pts.)	5	
2. Site contains a unique geological landform (ie. kettlehole, dune, bluff, escarpment, other) or is located within a major swale area that contributes direct runoff to surface waters. (3pts.)		
3. Site contains more than one waterbody, geologic landform as identified in No. 1 and 2 above. (2pts.)		
4. Site is located within the FIRMs 100-year floodplain (V Zone). (2pts.)	2	
5. Site is located within the FIRMs 100-year floodplain (A Zone). (1pt.)	1	8
B. SIZE		
1. Over 50 acres. (10 pts.)		
2. Between 10 and 50 acres. (8 pts.)	8	
3. Between 5 and 10 acres. (5 pts.)		8
C. LOCATION		
1. Site is adjacent or near (approx 300 ft.) to other County Parkland. (5 pts)	5	
2. Strategic parcel associated with an area earmarked by the Suffolk County Planning Department for future park acquisition or where significant County park/open space interests already exist. (4pts.)		
3. Site has been identified for environmental protection by an estuary program plan: Long Island Sound Study CCMP, Peconic Estuary Plan CCMP or the South Shore Estuary Reserve Plan CMP. (3pts.)		
4. Site is adjacent or near (approx. 300 ft.) to other protected parklands (ie. Federal, state, town, village or is located within a New York State designated Wild, Scenic and Recreational Rivers corridor). (2pts.)		
5. Site will provide public access to the shoreline (ie. ocean, bay, etc.). (2pts.)	2	
6. Site is located within or adjacent to a designated greenbelt or historic trail. (2pts)		
7. Site will provide special view from a high elevation, scenic roadway, major road corridor, waterfront, etc. (2pts.)	2	
8. Site is adjacent or near (approx. 300 ft.) to private open space. (1pt.)		9
STEWARDSHIP MANAGEMENT AGREEMENT		
1. Inter-municipal management agreement with Federal, state, town and/or village. (5 pts.)		
2. Management agreement with non-profit environmental organization. (1 pt.)		0
TOTAL SCORE (maximum = 100 points)		44

GEN E6

COUNTY OF SUFFOLK

1137

JAN 08 2010

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER
PAMELA J. GREENE
DIVISION DIRECTOR

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

January 7, 2010

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Rubenstein property (Reeves Bay), in the Town of Southampton, under the New Suffolk County ¼% Drinking Water Protection Program. The purchase price is $325,000.00 for 1.50± acres.

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene
Director

PJG:pd
Att.
cc: Christopher E. Kent, Chief Deputy County Executive
Ed Dumas, Chief Deputy County Executive
Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
Thomas A. Isles, Director, Planning Department
Janet M. Longo, Acquisition Supervisor
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
Brendan Chamberlain, Director, Intergovernmental Relations
Tom Vaughn, County Executive Assistant
Phyllis J. Benincasa, Acquisition Agent
CE Reso Review (e-mail copy only)

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

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

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

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION 1137

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program, of the Rubenstein property (Reeves Bay), SCTM#0900-147.00-02.00-023.000, (Town of Southampton).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

New Suffolk County ¼% Drinking Water Protection Program

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Janet M. Longo Acquisition Supervisor	Janet Longo	January 7, 2010

SCIN FORM 175b (10/95)

1138

Intro. Res. No. – 2010 Laid on Table 2/2/10

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

RESOLUTION NO. -2010 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE DEANGELIS PROPERTY – LONG POND GREENBELT (TOWN OF SOUTHAMPTON - SCTM#0900-053.00-01.00-071.001)

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 877-2005, authorized planning steps for the acquisition of said property; and

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

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

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

WHEREAS, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s), as described in the 1st Resolved, is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; now, therefore, be it;

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Five Hundred Twenty Five Thousand Dollars ($525,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0900	0.80±	Carl DeAngelis P.O. Box 1309 Grand Central Station, NY 10163
	Section	053.000		
	Block	01.00		
	Lot	071.001		

; and, be it further

2nd **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Five Hundred Twenty Five Thousand Dollars ($525,000.00), subject to a final survey; and, be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $525,000.00±, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

4th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th **RESOLVED,** that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th **RESOLVED,** that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

c.) any tract of land located fully or partially within the statutorily designated Special Groundwater Protection Area: and, be it further

7th **RESOLVED,** that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th **RESOLVED,** that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

GEN E7

COUNTY OF SUFFOLK

1138

JAN 08 2010

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER
PAMELA J. GREENE
DIVISION DIRECTOR

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

January 7, 2010

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the DeAngelis property (Long Pond Greenbelt), in the Town of Southampton, under the New Suffolk County Drinking Water Protection Program-Open Space. The purchase price is $525,000.00 for 0.80± acres.

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene
Director

PJG:pd
Att.
cc: Christopher E. Kent, Chief Deputy County Executive
Ed Dumas, Chief Deputy County Executive
Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
Thomas A. Isles, Director, Planning Department
Janet M. Longo, Acquisition Supervisor
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
Tom Vaughn, County Executive Assistant
Brendan Chamberlain, Director, Intergovernmental Relations
Peter Belyea, Acquisition Agent
CE Reso Review (e-mail copy only)

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

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

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

1138

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the New Suffolk County Drinking Water Protection Program, of the DeAngelis property (Long Pond Greenbelt), SCTM#0900-053.00-01.00-071.001, (Town of Southampton).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

New Suffolk County Drinking Water Protection Program

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Janet M. Longo Acquisition Supervisor	Janet Longo	January 7, 2010

SCIN FORM 175b (10/95)

1139

Intro. Res. No. – 2010 Laid on Table 2/2/10

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

RESOLUTION NO. -2010 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE DELALIO SOD FARM, INC. PROPERTY – PECONIC RIVER GREENBELT ADDITION (TOWN OF RIVERHEAD - SCTM#0600-137.00-02.00-002.001)

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 877-2005, authorized planning steps for the acquisition of said property; and

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

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

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

WHEREAS, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s), as described in the 1st Resolved, is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; now, therefore, be it;

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Two Hundred Thirty Thousand Dollars ($230,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0600	2.3±	Delalio Sod Farm, Inc.
	Section	137.00		625 Deer Park Avenue
	Block	02.00		Huntington, NY 11746
	Lot	002.001		

; and, be it further

2nd **RESOLVED,** that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Two Hundred Thirty Thousand Dollars ($230,000.00), subject to a final survey; and, be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $230,000.00, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

4th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th **RESOLVED,** that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and One (1) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th **RESOLVED,** that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study; and, be it further

7th **RESOLVED,** that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th **RESOLVED,** that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

GEN E8

COUNTY OF SUFFOLK

1139 JAN 08 2010

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER
PAMELA J. GREENE
DIVISION DIRECTOR

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

January 7, 2010

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Delalio Sod Farm, Inc. property (Peconic River Greenbelt Addition), in the Town of Riverhead, under the New Suffolk County ¼% Drinking Water Protection Program. The purchase price is $230,000.00 for 2.3± acres,

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene
Director

PJG:pd
Att.
cc: Christopher E. Kent, Chief Deputy County Executive
Ed Dumas, Chief Deputy County Executive
Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
Thomas A. Isles, Director, Planning Department
Janet M. Longo, Acquisition Supervisor
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
Tom Vaughn, County Executive Assistant
Brendan Chamberlain, Director, Intergovernmental Relations
Phyllis Benincasa, Acquisition Agent
CE Reso Review (e-mail copy only)

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

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

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

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1139

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program-Open Space, of the Delalio Sod Farm, Inc. property (Peconic River Greenbelt Addition), SCTM#0600-137.00-02.00-002.001, (Town of Riverhead).

3. Purpose of Proposed Legislation

See No. 2 above

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

New Suffolk County ¼% Drinking Water Protection

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	*11. Signature of Preparer*	*12. Date*
Janet M. Longo Acquisition Supervisor	Janet Longo	January 7, 2010

SCIN FORM 175b (10/95)

Intro. Res. No. 1140 -2010 Laid on Table 2/2/10
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2010, ACCEPTING AND APPROPRIATING 100% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS OFFICE OF HOMELAND SECURITY (OHS) IN THE AMOUNT OF $50,000 FOR "CREATION OF EXPLOSIVE DETECTION CANINE TEAM" UNDER HOMELAND SECURITY 2009 EXPLOSIVE DETECTION CANINE TEAM GRANT PROGRAM TO BE ADMINISTERED BY THE SUFFOLK COUNTY SHERIFF'S OFFICE IN PARTNERSHIP WITH THE NASSAU COUNTY SHERIFF'S OFFICE

WHEREAS, the New York State Office of Homeland Security has awarded the Suffolk County Sheriff's Office $50,000 in funds under the 2009 Explosive Detection Canine Team Program to be administered by the Suffolk County Sheriff's Office; and

WHEREAS, the 2009 Explosive Detection Canine Team Program will provide funds for high visibility enforcement for prevention and response to terrorist attacks, and to minimize danger of and support recovery efforts from terrorist attacks, while enhancing public safety; and

WHEREAS, this grant provides funding for the creation of a new explosive Detection Canine Team and the Sheriff's Office will receive 100% grant funding in the amount of $50,000; and

WHEREAS, Said grant is a multi-year grant slated to operate for the period beginning 08/01/2009 through 07/31/2012; and

WHEREAS, said funds have not been included in the 2010 Operating Budget; now, therefore be it

1st **RESOLVED**, that the County Executive and Sheriff are authorized to execute any Agreement with the State of New York, as necessary, to secure said grant funds; and be it further

2nd **RESOLVED**, that the County Legislature hereby authorizes the fleet of the Sheriff's Office be increased by one (1) vehicle and be it further

3rd **RESOLVED**, that the purchase of one (1) K9 vehicle for the Sheriff's Office is hereby approved pursuant to Chapter 186-2(b)6 of the SUFFOLK COUNTY CODE; and in accordance with or exceeding the County vehicle standard and be it further

4th **RESOLVED**, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of $50,000 as follows:

REVENUES: AMOUNT

4330 - 2009 Explosive Detection Canine Team Grant Program $50,000

APPROPRIATION: Suffolk County Sheriff's Office
Explosive Detection Canine Team
001-SHF-3160

1000- Personal Services	$2,618
1120-Overtime Salaries	$2,618
2200 - Public Safety	$5,250
2260 – Explosive Detection Canine (Dog)	$5,250
4300 -Travel	$10,132
4340 – Training Tuition, Travel, Lodging and Meals	$10,132
2000 -Trucks Trailers Jeeps	$28,200
2040 – Vehicle K9 Ready	$28,200
2500 – Other Equipment Not Otherwise	$3,400
2500 - Kennel with concrete base and fencing	$3,400
3400 - Supplies	$400
3410 -Training Supplies	$400

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

1140

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution __X__ Local Law _____ Charter Law

2. Title of Proposed Legislation – **Accepting and appropriating a grant in the amount of $50,000 from the New York State Office of Homeland Security 2009 Explosive Detection Canine Team Grant Program with 100% Support For "Creation of Explosive Detection Canine Team".**

3. Purpose of Proposed Legislation –**See number 2 above.**

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact – The Sheriff's Office FY 2010 Operating Budget will be modified to reflect an increase of $50,000 in appropriation 01-3160 – 1000-Personal Services, 1120-Overtime Salaries $2,618, 2200-Public Safety, 2260-Explosive Detection Canine (Dog) $5,250, 4300-Travel, 4340 Training Tuition, Travel, Logging and Meals $10,132, 2000-Trucks Trailers Jeeps, 2040 Vehicle K9 Ready $28,200, 2500-Other Equipment Not Otherwise $3,400, 3400-Supplies, 3410 Training Supplies $400.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
Not applicable.

8. Proposed Source of Funding – **New York State Office of Homeland Security (FY09 Explosive Detection Canine Team Grant Program) with 100% support.**

9. Timing of Impact - **08/01/2009 through 07/31/2012**

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date:
Michael P. Sharkey Chief of Staff		01/04/10

SCIN FORM 175b (10/95)

Stephanie Rubino
Chief Executive Analyst

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1140

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1140

JAN 11 2010

OFFICE OF THE SHERIFF

VINCENT F. DEMARCO
SHERIFF

To: Ben Zwirn, Deputy County Executive

From: Michael P. Sharkey, Chief of Staff

Date: 01/04/10

Re: N.Y.S. Office of Homeland Security 2009 Explosive Detection Canine Team Grant Program with 100% Support

---

As you are aware, the N.Y.S. Office of Homeland Security has made $50,000 in funds available to Suffolk County for the 2009 Explosive Detection Canine Team Grant Program with 100% support for the Sheriff's Office. This program provides funds for the creation of an Explosive Detection Canine Team and an additional Canine ready vehicle. This will provide a visible deterrent and enhance capabilities to respond, detect and identify potential explosive/improvised explosive device type incidents. The Explosive Detection Canine Team is a critical component to the system to keep Suffolk County residents' lives, property and critical infrastructure safe. The operational period is from August 1, 2009 through July 31, 2012.

An e-mail version of the resolution was sent to CE RESO REVIEW, saved under the title "Reso–Sheriff - Grant for 2009 Explosive Detection Canine Team Grant Program".

We request that this resolution be laid on the table at your earliest convenience.

Thank you for your consideration in reviewing this draft resolution.

MPS/jfr

cc: Chris Kent, Chief Deputy County Executive

Att.

100 CENTER DRIVE
RIVERHEAD, NEW YORK 11901-3390
(631) 852-2200

Intro. Res. No. 1141 -2010 Laid on Table 2/2/10
Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. -2010, AUTHORIZING PAYMENT OF CERTAIN CLOSING COSTS INCURRED RELATIVE TO THE ACQUISITION OF THE COHALAN COURT COMPLEX

WHEREAS, the County of Suffolk contracts with Capital Market Advisors (CMA) for municipal financial advisory services, which contract is currently in effect (the Agreement); and

WHEREAS, the Agreement obliges CMA to advise the County of pertinent market factors and expected trends in interest rates and to make recommendations, when appropriate, for alternative financing methods; and

WHEREAS, in fulfillment of its obligation under the Agreement, CMA presented an opportunity to the County whereby if the County conducted two refunding sales to acquire the Cohalan Court Complex it would realize significant savings of ~ $10 million during the term of the financing (the Cohalan transaction); and

WHEREAS, CMA also advised that if the Cohalan transaction could be timed to meet the October 15, 2009 call date inherent in the issues to be refunded then the County would realize a significant amount of the savings (~ $5.2 million) in the 2009 fiscal year; and

The Cohalan Transaction

WHEREAS, this Legislature approved Legislative Resolution No. 273-2004, "Authorizing The Issuance Pursuant To Section 90.10 Of The Local Finance Law Of Refunding Bonds Of The County Of Suffolk, New York, To Be Designated "Public Improvement Refunding (Serial) Bonds", And Providing For Other Matters In Relation Thereto And The Payment Of The Bonds To Be Refunded Thereby" on March 23, 2004 which included the $30,595,000 Public Improvement (Serial) Bonds 1999 Series B financing of the County owned portion of the John P. Cohalan Court Complex; and

WHEREAS, this Legislature approved Legislative Resolution No. 541-2009, "Establishing Intention Of The Legislature To Move Forward With The Purchase Of The John P. Cohalan Court Complex" on June 23, 2009; and

WHEREAS, this Legislature approved Legislative Resolution Nos. 637-2009, "Amending The 2009 Capital Budget And Program And Appropriating Funds In Connection With The Acquisition Of The Partial Interest In The John P. Cohalan Court Complex, Constituting The Portion Of Facility Not Currently Owned By The County, From The Suffolk County Judicial Facilities Agency (CP 1137)," and 642-2009, "Bond Resolution Of The County Of Suffolk, New York No. -2009, Authorizing The Issuance Of $66,000,000 Bonds To Finance A Part Of The Cost Of The Acquisition Of A Partial Interest In The John P. Cohalan Court Complex Constituting The Portion Of The Building Not Currently Owned By The County (CP 1137)" on August 4, 2009; and

WHEREAS, Bond Counsel review of the proposed refundings determined that a major portion of the sale would have to be structured as a federally taxable, rather than as a tax-exempt issue; and

WHEREAS, a federally taxable issue would yield a higher interest cost to the County than the interest cost that would be realized from a tax-exempt issue; and

WHEREAS, to offset the higher interest cost of a federally taxable issue and maximize potential savings, CMA recommended the alternative financing method of conducting the tax exempt and taxable refundings as competitive, rather than negotiated direct placement sales; and

WHEREAS, the refunding of the tax exempt issue in the sum of $15,435,000 closed on September 3, 2009 and the refunding of the taxable issue in the sum of $64,900,000 closed on October 29, 2009; and

WHEREAS, the two refundings on the Cohalan transaction has yielded ~ $10 million savings to the County; and

WHEREAS, all financial advisory services on the refundings have been satisfactorily provided by CMA; and

THE CMA CONTRACT

WHEREAS, the Agreement was compiled based on the County's prior borrowing history which typically consisted of four (4) transactions per year issued as two (2) bond sales to fund capital projects and two (2) note sales for cash flow purposes; and

WHEREAS, the Agreement provides for an annual retainer fee to serve as compensation for financial advisory services related to the County's typical annual bond and note issues which are normally conducted as competitive and tax-exempt sales; and

WHEREAS, the Agreement provides usual and ordinary compensation to CMA for non-competitive transactions which fall outside of the County's typical annual bond and note issues at a per bond rate of $0.95 per each $1,000 of par amount of the bonds; and

WHEREAS, at the time the Agreement was originally executed, the idea of the County conducting transactions outside of the County's typical annual bond and note issues as competitive issues hadn't been envisioned; and

WHEREAS, the financial services rendered by CMA in connection with the Cohalan transaction were considered extraordinary since they fell outside of the County's typical annual bond and note sales and,

WHEREAS, it was the understanding of this Legislature and CMA that CMA would be compensated according to the per bond rate of $0.95 per $1,000 of par

amount of the bonds, as testified at the August 4, 2009 General Meeting of this Legislature; and

WHEREAS, it was the intention of the Department of Audit and Control (the Department) to compensate CMA for financial services rendered in connection with the Cohalan transactions according to the per bond rate of $0.95 per $1,000 of par amount of the bonds; and

WHEREAS, all other costs of issuance related to the $15,435,000 and $64,900,000 issues have been or will be paid, and consist of $25,000 and $75,000, respectively, for Bond Counsel services, $10,000 for JFA Counsel services, $21,000 for building appraisal costs and $20,076 and $44,374, respectively for Rating Agency fees; and

WHEREAS, it is customary to write the costs of issuance into the proceeds from a refunding transaction, the funds for payment of the financial advisory services related to the two refundings are currently available without need for additional County appropriation; now, therefore be it

1st **RESOLVED,** that payment to CMA for the provision of financial advisory services related to the acquisition of the Cohalan Court Complex according to the per bond rate of $0.95 per each $1,000 of par amount of the bonds sold amounting to $14,663 relative to the $15,435,000 refunding issue and $61,655 relative to the $64,900,000 federally taxable issue is hereby approved and authorized; and be it further

2nd **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action pursuant to Title 6 NYCRR Section 617.5(c) (20) and (27) since it constitutes a local legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1141

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. -2010, AUTHORIZING PAYMENT OF CERTAIN CLOSING COSTS INCURRED RELATIVE TO THE ACQUISITION OF THE COHALAN COURT COMPLEX

3. Purpose of Proposed Legislation

SAME AS ABOVE – FUNDING HAS ALREADY BEEN AUTHORIZED.

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

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

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

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact:
NO IMPACT: FUNDING HAS BEEN AUTHORIZED

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

N/A

8. Proposed Source of Funding

CAPITAL FUNDS – CP 1137

9. Timing of Impact

UPON APPROVAL

10. Typed Name & Title of Preparer	11. Signature of Preparer	
Allen M. Kovesdy Director of Management and Research		January 25, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1141

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

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

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1141

OFFICE OF THE COUNTY COMPTROLLER

JOSEPH SAWICKI, JR.
Comptroller

January 21, 2010

Mr. Ken Crannell
Deputy County Executive
H. Lee Dennison Office Building – 11th Floor
100 Veterans Memorial Highway
Hauppauge, New York 11788

Subject: Resolution Requesting Legislative Approval of Payment for Certain Closing Costs for the Acquisition of the Cohalan Court Complex

Dear Ken:

Attached please find the above referenced resolution. Same has been circulated to all parties via e-mail (CE RESO REVIEW) and is being hand delivered to you this date so the resolution may be laid on the table on February 2, 2010 and be eligible for consideration for adoption on March 2, 2010. The title of the electronic file is *Reso-A&C-2010 Cohalan Closing Costs*.

This resolution requests Legislative approval of payment for financial advisory services which were provided relative to the acquisition of the Cohalan Court Complex.

Sincerely,

Joseph Sawicki, Jr.
County Comptroller

Encl
cc: Christopher Kent, Chief Deputy County Executive
Brendan Chamberlain, Director of Intergovernmental Relations
Christina Capobianco, Chief Deputy Comptroller
Patricia Grimes, Asst. Municipal Finance Administrator
Geraldine Olson, Asst. Municipal Finance Administrator

H. LEE DENNISON BUILDING • 100 VETERANS MEMORIAL HIGHWAY • P.O. BOX 6100 • HAUPPAUGE, NY 11788-0099
(631) 853-5060 Fax (631) 853-5964

Intro. Res. No. 1142-10

Introduced by Presiding Officer on Request of the County Executive

Laid on Table 2/2/10

RESOLUTION NO. –2010, ACCEPTING AND APPROPRIATING 100% LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND GRANT FROM NEW YORK STATE FOR RECORDS MANAGEMENT PROGRAMS

WHEREAS, the State Education Department has advised the Suffolk County Clerk that a Local Government Records Management Improvement Fund Grant in the amount of sixty-eight thousand two hundred twenty-nine dollars ($68,229.) has been awarded to the Suffolk County Clerk's Office for records management programs; and

WHEREAS, this grant will make it possible for the Suffolk County Clerk's Office to create digital use copies of the paper Grantor/Grantee indexes 1969-1977 series volumes thereby increasing the longevity of the records; and

WHEREAS, no matching funds are required; and

WHEREAS, funds appropriated for this New York State Education Department, State Archives and Records Administration (S.A.R.A) grant will be accepted and available in the 2009-2010 fiscal year; and

1st **RESOLVED,** that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of the individuals filling the positions created by this Resolution at the conclusion of the grant funding provided for such positions created by said grant; now, therefore be it

2nd **RESOLVED** that funding in the amount of sixty-eight thousand two hundred twenty nine dollars ($68,229) in the form of a Local Governments Record Management Improvement Fund Grant for the purpose of assisting the Suffolk County Clerk in establishing records management programs or developing new components thereof is appropriated as follows:

REVENUES:	**AMOUNT**
001-3089 State Aid: Other	+ $68,229
APPROPRIATIONS County Clerk's Office 001-CLK-1414-1130 Temporary Salaries	+$68,229

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1142

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO. –2010, ACCEPTING AND APPROPRIATING 100% LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND GRANT FROM NEW YORK STATE FOR RECORDS MANAGEMENT PROGRAMS

3. Purpose of Proposed Legislation

SAME AS ABOVE – ACCEPTING $68,229 FOR THE ABOVE GRANT

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact:
NO IMPACT: REVENUE TO THE COUNTY

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

N/A

8. Proposed Source of Funding

STATE GRANT

9. Timing of Impact

UPON APPROVAL

10. Typed Name & Title of Preparer	11. Signature of Preparer	
Allen M. Kovesdy Director of Management and Research		January 25, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1142

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

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

To be completed by the Executive Budget Office

1142

THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12230

The New York State Archives
Grants Administration Unit
9A81 Cultural Education Center
Albany, NY 12230

Tel. (518) 474 - 6926
Fax (518) 486 - 1647
E-mail: Archgrants@mail.nysed.gov

October 15, 2009

Project Number: 0580-10-1129

Lawrence Davidson, Project Director
Suffolk County
310 Center Dr
Riverhead, NY 11901

Dear Mr. Davidson:

After reviewing your proposal for a Local Government Records Management Improvement Fund (LGRMIF) grant, the New York State Archives, a unit of the NYS Education Department (SED) is pleased to inform you it has tentatively awarded your organization a grant in the amount of $74,965. This was a highly competitive year for grants, with only $5,579,929 in funding available. Please be aware that the Governor has proposed cuts to local assistance, including the LGRMIF, which may or may not affect the final amount of your grant award.

All grants, regardless of type or dollar amount, are subject to further review, monitoring, and audit to ensure compliance. SED has the right to recoup funds if the approved activities are not performed and/or the funds are expended inappropriately.

You will receive payment for this grant as follows:

1. 50% of the award, which you should receive in approximately four weeks. Note that the Archives no longer requires the submission of a Grant Acceptance Form to begin this process.
2. Up to 40% of the grant will be released when you submit form FS-25 *Request for Funds for a Federal or State Project* to SED's Grants Finance Unit. Please note applicants must submit these requests now based on anticipated expenditures for the next month only, as the State Education Department can no longer accept requests based on anticipated expenditures for the next quarter.
3. The remaining 10% will be released when the project is completed and the *Grant Project Final Report Form (FR-1)* and the *Final Expenditure Report (FS-10-F) Short Form* have been submitted to the Grants Administration Unit of the New York State Archives and approved by SED's Grants Finance Unit.
4. **You must complete all project work and expend all funds no later than June 30, 2010, as extensions are not allowed in this program.**

If you have any questions regarding this offer, you may contact the Grants Administration Unit at (518) 474-6926.

Sincerely,

Christine W. Ward
New York State Archivist and Chief Executive Officer of the Archives Partnership Trust

att:
cc: Judith Pascale, RMO
Lorraine Hill, RAO

1142

THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, N.Y. 12234

Grants Finance
Room 510W, Education Building
Tel. (518) 474-4815
Fax (518) 486-4899
Email: GRANTSWEB@MAIL.NYSED.GOV

580602640005

SUFFOLK COUNTY CLERKS OFFICE
310 CENTER DR
RIVERHEAD, NY 11901

TO: Chief Administrative Officer

FROM: Margaret Zollo

SUBJECT: Federal and State Grant Quarterly Status Report

The enclosed Federal and State Grant Quarterly Status Report provides information on current year projects and any open prior years' projects which have been received and logged by the New York State Education Department. Please use the Quarterly Status Report to reconcile your grant records. Report fields are defined as follows:

Project # - The # assigned by SED at the time of project approval.

Contract # - For projects running through the grant contract process, the New York State contract number will be listed.

Funding Source - The name of the Federal or State grant program under which the project is funded.

Budget - The current approved budget (FS-10) including all approved amendments.

Scheduled/ Paid to Date - The total amount of payments processed including scheduled but not paid. An asterisk (*) indicates that the Final Expenditure Report (FS-10-F) has been received. If the FS-10-F has been audited and closed, the Paid-to-Date will equal the Budget.

Projects listed as **UNDER REVIEW** have been received and logged by the program office but have not been forwarded to Grants Finance for processing. The project will continue to show as **UNDER REVIEW** until (1) the program office approves the application and forwards the budget to Grants Finance or (2) the application is disapproved by the program office. Disapproved projects do not appear on this report.

Start/End - The funding dates of the project, including any extensions. Funding dates are the dates in which project encumbrances can be made.

If you have any questions about the Quarterly Status Report, please contact Grants Finance.

1142

CF760

FEDERAL AND STATE GRANT STATUS REPORT

SED CODE: 580602640005
AGENCY NAME: SUFFOLK COUNTY CLERKS OFFICE

RUN DATE: 01/04/10

2010 PROJECTS

PROJECT #	CONTRACT #	FUNDING SOURCE	BUDGET	SCHEDULED/ PAID TO DATE	START	END
0580101129		LOCAL GOV'T RECORD	68,229	0		
TOTAL			68,229	0		

Intro Res. No. 1143-10 Laid on Table 2/2/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO - 2010, AUTHORIZING THE PURCHASE OF UP TO 22 PARATRANSIT VANS FOR SUFFOLK TRANSIT AN0 ACCEPTING AND APPROPRIATING FEDERAL AID AND STATE AID AND COUNTY FUNDS (CP 5658)

WHEREAS, the Federal Transit Administration (FTA) and the New York State Department of Transportation (NYSDOT) provide funds for mass transportation projects; and

WHEREAS, Grant Nos. NY-04-0050, NY-90-X558 and NY-90-X617 and have been awarded to Suffolk County by the FTA and each grant includes funds for various mass transportation projects for Suffolk Transit including the purchase of paratransit vans; and

WHEREAS, the grant agreements for the Federal and associated State financial assistance impose certain obligations upon the County, and require the County to commit resources necessary to initially cover the total project costs of the grants; and

WHEREAS, Federal reimbursement to the County will be 80% and State reimbursement to the County will be up to 50% of the non-federal share of federally funded projects, but not to exceed 10% of federally funded total project costs and the County will provide the remaining10% local share of project costs; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2010 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the total cost of the purchase is estimated to be $1,475,000; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program; and

WHEREAS, that the County Legislature, by resolution of even date herewith, has authorized the issuance of $147,500 in Suffolk County Serial Bonds to cover the County share of this purchase; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty-six (36) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the Purchasing Division is authorized to acquire up to 22 paratransit vans and related equipment, and including pre and post delivery Buy America audits and inspection during manufacture subject to approvals of FTA and NYSDOT and pursuant to applicable federal and state regulations; and be it further

4th RESOLVED, that that the proceeds of $147,500 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Proj. No.	Project Title	Amount
525-CAP-5658.546 Fund 001 Debt Service	Purchase of up to 22 paratransit vans including related equipment for Suffolk Transit	$147,500

and be it further

5th RESOLVED, that the State Aid be and they are hereby appropriated as follows:

Proj. No.	Project Title	Amount
525-CAP-5658.546	Purchase of up to 22 paratransit vans including related equipment for Suffolk Transit	$147,500

and be it further

6th RESOLVED, that the Federal Aid be and they are hereby appropriated as follows:

Proj. No.	Project Title	Amount
525-CAP-5658.546	Purchase of up to 22 paratransit vans including related equipment for Suffolk Transit	$1,180,000

and be it further

7th RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept State and Federal aid in connection with this project.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1143

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION NO - 2010, AUTHORIZING THE PURCHASE OF UP TO 22 PARATRANSIT VANS FOR SUFFOLK TRANSIT AND ACCEPTING AND APPROPRIATING FEDERAL AID AND STATE AID AND COUNTY FUNDS (CP 5658)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

County **Town** **Economic Impact**

Village **School District** **Other (Specify):**

Library District **Fire District**

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

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

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

SERIAL BONDS

9. Timing of Impact

2011

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Debra Kolyer Principal Financial Analyst	Deb Kolyer	January 22, 2010

SCIN FORM 175b (10/95)

Suffolk County
General Obligation Serial Bonds
Level Debt

1143

Term of Bonds: 5
Amount to Bond: $147,500

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2010					
11/1/2010					
5/1/2011	2.500%	$27,616.18	$4,867.50	$32,483.68	$32,483.68
			$1,978.08	$1,978.08	
5/1/2011	3.500%	$28,527.52	$1,978.08	$30,505.60	$32,483.68
			$1,507.38	$1,507.38	
5/1/2012	3.500%	$29,468.93	$1,507.38	$30,976.31	$32,483.68
			$1,021.14	$1,021.14	
5/1/2013	3.500%	$30,441.40	$1,021.14	$31,462.54	$32,483.68
			$518.86	$518.86	
5/1/2014	3.500%	$31,445.97	$518.86	$31,964.83	$32,483.68
		$147,500.00	$14,918.42	$162,418.42	$162,418.42

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1143

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$32,484**	**$0.06**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$32,484**	**$0.06**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

COUNTY OF SUFFOLK

1143

JAN 14 2010

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

FROM: Thomas LaGuardia, P.E, Chief Deputy Commissioner
Department of Public Works

DATE: January 12, 2010

RE: C.P. 5658 – Purchase of Public Transit Vehicles
AUTHORIZING THE PURCHASE OF UP TO 22 PARATRANSIT VANS FOR SUFFOLK TRANSIT AND ACCEPTING AND APPROPRIATING FEDERAL AID AND STATE AID AND COUNTY FUNDS

Attached, please find a draft resolution for the purchase of up to 22 paratransit vans for Suffolk Transit. This proposed legislation will authorize the Purchasing Division to acquire up to 22 paratransit vans and related equipment, and including pre and post delivery Buy America audits and inspection during manufacture and accept and appropriate Federal and State aid and County funds for this project.

