

**L A I D O N T H E T A B L E A P R I L 2 7 , 2 0 1 0**

LADS REPORT PREPARED BY:

Michele Gerardi

1372. Directing the County Attorney to determine the feasibility of Suffolk County bringing an action against New York State regarding the MTA payroll tax. (Schneiderman) WAYS & MEANS
1373. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 832-2010). (Co. Exec.) BUDGET & FINANCE
1374. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Donald I. Scholtz and Diane E. Collins (SCTM No. 0600-127.00-03.00-053.000). (Co. Exec.) WAYS & MEANS
1375. Reappointing William B. Rogers as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 4). (Cooper) PARKS & RECREATION
1376. Amending the 2010 Operating Budget to support the Smithtown Performing Arts Council Inc. (Nowick) BUDGET & FINANCE
1377. Amending the 2010 Operating Budget and transferring funds to the Suffolk County Boy Scouts. (Lindsay) BUDGET & FINANCE
1378. Amending the 2010 Operating Budget to support the Montauk Chambers of Commerce, Fall Festival, and the East End Arts Council, Harvest Gospel Concert Series. (Schneiderman) BUDGET & FINANCE
1379. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act HSBC Bank USA N.A., as trustee for Nomura Home Equity Loan, Inc. Asset-Backed Certificates Series 2006-HE1 2929 Walden Avenue, Depe, NY 14043 (SCTM No. 0100-017.00-01.00-094.001). (Co. Exec.) WAYS & MEANS
1380. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act John W. Fisher, Jr. and Donna Fisher, his wife (SCTM No. 0200-761.00-02.00-061.000). (Co. Exec.) WAYS & MEANS
1381. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Deutsche Bank National Trust Company, as Trustee of Indymac Residential Mortgage Backed Trust, Series 2006-L3, Residential Mortgage Backed Certificate Series 2006-L3 under the Pooling and Servicing Agreement dated September 1, 2006 1761 East St. Andrews Place Santa Ana, CA 92705 (SCTM No. 0500-410.00-04.00-021.002). (Co. Exec.) WAYS & MEANS
1382. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Thomas R. Schofield (SCTM No. 0500-056.00-03.00-012.000). (Co. Exec.) WAYS & MEANS

1383. Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Brookhaven for Affordable Housing purposes (SCTM No. 0200-478.00-01.00-020.000). (Co. Exec.) LABOR, WORKFORCE & AFFORDABLE HOUSING
1384. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Babylon (SCTM No. 0100-058.00-04.00-019.000). (Co. Exec.) WAYS & MEANS
1385. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Daniel W. Byrne and Connell Byrne, joint tenants with right of survivorship (SCTM No. 0200-975.70-04.00-017.004). (Co. Exec.) WAYS & MEANS
1386. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Smithtown - (SCTM No. 0800-032.00-02.00-035.000). (Co. Exec.) WAYS & MEANS
1387. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Karen Ferrara (SCTM No. 0200-579.00-02.00-045.002). (Co. Exec.) WAYS & MEANS
1388. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of Babylon – (SCTM No. 0100-040.00-02.00-015.006 et al). (Co. Exec.) WAYS & MEANS
1389. Sale of County-owned real state pursuant to Local Law No. 13-1976 Dennis Fennessy Jr. and Angelina C. Fennessy (SCTM No. 0200-975.00-05.00-011.000). (Co. Exec.) WAYS & MEANS
1390. Adopting Local Law No. -2010, A Local Law to prohibit cyber-bullying in Suffolk County. (Cooper) PUBLIC SAFETY
1391. Amending the 2010 Adopted Operating Budget to reallocate funding for a new initiative, the Heroin Treatment Program for Young Adults. (Kennedy) HEALTH & HUMAN SERVICES
1392. Making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Lake Panamoka County Park addition – Oakview Trail Trust property, Town of Brookhaven. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE
1393. Making a SEQRA determination in connection with the proposed improvements to CR 31 at CR 104 Roundabout, CP 5572, Town of Southampton. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE
1394. Making A SEQRA determination in connection with the proposed construction of sidewalks on CR 76, CP 5497, Towns of Islip and Smithtown. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE
1395. Appointing member of the Suffolk County Water Authority (Steven Romano). (Romaine) ENVIRONMENT, PLANNING & AGRICULTURE

1396. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Robin Place property – Town of Huntington). (D'Amaro) ENVIRONMENT, PLANNING & AGRICULTURE
1397. Temporarily reducing beach and golf fees at County parks. (Barraga) PARKS & RECREATION
1398. Authorizing transfer of surplus laboratory instrumentation and equipment to the State University of New York at Stony Brook. (Eddington) HEALTH & HUMAN SERVICES
1399. Ending the voucher system and directing the Department of Social Services to develop a comprehensive plan to house homeless sex offenders. (Lindsay) HEALTH & HUMAN SERVICES
1400. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Robert Stanzoni and Liddel Homes Inc. (SCTM No. 0200-823.00-08.00-063.000). (Co. Exec.) WAYS & MEANS
1401. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Walter O. Dunston (SCTM No. 0900-139.00-02.00-081.000). (Co. Exec.) WAYS & MEANS
1402. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Joseph S. and Josephine Polimine (SCTM No. 0500-175.00-02.00-097.001). (Co. Exec.) WAYS & MEANS
1403. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Elizabeth Thyssen and Michael Charrier (SCTM No. 0900-298.00-03.00-017.036). (Co. Exec.) WAYS & MEANS
1404. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Michael Mitchell (SCTM No.0100-079.00-02.00-037.000). (Co. Exec.) WAYS & MEANS
1405. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Diomedes Ceballos and Zoraida Ceballos, his wife (SCTM No. 0500-067.00-01.00-077.001). (Co. Exec.) WAYS & MEANS
1406. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Peter Karika (SCTM No. 0500-046.00-01.00-099.000). (Co. Exec.) WAYS & MEANS
1407. Achieving cost savings through effective use of light duty police officers. (Pres. Off.) PUBLIC SAFETY
1408. Adopting Local Law No. -2010, A Charter Law to increase legislative oversight of RFP process. (Romaine) WAYS & MEANS

1409. Amending the 2010 Operating Budget and transferring funds for the Southampton Hospital Ellen Hermanson Breast Center. (Schneiderman) BUDGET & FINANCE
1410. Adopting Local Law No. -2010, A Local Law requiring broader dissemination of auction information. (Browning) WAYS & MEANS
1411. Authorizing transfer of surplus County computer systems and hardware to SeniorNet at Family Service League. (Browning) PUBLIC WORKS & TRANSPORTATION
1412. Adopting Local Law No. -2010, A Local Law establishing fair and objective procedures for contracting title insurance work. (Kennedy) ENVIRONMENT, PLANNING & AGRICULTURE
1413. Approving ferry license for Fire Island Water Taxi, LLC. (Pres. Off.) PUBLIC WORKS & TRANSPORTATION
1414. Approving rates established for Fire Island Water Taxi, LLC. (Pres. Off.) PUBLIC WORKS & TRANSPORTATION
1415. Adopting Local Law No. -2010, A Local Law to establish a prompt contracting policy for not-for-profit organizations. (Gregory) WAYS & MEANS
1416. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection program, as amended by Local Law No. 24-2007 (Garsten property – Town of Riverhead). (Romaine) ENVIRONMENT, PLANNING & AGRICULTURE
1417. Authorizing certain technical corrections to Adopted Resolution No. 95-2010. (Stern) WAYS & MEANS
1418. To establish Community and Youth Services Program for Suffolk County Residents and Northern Brookhaven Little League at Sheep Pasture Road in Port Jefferson/Setauket, New York. (Viloria-Fisher) PARKS & RECREATION
1419. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 337-2010. (Co. Exec.) BUDGET & FINANCE
1420. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 338-2010. (Co. Exec.) BUDGET & FINANCE
1421. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 833-2010). (Co. Exec.) BUDGET & FINANCE
1422. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Charles Scott Littlejohn (SCTM No. 0500-055.00-01.00-002.000). (Co. Exec.) WAYS & MEANS

1423. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Buckingham Holdings, LLC, by J. B. Kenealy, member (SCTM No. 0200-980.60-03.00-005.000). (Co. Exec.) WAYS & MEANS
1424. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Elizabeth Maldonado (SCTM No. 0200-038.00-01.00-038.000). (Co. Exec.) WAYS & MEANS
1425. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Sharon Golden (SCTM No. 0200-977.60-06.00-024.005). (Co. Exec.) WAYS & MEANS
1426. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Kenneth Brady (SCTM No. 0208-015.00-07.00-005.000). (Co. Exec.) WAYS & MEANS
1427. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Allan J. and Martha T. Metz, joint tenants with rights of survivorship (SCTM No. 0200-853.00-06.00-037.000). (Co. Exec.) WAYS & MEANS
1428. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Steven J. and Allison M. Eiene (SCTM No. 0200-824.00-09.00-033.00). (Co. Exec.) WAYS & MEANS
1429. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Michael and Annmarie Sheehan (SCTM No. 0500-297.00-01.00-131.000). (Co. Exec.) WAYS & MEANS
1430. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Heritage Square property – Town of Brookhaven). (Romaine) ENVIRONMENT, PLANNING & AGRICULTURE
1431. Adopting Local Law No. -2010, A Local Law to encourage the sale of standard properties in the County's inventory to adjacent property owners. (Cilmi) WAYS & MEANS
1432. Adding depository to list of designated depositories for Suffolk County (M&T Bank). (Pres. Off.) BUDGET & FINANCE
1433. Accepting and appropriating a grant in the amount of \$89,600 from the New York State Department of Parks, Recreation and Conservation for a TEA-21 Recreational Trails Program grant at Manorville Hills County Park. (Co. Exec.) PARKS & RECREATION
1434. Accepting and appropriating federal funding in the amount of \$10,000 from the United States Department of Agriculture, Office of Inspector General, for the Suffolk County Police Department's participation in the U.S. Department of Agriculture's Supplemental Nutrition Assistance Program (SNAP) and Welfare Fraud Investigation with 83.37% support. (Co. Exec.) PUBLIC SAFETY

1435. A technical correction to Resolution No. 15-2010, accepting and appropriating 100% funding from the New York State Office of Children and Family Services to the Suffolk County Department of Social Services for Supplemental Child Care Subsidy Allocations under the American Recovery and Reinvestment Act (ARRA). (Co. Exec.) WAYS & MEANS
1436. Amending the 2010 Adopted Operating Budget to accept and appropriate 100% State Aid from the New York State Office of Mental Health to Family Service League for Suicide Prevention activities. (Co. Exec.) HEALTH & HUMAN SERVICES
1437. Requesting legislative approval of a contract award for general dentistry services for the Department of Health Services, John J. Foley Skilled Nursing Facility. (Co. Exec.) HEALTH & HUMAN SERVICES
1438. Transferring and appropriating living wage contingency funds to the Federation of Organizations for the NYS Mentally Disabled, Inc., respite fee subsidy. (Co. Exec.) LABOR, WORKFORCE & AFFORDABLE HOUSING
1439. Accepting and appropriating \$74,959 in 100% grant funding from the New York State Office of Temporary and Disability Assistance, for the continuation of the intensive case services component of the Sanction Intervention Program in the Department of Social Services. (Co. Exec.) HEALTH & HUMAN SERVICES
1440. Authorizing acceptance of public safety radio equipment for use by the Suffolk County Police Department and Suffolk County Department of Fire, Rescue & Emergency Services in connection with the Regional Internet Protocol Gateway and Radio Cache Program. (Co. Exec.) PUBLIC SAFETY
1441. Approving the appointment of a relative of an acting County Court Judge in the Suffolk County Department of Public Works (Brian A. Crowley). (Co. Exec.) WAYS & MEANS
1442. Accepting and appropriating federal funding in the amount of \$5,000 from the United States Department of Agriculture, Office of Inspector General, for the Suffolk County Police Department's participation in the U.S. Department of Agriculture's Supplemental Nutrition Assistance Program (SNAP) and welfare fraud investigation with 83.36% support. (Co. Exec.) PUBLIC SAFETY
1443. Authorizing the filing of a grant application for Federal Fiscal Year 2009 Section 5307 Formula Funds for mass transportation projects for Suffolk County Transit. (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
1444. Accepting and appropriating federal funding in the amount of \$16,903 from the United States Department of Justice, Drug Enforcement Administration, for the Suffolk County Police Department's participation in the Tactical Diversion Task Force FY2010 with 83.37% support. (Co. Exec.) PUBLIC SAFETY

1445. Accepting and appropriating federal funding in the amount of \$16,903 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the Safe Streets Task Force FY2010 with 83.37% support. (Co. Exec.) PUBLIC SAFETY
1446. Accepting and appropriating federal funding in the amount of \$16,900 from the United States Department of Justice, Organized Crime Drug Enforcement Task Forces (OCDETF), for the Suffolk County Police Department's participation in OCDETF Operations and Investigations with 83.37% support. (Co. Exec.) PUBLIC SAFETY
1447. Accepting and appropriating \$7,794 in sub-granted funds from the Economic Opportunity Council of Suffolk, Inc., for the Wyandanch Weed and Seed Program sponsored by the U.S. Department of Justice with 83.2% support. (Co. Exec.) PUBLIC SAFETY
1448. Establishing binding arbitration policy for Suffolk County Detective Investigators PBA (DIPBA) contract. (Co. Exec.) LABOR, WORKFORCE & AFFORDABLE HOUSING
1449. Establishing binding arbitration policy for Suffolk County Detectives Association (SDA) contract. (Co. Exec.) LABOR, WORKFORCE & AFFORDABLE HOUSING
1450. Establishing binding arbitration policy for Suffolk County Superior Officers Association (SOA) contract. (Co. Exec.) LABOR, WORKFORCE & AFFORDABLE HOUSING
1451. Adopting Local Law No. -2010, A Local Law to enact a Campaign Finance Reform Act to limit campaign contributions from County contractors. (Schneiderman) WAYS & MEANS
1452. Adopting Local Law No. -2010, A Local Law prohibiting demonstrations at funeral services in the County of Suffolk. (Stern) PUBLIC SAFETY
1453. Amending the Adopted 2010 Operating Budget to transfer funds from Water Quality Protection (Fund 477) and amending the 2010 Capital Budget and Program and appropriating funds in connection with stormwater system discharge remediation and stream water silt removal and remediation at the Nissequogue Tributary Headwaters North from CR 76, Townline Road, to Miller's Pond, Smithtown (CP 8710). (Kennedy) ENVIRONMENT, PLANNING & AGRICULTURE
1454. Approval of auction rules for the disposition of surplus property acquired under the Suffolk County Tax Act. (Co. Exec.) WAYS & MEANS
1455. Amending the 2010 Capital Budget and Program and appropriating funds in connection with dredging of County waters (CP 5200). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
1456. Appropriating funds in connection with County-wide Highway Sign Management Program (CP 5196). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1457. Appropriating funds in connection with moveable bridges needs assessment and rehabilitation (CP 5806). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
1458. Appropriating funds in connection with reconstruction of Shinnecock Canal Locks (CP 5343). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
1459. Amending the 2010 Operating Budget and appropriating funds in connection with bonding a settlement for an auto liability case. (Co. Exec.) BUDGET & FINANCE
1460. Requesting legislative approval of a contract award for law enforcement candidate psychological appeal services for the Department of Civil Service/Human Resources. (Co. Exec.) LABOR, WORKFORCE & AFFORDABLE HOUSING
1461. Utilizing 100% HIICAP and WRAP Funding in connection with the purchase of public service announcements on Suffolk County Buses. (Co. Exec.) VETERANS & SENIORS
1462. Approving a license agreement for Nadia Tintera to reside at West Hills County Park, Huntington. (Co. Exec.) PARKS & RECREATION
1463. Authorizing use of Cedar Beach County Park by Event Power for its mighty North Fork Triathlon Fundraiser. (Co. Exec.) PARKS & RECREATION
1464. Authorizing use of Indian Island County Park by American Diabetes Association for its Tour De Cure Fundraiser. (Co. Exec.) PARKS & RECREATION
1465. Authorizing use of Meschutt County Park by the Suffolk Bicycle Riders Association for its Bicycle Rally Fundraiser. (Co. Exec.) PARKS & RECREATION
1466. Approving a license agreement for Barbara Fey to reside at Timber Point County Park, Great River. (Co. Exec.) PARKS & RECREATION
1467. Authorizing use of Cathedral Pines County Park by the League for Animal Protection of Huntington for its "Ride Laps for L.A.P." fundraiser. (Co. Exec.) PARKS & RECREATION
1468. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component - for the Pagnotta property – Peconic River Greenbelt addition – Town of Riverhead – (SCTM No. 0600-137.00-04.00-001.000 p/o). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1469. Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(a)] – for the Sweetwater Estates, LTD property – Hauppauge Springs – Town of Islip (SCTM No. 0500-001.00-01.00-001.001). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1470. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the Carlson Estate property – Kings Park Greenbelt – Town of Smithtown – (SCTM No. 0800-029.00-02.00-002.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1471. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the Nature Conservancy as contract vendee property – Manor Grove – Arshamomaque Wetlands addition – Town of Southold – (SCTM Nos. 1000-053.00-01.00-001.003 and 1000-053.00-01.00-001.002 p/o). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1472. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the Curtis property – Northwest Harbor Headwaters – Town of East Hampton – (SCTM Nos. 0300-112.00-03.00-004.000 p/o and 0300-133.00-02.00-011.001). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1473. Approving planning steps for the acquisition of farmland development rights – April 2010. (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1474. Adopting Local Law No. -2010, A Local Law authorizing the County Executive to execute agreements for the sale of the John J. Foley Skilled Nursing Facility. (Co. Exec.) HEALTH & HUMAN SERVICES
1475. Approving the donation of one vehicle from the United States Marshal for the Suffolk County Sheriff's Office. (Co. Exec.) PUBLIC SAFETY
1476. Accepting and appropriating additional federal pass-through funding in the amount of \$63,450 from the New York City Police Department in conjunction with the Federally Sponsored Securing the Cities Program with 100% support. (Co. Exec.) PUBLIC SAFETY
1477. Approving an increase in fleet for the Suffolk County Police Department's Office of the Chief of Patrol. (Co. Exec.) PUBLIC SAFETY
1478. Authorizing the renewal of the lease of premises located at 220 Rabro Drive, Hauppauge, NY for use by the Department of Health Services. (Co. Exec.) WAYS & MEANS
1479. Amending the 2010 Capital Program and Budget and appropriating funds in connection with the construction of a skate park to be located in Mastic, Town of Brookhaven, and authorizing the County to enter into an Intermunicipal Agreement with the Town of Brookhaven in connection with the financing, planning, construction and operation of the Mastic Skate Park (CP 7112). (Co. Exec.) PARKS & RECREATION
1480. Appointing Chairman of the Suffolk County Water Authority (James F. Gaughran). (Lindsay) ENVIRONMENT, PLANNING & AGRICULTURE

1481. Appointing member of the Suffolk County Water Authority (Errol D. Toulon Jr.). (Lindsay) ENVIRONMENT, PLANNING & AGRICULTURE
1482. Authorizing transfer of surplus County computer systems and hardware to Family Service League – WorkPlus Program. (Cooper) PUBLIC WORKS & TRANSPORTATION
1483. Approving the appointment of a relative of an acting Supreme Court Judge in the Suffolk County Treasurer’s Office (Emily E. Hudson). (Pres. Off.) WAYS & MEANS
1484. Authorizing transfer of surplus County computer systems and hardware to Pronto of Long Island, Inc. (Montano) PUBLIC WORKS & TRANSPORTATION
1485. Authorizing transfer of surplus County computer systems and hardware to Urban League. (Montano) PUBLIC WORKS & TRANSPORTATION
1486. Authorizing transfer of surplus County computer systems and hardware to the Central Islip Church of Christ. (Montano) PUBLIC WORKS & TRANSPORTATION
1487. Authorizing transfer of surplus County computer systems and hardware to the Central Islip Historic Preservation Society. (Montano) PUBLIC WORKS & TRANSPORTATION
1488. Authorizing transfer of surplus County computer systems and hardware to the North Amityville Senior Center. (Gregory) PUBLIC WORKS & TRANSPORTATION
1489. Adopting Local Law No. -2010, A Local Law to establish a notification requirement for consultant contracts. (Montano) WAYS & MEANS
1490. Adopting Local Law No. -2010, A Local Law to extend prompt payment policy for not-for-profit contract agencies. (Gregory) WAYS & MEANS

**PROCEDURAL MOTIONS**

- PM.06 To set a public hearing regarding the authorization for approval of license for Fire Island Water Taxi, LLC. (Pres. Off.)
- PM.07 To set a public hearing regarding the authorization for approval to alter rates for Fire Island Water Taxi, LLC. (Pres. Off.)