The SCIN Forms 175a and Statement of Financial Impact Form are attached.

This proposed resolution, with backup, will be forwarded electronically titled: "Reso-DPW-Purchase of up to 22 Paratransit Vans for Suffolk Transit"

Please initiate the process to have this resolution introduced at the meeting of the Suffolk County Legislature on February 2, 2010. If you have any questions, please do not hesitate to contact Robert W. Shinnick, Director of Transportation Operations, at 24880.

TL:RWS:cfn
Enclosures

cc: Christopher Kent, Chief Deputy County Executive, w/enc.
Brendan Chamberlain, Director of Intergovernmental Relations, w/enc. (2)
Kathy LaGuardia, DPW Finance, w/enc.
Linda Brandolf, DPW Capital Accounting, w/enc.
Carmine Chiusano, Budget Office, Budget Office, w/enc.
Don Fahey, Federal & State Aid Office, w/enc
CE Reso Review List, e-mail

1144

Intro. Res. No. - 2010 Laid on the Table 2/2/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2010, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 67, MOTOR PARKWAY BRIDGE, L.I.E. EXIT 55 (C.P. 5172)

WHEREAS, the Commissioner of Public Works has requested additional funds for construction and construction inspection in connection with Reconstruction of CR67, Motor Parkway Bridge, L.I.E. Exit 55; and

WHEREAS, Resolution 426-09 provided $19,500,566 allocated as eighty seven and seven tenths (87.7) percent Federal funding, nine and two tenths (9.2) percent of State funding and three and one tenths (3.1) percent County funds, under the Federal Highway Administration, identified as PIN 075614; and

WHEREAS, the final issuance of Federal authorization for this project has been obtained; and

WHEREAS, additional local County match is required to continue progressing this Federal and State aided project; and

WHEREAS, the amended funding allocation is as follows: eighty three (83) percent Federal funding, eight and seventy five hundredths (8.75) percent of State funding and eight and seventy five hundredths (8.75) percent County funds; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal portion; and

WHEREAS, sufficient funds are not included in the 2010 Capital Budget and Program to cover the cost of said request under CP 5172 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,000,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, Resolution No. 904-2003 approved by the County Legislature issued a SEQRA Negative Declaration for the project, therefore, the provisions of SEQRA have been complied with and no further environmental review is necessary; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty four (54) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2

(A) of the Suffolk County Charter to complete the Reconstruction of CR67, Motor Parkway Bridge, L.I.E. Exit 55; and be it further

4th **RESOLVED**, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5172
Project Title: Reconstruction of CR67, Motor Parkway Bridge, L.I.E. Exit 55

	Total Est'd Cost	Current 2010 Capital Budget & Program	Revised 2010 Capital Budget & Program
3. Construction	$20,500,556	$ 0B	$1,000,000B
TOTAL	$24,795,156	$ 0	$1,000,000

5th **RESOLVED**, that the proceeds of $1,000,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5172.311 Fund 001 Debt Service	50	Reconstruction of CR67, Motor Parkway Bridge, L.I.E. Exit 55	$1,000,000

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1144

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 67, MOTOR PARKWAY BRIDGE, L.I.E. EXIT 55 (C.P. 5172)

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

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

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

SEE ATTACHED DEBT SCHEDULE.

8. Proposed Source of Funding

SERIAL BONDS.

9. Timing of Impact 2010

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
CARMINE CHIUSANO CHIEF FINANCIAL ANALYST	Carmine Chiusano	1/25/10

SCIN FORM 175b (10/95)

FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1144

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$87,961**	**$0.16**		$0.000

POLICE DISTRICT AND DISTRICT COURT

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$0**	**$0.00**		$0.000

COMBINED

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER $100	2011 FEV TAX RATE PER $1000
TOTAL	**$87,961**	**$0.16**		$0.000

NOTES:
1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2009.
2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office

Suffolk County
General Obligation Serial Bonds
Level Debt

1144

Term of Bonds: 15
Amount to Bond: $1,000,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2010					
11/1/2010					
5/1/2011	2.500%	$51,127.64	$36,833.33	$87,960.98	$87,960.98
			$17,475.07	$17,475.07	
5/1/2011	3.500%	$53,010.85	$17,475.07	$70,485.91	$87,960.98
			$16,498.78	$16,498.78	
5/1/2012	3.500%	$54,963.41	$16,498.78	$71,462.19	$87,960.98
			$15,486.54	$15,486.54	
5/1/2013	3.500%	$56,987.90	$15,486.54	$72,474.44	$87,960.98
			$14,437.01	$14,437.01	
5/1/2014	3.500%	$59,086.95	$14,437.01	$73,523.96	$87,960.98
			$13,348.83	$13,348.83	
5/1/2015	3.500%	$61,263.32	$13,348.83	$74,612.15	$87,960.98
			$12,220.56	$12,220.56	
4/30/2016	3.500%	$63,519.85	$12,220.56	$75,740.42	$87,960.98
			$11,050.74	$11,050.74	
5/1/2017	3.500%	$65,859.50	$11,050.74	$76,910.24	$87,960.98
			$9,837.83	$9,837.83	
5/1/2018	3.500%	$68,285.33	$9,837.83	$78,123.15	$87,960.98
			$8,580.24	$8,580.24	
5/1/2019	3.500%	$70,800.50	$8,580.24	$79,380.74	$87,960.98
			$7,276.33	$7,276.33	
4/30/2020	3.750%	$73,408.32	$7,276.33	$80,684.65	$87,960.98
			$5,924.39	$5,924.39	
5/1/2021	4.000%	$76,112.19	$5,924.39	$82,036.59	$87,960.98
			$4,522.66	$4,522.66	
5/1/2022	4.500%	$78,915.66	$4,522.66	$83,438.32	$87,960.98
			$3,069.30	$3,069.30	
5/1/2023	4.500%	$81,822.39	$3,069.30	$84,891.68	$87,960.98
			$1,562.40	$1,562.40	
4/30/2024	4.500%	$84,836.18	$1,562.40	$86,398.58	$87,960.98
		$1,000,000.00	$319,414.67	$1,319,414.67	$1,319,414.67

COUNTY OF SUFFOLK

JAN 14 2010

1144

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

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

DATE: January 12, 2010

RE: **AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 67, MOTOR PARKWAY BRIDGE, L.I.E. EXIT 55 (C.P. 5172)**

Attached are a draft resolution and duplicate copy to appropriate the sum of $1,000,000 for construction in connection with the above referenced project. The project was bid and additional funding is required to complete the job. We anticipate no additional Federal or State funding will be available for the additional costs to complete this work.

When this project was originally funded in 2009 the FWHA provided the County with 87.7% Federal funding and 9.2% State funding and 3.1% County funds. This Resolution will change the Federal aid contribution for construction to 83%, the State contribution for construction to 8.75% and the County contribution to eight and seventy five hundredths 8.75% .

There are no funds included in the 2010 Capital budget and program for this project. However, pursuant to the Suffolk County charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CR67 Motor Parkway Bridge Reconstruction.doc".

TL:WH:sk
attach.
cc Chris Kent, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Principal Financial Analyst
William Hillman, P.E., Chief Engineer
Laura Conway, CPA, Chief Accountant
Linda Brandolf, CPA, Capital Accounting
Theresa D'Angelo, Principal Clerk
James Bagg, Chief Environmental Analyst

UPDATED VERSION AS OF 1/27/10

Intro. Res. No. 1145-2010 Laid on Table 2/2/2010
Introduced by Legislator Eddington

RESOLUTION NO. –2010, REQUIRING HOMELESS SEX OFFENDERS TO WEAR GPS TRACKING DEVICES

WHEREAS, sex offenders in New York State are required under the Sex Offender Registration Act ("SORA") to provide their permanent residence address to the State Division of Criminal Justice Services; and

WHEREAS, homeless registered sex offenders are more difficult for the State and County to track, as they have no permanent address on file; and

WHEREAS, Suffolk County houses homeless sex offenders in trailers on the campus of the County Jail in Riverhead; and

WHEREAS, the County Executive has announced plans to discontinue the use of the trailers and move to a system whereby the Department of Social Services will provide homeless sex offenders with ninety dollars ($90.00) per night to secure their own overnight accommodations; and

WHEREAS, by discontinuing the use of the trailers, homeless sex offenders will be housed in sites across the County with no oversight, supervision or security; and

WHEREAS, GPS tracking devices provide detailed information about a person's location and are currently being used by law enforcement agencies across the country to track certain individuals on parole or probation to ensure they are meeting the conditions of their release; and

WHEREAS, since homeless sex offenders in Suffolk County will be scattered throughout the community under the County Executive's new policy, requiring homeless sex offenders to wear GPS tracking devices would supplement the residence information provided to the State under SORA and allow for more effective tracking of these individuals; now, therefore be it

1st **RESOLVED**, that all homeless registered sex offenders residing in Suffolk County and placed in temporary emergency housing by the Department of Social Services shall be provided with, and must wear, a GPS tracking device for the duration of their stay in emergency housing; and be it further

2nd **RESOLVED**, the Department of Social Services shall provide homeless registered sex offenders with the GPS tracking device required pursuant to this resolution; and be it further

3rd **RESOLVED,** that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency

administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-homeless sex offender gps

1146

Intro. Res. No. -2010 Laid on Table 2/2/10
Introduced by Legislator Schneiderman

RESOLUTION NO. -2010, DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO HOLD PUBLIC HEARINGS ON NEW BUS FARES IN ORDER TO IMPLEMENT SUNDAY BUS SERVICE

WHEREAS, the County of Suffolk wishes to introduce Sunday bus service for its residents; and

WHEREAS, Sunday bus service would allow residents dependent on public transportation to travel, recreate and shop, and thereby stimulate the local economy; and

WHEREAS, a consultant's report on the Suffolk County transit system has recommended offering Sunday service on 23 routes; and

WHEREAS, the County's bus fares have not been increased in many years and are significantly lower than regional standards; and

WHEREAS, an increase in bus fares to a level commensurate with those charged by the MTA/Long Island Bus would produce revenues needed to implement bus service on Sundays; now, therefore be it

1st **RESOLVED**, that the Director of Transportation Operations in the Department of Public Works is hereby directed to hold, as soon as possible, public hearings to consider raising bus fares so they are identical to those of the MTA/Long Island Bus. Such hearings should specifically address increasing fares as follows: Full fare - $2.25; Reduced fare - $1.10 and S.C.A.T. $3.75 ($7.50 round trip); and be it further

2nd **RESOLVED**, that transfer fees should be eliminated in tandem with the proposed fare increases; and be it further

3rd **RESOLVED**, that the Director of Transportation Operations written report on the findings of the public hearings and recommendations regarding an increase in bus fares shall be submitted to the County Executive and each member of the Suffolk County Legislature no later than ninety (90) days subsequent to the effective date of this resolution; and be it further

4th **RESOLVED**, that any increase in bus fares shall be enacted by a separate, duly enacted resolution of the County of Suffolk; and be it further

5th **RESOLVED**, that the Department of Public Works, Division of Transportation is hereby authorized, empowered and directed to use the increased revenue generated by the new fares, if approved, to implement Sunday bus service to the fullest extent practicable in accordance with the recommendations of the interim report issued by Abrams-Cherwony and Associates; and be it further

6th **RESOLVED**, that any revenues generated by the increased bus fares in excess of the amount that is necessary to provide Sunday bus service, shall be designated for the further improvement of the County's public transportation services; and be it further

7th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) 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-Sunday bus route refile

1147

Intro. Res. No. -2010
Introduced by Legislator Romaine

Laid on Table 2/2/10

RESOLUTION NO. –2010, DEDICATING THE REVENUE GENERATED BY THE COUNTY'S LEASE WITH EASTERN LONG ISLAND SOLAR PROJECT

WHEREAS, Introductory Resolution No. 1043-2010, if enacted, would authorize the County Executive to enter into a lease agreement with Eastern Long Island Solar Project to use County property in the development of solar energy facilities; and

WHEREAS, in addition to furthering the County's renewable energy goals, this lease is projected to net the County an estimated $8.5 million over the next twenty years; and

WHEREAS, Suffolk County is currently paying the Long Island Power Authority ("LIPA") a substantial judgment in connection with tax assessment at their Shoreham plant; and

WHEREAS, the judgment is being repaid by ratepayers in Suffolk County, who pay slightly higher rates on their energy bills than residents of Nassau County; and

WHEREAS, it would be appropriate to use the revenue created through the renewable energy lease to help pay down the debt associated with the judgment Suffolk County is currently paying to LIPA; and

WHEREAS, using the revenue in this manner could provide a cost savings to LIPA ratepayers residing in Suffolk County; now, therefore be it

1st **RESOLVED**, that the Suffolk County Treasurer is hereby authorized, empowered and directed to establish a separate account for the revenues generated by the County's lease with enXco, d/b/a Eastern Long Island Solar Project, LLC; and be it further

2nd **RESOLVED**, that the Suffolk County Treasurer is hereby authorized, empowered and directed to use the funds deposited in that account solely for the purpose of paying debt associated with LIPA's judgment against the County for the Shoreham overcharges; and be it further

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

DATED:

APPROVED BY:

1148

Intro. Res. No. -2010
Introduced by Presiding Officer Lindsay

Laid on Table 2/2/2010

RESOLUTION NO. –2010, AMENDING THE 2010 OPERATING BUDGET AND AUTHORIZING THE PURCHASE OF THREE PREVIOUSLY LEASED VEHICLES IN THE SUFFOLK COUNTY DEPARTMENT OF LABOR

WHEREAS, the Department of Labor's lease for five (5) low mileage 2007 Chevy Impalas in excellent working condition expires in March 2010; and

WHEREAS, purchasing these vehicles is a less expensive option for the County than purchasing new replacement vehicles for the County's fleet; and

WHEREAS, it is the desire of the Legislature to exercise the buyout option to purchase three (3) of the lease vehicles to achieve savings for Suffolk County taxpayers; and

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

1ST RESOLVED, that the County Department of Public Works, Division of Purchasing, is hereby authorized, empowered, and directed, pursuant to Section 186-2(B)(5)(a) and (6)(c) of the SUFFOLK COUNTY CODE, to purchase the best three (3) of the five (5) previously leased vehicles to replace three (3) high mileage vehicles in the Legislature, as soon as their underlying Labor Department leases expire, subject to an assessment of said vehicles by the Suffolk County Department of Public Works before the vehicles are purchased subject to assignment and County Vehicle Standard Provisions of Section 186-2(B)(5) and (6) of the SUFFOLK COUNTY CODE; and be it further

2ND RESOLVED, that it is the desire of the Legislature to purchase the best three (3) of the five (5) vehicles identified in the chart that follows, as determined by the Department of Public Works, at a total cost not to exceed $24,000 for the three (3) vehicles;

Vehicle Identification Number (VIN)	Color
2GIWB58NX79326737	BLACK
2GIWB58N679328310	RED
2GIWB58N079332255	SILVER
2GIWB58N279327638	BLUE
2GIWB58N979333503	BLACK

and be it further

3RD RESOLVED, that the 2010 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	OBJECT NAME	AMOUNT
001	LEG	1025	0000	4560	Fees for Services: Non-Employees	-$24,000

TO:

FD	AGY	UNIT	ACT	OBJ	OBJECT NAME	AMOUNT
016	DPW	5130	0000	2030	Purchase of Automobiles	+$24,000
001	IFT	E016	0000	9600	Transfer to Funds	+$24,000

REVENUES:

TO:

FD	AGY	REV CODE	REVENUE NAME	AMOUNT
016	IFT	R001	Transfer from General Fund	+$24,000

and be it further

4TH RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of purchasing three (3) previously leased vehicles from the Department of Labor to replace three high-mileage vehicles in the Legislature.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

T:\BRO\Labor cars.doc

1149

Intro. Res. No. -2010 Laid on Table 2/2/2010
Introduced by Legislator Schneiderman

RESOLUTION NO. –2010, AMENDING THE 2010 OPERATING BUDGET AND TRANSFERRING FUNDS TO MONTAUK FIRE DISTRICT

WHEREAS, there are insufficient funds included in the 2010 Adopted Operating Budget for the Montauk Fire District; and

WHEREAS, it is the desire of this Legislature to provide additional funding for the Montauk Fire District; and

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

1st RESOLVED, that the 2010 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	ECD	6410	JEU1	4980	East End Arts Council	-$5,000

TO:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	FRE	3400	XXXX	4980	Montauk Fire District	+$5,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the Montauk Fire District; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Montauk Fire District.

DATED:

APPROVED BY:

_____

1150

Intro. Res. No. -2010
Introduced by Presiding Officer Lindsay

Laid on Table 2/2/2010

RESOLUTION NO. -2010, AMENDING THE 2010 OPERATING BUDGET TO CONSOLIDATE THE ISLIP HEALTH CENTER

WHEREAS, the Suffolk County Legislature included additional funds in the 2010 Operating Budget to provide sufficient appropriations to operate the Islip Health Center at both the Brentwood and Central Islip locations if New York State disapproved the consolidation of the Brentwood and Islip Health Centers; and

WHEREAS, New York State approved closure of the Central Islip location in December 2009 and the subsequent transfer of personnel and operations to the Brentwood location will result in net cost savings to the operation of the Islip Health Center, and to Suffolk County, of approximately $850,000; and

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

1st **RESOLVED**, that the 2010 County Operating Budget is hereby amended as follows in Schedule A and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations;

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

Schedule A								
FD	AGY	UNIT	UNIT NAME	ACT	ACTIVITY NAME	OBJ	OBJECT NAME	Amount
001	HSV	4100	Hs: Patient Care Svcs Adm	AJK1	ISLIP HEALTH CENTER	4980	Contracted Agencies	($850,000)
001	AAC	1315	Audit & Control	0000		1100	Permanent Salaries	$11,796
001	BOE	1450	Board Of Elections	0000		1100	Permanent Salaries	$13,553
001	CIV	1430	Civil Service	0000		1100	Permanent Salaries	$8,555
001	CLK	1410	County Clerk	0000		1100	Permanent Salaries	$7,392
001	CLK	1412	County Clerk: Micrographics	0000		1100	Permanent Salaries	$2,099
001	CLK	1413	Co Clerk: Court Reltd Expense	0000		1100	Permanent Salaries	$1,704
001	CLK	1983	Co Clerk: Archives	0000		1100	Permanent Salaries	$640
001	CNS	6610	Consumer Affairs	0000		1100	Permanent Salaries	$4,143
001	DIS	1152	Elder Abuse Program	0000		1100	Permanent Salaries	$345
001	DIS	1157	D A: Victim Witness Asst Pgm	0000		1100	Permanent Salaries	$256
001	DIS	1166	D.A. Management & Info Tec	0000		1100	Permanent Salaries	$1,666
001	DIS	1168	M.V. Theft & Ins Fraud Protect	0000		1100	Permanent Salaries	$1,083
001	DPW	1345	Purchasing	0000		1100	Permanent Salaries	$1,623
001	DPW	1490	P W: Engineering	0000		1100	Permanent Salaries	$9,992
001	DPW	1492	Facilities Engineering	0000		1100	Permanent Salaries	$1,272
001	DPW	1493	P W: Bldg Design & Construct	0000		1100	Permanent Salaries	$4,084
001	DPW	1494	P W: Bldgs Operations & Maint	0000		1100	Permanent Salaries	$7,459
001	DPW	1495	Vector Control	0000		1100	Permanent Salaries	$3,210
001	DPW	1611	P W: Custodial Svcs & Security	0000		1100	Permanent Salaries	$6,916

Schedule A								
FD	AGY	UNIT	UNIT NAME	ACT	ACTIVITY NAME	OBJ	OBJECT NAME	Amount
001	DPW	1660	Pw: Support Services	0000		1100	Permanent Salaries	$2,081
001	DPW	5641	Planning: Transportation Proj	0000		1100	Permanent Salaries	$2,055
001	DSS	6005	Dss: Administration	0000		1100	Permanent Salaries	$14,371
001	DSS	6006	Information Technology	0000		1100	Permanent Salaries	$4,033
001	DSS	6008	Ss: Housing Services	0000		1100	Permanent Salaries	$17,552
001	DSS	6010	Dss: Community Svcs Admin	0000		1100	Permanent Salaries	$49,792
001	DSS	6015	Dss: Public Assist Admin	0000		1100	Permanent Salaries	$29,451
001	DSS	6016	Dss: Training & Staff Develop	0000		1100	Permanent Salaries	$293
001	DSS	6115	Dss: Alternatives For Youth	0000		1100	Permanent Salaries	$808
001	DSS	6205	Hospital Outreach Services	0000		1100	Permanent Salaries	$618
001	ECD	6410	Economic Development Admin	0000		1100	Permanent Salaries	$1,490
001	EVE	8041	Office Of Cancer Awareness	0000		1100	Permanent Salaries	$259
001	EVE	8200	General Admn: Environ & Energy	0000		1100	Permanent Salaries	$380
001	EVE	8220	Office Of Energy	0000		1100	Permanent Salaries	$192
001	EVE	8230	Off Of Recycling & Waste Mgmt	0000		1100	Permanent Salaries	$75
001	EVE	8715	Div Of Real Prop Acq & Mgmt	0000		1100	Permanent Salaries	$4,752
001	EXE	1230	County Executive	0000		1100	Permanent Salaries	$4,846
001	EXE	1232	Exec: Budget And Management	0000		1100	Permanent Salaries	$3,413
001	EXE	1435	Labor Relations	0000		1100	Permanent Salaries	$780
001	EXE	6510	Veterans Service	0000		1100	Permanent Salaries	$1,059

Schedule A								
FD	AGY	UNIT	UNIT NAME	ACT	ACTIVITY NAME	OBJ	OBJECT NAME	Amount
001	EXE	6511	Administration	0000		1100	Permanent Salaries	$199
001	EXE	6770	Sr Ctzns Home Energy Pgm/Wrap	0000		1100	Permanent Salaries	$140
001	EXE	6772	Older Americans Act Programs	0000		1100	Permanent Salaries	$2,059
001	EXE	6774	Sup Nut Program	0000		1100	Permanent Salaries	$193
001	EXE	6777	Comm Svcs For The Elderly	0000		1100	Permanent Salaries	$1,234
001	EXE	6778	Expanded In Home Services	0000		1100	Permanent Salaries	$2,534
001	EXE	6807	POINT OF ENTRY	0000		1100	Permanent Salaries	$224
001	EXE	7320	Youth Bureau/Office For Child	0000		1100	Permanent Salaries	$641
001	EXE	7325	Spec Dlnqncy Prevention Pgm	0000		1100	Permanent Salaries	$69
001	EXE	8050	Handicapped Services	0000		1100	Permanent Salaries	$916
001	EXE	8051	Sc Office For Women	0000		1100	Permanent Salaries	$676
001	FIN	1325	Finance & Taxation	0000		1100	Permanent Salaries	$5,796
001	FRE	3400	Fire, Rescue & Emergency Svc	0000		1100	Permanent Salaries	$7,426
001	FRE	3405	Domestic Preparedness Support	0000		1100	Permanent Salaries	$256
001	HSV	4005	Hs: General Admin	0000		1100	Permanent Salaries	$14,280
001	HSV	4010	Hs: Public Health	0000		1100	Permanent Salaries	$1,960
001	HSV	4015	Hs: Environmental Protection	0000		1100	Permanent Salaries	$5,968
001	HSV	4023	Hiv Rpting & Partner Notify Pr	0000		1100	Permanent Salaries	$508
001	HSV	4024	Bioterrorism Ph Prep Response	0000		1100	Permanent Salaries	$1,662
001	HSV	4100	Hs: Patient Care Svcs Adm	0000		1100	Permanent Salaries	$1,908

Schedule A								
FD	AGY	UNIT	UNIT NAME	ACT	ACTIVITY NAME	OBJ	OBJECT NAME	Amount
001	HSV	4101	Patient Care Programs	0000		1100	Permanent Salaries	$7,138
001	HSV	4102	Hs: Riverhead Health Center	0000		1100	Permanent Salaries	$7,421
001	HSV	4103	Hs: Tri-Community Hlth Ctr	0000		1100	Permanent Salaries	$5,777
001	HSV	4104	Hs: Brentwood Health Center	0000		1100	Permanent Salaries	$1,146
001	HSV	4130	Wic Grant	0000		1100	Permanent Salaries	$3,939
001	HSV	4160	Chest Diseases	0000		1100	Permanent Salaries	$420
001	HSV	4310	Div Of Comm Mental Hygiene	0000		1100	Permanent Salaries	$3,144
001	HSV	4314	Court Substance Abuse	0000		1100	Permanent Salaries	$848
001	HSV	4317	Alternatives For Youth	0000		1100	Permanent Salaries	$1,132
001	HSV	4320	Hs: Mental Health Pgms	0000		1100	Permanent Salaries	$5,586
001	HSV	4321	Methadone Clinics	0000		1100	Permanent Salaries	$8,590
001	HSV	4322	Drug Free Services	0000		1100	Permanent Salaries	$485
001	HSV	4327	Youth Adult Methadone Pgm Gr	0000		1100	Permanent Salaries	$573
001	HSV	4330	Hs Community Support Svc	0000		1100	Permanent Salaries	$3,506
001	HSV	4331	Child Assertive Comm Treatment	0000		1100	Permanent Salaries	$947
001	HSV	4340	Jail Mh, Alc, & Da Program	0000		1100	Permanent Salaries	$2,831
001	HSV	4400	Hs: Environmental Health	0000		1100	Permanent Salaries	$14,593
001	HSV	4405	Natl Estuary Programs	0000		1100	Permanent Salaries	$411
001	HSV	4409	Beach Monitoring	0000		1100	Permanent Salaries	$227
001	HSV	4425	Public & Environ Health Lab	0000		1100	Permanent Salaries	$3,358

Schedule A								
FD	AGY	UNIT	UNIT NAME	ACT	ACTIVITY NAME	OBJ	OBJECT NAME	Amount
001	HSV	4426	Pesticide Detection	0000		1100	Permanent Salaries	$653
001	HSV	4430	Drinking Water Enhancement	0000		1100	Permanent Salaries	$401
001	HSV	4500	Preventative Medicine-Adm	0000		1100	Permanent Salaries	$621
001	HSV	4501	Tobacco Education & Control Program	0000		1100	Permanent Salaries	$1,785
001	HSV	4502	Tobacco Enforcement Program	0000		1100	Permanent Salaries	$587
001	HSV	4508	Public Health Nursing	0000		1100	Permanent Salaries	$3,609
001	HSV	4618	Emergency Medical Care	0000		1100	Permanent Salaries	$1,542
001	HSV	4720	Forensic Sciences	0000		1100	Permanent Salaries	$14,446
001	HSV	4722	Toxicology Lab Accreditation G	0000		1100	Permanent Salaries	$120
001	HSV	4813	Services To Disabled Children	0000		1100	Permanent Salaries	$6,322
001	LAB	6370	Labor: Administration	0000		1100	Permanent Salaries	$1,001
001	LAB	6380	Swep (Suff Works Employ Prog)	0000		1100	Permanent Salaries	$9,646
001	LAB	6700	Living Wage Unit	0000		1100	Permanent Salaries	$335
001	LAW	1420	Law	0000		1100	Permanent Salaries	$11,731
001	LAW	1429	Dwi Vehicle Seizure Prgm Adm	0000		1100	Permanent Salaries	$286
001	LAW	8040	Human Rights	0000		1100	Permanent Salaries	$788
001	LEG	1010	County Legislature	0000		1100	Permanent Salaries	$15,216
001	PAD	1175	Public Administrator	0000		1100	Permanent Salaries	$954
001	PKS	7110	Parks, Rec & Conservation	0000		1100	Permanent Salaries	$16,337
001	PKS	7125	Environmental Enforcement	0000		1100	Permanent Salaries	$179

Schedule A								
FD	AGY	UNIT	UNIT NAME	ACT	ACTIVITY NAME	OBJ	OBJECT NAME	Amount
001	PLN	8020	Planning	0000		1100	Permanent Salaries	$3,153
001	PLN	8030	Planning: Envr Quality Council	0000		1100	Permanent Salaries	$301
001	POL	3123	Information Technology	0000		1100	Permanent Salaries	$5,925
001	PRO	3138	Probation: Day Reporting	0000		1100	Permanent Salaries	$1,542
001	PRO	3140	Prob: General Administration	0000		1100	Permanent Salaries	$32,201
001	PRO	3144	Non-Mandated Juvenile Detention Services	0000		1100	Permanent Salaries	$1,671
001	PRO	3145	Pins Diversion Plan	0000		1100	Permanent Salaries	$2,023
001	PRO	3147	Prob: Expediting Program	0000		1100	Permanent Salaries	$1,410
001	PRO	3148	Prob: Intensive Supervision	0000		1100	Permanent Salaries	$1,151
001	PRO	3165	Suff Study Mentally Ill Offend	0000		1100	Permanent Salaries	$1,766
001	PRO	3167	Probation Research & Planning	0000		1100	Permanent Salaries	$362
001	PRO	3168	Prob: Enhancement Services	0000		1100	Permanent Salaries	$207
001	PRO	3169	Prob: Adol Sex Offend Program	0000		1100	Permanent Salaries	$2,042
001	PRO	3173	Juvenile Supervision and Treatment Services	0000		1100	Permanent Salaries	$1,256
001	PRO	3175	Mental Health Juv Del Project	0000		1100	Permanent Salaries	$271
001	PRO	3180	Options For Female Adolescents & Adults	0000		1100	Permanent Salaries	$491
001	PRO	3185	Juv Accountability Incent Prog	0000		1100	Permanent Salaries	$882
001	PRO	3188	Probation	0000		1100	Permanent Salaries	$1,038
001	PRO	3189	Electronic Monitoring	0000		1100	Permanent Salaries	$1,740
001	PRO	3190	Juvenile Day Reporting Center	0000		1100	Permanent Salaries	$483

Schedule A								
FD	AGY	UNIT	UNIT NAME	ACT	ACTIVITY NAME	OBJ	OBJECT NAME	Amount
001	PRO	3193	Alternatives For Youth	0000		1100	Permanent Salaries	$151
001	PRO	3197	Crim Justice Coord Council	0000		1100	Permanent Salaries	$437
001	RPT	1355	Real Property Tax Service	0000		1100	Permanent Salaries	$3,482
001	SHF	3110	Sheriff: General Admin	0000		1100	Permanent Salaries	$28,811
001	SHF	3115	Prisoner Transportation	0000		1100	Permanent Salaries	$12,681
001	SHF	3158	Sheriff: Alt Dwi Facility	0000		1100	Permanent Salaries	$1,983
001	SWC	8730	Soil & Water Conservation Dist	0000		1100	Permanent Salaries	$546
001	EMP	9030	Social Security	0000		8330	Social Security	$308,626