1312

UPDATED VERSION 3/29/10

Intro. Res. No. -2010  
Introduced by Legislators Schneiderman and Romaine

Laid on Table 4/27/10

**RESOLUTION NO. -2010, DIRECTING THE COUNTY ATTORNEY TO DETERMINE THE FEASIBILITY OF SUFFOLK COUNTY BRINGING AN ACTION AGAINST NEW YORK STATE REGARDING THE MTA PAYROLL TAX**

**WHEREAS**, Suffolk County is one of twelve counties in the Metropolitan Commuter Transportation District ("MCTD"), which receives transportation services from the Metropolitan Transportation Authority ("MTA"); and

**WHEREAS**, the MTA has a lengthy history of inefficient management and exorbitant operating costs, with few services provided in Suffolk County; and

**WHEREAS**, in 2009, New York State imposed a payroll tax on all employers in the MCTD to bail the MTA out of a \$1.8 billion deficit; and

**WHEREAS**, because of this new tax, Suffolk County was forced to increase County property taxes to pay its share of the MTA payroll tax as an employer in the MCTD; and

**WHEREAS**, even with the bailout, the MTA has drastically reduced services and increased fares; and

**WHEREAS**, in December 2009, Hampton Luxury Liner commenced a lawsuit challenging the MTA payroll tax; and

**WHEREAS**, the Town Supervisors of the Towns of Brookhaven, Southampton, Huntington, Smithtown, Islip, Riverhead and Babylon are also commencing a lawsuit challenging the MTA payroll tax as a violation of their home rule power; and

**WHEREAS**, Suffolk County has an interest in these lawsuits as an employer who must pay the payroll tax; and

**WHEREAS**, Suffolk County should determine the feasibility of intervening in the lawsuits commenced by Hampton Luxury Liner or the town supervisors, or bringing its own action against New York State; now, therefore be it

**1st RESOLVED**, that the Department of Law is hereby authorized, empowered and directed to study the feasibility of Suffolk County intervening in the lawsuit brought by Hampton Luxury Liner or the lawsuit brought by the Towns of Brookhaven, Southampton, Huntington, Smithtown, Islip, Riverhead, and Babylon against the State of New York or in Suffolk County bringing its own lawsuit against new York State challenging the MTA tax; and be it further

**2nd RESOLVED**, that the County Attorney shall submit a written report of the findings and determinations of this study to the County Executive and each member of the Suffolk County Legislature no later than sixty (60) days subsequent to the effective date of 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-feasibility join MTA payroll tax lawsuit

RESOLUTION NO.

CONTROL#832-2010

Intro. Res. # 1373-10

Laid on Table 4/27/10

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 #832-2010)

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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.

RESOLUTION NO.

CONTROL#832-2010

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#832-2010

(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	BABYLON	09/10	0100 00400 0100 022000	54652.85	7115.14	47537.71
A	BROOKHAVEN	09/10	0200 01100 0600 026000	16651.14	12771.09	3880.05
A	BROOKHAVEN	09/10	0200 72400 0300 004000	4234.09	1317.47	2916.62
A	BROOKHAVEN	08/09	0200 72400 0300 004000	4160.04	1292.13	2867.91
A	BROOKHAVEN	07/08	0200 72400 0300 004000	4172.60	1303.29	2869.31
A	BROOKHAVEN	09/10	0200 27500 0100 004000	16690.48	13522.33	3168.15
A	BROOKHAVEN	09/10	0200 05400 0700 011000	4057.88	506.66	3551.22
A	BROOKHAVEN	09/10	0200 98360 0100 008000	4890.12	1168.51	3721.61
A	BROOKHAVEN	09/10	0200 97810 0200 027000	6926.66	3380.52	3546.14
A	BROOKHAVEN	09/10	0200 94300 0100 021001	17383.53	14670.20	2713.33
A	BROOKHAVEN	09/10	0200 97850 0100 001003	19886.17	15905.04	3981.13
A	SMITHTOWN	09/10	0800 14600 0100 032000	16949.32	12710.33	4238.99
C	SMITHTOWN	07/08	0800 08000 0300 009002	11130.47	3143.13	7987.34
C	SMITHTOWN	08/09	0800 08000 0300 009002	11344.29	3292.30	8051.99
C	SMITHTOWN	09/10	0800 11700 0300 003000	12605.00	9322.65	3282.35

\*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

1373

1. Type of Legislation

Resolution  Local Law Charter Law

2. Title of Proposed Legislation

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

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

**SEE NO. 2 ABOVE**

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

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

County Town Economic Impact

Village School District Other (Specify):

Library District Fire District

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

N/A

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

N/A

8. Proposed Source of Funding

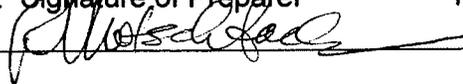
N/A

9. Timing of Impact

2010

10. Typed Name & Title of Preparer  
R. Motschenbacher RPAT. II

11. Signature of Preparer



12. Date March 10, 2010

**Additional back-up material regarding IR 1373 is on file in  
the Legislative Clerk's Office, Hauppauge.**

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  
DONALD I. SCHOLTZ & DIANE E. COLLINS  
(SCTM NO. 0600-127.00-03.00-053.000)**

**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 Riverhead, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0600 Section 127.00 Block 03.00 Lot 053.000 and acquired by Tax Deed on July 1, 1998 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 2, 1998 in Liber 11902 at Page 538 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Riverhead, known and designated as p/o Lot 41 on a certain map entitled "Map of Property of Edwin D. Fishel", and filed in the Office of the Clerk of the County of Suffolk on April 20, 1914 as Map No. 257; 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**, DONALD I. SCHOLTZ & DIANE E. COLLINS, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$1,201.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$1,200.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, the Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$1,201.00, pursuant to said purchase offer; and

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

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

**2<sup>nd</sup> RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further

further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

**3<sup>rd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or 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 Donald I. Scholtz & Diane E. Collins, P.O. Box 106, 775 Main Road, Laurel, New York 11948.

DATED:

APPROVED BY

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

Date of Approval:

1375

Intro. Res. No. -2010  
Introduced by Legislator Cooper

Laid on Table 4/27/10

**RESOLUTION NO. -2010, REAPPOINTING  
WILLIAM B. ROGERS AS A MEMBER OF THE  
SUFFOLK COUNTY VANDERBILT MUSEUM  
COMMISSION (TRUSTEE NO. 4)**

**WHEREAS**, the term of office of William B. Rogers, as a member of the Suffolk County Vanderbilt Museum Commission expired on December 28, 2009; now, therefore, be it

**1st RESOLVED**, that **William B. Rogers**, residing in Oyster Bay Cove, New York, 11771, be and he hereby is reappointed to the Suffolk County Vanderbilt Museum Commission, as Trustee No. 4, for a term of office to expire December 28, 2013, said reappointment having been made pursuant to the provisions of Section 184-7(A) 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) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND RESOLUTION NO. 226-1987 (SECTION 793-5 OF THE SUFFOLK COUNTY CODE).

S:\res\r-reappt-rogers-vanderbilt

1376

Intro. Res. No. -2010  
Introduced by Legislator Nowick

Laid on Table 4/27/2010

**RESOLUTION NO. -2010, AMENDING THE 2010  
OPERATING BUDGET TO SUPPORT THE SMITHTOWN  
PERFORMING ARTS COUNCIL INC.**

**WHEREAS**, the Smithtown Performing Arts Council operates the Smithtown Center for the Performing Arts; and

**WHEREAS**, the Smithtown Center for the Performing Arts is opened to residents and visitors of Suffolk County, and provides educational opportunities for both adults and youth; and

**WHEREAS**, the efforts of the Smithtown Performing Arts Council and residents of Suffolk County assisted in transforming a 76 year old movie house into an active performing arts theatre, which has fostered economic redevelopment of the downtown Smithtown area; and

**WHEREAS**, the Smithtown Center for the Performing Arts attracts visitors from outside of Suffolk County year-round, which strengthens Suffolk County's image as a tourist destination point; and

**WHEREAS**, it is the desire of the Legislature to support the Smithtown Performing Arts Council for continuation and enhancement of the tourism industry in Suffolk County; and

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

**1<sup>st</sup> RESOLVED**, that the 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:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY &amp; OBJECT NAME</u>	<u>AMOUNT</u>
192	ECD	6414	GTH1	4980	Youth Experience Art (YEA) Pro	-\$100,471

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY &amp; OBJECT NAME</u>	<u>AMOUNT</u>
192	ECD	6414	XXXX	4980	Smithtown Performing Arts Council, Inc.	+\$100,471

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the Smithtown Performing Arts Council, Inc.; and be it further

**3<sup>rd</sup> RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Smithtown Performing Arts Council, Inc.

DATED:

APPROVED BY:

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

Date:

T:\BRO\IR 2010 OB Amendment Smithtown Performing Arts Council, Inc.doc

1377

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

Laid on Table 4/27/2010

**RESOLUTION NO. -2010, AMENDING THE 2010  
OPERATING BUDGET AND TRANSFERRING FUNDS TO THE  
SUFFOLK COUNTY BOY SCOUTS**

**WHEREAS**, the 2010 Operating Budget does not include sufficient funds for the Suffolk County Boy Scouts; and

**WHEREAS**, the Suffolk County Boy Scouts provide valuable opportunities for community youth; 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 Suffolk County Boy Scouts; and

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

**1<sup>st</sup> RESOLVED**, that the 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:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	7320	JC11	4980	American Dance Theatre of Long Island	-\$5,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	7320	ASA1	4980	Suffolk County Boy Scouts	+\$5,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Suffolk County Boy Scouts.

DATED:

APPROVED BY:

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

1378

Intro. Res. No. -2010  
Introduced by Legislator Schneiderman

Laid on Table 4/27/2010

**RESOLUTION NO. -2010, AMENDING THE 2010  
OPERATING BUDGET TO SUPPORT THE MONTAUK  
CHAMBER OF COMMERCE, FALL FESTIVAL, AND THE EAST  
END ARTS COUNCIL, HARVEST GOSPEL CONCERT SERIES**

**WHEREAS**, it is the desire of this Legislature to support the Montauk Chamber of Commerce, Fall Festival, and the East End Arts Council, Harvest Gospel Concert Series in agreement with budgetary Fund prerequisites; and

**WHEREAS**, operating budget amendments are necessary to fund the Montauk Chamber of Commerce, Fall Festival, and the East End Arts Council, Harvest Gospel Concert Series to be in agreement with budgetary Fund prerequisites; and

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

**1<sup>st</sup> RESOLVED**, that the 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:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
192	ECD	6414	HAX1	4980	Montauk Chamber of Commerce, Fall Festival	-\$5,000
001	ECD	6410	JEU1	4980	East End Arts Council	-\$5,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	ECD	6410	HAX1	4980	Montauk Chamber of Commerce, Fall Festival	+\$5,000
192	ECD	6414	XXXX	4980	East End Arts Council, Harvest Gospel Concert Series	+\$5,000

and be it further

**2<sup>nd</sup> 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

**3<sup>rd</sup> RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Montauk Chamber of Commerce, Fall Festival, and the East End Arts Council, Harvest Gospel Concert Series.

DATED:

APPROVED BY:

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

Date:

T:\BROIR 2010 OB Amendment East End Arts Council JEU1 & Montauk Chamber of Commerce HAX1.doc

Introductory Resolution No. 1379-10 Laid on Table 4/27/10

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  
**HSBC BANK USA N.A., AS TRUSTEE  
FOR NOMURA HOME EQUITY LOAN, INC.  
ASSET-BACKED CERTIFICATES SERIES 2006-HE1  
2929 WALDEN AVENUE, DEPE, NY 14043  
0100-017.00-01.00-094.001**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 017.00, Block 01.00, Lot 094.001, 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 256, and otherwise known and designated by the Town of Babylon, Filed Map No. 193 Section 3 Block 5 p/o Lot 36 & p/o Lots 11 & 12; 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 256.

**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**, HSBC BANK USA N.A., AS TRUSTEE FOR NOMURA HOME EQUITY LOAN, INC. ASSET-BACKED CERTIFICATES SERIES 2006-HE1, 2929 WALDEN AVENUE, DEPE, NY 14043, BY THE OFFICE OF STEVEN J. BAUM PC, PAUL PYGON AS AGENT has made application of said above described parcel and HSBC BANK USA N.A., AS TRUSTEE FOR NOMURA HOME EQUITY LOAN, INC. ASSET-BACKED CERTIFICATES SERIES 2006-HE1, 2929 WALDEN AVENUE, DEPE, NY 14043 has paid the application fee and has paid \$1,132.82, 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

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

**2<sup>nd</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to HSBC BANK USA N.A., AS TRUSTEE FOR NOMURA HOME EQUITY LOAN, INC. ASSET-BACKED CERTIFICATES SERIES 2006-HE1, 2929 WALDEN AVENUE, DEPE, NY 14043 c/o 220 Northpointe Parkway Suite G, Amherst, New York 19228, 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

1379

March 18, 2010

Tax Map No.: 0100-017.00-01.00-094.001

Name of Last Legal Fee Owner: HSBC BANK USA N.A., AS TRUSTEE FOR NOMURA HOME EQUITY LOAN, INC. ASSET-BACKED CERTIFICATES SERIES 2006-HE1, 2929 WALDEN AVENUE, DEPE, NY 14043

TREASURER'S COMPUTATION.....\$891.56

Taxes.....2009/2010.....\$241.26

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

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....\$1,132.82

Monies Received.....\$1,132.82

RESOLUTION AMOUNT.....\$1,132.82

APPROVED:

*Wendy Blaker 3/19/10*  
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

1. Type of Legislation

Resolution X  
Tax Map Number 0100-017.00-01.00-094.001

1379

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2010

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

Cathy O'Neal

Cathy O'Neal      3/15/10

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0100	017.00	01.00	094.001

1379

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07	228.99
2007/08	340.83
2008/09	234.84

2009/10 PROPERTY TAXES \$241.26 NOT INCLUDED IN COMPUTATION

TOTAL: 804.66

B. INTEREST DUE	44.45
C. TOTAL	849.11
D. 5% LINE C	42.46
E. FEE	
F. MISC	
G. MISC	

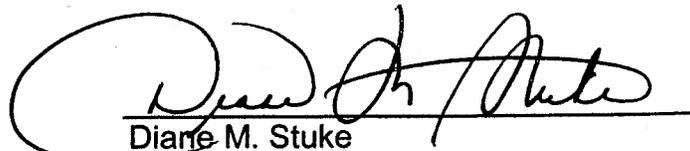
H. TOTAL DUE

\$891.56

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-Mar-10



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 08/28/10

6/12/10  
10/28/10  
10/28/10

Revisions  
 12-09-97  
 03-27-01  
 03-26-02  
 04-23-03  
 07-15-03  
 06-01-05

0100 017 01 094.00 /  
 1379



Property or 1/2 Line  
 Divided Owner  
 Subdivision Lot Line  
 Street / Drive  
 Parcel No. 23

Subdivision Lot No. 23  
 Subdivision Book/Block No. (21)  
 Book Number  
 Sheet Number  
 Book Area 12.1 A(4) or 12.1A

Block Unit  
 Block No. 2  
 County Line  
 Town Line

School District Line - SCH -  
 Fire District Line - F -  
 Water District Line - W -  
 Light District Line - L -  
 Park District Line - P -

Railroad District Line - R -  
 Return District Line - RT -  
 Meter/District Line - M -  
 Subdivision District Line - S -

UNLESS DRAWN OTHERWISE, FOLLOW THE  
 ARE WITHIN THE  
 SCHOOL 15.07  
 FINE 13.14  
 LOT  
 UNIT

Revisions  
 06-14-96

Joins Map 9



Joins Map 4

HALF HOLLOW HILLS Park

Strathmore Park

DEER PARK LAKE

Belmont

Picnic Area Lake

L.I.S.P.C. (Hours) State

NORTH BABYLON

North Babylon HS

Elda Lake

Gen B1

COUNTY OF SUFFOLK

MAR 26 2010



1379

STEVE LEVY  
COUNTY EXECUTIVE

DEPARTMENT OF ENVIRONMENT AND ENERGY

DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT

CARRIE MEEK-GALLAGHER  
COMMISSIONER

PAMELA J. GREENE  
DIVISION DIRECTOR

March 25, 2010

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

Re: Tax Map No. 0100-017.00-01.00-094.001  
HSBC BANK USA N.A., AS TRUSTEE FOR NOMURA HOME EQUITY LOAN,  
INC. ASSET-BACKED CERTIFICATES SERIES 2006-HE1, 2929 WALDEN  
AVENUE, DEPE, NY 14043

Dear Mr. Crannell:

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

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

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

Very truly yours,

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

CO:lag

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

Copy of Resolution to:

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

Copy of letter to:

Carrie Meek Gallagher, Commissioner, Dept. of Environment and Energy  
Eric Naughton, Budget Director  
Thomas A. Isles, Director, Planning Dept.  
Lauretta Fischer, Principal Planner, Planning Dept.

Introductory Resolution No. 1380-10 Laid on Table 4/27/10

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  
**JOHN W. FISHER, JR. AND DONNA FISHER, HIS WIFE**  
**0200-761.00-02.00-061.000**

**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 761.00, Block 02.00, Lot 061.000, and acquired by tax deed on November 02, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 04, 2009, in Liber 12605, at Page 51, and otherwise known and designated by the Town of Brookhaven, as Lot No. 6 & 7 in Block 31 on a certain map entitled "Map of Lake Ronkonkoma Estates, Map No. 8" and filed in the office of the Clerk of the County of Suffolk on September 29, 1911 as Map No. 40; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on November 02, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 04, 2009 in Liber 12605 at Page 51.

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

**WHEREAS**, JOHN W. FISHER, JR. AND DONNA FISHER, HIS WIFE has made application of said above described parcel and JOHN W. FISHER, JR. AND DONNA FISHER, HIS WIFE has paid the application fee and has paid \$745.79, 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

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

**2<sup>nd</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to JOHN W. FISHER, JR. AND DONNA FISHER, HIS WIFE, 47 9th St., 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

1380

March 23, 2010

Tax Map No.: 0200-761.00-02.00-061.000

Name of Last Legal Fee Owner: JOHN W. FISHER, JR. AND DONNA FISHER, HIS WIFE

TREASURER'S COMPUTATION.....\$543.11

Taxes.....2009/2010.....\$202.68

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

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....\$745.79

Monies Received.....\$745.79

RESOLUTION AMOUNT.....\$745.79

APPROVED:

Karen Slater 3/24/10  
Accounting  
DB:lag

PREPARED BY:

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

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1380

1. Type of Legislation

Resolution X  
Tax Map Number 0200-761.00-02.00-061.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2010

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

Diane Bishop

*Diane Bishop*

3/23/10

1380

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	761.00	02.00	061.000

**A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:**

2006/07	\$293.21
2008/09	\$198.80

**2007/08 TAXES PAID BY JOHN W. FISHER, JR.**

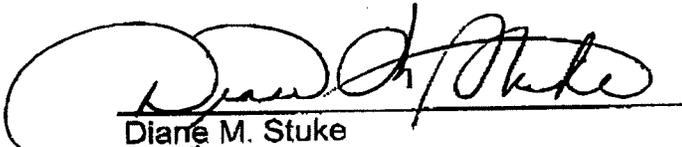
**2009/10 TAXES IN THE AMOUNT OF \$202.68 NOT INCLUDED IN COMPUTATION**

	<b>TOTAL:</b>	<b>\$492.01</b>
<b>B. INTEREST DUE</b>		<b>\$25.24</b>
<b>C. TOTAL</b>		<b>\$517.25</b>
<b>D. 5% LINE C</b>		<b>\$25.86</b>
<b>E. FEE</b>		
<b>F. MISC</b>		
<b>G. MISC</b>		
		-----
<b>H. TOTAL DUE</b>		<b>\$543.11</b>

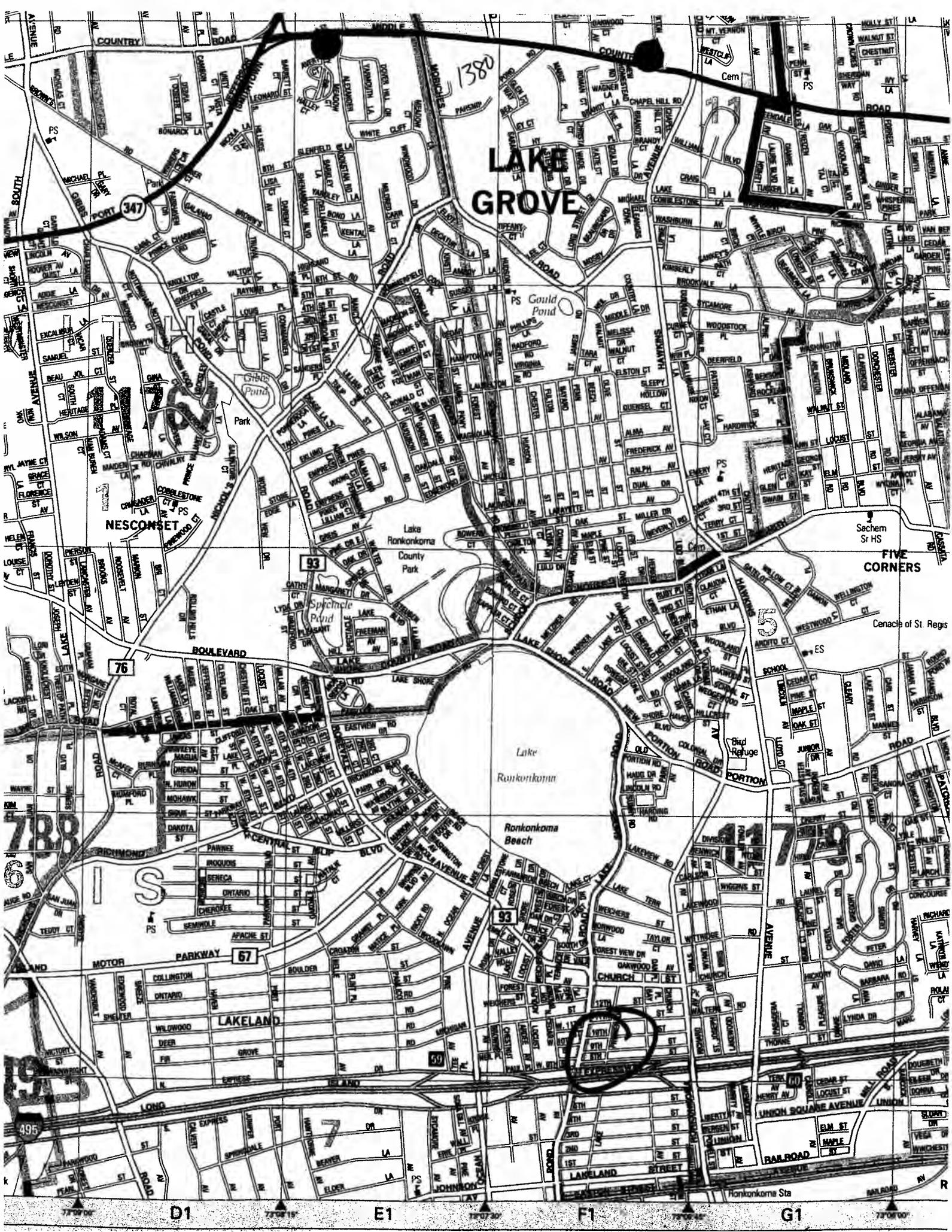
**CERTIFICATION BY COUNTY TREASURER**

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. 15-Mar-10

  
 Diane M. Stuke  
 Deputy County Treasurer

\*\*Interest and penalty computed to and including 09/11/10



# LAKE GROVE

NESCONSET

Lake Rankonkoma  
County Park

Lake Rankonkoma

Ronkonkoma Beach

LAKELAND

FIVE CORNERS

Cenacle of St. Regs

Bldg Refuge

SCHOOL

RAILROAD

UNION SQUARE AVENUE

Honkonkoma Sta

D1

E1

F1

G1

77000

77015

77030

77045

77060



Gen B2

MAR 26 2010

COUNTY OF SUFFOLK



STEVE LEVY  
COUNTY EXECUTIVE

1380

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

PAMELA J. GREENE  
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER  
COMMISSIONER

March 25, 2010

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

Re: Tax Map No. 0200-761.00-02.00-061.000  
JOHN W. FISHER, JR. AND DONNA FISHER, HIS WIFE

Dear Mr. Crannell:

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:

- Ken Crannell, Deputy County Executive (original plus 1 hard copy)
- Christopher E. Kent, Chief Deputy County Executive (1 hard copy)
- ~~Brendan Chamberlain~~, Director, Intergovernmental Relations (2 hard copies)
- Steve Forst, Budget Office (1 hard copy)
- C.E. Reso. Review (electronic copy)

Copy of letter to:

- Carrie Meek Gallagher, Commissioner, Dept. of Environment and Energy
- Eric Naughton, Budget Director
- Thomas A. Isles, Director, Planning Dept.
- Lauretta Fischer, Principal Planner, Planning Dept.

Introductory Resolution No. 1381-10 Laid on Table 4/27/10

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

**DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE OF INDYMAC  
RESIDENTIAL MORTGAGE BACKED TRUST, SERIES 2006-L3, RESIDENTIAL  
MORTGAGE BACKED CERTIFICATE SERIES 2006-L3 UNDER THE POOLING  
AND SERVICING AGREEMENT DATED SEPTEMBER 1, 2006  
1761 EAST ST. ANDREWS PLACE  
SANTA ANA, CA 92705**

0500-410.00-04.00-021.002

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 410.00, Block 04.00, Lot 021.002, 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, Suffolk County Tax Map Number District 0500, Section 410.00, Block 04.00 and Lot 021.002; 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, AS TRUSTEE OF INDYMAC RESIDENTIAL MORTGAGE BACKED TRUST, SERIES 2006-L3, RESIDENTIAL MORTGAGE BACKED CERTIFICATE SERIES 2006-L3 UNDER THE POOLING AND SERVICING AGREEMENT DATED SEPTEMBER 1, 2006 1761 EAST ST. ANDREWS PLACE, SANTA ANA, CA 92705 BY THE OFFICE OF STEVEN J. BAUM PC, PAUL PYGON AS AGENT has made application of said above described parcel and DEUTSCHE BANK NATIONAL TRUST COMPANY has paid the application fee and has paid \$13,055.70, 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

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

**2<sup>nd</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE OF INDYMAC RESIDENTIAL MORTGAGE BACKED TRUST, SERIES 2006-L3, RESIDENTIAL MORTGAGE BACKED CERTIFICATE SERIES 2006-L3 UNDER THE POOLING AND SERVICING AGREEMENT DATED SEPTEMBER 1, 2006 1761 EAST ST. ANDREWS PLACE, SANTA ANA, CA 92705 c/o 220 Northpointe Parkway Suite 3, Amherst NY 19228 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

1381

March 18, 2010

Tax Map No.: 0500-410.00-04.00-021.002

Name of Last Legal Fee Owner: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE OF INDYMAC RESIDENTIAL MORTGAGE BACKED TRUST, SERIES 2006-L3, RESIDENTIAL MORTGAGE BACKED CERTIFICATE SERIES 2006-L3 UNDER THE POOLING AND SERVICING AGREEMENT DATED SEPTEMBER 1, 2006 1761 EAST ST. ANDREWS PLACE, SANTA ANA, CA 92705

TREASURER'S COMPUTATION.....\$10,166.63

Taxes.....2009/2010.....\$2,889.07

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

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....\$13,055.70

Monies Received.....\$13,055.70

RESOLUTION AMOUNT.....\$13,055.70

APPROVED:

Karen Waters 3/23/10  
Accounting  
CO:lag

PREPARED BY:

*Cathy O'Neal*

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

1381

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X  
Tax Map Number 0500-410.00-04.00-021.002

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2010

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

Cathy O'Neal

Cathy O'Neal      3/18/2010

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0500	410.00	04.00	021.002

138A

**A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:**

2006/07	\$3,020.09
2007/08	\$3,431.57
2008/09	\$2,740.13

**2009/10 TAXES IN THE AMOUNT OF \$2,889.07 NOT INCLUDED IN COMPUTATION**

**TOTAL: \$9,191.79**

B. INTEREST DUE	\$490.71
C. TOTAL	\$9,682.50
D. 5% LINE C	\$484.13
E. FEE	
F. MISC	
G. MISC	

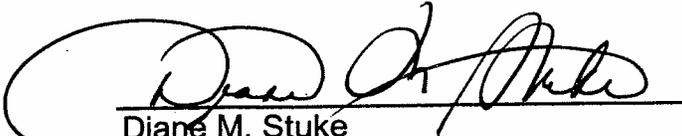
**H. TOTAL DUE \$10,166.63**

*DS*  
8/19/10

**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. 19-Feb-10

  
Diane M. Stuke  
Deputy County Treasurer

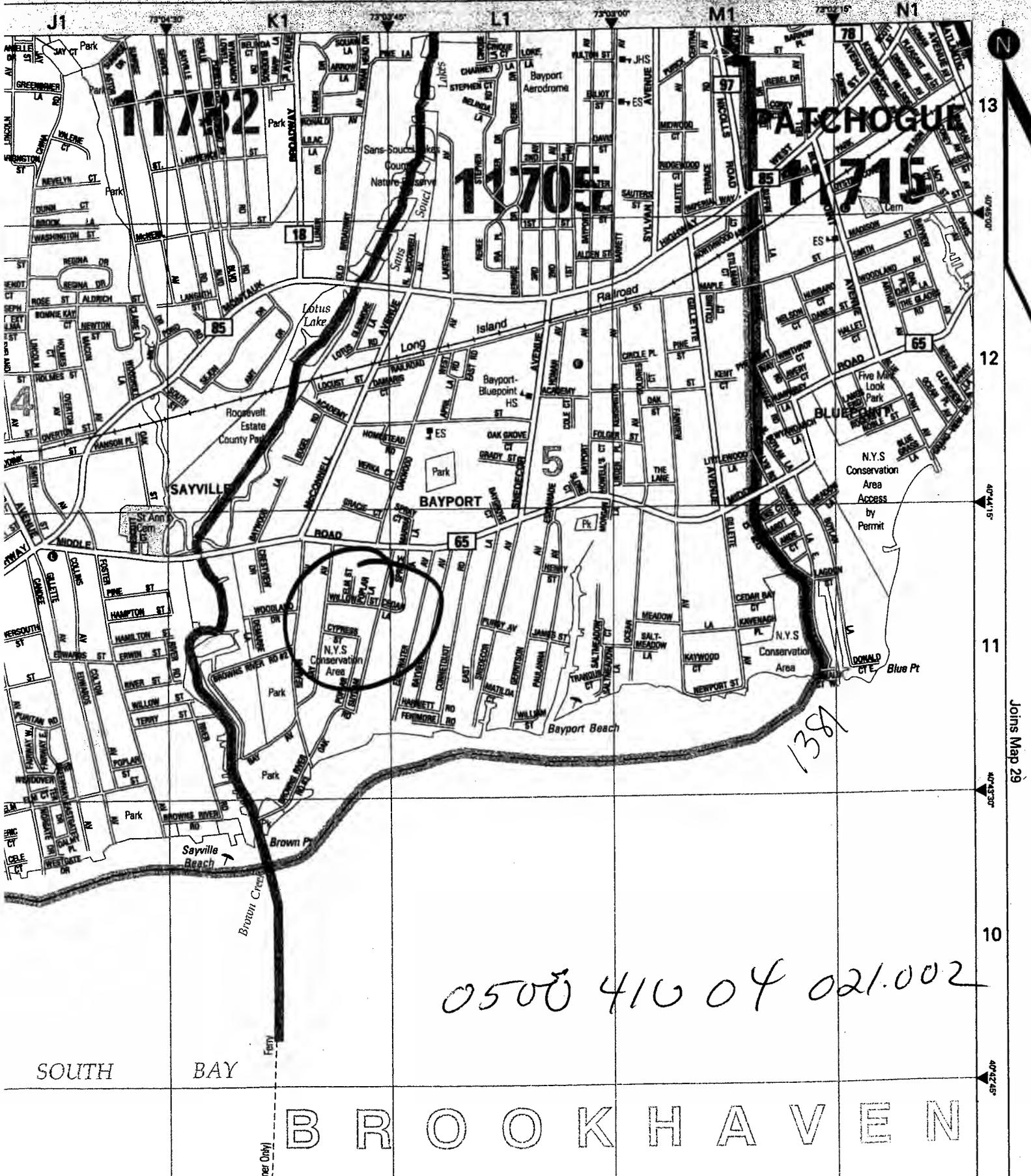
\*\*Interest and penalty computed to  
and including 08/18/10



STANCE:  
nately  
i. vertically.



Joins Map 22



0500 416 04 021.002

SOUTH BAY

B R O O K H A V E N

Joins Map 29

Gen B3

COUNTY OF SUFFOLK



STEVE LEVY  
COUNTY EXECUTIVE

MAR 26 2010

1381

PAMELA J. GREENE  
DIVISION DIRECTOR

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

CARRIE MEEK-GALLAGHER  
COMMISSIONER

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

March 25, 2010

Re: Tax Map No. 0500-410.00-04.00-021.002  
DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE OF INDYMAC  
RESIDENTIAL MORTGAGE BACKED TRUST, SERIES 2006-L3, RESIDENTIAL  
MORTGAGE BACKED CERTIFICATE SERIES 2006-L3 UNDER THE POOLING  
AND SERVICING AGREEMENT DATED SEPTEMBER 1, 2006 1761 EAST ST.  
ANDREWS PLACE, SANTA ANA, CA 92705

Dear Mr. Crannell:

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

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

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

Very truly yours,

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

- CO:lag
- Enclosures
- Resolution + one copy
- Closing Statement
- Legislative Memorandum
- Treasurer's Computation

Copy of Resolution to:

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

Copy of letter to:

- Carrie Meek Gallagher, Commissioner, Dept. of Environment and Energy
- Eric Naughton, Budget Director
- Thomas A. Isles, Director, Planning Dept.
- Lauretta Fischer, Principal Planner, Planning Dept.

Introductory Resolution No. 1382-10 Laid on Table 4/27/10

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  
**THOMAS R. SCHOFIELD**  
**0500-056.00-03.00-012.000**

**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 056.00, Block 03.00, Lot 012.000, and acquired by tax deed on July 18, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 22, 2008, in Liber 12558, at Page 867, and otherwise known and designated by the Town of Islip, Suffolk County Tax Map Number District 0500, Section 056.00, Block 03.00 and Lot 012.000; and

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

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

**WHEREAS**, THOMAS R. SCHOFIELD has made application of said above described parcel and THOMAS R. SCHOFIELD has paid the application fee and BANK OF AMERICA HOME LOANS has paid \$11,928.30, 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

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

2<sup>nd</sup> - **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to THOMAS SCHOFIELD, 125 Feller Drive, Central Islip NY 11722, 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

1382

March 17, 2010

Tax Map No.: 0500-056.00-03.00-012.000

Name of Last Legal Fee Owner: THOMAS R. SCHOFIELD

TREASURER'S COMPUTATION.....\$10,544.13

Taxes.....2009/2010.....\$1,384.17

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

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

---

TOTAL.....\$11,928.30

---

Monies Received.....\$11,928.30

---

RESOLUTION AMOUNT.....\$11,928.30

---

APPROVED:

*Karen A. Slater 3/19/10*  
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

1382

1. Type of Legislation

Resolution X  
Tax Map Number 0500-056.00-03.00-012.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2010

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

Cathy O'Neal

Cathy O'Neal      3/17/2010

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0500	056.00	03.00	012.000

1382

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	\$1,580.31
2006/07	\$4,102.19
2007/08	\$3,247.01

**\*2009/10 TAXES IN THE AMOUNT OF \$1,384.17 NOT INCLUDED IN COMPUTATION**  
\*1ST HALF 2009/10 TAXES WERE PAID BY BAC TAX SERVICE.