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1151

Intro. Res. No. -2010 Laid on Table 2/2/10
Introduced by Legislator Horsley

RESOLUTION NO. –2010, DIRECTING THE SUFFOLK COUNTY POLICE DEPARTMENT TO ENHANCE THE "TEXT-A-TIP" PROGRAM

WHEREAS, Res. 1080-2008 authorized the Department of Information Technology to establish and implement a Crime Stoppers tip line capable of receiving text messages and emails; and

WHEREAS, the Crime Stoppers website contains an email address for tips to be reported; and

WHEREAS, it is imperative that the "text-a-tip" provision be implemented and advertised as more citizens are using texting technology on their cell phones; and

WHEREAS, the "text-a-tip" program would assist law enforcement in preventing crimes and improve response times to crimes in progress; now, therefore be it

1st **RESOLVED**, that the Suffolk County Police Department is hereby authorized, empowered, and directed to include the "text-a-tip" number (CRIMES 274637) in all future Crime Stoppers communications of any kind including, but not limited to, all printed materials and advisories, and to work cooperatively with the Department of Information Technology to implement this text-a-tip number on the Crime Stoppers website; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\res\r-text-a-tip

1152

Intro. Res. No. -2010 Laid on Table 2/2/10
Introduced by Legislator Cooper

RESOLUTION NO. -2010, AUTHORIZING USE OF MAKAMAH PRESERVE IN NORTHPORT BY NORTHPORT RUNNING CLUB

WHEREAS, the Northport Running Club is a nonprofit club whose members are active volunteers improving and maintaining nature trails throughout Long Island; and

WHEREAS, the Northport Running Club would like to use the County-owned Makamah Preserve to sponsor a 5K race for the purpose of honoring Dr. Douglas Wood and benefiting the Douglas Wood Scholarship Fund, which funds would be awarded to a promising high school athlete; and

WHEREAS, the race would be held on Saturday, April 10, 2010 at the Makamah Preserve in Northport; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Two Hundred Fifty and 00/100 Dollars ($250.00), payment of which shall be guaranteed by the Northport Running Club; and

WHEREAS, the use of County property for such fund drive to benefit the Douglas Wood Scholarship Fund would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore be it

1st **RESOLVED**, that the use of County-owned property, i.e. the Makamah Preserve in Northport, in consideration of the payment of Two Hundred Fifty and 00/100 Dollars ($250.00), for the purpose of a 5K race on Saturday, April 10, 2010, between the hours of 8:30 a.m. and 11:00 a.m., is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the County's receipt of a Certificate of Insurance naming the County of Suffolk as an additional insured from the Northport Running Club, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

2nd **RESOLVED**, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER and Section 378-7 of the SUFFOLK COUNTY CODE to issue a permit to the Northport Running Club. The Department of Parks, Recreation and Conservation and the County Department of Public Works are further authorized, empowered and directed to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive for support of the services to benefit the public provided by the Northport Running Club at Makamah Preserve in Northport by the Northport Running Club; and be it further

3rd **RESOLVED**, that the Northport Running Club shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

4th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

DATE:

s:\res\r-makamak-preserve-northport-running-club

1153

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by the Presiding Officer

RESOLUTION NO. -2010, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DEPARTMENT OF PUBLIC WORKS SEWER DISTRICT #3 – SOUTHWEST-BERGEN POINT WASTEWATER TREATMENT PLANT EXPANSION, CP 8183, TOWN OF BABYLON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Department of Public Works Sewer District #3 – Southwest-Bergen Point Wastewater Treatment Plant Expansion, CP 8183, Town of Babylon", pursuant to Section 6 of Local Law No. 22-1985 which project involves the design of 10 MGD Plant Expansion within the existing plant. The recommended improvements are:

Two (2) new 30 mgd variable speed drive raw wastewater pumps;
Two (2) new 20 mgd variable speed drive raw wastewater pumps;
Two (2) new 10 mgd variable speed raw wastewater pumps;
Four (4) new primary settling tanks and associated systems;
Four (4) new primary sludge pumps;
Two (2) new scum ejectors;
Four (4) new aeration tanks and associated systems;
Three (3) new aeration blowers and associated systems;
Two (2) new Waste Activated Sludge (WAS) pumps;
Three (3) new Return Activated Sludge (RAS) pumps;
One (1) new Secondary Clarifier and associated systems; and
One (1) new Final Effluent Pump (included under the Outfall Replacement contract;
Miscellaneous auxiliary improvements; 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 representatives from CDM/DB A Joint Venture and subsequently sent out to all concerned parties; and

WHEREAS, at its January 20, 2010 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 20, 2010 of said recommendations; and

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Department of Public Works Sewer District #3 - Southwest-Bergen Point Wastewater Treatment Plant Expansion, CP 8183, Town of Babylon 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) All necessary N.Y.S.D.E.C. permits will be obtained;

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-bergen-point-wastewater-treatment

1154

Intro. Res. No. -2010 Laid on Table 2/2/10
Introduced by the Presiding Officer

RESOLUTION NO. -2010, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED IMPROVEMENTS AT CR 48, MIDDLE ROAD AND COX NECK ROAD, CP 5571, TOWN OF SOUTHOLD

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Improvements at CR 48, Middle Road and Cox Neck Road, CP 5571, Town of Southold", pursuant to Section 6 of Local Law No. 22-1985 which project consists of construction to two modern roundabouts to correct the two intersections existing geometric deficiencies, to reduce travel speed by introducing traffic calming, as well as eliminating the two traffic lights and improve pedestrian accommodations by installing sidewalks and crosswalks; 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 Cashin Associates and subsequently sent out to all concerned parties; and

WHEREAS, at its January 20, 2010 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 20, 2010 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 Improvements at CR 48, Middle Road and Cox Neck Road, CP 5571, Town of Southold 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) Pedestrian and traffic safety will be improved; and

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-middle-road-cox-neck-road

1155

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by the Presiding Officer

RESOLUTION NO. -2010, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED CONSTRUCTION OF PARKING FACILITIES ON CR 80, MONTAUK HIGHWAY FROM CR 46, WILLIAM FLOYD PARKWAY TO MASTIC ROAD, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Construction of Parking Facilities on CR 80, Montauk Highway from CR 46, William Floyd Parkway to Mastic Road, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project will consist of construction and rehabilitation of parking areas along CR 80, Montauk Highway from CR 46, William Floyd Parkway to Mastic Road. There are eight (8) separate locations which will create 53 marked parking stalls. The construction work includes new full depth asphalt construction and asphalt resurfacing. The total amount of land affected is approximately 0.59± acres with construction of 0.10± acres in "new" land. The "new" land is mostly turf areas that are currently being used for parking purposes; and

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

WHEREAS, at its January 20, 2010 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 20, 2010 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 Construction of Parking Facilities on CR 80, Montauk Highway from CR 46, William Floyd Parkway to Mastic Road, Town of Brookhaven constitutes an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

1) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, 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) The project will take place on previously disturbed areas and replace parking lost during the CR 80 reconstruction; and

5) The Town of Brookhaven and Montauk Highway Merchant's Association support 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-parking-facilities

1156

Intro. Res. No. -2010

Introduced by Legislator Cooper

Laid on Table 2/2/2010

RESOLUTION NO. –2010, AMENDING THE 2010 OPERATING BUDGET AND TRANSFERRING FUNDS TO FAMILY SERVICE LEAGUE HUNTINGTON STATION MANOR FIELD FAMILY CENTER

WHEREAS, the 2010 Operating Budget does not include sufficient funds for Family Service League Huntington Station Manor Field Family Center; and

WHEREAS, Family Service League Huntington Station Manor Field Family Center provides valuable resources and services to an increasing number of economically challenged youth and their families in Huntington Station; and

WHEREAS, the Family Service League VINES program is being discontinued due to severe cuts in New York State funding and the agency requests this funding be transferred to their Family Center program; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2010 Operating Budget to transfer a total of $117,540 to the contracted agency Family Service League Huntington Station Manor Field Family Center; and

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

1st RESOLVED, that the 2010 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations:

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	EMP	9030	0000	8330	Social Security	-$82,540
001	DSS	6010	GGY1	4980	VINES	-$35,000

TO:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	EXE	7320	GJK1	4980	FAMILY SVC HUNTGN STA FAM CTR	+$117,540

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Family Service League Huntington Station Manor Field Family Center.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

T:\BRO\IR 2010 O.B.Amend., Family Service League.doc

1157

Intro. Res. No. -2010 Laid on the Table 2/2/10

Introduced by Legislator D'Amaro

RESOLUTION NO. - 2010, APPOINTING PATRICIA MCMAHON TO THE SUFFOLK COUNTY COMMUNITY COLLEGE BOARD OF TRUSTEES

WHEREAS, **Thomas J. Germano** has submitted his resignation as a member of the Board of Trustees of the Suffolk County Community College; now, therefore, be it

RESOLVED, that **Patricia McMahon** is hereby appointed as a member of the Board of Trustees of the Suffolk County Community College, pursuant to Section 6306(1) of the NEW YORK EDUCATION LAW, to fill the unexpired term, said term to expire on June 30, 2016.

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND SECTION 6306(1) OF THE NEW YORK EDUCATION LAW.

s:\res\r-appt-sccc-mcmahon

1157

PATRICIA MCMAHON

Vice President & Deputy, Battle Management and Engagement Systems
Site Manager, Bethpage Operations
Northrop Grumman Corporation

Patricia McMahon, as deputy to the sector vice president for the Battle Management and Engagement Systems Division of Northrop Grumman Aerospace Systems, helps lead an organization comprising more than 4,500 employees in three major sites along the east coast and several others across the nation. Her day-to-day responsibilities also include the operations and community involvement of the Bethpage facility. She oversees major programs, including the E-2 Hawkeye airborne early warning and battle management system, the E-8C Joint Surveillance Target Attack Radar System (Joint STARS), and Northrop Grumman's Information Operations and Electronic Attack (IO/EA) programs.

McMahon joined Northrop Grumman in 2003 as vice president responsible for managing and growing the company's IO/EA business. In this capacity she directed approximately 600 employees working in Bethpage, N.Y.; St. Augustine, Fla.; Hollywood, Md.; and Camarillo, Calif. Best known of Northrop Grumman's airborne electronic attack (AEA) products is the Northrop Grumman EA-6B Prowler aircraft with its ICAP (Improved Capability) III weapon system. The same system flies on board the Navy's newest AEA plane – the EA-18G Growler, a derivative of the F/A-18E/F Super Hornet fighter.

A graduate of the New York Institute of Technology and the State University at Farmingdale, McMahon began her career in program management as a program administrator for what was then Hazeltine Corporation in 1981 after spending three years with the Defense Logistics Agency in Garden City, N.Y. In 1988, Emerson Electric Corporation acquired Hazeltine Corporation, and McMahon was promoted to director of manufacturing programs and planning. Immediately before taking her Northrop Grumman post, McMahon worked for BAE Systems' Communication, Navigation, Identification and Reconnaissance line of business. She was the vice president and general manager of its electronic identification/display systems/antenna systems programs, and was based in Greenlawn, N.Y.

McMahon is currently the chairman of the Town of Babylon Planning Board, former member of the Town of Babylon Zoning Board of Appeals, and former chairman of the Town of Babylon Industrial Development Agency Board. She was the first woman to chair the Planning and Industrial Development boards. McMahon also received the 2006 Town of Babylon Women in Government award. McMahon is currently on the boards of the Long Island Software and Technology Network (LISTnet), Long Island Philharmonic, and the Farmingdale College Foundation, and is a director of the New York State Business Council. She received the LISTnet Diamond Award in 2006. In addition, in 2004 and 2006 McMahon was chosen as one of Long Island's 50 most influential women and in 2007 was named to its hall of fame.

Northrop Grumman Corporation is a leading global security company whose 120,000 employees provide innovative systems, products, and solutions in aerospace, electronics, information systems, shipbuilding and technical services to government and commercial customers worldwide.

1158

Intro. Res. No. -2010
Introduced by Legislator Cilmi

Laid on Table 2/2/2010

RESOLUTION NO. –2010, AMENDING THE 2010 OPERATING BUDGET AND TRANSFERRING FUNDS TO ST. JOSEPH'S CYO

WHEREAS, the 2010 Operating Budget does not include sufficient funds for St. Joseph's CYO; and

WHEREAS, St. Joseph's CYO provides valuable benefits to community youth by providing various sports programs; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2010 Operating Budget to transfer $5,000 to the contracted agency St. Joseph's CYO; and

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

1st RESOLVED, that the 2010 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations:

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	EXE	6772	GER1	4980	LEGAL AID SOCIETY	-$5,000

TO:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	EXE	7320	GTK1	4980	ST. JOSEPH'S CYO	+$5,000

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding St. Joseph's CYO.

DATED:

APPROVED BY:

1159

Intro. Res. No. -2010 Laid on the Table 2/2/10

Introduced by Legislator Romaine

RESOLUTION NO. - 2010, APPOINTING WILLIAM C. GOGGINS TO THE SUFFOLK COUNTY COMMUNITY COLLEGE BOARD OF TRUSTEES

WHEREAS, **David Ochoa** has submitted his resignation as a member of the Board of Trustees of the Suffolk County Community College; now, therefore, be it

RESOLVED, that **William C. Goggins** is hereby appointed as a member of the Board of Trustees of the Suffolk County Community College, pursuant to Section 6306(1) of the NEW YORK EDUCATION LAW, to fill the unexpired term, said term to expire on June 30, 2011.

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND SECTION 6306(1) OF THE NEW YORK EDUCATION LAW.

s:\res\r-appt-sccc-goggins

GOGGINS & PALUMBO
ATTORNEYS AND COUNSELORS AT LAW
P.O. Box 65, 13105 Main Road
Mattituck, New York 11952
Telephone: (631)
Facsimile: (631)

FIRM PROFILE

The firm was established on October 1, 1993 to engage in the general practice of law in the area of Suffolk County, New York with an emphasis on litigation. The firm engages in fast, effective and efficient service and competent legal representation of the Client and the Community.

WILLIAM C. GOGGINS: Born June 30, 1960, Bayshore, New York.

Admitted: New York State Bar; United States Federal Court Eastern District; United States Tax Court.

Education: University of Bridgeport (J.D. 1989); University of Massachusetts (B.A. 1985).

Government: United States Air Force (1978-1982)

Community Service: Cutchogue Lions Club (past zone chairman, past president); Republican Committeeman; Republican Committee Judicial Delegate, Southold Town Republican Club (past president); Lake Grove School (trustee); Mattituck Cutchogue Fund for Students (chairman).

Member: Suffolk County Bar Association; New York State Bar Association; American Bar Association.

Trial Experience: Over Thirty (30) Jury Trials to Verdict. Over Seventy (70) Bench Trials to Decision.

Pro Bono Publico: Civil Mediation/Arbitration.

1160

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by Legislator Muratore

RESOLUTION NO. -2010, APPROVING THE APPOINTMENT OF A RELATIVE OF A COUNTY COURT JUDGE IN THE SUFFOLK COUNTY LEGISLATURE (LAUREN AUERBACH)

WHEREAS, §A6-3(E) of the SUFFOLK COUNTY ADMINISTRATIVE CODE requires Legislative approval for the hiring or promotion of any relative of a Suffolk County District Court Judge, Suffolk County Family Court Judge, Suffolk County Court Judge, Suffolk County Surrogate, Suffolk County Supreme Court Justice, or Judge of any court, when the position will not be filled pursuant to a Civil Service Law competitive examination; and

WHEREAS, Lauren C. Auerbach, sister-in-law of County Court Judge Jeffrey Spinner, has been offered employment in the 4th Legislative District Office as a part time Legislative Aide II; now, therefore be it

1st **RESOLVED**, that the appointment of Lauren C. Auerbach as a part time Legislative Aide II for the Suffolk County Legislature's 4th District Office is hereby approved pursuant to §A6-3(E) of the SUFFOLK COUNTY ADMINISTRATIVE CODE; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

S:\res\r-nepotism-auerbach

1161

Intro. Res. No. -2010
Introduced by Legislator Schneiderman

Laid on Table 2/2/2010

RESOLUTION NO. –2010, AMENDING THE 2010 OPERATING BUDGET TO SUPPORT THE EAST END ARTS COUNCIL

WHEREAS, the East End Arts Council brings the arts to everyone through support, advocacy and education; and

WHEREAS, it is the desire of this Legislature to support the East End Arts Council Harvest Gospel Concert Series; and

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

1st RESOLVED, that the 2010 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
192	ECD	6414	HWH1	4980	East End Arts Council - Winterfest	-$5,000

TO:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
192	ECD	6414	XXXX	4980	East End Arts Council - Harvest Gospel Concert Series	+$5,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the East End Arts Council - Harvest Gospel Concert Series; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the East End Arts Council - Harvest Gospel Concert Series.

DATED:

APPROVED BY:

1162

Intro. Res. No. -2010 Laid on Table 2/2/10
Introduced by Legislator Browning

RESOLUTION NO. –2010, EXTEND DEADLINE FOR SUFFOLK COUNTY HEALTH CENTER FINANCIAL REVIEW COMMITTEE

WHEREAS, Res. No. 1260-2009 created a Suffolk County Health Center Financial Review Committee for the purpose of reviewing the current operations of the Health Center network and determining if seeking FQHC status would be beneficial to Suffolk County; and

WHEREAS, the Committee will need more time to complete their review; now, therefore be it

1st **RESOLVED**, that the 6th RESOLVED clause of Res. No. 1260-2009 is hereby amended to read as follows:

> **6th** **RESOLVED**, that the Suffolk County Health Center Financial Review Committee shall submit a written report detailing their recommendations to the Legislature and County Executive, no later than **[**60**]** 120 days after the effective date of this resolution; and be it further

2nd **RESOLVED**, that all other terms and conditions of Res. No. 1260-2009 shall remain in full force and effect; and be it further

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\res\r-extend-deadline-health-center-review-comm

1163

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by Legislator Cooper

RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW TO STREAMLINE PROCEDURES FOR SELECTING THE COUNTY LEGISLATURE'S PRESIDING OFFICER AND DEPUTY PRESIDING OFFICER

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2010, a proposed local law entitled, "**A LOCAL LAW TO STREAMLINE PROCEDURES FOR SELECTING THE COUNTY LEGISLATURE'S PRESIDING OFFICER AND DEPUTY PRESIDING OFFICER**" now, therefore, be it

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

LOCAL LAW NO. -2010, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO STREAMLINE PROCEDURES FOR SELECTING THE COUNTY LEGISLATURE'S PRESIDING OFFICER AND DEPUTY PRESIDING OFFICER

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 procedures for selecting a Presiding Officer and Deputy Presiding Officer of the Suffolk County Legislature, and the filling of vacancies in these offices, are set forth in the SUFFOLK COUNTY ADMINISTRATIVE CODE and the Rules of the County Legislature.

This Legislature determines that the existing provisions for the selection of the Presiding Officer and Deputy Presiding Officer and for filling vacancies in these offices are confusing, incomplete and inadequate to ensure that these offices are filled in a timely and efficient manner.

This Legislature also determines that to the extent practicable, the Legislature's leadership positions should be filled by the members of the County Legislature. While it may be necessary in certain limited instances for the County Clerk to select a Presiding Officer in the event of a deadlock to ensure that the Legislature can organize and function, no similar rationale exists for the Clerk selecting a Deputy Presiding Officer.

This Legislature further finds and determines that a mid-year vacancy in the offices of the Presiding Officer or Deputy Presiding Officer has the potential to ignite a protracted political battle and bring County government to a grinding halt. Accordingly, a new procedure should be established that will allow such vacancies to be filled quickly so that the Legislature can continue to function without interruption.

Therefore, the purpose of this local law is to clarify the process for the selection of the County Legislature's Presiding Officer and Deputy Presiding Officer and for the filling of vacancies in these offices.

Section 2. Amendments.

I. Section A2-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to read as follows:

* * * *

§A2-2. Organization of County Legislature.

A. The members of the County Legislature shall hold an organization meeting on the first business day in January of each year unless the first business day in January falls on a Friday, in which case the County Legislature shall hold its organization meeting on the following Monday.

B. At the organization meeting the County Legislature shall elect from its own members a Presiding Officer as its first order of business, in accordance with the provisions of section A2-3 of this Administrative Code.

C. At the organization meeting, the County Legislature shall also elect from its own members a Deputy Presiding Officer in accordance with the provisions of section A2-3 of this Administrative Code, adopt the rules of its own proceedings and conduct such other business as may be authorized under the Legislature's rules.

II. Section A2-3 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to read as follows:

§A2-3. Election of Presiding Officer and Deputy Presiding Officer.

A. The Presiding Officer and Deputy Presiding Officer shall be elected by not less than a majority of the total membership of the County Legislature.

B. The Legislator serving as Presiding Officer at the end of the preceding calendar year shall preside at any organization meeting until such time as the Presiding Officer has been elected, whereupon such newly elected Presiding Officer shall preside. In the event that such former Presiding Officer is unable to preside at such meeting due to death, disability, incapacity or any other cause, the Deputy Presiding Officer of the preceding year shall preside at the organization meeting until such time as the Presiding Officer has been elected. In the event that such former Deputy Presiding Officer is unable to preside at such meeting due to death, disability, incapacity or any other cause, then the most senior member of the Legislature, calculated on the basis of total number of years of service as a member of the County Legislature, consecutive or otherwise, shall preside at the organization meeting until the Presiding Officer has been elected.

C. In the event no Legislator is elected Presiding Officer and/or Deputy Presiding Officer by a majority of the total membership of the County Legislature, the Legislature shall continue in session and conduct as many roll call votes as shall be necessary to elect a Presiding Officer and Deputy Presiding Officer.

D. In the event the County Legislature is unable to elect a Presiding Officer on or before January 15 of any given year, the County Clerk of the County of Suffolk shall appoint a

member of the County Legislature as Presiding Officer, who shall serve until the end of the calendar year in which he or she is appointed. The County Clerk shall appoint a Presiding Officer no later than January 22 of the subject year.

E. If the County Legislature is unable to elect a Deputy Presiding Officer of the County Legislature on before January 25 of any given year, the Presiding Officer shall appoint a member of the County Legislature as the Deputy Presiding Officer, who shall serve until the end of the calendar year in which he or she is appointed.

III. Section A2-5 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to read as follows:

§ A2-5. Filling Vacancy in offices of Presiding Officer and Deputy Presiding Officer.

A. In the event the office of Presiding Officer becomes vacant due to death, disability, resignation or any other cause, the Deputy Presiding Officer shall assume the office of Presiding Officer and serve in that capacity for the unexpired term of his predecessor.

B. In the event the office of Deputy Presiding Officer becomes vacant due to death, disability, resignation or any other cause, the Presiding Officer shall appoint a member of the County Legislature as the Deputy Presiding Officer, who shall serve in that capacity for the unexpired term of his predecessor.

Section 3. Applicability.

This law shall apply to the election of the Presiding Officer and Deputy Presiding Officer and the filling of vacancies in such offices 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.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\laws\l-streamline-process-po-dpo-2010

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1163

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

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

DATE: **JANUARY 27, 2010**

TO: **CLERK OF THE COUNTY LEGISLATURE**

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

PROPOSED LOCAL LAW YEAR 2010

TITLE: **I.R. NO. -2010; A LOCAL LAW TO CLARIFY AND STREAMLINE PROCESS OF SELECTING THE PRESIDING OFFICER AND DEPUTY PRESIDING OFFICER OF THE COUNTY LEGISLATURE**

SPONSOR: **LEGISLATOR COOPER**

DATE OF RECEIPT BY COUNSEL: 1/27/2010 **PUBLIC HEARING:** 3/2/2010

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

This proposed local law would amend Sections A2-2, A2-3 and A2-5 of the SUFFOLK COUNTY ADMINISTRATIVE CODE to clarify the procedures for electing the County Legislature's Presiding Officer and Deputy Presiding Officer and for filling vacancies in these offices.

The law's major changes can be summarized as follows:

1) Under current law, in the event the Legislature is unable to elect a Presiding Officer by a majority vote of the entire membership of the body by January 15 in any given year, the Suffolk County Clerk selects the Presiding Officer and Deputy Presiding Officer of the Legislature. Under the proposed law, the County Clerk will continue to select the Presiding Officer if the Legislature is deadlocked as of January 15. However, the proposed law would require that the Clerk make his or her Presiding Officer selection by January 22 of the subject year and allow the Legislature the opportunity to elect a Deputy Presiding Officer by January 25. In the event, a majority of the Legislature's membership is unable to agree on a Deputy Presiding Officer by January 25, the Presiding Officer is empowered to make the selection.

2) The proposed law would eliminate an existing provision that states in the event of a "tie vote" for the election of the Deputy Presiding Officer – nine votes in favor of a candidate and either nine votes against or nine votes in abstention – the Presiding Officer selects the Deputy Presiding Officer.

3) The proposed law provides that in the event the office of Presiding Officer becomes vacant, the County Legislature shall fill such vacancy at a

regular meeting within sixty days. If the Legislature is unable to elect a new Presiding Officer by majority vote within sixty days of a vacancy occurring, the Deputy Presiding Officer will assume the office of Presiding Officer. The law further provides that the Deputy Presiding Officer shall exercise all the powers, duties and functions of the Presiding Officer until the vacancy is filled.[1]

4) In the event the Office of Deputy Presiding Officer becomes vacant, the County Legislature shall fill such vacancy within sixty days. In the event no Legislator is elected by a majority vote within that sixty day period, the Presiding Officer shall appoint the Deputy Presiding Officer.[2]

This law will take effect immediately upon its filing in the Office of the Secretary of State and apply to the elections of the Presiding Officer and Deputy Presiding Officer and the filling of vacancies in such offices occurring on or after the effective date.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-streamline-process-po-dpo

[1] The current Rules of the Suffolk County Legislature state that the Legislature shall fill a Presiding Officer vacancy within sixty days but makes no provision for filling the vacancy if the Legislature is deadlocked on the issue. Further, the Rules do not state who shall function as Presiding Officer until the vacancy is filled.
[2] The current Rules of the Suffolk County Legislature provide that the Legislature shall fill a Deputy Presiding Officer vacancy within sixty days but, again, no provision is made for filling the vacancy in the event the Legislature fails to act within the sixty day period.

Intro. Res. No. 1164 -2010 Laid on Table 2/2/10
Introduced by Legislator Eddington

RESOLUTION NO. –2010, ADOPTING LOCAL LAW NO. -2010, A CHARTER LAW TO GUARANTEE CONTINUITY AND STABILITY IN COUNTY LAW ENFORCEMENT AND ENSURE ADEQUATE RESOURCES FOR PUBLIC SAFETY

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2010 a proposed local law entitled, "**A CHARTER LAW TO GUARANTEE CONTINUITY AND STABILITY IN COUNTY LAW ENFORCEMENT AND ENSURE ADEQUATE RESOURCES FOR PUBLIC SAFETY**"; now, therefore, be it

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

LOCAL LAW NO. -2010, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW TO GUARANTEE CONTINUITY AND STABILITY IN COUNTY LAW ENFORCEMENT AND ENSURE ADEQUATE RESOURCES FOR PUBLIC SAFETY

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 government's top responsibility and duty is to protect the health and safety of County residents.

This Legislature also finds that pursuant to the SUFFOLK COUNTY CHARTER, the Suffolk County Legislature is the policy-making arm of County government.

This Legislature further finds that in recent years, the Commissioner of the Suffolk County Police Department has executed major policy changes that affect law enforcement in Suffolk County without advising, much less seeking input or approval from, members of the Suffolk County Legislature. The most significant policy change was the reassignment of highway patrol duties on the Long Island Expressway and Sunrise Highway from the Suffolk County Police Department to the Suffolk County Sheriff in September 2008.

This Legislature determines that in the summer of 2009, the Police Department considered other major policy changes including the dissolution of long established police units and the further transfer of public safety functions to the Sheriff

This Legislature also finds that the Legislature's Public Safety Committee has conducted an investigation to determine the rationale underlying the above described policy shifts. Based on the Police Department's response to legislative subpoenas, it appears that the policy changes and proposals described above were not subjected to rigorous review, analysis and discussion within the Police Department.

This Legislature determines that while the Legislature does not wish to micromanage the day-to-day operations of the Suffolk County Police Department, it has become apparent that the Legislature must act affirmatively to reassert its charter derived policy-making authority in the area of public safety.

This Legislature further finds that before the Police Department transfers a public safety function to another law enforcement agency or simply eliminates a function, command or responsibility, the Department should and must obtain legislative approval.

The Legislature further determines that requiring legislative approval for fundamental public safety policy changes will ensure that such changes are adequately reviewed, analyzed and debated before they are enacted.

This Legislature also determines that additional scrutiny and debate of policy change will reassure the public that its safety is, in fact, adequately protected.

Therefore, the purpose of this charter law is to require that any proposed transfer of a public safety function from the Police Department to another law enforcement agency or the elimination or diminution of a police department function, command or responsibility, be approved by the County Legislature before it is enacted.

Section 2. Amendment.

Article XIII of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

ARTICLE XIII, Department of Police

* * * *

C13-13. Transfer or Elimination of Police Department function

A. No public safety function performed primarily by the Police Department shall be transferred to another law enforcement agency without the prior approval of the County Legislature pursuant to a duly enacted resolution.

B. The Police Department shall not eliminate a public safety function, command or responsibility without the prior approval of the County Legislature pursuant to a duly enacted resolution.

C. The Police Department shall not reduce police officer personnel assigned to a public safety function, command or responsibility by more than fifty percent (50%) without prior approval of the County Legislature pursuant to a duly enacted resolution.

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 upon its filing in the Office of the Secretary of State.

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

DATED:

APPROVED BY:

_____
County Executive of Suffolk County

Date:

s:\laws\cl-Law Enforcement Functions

1164

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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

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

DATE: January 28, 2010

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. -2010; A CHARTER LAW TO GUARANTEE CONTINUITY AND STABILITY IN COUNTY LAW ENFORCEMENT AND ENSURE ADEQUATE RESOURCES FOR PUBLIC SAFETY

SPONSOR: LEGISLATOR EDDINGTON

DATE OF RECEIPT BY COUNSEL: 1/27/10 **PUBLIC HEARING:** 3/2/2010

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

This proposed law would amend the SUFFOLK COUNTY CHARTER to expressly require legislative approval for major policy changes in the Suffolk County Police Department.

Specifically, the law states:

- no public safety function performed primarily by the Police Department can be transferred to another law enforcement agency without prior legislative approval;
- the Police Department shall not eliminate a public safety function, command, or responsibility without prior legislative approval; and
- the Police Department will not reduce police officer personnel assigned to a public safety function, command, or responsibility by more than 50% without prior legislative approval.

This law will take effect immediately upon its filing in the Office of the Secretary of State and apply to actions occurring on or after that date.