TOTAL: \$8,929.51

B. INTEREST DUE	\$1,112.51
C. TOTAL	\$10,042.02
D. 5% LINE C	\$502.10
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

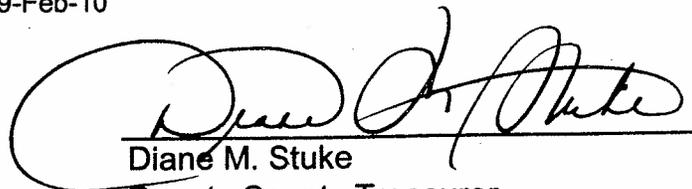
\$10,544.13

1384.17 2009/10 2nd half  
\$11,928.30

**CERTIFICATION BY COUNTY TREASURER**

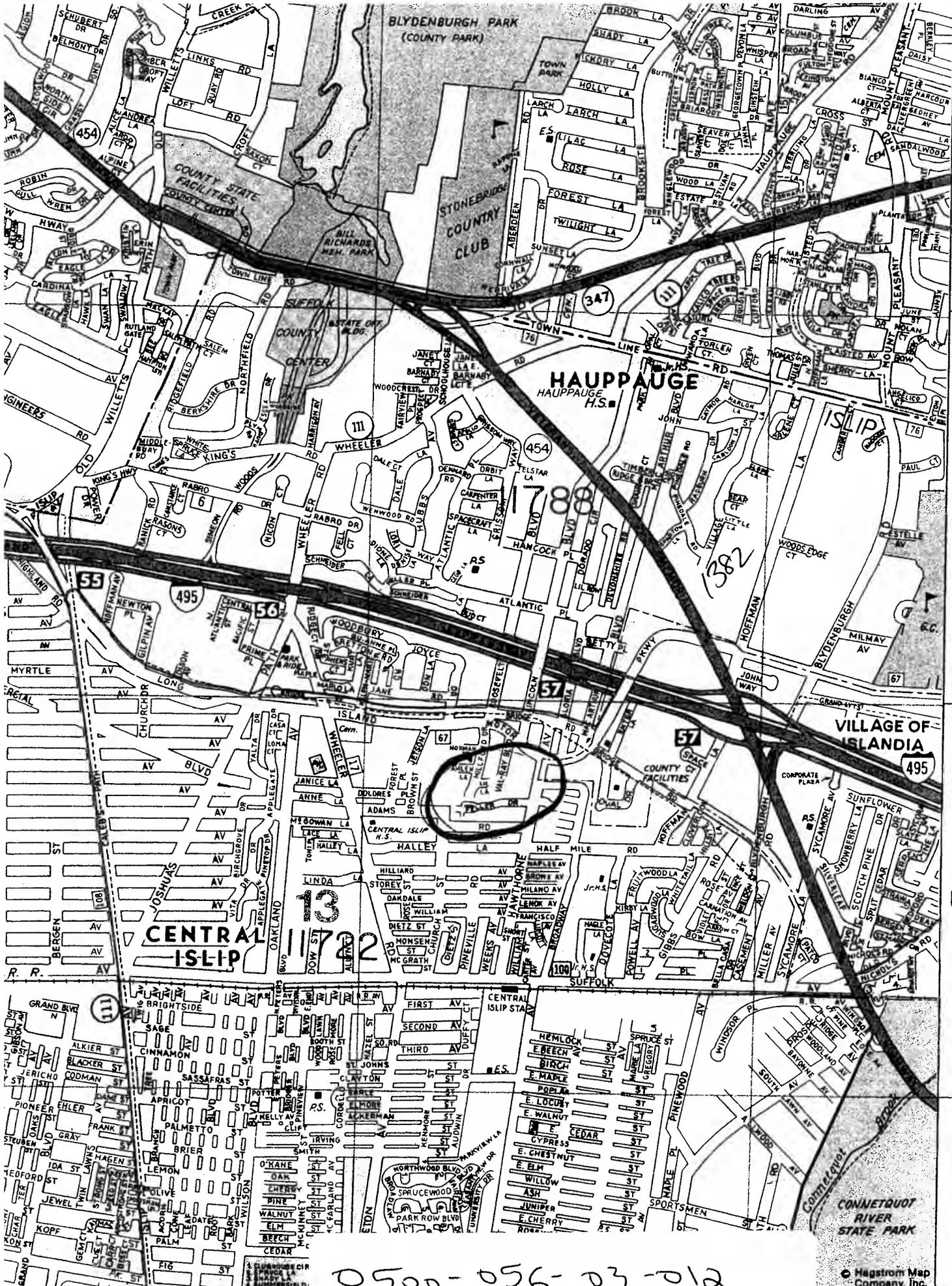
I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my custody.

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-Feb-10



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 08/18/10



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

0500-056-03-012

© Hagstrom Map Company, Inc.

10

12

8

FOR ADJOINING AREA SEE MAP NO.9

C.R. 67

R=555' A=41

N 211,999  
E 2,222,132

1382

1.2A(c)

26.1  
5.0A(c)

CHURCH OF GOD OF CENTRAL ISLP

①

HAWTHORNE  
R. 0.5+50N

N 211,416  
E 2,222,192

MATCH LINE

FOR PARCEL  
NO. SEE SEC.  
NO. 055-02-027

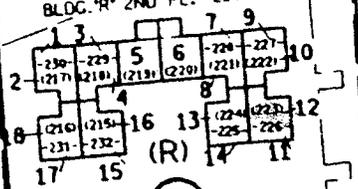
39  
2.7A(c)

④

(COMMON AREA)

0500  
0506  
03  
012

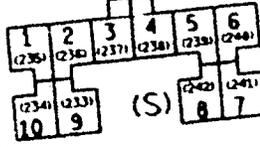
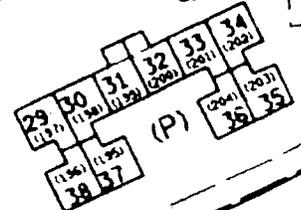
BLDG. "R" 1ST FL. (217)  
BLDG. "R" 2ND FL. -230-



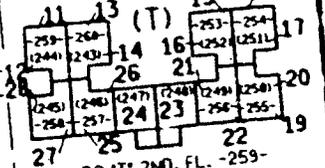
③

39  
2.6A(c)

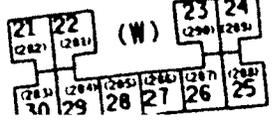
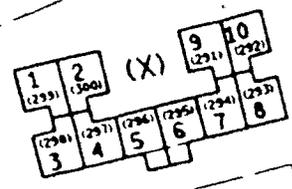
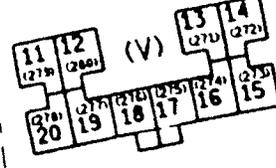
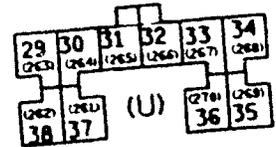
(COMMON AREA)



BLDG. "T" 1ST FL. (244)



BLDG. "T" 2ND FL. -259-



AVE.

(49.5')

Gen B4

COUNTY OF SUFFOLK



STEVE LEVY  
COUNTY EXECUTIVE

MAR 26 2010

1382

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

PAMELA J. GREENE  
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER  
COMMISSIONER

March 25, 2010

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

Re: Tax Map No. 0500-056.00-03.00-012.000  
THOMAS R. SCHOFIELD

Dear Mr. Crannell:

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

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

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

Very truly yours,

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

CO:lag

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

Copy of Resolution to:

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

Copy of letter to:

Carrie Meek Gallagher, Commissioner, Dept. of Environment and Energy  
Eric Naughton, Budget Director  
Thomas A. Isles, Director, Planning Dept.  
Lauretta Fischer, Principal Planner, Planning Dept.

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 (SCTM NO. 0200-478.00-01.00-020.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 478.00, Block 01.00, Lot 020.000, and acquired by tax deed on October 18, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 30, 2007, in Liber 12528, CP 281, known and designated as Lot 136 on a certain map entitled "Map of Gordon Heights, Section Sixteen", and filed in the Office of the Clerk of the County of Suffolk on April 22, 1953 as Map No. 2052.

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

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

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

**WHEREAS**, the transfer of this parcel is pursuant to and in accordance with Local Law 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 this parcel for the purposes stated above; now, therefore, be it

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

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

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

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

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

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

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

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

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

8. If the grantee shall fail to provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31 of each year commencing December 31, 2009, on the subject premises, including, but not limited to, the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises; or

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

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

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

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

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

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

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

DATED:

APPROVED BY:

---

County Executive of Suffolk County

Date of Approval:

RESOLUTION NO. 2010-164  
MEETING OF: FEBRUARY 9, 2010

**ADOPTED**  
BY THE BROOKHAVEN TOWN BOARD

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

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

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

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

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

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

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

*Patricia A. Eddington*

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

DEPARTMENT OF HOUSING  
AFFAIRS  
COMMUNITY DEVELOPMENT  
AND INTERGOVERNMENTAL

2010 MAR 15 1 P 12: 29

**Schedule A**

1383

<u>SCTM#</u>	<u>ADDRESS</u>	<u>NOT-FOR -PROFIT</u>
1. 0200-478.00-01.00-020.000	73 Homestead Drive Coram	Community Development Corp L.I.

1383

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

SUMMARY STATEMENT

SALES TO GOVERNMENTAL ENTITIES  
TOWN OF BROOKHAVEN

Tax Map No.: 0200-478.00-01.00-020.000

Section 72-h, Gen'l Municipal Law

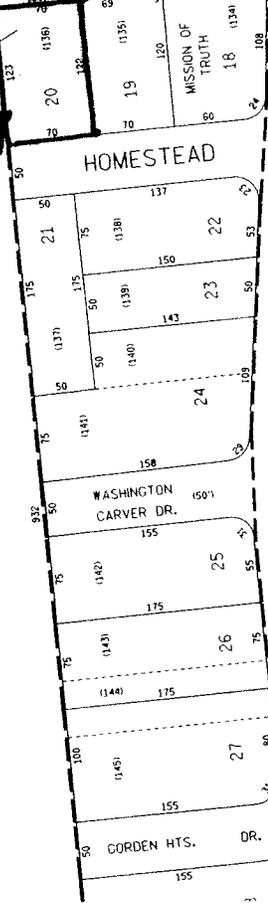
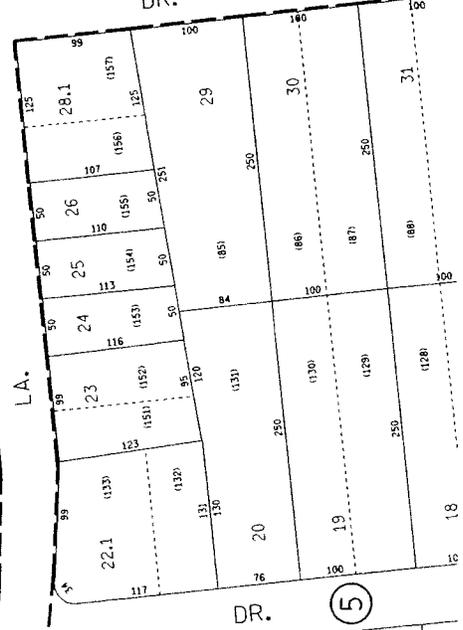
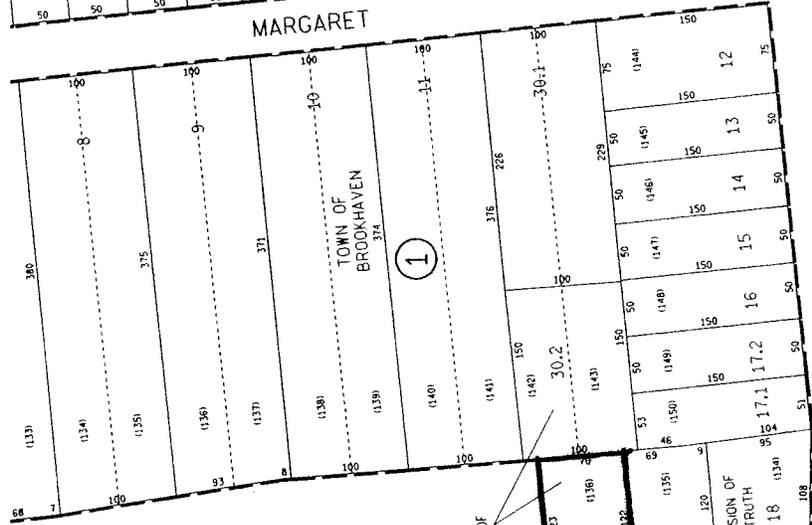
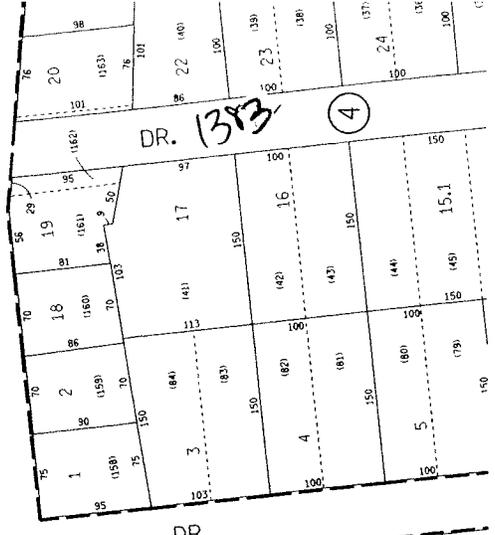
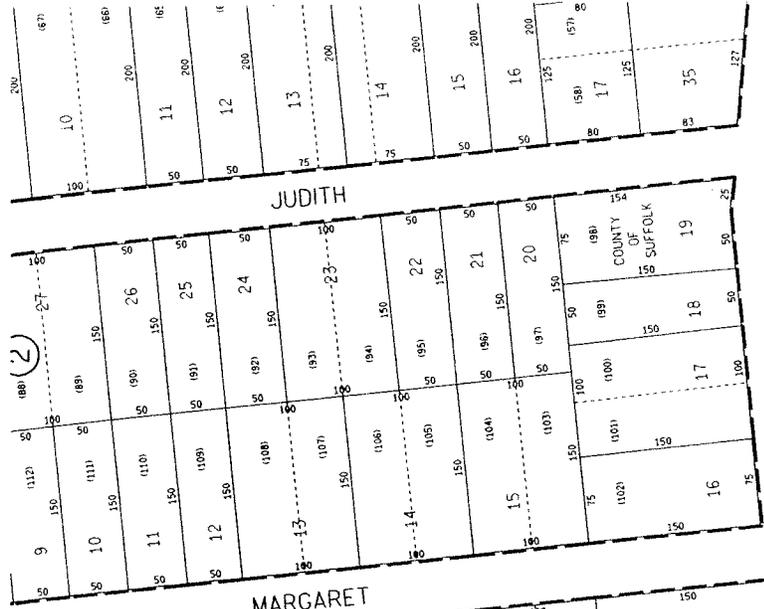
	<u>Amount</u>
County Investment	\$54,578.31
Cleanup Cost	<u>\$3,522.49</u>
Total	\$58,100.80

PURPOSE:

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

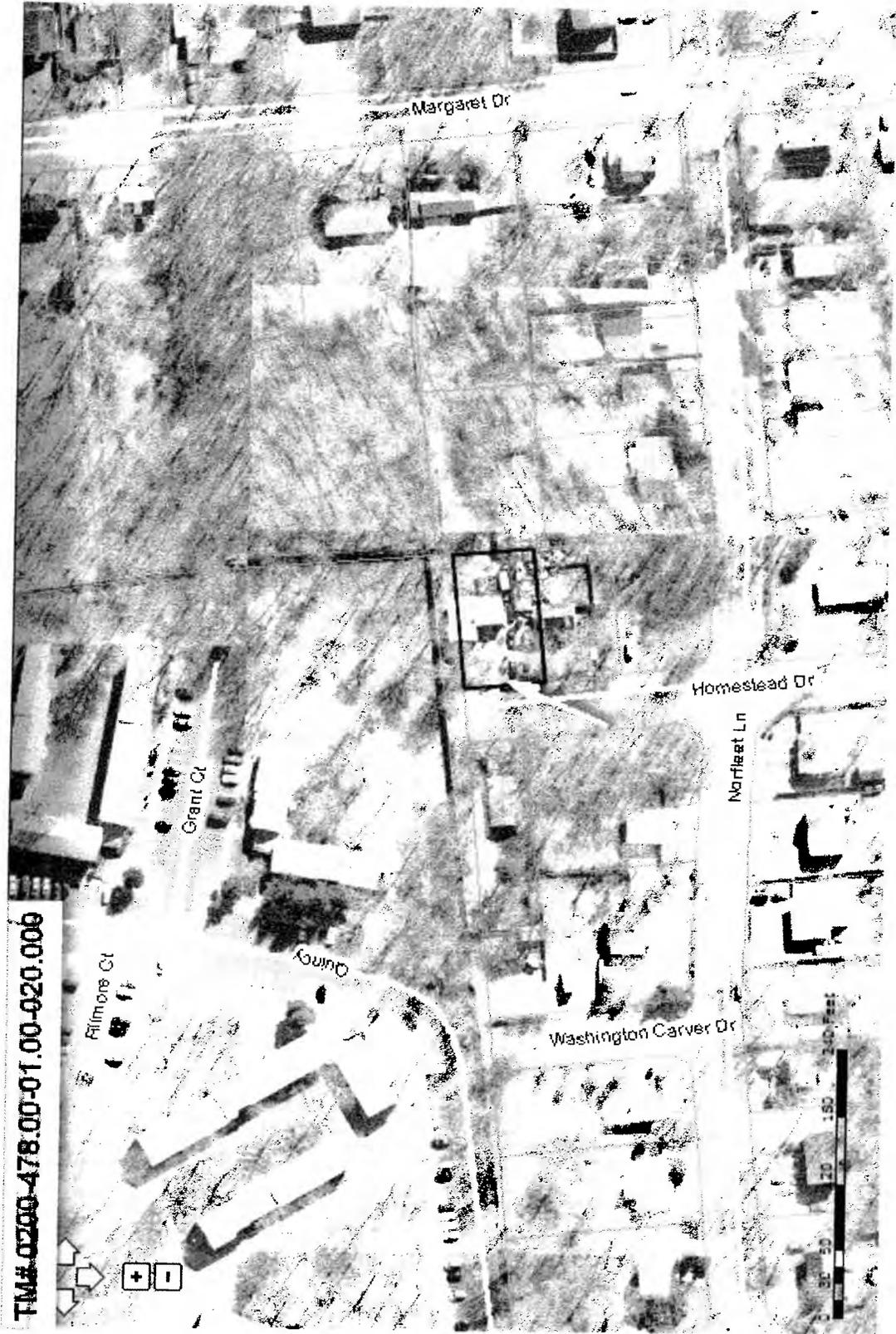
Wayne R. Thompson  
Property Manager  
(631) 853-5971

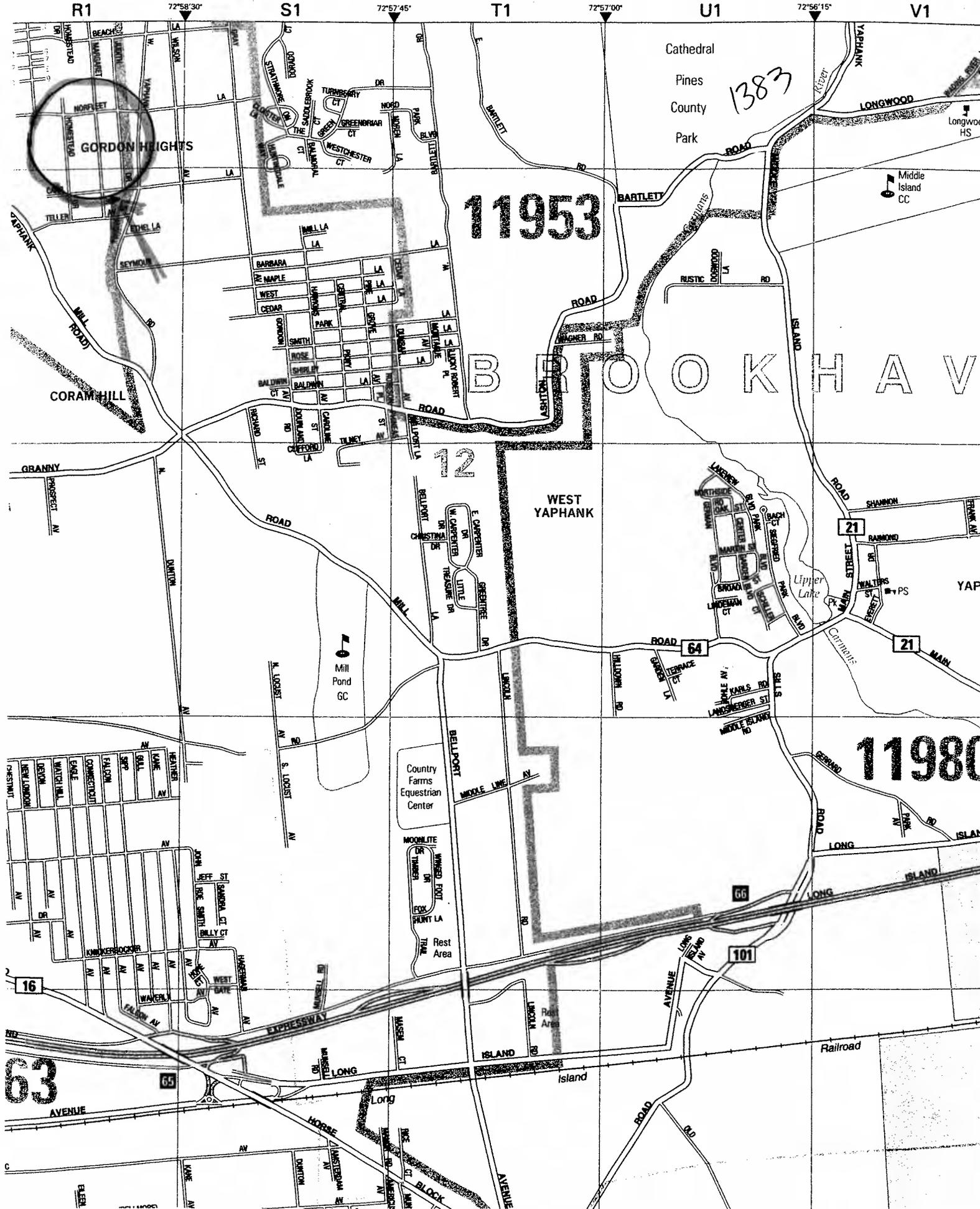
WRT:slb



- TM # 0200-47800-0100-020000

1383





R1

72°58'30"

S1

72°57'45"

T1

72°57'00"

U1

72°56'15"

V1

**GORDON HIGHTS**

**11953**

**BROOKHAVEN**

**WEST YAPHANK**

**11980**

**63**

**65**

**101**

TM# 0200-478-00-01-00-020-000

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

(383)

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

R.J. Bhatt-LMS IV

Signature of Preparer

R.J. Bhatt

Date

3/22/10

Gen B5

COUNTY OF SUFFOLK

MAR 25 2010



1383

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

March 22, 2010

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

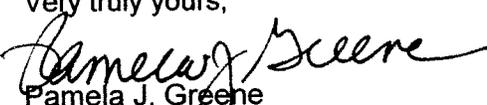
Re: Tax Map No.: 0200-478.00-01.00-020.000  
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the  
Town of Brookhaven for Affordable Housing Purposes.