GEORGE NOLAN
Counsel to the Legislature

GN:mjk

s:\rule28\28-law-enforcement-functions

1165

Intro. Res. No. -2010

Introduced by Legislator Browning

Laid on Table 2/2/10

RESOLUTION NO. –2010, AUTHORIZING A FURTHER EXTENSION OF SOCCER FIELD AGREEMENT WITH THE MASTIC SPORTS CLUB

WHEREAS, Resolution No. 1007-2000 originally authorized the Suffolk County Department of Parks, Recreation and Conservation to enter into an agreement with the Mastic Sports Club to maintain, use and supervise soccer fields located on approximately 20 acres of county-owned land behind the Police Headquarters in Yaphank; and

WHEREAS, Resolution No. 306-2006 authorized the Department of Parks, Recreation and Conservation to extend their agreement with the Mastic Sports Club through March 8, 2016; and

WHEREAS, the Mastic Sports Club has advised the County of Suffolk that they need a longer term agreement with the County to enhance their eligibility for grant funding; and

WHEREAS, the Department of Parks, Recreation and Conservation advised this Legislature that the Mastic Sports Club has done an exemplary job of maintaining and operating the Yaphank soccer fields; now, therefore be it

1st **RESOLVED**, that the Suffolk County Department of Parks, Recreation and Conversation is hereby authorized, empowered and directed, pursuant to Section C28-4(A) of the SUFFOLK COUNTY CHARTER, to extend the agreement with the Mastic Sports Club for the maintenance, use and supervision of soccer fields located on approximately 20 acres of land behind the Yaphank Police Headquarters through September 1, 2021; and be it further

2nd **RESOLVED**, that said agreement shall provide for two additional five-year extensions of the maintenance agreement, at the option of the County of Suffolk; and be it

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

s:\res\r-soccer field agreement - mastic sports

1166

Intro. Res. No. -2010 Laid on Table 2/2/10
Introduced by Presiding Officer Lindsay

RESOLUTION NO. –2010, REAPPOINTING MEMBER TO THE COUNCIL ON ENVIRONMENTAL QUALITY (THOMAS C. GULBRANSEN)

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

WHEREAS, Resolution No. 445-2007 appointed Thomas C. Gulbransen to a term of office which will expire on March 23, 2010; now, therefore be it

1st RESOLVED, that **Thomas C. Gulbransen**, whose current address is East Setauket, NY, is hereby reappointed as a member of the Suffolk County Council on Environmental Quality, pursuant to Section 1-3(A) of the SUFFOLK COUNTY CHARTER, for a term of office to expire on March 23, 2015.

DATED:

EFFECTIVE PURSUANT TO SECTIONS 2-15(A) AND 1-3(A) OF THE SUFFOLK COUNTY CHARTER

s:\res\2010\Reappoint Gulbransen to CEQ

Thomas C. Gulbransen **5 Laurel La, Setauket, NY**

Education:

C.S.S. Management and Administration, Harvard University, 1988
M.S. Marine Environmental Science, State University N.Y., 1984
B.S. Zoology, University of Rhode Island, 1982

Background:

Mr. Gulbransen serves as Senior Scientist in Battelle Memorial Institute's Stony Brook, NY office based on over 26 years of experience serving federal, state, local and industrial clientele. His primary responsibility is to manage programs by assembling hybrid teams who develop structured, manageable investigations by translating clients' needs into Data Quality Objectives that can be fulfilled through fieldwork or defensible mining of legacy information systems. Mr. Gulbransen also supports Battelle's ecosystem practice analyzing ecosystem benefit/cost tradeoff methods. Tom coordinates involvement in Ocean Observing communities.

In addition to the projects below, Mr. Gulbransen's responsibilities in coastal resource management arise from numerous environmental restoration and remediation projects he leads in the NY region. Mr. Gulbransen also serves in a municipal capacity on the Suffolk County Council of Environmental Quality overseeing State Environmental Quality Review Act compliance. In Old Field, NY he serves as Deputy Mayor and Environmental Conservation Commissioner, responsible for regulation and planning along 6 miles of coastal habitat including shoreline of Long Island Sound, barrier beaches, and three embayments designated as Significant Coastal Fish and Wildlife Habitats. He wrote Old Field's Municipal Separate Stormwater Sewer System Phase II plan and also authored a state challenge grant with NYS DEC to Abate Stormwater Runoff into Flax Pond on Long Island Sound. Mr. Gulbransen applies his 24 years as a firefighter to coordinate the Village's Emergency Management Planning and serves as liaison with Town of Brookhaven, Suffolk County and State EMO. Tom assisted in the creation of an environmental restoration and education advocacy group with shared participation by NY State DEC, SUNY Stony Brook and a local NGO, and assisted in the regional workgroup dedicated to informing the Town of Brookhaven 2030 vision.

Previously, Mr. Gulbransen served as Product Manager and Senior Analyst for Battelle's Environmental Management Information Systems (EMIS) group by combining his environmental science training with state-of-the-art decision support system expertise. He played a key role in advancing numerous innovative software applications to serve environmental managers, such as: Multi-Criteria Decision Analysis (MCDA) models for environmental restoration; a Weight of Evidence model for dredged material beneficial use planning; a fuzzy logic data evaluation tool for consensus building; an expert system for Toxicity Identification/ Reduction Evaluations; and numerous database models. He serves on the IOOS national Meta Data Expert Team and MidAtlantic Coastal Ocean Observing Regional Association committees.

Relevant Experience:

Program Manager, Alternative Nutrient Criteria and Management Options. NEIWPCC 2009-2011.
Scientist, Feasibility Study of Using Dredged Material in Wetlands Mitigation .LA DNR. 2009.
Program Manager, Ecosystem Studies for NY City DEP 2000-2009.
Project Manager, Total Maximum Daily Load and Nutrient Criteria, USEPA, 1999-2007.
Technical Director, Lower Passaic River Restoration Program. Army Corps 2001-present.
Senior Systems Analyst, Gulf of Mexico Regional Collaboratory, NASA. 2006-2009.
Senior Systems Analyst, Integrated Global Earth Observing System Meta-Analysis. NASA, 2008-2010.
Senior Systems Analyst, Integrated Ocean Observing System Relevancy Study, Ocean.US, 2006-2007.
Senior Scientist, Reconnaissance Survey for Siting Major Coastal Energy Facility, 2007-present.
Senior Systems Analyst, Integrated Coastal Ocean Observing System, Boeing, 2005-2006.
Program Manager and Senior Systems Analyst, Data System Support to Contaminated Assessment Reduction Program (CARP), USACE and NYDEC, 1997-2000 (USACE), 2000-2008 (NYDEC).
System Architect, NY/NJ Harbor Web-based Database, USACE New York District, 2000-2004.
Project Manager, Inter-Discplinary Framework for Beneficial Use of Dredged Material, Army Corps 2000.
Senior Systems Analyst, Environmental Management Information System, PEMEX, 2000-2005.
Senior Systems Analyst, Comprehensive Everglades Restoration Program, USACE, 2002-2004.

PRESIDING OFFICER
COUNTY LEGISLATURE
SUFFOLK COUNTY, NY

2010 JAN 14 A 11:43

RECEIVED

January 12, 2010

Presiding Officer William J. Lindsay
W.H. Rogers Legislature Bldg
725 Veterans Memorial Hwy
Smithtown, NY 11787

RE: Council on Environmental Quality Reappointment

Dear Sir:

Please accept this letter which expresses my interest and willingness to serve another term on the Suffolk County Council on Environmental Quality. I appreciate the opportunity to fulfill this body's important responsibilities. It is a pleasure to work with the dedicated council's co-chairs, members and staff.

The term you originally sponsored me to serve will expire on March 23, 2010. My biosketch of pertinent qualifications is enclosed for your consideration. Please let me know if you would like to sponsor my nomination to the Council on Environmental Quality. I can be reached during office hours at 631-941-3211, or at home 631-751-1579.

Thank you. And congratulations on being elected to a 5th year as Presiding Officer of the Legislature.

Sincerely,

Thomas Gulbransen
5 Laurel La
Setauket, NY 11733

cc: C. DeSalvo, CEQ

1167

Intro. Res. No. -2010 Laid on Table 2/2/10

Introduced by Presiding Officer Lindsay

RESOLUTION NO. –2010, REAPPOINTING MEMBER TO THE COUNCIL ON ENVIRONMENTAL QUALITY (DANIEL PICHNEY)

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

WHEREAS, Resolution No. 695-2006 appointed Daniel Pichney to a term of office which will expire on March 23, 2010; now, therefore be it

1st **RESOLVED**, that **Daniel Pichney**, whose current address is Bayport, NY, is hereby reappointed as a member of the Suffolk County Council on Environmental Quality, pursuant to Section 1-3(A) of the SUFFOLK COUNTY CHARTER, for a term of office to expire on March 23, 2015.

DATED:

EFFECTIVE PURSUANT TO SECTIONS 2-15(A) AND 1-3(A) OF THE SUFFOLK COUNTY CHARTER

s:\res\2010\Reappoint Pichney to CEQ

Daniel Pichney

Bayport, New York 11705

Telephone:
Email:

Education: Bachelor of Arts, Political Science, 1971: SUNY Stony Brook
Master of Urban Planning, 1976: New York University
Courses in advanced photography, 1980s: Parsons School of Design
Certificate in Landscape Design, 1995: New York Botanical Garden

Employment History:
2005- Present: Retired from service with Suffolk County.
1974-2005: Employed as a transportation planner with the SC Department of Planning and the SC Department of Public Works in the areas of regional planning, Suffolk County Transit capital improvements, and the promotion of alternative forms of transportation. Served as Suffolk County representative to the eastern Suffolk County SEEDS initiative and represented DPW on the SC Transportation Advisory Board. Retired as a Principal Transportation Planner.
1972-1974: Employed as a Planning Aid with the Town of Huntington in the area of site plan development.

Historic Preservation Experience:
Beginning in 1980, purchased and restored a circa 1873 double-bracketed Italianate Victorian house in Bayport hamlet. Particular attention was paid to restoring and preserving such interior details as plaster walls and ceilings, ceiling medallions, original wall coverings, original window glass, porcelain window locks and door locks and knobs. On the exterior, decorative wooden moldings needing replacement were custom milled to the specifications of the original. The porch lattice was reproduced to the same dimensions as the original as well. The house was painted in colors appropriate to the period, based on examination of layers of original paint. Half round rather than contemporary gutters were used along the roof line.
In 1983, was an original member of the Bayport Heritage Association, the historical society for the Bayport area. Later served multiple terms as president of the organization and member of the Board of Trustees. Shortly after the founding of BHA, the organization took on as its primary project, the restoration of the John E. Roosevelt Meadow Croft Estate, located on the Bayport- Sayville border. Over time, which included my tenure as president and trustee, worked with the Suffolk County Department of Parks, Division of Historic Services, in securing hundreds of thousands of dollars in restoration grants, both for the main building, as well as outbuildings. Meadow Croft is now considered the premier Suffolk County historic restoration site and house museum on the South Shore.

Other Significant Accomplishments:
Co-wrote and received a $250,000 CMAQ grant for the restoration of the automobile house at Meadow Croft.

Wrote and received a grant for $5,000 from the Federal Small Business Administration to restore historic trees at the Meadow Croft Estate.

1983-1990: Photographed on archival slide film, over 500 historic structures in the hamlet of Bayport for the archives of the Bayport Heritage Association.

1993 Prepared planting plan and assisted in the construction and restoration of the Meadow Croft 1910 Kitchen Garden. Did extensive research in identifying and obtaining plants that would have been available circa 1910.

1990 to present: Created slide programs and lectured on gardening topics including the titles *Creating a Victorian Garden* and *The History of the Meadow Croft Landscape and Garden*. For the Victorian Garden program, photographs of Victorian homes and gardens were taken throughout the United States, Canada and England and presentations were made at garden clubs, libraries and historical societies throughout Nassau and Suffolk Counties.

Appeared on the Home and Garden Network program *Homes Across America* discussing the restoration of the Meadow Croft Kitchen Garden.

Other Community Involvement:

Founding member and past president of the Bayport- Blue Point garden club, known as Neighbors and Gardeners of Bayport- Blue Point. Under my presidency, the organization became involved in community beautification and received several legislative grants for that purpose.

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Intro. Res. No. -2010 Laid on Table 2/2/10
Introduced by Presiding Officer Lindsay

RESOLUTION NO. –2010, REAPPOINTING MEMBER TO THE COUNCIL ON ENVIRONMENTAL QUALITY (GLORIA G. RUSSO)

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

WHEREAS, Resolution No. 694-2006 appointed Gloria G. Russo to a term of office which will expire on March 23, 2010; now, therefore be it

1st **RESOLVED**, that **Gloria G. Russo**, whose current address is Sayville, NY, is hereby reappointed as a member of the Suffolk County Council on Environmental Quality, pursuant to Section 1-3(A) of the SUFFOLK COUNTY CHARTER, for a term of office to expire on March 23, 2015.

DATED:

EFFECTIVE PURSUANT TO SECTIONS 2-15(A) AND 1-3(A) OF THE SUFFOLK COUNTY CHARTER

s:\res\2010\Reappoint Russo to CEQ

1168

GLORIA G. RUSSO
Sayville, NY 11782

Environmental Experience

Technical and Environmental Compliance Engineer – September 2004-present
MTA Long Island Rail Road, Maintenance of Equipment Department, Hollis, NY

Researched, designed, and implemented new program procedures to ensure LIRR's rolling stock air conditioning equipment is compliant with Section 608 of the Clean Air Act. These guidelines and procedures have been requested by the MBTA (Massachusetts Bay Transportation Authority) to aid them in complying with Section 608 regulations. Researched, designed and implemented a fluorescent bulb recycling program for the department to cover fourteen outlying points and three large repair/maintenance facilities to recycle over 118,000 bulbs per year. Prepare monthly NYSDEC DMRs (Discharge Monitoring Reports) for six outfall points that are subject to SPDES (State Pollutant Discharge Elimination System) permits. Prepare biannual NYCDEP SMRs (Self Monitoring Reports) for two sites with discharges to NYC sewers. Conduct technical reviews of environmental remediation plans submitted by contractors. Supervise environmental contractor compliance. Research industrial chemicals to reduce the use of hazardous chemicals in department operations.

Environmental Engineer in Training March 2004 – September 2004
Shapito Engineering, P.C. Valley Stream, NY

Performed site sampling and field inspections at clients' facilities. Assisted in preparation of engineering reports and environmental assessment statements for clients regarding applications for solid waste processing facilities as per NYCRR Part 360 and New York City Environmental Quality Review (CEQR) requirements. Prepared clients' reports for RCRA (Resource Conservation & Recovery Act) and SARA (Superfund Amendments and Reauthorization Act) Title III compliance reporting.

Environmental Compliance - College Aide position July 2003- April 2004
MTA New York City Transit, Department of Subways, Maintenance of Way Engineering, Brooklyn, NY

Performed site visits to NYCT train yards and facilities. Identified and inspected the operations and maintenance of petroleum bulk storage facilities to ensure compliance with NYCRR Part 612, 613 and 614 regulations. Duties included inspection of USTs and ASTs, issuance of corrective action reports, review of engineering drawings, updating of spill prevention plans for the facilities, preparation of renewal tank certificates, documentation of sites via digital photography and creation of a database of the petroleum tanks. Additional responsibilities included preparation of boiler house stack emissions calculations for Air Facility Permits, investigating petroleum spills, responding to environmental complaints received from the public, addressing non-compliance issues identified in consent orders issued by the NYSDEC and overseeing contractor compliance on a wetlands restoration project.

Natural Sciences Educator 1993-1996
Museum of Long Island Natural Sciences, SUNY Stony Brook, Stony Brook, NY

Taught lecture and laboratory classes for pre-K through grade 6 covering topics about Long Island's geology, ecology and seashore life.

Public Health Sanitarian 1978-1979
Suffolk County Health Department, Division of Environmental Health, Water Quality Unit, Hauppauge, NY

Conducted marine shellfish research in conjunction with the EPA. Supervisor of two sampling vessels and crews. Monitored and sampled the Great South Bay. Prepared and analyzed statistical data. Participated in conferences between the SCHD and EPA officials in planning and evaluation of the research. Performed water quality inspections of public water supplies and investigated both public and private water supply complaints. Educated the public about the importance of protecting Long Island's groundwater. Completed the Grade III New York State Water Treatment Operators Course.

Education

New York Institute of Technology, Old Westbury, NY
Master of Science in Environmental Technology, May 2004
CGPA: 4.0 Recipient of Environmental Technology Graduate Faculty Award
Thesis Topic – "A USEPA Phase II Stormwater Management Plan for New York City Transit, Department of Subways"

SUNY Binghamton, Bachelor of Arts, Biological Sciences
22 credits in environmental science and geology
Recipient of New York State Regents Scholarship

SUNY Farmingdale, Associate in Applied Sciences, Biological Technology

Suffolk County Community College & SUNY Farmingdale
23 credits in accounting and management technology

Certification

OSHA 40 Hour Hazardous Waste Operations and Emergency Response (HAZWOPER)
Asbestos and Lead Awareness Training

Additional Experience

Business Manager 1999-2003
Isylon Machining Co., Inc. Bohemia, NY

Managed all accounting functions, purchasing and production scheduling. Researched new business and marketing opportunities. Created the bar code applications for materials management.

Business Manager 1994-1999
Iron Horse Graphics, Bridgehampton, NY

Set up the company's computerized accounting system where none had existed previously. Managed all accounting functions and production scheduling. Trained personnel in using the new accounting software.

1168

Owner 1984-1994
R-tronix, Sayville, NY

Coordinated installation and service for custom electronics firm. Responsibilities also included purchasing and general bookkeeping.

Manufacturing Planner 1979-1984
Grumman Aerospace, Bethpage & Calverton, NY

Coordinated the methodization of detail parts for the EF-111A program. Responsibilities included interpreting engineering drawings to create tool orders and operation sheets for detail parts fabrication and methodizing engineering drawings at the installation level. Responsible for manufacturing liaison engineering, which encompassed trouble-shooting production floor problems, and determining tooling and manufacturing repair action. Recipient of Project Sterling "Citation for Excellence".

Community Service

Citizen Advisory Committee member October 2005-present
Suffolk County Stormwater Management Phase II Program

Intro. Res. No. 1169-2010
Introduced by Legislator Kennedy

Laid on Table 2/2/10

RESOLUTION NO. -2010, TO REESTABLISH THE LAKE RONKONKOMA ADVISORY BOARD

WHEREAS, over the past two decades, a Lake Ronkonkoma Advisory Board has periodically functioned to provide oversight, guidance and planning for the prudent use and rehabilitation of the Lake and its surrounding watershed; and

WHEREAS, Resolution No. 1063-2000 re-established the Lake Ronkonkoma Advisory Board, and Resolution No. 1131-2002 extended the authority of the Advisory Board through December 31, 2003 for all of the purposes previously identified; and

WHEREAS, in 2004, the involved municipalities on the Town, County, and State levels, along with the local communities, civic groups and other interested parties convened a group known as the Three Town Lake Ronkonkoma Task Force; and

WHEREAS, this group, meeting monthly and working together for over a year, has been able to revitalize watershed protection efforts, facilitate storm drain cleaning and increase lake water testing efforts, and has sponsored a collaborative grant application between Brookhaven Town, Suffolk County, and the State Department of Environmental Conservation; and

WHEREAS, additional efforts are being mounted to enhance lakefront access, promote fishing and recreational opportunities, and to complete land preservation acquisition efforts including acquisition of the former Bavarian Inn; and

WHEREAS, several additional initiatives have been identified including the update of the Suffolk County Planning Department Study of Lake Ronkonkoma and the surrounding watershed; now, therefore, be it

1st **RESOLVED**, that the Lake Ronkonkoma Advisory Board is hereby re-established and shall consist of the following eleven members:

1.) The County Executive, or his designee;
2.) The County Legislator representing the 4th Legislative District, or designee
3.) The County Legislator representing the 10th Legislative District, or designee;
4.) The County Legislator representing the 12th Legislative District, or designee;
5.) A representative from the Town of Brookhaven, to be appointed by the Town;
6.) A representative from the Town of Islip, to be appointed by the Town;
7.) A representative from the Town of Smithtown, to be appointed by the Town;
8.) The Assembly and Senate representatives, or their designees, of the districts in which Lake Ronkonkoma and the adjoining watershed are physically located, for a total of three (3) members;
9.) A representative of the Lake Ronkonkoma Civic Organization; and
10.) A representative of the Lake Ronkonkoma Chamber of Commerce

and be it further

2nd **RESOLVED**, that the chairperson of the Board shall be selected by a majority of the membership of said Board; and be it further

3rd **RESOLVED**, that that the Board shall hold its first meeting no later than thirty days after the oaths of office of all members have been filed with the Clerk of the County Legislature for the purpose of organization and the appointment of a Vice Chairman and a Secretary; and be it further

4th **RESOLVED**, that the members of said Board shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

5th **RESOLVED**, that the Board shall hold regular meetings, keep a record of all of 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 the receipt of a written request signed by at least five members of the Board. Written notice of the time and place of such special meetings shall be given by the secretary to each member at least four days before the date fixed by the notice for such special meeting; and be it further

6th **RESOLVED**, that that seven (7) members of the Board shall constitute a quorum to transact business of the Board at both regular and special meetings; and be it further

7th **RESOLVED**, that the Board shall meet at least six times per year to establish the priorities of the community, to facilitate the execution of intermunicipal agreements among the involved governmental entities, to facilitate an update of the Planning Department Study, to establish additional goals to promote the prudent use of, and protection of Lake Ronkonkoma and the surrounding watershed, and to conduct all related activities associated with Lake Ronkonkoma; and be it further

8th **RESOLVED**, that the Lake Ronkonkoma Advisory Board shall be authorized for a three (3) year period commencing with the adoption of this Resolution; and be it further

9th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

Intro. Res. No. 1170 -2010 Laid on Table 2/2/10
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE AMNEAL PHARMACEUTICALS OF NEW YORK, LLC., (SUFFOLK COUNTY TAX MAP NO. 0800.182.00.01.00.027.014 AND 0800.182.00.01.00.027.006).

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on - 2010, a proposed local law entitled, "**A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE AMNEAL PHARMACEUTICALS OF NEW YORK, LLC., (SUFFOLK COUNTY TAX MAP NO. 0800.182.00.01.00.027.014 AND 0800.182.00.01.00.027.006,**" and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

LOCAL LAW NO. - 2010, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE AMNEAL PHARMACEUTICALS OF NEW YORK, LLC., (SUFFOLK COUNTY TAX MAP NO. 0800.182.00.01.00.027.014 AND 0800.182.00.01.00.027.006).

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

Section 1. Legislative Intent.

This Legislature finds and determines that pursuant to Local Law No. 14-2003, this Legislature authorized the designation of an Empire Zone; that Local Law 15-2003 established Empire Zone boundaries; and that a new local law is required to submit to New York State a request to revise the zone boundaries to include Amneal Pharmaceuticals of New York, LLC., located at premises described as Suffolk County Tax Map No. 0800.182.00.01.00.027.014 and 0800.182.00.01.00.027.006.

This Legislature also finds and determines that New York State has amended the Empire Zone Program to include specific projects deemed as Regionally Significant Projects. Regionally Significant Projects are defined as company and site specific projects located outside the existing zone boundaries that will create fifty (50) or more jobs.

This Legislature further finds and determines that Amneal Pharmaceuticals of New York, LLC. a manufacturer of generic prescription and over the counter pharmaceutical products located at 75 and 85 Adams Avenue, Hauppauge, New York 11788 meets the criteria of Section 957(d) of the NEW YORK GENERAL MUNICIPAL LAW for a Regionally Significant Project and has requested consideration for such designation by the Suffolk County Empire Zone - Zone Administrative Board.

Therefore, the purpose of this law is to authorize the submission of an application to New York State to amend the boundaries of the Suffolk County Empire Zone, to include the above location.

Section 2. Application.

The Suffolk County Empire Zone - Zone Administrative Board, is hereby authorized, empowered and directed in accordance with Section 3 of this Law to submit an application to the New York State Department of Economic Development to augment the boundaries of the existing Empire Zone and to execute such documents as are necessary and desirable to effectuate the purposes of this Law.

Section 3. Request for Consideration.

A.) The Commissioner of the New York State Department of Economic Development is hereby requested to revise the boundaries of the Empire Zone in accordance with this Law.

B.) The Clerk of the Suffolk County Legislature is hereby authorized, empowered and directed to file a certified copy of this local law with said Commissioner upon its adoption.

Section 4. Designation of Revised Empire Zone Boundaries.

The boundary of the Empire Zone, designated in Local Law 14-2003 and Local Law 15-2003, as adopted, shall be amended to include Suffolk County Tax Map No. 0800.182.00.01.00.027.014 and 0800.182.00.01.00.027.006.

Section 5. Real Property Tax Exemption.

A.) The property included in the revised boundaries as described and designated by this Law is hereby granted an exemption from the taxes and special ad valorem levies by the County of Suffolk and the exemption shall be granted for the period and to the extent provided for in Section 485-e of the New York Real Property Tax Law. This exemption shall be for a term of (10) years, notwithstanding that the designation of the Empire Zone may expire prior to the end of such ten (10) year term.

B.) The exemption granted pursuant to this Law shall only take effect as to the revised Empire Zone designation in the event that the revised designation is approved by New York State and placed on the tax rolls. In the event the revised Empire Zone designation is not approved, the exemption granted pursuant to Local Law No. 14-2003, as adopted, shall continue pursuant to the terms of that Law.

Section 6. Applicability.

This Law shall apply to all actions and taxable status dates occurring on or after the effective date except as otherwise provided for herein.

Section 7. 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 the law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 8. 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 (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 on non-applicability or non-significance in accordance with this law.

Section 9. Effective Date.

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

APPROVED BY:

_____
Steve Levy
County Executive of Suffolk County

Date of Approval: _____

After a public hearing duly held on _____
Filed with the Secretary of State on _____

1170

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law ____ Charter Law ____

2. Title of Proposed Legislation

RESOLUTION TO AMEND EMPIRE ZONE BOUNDARIES TO INCLUDE AMNEAL PHARMACEUTICALS OF NEW YORK, LLC.

3. Purpose of Proposed Legislation

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

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

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

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

ECONOMIC IMPACT ASSOCIATED WITH THE CREATION OF 50 NEW JOBS AND $6,500,000 IN FACILITY AND EQUIPMENT INVESTMENT

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

8. Proposed Source of Funding

9. Timing of Impact

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

SCIN FORM 175b (10/95)

Gen F6

1170

SUFFOLK COUNTY

DEPARTMENT OF ECONOMIC DEVELOPMENT AND WORKFORCE HOUSING

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
Eric Naughton, Budget Director
Office of the County Executive

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

DATE: January 22, 2010

SUBJECT: **Resolution to Amend Empire Zone Boundaries to include Amneal Pharmaceuticals of New York, LLC**

****

The Department of Economic Development and Workforce Housing requests the submission of the attached resolution. This resolution amends the Suffolk County Empire Zone boundaries to include Amneal Pharmaceuticals of New York, LLC a manufacturer of generic prescriptions and over the counter pharmaceutical products. Amneal Pharmaceuticals of New York, LLC is located at 75 and 85 Adams Avenue, Hauppauge, New York. (The company also owns a major facility in Yaphank which is within the boundaries of the Brookhaven Empire Zone.) Empire State Development has reviewed this request for designation as a Regionally Significant Project and has approved its formal submission.

Attached please find the draft resolution and required SCIN 175a and 175b. Electronic copies have been submitted to the County Executive Resolution Review Committee.

Thank you.

CEF/kmb
Enclosures

cc: Yves R. Michel, Commissioner
✓ Brendan Chamberlain, County Executive Assistant

Steve Levy
Suffolk County Executive

Yves R. Michel

BETTER FOR BUSINESS... BETTER FOR LIFE

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1170

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

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

DATE: JANUARY 27, 2010

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2010

TITLE: A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE AMNEAL PHARMACEUTICALS OF NEW YORK, LLC. (SUFFOLK COUNTY TAX MAP NO. 0800-182.00-01.00-027.014 AND 0800-182.00-01.00-027.006)

SPONSOR: PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL:	1/27/2010	PUBLIC HEARING:	3/2/2010
DATE ADOPTED/NOT ADOPTED:		CERTIFIED COPY RECEIVED:	

Enactment of this proposed local law would authorize the submission of an application to re-designate the boundaries of the Suffolk County Empire Zone. This local law would authorize the designation of a revised Empire Zone to include the Amneal Pharmaceutical of New York, LLC., property in Hauppauge.

If these new boundaries are accepted by the New York State Department of Economic Development, the above properties would be granted an exemption from real property taxes, special ad valorem levies, and certain other taxes by the County of Suffolk pursuant to State law.

This local law would be effective immediately upon its filing in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-empire-zone-amneal-pharmaceutical

Intro. Res. No. 1171 -2010 Laid on Table 2/2/10
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE A&Z PHARMACEUTICALS, INC., (SUFFOLK COUNTY TAX MAP NO. 0100.068.00.01.00.011.001).

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on - 2010, a proposed local law entitled, "**A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE A&Z PHARMACEUTICAL, INC., (SUFFOLK COUNTY TAX MAP NO. 0100.068.00.01.00.011.001),**" and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

LOCAL LAW NO. - 2010, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE A&Z PHARMACEUTICAL, INC., (SUFFOLK COUNTY TAX MAP NO. 0100.068.00.01.00.011.001).

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

Section 1. Legislative Intent.

This Legislature finds and determines that pursuant to Local Law No. 14-2003, this Legislature authorized the designation of an Empire Zone; that Local Law 15-2003 established Empire Zone boundaries; and that a new local law is required to submit to New York State a request to revise the zone boundaries to include A&Z Pharmaceutical, Inc., located at premises described as Suffolk County Tax Map No. 0100.068.00.01.00.011.001.

This Legislature also finds and determines that New York State has amended the Empire Zone Program to include specific projects deemed as Regionally Significant Projects. Regionally Significant Projects are defined as company and site specific projects located outside the existing zone boundaries that will create fifty (50) or more jobs.

This Legislature further finds and determines that A&Z Pharmaceutical, Inc. a manufacturer of generic pharmaceuticals, located at 75 North Industry Court, Deer Park, New York 11729 meets the criteria of Section 957(d) of the NEW YORK GENERAL MUNICIPAL LAW for a Regionally Significant Project and has requested consideration for such designation by the Suffolk County Empire Zone - Zone Administrative Board.

Therefore, the purpose of this law is to authorize the submission of an application to New York State to amend the boundaries of the Suffolk County Empire Zone, to include the above location.

Section 2. Application.

The Suffolk County Empire Zone - Zone Administrative Board, is hereby authorized, empowered and directed in accordance with Section 3 of this Law to submit an application to the New York State Department of Economic Development to augment the boundaries of the existing Empire Zone and to execute such documents as are necessary and desirable to effectuate the purposes of this Law.

Section 3. Request for Consideration.

A.) The Commissioner of the New York State Department of Economic Development is hereby requested to revise the boundaries of the Empire Zone in accordance with this Law.

B.) The Clerk of the Suffolk County Legislature is hereby authorized, empowered and directed to file a certified copy of this local law with said Commissioner upon its adoption.

Section 4. Designation of Revised Empire Zone Boundaries.

The boundary of the Empire Zone, designated in Local Law 14-2003 and Local Law 15-2003, as adopted, shall be amended to include Suffolk County Tax Map No. 0100.068.00.01.00.011.001.

Section 5. Real Property Tax Exemption.

A.) The property included in the revised boundaries as described and designated by this Law is hereby granted an exemption from the taxes and special ad valorem levies by the County of Suffolk and the exemption shall be granted for the period and to the extent provided for in Section 485-e of the New York Real Property Tax Law. This exemption shall be for a term of (10) years, notwithstanding that the designation of the Empire Zone may expire prior to the end of such ten (10) year term.

B.) The exemption granted pursuant to this Law shall only take effect as to the revised Empire Zone designation in the event that the revised designation is approved by New York State and placed on the tax rolls. In the event the revised Empire Zone designation is not approved, the exemption granted pursuant to Local Law No. 14-2003, as adopted, shall continue pursuant to the terms of that Law.

Section 6. Applicability.

This Law shall apply to all actions and taxable status dates occurring on or after the effective date except as otherwise provided for herein.

Section 7. 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 the law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 8. 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 (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 on non-applicability or non-significance in accordance with this law.

Section 9. Effective Date.

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

APPROVED BY:

_____
Steve Levy
County Executive of Suffolk County

Date of Approval: _____

After a public hearing duly held on _____
Filed with the Secretary of State on _____

REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION
OFFICE OF THE COUNTY EXECUTIVE
County of Suffolk

1171

(1) Please limit this suggestion form to ONE proposal.
(2) Describe in detail
(3) Attach all pertinent backup material.

Submitting Department (Dept. Name & Location):	Department Contact Person (Name & Phone No.):
Department of Economic Development and Workforce Housing H. Lee Dennison Bldg. - 2nd Floor Hauppauge	Carolyn Fahey Intergovernmental Relations Coordinator 853-4833

Suggestion Involves:

Technical Amendment_____

Grant Award _____

New Program _____

Contract: New _____Rev. _____

Summary of Problem: (Explanation of why this legislation is needed.)

RESOLUTION TO AMEND EMPIRE ZONE BOUNDARIES TO INCLUDE A&Z PHARMACEUTICAL, INC.

Proposed Changes in Present Statute: (Please specify section when possible.)

SCIN Form 175a

1171

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___X___ Local Law _____ Charter Law _____

2. Title of Proposed Legislation

RESOLUTION TO AMEND EMPIRE ZONE BOUNDARIES TO INCLUDE A&Z PHARMACEUTICAL, INC.

3. Purpose of Proposed Legislation

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

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

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

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

ECONOMIC IMPACT ASSOCIATED WITH CREATION OF 50 NEW JOBS AND FACILITY EQUIPMENT INVESTMENT OF $9,600,000

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

8. Proposed Source of Funding

9. Timing of Impact

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

SCIN FORM 175b (10/95)

Gen 112

171

SUFFOLK COUNTY

DEPARTMENT OF ECONOMIC DEVELOPMENT AND WORKFORCE HOUSING

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
Eric Naughton, Budget Director
Office of the County Executive

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

DATE: January 22, 2010

SUBJECT: **Resolution to Amend Empire Zone Boundaries to include A&Z Pharmaceutical, Inc.**

****

The Department of Economic Development and Workforce Housing requests the submission of the attached resolution. This resolution amends the Suffolk County Empire Zone boundaries to include A&Z Pharmaceutical, Inc., a manufacturer of generic pharmaceuticals. A&Z Pharmaceutical, Inc. is located at 75 North Industry Court, Deer Park, NY. Empire State Development has reviewed this request for designation as a Regionally Significant Project and has approved its formal submission.

Attached please find the draft resolution and required SCIN 175a and 175b. Electronic copies have been submitted to the County Executive Resolution Review Committee.

Thank you.

CEF/kmb
Enclosures

cc: Yves, R. Michel, Commissioner
✓Brendan Chamberlain, County Executive Assistant

Steve Levy
Suffolk County Executive

Yves R. Michel

BETTER FOR BUSINESS... BETTER FOR LIFE

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1171

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

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

DATE: JANUARY 27, 2010

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2010

TITLE: A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE A&Z PHARMACEUTICALS, INC. (SUFFOLK COUNTY TAX MAP NO. 0100-068.00-01.00-011.001)

SPONSOR: PRESIDING OFFICER ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL:	1/27/2010	PUBLIC HEARING:	3/2/2010
DATE ADOPTED/NOT ADOPTED:		CERTIFIED COPY RECEIVED:	

Enactment of this proposed local law would authorize the submission of an application to re-designate the boundaries of the Suffolk County Empire Zone. This local law would authorize the designation of a revised Empire Zone to include the A&Z Pharmaceutical, Inc., property in Deer Park.

If these new boundaries are accepted by the New York State Department of Economic Development, the above properties would be granted an exemption from real property taxes, special ad valorem levies, and certain other taxes by the County of Suffolk pursuant to State law.

This local law would be effective immediately upon its filing in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-empire-zone-a&z-pharmaceutical

Intro. Res. No. 1172-2010 Laid on Table 2/2/10
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW IMPOSING A SURCHARGE ON WIRELESS COMMUNICATIONS SERVICE IN THE COUNTY OF SUFFOLK

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2010, a proposed local law entitled, **"A LOCAL LAW IMPOSING A SURCHARGE ON WIRELESS COMMUNICATIONS SERVICE IN THE COUNTY OF SUFFOLK"**; and said local law in final form is the same as when presented and introduced; now, therefore be it

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

LOCAL LAW NO. -2010, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW IMPOSING A SURCHARGE ON WIRELESS COMMUNICATIONS SERVICE IN THE COUNTY OF SUFFOLK

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 New York Legislature has recently added section 308-x of the County Law authorizing the County of Suffolk to implement a wireless surcharge to help fund an enhanced emergency telephone service system.

Therefore, the purpose of this law is to implement section 308-x of the NEW YORK COUNTY LAW by imposing a wireless surcharge of thirty cents per month on wireless communication service within the County of Suffolk as a means to assist the County in paying the costs associated with wireless 911 service.

Section 2. Definitions.

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

"WIRELESS COMMUNICATIONS SERVICE" means all commercial mobile services, as that term is defined in section 322(d) of title 47 of the UNITED STATES CODE, as amended from time to time, including, but not limited to, all broadband personnel communication services, wireless radio telephone services, geographic area specialized and enhanced specialized mobile radio services, and incumbent-wide area specialized mobile radio licenses, which offer real time, two-way voice or data service that is interconnected with the public switched telephone network or otherwise provides access to emergency communications services.

"WIRELESS COMMUNICATIONS DEVICE" means any equipment used to access a wireless communication service.

"PLACE OF PRIMARY USE" means the street address that is representative of where the customer's use of the wireless communications service primarily occurs, which address must be: (a) the residential street address or the primary business street address of the customer; and (b) within the licensed service area of the wireless communications service supplier.

"WIRELESS SERVICE SUPPLIER" means any commercial entity that operates a wireless communications service within the County of Suffolk.

Section 3. Establishment of Suffolk County Wireless Surcharge.

A.) There is hereby imposed in the County of Suffolk a wireless surcharge of thirty (30) cents each month on wireless communications service. Said surcharge shall be imposed on each wireless communications device and shall be reflected and made payable on bills rendered for wireless communications service that is provided to a customer whose place of primary use is within the County of Suffolk.

B.) Any wireless communications service supplier within the County of Suffolk imposing a surcharge pursuant to the provisions of this law shall be given a minimum of forty-five days written notice prior to the date the service supplier shall begin to add such surcharge to the billings of its customers or prior to any modification to or change in the surcharge amount.

Section 4. Collection of Surcharge.

A.) Each wireless service supplier serving the County of Suffolk shall begin to add such surcharge to the billings of its customers commencing May 1, 2010.

B.) Each such wireless service supplier shall act as a collection agent for the County of Suffolk and shall remit surcharge monies collected pursuant to this law to the Suffolk County Treasurer every month, no later than thirty days after the last business day of each month.

C.) Each wireless service supplier shall be entitled to retain, as an administrative fee, an amount equal to two percent of its collections of the surcharge imposed under the provisions of this law.

D.) Any surcharge required to be collected by a wireless service supplier pursuant to this law shall be added to and stated separately in its billings to customers.

E.) No wireless service supplier shall have any legal obligation to enforce the collection of any surcharge. At the time a wireless service supplier remits monies as provided in this law, it shall also provide the name and address of any customer refusing or failing to pay the surcharge imposed by this law and shall state the amount of such surcharge remaining unpaid.

F.) Each wireless service supplier shall annually provide to the County of Suffolk an accounting of the surcharge amounts billed and collected.

Section 5. Liability for Surcharge.

Each wireless communications service customer who is subject to the provisions of this law and section three hundred eight-x of the NEW YORK COUNTY LAW, shall be liable to the County of Suffolk for the surcharge established in section 3 herein until such surcharge has

been paid to the County of Suffolk, except that payment to a wireless service supplier is sufficient to relieve the customer from further liability for such surcharge.

Section 6. Expenditure of Revenues.

All surcharge monies remitted to the County of Suffolk pursuant to this law shall be expended only upon authorization of the Legislature and shall only be used for payment of eligible wireless 911 service costs, as defined within subdivision sixteen of section three hundred twenty-five of the NEW YORK COUNTY LAW. No less than eight percent (8%) of such surcharge monies remitted to the County of Suffolk in any fiscal year shall be allocated to qualified Public Safety Answering Points (PSAP's), excluding the Suffolk County Police Department PSAP, and shall only be used for payment of eligible wireless 911 service costs, as defined within subdivision sixteen of section three hundred twenty-five of the NEW YORK COUNTY LAW. All surcharge monies collected by the County of Suffolk shall be separately accounted for, with an adequate record of the amounts and source of all such monies received, and an adequate record of the amounts and purpose of the expenditures made thereof. If at the end of any fiscal year the total amount of all such monies exceeds the amount necessary for payment for allowable costs in such fiscal year, such excess shall be reserved and carried over for the payment of allowable costs in the following fiscal year.

Section 7. Severability.

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

Section 8. 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) (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 9. Effective Date.

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

DATED:

APPROVED BY:

_____

County Executive of Suffolk County

Date:

1172

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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

DATE: JANUARY 27, 2010

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. -2010; A LOCAL LAW IMPOSING A SURCHARGE ON WIRELESS COMMUNICATIONS SERVICE IN THE COUNTY OF SUFFOLK

SPONSOR: THE PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL:	1/27/2010	PUBLIC HEARING:	3/2/2010
DATE ADOPTED/NOT ADOPTED:		CERTIFIED COPY RECEIVED:	

This proposed local law would impose a thirty cent ($ 0.30) monthly surcharge on wireless communication devices, effective May 1, 2010, for the purpose of funding enhanced wireless 911 emergency service.

Specifically, this local law will require wireless service suppliers to add such surcharge to the bills of customers whose place of primary use is within Suffolk County. The wireless service suppliers shall act as a collection agent for the County of Suffolk and shall remit surcharge monies collected pursuant to this law on a monthly basis to the Suffolk County Treasurer. As an administrative fee, each wireless service supplier shall be entitled to retain two percent (2%) of its collections.

All surcharge monies remitted to the County of Suffolk by wireless communications service suppliers shall be expended only upon authorization of the County Legislature and only for the payment of eligible wireless 911 service costs, as defined within subdivision sixteen (16) of Section 325 of the NEW YORK STATE COUNTY LAW. No less than 8% of surcharge monies received by the County shall be remitted to qualified Public Safety Answering Points (PSAP's) excluding the Suffolk County Police Department PSAP. Surcharge monies collected by the County shall be separately accounted for. Any funds in excess of the necessary amount for payment of allowable costs shall be reserved and carried over for payment of such costs in the following fiscal year.

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

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-co exec wireless surcharge

1173

Intro. Res. No. -2010 **Laid on Table** 2/2/10

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

RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A CHARTER LAW REPEALING ARTICLE III OF CHAPTER 294 OF THE SUFFOLK COUNTY CODE AND ENACTING STRENGTHENED AND IMPROVED REGULATION OF THE INSTALLATION AND SERVICING OF PORTABLE FIRE EXTINGUISHERS AND AUTOMATIC FIRE EXTINGUISHING SYSTEMS

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2010, a proposed local law entitled, "**A CHARTER LAW REPEALING ARTICLE III OF CHAPTER 294 OF THE SUFFOLK COUNTY CODE AND ENACTING STRENGTHENED AND IMPROVED REGULATION OF THE INSTALLATION AND SERVICING OF PORTABLE FIRE EXTINGUISHERS AND AUTOMATIC FIRE EXTINGUISHING SYSTEMS,**" and said local law in final form is the same as when presented and introduced; now, therefore, be it

1st RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. -2010, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW REPEALING ARTICLE III OF CHAPTER 294 OF THE SUFFOLK COUNTY CODE AND ENACTING STRENGTHENED AND IMPROVED REGULATION OF THE INSTALLATION AND SERVICING OF PORTABLE FIRE EXTINGUISHERS AND AUTOMATIC FIRE EXTINGUISHING SYSTEMS

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that it has recognized that portable fire extinguishers and automatic fire extinguishing systems are the first line of defense in the control and extinguishment of fires, and therefore it is essential that these devices be properly installed, regularly inspected, tested, serviced, and repaired to ensure their usefulness and effectiveness when discharged on incipient fires.

This Legislature further finds and determines that the best way to ensure the effectiveness of these devices is to establish professional standards for persons authorized to install and service these devices and the manner in which the installation and servicing must be done.

This Legislature further finds and determines, based upon input from the fire safety community, the code enforcement community, consumers and businesses that nationally recognized industry standards have not been consistently adhered to by all of those involved in the installation and servicing of portable and automatic fire extinguishing systems.

This Legislature further finds that Local Law 18-2004,now codified in Article III of Chapter 294 of the Suffolk County Code, controls the servicing of portable fire extinguishers and automatic fire extinguishing systems, but the Department of Fire, Rescue and Emergency Services has recommended that these Code provisions be repealed and replaced with a new law that will better regulate the installation and servicing of these systems in order to better protect the health, safety, and welfare of the residents of Suffolk County.

Therefore, the purpose of this legislation is to repeal Article III of Chapter 294 of the Suffolk County Code and add a new Article III of Chapter 294 of the Suffolk County Code which strengthens and improves the regulation of the installation and servicing of portable fire extinguishers and automatic fire extinguishing systems and to amend other related sections of the Suffolk County Charter and Suffolk County Code.

Section 2. Repeal.

Article III of Chapter 294 (294-12 through 294-21`) of the SUFFOLK COUNTY CODE is repealed in its entirety.

Section 3. Amendments.

I. Article XI of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

C11-3 Powers and Duties.

A. The Department of Fire, Rescue and Emergency Services shall:

* * * * * * *

(35) Be responsible for coordinating the regulation, and licensing of the installation and servicing of portable fire extinguishers and automatic fire extinguishing systems.

* * * * * * *

II. Section A11-1 of the Administrative Code is amended to read as follows:

A11-1 Powers and Duties.

* * * * * * *

O. Be responsible for coordinating the supervision, regulation, and licensing of the installation and servicing of portable and automatic fire extinguishing systems.

Section 4. Servicing of Portable Fire Extinguishers and Automatic Fire Extinguishing Systems.

A new Article III is hereby added to Chapter 294 of the Suffolk County Code as follows:

§ 294-13. Definitions.

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

"AUTOMATIC FIRE EXTINGUISHING SYSTEM" means a nonportable fire extinguishing system containing an extinguishing agent under pressure that is expelled for the suppression of a fire, not to include any type of fixed fire sprinkler system.

"BOARD" means the Portable Fire Extinguisher and Automatic Fire Extinguishing Systems Licensing Board.

"CERTIFICATE OF REGISTRATION" means a certificate or document issued to a Person by the Suffolk County Commissioner of Fire, Rescue and Emergency Services authorizing the existence and use of premises for the purpose of the design, installation and/or servicing of portable fire extinguishers and automatic fire extinguishing systems.

"CLEAN AGENT" means electrically non-conducting volatile or gaseous fire extinguishant that does not leave a residue upon evaporation, exclusive of carbon dioxide.

"CLOSED RECOVERY SYSTEM" means equipment required for the recovery of dry chemical or halogenated agents so that the extinguishing agent is captured in a closed system.

"COMMISSIONER" means the Commissioner of the Suffolk County Department of Fire, Rescue and Emergency Services (FRES).

"DEPARTMENT" means the Suffolk County Department of Fire, Rescue and Emergency Services (FRES).

"FIRE MARSHAL" means a Fire Marshal duly appointed by or employed by Suffolk County.

"HIGH PRESSURE HYDROSTATIC TESTING" means pressure testing by hydrostatic methods in accordance with United States Department of Transportation regulations.

"IDENTIFICATION CARD" means a card issued to a holder of a license as defined herein.

"INSTALL AND INSTALLATION" means the placement of any automatic fire extinguishing system or portable fire extinguisher as defined herein in a structure, building, or any other item, place, or location for the purpose of controlling or extinguishing a fire.

"LABELED" means equipment or materials to which has been attached a label, symbol, or other identifying mark of an organization acceptable to the Fire Marshal and concerned with product evaluation, that maintains periodic inspection of production of labeled equipment or materials, and by whose labeling the manufacturer indicates compliance with appropriate standards of performance in a specified manner.

"LICENSE" means a certificate or document issued to a natural person by the Commissioner authorizing the holder thereof to install and service portable fire extinguishers and automatic fire extinguishing systems.

"LISTED" means equipment and/or materials that are included in a list published by an organization acceptable to the Fire Marshal and concerned with product evaluation, that maintains periodic inspection of production of listed equipment or materials and whose listing states that either the equipment or materials meets appropriate standards or has been tested and found suitable for use in a specified manner. The means for identifying listed equipment

vary for each organization concerned with product evaluation, some of which do not recognize equipment as listed unless it is also labeled. The Fire Marshal shall utilize the system employed by the listing organization to identify a listed product.

"LOW-PRESSURE EXTINGUISHERS OR PRESSURE VESSELS" means those units having an operating pressure of 500 psig (34.45 bars) or less.

"LOW-PRESSURE HYDROSTATIC TESTING" means pressure testing by hydrostatic methods in accordance with National Fire Protection Association (NFPA) 10 standard.

"NFPA" means National Association of Fire Protection.

"PERSON" means any natural person, firm, corporation, partnership, limited liability company, entity, joint venture, association, or organization.

"PORTABLE FIRE EXTINGUISHER" means a portable device, carried or on wheels and operated by hand, containing an extinguishing agent that can be expelled under pressure for the purpose of suppressing or extinguishing fire.

"PLACE OF BUSINESS" means a designated location at which work in connection with servicing or installation of portable fire extinguishers and automatic fire extinguishing systems is conducted.

"RECOVERY" means the act of removing dry chemical or halogenated agents from a fire extinguisher or systems by means of a closed recovery system as defined herein.

"REGISTERED FACILITY" means a place of business which has a valid, current certificate of registration duly issued by the Commissioner.

"SERVICE AND SERVICING" means any or all of the following:

A. Maintenance
B. Recharging; and
C. High Pressure and Low Pressure Hydrostatic Testing

Section 294-14. License required; provisions of other legislation not affected.

A. It is unlawful, except as permitted under Section 294-16 of this law, to install or service portable fire extinguishers and automatic fire extinguishing systems, or to be employed by the owner or operator of a facility registered under section 294-18 of this law as an installer or servicer in Suffolk County, or to represent or advertise that a person intends to or is engaged in the Installation or Servicing of Portable Fire Extinguishers or Automatic Fire Extinguishing Systems, without obtaining a License from the Commissioner in accordance with, and subject to, the provisions of this law.

B. A License issued pursuant to this law does not authorize the performance of any work which is reserved to qualified individuals under separate provisions of state, federal, or local law.

C. Liability for damage. This law does not confer any immunity from liability upon any License holder for any loss of life or damage to person or property. The County of Suffolk is not to be deemed to have assumed any liability by reason of its issuance of a License.

Section 294-15. Registered facility required.

Portable Fire Extinguishers and Automatic Fire Extinguishing Systems shall be serviced at a Registered Facility except that a Clean Agent Automatic Fire Extinguishing System may be serviced at the location of its installation by a License holder.

Section 294-16. Exempted Operations.

The provisions of this law do not apply to employees of or individuals acting on behalf of any federal, state, or local government or any agencies thereof.

Section 294-17. License application procedure; information required; qualifications; issuance and display of License.

A. All applications for a License shall be submitted in writing on forms furnished by the Department, signed by the applicant under oath, and accompanied by a nonrefundable application fee in the amount of $100.00.

B. Applications shall contain all information and supporting data concerning qualifications as the Commissioner may prescribe.

C. The applicant may be required to appear before the Board at such time and place as may be designated by the Board to enable the Board to determine the accuracy of the facts set forth in the initial or renewal written application.

D. An applicant must be at least 18 years of age, of good character, and financially responsible. No individual shall be entitled to a License if the applicant has been convicted in this state or elsewhere of a felony, or a crime with a New York State felony equivalent, unless he or she has received an executive pardon. Valid certificates of relief from disabilities or good conduct from the appropriate parole board to remove the disability under this section because of such conviction will be considered.

E. An applicant who has successfully completed the application process must be employed by, or be the owner of, a Registered Facility before a license will be issued to him or her.

F. An applicant must take and pass written and practical qualification examinations prepared and administered by the Department evidencing competency in the Servicing and Installation of Portable Fire Extinguishers and Automatic Fire Extinguishing Systems.

G. An applicant shall submit an original manufacturer's certification for any particular system for which he/she has been so certified to Service and/or Install and/or a certificate of training acceptable to the Board for Portable Fire Extinguisher Servicing.

H. An applicant shall meet such further qualifications as may be prescribed by rules and regulations issued by the Commissioner or the Board.

I. Upon the authorization of the Board, the Commissioner shall issue a License to each applicant who has submitted satisfactory evidence of qualifications and who has complied with all of the requirements of this article and the rules and regulations of the Commissioner or the Board.

J. No applicant for a License or License renewal shall have any unsatisfied judgment from which there is no appeal made, or available further appeal for child support against him or her, or be in arrears in child support payments as determined by official court records or official government records, at the time an application is filed for such License or License renewal. If an applicant has such a judgment against him or her, or is in such arrears, but is current in payments on a judicially approved, or Child Support Enforcement Bureau-sanctioned payment schedule to pay off or reduce such judgment or arrears, then such individual shall be eligible for a License or License renewal.

K. All applications shall include a representation by the applicant that he or she is making all required payroll tax payments for his or her employees, including Social Security taxes, Medicare taxes, and state and federal unemployment taxes. If such representation is not made, a License will not be issued. The applicant's failure to make required payroll tax payments during the term of his or her License or Certificate of Registration, as determined by the Commissioner after an investigation by the Suffolk County Department of Labor or based upon a finding of a federal or state court, administrative law judge, hearing officer, or agency of competent jurisdiction, shall constitute grounds for the imposition of a fine or the suspension or revocation of a License or the denial of an application for the renewal of a License, in accordance with the applicable provisions of this law.

L. A License holder shall conspicuously display his or her License at his or her place(s) of employment at all times, and shall carry with him or her, at all times, the License Identification Card issued to him or her for display, upon request, at any time while performing work for which a License is necessary. The display of a License, or License Identification Card whose term has expired is prohibited.

M. A License holder shall notify the Department in writing, in a manner and form prescribed by the Department, within seven days, of a change of residence or business address. A failure to provide such notification shall result in suspension of the License until such suspension has been vacated by the Department.

Section 294-18. Registration of Places of Business and facilities used in connection with Servicing or Installing Portable Fire Extinguishers and Automatic Fire Extinguishing Systems.

A. Except as authorized in Section 294-15 and 294-16, no building, facility, or other place or location may be used as a Place of Business unless it is first inspected by the Department and a Certificate of Registration is issued.

B. Except as permitted under Section 294-16, no person shall Install or Service, or allow the Installing or Servicing of Portable Fire Extinguishers or Automatic Fire Extinguishing Systems, or represent, advertise, or otherwise hold oneself out as engaged or intending to engage in the Installation or Servicing of Portable Fire Extinguishers or Automatic Fire Extinguishing Systems, except at a Registered Facility.

C. The Department may conduct inspections, during reasonable hours, of a Registered Facility and the records required to be maintained on the premises under this law or rules and regulations of the Commissioner or the Board throughout the period of registration to ensure compliance with the requirements of this law.

D. Liability for damage. This article does not confer any immunity from liability upon any holder of a Certificate of Registration for any loss of life or damage to person or property. The County of Suffolk is not to be deemed to have assumed any liability by reason of the issuance of a Certificate of Registration.

Section 294-19. Application Procedure for Registered Facilities; information required; qualifications; issuance and display of Certificate of Registration.

A. An application for Registered Facility designation shall be submitted in writing on forms furnished by the Department, signed under oath by a natural person or corporate officer or member of an applicant and shall set forth:

1. Name and address of applicant; if an individual, the residence address of the individual and the name under which he/she intends to conduct business; if a co-partnership or limited liability company, the name and residence address of each member thereof, and the name under which the business is to be conducted; if a corporation, the name of the corporation and the name and residence address of each of the officers and stockholders.

2. The business(es) or occupation(s) engaged in by the applicant, or, if a copartnership, by each member thereof, or, if a limited liability company, by each member thereof, or, if a corporation, by each officer thereof for the two year period immediately preceding the date of the application, setting forth the addresses where such business or occupation was engaged in and the name or names of the employers, if any.

3. The place, or places, including the complete address(es), where the Servicing or Installation is to be conducted.

4. A federal tax identification number and/or New York State sales tax identification number, as applicable.

5. A representation by the applicant that he or she or it is making all required payroll tax payments for his or her or its employees, including Social Security taxes, Medicare taxes, and state and federal unemployment taxes. If such representation is not made, a Certificate of Registration will not be issued. The applicant's failure to make required payroll tax payments during the term of his or her or its Certificate of Registration, as determined by the Commissioner after an investigation by the Suffolk County Department of Labor or based upon a finding of a federal or state court, administrative law judge, hearing officer, or agency of competent jurisdiction, shall constitute grounds for the imposition of a fine or the suspension or revocation of a Certificate of Registration or the denial of an application for the renewal of a Certificate of Registration, in accordance with the applicable provisions of this law.

6. All other information as is prescribed under Rules and Regulations promulgated by the Commissioner and/or the Board.

B. The applicant is required to appear at such time and place, in the Board's discretion, as may be designated by the Board, to enable the Board to make a determination of the accuracy of the facts set forth in the written initial or renewal application.

C. An applicant who is a natural person must be at least 18 years of age, of good character, and financially responsible.

D. No Person shall be entitled to a Certificate of Registration if he or she, or a corporate officer or member of any other type of business entity, has been convicted in this state or elsewhere of a felony, or a crime with a New York State felony equivalent, unless he/she has received an executive pardon. Valid certificates of relief from disabilities or good conduct from the appropriate parole board to remove the disability under this section because of such conviction will be considered.

E. Each applicant and each member or each officer of a business entity must possess trustworthiness and good character necessary to transact business in a competent manner that safeguards the public.

F. A Registered Facility shall have adequate space and proper facilities to retain and safeguard all records and documents required to be maintained upon the premises by the rules and regulations promulgated by the Commissioner or the Board.

G. A Place of Business for which an application for a Certificate of Registration is made shall be subject to a visual inspection, which may include the taking of photographs.

H. A Place of Business for which an application for a Certificate of Registration is made must possess a valid certificate of occupancy or other certificate issued by the local municipality having jurisdiction, and the use as a Registered Facility must be a permitted use by the municipality having zoning jurisdiction over the premises.

I. Fees. Every initial and renewal application for registration shall be accompanied by a non-refundable application fee of $200.00. An additional inspection fee of $350.00 will be payable at the time of application for any inspection of a premises that is located outside of the County of Suffolk.

J. Upon the authorization of the Board, the Commissioner shall issue a Certificate of Registration to each applicant who has submitted satisfactory evidence of qualifications and who has complied with all the requirements of this article and the rules and regulations of the Commissioner or the Board.

K. A Certificate of Registration issued under this section may be renewed upon application therefor in such form as may be prescribed.

L. An application may be made for a Certificate of Registration issued in the name of an individual to be assigned or transferred for the remainder of the registration period to a partnership, corporation or other entity, provided that the individual holding such certificate is a general partner of such partnership, the owner of not less than 25% of the outstanding

voting shares of such corporation or the holder of not less than a 25% interest in any other type of business entity accompanied by evidence satisfactory to the Commissioner that the requirements of the relationships described above have been satisfied. Such assignment or transfer may be granted in the discretion of the Commissioner. No assignment or transfer shall become effective until proper endorsement evidencing said transfer or assignment has been made on the face of the registration by the Commissioner and such registration certificate, so endorsed, has been returned to the assignee or transferee. All such endorsements shall require the payment of a fee of $ 50.00. Every other holder of a certificate of registration shall within seven days of a change in its ownership, control or management, notify the Department in writing of such change and apply for a new certificate of registration.

M. A Certificate of Registration issued pursuant to this chapter shall be conspicuously posted in each place of business.

Section 294-20. Term of Licenses and Registration Certificates of Registration; renewal: conditions; display required.

A. A License or Certificate of Registration shall be valid for two (2) years from the date of issuance thereof and shall expire on the last day of the 24th month following such issuance. Subsequent renewals shall be for periods of two (2) years. A non-refundable application fee of $50.00 is payable at the time of submission of a renewal application. A registered facility is subject to a visual re-inspection prior to issuance of a renewal Certificate of Registration.

B. The fee for a License, and for each renewal of License, shall be four hundred ($400.00) dollars. The fee for a Certificate of Registration, and for each renewal of a Certificate of Registration, shall be eight hundred ($800.00) dollars. The fees are payable after approval of an application and prior to issuance of the License, Renewal License, Certificate of Registration or Renewal Certificate of Registration.

C. Failure to make application and pay the required annual fee for renewal of a License or Certificate of Registration prior to the expiration date shall render the License or Certificate of Registration null and void on the expiration date and require the License holder or Certificate of Registration holder to submit a new application for an original License or Certificate of Registration. Compliance with the provisions of this law shall entitle the License or Certificate of Registration holder to renewal, provided such License or Certificate of Registration has not been suspended or revoked by the Commissioner prior to the expiration date.

D. The death of an individual License holder or Certificate of Registration holder shall terminate such License or Certificate of Registration.

E. A License may not be assigned or transferred. A Certificate of Registration may not be assigned or transferred except as provided in Section 294-19 (K).

F. A License or Certificate of Registration shall be conspicuously posted in the Registered Facility; and a License in the place(s) of employment of a License holder.

G. A License holder is not permitted to authorize or allow the use of his/her License by or on behalf of any other Person.

H. All advertising by a License or Certificate of Registration holder shall include a Suffolk County Department of Fire, Rescue and Emergency Services License and Registration number.

Section 294-21. Duplicate and supplementary License and Certificate of Registration.

A. A duplicate License or Certificate of Registration may be issued by the Department for a License or Certificate of Registration which has been lost, destroyed, or mutilated, upon application therefor on a form prescribed by the Commissioner and the payment of a Twenty Dollar ($20.00) fee. Each such duplicate License or Certificate of Registration shall have the word "duplicate" stamped across the face thereof and shall bear the same number as the one it replaces.

B. A License holder shall request from the Department a supplementary License for each of his/her places of employment within the County of Suffolk upon application therefor on a form prescribed by the Commissioner and the payment of a Twenty Dollar ($20.00) fee. Each such supplementary License shall have the word "supplementary" stamped across the face thereof, shall bear the same number as the original and shall be conspicuously posted in each additional place of employment.

Section 294-22. Licensing Board.