Dear Mr. Crannell:

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

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

I would appreciate your placing this on the legislative agenda.

Very truly yours,  
  
Pamela J. Greene  
Assistant Director of Division of Real  
Property Acquisition and Management

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

Christopher E. Kent, Chief Deputy County Executive  
Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)  
Eric Naughton, Budget Director  
Thomas A. Isles, Director of Planning  
Jill Rosen-Nikoloff, Director of Affordable Housing  
CE Reso Review, via e-mail

Introductory Resolution No. 1384-10

Laid on Table 4/27/10

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 BABYLON)  
(SCTM 0100-058.00-04.00-019.000)**

**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 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 058.00, Block 04.00 Lot 019.000 and acquired by Tax Deed on July 13, 2004 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 16, 2004 in Liber 12231 at Page 144 and described as follows, known and designated as Lots 53 and 54 in Block 33 on a certain map entitled "Map of Colonial Spring" and filed in the Office of the Clerk of the County of Suffolk on March 16, 1926 as Map No. 223; 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 Babylon 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

**1<sup>st</sup> 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 Babylon for the sum of \$8,873.33 plus the pro rata share of the current tax adjustment due at closing; and be it further

**2<sup>nd</sup> RESOLVED**, that the Town of Babylon will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for Downtown Revitalization as Part of Wyandanch Rising purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Babylon, at any time, uses or attempts to use said subject parcel for other than Downtown Revitalization as Part of Wyandanch Rising 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 Downtown Revitalization as Part of Wyandanch Rising purposes; and be it further

**3<sup>rd</sup> 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

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

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

APPROVED BY:

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

Date of Approval:

**RESOLUTION NO. 765 NOVEMBER 5, 2009  
REQUESTING THE CONVEYANCE OF PARCELS TO THE TOWN OF BABYLON  
FOR DOWNTOWN REVITALIZATION AS PART OF WYANDANCH RISING  
(SECTION 72-h, GENERAL MUNICIPAL LAW)**

The following resolution was offered by Councilwoman McVeety  
and seconded by Councilman Henry:

WHEREAS, the County of Suffolk is the owner of a parcel of land identified  
as 6 Lake Drive, Wyandanch, New York 11798, SCTM #0100-058.00-04.00-019.000; and

WHEREAS, the Town of Babylon requests that the County of Suffolk convey  
this parcel for Downtown Revitalization as part of Wyandanch Rising;

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon Inc. requests the  
County of Suffolk to execute and deliver a quitclaim deed to the Town of Babylon for said  
property, more particularly described and designated as SCTM #0100-058.00-04.00-019.000,  
pursuant to Section 72-h of the New York General Municipal Law, for the purpose of  
Downtown Revitalization as part of Wyandanch Rising; and be it further

RESOLVED, that said quitclaim deed issued by the County of Suffolk,  
pursuant to this resolution, shall contain a reverter clause to the effect that title to the said  
above described parcel shall revert to the County of Suffolk in the event that the property is  
not used for the above-described purpose or in the event that the Town of Babylon attempts to  
sell, transfer, or otherwise dispose of or does, in fact, sell, transfer, or otherwise dispose of  
said subject property without said property being used thereafter for the above described  
public governmental purpose subsequent to delivery of said deed to the Town of Babylon.

VOTES: 4    YEAS: 4    NAYS: 0

The resolution was thereupon declared duly adopted.

1384

**RESOLUTION NO. 765 NOVEMBER 5, 2009  
REQUESTING THE CONVEYANCE OF PARCELS TO THE TOWN OF BABYLON  
FOR DOWNTOWN REVITALIZATION AS PART OF WYANDANCH RISING  
(SECTION 72-h, GENERAL MUNICIPAL LAW)**

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WHEREAS, the Town of Babylon requests that the County of Suffolk convey  
this parcel for Downtown Revitalization as part of Wyandanch Rising;

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon Inc. requests the  
County of Suffolk to execute and deliver a quitclaim deed to the Town of Babylon for said  
property, more particularly described and designated as SCTM #0100-058.00-04.00-019.000,  
pursuant to Section 72-h of the New York General Municipal Law, for the purpose of  
Downtown Revitalization as part of Wyandanch Rising; and be it further

deed issued by the County of Suffolk,  
or clause to the effect that title to the said  
of Suffolk in the event that the property is  
event that the Town of Babylon attempts to  
fact, sell, transfer, or otherwise dispose of  
used thereafter for the above described  
of said deed to the Town of Babylon.

State of New York  
Town of Babylon  
County of Suffolk } ss:

I, Barbara Evernham, Acting Deputy Town Clerk, DO HEREBY CERTIFY that  
I have received the attached calendars.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal  
of said Town of Babylon

This 9th day of November 2009

Barbara Evernham  
Barbara Evernham, Acting Deputy Town Clerk

1384

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 BABYLON

Tax Map No.: 0100-058.00-04.00-019.000

Section 72-h, Gen'l Municipal Law

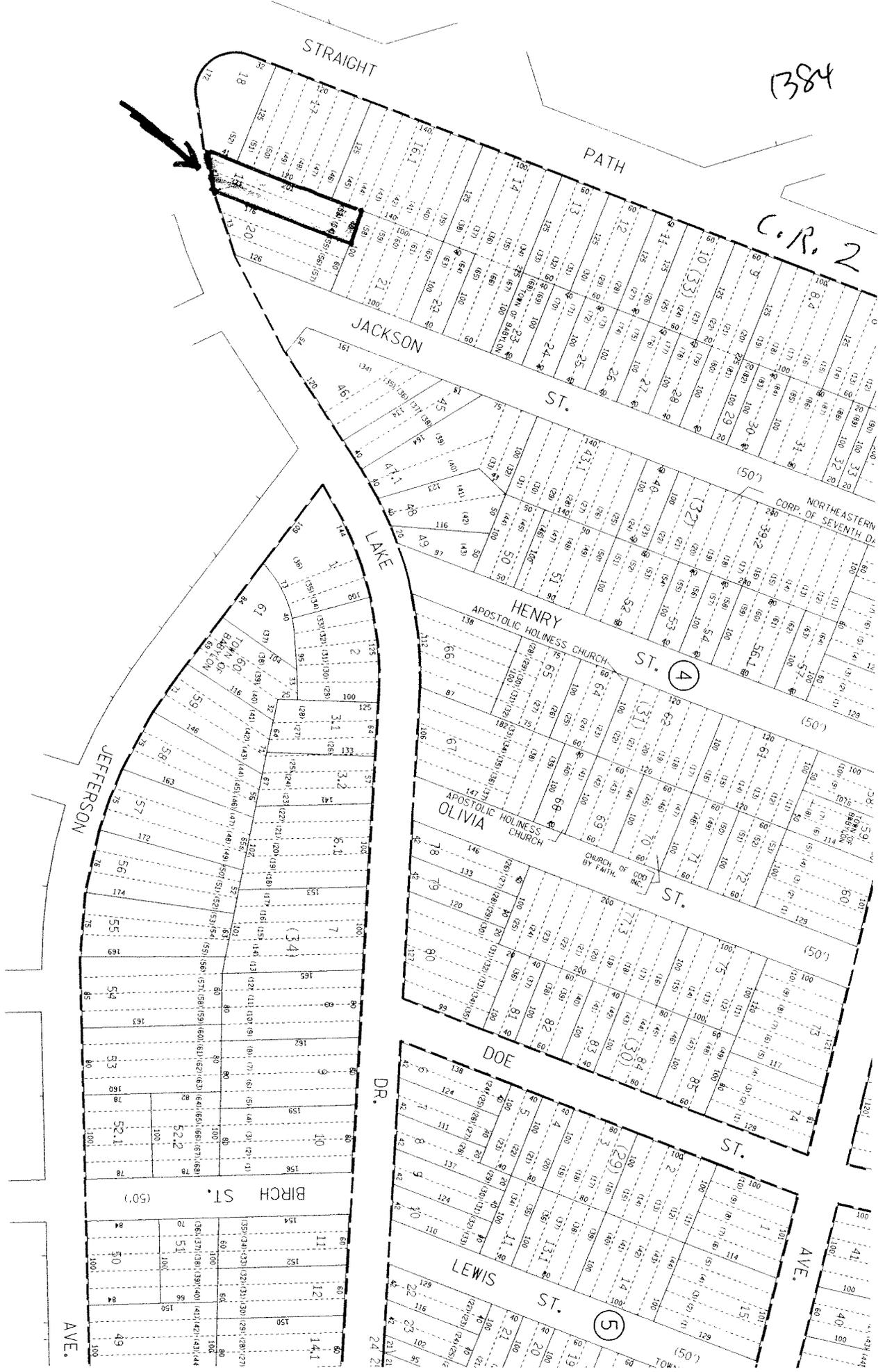
	<u>Amount</u>
County Investment	\$ 8,023.33
Clean Up Cost	<u>\$850.00</u>
Total	\$ 8,873.33

PURPOSE:

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

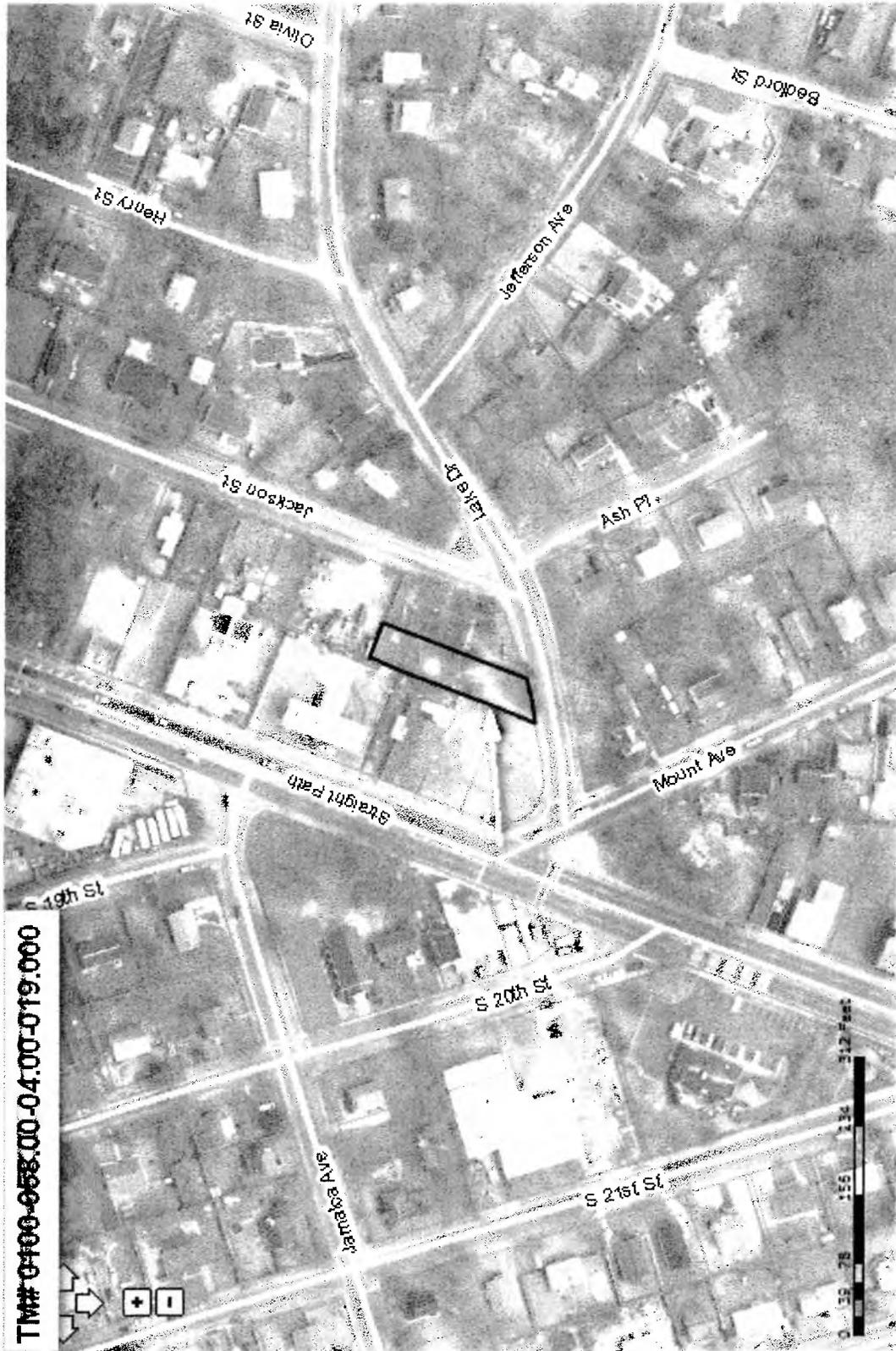
Wayne R. Thompson  
Property Manager  
(631) 853-5971

WRT: slb



TAX# 0100-058.00-04.00-015.000

1384





TM# 0100-058.00-04.00-019.000

1384

**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 Babylon for Downtown Revitalization as Part of Wyandanch Rising 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

  R.J. Bhatt-LMS IV  

Signature of Preparer

  *R.J. Bhatt*  

Date

  3/22/10

Gen Blp

COUNTY OF SUFFOLK

MAR 25 2010



1384

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

March 22, 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.: 0100-058.00-04.00-019.000  
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 are the original and one copy of the proposed resolution with documentation pursuant to:

Section 72-h, G.M.L. authorizing the sale of County owned real estate to the Town of Babylon 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:

Christopher E. Kent, Chief Deputy County Executive  
Brendan Chamberlain, Director, International Relations (2 hard copies)  
Eric Naughton, Budget Director  
Thomas A. Isles, Director of Planning  
CE Reso Review via e-mail

Introductory Resolution No.

1385-10

Laid on Table

4/27/10

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  
DANIEL W. BYRNE & CONNELL BYRNE, Joint Tenants with  
Right of Survivorship  
(SCTM NO. 0200-975.70-04.00-017.004)**

**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 975.70 Block 04.00 Lot 017.004 and acquired by Tax Deed on May 3, 1981 from General L. Rains, the Deputy County Treasurer of Suffolk County, New York, and recorded on May 28, 1981 in Liber 11268 at Page 520 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 N 50 ft of Lot 2 in Block 845 on a certain map entitled "Map of NY & Bklyn Sub Inv. Map 11", and filed in the Office of the Clerk of the County of Suffolk on November 17, 1890 as Map No. 201; 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**, Daniel W. Byrne & Connell Byrne, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$12,175.00. 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 \$8,000.00, 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 \$12,175.00, pursuant to said purchase offer; and

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

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

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

**3<sup>rd</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or 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 Daniel W. Byrne & Connell Byrne, 12 Ross Lane, East Norwich, New York 11732.

DATED:

APPROVED BY

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

Date of Approval:

1385

**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. 0200-975.70-04.00-017.004

<b>ADJOINING OWNER</b>	<b>BID</b>	<b>BID</b>	<b>BID</b>
Daniel W. Byrne & Connell Byrne 12 Ross Lane East Norwich, New York 11732 0200-975.70-04.00-017.003	\$12,175.00		
Robert J. & Francine Coupe 197 Atlantic Avenue Patchogue, New York 11772 0200-975.70-04.00-028.004	\$0		
Kenneth G. & Teresa Nabel 193 Atlantic Avenue Patchogue, New York 11772 0200-975.70-04.00-030.000	\$0		

SIZE OF PARCEL: 50' x 100'  
APPRAISED VALUE: \$8,000.00  
COMMENT: Direct Sale to Adjacent Owner

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

1385

**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

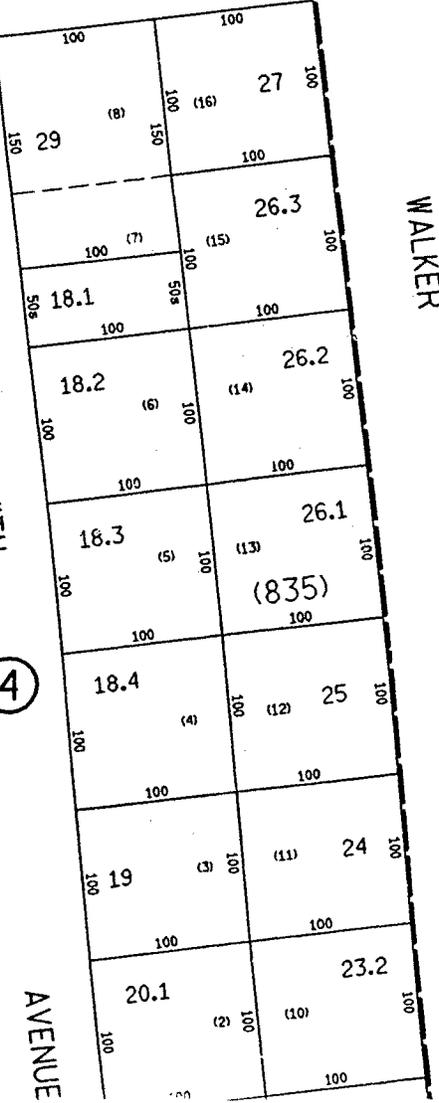
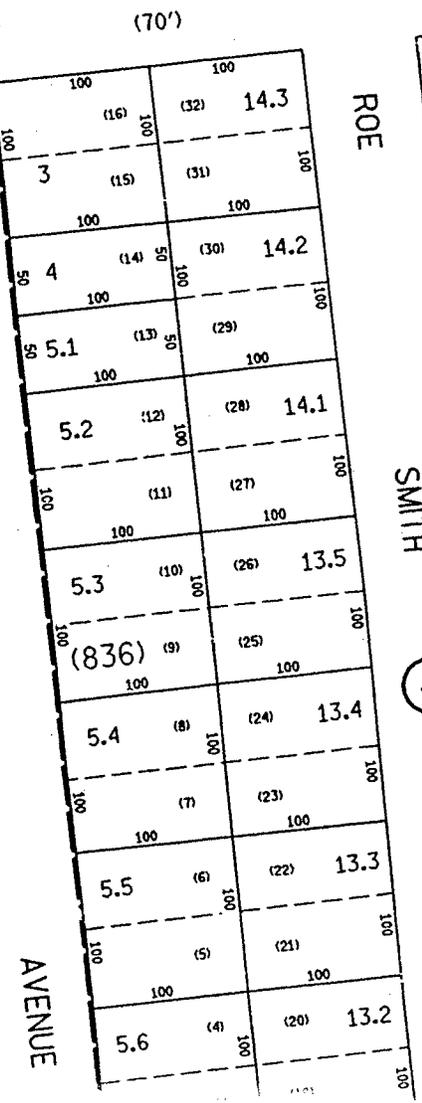
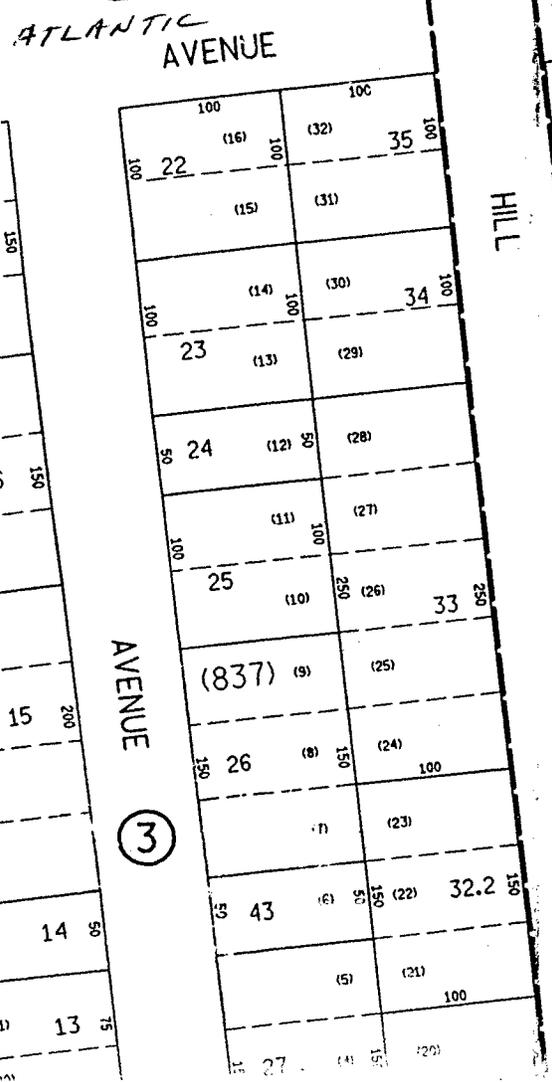
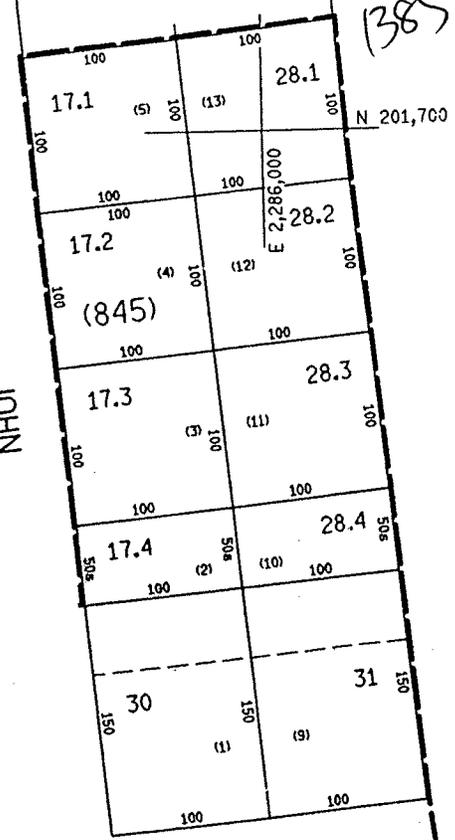
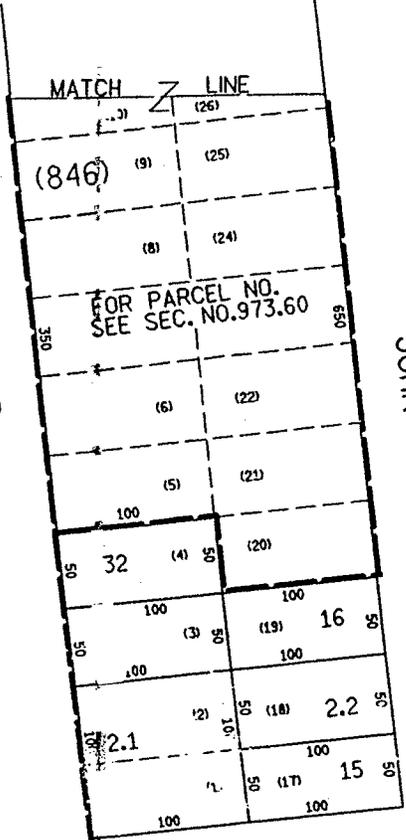
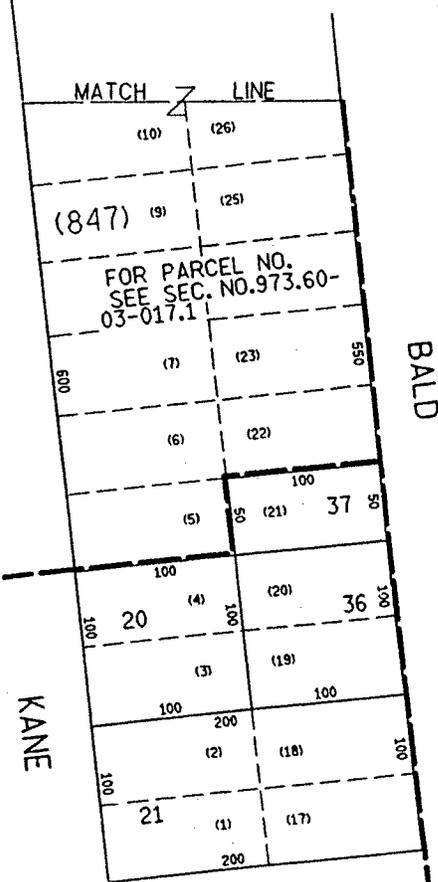
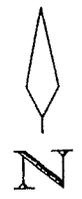
Lori Sklar – LMS III

Lori Sklar

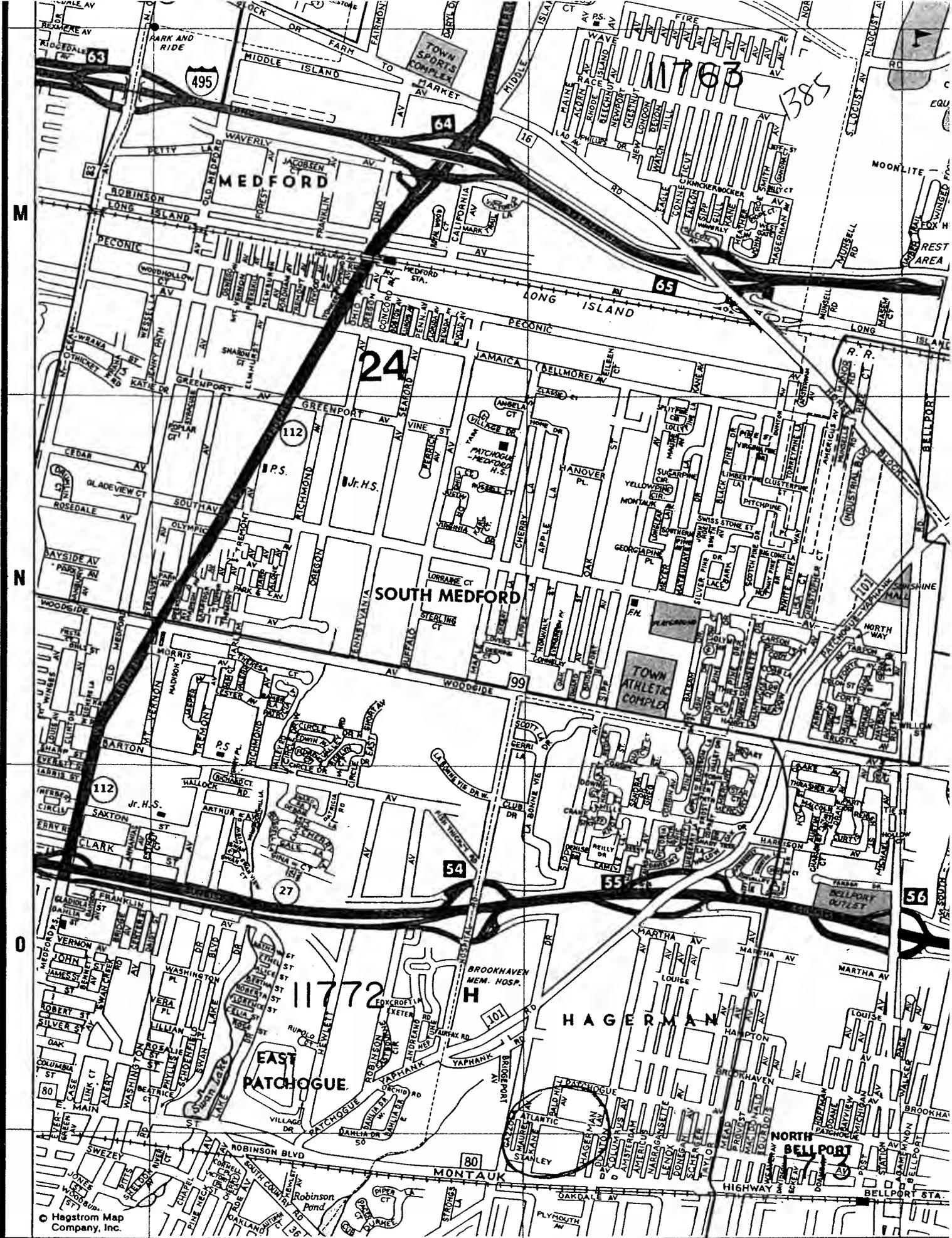
3/16/10

200-975.70-04-017.004

(385)



FOR ADJOINING AREA SEE MAP NO. 14 | SEE MAP NO. 13



M

N

O

17

18

19

© Hagstrom Map Company, Inc.

FOR ADJOINING AREA SEE MAP NO. 18

# Map

1385



Hospitals



College-University



Public Schools



Major Roads

Streets

Owner Parcel

Natural Color 2006

Land Use (continued)

MILITARY BASE

PARK (CITY/COUNTY)

PARK (STATE)

PARK/MONUMENT (NATIONAL)

SHOPPING CENTRE

UNIVERSITY/COLLEGE

Gen B7

COUNTY OF SUFFOLK



1385

MAR 25 2010

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

March 16, 2010

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

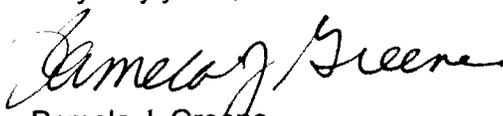
Re: Tax Map Number: 0200-975.70-04.00-017.004

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.

1386-10

Laid on Table

4/27/10

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 0800-032.00-02.00-035.000)**

**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 032.00, Block 02.00 Lot 035.000 and acquired by Tax Deed on April 17, 2007 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 20, 2007 in Liber 12501 at Page 903 and described as follows, known and designated as Lot 1533 on a certain map entitled "Map of San Remo", and filed in the Office of the Clerk of the County of Suffolk on June 18, 1926 as Map No. 156; 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 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

**1<sup>st</sup> 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 \$487.93 plus the pro rata share of the current tax adjustment due at closing; and be it further

**2<sup>nd</sup> 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 Drainage 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 Drainage 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 Drainage purposes; and be it further

**3<sup>rd</sup> 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

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

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

APPROVED BY:

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

Date of Approval:

Exhibit "A"

1386

**RE: Smithtown Town Board Resolution #2010-154**  
**Re: Transfer of undeveloped 2,000 sq. ft. parcel from Suffolk County**

**DATED: February 25, 2010**

**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 3<sup>rd</sup> day of **March, 2010**.



*V. Puleo*

**Vincent Puleo - Town Clerk**  
**Town of Smithtown**



**Smithtown Town Board**

99 West Main Street  
Smithtown, NY 11787

Meeting: 02/25/10 07:01 PM  
Department: Planning & Comm.  
Category: Conveyance of Property  
Prepared By: Agnes Vion

Initiator: Frank DeRubeis  
Sponsors: Councilman Robert Creighton

DOC ID: 3177 A

**ADOPTED**

**RESOLUTION 2010-154**

*MSL*

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

BE IT RESOLVED, that the Town Board be and hereby authorizes the transfer of an undeveloped 2,000 square feet parcel of land zoned R-10, SCTM #0800-32-2-35, from Suffolk County, located adjacent to an existing Town of Smithtown recharge basin, for drainage purposes, at the purchase price of \$487.93.

Dated: February 25, 2010

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Patrick Vecchio, Supervisor
<b>SECONDER:</b>	Thomas McCarthy, Councilman
<b>AYES:</b>	Vecchio, McCarthy, Wehrheim, Creighton, Malloy

1386

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.: 0800-032.00-02.00-035.000

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$ 487.93
PURPOSE:	
A. Affordable Housing	_____
B. Town Parks	_____
C. Road/Highway	_____
D. Drainage/Recharge Basin	<u>  X  </u>
E. Other	_____

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

WRT: slb

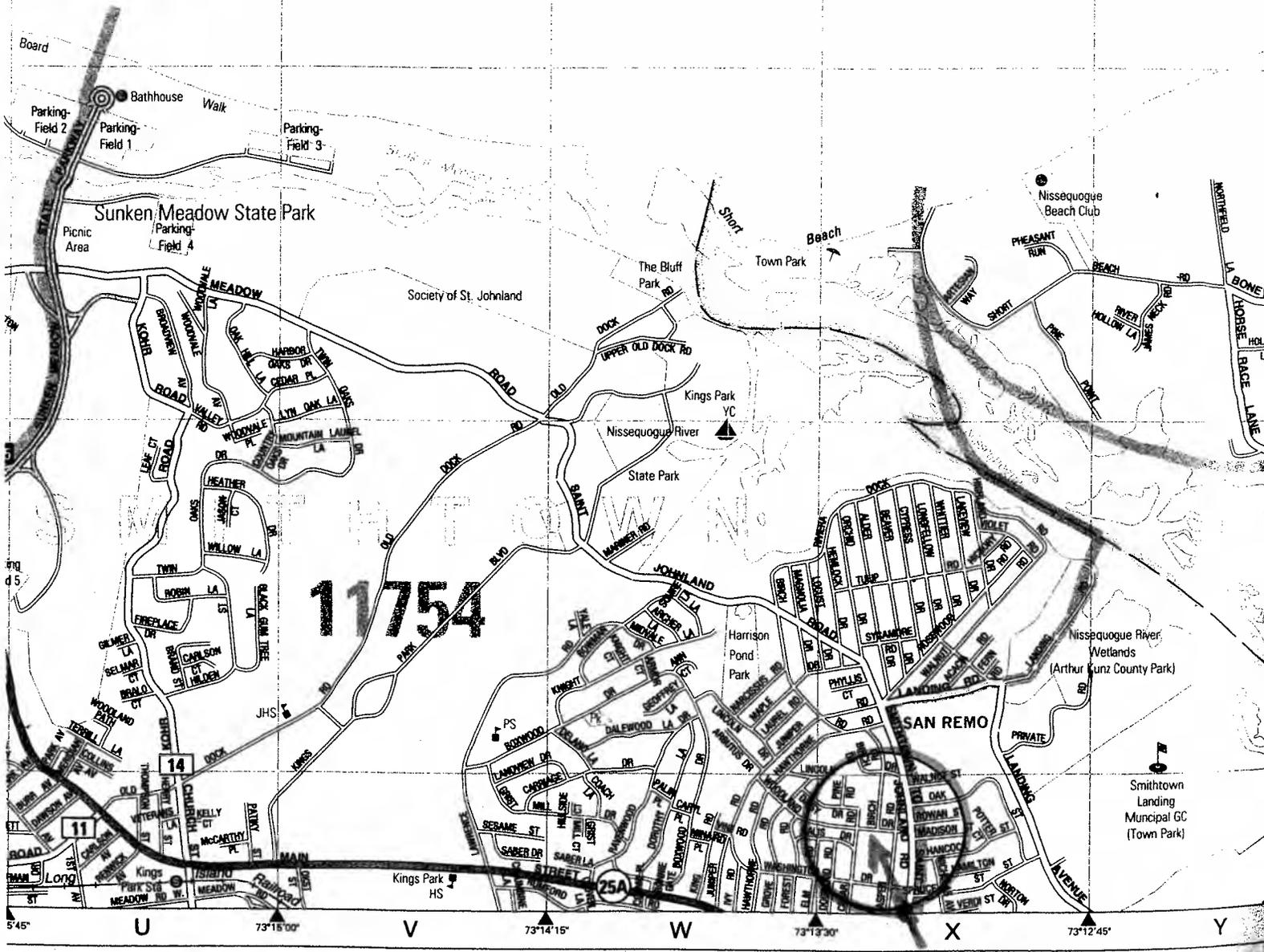


1386



TM# 0800-032.00-02.00-035.000

1286



11754

Joins Map 14

Tm# 0800-032.00-02.00-035.000

1386

**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 Smithtown for Drainage 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

R.J. Bhatt-LMS IV

Signature of Preparer



Date

3/19/10

Gen B8

COUNTY OF SUFFOLK

MAR 25 2010



(386)

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

March 19, 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.: 0800-032.00-02.00-035.000  
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 are the original and one copy of the proposed resolution with documentation pursuant to:

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

I would appreciate your placing this on the legislative agenda.

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

PJG:WRT:slb

Resolution + 1 copy  
Summary Statement  
Tax Map & Aerial Map  
Hagstrom Map  
Sponsor's Memo

Copy w/ Resolution to:  
Christopher E. Kent, Chief Deputy County Executive  
Brendan Chamberlain, Director, International Relations (2 hard copies)  
Eric Naughton, Budget Director  
Thomas A. Isles, Director of Planning  
CE Reso Review via e-mail

Introductory Resolution No.

1387-10

Laid on Table

4/27/10

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  
KAREN FERRARA  
(SCTM NO. 0200-579.00-02.00-045.002)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 579.00, Block 02.00, Lot 045.002 and acquired by Tax Deed on January 30, 2001 from John Cochrane, the County Treasurer of Suffolk County, New York, and recorded on February 13, 2001 in Liber 12102 at CP 255 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Brookhaven, under SCTM# District 0200, Section 579.00, Block 02.00, Lot 045.002.

**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**, Karen Ferrara, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$6,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$6,000.00, 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 \$6,000.00, pursuant to said purchase offer; and

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

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

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

**3<sup>rd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or 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 KAREN FERRARA, 208 Broad Street, Yaphank, New York 11980.