A. Board creation; purpose. There shall be a five (5) member Board known as the Portable Fire Extinguishing and Automatic Fire Extinguishing Systems Licensing Board. The Board shall be under the general supervision of the Department. Said Board shall evaluate the fitness of an applicant for a License to Install or Service Portable Fire Extinguishers and Automatic Fire Extinguishing Systems and an applicant for a Certificate of Registration, and shall investigate and report to the Commissioner on all proposed suspensions or revocations of Licenses and Certificates of Registration as hereinafter provided. Said Board shall be composed of:

i. The designee of the Commissioner, who shall serve as chair of the Board,
ii. The Suffolk County Chief Fire Marshal,
iii. One (1) representative nominated by the Fire Marshal's Association of Suffolk County and confirmed and appointed by the Commissioner; and
iv. Two (2) representatives nominated by the National Association of Fire Equipment Distributors (NAFED) and confirmed and appointed by the Commissioner.

B. The three appointed members of the Board shall each serve for a four year term, and may be removed by the Board only for cause.

C. Compensation. No members of the Board shall be compensated for performing the duties of said Board. Reasonable and necessary expenses incurred by a member carrying out the duties defined herein shall be reimbursable by the County of Suffolk.

D. Powers and duties. The Board shall have the following powers and duties:

1. To hold meetings at regular times and places for the efficient discharge of the responsibilities and duties of the Board.

2. To make rules for the conduct of its meetings and to keep a minute book of its proceedings, including a record of its examinations and other official actions.

3. To examine and evaluate the qualifications and fitness of applicants for Licenses and Certificates of Registration under this Article.

4. To make recommendations to and authorize the Commissioner to issue a License or Certificate of Registration authorizing the Installation or Service of Portable Fire Extinguishers and Automatic Fire Extinguishing Systems.

5. To conduct meetings and, after a hearing at which all interested parties are afforded a sufficient opportunity to be heard, submit recommendations to the Commissioner relating to the suspension, revocation, or non-renewal for cause of a License or Certificate of Registration authorizing the Installation and Service of Portable Fire Extinguishers and Automatic Fire Extinguishing Systems. Such hearing shall be on at least seven business days' notice to the holder of the License or Certificate of Registration. Such notice shall be served either personally or by certified mail, return receipt requested, to the last known address of the holder of the License or Place of Business of the holder of the Certificate of Registration and shall state the date and place of the hearing as well as enumerate the grounds constituting the allegations against the holder of the License or Certificate of registration. The holder of the License or Certificate of Registration may be represented by counsel and may produce witnesses in its behalf. A record of the hearing shall be taken and preserved.

6. To prepare, amend, and repeal a manual of rules and regulations in consultation with the Commissioner and in compliance with this law relating to any of the provisions of this article and necessary for the proper administration and enforcement of the provisions of this article. The Commissioner is also empowered to promulgate rules and regulations not inconsistent with the provisions of this law and necessary for the proper administration and enforcement of this law. Regulations promulgated pursuant to this subdivision shall be filed in the office of the Clerk of the Suffolk County legislature.

7. In its discretion, to formulate, and from time to time amend or repeal, a code of rules and regulations governing the Installation and Servicing of Portable Fire Extinguishers and Automatic Fire Extinguishing Systems, including the materials, workmanship, and manner of executing such work. Before making such rules and regulations, the Board may confer and meet with representatives of the industry, and shall hold a public hearing on the proposed rules and regulations. Reasonable prior notice of the time and place of such hearing shall be given by publication in the official newspapers of the County. Rules and regulations promulgated pursuant to this subdivision shall be filed in the office of the Suffolk County Clerk.

Section 294-23. Requirements for Registered Facilities.

A. All Registered Facilities shall at all times be equipped with and maintain the following:

1. CO2 receiver or cascade system for proper filling of CO2 extinguishers;
2. Adequate hydrostatic test equipment for low-pressure cylinders;
3. Approved drying method for low-pressure cylinders after hydrostatic testing;
4. Adequate safety cage for hydrostatic testing of low-pressure cylinders;
5. Proper wrenches with non-serrated jaws or valve puller, hydraulic or electric;
6. Adequate inspection light for internal inspection;
7. Labels containing the information described in Section 294-17(B) and (C);
8. Appropriate weighing scales for extinguisher inspection and filling and sealed by the Suffolk County Department of Consumer Affairs;
9. Appropriate weighing scales for cartridge inspection and filling and sealed by the Suffolk County Department of Consumer Affairs;
10. Adequate vise for shop use;
11. Facilities for proper storage and adequate supply of extinguishing agents;
12. Equipment for leak testing of pressurized extinguishers;
13. Commercial dry nitrogen supply (-60° F or 51.1° C dew point or less) and regulated pressure gauges and pressure regulator with supply and regulated pressure gauges suitable for pressurizing extinguisher cylinders;
14. Adapters, fittings, and sufficient tools and equipment for the proper installation, servicing and recharging of all portable fire extinguishers and automatic fire extinguishing systems;
15. Adequate closed recovery system and storage to remove and store chemicals from cylinders during servicing;
16. Adequate inventory of spare parts;
17. Manufacturers' service and maintenance manuals;
18. Material Safety Data Sheets shall be available for all extinguishing agents as necessary; and
19. Training records and copies of licenses of employees installing and servicing portable fire extinguishers and/or installing and servicing fixed extinguishing systems shall be made available to the Fire Marshal;
20. United States Department of Transportation (DOT) approved hydrostatic test equipment for pressure testing and calibration of cylinders;
21. Adequate equipment for stamping of test date on appropriate cylinders (operating pressure over 500 psi - 34.45 bars). Dye stamps must be a minimum of 1/4 inch (6.35 mm); and
22. Approved drying methods for cylinders after hydrostatic test.

B. Exceptions:

i. In lieu of maintaining items 1, 20, 21 and 22 in subdivision (A) of this section, a Registered Facility may have a written agreement with another Registered Facility to perform and meet its High Pressure Hydrostatic Testing needs, provided the agreement is approved by the Board and remains in full force and effect throughout the term of registration of the Registered Facility using the services of another Registered Facility.

ii. Upon a request made by a Registered Facility and approved by the Board, a Registered Facility that only performs Clean Agent system Installation and Servicing may be permitted to maintain only the equipment required to be consistent with manufacturer requirements for Installation and Servicing Clean Agent systems.

Section 294-24. Servicing Standards and Procedures for Portable Fire Extinguishers and Automatic Fire Extinguishing Systems.

In order to maintain a License or a Certificate of Registration, the following standards and procedures shall be followed:

A. Fire and Performance Standards.

1. Installation and Service may only be performed on a portable fire extinguisher or an automatic fire extinguishing system that is listed and labeled and meets or exceeds all of the requirements of the fire test standards and performance standards referenced in the appropriate NFPA standards referred to in subparagraph 3 of this section.

2. The identification of the listing and labeling organization and the fire test and performance standard that the extinguisher meets or exceeds shall be clearly marked on each extinguisher, with the exception of extinguishers manufactured prior to January 1, 1986.

3. The selection, installation, inspection, and servicing of portable fire extinguishers shall be as specified in NFPA 10 and the applicable section(s) of the Fire Prevention and Building Code of the State of New York.

4. The selection, installation, inspection and servicing of automatic fire extinguishing systems shall be as specified in NFPA 12, 12A, 17, 17A, and 2001 and the applicable section(s) of the Fire Prevention and Building Code of the State of New York.

B. Record Tags and Labels.

1. New record tags shall be attached to each portable fire extinguisher and automatic fire extinguishing system in accordance with the applicable NFPA standard when put into service and each time Service is performed. The following information shall be recorded on a record tag:

a) Name and License number of individual who performed servicing;
b) Serial number of cylinder;
c) Statement of the type of Service performed;
d) Statement of the type of portable fire extinguisher involved;
e) Statement of the month and year that the service was performed;
f) The words "DO NOT REMOVE;" and
g) The name, address, phone number, and Certificate of Registration number of the Registered Facility.

2. Each six (6) year maintenance shall be recorded on a record label consisting of a metallic decal, which shall be affixed on the exterior of the cylinder and which shall self destruct when removal is attempted. Any six (6) year maintenance label previously attached to a cylinder shall be removed prior to affixing a new label. The label shall contain the following information:

   a) The year and month that the six (6) year maintenance was performed;
   b) The name, address, phone number, and Certificate of Registration number of the Registered Facility performing the maintenance; and
   c) The initials and license number of the license holder performing the maintenance.

3. When a low-pressure hydrostatic test is performed, it shall be recorded on a record label consisting of a metallic decal which shall be affixed on the exterior of the cylinder. Any Low Pressure Hydrostatic test labels previously attached to a cylinder shall be removed prior to affixing a new label. The record label shall contain the following information:

   a) The year and month the test was performed;
   b) The test pressure;
   c) The name, address, phone number, and Certificate of Registration number of the Registered Facility; and
   d) The initials and License number of the License holder performing the testing.

C. Verification of Service Collar.

1. Each extinguisher that has undergone maintenance that includes internal examination, or that has been recharged, shall have a "Verification of Service" collar located around the neck of the cylinder.

2. The collar shall consist of a single circular piece of uninterrupted material forming a hole of a size that will not permit the collar assembly to move over the neck of the cylinder unless the valve has been completely removed.

3. The collar shall not interfere with the operation of the extinguisher.

4. The collar shall include the month and year of the service performed, indicated by a perforation such as is done by a hand punch.

5. The collar shall include the name and Certificate of Registration number of the Registered Facility.

E. Failure to comply with the requirements of this Section shall be grounds for License or Certificate of Registration revocation, suspension or non-renewal.

Section 294-25. Effect on validity of contracts.

A contract entered into one year after the effective date of this local law to Install or Service Portable Fire Extinguishers and Automatic Fire Extinguishing Systems by a Person who, on the date of the contract, does not possess a valid License or Certificate of Registration is unenforceable by him/her or it and voidable at the option of any other party to the contract. Nothing contained herein shall be construed to prevent any other party to the contract from enforcing its terms.

Section 294-26. Suspension, revocation and refusal to issue or renew a License or Certificate of Registration;

A. Grounds

It is a violation of this article, and shall also constitute additional grounds for denial of an application of any Person for a License or Certificate of Registration under this section, and the Commissioner may suspend a License or Certificate of Registration for such period of time as the Commissioner deems proper, or revoke a Certificate of Registration or License issued under this section, or refuse to issue a renewal thereof if he/she determines that such Person, License holder or holder of a Certificate of Registration, or any officer, director, stockholder, member or partner, or any other person directly or indirectly interested in an entity which holds a Certificate of Registration:

1. Has made a material false statement in his or its application or has committed fraud, deceit, misrepresentation or bribery in securing a License or Certificate of Registration; or
2. Has committed fraud or fraudulent practices, or has practiced dishonest or misleading advertising; or
3. Has failed to comply with any of the provisions of this law, or Chapter 249 of this Code, or the rules and regulations of the Commissioner or Board; or
4. Has been convicted of any crime involving dishonesty or deceit; or
5. Was the former holder of a License, or was an officer, director, stockholder, or partner in a corporation, partnership or limited liability company which was the former holder of a Certificate of Registration, which was suspended or revoked by the Commissioner; or
6. Has demonstrated untrustworthiness or incompetence in the Installation or Servicing of portable fire extinguishers or automatic fire extinguishing systems; or
7. Is financially irresponsible or not of good moral character.

B. Whenever a License or Certificate of Registration is revoked by the Commissioner, the holder of the License or Certificate of Registration shall be ineligible to apply

to be re-licensed or re-certified for one (1) year from the date of the revocation, unless otherwise provided in an order of the Commissioner.

Section 294-27. Judicial Review.

The final determination of the Commissioner in granting or refusing to grant or to renew a License or Certificate of Registration, or in revoking or suspending a License or Certificate of Registration, shall be subject to review by a proceeding brought pursuant to article seventy-eight of the New York Civil Practice Law and Rules.

Section 294-28. Penalties for offenses; injunctive relief.

A. Any person who shall Install or Service or shall hold himself out as authorized to Install or Service Portable Fire Extinguishers or Automatic Fire Extinguishing Systems without obtaining a License, and/or a Certificate of Registration as required by this article, or any person whose License or Certificate of Registration has lapsed, been suspended or revoked, and who shall continue to Install or Service Portable Fire Extinguishers or Automatic Fire Extinguishing Systems, or any person who shall violate any other provision of this article shall be guilty of a misdemeanor and upon conviction, shall be subject to a fine of not more than $5,000.00 or imprisonment for not more than one year, or both. Each such violation shall be deemed a separate offense.

B. A violation of any provision of this article or of any rule or regulation promulgated hereunder is also subject to and shall be punishable, upon proof thereof, by the payment of a civil penalty not to exceed $5,000.00 for each violation, to be recovered in a civil action.

C. The County Attorney, upon the request of the Commissioner, may commence an action on behalf of the County for a restraining order, temporary or permanent injunction, or other equitable relief to restrain, prevent and enjoin a violation of this article or any rule or regulation promulgated hereunder.

Section 294-29. Enforcement.

The Department and Fire Marshal shall enforce this law. A fire marshal shall be authorized to serve official notices of violation of this law.

Section 5. Applicability.

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

Section 6. 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 7. 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 8. Effective Date.

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

DATED:

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date:

COUNTY OF SUFFOLK

1173

DEC 1 0 2009

JOSEPH F. WILLIAMS
COMMISSIONER

JOHN M. SEARING
DEPUTY COMMISSIONER

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

WARREN HORST
CHIEF FIRE MARSHAL

EDWARD C. SCHNEYER
DIRECTOR OF EMERGENCY PREPAREDNESS

DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES

TO: Patrick "Skip" Heaney, Commissioner (2 copies)
Office of Economic Development

FROM: Joseph F. Williams, Commissioner

DATE: December 8, 2009

SUBJECT: Request for Introductory Resolution - Adopting Local Law No. -2010, A Charter Law Repealing Article III of Chapter 294 of the Suffolk County Code and Enacting Strengthened and Improved Regulation of the Installation and Servicing of Portable Fire Extinguishers and Automatic Fire Extinguishing Systems

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Attached for your review is a draft introductory resolution seeking the repeal of the current Article III of Chapter 294 of the Suffolk County Code and replacing it with a new strengthened and improved Article III that builds upon the program currently in place for the licensing of those involved in the servicing and installation of portable fire extinguishers and automatic fire extinguishing systems in Suffolk County.

The current Article III lacks certain provisions that experience has demonstrated over the past several years must be added, strengthened and/or improved upon. Despite the present licensing requirements, several businesses and individuals continue to operate in a manner that skirts the law's requirements through the use of questionable business practices and misrepresentation. The current law further does not license the individuals performing the servicing but rather just the business and the entire aspect of installing automatic fire extinguishing systems is not addressed. It's also deficient in the absence of criminal penalties and the authority to issue field appearance tickets and the lack of application fees and inspection fees for out-of-county servicing companies.

The intent of the proposed introductory resolution is to remedy the aforementioned deficiencies through incorporation of the new or expanded principles as detailed in SCIN Form 175a accompanying this memo. To reach this point the County Attorney's office has actively participated with FRES in re-drafting the law to address the deficiencies.

I respectively request that this Introductory Resolution be laid on the table at the Organizational Meeting of the Suffolk County Legislature in January.

An e-mail copy of the resolution has been sent to CE Reso Review under the title of "Reso-FRES-Strengthen & Improve Chapter 294 Art III".

If you have any questions, please contact Warren Horst of my office at 24855.

JFW:WH
Enclosures
cc: Christopher Kent, Chief Deputy County Executive
Brendan Chamberlain, Intergovernmental Relations Unit

PO BOX 127 – YAPHANK AVENUE
YAPHANK, NEW YORK 11980-0127

COMMISSIONER'S OFFICE: (631) 852-4850
FIRE MARSHAL'S OFFICE: (631) 852-4855
EMERGENCY MGMT OFFICE: (631) 852-4900
COMM. CENTER (24-HOUR): (631) 852-4815
FAX: (631) 852-4861

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REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION
OFFICE OF THE COUNTY EXECUTIVE

(1) Please limit this suggestion form to ONE proposal.
(2) Describe in detail.
(3) Attach all pertinent backup material.

Submitting Department (Department Name and Location):	Department Contact Person: (Name and Phone Number):
Department of Fire, Rescue and Emergency Services 30 East Avenue P.O. Box 127 Yaphank, NY 11980	Joseph F. Williams, Commissioner 24850

Suggestion Involves:

Technical Amendment ___ New Program ____

Grant Award ____ Contract (New ____ Rev. ____)

Other __X__

Summary of Problem: (explanation of why this legislation is needed.)

Article III of Chapter 294 was first enacted in 2004. Since its passage, experience over the past few years has demonstrated that it lacks certain provisions and there is the need to augment, strengthen and improve the law. Despite the present licensing requirements, several businesses and individuals have continued to operate in a manner that skirts the law's requirements through the use of questionable business practices and misrepresentation. The current law further does not license the individuals performing the servicing, but rather just the business or corporate entity, and the entire aspects of installing automatic fire extinguishing systems is not addressed. It's also deficient in the absence of criminal penalties, the authority to issue field appearance tickets and the lack of application fees and inspection fees for out-of-county servicing companies. A substantial amount of time is presently expended by Suffolk County fire marshals in performing these inspections without sufficient reimbursement for expense incurred.

The County Attorney's office actively and directly participated with FRES in re-drafting the law to address these problems.

Proposed Changes in Present Statute: (Please specify section when possible.)

The proposed local law would build upon the program currently in place and strengthen and improve it with implementation of the following principles.

- Expand the scope of the law to include the need for a license to install fixed extinguishing systems.
- License each individual performing servicing, rather than the business or corporate entity (294-13 and 294-14).
- Establishing a registration process for the facilities out of which the businesses operate (similar to what the New York State Department of Motor Vehicles does) (294-19)
- Establish criminal penalties in addition to civil penalties and the authorization to issue field appearance tickets (294-28 and 294-29).
- Establish application fees (294-17).
- Establish facility inspection surcharges for out-of-county servicing companies to cover the cost of travel expenses and time needed to reach the premises.
- Establish grounds for license and/or facility registration suspension or revocation.
- Delineate the separation of responsibilities of the licensing board and the commissioner as the permit issuing authority.

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STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution _____ Local Law _____ Charter Law __X__

2. Title of Proposed Legislation

Adopting Local Law No. -2010, A Charter Law Repealing Article III of Chapter 294 of the Suffolk County Code and Enacting Strengthened and Improved Regulation of the Installation and Servicing of Portable Fire Extinguishers and Automatic Fire Extinguishing Systems

3. Purpose of Proposed Legislation

To strengthen and improve Chapter 294, Article III of the County Code that regulates the servicing of portable fire extinguishers and automatic fire extinguishing systems and to expand its scope to regulate the installation of automatic fire extinguishing systems.

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

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

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

6. If the Answer to Item 5 is "yes", Provide Detailed Explanation of Impact.

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

N/A

10. Typed Name and Title of Preparer	11. Signature of Preparer	12. Date
Warren Horst Chief Fire Marshal		12/8/2009

SCIN FORM 175b

1173

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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

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

DATE: **January 27, 2010**

TO: **CLERK OF THE COUNTY LEGISLATURE**

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

PROPOSED LOCAL LAW YEAR 2010

TITLE: **I.R. NO. -2010; A CHARTER LAW REPEALING ARTICLE III OF CHAPTER 294 OF THE SUFFOLK COUNTY CODE AND ENACTING STRENGTHENED AND IMPROVED REGULATION OF THE INSTALLATION AND SERVICING OF PORTABLE FIRE EXTINGUISHERS AND AUTOMATIC FIRE EXTINGUISHING SYSTEMS**

SPONSOR: **THE PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE**

DATE OF RECEIPT BY COUNSEL: 1/27/10 **PUBLIC HEARING:** 3/2/10

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

This proposed charter law will repeal Article III of Chapter 294 of the SUFFOLK COUNTY CODE and enact a new Article III to regulate the installation and servicing of portable fire extinguishers and automatic fire extinguishing systems.

This law will establish the Portable Fire Extinguishing and Automatic Fire Extinguishing Systems Licensing Board ("Board"). The Board will be comprised of two permanent members, the designee of the Commissioner of the Department of Fire, Rescue and Emergency Services ("Commissioner") and the Suffolk County Chief Fire Marshal, as well as two members nominated by the National Association of Fire Equipment Distributors, and one member nominated by the Fire Marshal's Association of Suffolk County. The three appointed members must be confirmed by the Commissioner. All appointed members will serve a term of four years. The Board will:

1. Evaluate applicants for licenses and certificates of registration to install or service portable fire extinguishers and automatic fire extinguishing systems.

2. Make recommendations and authorize the Commissioner to issue such licenses or certificates of registration.

3. Make recommendations to the Commissioner relating to the suspension, revocation or non-renewal for cause of licenses and certificates of registration.

4. Prepare a manual of rules and regulations with the Commissioner relating to provisions that are necessary for the proper enforcement of this law.

5. Formulate and update a code of rules and regulations governing the installation and servicing of portable fire extinguishers and automatic fire extinguishing systems.

This law will require that all portable fire extinguishers and automatic fire extinguishing systems be serviced at a registered facility, with the exception of clean agent automatic fire extinguishing systems which are serviced on-site. To qualify as a registered facility, a person or corporate officer must apply for registered facility designation ("designation") for their place of business and pay a $200.00 application fee. The application must contain information regarding the applicant, the businesses engaged in by the applicant, locations where servicing or installation is to be conducted, and tax identification materials. A location for which an application is made must have a valid certificate of occupancy, meet all of the Board's space and facility requirements, contain and maintain all equipment required by law and will be subject to visual inspection by the Commissioner or the Board. The fee for the certificate of registration is $800.00. The certification is valid for two years and must be displayed at the registered facility. Applications to renew certification are subject to a $50.00 application fee as well.

Under current law, an employer can obtain a license to install and service portable fire extinguishers and automatic fire extinguishing systems and hire unlicensed employees to perform these duties. This law will require that any person engaged in this trade be licensed. Employees or individuals acting on behalf of any federal, state or local government remain exempted from this requirement. To apply for a license, applicants must submit all necessary forms and documentations with a $100.00 application fee. License applicants must pass both a written and practical exam, submit manufacturer's certifications for specific systems they have been certified to service and/or install and may be required to appear before the Board. Once an application is approved, the applicant must work at a registered facility. The fee for the license is $400.00. The license is valid for 2 years and must be displayed at the licensee's place of employment. Applications to renew a license are subject to a $50.00 application fee as well.

Any person holding himself out as authorized to, or who actually installs or services, portable fire extinguishers or automatic fire extinguishing systems without the requisite license and/or certificate of registration or violates any other provision of this law shall be guilty of a misdemeanor and upon conviction may be subject to a fine not to exceed $5,000.00 and/or up to 1 year in prison. Each violation shall be a separate offense. Violations of this law are also subject to a separate civil penalty of up to $5,000.00 per violation.

This law also sets forth servicing standards and procedures for portable fire extinguishers and automatic fire extinguishing systems that must be adhered to as a condition of maintaining a license or certificate of registration.

This law will amend Section C11-3 of the SUFFOLK COUNTY CHARTER and Section A11-1 of the SUFFOLK COUNTY ADMINISTRATIVE CODE to add coordinating the regulation and licensing of the installation and servicing of portable fire extinguishers and automatic fire extinguishing systems to the responsibilities of the Department of Fire, Rescue and Emergency Services ("FRES").

This law will be enforced by FRES and the Fire Marshal.

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

GEORGE NOLAN
Counsel to the Legislature

Intro. Res. No. 1174-10 Laid on Table 2/2/10

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

RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. YEAR 2010, A LOCAL LAW AMENDING CHAPTER 8 OF THE SUFFOLK COUNTY CODE

WHEREAS, there was duly presented and introduced to this County Legislature, at a regular meeting held on , 2010, a proposed local law entitled, "**A LOCAL LAW AMENDING CHAPTER 8 OF THE SUFFOLK COUNTY CODE**;" now therefore, be it

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

LOCAL LAW NO. -2010, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW AMENDING CHAPTER 8 OF THE SUFFOLK COUNTY CODE

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

Section 1. Legislative Intent

This Legislature hereby finds that the County of Suffolk ("county") has had a long history of agricultural production, dating back to the 17th Century.

This Legislature further finds that the county is number one out of 62 counties in the State of New York in terms of value of agricultural products sold according to the 2007 Census of Agriculture.

This Legislature further finds and determines that the agricultural industry is an essential component of the county's current economy.

This Legislature further finds that the county has more than 34,000 acres of land in active commercial agricultural production according to the 2007 Census of Agriculture.

This Legislature further finds and determines that the county has had a long, successful history of farmland preservation evidenced by the more than 9,000 acres of viable farmland permanently protected since 1974 through this nation's first purchase of development rights program.

This Legislature further finds and determines that it continues to be in the best interests of the county and its residents to preserve farmlands pursuant to the Suffolk County Purchase of Development Rights Program ("program").

This Legislature further finds that the county's residents demonstrated their support for farmland preservation pursuant to this program by extending the Suffolk County Drinking Water Protection Program in 2007 through 2030.

This Legislature further finds and determines that the agricultural industry on Long Island has evolved since the inception of this program and that it is necessary to clarify the

program's purpose and the policies and procedures the county will employ to administer and enforce it.

Therefore, the purpose of this local law is to amend Suffolk County Administrative Local Law Chapter 8, "Development Rights to Agricultural Lands," to ensure the county's ability to conserve and protect viable farmlands and active agricultural operations that will serve current and future generations of county residents.

Section 2. Amendments

§8-1. Statutory policy; legislative intent.
§8-2. Definitions.
§8-3. Applicability.
§8-4. Farmland Committee.
§8-5. Development rights; acquisition.
§8-6. Development rights; alienation.
§8-7. Notification requirements.
§8-8. Permits.
§8-9. Permit conditions.
§8-10. Structures; farm stands.
§8-11. Structures; alternative energy systems.
§8-12. Prohibitions.
§8-13. Enforcement.
§8-14. Provisions to control over other legislation.
§8-15. Severability.

§ 8-1. Statutory policy; legislative intent.

A. The State of New York, by various legislative enactments, has emphatically stated it to be a most important policy to conserve and protect viable farmlands and to encourage the improvement of such lands both for the production of food and for the preservation of such lands as valued natural and ecological resources. It has further stated that the expenditure of county funds to acquire legal interests and rights in such lands is in furtherance of such policy and is a proper expenditure of public funds for public purposes.

B. The county is in complete accord with such policy, and it is the goal of the county to conserve and protect viable farmlands, open spaces, open areas and the various natural and ecological resources associated with such lands, particularly soil and water. It is the intent of this chapter to establish the policies and procedures that will be employed by the county in its pursuit of this goal.

C. The Suffolk County Legislature finds that adequate fresh, local food supplies are critical to the health and economy of the county, that best management practices are essential to ensure that the benefits associated with land preservation are not realized at the cost of the county's natural and ecological resources, that working farms and a diversity of agricultural practices are necessary to secure the future of the business of agriculture and that a minimum threshold of acreage must be in active agricultural production to sustain the industries that support agricultural production. The Suffolk County Legislature

further finds that conservation and protection of farmlands associated with viable agricultural operations that use best management practices will ensure that such lands are available to serve future generations.

§ 8-2. Definitions.

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

AGRICULTURAL DEVELOPMENT PERMIT -- Written permission, issued by the department upon approval of the committee, to erect a structure, to install a structure, to locate a structure, to relocate a structure, to modify an existing structure, to rebuild a structure, to remove an existing structure, to demolish an existing structure, to operate an alternative energy system or to operate a farm stand on agricultural land. Only improvements necessary for agricultural production, as determined by the committee, shall be permitted.

AGRICULTURAL EDUCATION -- Instruction about agricultural production, agricultural-product management, soil and water conservation, best management practices and other agricultural matters, as deemed appropriate by the committee.

AGRICULTURAL LAND -- Land for which the county has purchased the development right(s), in whole in or in part, in order to preserve resources necessary for agricultural production. Land acquired in order to preserve nonagricultural open spaces or open areas shall not be considered agricultural land.

AGRICULTURAL LAND LESSEE -- The person, persons or entity who occupies or utilizes the agricultural land parcel under lease from the current agricultural land owner.

AGRICULTURAL LAND OWNER -- The person, persons or entity owning the residual right(s) to an agricultural land parcel.

AGRICULTURAL PRODUCTION -- The production for commercial purposes of agricultural products, as defined herein. Agricultural production shall not include the processing of agricultural products.

AGRICULTURAL PRODUCTS -- The crops, livestock and livestock products as defined in Section 301 of New York State Agriculture and Markets Law, as may be amended.

ALIENATION -- The transfer of any development right in real property from the county to another.

ALL TERRAIN VEHICLE -- Any self-propelled vehicle which is manufactured for sale for operation primarily on off-highway trails or for off-highway competitions and only incidentally operated on public highways, provided that such vehicle does not exceed seventy inches (70") in width or one thousand pounds (1,000 lbs.) of dry weight, as defined in the New York State Vehicle and Traffic Law, as may be amended. All terrain vehicles shall not include agricultural vehicles nor any vehicles used for law enforcement, fire, emergency or military purposes.

ALTERNATIVE ENERGY SYSTEM -- A solar energy system, wind energy system or other renewable energy transduction system intended to reduce onsite nonrenewable energy consumption.

COMMERCIAL HORSE BOARDING OPERATION -- A commercial horse boarding operation as defined in the Section 301 of New York State Agriculture and Markets Law, as may be amended.

COMMITTEE -- The Suffolk County Farmland Committee.

COUNTY -- The County of Suffolk.

DEPARTMENT -- The Suffolk County Planning Department, which shall administer the Purchase of Development Rights Program.

DEVELOPMENT RIGHT -- As authorized by Section 247 of the New York State General Municipal Law, as may be amended, the permanent legal interest in the use of the subject property, the permanent legal right to permit and require the use of the subject property be for agricultural production and the permanent legal right to limit, prohibit and restrict the use of the subject property to agricultural production, except where specified in this chapter.

FARM OPERATION -- A single commercial agricultural operation, a single commercial horse boarding operation or an enterprise that combines a single commercial agricultural operation with a single commercial horse boarding operation, including all parcels, contiguous or noncontiguous, that are owned and/or rented for the production, preparation and marketing of agricultural products for said operation.

FARM STAND -- A structure for retail sales of agricultural products grown on the premises and processed agricultural products, such as cheese, jam and wine, derived from agricultural products grown on the premises. Retail sales also may include agricultural products grown off the premises and processed agricultural products derived from agricultural products grown off the premises subject to the limitations specified herein. Only agricultural products and processed agricultural products shall be offered for sale at a farm stand.

GREENHOUSE -- A specialized piece of equipment that is specifically designed, constructed and used for the culture and propagation of agricultural products. Temporary structures, such as hoop layers, that do not exceed a height of three feet and six inches (3'6") and do not require or result in the alteration of the property grade shall not be regulated by this chapter.

GROSS SALES VALUE -- Proceeds as defined in Section 301 of the New York State Agriculture and Markets Law, as may be amended. For the purposes of this chapter, annual receipts collected in the operation of a commercial horse boarding operation, as defined herein, shall be considered gross sales value.

HAZARDOUS WASTE -- Those wastes identified or listed in regulations promulgated pursuant to Section 27-0903 of New York State Environmental Conservation Law, as may be amended.

INTEREST or RIGHT -- All legally recognized interests and rights in real property.

LANDSCAPE SCREEN -- Any vegetative screen such as a hedgerow, excluding agricultural crops, that obscures the agricultural land from view. Only landscape screens planted and maintained in accordance with standard agricultural practices, the contract of sale, the deed of development rights and this chapter, as determined by the committee, shall be permitted.

LOCALLY GROWN – A product grown in the Counties of Kings, Nassau, Queens or Suffolk, in the State of New York.

PERSON -- Any individual, partnership, firm, association, trust, company, joint venture or corporation.

PREMISES -- All parcels that constitute the farm operation.

PURCHASE OF DEVELOPMENT RIGHTS PROGRAM -- The official name of the program by which the county may purchase the development right(s), in whole or in part, to properties used for agricultural production, as established and outlined by this chapter.

PURCHASE OF DEVELOPMENT RIGHTS PROGRAM SIGN -- A sign provided by the department, which may be posted on agricultural land, for the purpose of educating the public about and promoting participation in the Purchase of Development Rights Program.

RESIDUAL RIGHT -- All legally recognized interests and rights in real property excluding development rights.

SITE DISTURBANCE -- Any physical alteration of agricultural land including, but not limited to, dredging, excavation, filling, grading and/or soil removal. Only site disturbances necessary for agricultural production, as determined by the committee, shall be permitted. Standard agricultural practices, as determined by the committee, including, but not limited to, crop harvesting and tilling shall not be considered site disturbances.

SOIL -- The unconsolidated mineral and organic material creating the topsoil and subsoil layers, including, but not limited to, sand, silt, clay and organic matter, that serves as a natural medium for the growth of plants.

SOLAR ENERGY SYSTEM -- A solar energy transduction system, wherein sunlight is used to produce electricity using photovoltaic technology and/or to heat water using solar thermal collection technology. Such transduction systems are intended to reduce onsite nonrenewable energy consumption.

SOLID WASTE -- Any unwanted and/or discarded material, with insufficient liquid content to be free flowing, from agricultural, commercial, industrial, institutional, mining and/or residential sources including, but not limited to, durable goods, nondurable goods, yard trimmings, stones, rubble, construction and demolition debris, garbage, rubbish, litter, ash or other substance described as solid waste in Title 6 of the New York Codes, Rules and Regulations, Part 360, as may be amended. Materials used as

livestock bedding or as fertilizer supplements and soil conditioners or used in other manners pursuant to standard agricultural practices, as determined by the committee, shall not be deemed solid waste.

SPECIAL EVENT -- Any occasion or activity conducted on agricultural land, with or without an admission fee, and held on a one-time or intermittent basis that does not constitute agricultural production, as determined by the committee. Only special events consisting of agricultural education, as determined by the committee, shall be permitted.

SPECIAL USE PERMIT -- Written permission, issued by the department upon approval of the committee, 1) to conduct a site disturbance and/or 2) to conduct a special event.

STRUCTURE -- Any improvement constructed or erected which requires location in, on or under the ground or attachment to something having a location in, on or under the ground, including, but not limited to, access roadways, alternative energy systems, berms, buildings, driveways, fences, greenhouses, irrigation pumps, landscape screens, parking areas, signs, tents, utilities and walkways.

UTILITIES -- Any overhead, surface or underground equipment such as a transmission line, pole, wire, pipe, well, drainage system or septic system necessary for the supply of electricity, natural gas and/or water, for the mitigation of stormwater runoff, for the removal of sanitary sewage effluent and/or for communication purposes. Only utilities necessary for the farm operation shall be permitted. In addition, all utilities infrastructure shall be subordinate to the agricultural use of the agricultural land.

WIND ENERGY SYSTEM -- A wind energy transduction system, wherein kinetic wind energy is converted into electricity or mechanical energy using a wind turbine, a tower and associated equipment. Such transduction systems are intended to reduce onsite nonrenewable energy consumption.

§ 8-3. Applicability.

This chapter shall be applicable to all agricultural lands to which the county has acquired interests or rights, in whole or in part, under the Purchase of Development Rights Program. This chapter shall not apply to nonagricultural lands acquired as open spaces or open areas for the purpose of preserving active parkland, passive parkland, woodlands and/or wetlands and shall not apply to farmlands to which the county does not own any interest or right.

§ 8-4. Farmland Committee.

A. Established. The committee is hereby constituted as a continuing agency of the county government.

B. Membership.

(1) The committee shall consist of nineteen (19) members, nine (9) of whom shall be appointed by the Suffolk County Executive with the approval of the Suffolk County Legislature and shall serve at the pleasure of the Suffolk County Executive and ten (10) of whom shall be designated one (1) from each town within the county and shall serve at the pleasure of the respective town boards.

(2) The committee may invite any government officials, agricultural advocates and/or other special interests to participate in its deliberations in a non-voting capacity or otherwise assist it in discharging its functions under this chapter.

C. Financial Disclosure. Each committee member shall be subject to the financial disclosure requirements specified in Chapter 61 of the Suffolk County Administrative Local Laws.

D. Composition.

(1) The Suffolk County Executive shall appoint nine (9) members as follows: the Suffolk County Economic Development and Workforce Housing Department Commissioner, or their designee; the Suffolk County Environment and Energy Department Commissioner, or their designee; the Suffolk County Health Services Department Commissioner, or their designee; the Suffolk County Planning Department Director, or their designee; and five (5) members at large subject to the criteria set forth in § 8-4(E)(3) of this chapter.

(2) The ten (10) town designees shall be certified to the Clerk of the Suffolk County Legislature by the Town Clerk of the respective towns. Each member shall be subject to the criteria set forth in § 8-4(E)(5) of this chapter.

(3) The Director of the Suffolk County Planning Department, or their designee, shall serve as chairman of the committee commencing on January 1, 2011 and continuing thereafter.

(4) Three (3) advisors may be appointed, one (1) from each of the following, to participate in the committee's deliberations in a non-voting capacity or otherwise assist the committee in discharging its functions under this chapter: the Natural Resources Conservation Service, Cornell Cooperative Extension and a farm advocacy group.

E. Eligibility.

(1) The four (4) Suffolk County Executive appointees from county departments, as specified in § 8-4(D)(1) of this chapter, shall not be subject to the eligibility requirements specified herein.

(2) A committee member shall be a resident of the county or an employee of a municipality in the county at the time of their appointment and throughout the duration of their term as a member of the committee.

(3) The five (5) at large members appointed by the Suffolk County Executive shall meet the following criteria:

a. at least three (3) members shall be individuals with a background or expertise in agriculture,

b. at least one (1) member shall be an individual with a background or experience in citizen advocacy and

c. one (1) member may be appointed from the public at large.

(4) The committee members designated by the towns shall have diverse backgrounds or expertise in areas including, but not limited to, agriculture, municipal planning, natural resources management, ecology, land-use litigation, land-use regulation, environmental law, tax law, citizen advocacy and/or real estate. All designees shall have a general understanding of agricultural practices.

(5) A member of the committee shall continue to satisfy the requirements of this section with respect to eligibility for appointment to the committee throughout the duration of their term.

(6) In order to continue to serve as a member of the committee, the member shall have attended at least seventy-five percent (75%) of the regular and/or special meetings held by the committee on an annual basis. Absences from such meetings caused by death in the immediate family of the member (i.e., spouse, children, parents, brothers, sisters, in-laws and/or grandparents), caused by a verifiable illness or caused by a verifiable accident shall not be counted for the purpose of this attendance calculation.

F. Terms.

(1) An existing committee member, as of January 1, 2010, shall continue to serve until such time the individual voluntarily vacates the position or until such time the appropriate appointing body approves a resolution replacing the individual.

(2) Each successive appointment shall be for terms of four (4) years, and no member shall serve more than three (3) terms cumulative for a maximum of twelve (12) years, except each member appointed as per § 8-4(D)(1) of this chapter whose term will run concurrent to service in the title specified.

(3) Any member appointed under this chapter shall serve through the term to which they are appointed.

(4) Any appointments made to fill a terminated position shall be made in accordance with the provisions of this chapter.

G. Authority.

The committee shall have and be entitled to exercise the following powers and duties:

(1) to recommend to the Suffolk County Legislature farmlands from which development rights may be acquired;

(2) to review requests to subdivide the residual right(s) of agricultural lands and to make, thereafter, a recommendation to the Suffolk County Legislature whether such requests be granted;

(3) to review permit applications in accordance with the criteria set forth in this chapter and the rules and/or regulations promulgated thereunder and to make,

thereafter, a recommendation to the department as to whether or not a permit should be issued and the terms and conditions that should apply;

(4) to review any matters relevant to development rights and the agricultural economy in general;

(5) to promulgate such rules and/or regulations as may be necessary to carry out the intent of this chapter and to govern the administration and functions of the committee;

(6) to establish and adopt written guidelines and property rating systems and

(7) to cooperate with, at the discretion of the committee, any governmental agents and/or any experts to further the purposes of this chapter.

§ 8-5. Development rights; acquisition.

A. Annual review.

(1) An annual review period shall be designated in order to maximize the county's financial resources while preserving its valuable natural resources, including, but not limited to, its viable agricultural soils and sole-source aquifer.

(2) Each landowner interested in participating in the Purchase of Development Rights Program shall submit an application to the department during the month of September.

(3) Each complete application received by the department during September shall be reviewed and acted on by the committee at the first committee meeting of the new year.

(4) Only under extenuating circumstances, as determined by the department, such as estate concerns resulting from the sudden death of the landowner(s) and/or as a referral by local town(s) and/or village(s) within the county and/or a not-for-profit conservation organization, may an application for inclusion in the Purchase of Development Rights Program be submitted outside the annual review period. Such application may be considered providing the necessary funding is available.

B. Acquisitions.

(1) The county shall have the authority to purchase the development right(s) to a parcel, in whole or in part, upon approval of the Suffolk County Legislature and subject to the provisions of this chapter.

(2) To be considered for acquisition, the property shall:

a. be an active farm operation, or part of one, that has been in operation prior to committee review and

b. (i) be not less than seven (7) acres used in a single farm operation with an average gross sales value of ten thousand dollars ($10,000) or more or (ii)

less than seven (7) acres used in a single farm operation with an average gross sales value of fifty thousand dollars ($50,000) or more.

(3) The committee shall demonstrate a preference for farm operations that promote agricultural production while protecting groundwater, soils and view sheds. The committee shall limit its recommendations for acquisition of farm operations that undermine the long-term viability of natural resources.

C. Restrictions, conditions or encumbrances. When the county acquires title to development right(s) with funds received from the federal, state or local governments or from private sources, such title may be acquired subject to restrictions, conditions or encumbrances required as a result of the funds received. Such restrictions, conditions or encumbrances may include, but are not limited to, a reverter interest held by the source of funds. Such restrictions and conditions shall be reviewed by the Suffolk County Attorney. Acceptance of such funds and the terms and conditions for acceptance shall be subject to legislative approval.

D. Title.

(1) Where the county acquires the development right(s) through the Purchase of Development Rights Program, which conditions said acquisition upon the financial participation of a governmental entity or other private source, the title may be held by:

a. the county,

b. the county, governmental entity(ies) and/or not-for-profit conservation organization(s) as tenants in common, each on an undivided pro rata interest to the extent of the financial participation stipulated in the legislation authorizing the respective county acquisition or acquisition program or

c. the county, governmental entity(ies) and/or not-for-profit conservation organization(s), by physically dividing the property up between the county, governmental entity(ies) and/or not-for-profit conservation organization(s), with the county owning all of the development rights (and/or interests) in its respective portion of the property, with the governmental entity(ies) owning all of the development rights (and/or interests) in its(their) respective portion(s) of the property and with the not-for-profit conservation organization(s) owning all of the development rights (and/or interests) in its(their) respective portion(s) of the property.

E. Management agreement. If it is not contrary to any statute, the Suffolk County Charter, this local law or any other local law, any regulation or other county policy, the county is hereby authorized to negotiate and to enter into management agreements with governmental entities and not-for-profit conservation organizations for the management of said county acquisition(s), and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the Suffolk County Planning Department Director.

§ 8-6. Development rights; alienation.

A. Unless authorized by local law recommended by the committee and approved upon mandatory referendum, development rights acquired by the county to agricultural lands shall not be alienated in any manner, except where provided herein.

B. In determining whether to recommend the alienation of development rights, the committee shall take into consideration:

(1) the continuing practicality of the use of the residual right(s) to the land(s),

(2) the development rights which have been acquired by the county,

(3) such factors as the uses to which adjacent lands have been put and

(4) the necessity for the use of the land(s) for another governmental purpose.

§ 8-7. Notification requirements.

A. Change of address. The agricultural land owner shall notify the department if the land is to be leased to another party and provide the agricultural land lessee's address. The agricultural land owner and agricultural land lessee shall notify the department in writing within thirty (30) days of a change of address.

B. Change in ownership. The agricultural land owner, seller, shall notify the department in writing forty five (45) days prior to the closing of a sale of the residual right(s) to land(s) for which the county has purchased, in whole or in part, the development right(s).

§8-8. Permits.

A. Permit types.

(1) Agricultural development permit.

Such permits shall only be granted for the purpose of supporting agricultural production and the agricultural operation. A permit shall be necessary for the following actions, where proposed on agricultural land:

a. to erect a structure,

b. to install a structure

c. to locate and/or relocate a structure,

d. to modify an existing structure,

e. to rebuild a structure,

f. to remove and/or demolish an existing structure,

g. to operate an alternative energy system and/or

h. to operate a farm stand.

(2) Special use permit.

Such permit shall be necessary for the following actions, where proposed on agricultural land.

a. Site disturbances.

(i) Such permit shall be necessary for all site disturbances on agricultural lands.

(ii) Only site disturbances associated with standard agricultural practices, drainage improvements and/or agricultural development permits, as determined by the committee, shall be permitted on agricultural land.

(iii) Applications for special use permits may be referred to the Natural Resources Conservation Service for expert advice, at the discretion of the committee.

b. Special events.

(i) Such permit shall be necessary to conduct a special event where proposed on agricultural land.

(ii) A maximum of one (1) special event may be held each calendar year per farm operation.

(iii) No special event shall exceed two (2) days of operation.

(iv) No special event shall adversely impact the viability of the agricultural operation and/or the associated natural resources, as determined by the committee.

B. Permit requirements and limitations.

(1) An agricultural development permit shall be obtained by the agricultural land owner or agricultural land lessee prior to commencement of construction activities, including clearing, regrading or other site preparation necessary for building, placing, modifying or demolishing a structure. Failure to comply with the permit requirements specified herein shall be subject to the provisions in § 8-13 of this chapter.

(2) A special use permit shall be obtained by the agricultural land owner or agricultural land lessee prior to commencement of site disturbance activities. Failure to comply with the permit requirements specified herein shall be subject to the provisions in § 8-13 of this chapter.

(3) A special use permit shall be obtained by the agricultural land owner or agricultural land lessee prior to any site preparation activities for a special event.

Failure to comply with the permit requirements specified herein shall be subject to the provisions in § 8-13 of this chapter.

(4) An agricultural development permit does not relieve the agricultural land owner and/or agricultural land lessee from compliance with federal, state and local regulatory and/or zoning ordinances.

(5) A special use permit does not relieve the agricultural land owner or agricultural land lessee from compliance with federal, state and local regulatory and/or zoning ordinances. Compliance with all health and safety codes shall be required in connection with any special events.

C. Permit application procedures.

(1) Applications for permits or permit modifications shall be submitted to the department two (2) weeks before the committee meeting at which the application will be heard, unless a later filing is approved by the department. Applications shall include:

a. an application form, where required by the department;

b. the name, address and telephone number of the applicant and, if an agent will be representing the applicant, the application shall include the name, address and telephone number of the agent as well as an original signature of the applicant authorizing the agent to represent the applicant;

c. the name, address and telephone number of the agricultural land owner and, if the agricultural land owner is not the applicant, the application shall include a letter or other written permission signed by the agricultural land owner (i) confirming that the agricultural land owner is familiar with the application and (ii) authorizing the submission of the application;

d. the physical address of the subject parcel;

e. the Suffolk County Real Property Tax Map number (district, section, block and lot) of the subject parcel;

f. a site plan delineating the location of the proposed development and/or the proposed event, prepared by a licensed surveyor, where required;

g. a non-refundable application fee, where required and

h. any other information requested by the department and/or committee that may be necessary to review the proposal.

(2) Only complete applications, as determined by the committee, may be approved.

(3) Upon recommendation by the committee, the department shall issue a permit, with applicable conditions, or notify the applicant that the application is denied.

(4) The agricultural land owner shall record the agricultural development permit and/or special use permit, including applicable conditions, with the Suffolk County Clerk if such recording is required by the committee. Failure to comply with this requirement shall be subject to provisions in § 8-13 of this chapter.

(5) The agricultural land owner shall submit the "as-built" plans associated with an agricultural development permit and/or special use permit, where required by the committee, to the department within one (1) year of the approval by the committee. The agricultural land owner may submit in writing a request to extend the timeframe within which this requirement must be completed. Failure to comply with this requirement shall be subject to provisions in § 8-13 of this chapter.

D. Permit issuance criteria.

Permit issuance shall be subject to the following conditions:

(1) the agricultural land owner and the agricultural land lessee, if applicable, shall be otherwise in compliance with this chapter;

(2) the proposed action shall not alienate the development right(s) acquired by the county in any manner;

(3) the proposed action should be consistent with the intent and provisions of this chapter;

(4) the proposed action should be consistent with all approved committee guidelines;

(5) the proposed action shall promote agricultural production;

(6) the proposed action shall not negatively impact the agricultural land's short-term and/or long-term viability for agricultural production;

(7) the proposed action shall not negatively impact the value of the agricultural land;

(8) the proposed action shall not undermine the short-term and/or long-term viability of the natural resources;

(9) the proposed action shall be approved in such a manner, with applicable conditions, as to limit the negative impacts to soils, view sheds and water (both groundwater and surface waters);

(10) the proposed action shall not result in a significant negative impact to any adjacent property that is not consistent with current agricultural practices;

(11) the proposed action should be approved in such a manner that minimizes, to the extent possible, all other negative impacts and

(12) the proposed action shall be consistent with expert recommendations, where sought by the committee.

E. Permit fees.

(1) A non-refundable application fee in the amount of one hundred dollars ($100.00) shall be submitted with each application for a permit.

(2) The fee shall be waived for an application if it is exclusively for

a. permission to install a purchase of development rights program sign,

b. permission to erect, place, relocate, modify or extend a fence structure or

c. permission to remove or demolish an existing structure.

(3) Failure to submit the required fee shall deem the application incomplete.

§8-9. Permit conditions.

A. General Conditions. Permits shall contain such reasonable conditions as the committee deems necessary to protect the agricultural land.

B. Covenants and restrictions. Where it deems appropriate and necessary, the committee may condition the issuance of an agricultural development permit and/or special use permit upon the agricultural land owner's execution of a restrictive covenant, or other instrument acceptable to the department. In such case, such restrictive covenant or other instrument shall be recorded in the Office of the Suffolk County Clerk not later than sixty (60) days from the date of the approval, and proof of said recording must be provided to the department within ninety (90) days of the date of approval, except that the committee may extend the time for filing the restrictive covenant upon good cause and upon written application. Failure to file said restrictive covenant in accordance with the above shall render the permit null and void and may be subject to provisions in § 8-13 of this chapter.

C. Continuing obligations. The agricultural land owner and/or agricultural land lessee shall have a continuing obligation to maintain all improvements authorized by and to abide by all conditions imposed by a permit, including compliance with all provisions of this chapter.

D. Noncompliance. The failure to comply with any and all conditions of an agricultural development permit and/or special use permit shall be deemed a violation of this chapter, subject to the penalties provided in § 8-13 of this chapter. In addition, the county reserves the right to rescind or revoke, in whole or in part, such permit.

E. Modifications of permits and restrictive covenants. All requests for modifications of conditions of permits or restrictive covenants must be made through the committee in accordance with §8-8(C).

F. Expiration. All agricultural development permits shall expire within one (1) year of issuance unless the authorized improvements have been commenced or a building permit, where required by the local town or village, has been secured by the agricultural land owner, or the committee has granted the agricultural land owner an

extension. The agricultural land owner may submit in writing to the committee a request for an extension. Only one (1) extension may be granted by the committee per permit application. No extension may be granted for a duration greater than one (1) year. Requests for extension shall not be subject to the permit fee requirements specified in this chapter.

§8-10. Structures; farm stands.

A. Purpose. Farm stands provide farmers with direct outlets to market the agricultural products produced on agricultural lands.

B. Permits. The construction, placement, relocation, modification, expansion, demolition and/or operation of a farm stand on agricultural lands shall be subject to the agricultural development permit requirements as specified in this chapter. The committee may recommend the department issue an agricultural development permit for a farm stand structure subject to the following conditions:

(1) Only agricultural products and processed agricultural products shall be offered for sale at the farm stand.

(2) In addition to agricultural products grown on the premises and processed agricultural products, such as cheese, jam and wine, derived from agricultural products grown on the premises, retail sales also may include goods that are grown off the premises provided they are locally grown agricultural products or processed agricultural products derived from locally grown agricultural products and are offered for sale in an amount that shall not exceed forty percent (40%) of the total square footage of the farm stand structure.

(3) The farm stand structure shall not exceed five hundred (500) square feet and shall be subject to the agricultural development permit specified in this chapter.

(4) The total display area, outside the farm stand structure, shall not exceed one thousand (1,000) square feet.

(5) The farm stand structure shall be semi-permanent and shall be designed for use in growing seasons only. The installation and maintenance of permanent heating equipment within the farm stand structure shall be prohibited.

(6) The farm stand shall be constructed and operated in compliance with all applicable federal, state and local legal requirements, including, but not limited to, zoning restrictions.

(7) Gravel or dirt parking areas for the farm stand may be permitted as necessary, subject to the agricultural development permit requirement specified in this chapter.

C. Conditions. The committee may impose such additional conditions as it deems necessary to carry out the purposes of this chapter.

§8-11. Structures; alternative energy systems.

A. Purpose. Alternative energy systems provide farmers with opportunities to generate safe, efficient, effective and renewable energy onsite and diminish the farm operation's dependence on nonrenewable energy sources. All alternative energy systems shall be subordinate to the agricultural use of the agricultural land.

B. Permits. The construction, placement, relocation, modification, expansion, demolition or operation of an alternative energy system on agricultural lands shall be subject to the agricultural development permit requirements as specified in this chapter. The committee may recommend the department issue an agricultural development permit for an alternative energy system subject to the following conditions:

(1) The rated capacity of the alternative energy system shall not exceed one hundred ten percent (110%) of the farm operation's average annual consumption, where annual consumption is the total amount of energy used per annum for those agricultural activities permitted on agricultural lands.

(2) Electricity generated by the alternative energy system shall not be consumed by any residential or other nonagricultural land use nor shall it be consumed by any activity prohibited on agricultural lands, including, but not limited to, processing, whether or not said use is on the subject parcel, contiguous to the subject parcel and/or under common ownership with the subject parcel, except as stated herein.

C. Connectivity. The alternative energy system may be connected to the utility's electricity grid provided that the rated capacity of the alternative energy system is less than or equal to the standard set forth in § 8-11(B)(1) of this chapter. In the event that the farm operation changes and the average annual electricity consumption is reduced, the agricultural land owner shall be required to disconnect from the utility's grid unless the alternative energy system is modified such that the new rated capacity of the alternative energy system is consistent with the standard set forth in § 8-11(B)(1) of this chapter.

D. Conditions. The committee may impose such additional conditions as it deems necessary to carry out the purposes of this chapter.

§8-12. Prohibitions.

A. Nonagricultural use. No person shall use agricultural lands for any purpose other than agricultural production, except as provided in this chapter.

B. Mining. Resource extraction shall be prohibited on all agricultural lands.

C. Dumping. There shall be no dumping on agricultural lands.

D. Processing. Processing, including the processing of agricultural products, shall be prohibited on agricultural lands.

E. Solid waste. No solid waste shall be burned or stored on agricultural lands.

F. Hazardous waste. No hazardous waste shall be stored on agricultural lands.

G. Aviation. No aircrafts including, but not limited to, airplanes, helicopters, hot-air balloons and gliders shall be permitted to land on, hover above or take off from agricultural lands, except where part of standard agricultural practices, as determined by the committee, such as crop dusting or for law enforcement, fire, emergency or military purposes.

H. Vehicles. No all terrain vehicles shall be permitted to be used or stored on agricultural lands except in aiding agricultural production, as determined by the committee.

I. Structures. No person shall erect, install, relocate, modify, rebuild, remove or demolish a structure without an agricultural development permit.

J. Farm stands. No person shall operate a farm stand without an agricultural development permit.

K. Alternative energy systems. No person shall operate an alternative energy system without an agricultural development permit.

L. Driveways, roadways, thoroughfares. No person shall use any driveway, roadway, path or thoroughfare on agricultural land for vehicular access to an adjacent parcel for any purpose other than agricultural production.

M. Parking areas. Asphalt, concrete and all other impermeable parking areas shall be prohibited on agricultural lands.

N. Landscape screens. No landscape screen shall be permitted around fallow agricultural land except those agricultural lands kept fallow customary to standard agricultural practices, as determined by the committee.

O. Site disturbances. No person shall conduct a site disturbance including, but not limited to, dredging, excavating, filling, grading and/or soil removal on agricultural land without a special use permit.

P. Special events. No person shall conduct a special event on agricultural land without a special use permit.

Q. Contracts. No person shall violate the terms and conditions of the contract of sale, as may be amended, and the deed of development rights, as may be amended.

R. Any nonagricultural activity not explicitly permitted by this chapter shall be prohibited.

§8-13. Enforcement.

A. Cease and desist order.

(1) Where a violation of this chapter, the contract of sale and/or the deed of development rights is suspected, the department shall cause an investigation to be conducted. If the department determines by clear evidence that a violation of this chapter, the contract of sale and/or the deed of development rights has been committed or exists, the department may issue a cease and desist order. The

cease and desist order shall be served in person or by certified mail to the agricultural land owner at the address on file with the department and, if the property is leased, the agricultural land lessee. The cease and desist order may direct restoration of the property, removal of structures that are in violation of this chapter, the contract of sale and/or the deed of development rights and such other corrective actions and terms as the department finds necessary to protect the county's interest in the agricultural land.

(2) A cease and desist order may be lifted by the department upon a finding that the violation has been abated and/or when an application to bring the activity into compliance has been filed and a permit has been issued by the department.

B. Violations. Where it is determined by a court that a violation of any of the provisions of this chapter has been committed or exists, the agricultural land owner, the agricultural land lessee and any other person who takes part or assists in such violation shall each be deemed guilty of a violation of this chapter.

C. Temporary restraining order and/or injunction.

(1) The county may obtain a temporary restraining order and/or injunction to enforce the provisions of this chapter.

(2) Violation of a temporary restraining order and/or injunction may be punishable as contempt under state laws.

(3) Violation of a temporary restraining order and/or injunction shall constitute a separate violation of this chapter, punishable by penalties in addition to those imposed for the underlying violation for which the temporary restraining order and/or injunction was obtained.

D. Restoration.

(1) The court may compel the agricultural land owner and/or agricultural land lessee to restore agricultural land to a condition suitable for agricultural production where a site disturbance has occurred in violation of this chapter.

(2) Where a violation has resulted in damage to the agricultural resource on agricultural land, the court may order restoration of the agricultural land to the greatest extent possible, regardless of cost.

E. Removal.

(1) The court may compel the agricultural land owner and/or the agricultural land lessee to remove any and all unauthorized structures on agricultural land.

(2) Where a violation has resulted in the erection, relocation, modification or demolition of a structure or the operation of an alternative energy systems and/or farm stand on agricultural land, the court may order the removal of said structure or remains, regardless of cost.

F. Damages. Where a violation of the provisions of this chapter results in damage to the county's interest in the development right(s) and/or the underlying value of the land, the court may award damages to the county equal to the development right(s) purchase price plus compounded interest and an additional amount as would be necessary to purchase the development right(s) to a similar agricultural property, as determined by the county.

G. Civil Penalties.

(1) A violation of § 8-12 shall be punishable by a civil penalty of up to five thousand dollars ($5,000) per day, with each day constituting a separate violation.

(2) Any violation which causes a substantial reduction in the viability of the agricultural resource shall be punishable by a civil penalty not more than ten thousand dollars ($10,000) per day, with each day constituting a separate violation. The viability of the agricultural resource may be determined by any reasonable means, including, but not limited to, testimony from any person with demonstrated agricultural expertise.

H. Costs and disbursements. The court may award costs of investigating and enforcing this chapter.

I. Attorneys' fees. The court may award attorneys' fees.

J. No waiver. Failure to take an action to enforce the provisions of the contract of sale, the deed of development rights, this chapter and/or any rules and/or regulations promulgated thereunder shall neither constitute a waiver nor constitute an agreement to allow the prohibited activity nor constitute permission to engage in the activity without first obtaining applicable permits.

K. Other remedies. The county reserves the right to pursue any and all legal and equitable remedies herein mentioned or otherwise available at law including administrative, civil and criminal actions to enforce the provisions of this chapter and to satisfy the intent and spirit of the Purchase of Development Rights Program.

L. Cost no defense. Cost shall not be a defense to the imposition of remedies.

§8-14. Provisions to control over other legislation.

Notwithstanding the provisions of any special law, charter law, local law or resolution which may be inconsistent herewith, in whole or in part, this chapter shall in all respects control in the matter of the acquisition or alienation of development rights in agricultural lands.

§8-15. Severability.

Should any provision of this chapter be adjudged invalid by a court of competent jurisdiction, such adjudication shall not affect the validity of any other provision of this chapter.

Section 3. Applicability

This law shall apply to all agricultural lands to which the county has acquired interests or rights, in whole or in part, under the Purchase of Development Rights Program. This law shall not apply to nonagricultural lands acquired as open spaces or open areas for the purpose of preserving active parkland, passive parkland, woodlands and/or wetlands and shall not apply to farmlands to which the county does not own any interest or right.

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) 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 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 non-applicability or non-significance in accordance with this law.

Section 6. Effective Date

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

Gen. G1

COUNTY OF SUFFOLK

JAN 05 2010

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES, AICP
DIRECTOR OF PLANNING

January 4, 2010

Mr. Brendan Chamberlain, Director of Intergovernmental Relations
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Chamberlain:

Attached for your review and consideration is a proposed Introductory Resolution that would modify the statute that governs the existing program whereby the County of Suffolk purchases the development rights to agricultural lands for the purpose of farmland preservation.

Please contact me if you require any additional information.

Sincerely,

Thomas A. Isles
Director of Planning

cc: Christopher E. Kent, Chief Deputy County Executive
Carrie Meek Gallagher, Commissioner, Department of Environment & Energy
Linda A. Spahr, Deputy Bureau Chief, Department of Law
Jessica L. Kalmbacher, Planner, Department of Planning
CE Reso Review (e-mail copy only)

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

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

(631) 853-5191
TELECOPIER (631) 853-4044

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution ___ ____ Local Law ___ X ___ Charter Law _____

2. Title of Proposed Legislation

ADOPTING LOCAL LAW NO. YEAR 2010, A LOCAL LAW AMENDING CHAPTER 8 OF THE SUFFOLK COUNTY CODE

3. Purpose of Proposed Legislation

The proposed legislation will update the existing statute governing the program whereby the County of Suffolk purchases the development rights to agricultural lands for the purpose of farmland preservation.

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

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

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

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

N/A

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer	***11. Signature of Preparer***	***12. Date***
Jessica L. Kalmbacher Planner	Jessica L. Kalmbacher	January 4, 2010

SCIN FORM 175b (10/95)

The following information summarizes the amendments proposed to Chapter 8, "Development Rights to Agricultural Lands," of the Suffolk County Administrative Local Laws. The first portion of this document presents the proposed reorganization of the chapter as well as any proposed renaming of the sections within the chapter. The second portion of this document addresses the amendments proposed to the individual sections.