DATED:

APPROVED BY

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

Date of Approval:

1387

**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. 0200-579.00-02.00-045.002

<b>ADJOINING OWNER</b>	<b>BID</b>	<b>BID</b>	<b>BID</b>
Karen Ferrara 208 Broad Street Yaphank, New York 11980 0200-579.00-02.00-045.001	\$6,000.00		
Brian Draiss 6 Broad Street Yaphank, New York 11980 0200-579.00-02.00-040.000	\$0		
Ann O'Rourke RR #1 PO Box 185 Yaphank, New York 11980 0200-579.00-02.00-044.000	\$0		

SIZE OF PARCEL: 50' x 100'  
APPRAISED VALUE: \$6,000.00  
COMMENT: Direct Sale to Adjacent Owner

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

1387

**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

3/19/10



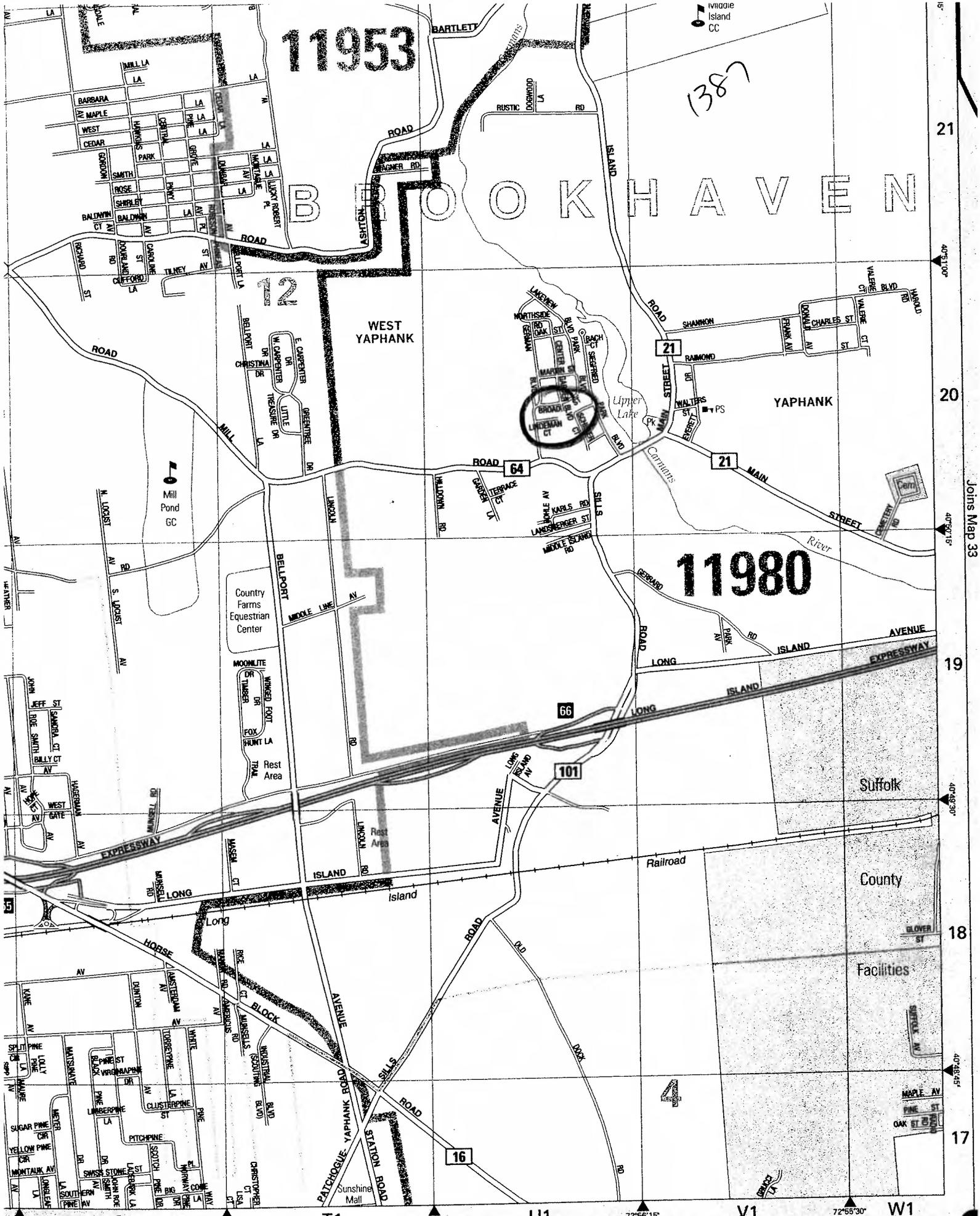
32.1A(C)  
TOWN OF BROOKHAVEN  
UPPER YAPH.  
(UNDERWATER)

FOR PCL. NO. 611-01-005  
SEE SEC. NO. 611-01-006

FOR PCL. NO. 611-01-006  
SEE SEC. NO. 611-01-005

FOR PARCEL NO. 578-03-001.1  
SEE SEC. NO. 578-03-001.1

Property or RR Line Derivative Common Owner Subdivision Lot Line Stream / Shore Parcel No.		Subdivision Lot No. Subdivision Block/Block No. Subdivision Subdivision Subdivision Subdivision Area 12.1 A(C) OR 12.1A 12.1 A(C)	Block User Block No. County Line Town Line Village Line	School District Line Fire District Line Water District Line Light District Line Park District Line Sewer District Line	School Fire Water Light Park Sewer	Hydrant District Line Electric District Line Telephone District Line Gas District Line Cable District Line	H R ST A RR	UNLESS DRAIN ARE WITHIN THE FOLLOWING DISTRICTS: SCHOOL FIRE WATER LIGHT PARK AMBULANCE	OTHERWISE, ALL THE FOLLOWING DISTRICTS: HYDRANT ELECTRIC TELEPHONE GAS CABLE WASTEATER	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.
--	--	--	---	---	---	--	-------------------------	---	--	--



11953

1387

# BROOKHAVEN

WEST YAPHANK

YAPHANK

11980

Suffolk

County

Facilities

72°58'30" S1 72°57'45" T1 72°57'00" U1 72°56'15" V1 72°55'30" W1

Joins Map 28

Hagstrom Map Company, Inc.

Hagstrom Map Company, Inc.

Joins Map 33

# Map

1387



Airports



Railroads



Major Roads



Streets



Owner Parcel

Natural Color 2007

Red: Band\_1

Green: Band\_2

Blue: Band\_3

Land Use

Land Use (continued)

MILITARY BASE

PARK (CITY/COUNTY)

PARK (STATE)

PARK/MONUMENT (NATIONAL)

SHOPPING CENTRE

UNIVERSITY/COLLEGE

Gen B4

COUNTY OF SUFFOLK

MAR 25 2010



1387

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

March 19, 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: 0200-579.00-02.00-045.002

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

Introductory Resolution No.

1388-10

Laid on Table

4/27/10

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 BABYLON)  
(0100-040.00-02.00-015.006 et al)**

**WHEREAS**, the COUNTY OF SUFFOLK is the fee owner of the following described parcels that are surplus to the needs of the County of Suffolk; and (see attached Exhibit "A"):

**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 Babylon has requested that the County of Suffolk convey these parcels to it (see annexed resolution - Exhibit "B"); and

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

**1<sup>st</sup> RESOLVED**, that Pamela J. Greene, Director of the Division of Real Property Acquisition and Management, or her Deputy, hereby is authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the properties as described in Exhibit "A" annexed hereto and on the terms and conditions as hereinafter described to said Town of Babylon for the sum of \$4,915.80; and be it further

**2<sup>nd</sup> RESOLVED**, that the Town of Babylon will be restricted in its use of the subject parcels and will use said parcels 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 Babylon, at any time, uses or attempts to use said subject parcels 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 parcels without said parcels being used thereafter for Highway purposes; and be it further

**3<sup>rd</sup> RESOLVED**, that said quitclaim deed issued 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

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

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

APPROVED BY:

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

Date of Approval:

## EXHIBIT "A"

<b>Tax Map No.</b>	<b>Location</b>	<b>Acre</b>
0100-040.00-02.00-015.006	E/S/O Straight Path, 894' N/O Main Street, Wyandanch	0.656
0100-063.00-01.00-036.000	Intersection of W. 3 <sup>rd</sup> St., & Half Hollow Road, Deer Park	0.002
0100-067.00-01.00-028.000	Burt Road, Deer Park	7.5
0100-080.00-02.00-090.009	S/S/O New Avenue, 118' W/O Mount Avenue, Wyandanch	0.059
0100-082.00-02.00-053.001	North End of Saratoga Avenue, North Babylon	0.020
0100-145.00-01.00-110.000	Hubbards Path, West Babylon	0.009
0100-181.00-03.00-058.000	East End of Charleston Drive, Amityville	0.002

EXHIBIT "B"

1388

**RESOLUTION NO. 600 SEPTEMBER 16, 2009  
REQUESTING THE CONVEYANCE OF PARCELS FROM SUFFOLK COUNTY  
TO THE TOWN OF BABYLON FOR THE PURPOSE OF REDEVELOPMENT  
(SECTION 72-h, GENERAL MUNICIPAL LAW)**

The following resolution was offered by Councilwoman McVeety  
and seconded by Councilman Henry:

WHEREAS, the County of Suffolk is the owner of parcels of land identified as  
SCTM #'s:

0100-012.00-01.00-021.000  
0100-019.00-01.00-031.000  
0100-035.00-01.00-018.000  
0100-040.00-02.00-015.006  
0100-063.00-01.00-036.000  
0100-067.00-01.00-024.003  
0100-067.00-01.00-024.011  
0100-067.00-01.00-028.000  
0100-080.00-02.00-090.009  
0100-082.00-02.00-053.001  
0100-111.00-01.00-083.000  
0100-111.00-01.00-084.000  
0100-145.00-01.00-110.000  
0100-152.00-02.00-062.000  
0100-181.00-03.00-058.000 ; and

WHEREAS, the County of Suffolk is willing to declare these parcels to be surplus

County property which could be transferred to the Town of Babylon for the purpose of redevelopment;

NOW, THEREFORE, be it

RESOLVED, that the Town of Babylon requests that the County of Suffolk execute and deliver a quitclaim deed to the Town of Babylon for each said property, more particularly described and designated as SCTM's:

- 0100-012.00-01.00-021.000
- 0100-019.00-01.00-031.000
- 0100-035.00-01.00-018.000
- 0100-040.00-02.00-015.006
- 0100-063.00-01.00-036.000
- 0100-067.00-01.00-024.003
- 0100-067.00-01.00-024.011
- 0100-067.00-01.00-028.000
- 0100-080.00-02.00-090.009
- 0100-082.00-02.00-053.001
- 0100-111.00-01.00-083.000
- 0100-111.00-01.00-084.000
- 0100-145.00-01.00-110.000
- 0100-152.00-02.00-062.000
- 0100-181.00-03.00-058.000;

pursuant to Section 72-h of the New York General Municipal Law, for the purpose of transferring the interest in the above described properties from the County of Suffolk to the Town of Babylon to

1388

redevelop; and be it further

RESOLVED, that said quitclaim deed issued by the Director of the County Division of Real Estate, or his deputy, pursuant to this resolution, shall contain a reverter clause to the effect that title to the said above described parcels shall revert to the County of Suffolk in the event that the properties are not used for the above-described public governmental purposes.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

State of New York }  
Town of Babylon } ss:  
County of Suffolk }

I, Carol Quirk, Town Clerk, DO HEREBY CERTIFY that I have compared the preceding with the original thereof and that the same is a true and correct copy.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Town of Babylon

This 9 day of December 2009

Carol Quirk  
Carol Quirk, Town Clerk

1388

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

S U M M A R Y   S T A T E M E N T

SALES TO GOVERNMENTAL ENTITIES  
TOWN OF BABYLON

Tax Map No.: 0100-040.00-02.00-015.006 et al.

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$ 4,915.80

PURPOSE:

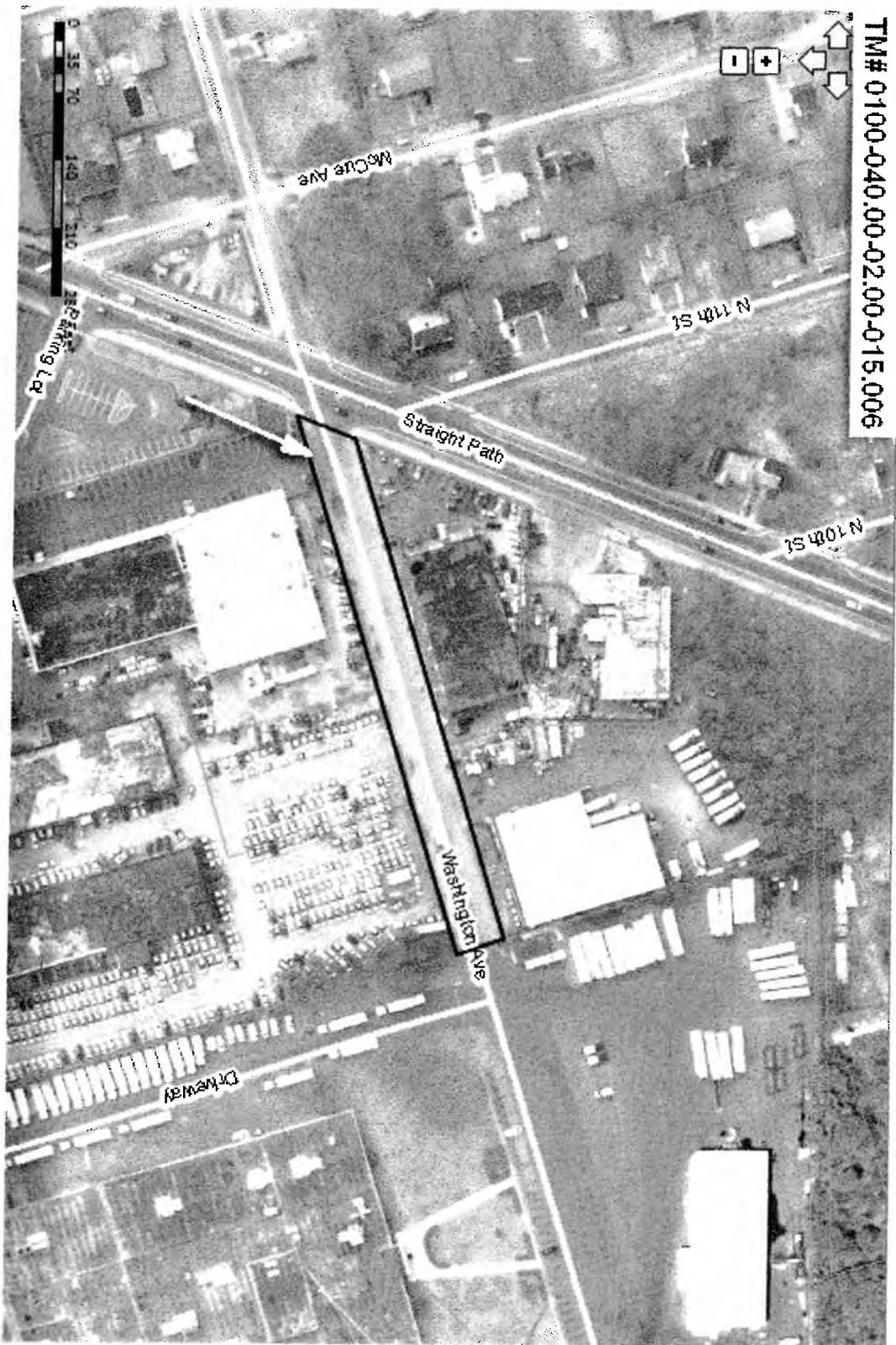
- |                            |              |
|----------------------------|--------------|
| A. Affordable Housing      | _____        |
| B. Town Parks              | _____        |
| C. Road/Highway            | <u>  X  </u> |
| D. Drainage/Recharge Basin | _____        |
| E. Other            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