I. Chapter Organization (See Table 1.)

Table 1.
Chapter 8, "Development Rights to Agricultural Lands," Organization

Existing Section Order	Proposed Section Order
§8-1. Statutory policy; legislative intent. §8-2. Definitions. §8-3. Procedure for purchase of development rights. §8-4. Alienation of development rights. §8-5. Farmland Committee established. §8-6. Farm stands. §8-7. Provisions to control over other legislation.	§8-1. Statutory policy; legislative intent. §8-2. Definitions. **§8-3. Applicability.** **§8-4. Farmland Committee.** **§8-5. Development rights; acquisition.** **§8-6. Development rights; alienation.** **§8-7. Notification requirements.** **§8-8. Permits.** **§8-9. Permit conditions.** **§8-10. Structures; farm stands.** **§8-11. Structures; alternative energy systems.** **§8-12. Prohibitions.** **§8-13. Enforcement.** **§8-14.** Provisions to control over other legislation. **§8-15. Severability.**

II. Chapter Content (organized pursuant to proposed section order)

§8-1 Statutory policy; legislative intent. (Amended, not renamed, not relocated)

- Amended to clarify the intent of the program
- Encourages the production of fresh, local food supplies
- Broadened to include best management practices
- Modified pursuant to comments received

§8-2 Definitions. (Amended, not renamed, not relocated)

- Expanded from eight definitions to 37
  - 29 new defined terms were added
  - Seven defined terms were amended
  - One defined term remained unchanged
  - No defined terms were eliminated
- Amended to clarify the chapter
- See Table 2. for further details

Table 2. Terms Defined in Chapter 8, "Development Rights to Agricultural Lands"		
Term Defined	*Term Status*	*Details about Defined Term*
1. Agricultural Development Permit	New	
2. Agricultural Education	New	
3. Agricultural Land	Amended	The current definition is not clear and could conceivably be interpreted to mean all lands in agricultural production (including those for which the county has no legal interest) while excluding lands that have gone fallow but for which the county has purchased the development rights.
4. Agricultural Land Lessee	New	
5. Agricultural Land Owner	New	This proposed definition differentiates between landowners whose properties have the development rights intact and those landowners whose properties no longer have development rights.
6. Agricultural Production	Amended	This amended definition refers to the proposed definition of agricultural products.
7. Agricultural Products	New	This proposed definition references Article 25 AA of NYS Agriculture and Markets Law (AML) to ensure that this chapter is consistent with the state's vision of agricultural production.
8. Alienation	Amended	Editorial change for chapter consistency
9. All Terrain Vehicle	New	
10. Alternative Energy System	New	Modified pursuant to comments received
11. Commercial Horse Boarding Operation	New	
12. Committee	Unchanged	
13. County	New	
14. Department	New	
15. Development Right	Amended	Editorial change for chapter consistency; related to the following defined terms: "Interest or Right" and "Residual Right"
16. Farm Operation	New	
17. Farm Stand	Amended	Modified pursuant to comments received
18. Greenhouse	New	
19. Gross Sales Value	New	
20. Hazardous Waste	New	
21. Interest or Right	Amended	Editorial change for chapter consistency; related to the following defined terms: "Development Right" and "Residual Right"
22. Landscape Screen	New	
23. Locally Grown	New	

Table 2. Terms Defined in Chapter 8, "Development Rights to Agricultural Lands"		
Term Defined	*Term Status*	*Details about Defined Term*
24. Person	New	
25. Premises	New	
26. Purchase of Development Rights Program	New	The phrase "properties used" has been selected instead of "agricultural lands" because "agricultural lands" refers to parcels already in the program.
27. Purchase of Development Rights Program Sign	New	
28. Residual Right	New	Related to the following defined terms: "Development Rights" and "Interest or Right"
29. Site Disturbance	New	Modified pursuant to comments received
30. Soil	New	Modified pursuant to comments received
31. Solar Energy System	New	Modified pursuant to comments received
32. Solid Waste	New	
33. Special Event	New	
34. Special Use Permit	New	
35. Structure	Amended	Modified pursuant to comments received
36. Utilities	New	
37. Wind Energy System	New	Modified pursuant to comments received

§8-3 Applicability. (New)

- Created to differentiate between farmlands from which the county has purchased the development rights, farmlands in which the county has no legal interest and lands in which the county has an interest but were not preserved by a development rights acquisition

§8-4 Farmland Committee. (Amended, renamed, relocated)

- Reconstituted the committee
- Designated a chairman
- Established term lengths
- Instituted a financial disclosure requirement
- Provided recommendations for committee members' backgrounds
- Clarified the committee's authority
- Modified pursuant to comments received

§8-5 Development rights; acquisition. (Amended, renamed, relocated)

- Acquisition process in the existing chapter is inconsistent with current practices
- Outlined standards, which were based on current committee practices and NYS AML
- Designated an annual review period

  - The annual review period creates a comparative evaluation process that enables the county to maximize its financial resources by preserving the most viable agricultural properties first
  - Accepting applications for inclusion during the month of September 1) enables the committee to review the parcels at the first meeting of the new year (after the budget has been adopted) and 2) does not conflict with the Agricultural Districts Open Enrollment Period (January)
- Authorizes acquisition partnerships and management agreements with not-for-profit conservation organizations, which is in addition to those currently permitted with municipalities

§8-6 Development rights; alienation. (Amended, renamed, relocated)

- Editorial changes for chapter consistency

§8-7 Notification requirements. (New)

- Landowners must inform the county of changes in 1) address and 2) ownership
- Ensures a continuous means of contact between the county and landowners

§8-8 Permits. (New)

- Defined permit types
  - The "Agricultural Development Permit" involves standard/regular activities necessary for agricultural production
  - The "Special Use Permit" involves activities of a higher magnitude that are more likely to impact the resource (site disturbances) and are less related to agricultural production (special events)
- Outlined permit application process
- Specified permit criteria
- Instituted fees
- Modified pursuant to comments received

§8-9 Permit Conditions. (New)

- Granted the committee authority to require deed covenants and restrictions be declared
  - Declaration of restrictive covenants will eliminate some enforcement issues
- Established additional permit particulars

§8-10 Structures; farm stands. (Amended, renamed, relocated)

- Clarified the purpose of a farm stand structure
- Detailed what may be offered for sale at a farm stand
- Limited the size of outside display areas
- Modified pursuant to comments received

§8-11 Structure; alternative energy systems. (New)

- Provides farmers with opportunities to generate safe, efficient, effective and renewable energy onsite, which diminishes dependence on nonrenewable energy sources and results in a multitude of benefits including, but not limited to, the following:
  - Continued competitiveness despite fluctuating energy prices
  - Environmental protection
- Limited the size of alternative energy systems permitted
- Restricted the use of the energy generated to agricultural production activities
- Authorized sale back to the grid under certain circumstances
- Modified pursuant to comments received

§8-12 Prohibitions. (New)

- Added to identify explicitly those activities that are not permitted on land from which the county has purchased the development rights

§8-13 Enforcement. (New)

- Created and detailed an enforcement process

§8-14 Provisions to control over other legislation. (Unchanged, not renamed, relocated)

§8-15 Severability. (New)

- Provides protection over the integrity of the chapter

SUFFOLK COUNTY FARMLAND COMMITTEE

Resolution In Support of the Amendments to Chapter 8 of the Suffolk County Administrative Local Laws, "Development Rights to Agricultural Lands"

***SUFFOLK COUNTY FARMLAND COMMITTEE RESOLUTION NO. FC-13-2009*, RECOMMENDING TO THE SUFFOLK COUNTY LEGISLATURE THE ADOPTION OF AMENDMENTS TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS, "DEVELOPMENT RIGHTS TO AGRICULTURAL LANDS," PURSUANT TO CHAPTER 8 OF THE SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS**

WHEREAS, pursuant to Chapter 8 of the Suffolk County Administrative Local Laws, a request to support the amendments to Chapter 8 of the Suffolk County Administrative Local Laws, "Development Rights to Agricultural Lands," was received by the Suffolk County Farmland Committee; and

WHEREAS, the County of Suffolk has a long history of agricultural production; and

WHEREAS, the County of Suffolk is number one out of 62 counties in the State of New York in terms of market value of agricultural products sold according to the 2007 Census of Agriculture; and

WHEREAS, the agricultural industry is an essential component of the Suffolk County economy; and

WHEREAS, the County of Suffolk has more than 34,000 acres of land in active commercial agricultural production according to the 2007 Census of Agriculture; and

WHEREAS, the County of Suffolk has protected the future of the agricultural industry on Long Island by permanently protecting more than 9,000 acres of viable farmland through the Suffolk County Purchase of Development Rights Program; and

WHEREAS, the Suffolk County Legislature and Suffolk County residents supported the continuation of farmland preservation pursuant to the Suffolk County Purchase of Development Rights Program through their extension of the Suffolk County New Quarter Percent Bonded Drinking Water Protection Program in 2007; and

WHEREAS, Chapter 8 of the Suffolk County Administrative Local Laws, "Development Rights to Agricultural Lands," governs the Suffolk County Purchase of Development Rights Program; and

WHEREAS, draft versions of the proposed amendments to the chapter were distributed during the January 27, 2009 and July 28, 2009 meetings of the Suffolk County Farmland Committee; and

WHEREAS, the County of Suffolk reviewed the comments on the draft proposed amendments to the chapter received from the Suffolk County Farmland Committee, local municipalities, the agricultural industry, the environmental conservation industry, and members of the general public; and

WHEREAS, the final version of the proposed amendments to the chapter equitably address all involved interests; now, therefore be it

1ST RESOLVED, that the Suffolk County Farmland Committee finds and determines that the continued preservation of active commercial agricultural lands is in the best interests of the agricultural industry and Suffolk County residents; and be it further

2ND RESOLVED, that the Suffolk County Farmland Committee finds and determines that such farmland preservation should continue through the Suffolk County Purchase of Development Rights Program; and be it further

SUFFOLK COUNTY FARMLAND COMMITTEE

Resolution In Support of the Amendments to Chapter 8 of the Suffolk County Administrative Local Laws, "Development Rights to Agricultural Lands"

3RD **RESOLVED**, that the Suffolk County Farmland Committee finds and determines that it is necessary to clarify the policies and procedures the County of Suffolk will employ to administer and enforce the Suffolk County Purchase of Development Rights Program; and be it further

4TH **RESOLVED**, that the Suffolk County Farmland Committee hereby fully supports the approval and adoption of the amendments to Chapter 8 of the Suffolk County Administrative Local Laws, "Development Rights to Agricultural Lands," by the Suffolk County Legislature.

Motion by: Charles F. Scheer, Jr. **Seconded by**: Albert Schmitt

Committee Vote:

Ayes	**14**
Nays	**0**
Abstentions	**0**

Members Present:	14	(Bennett S. Orlowski, Jr., Russell K. Barnett, Ronald Bush, Nate Corwin, Thomas A. Isles, Howard Johnson, Alfred J. Kilb, Jr., Joseph Krukowski, Dale D. Moyer, Jeffrey Rottkamp, Charles F. Scheer, Jr., Albert Schmitt, John Turner, Mark Zaweski)
Members Absent:	5	(Lee Foster, Daniel Fricke, Olney M. Gardiner, Ann Marie Jones, Eugene Murphy)

Dated: September 22, 2009
Long Island Horticultural Research and Extension Center, 3059 Sound Avenue, Riverhead, NY 11901
Suffolk County Farmland Committee

1174

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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

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

DATE: January 28, 2010

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. -2010; A LOCAL LAW AMENDING CHAPTER 8 OF THE SUFFOLK COUNTY CODE

SPONSOR: THE PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 1/27/10 **PUBLIC HEARING:** 3/2/10

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

This proposed local law would amend Chapter 8 of the SUFFOLK COUNTY CODE to establish a more comprehensive structure for the conservation and protection of agricultural lands in Suffolk County.

This law will provide more specific requirements for the composition of the membership of the Farmland Committee ("Committee"). Currently, the County Executive appoints the Committee's nine members and there are no criteria for membership. Under the proposed law, the Commissioners of the Departments of Economic Development and Workforce Housing, Environment and Energy, Health Services, and Planning, or their respective designees will serve on the Committee. The Commissioner of the Planning Department, or his designee, will serve as chairman of the Committee as of January 1, 2011. This law also allows for the appointment of three advisors to the Committee, to participate in a non-voting capacity, from the following organizations: the Natural Resources Conservation Service, Cornell Cooperative Extension and a farm advocacy group. All committee members, excepting the four appointees from County departments, must meet eligibility requirements and the membership must include individuals from a variety of disciplines, including, but not limited to, agriculture, citizen advocacy, municipal planning, ecology and real estate. Members shall be appointed to a term of four years and no member may serve more than three terms.

This law will also expand the Committee's functions to include the review of permit applications made under this law (discussed below) and establishing and adopting written guidelines and property rating systems.

This law will require land owners interested in having the County purchase their development rights to submit an application to the Department of Planning ("Department") in September of each year. Only under extenuating circumstances may an application be made outside of this period and will only be considered if funding is available. To be considered for acquisition by the County, a property must be an active

farm operation, or part of one, and must produce average gross sales of at least $10,000 for a property of seven or more acres, or at least $50,000 for a property less than seven acres in size. Preference will be given to farm operations that protect groundwater, soil and view sheds while promoting agricultural production.

This law will also establish a permitting process for agricultural development, special uses, and special events for farms participating in the County program. Agricultural development permits will be necessary for the installation, erection, location, modification, rebuilding, or removal of a structure on agricultural land, as well as for the operation of an alternative energy system or a farm stand on agricultural land. Special use permits will be necessary for any site disturbances on agricultural lands. Such disturbances can only be associated with standard agricultural practices, drainage improvement or agricultural development permits. Special event permits will be required to conduct any special event on agricultural land. Only one special event per farm operation will be approved each year and cannot exceed two days in length. Such events cannot impact the viability of the agricultural operation.

All permits described above must be obtained by the land owner prior to engaging in the regulated activity. Applications for permits must be submitted to the Department two weeks prior to the Committee meeting where it will be heard and must contain all requisite information regarding the planned use for the permit. An application fee of $100.00 shall be submitted with each permit application. Permits shall expire within 1 year of issuance, with a possible 1 year extension, if requested by the land owner. Permits may be conditioned upon the execution of a restrictive covenant by the land owner. Modification of a permit or restrictive covenant may be requested by application.

This law will also establish specific requirements for farm stands. In addition to the permitting requirement, farm stands may only sell agricultural products and processed agricultural products (i.e. cheese, wine, and jam). If some goods offered for sale are not grown on premises, the products must be locally grown and cannot exceed forty percent (40%) of the total square footage of the stand's retail space. Farm stand structures may not exceed 500 square feet, with a total display area not to exceed 1,000 square feet. Farm stands may only be used during growing seasons.

Requirements will also be established for alternative energy system structures. In addition to the permitting requirement, alternative energy systems cannot have a capacity that exceeds one hundred ten percent (110%) of the farm operation's average annual consumption. Electricity generated by the alternative energy system cannot be consumed by any residential or nonagricultural land uses, nor may it be consumed by any activity prohibited on agricultural lands.

This law also establishes numerous activities that are prohibited on agricultural lands, including, but not limited to, mining, dumping, non-agricultural uses, storage of waste, and the use of all terrain vehicles and aircraft.

Persons violating this chapter's requirements may be subject to civil remedies, including, but not limited to, a cease and desist order, a temporary restraining order

and/or injunction, a compelled restoration of the property, removal of unauthorized structures, and damages equal to the purchase price of the development rights plus interest. Persons conducting prohibited activity on farm property will be subject to a penalty of up to $5,000.00 per day. Violations causing a substantial reduction in the viability of the property's agricultural resources will be subject to a civil penalty of up to $10,000.00 per day.

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-amend agriculture dev rights

1175

Intro. Res. No. -2010 Laid on Table 2/2/10
Introduced by the Presiding Officer, on request of the County Executive

RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW EXPANDING ELIGIBILITY FOR COUNTY REAL PROPERTY TAX EXEMPTION TO INCLUDE DISABLED VETERANS

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2010, a proposed local law entitled, "**A LOCAL LAW EXPANDING ELIGIBILITY FOR COUNTY REAL PROPERTY TAX EXEMPTION TO INCLUDE DISABLED VETERANS,**" and said local law in final form is the same as when presented and introduced; and now, therefore, be it

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

LOCAL LAW NO. -2010, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW EXPANDING ELIGIBILITY FOR COUNTY REAL PROPERTY TAX EXEMPTION TO INCLUDE DISABLED VETERANS

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that it is the policy of the County of Suffolk to offer the broadest property tax exemption permitted by state law to its disabled citizens.

This Legislature hereby finds and determines that the New York State Legislature has amended Real Property Tax Law § 459-c from time to time expanding the classification for real property tax exemption.

Therefore, the purpose of this law is to reflect changes in state law regarding the change in eligibility for real property tax exemption to include disabled veterans.

Section 2. Amendment.

Section 458-25 of Article X of Chapter 458 of the Regulatory Local Laws of the Laws of Suffolk County is hereby amended as follows:

CHAPTER 458
TAXATION

* * * *

ARTICLE X
Exemption For Disabled Persons With Limited Incomes

* * * *

§ 458-25. Eligibility criteria.

* * * *

B.) Definitions. For the purposes of this article, the following terms shall have the meanings indicated:

PERSON WITH A DISABILITY -- An individual who has a physical or mental impairment, not due to current use of alcohol or illegal drug use, which substantially limits such person's ability to engage in one or more major life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working, and who:

1.) Is certified to receive social security disability insurance (SSDI) or supplemental security income (SSI) benefits under the federal Social Security Act; or

2.) Is certified to receive railroad retirement disability benefits under the federal Railroad Retirement Act; or

3.) Has received a certificate from the State Commission for the Blind and Visually Handicapped stating that such person is legally blind[.]; or

4.) Has received a certificate from the United States Department of Veterans Affairs to receive a disability pension pursuant to 38 U.S.C. §1521.

* * * *

C.) An award letter from the Social Security Administration or the Railroad Retirement Board or a certificate from the State Commission for the Blind and Visually Handicapped, or an award letter from the United States Department of Veterans Affairs shall be submitted as proof of disability.

* * * *

Section 3. Applicability.

This law shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 2010.

Section 4. Filing.

The Clerk of the Suffolk County Legislature is hereby directed to file a copy of this law with the State Board of Real Property Services and the ten (10) town assessors who prepare the assessment roll on which the taxes of this County are levied.

Section 5. Severability.

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

Section 6. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5 (c)(20)(27) of the NEW YORK CODE OF RULES AND REGULATIONS (NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as 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 direct to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 7. Effective Date.

This law shall take effect immediately upon filing 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:

1175

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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

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

DATE: JANUARY 28, 2010

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. -2010; A LOCAL LAW EXPANDING ELIGIBILITY FOR COUNTY REAL PROPERTY TAX EXEMPTION TO INCLUDE DISABLED VETERANS

SPONSOR: PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL:	1/27/2010	PUBLIC HEARING:	3/2/2010
DATE ADOPTED/NOT ADOPTED:		CERTIFIED COPY RECEIVED:	

This law would amend County Code provisions applicable to property tax exemptions for disabled veterans as follows:

1) broadens the definition of a "person with disability" to include individuals who have received a certificate from the United States Department of Veterans Affairs to receive a disability pension pursuant to 38 U.S.C. §1521; and

2) allows an award letter from the Department of Veterans Affairs to be submitted as proof of disability.

This law will take effect immediately upon its filing in the Office of the Secretary of State and shall apply to assessment rolls prepared on the basis of taxable statues dates occurring on or after January 1, 2010.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-property-tax-exemption-disabled-veterans

Intro Res. No. 1176 -2010 Laid on Table 2/2/10
Introduced by Legislators Romaine, Cilmi,

RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A CHARTER LAW TO REPEAL THE SUFFOLK COUNTY ENERGY TAX VIA PUBLIC REFERENDUM

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on ,2010 a proposed local law entitled, " **A CHARTER LAW TO REPEAL THE SUFFOLK COUNTY ENERGY TAX VIA PUBLIC REFERENDUM**," and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

LOCAL LAW NO. -2010, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW TO REPEAL THE SUFFOLK COUNTY ENERGY TAX VIA PUBLIC REFERENDUM

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 current recession has caused enormous economic dislocation in Suffolk County as people have lost jobs, savings have been lost; foreclosures have risen to record levels, land values have plummeted, and lending has dried up.

This Legislature further finds and determines that the New York Tax Law authorizes counties to reduce the sales and compensating use tax rate on residential energy sources and services.

This Legislature further finds and determines that this tax is one of the most regressive taxes imposed on its residents because it bears no correlation to ability to pay since it relates to a necessity of life.

This Legislature further finds and determines that by repealing the unfair sales and use taxes on residential energy sources and services, at a time when the cost of fuel oil and gasoline has skyrocketed all across Long Island, that such a tax cut will ensure affordable residential energy sources and services.

This Legislature further finds and determines that, since the loss of revenue from such a repeal may not be fully offset by the revenues generated by such a tax cut, thereby requiring other budget actions to be taken to accommodate such a tax repeal, a fiscal policy decision of this magnitude should be made by the public after a robust, rigorous, and informed debate via public referendum.

This Legislature further determines that approval by the electorate of this law at public referendum will form a public mandate to balance Suffolk County budgets without resort to any tax on residential energy sources and services.

Therefore, the purpose of this law is to completely eliminate the 2.5% sales and use tax on residential energy sources and services subject to the approval of the electorate.

Section 2. Energy Tax Repeal.

A.) Section 2-A of Resolution No. 745-1968, as amended by Resolution Nos. 813-1980, 1025-2001, and 1034-2005, is hereby repealed.

B.) Section 6 of Resolution No. 745-1968, as amended by Resolution No. 973-1999, is hereby amended by adding a new subdivision (i) to read as follows:

(i)(1) Receipts from the retail sale or use of fuel oil and coal used for residential purposes, the retail sale or use of wood used for residential heating purposes, and the sale, other than for resale, of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes and the use of gas or electricity used for residential purposes shall be exempt from the taxes imposed by this Resolution. The provisions of this paragraph shall not apply to a sale or use of (i) diesel motor fuel which involves a delivery at a filling station or into a repository which is equipped with a hose or other apparatus by which such fuel can be dispensed into the fuel tank of a motor vehicle and (ii) enhanced diesel motor fuel except in the case of a sale or use of such enhanced diesel motor fuel used exclusively for residential purposes which is delivered into a storage tank which is not equipped with a hose or other apparatus by which such fuel can be dispensed into the fuel tank of a motor vehicle and such storage tank is attached to the heating unit burning such fuel, provided that each delivery of such fuel of over four thousand five hundred (4,500) gallons shall be evidenced by a certificate signed by the purchaser stating that the product will be used exclusively for residential purposes.

(2) The exemption set forth in this subdivision shall apply to receipts from all retail sales and uses described in paragraph (1) of this subdivision made, rendered or arising therefrom on or after March 1, 2011, although made on or rendered under a prior contract, if delivery or transfer of possession of such property or services is made after such date. Where such property or service is sold on a monthly, quarterly, or other term basis, and the bills for such property or service are based on meter readings, the amount received on each bill for such property or service for a month, quarter or other term shall be exempt, but such exemption shall be applicable to all bills based on meters read on or after September 1, 2011, only where more than one-half of the number of days included in the month or other period billed are days subsequent to August 31, 2011.

(3) Where a residence is part of a multiple dwelling or other premises consisting of residential and nonresidential units, or where a portion of a residence is used for nondwelling purposes, including the conduct of a trade or business, the same rules and regulations shall be applicable that have been established by the Commissioner of Taxation and Finance in order to allocate to such residence the portion of the sale of energy sources or services attributable to the residential portion.

(4) If the Commissioner of Taxation and Finance has prescribed a certificate to be taken by the vendor of the energy sources or services specified in paragraph (1) of this subdivision from the purchaser of such energy sources or services, such certificate shall be applicable for the purposes of this section. Where a certificate is required, unless such vendor shall have received such certificate in such form as the Commissioner may prescribe, signed by the purchaser and setting forth the purchaser's name and address, together with such other information as the Commissioner August require, stating that the premises, for which such energy sources or services are purchased, are used solely as a residence or identifying the residential portion of premises, for which such energy sources or services are purchased including instances where a multiple dwelling unit or other premises consists of residential and nonresidential units or where a portion of a residence is used for nondwelling purposes, such as the conduct of a trade or business, the provisions of this subdivision shall not apply and the tax shall be imposed at the rate provided for in Sections 2 and 4 of this Resolution. No further certificate need be furnished for any subsequent purchase for such premises if the information set forth in the certificate last furnished the vendor has not materially changed, except that in the case of exempt purchases of enhanced diesel motor fuel in amounts of over forty-five hundred (4,500) gallons, a separate certificate must be furnished for each purchase.

Section 3. County Implementation of Energy Tax Repeal.

I.) Section 4-6 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

§ C4-6. Submission of proposed county budget by County Executive.

A. On or before the third Friday of September in each year, the County Executive shall submit to the County Legislature a proposed budget, consisting of a proposed expense budget and proposed capital budget for the ensuing year. The expense budget shall consist of two separate documents, as follows:

(1) A budget document outlining and identifying all of the expenditures or outlays by the County of Suffolk for goods, programs or services that are statutorily required by the state or federal government, or for the repayment of all debt principal and interest thereon (mandated portion).

(2) A budget document outlining and identifying all of the goods, programs and services to be provided by the County of Suffolk that are not statutorily required by the state or federal government (nonmandated portion also known as "expense budget").

The proposed expense budget for any fiscal year shall also be submitted by the Executive to the County Legislature in such a form as to not contain any revenues requiring the imposition any sales and compensating use tax, or successor tax thereto, on residential energy sources or services within the geographical boundaries of the County of Suffolk.

.....

E. The proposed expense budget for any fiscal year shall include a detailed statement as to each line, item, program, expenditure, revenue, appropriation, existing or proposed positions of employment, object or sub-object requested for the executive portion of the expense budget, together with a statement of justification for all lines, items, programs, expenditures, revenues, appropriations, existing or proposed positions of employment, objects or sub-objects requested for said office including, but not limited to, factors such as legal mandates for appropriations, revenue production and cost benefit analysis. When the County expense budget shall have been finally adopted, the County Legislature and the County Executive shall not include any revenues derived from the imposition any sales and compensating use tax, or successor tax thereto, on residential energy sources or services with the geographical boundaries of the County of Suffolk.

II. Section 4-10 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

Section 4-10. Actions by County Legislature on Proposed Budget.

.....

B. If the County Legislature amends the proposed county budget, either the mandated or nonmandated portion, or both, in any respect, it shall make any other amendments that may be required to provide that total estimated non-tax revenues, together with estimated tax revenues, shall equal total estimated expenditures. The amount estimated for any object or purpose for which an appropriation is required to me made by law shall not be reduced below the minimum so required. When all such amendments have been finally acted upon by the County Legislature, the adopted County expense budget shall not include any revenues derived from the imposition

of any sales and compensating use tax, or successor tax thereto, on residential energy sources or services within the geographical boundaries of the County of Suffolk.

.....

II. Section 4-11 of the Suffolk County Charter is hereby amended to read as follows:

.....

C. Any action taken by the County Executive under this section shall be subject to and in conformity with the limitations contained in Sections 4-6 (A) and (D), 4-10 (C), and 4-10 (E), (F), and (G) of this Article.

III. Article IV of the SUFFOLK COUNTY CHARTER is hereby amended by the addition of a new Section 4-38 to read as follows:

Section 4-38. Energy Tax Budgeting

A.) The County Executive, the County Legislature, the County Treasurer, and the County Comptroller shall take all such actions as shall be necessary to ensure that no revenues requiring the imposition any sales and compensating use tax, or successor tax thereto, on residential energy sources or services within the geographical boundaries of the County of Suffolk, are made part of or used in violation of the provisions of Sections 4-6 (A) or 4-10 (C) of this Article.

B.) In the event that legislation is introduced to reinstate any tax, in any manner or form, on the purchase and/or sale of residential energy sources or services of any kind, type, or nature whatsoever, such legislation shall require an affirmative vote of at least three-fourths (3/4) of the entire membership of the County Legislature. If any such legislation is vetoed by the County Executive, the approval of a motion to override such veto shall require the affirmative vote of at least three-fourths (3/4) of the entire membership of the County Legislature voting in favor of such motion.

C.) hen the County expense budget shall have been finally adopted, the county legislature shall not include any revenues derived from the imposition any sales and compensating use tax, or successor tax thereto, on residential energy sources or services with the geographical boundaries of the County of Suffolk

Section 4. Applicability.

This law shall apply to all county expense budgets submitted on or after the effective date of this law.

Section 5. Procedural Actions.

The Clerk of this Legislature is hereby directed to file a certified copy of this law within five (5) days after this law takes effect with the Commissioner of Taxation and Finance at the Commissioner's office in Albany (via certified mail return receipt requested), the Suffolk County Clerk, the New York State Secretary of State, and the New York State Comptroller.

Section 6. 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 7. 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 8. Form of Proposition.

The question to be submitted to the electorate pursuant to Section 9 of this law shall read as follows:

> **Shall Resolution No. -2010, Adopting A Charter Law, To Repeal the 2.5% Tax on Residential Energy Sources and Services, Even Though It Means That The County Will Have To Take Other Budgetary Actions To Offset The Loss Of Approximately $ 80 Million Of Revenues Each Year, Be Approved?**

Section 9. Effective Date.

This law shall not take effect until the first day of the first fiscal year after its approval by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting upon a proposition for its approval in conformity with the provisions of Section 34 of the NEW YORK MUNICIPAL HOME RULE LAW, except that all administrative procedures

necessary to implement this Resolution shall commence immediately upon approval by the electorate and Section 2 shall take effect on September 1, 2011. After approval by the electorate, this law, as well as any other law converted into a mandatory referendum pursuant to Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW, by a vote of the County Legislature, may only be amended, modified, repealed, or altered by enactment of an appropriate Charter law subject to mandatory referendum in accordance with prevailing law.

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

DATED:

APPROVED BY:

_____
County Executive of the County of Suffolk

Date of Approval:

1176

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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

DATE: JANUARY 28, 2010

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. -2010; A CHARTER LAW TO REPEAL THE SUFFOLK COUNTY ENERGY TAX VIA PUBLIC REFERENDUM

SPONSOR: LEGISLATOR ROMAINE

DATE OF RECEIPT BY COUNSEL: 1/26/2010 **PUBLIC HEARING:** 3/2/2010

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

This proposed charter law would repeal the County's sales and compensating use tax or residential energy sources and services, effective March 1, 2011.

The proposed law would also amend the SUFFOLK COUNTY CHARTER to bar the County Executive from including in his proposed operating budget revenues that would require the reinstatement of the home energy tax. Similarly, the County Legislature would be prohibited from amending a proposed operating budget to include revenues that would require the reinstatement of the home energy tax.

Additionally, the proposed law would require that any future resolution or local law that seeks to reinstate sales tax on home energy sources would require a super majority vote of fourteen (14) County legislators.

This law is made subject to a mandatory voter referendum. The law also includes a provision that the law can only be repealed or modified in the future through another voter referendum

GEORGE NOLAN
Counsel to the Legislature

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s:\rule28\28-repeal SC energy tax