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

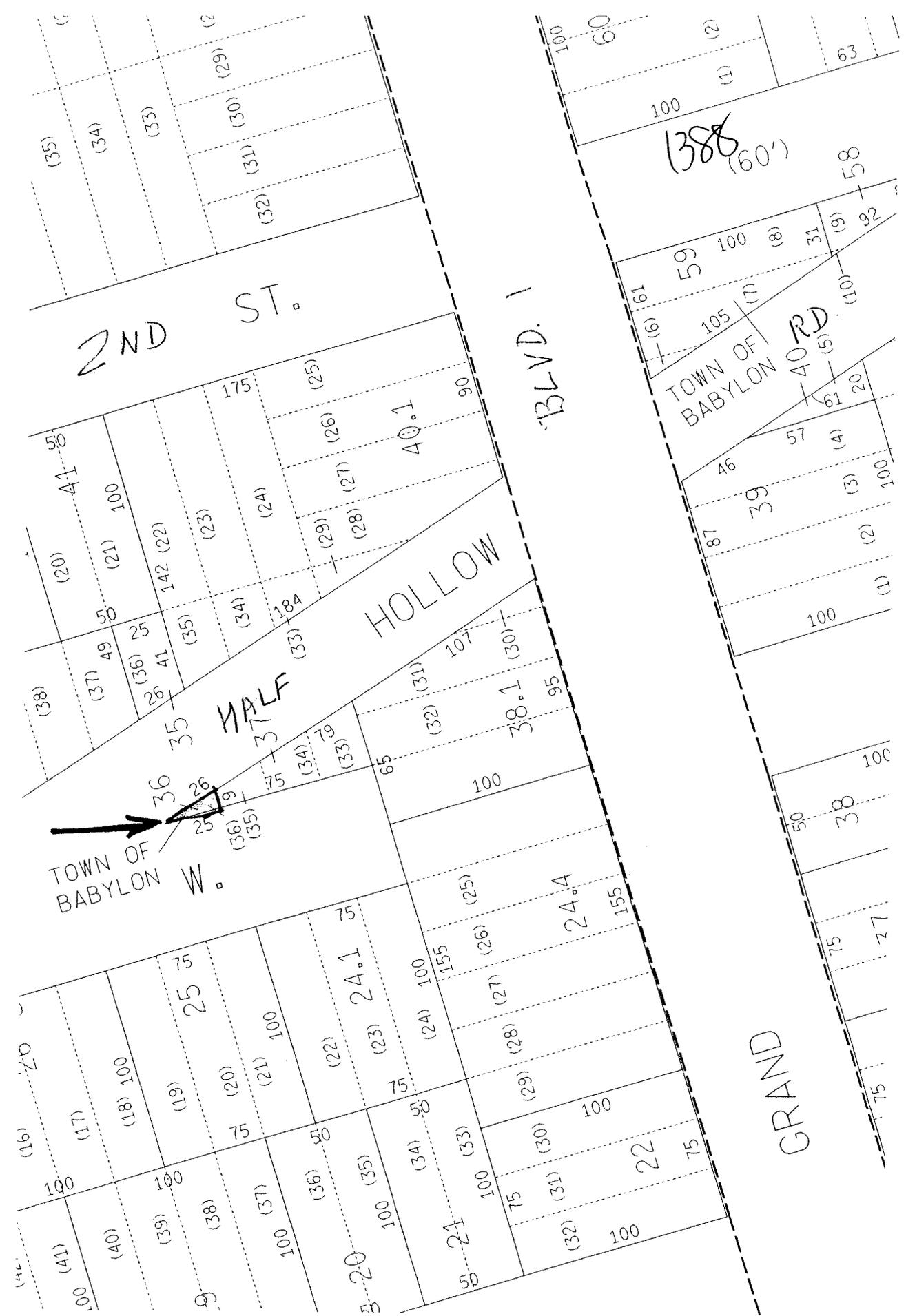
WRT:slb



1388



TM# 0100-040.00-02.00-015.006



TM # C100-063.00-0100-036.000

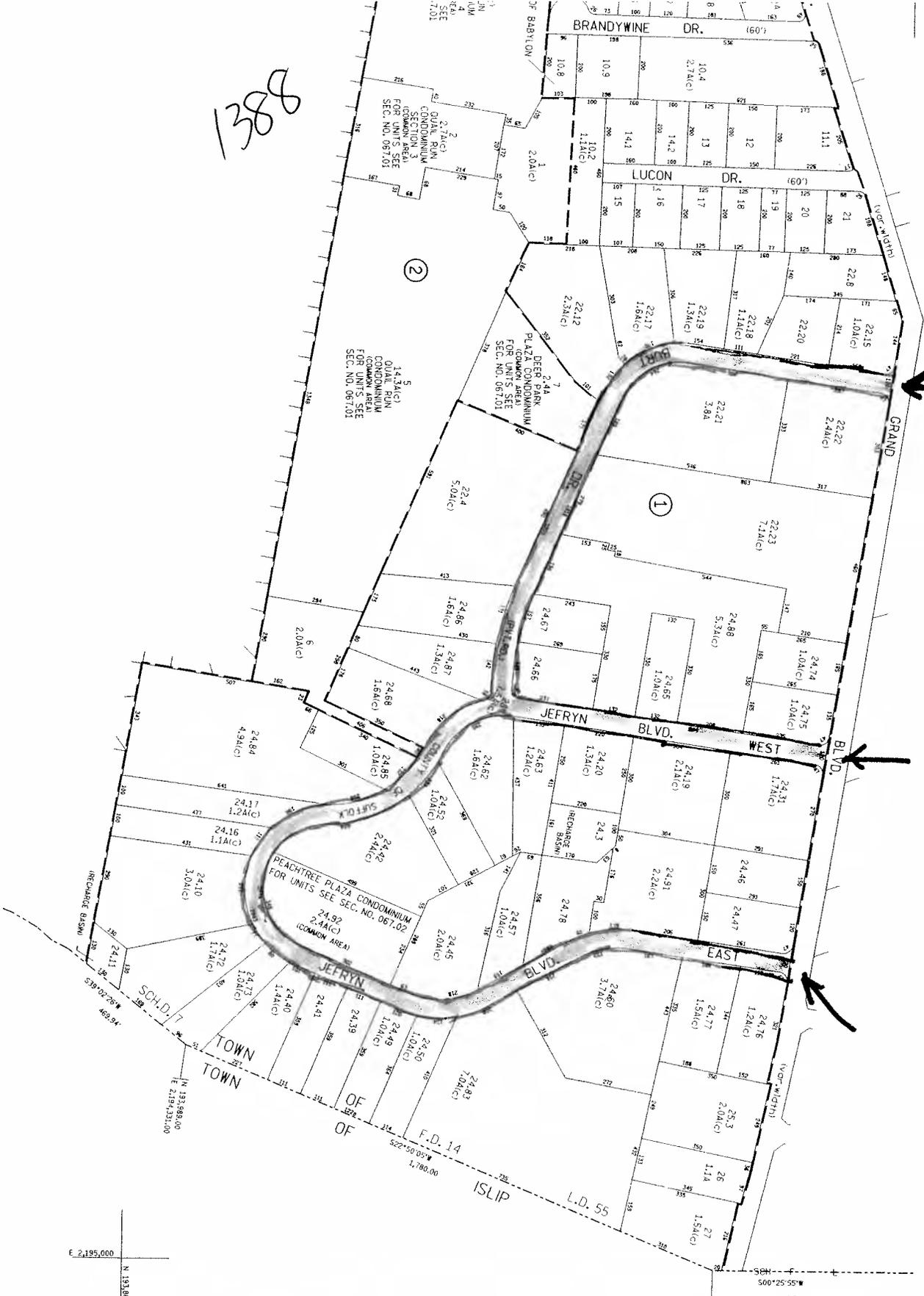
1388



TM# 0100-063.00-01.00-036.000

W 3rd St

1388

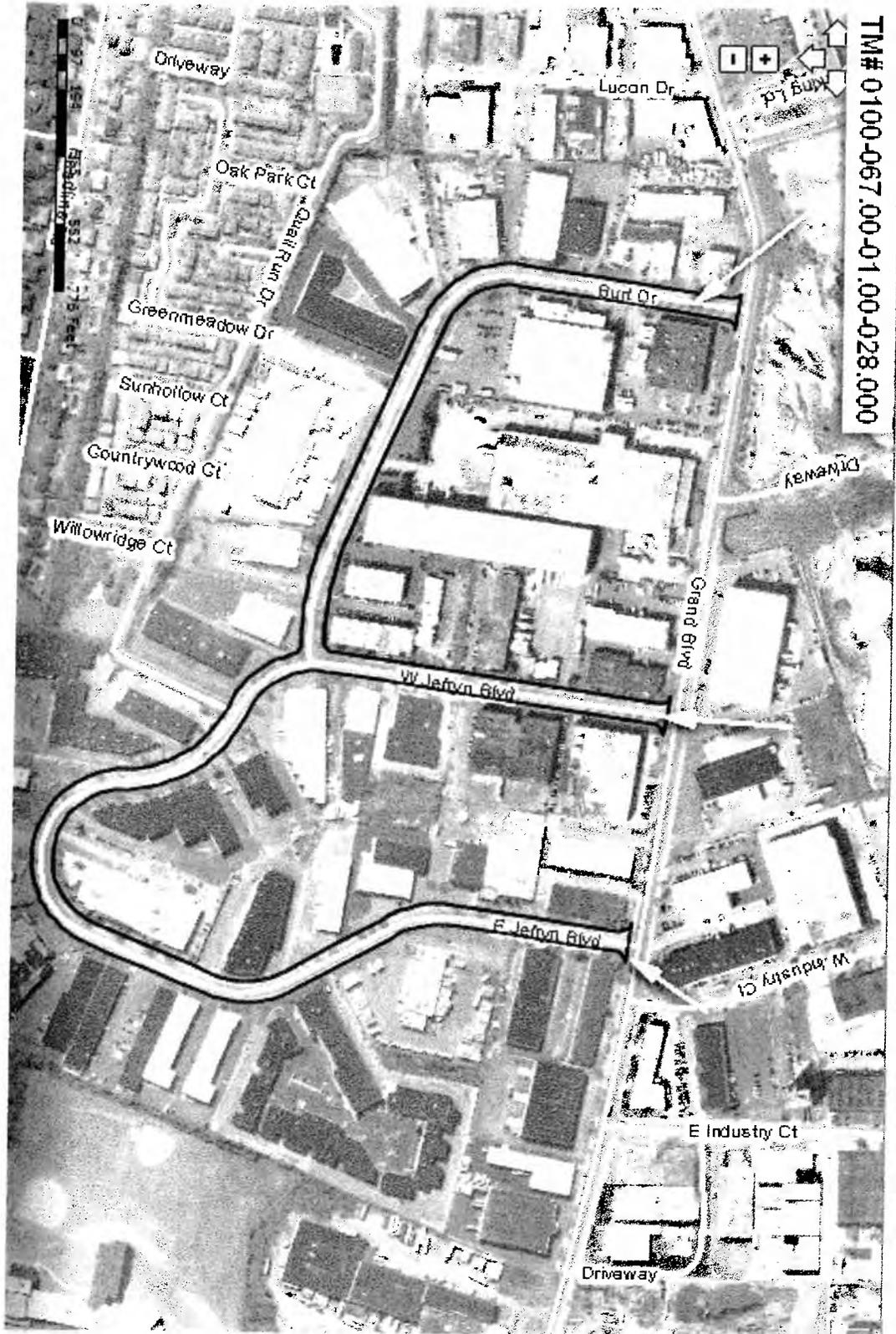


E 2,195,000  
N 193,000

M # 0100-067.00-01.00-028.000

E 2,195,400  
N 196,000

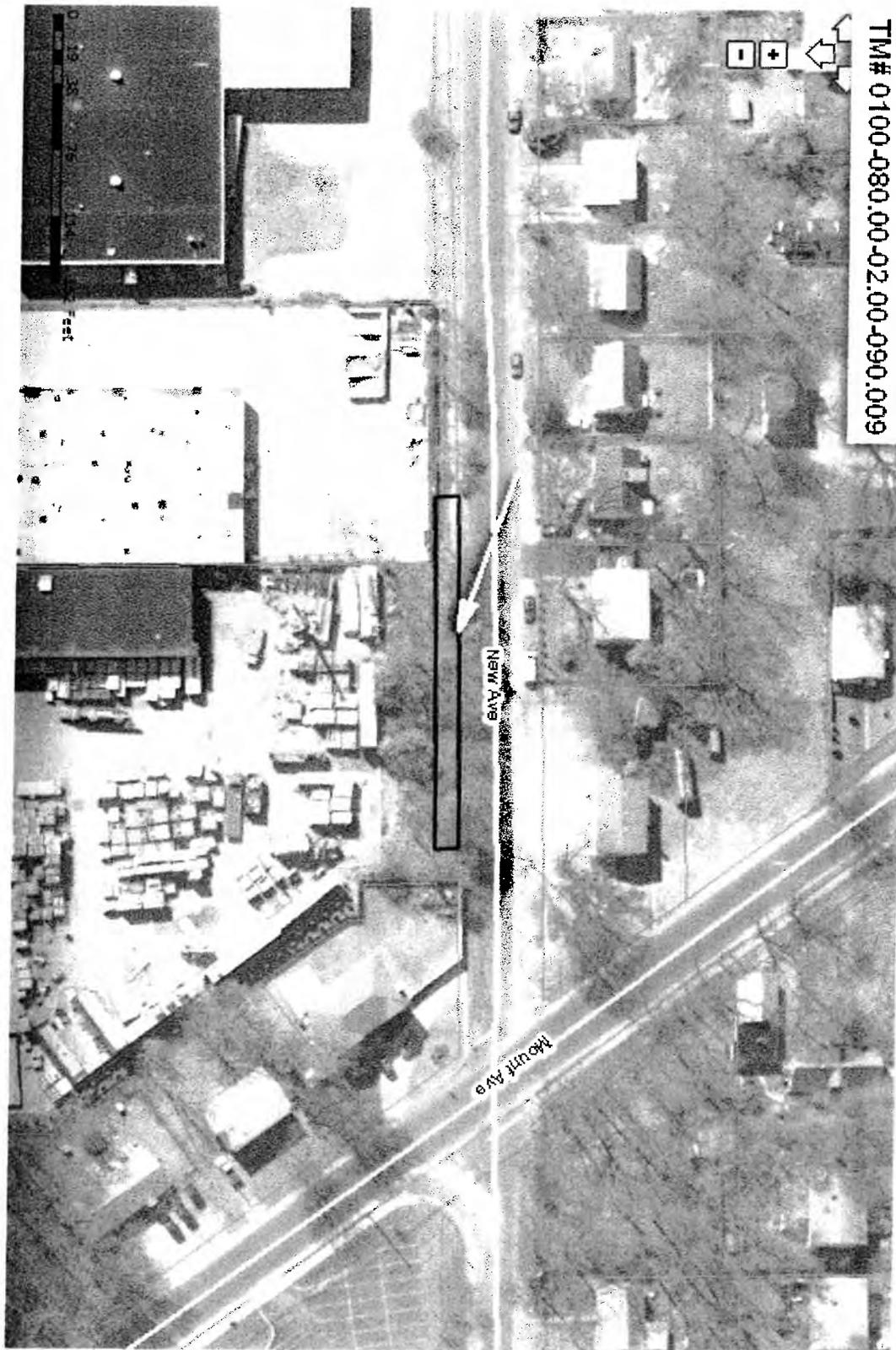
1388

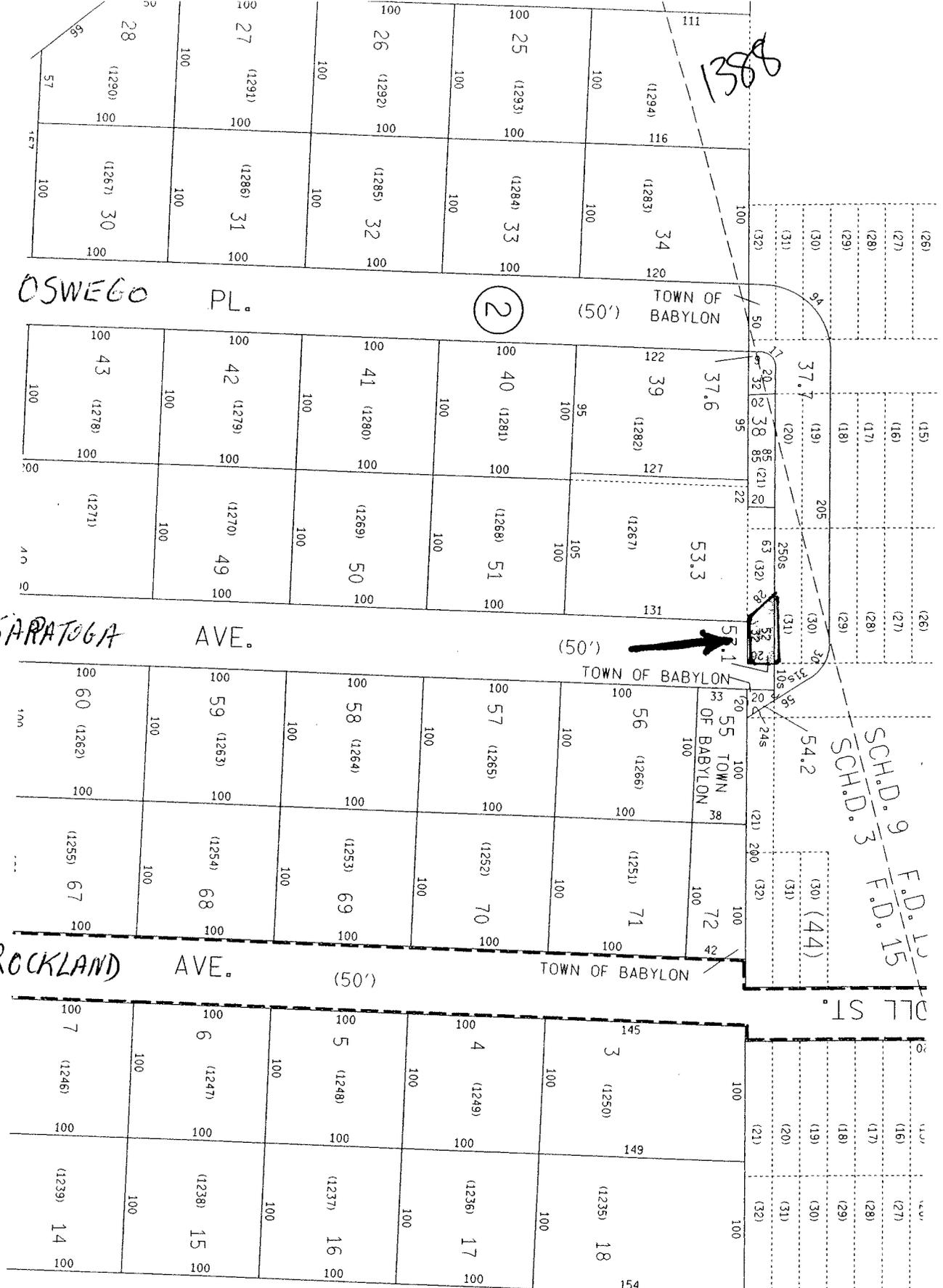


TM# 0100-067.00-01.00-028.000



1388





OSWEGO PL.

2

1388

SARATOGA AVE.

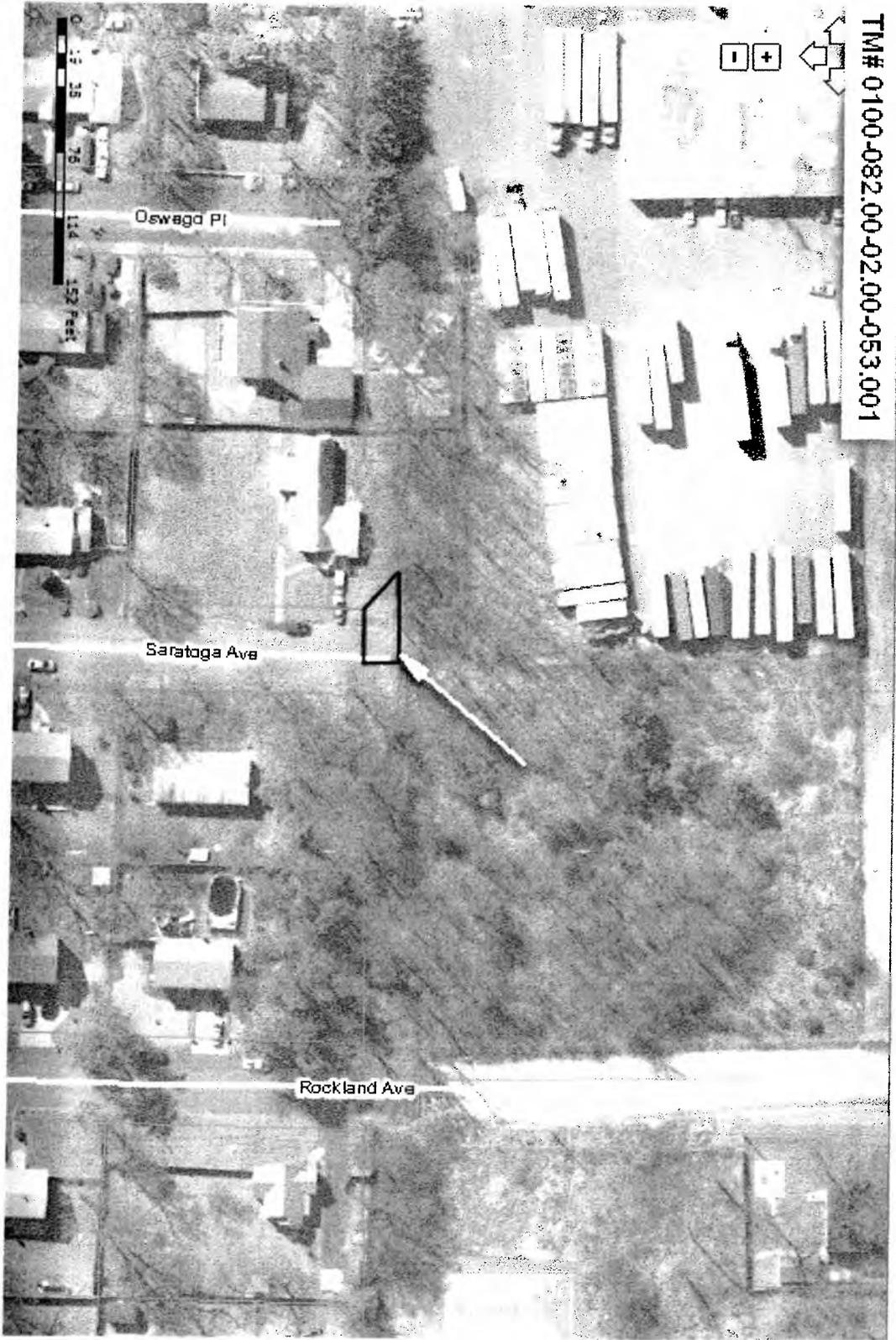
55.1

ROCKLAND AVE.

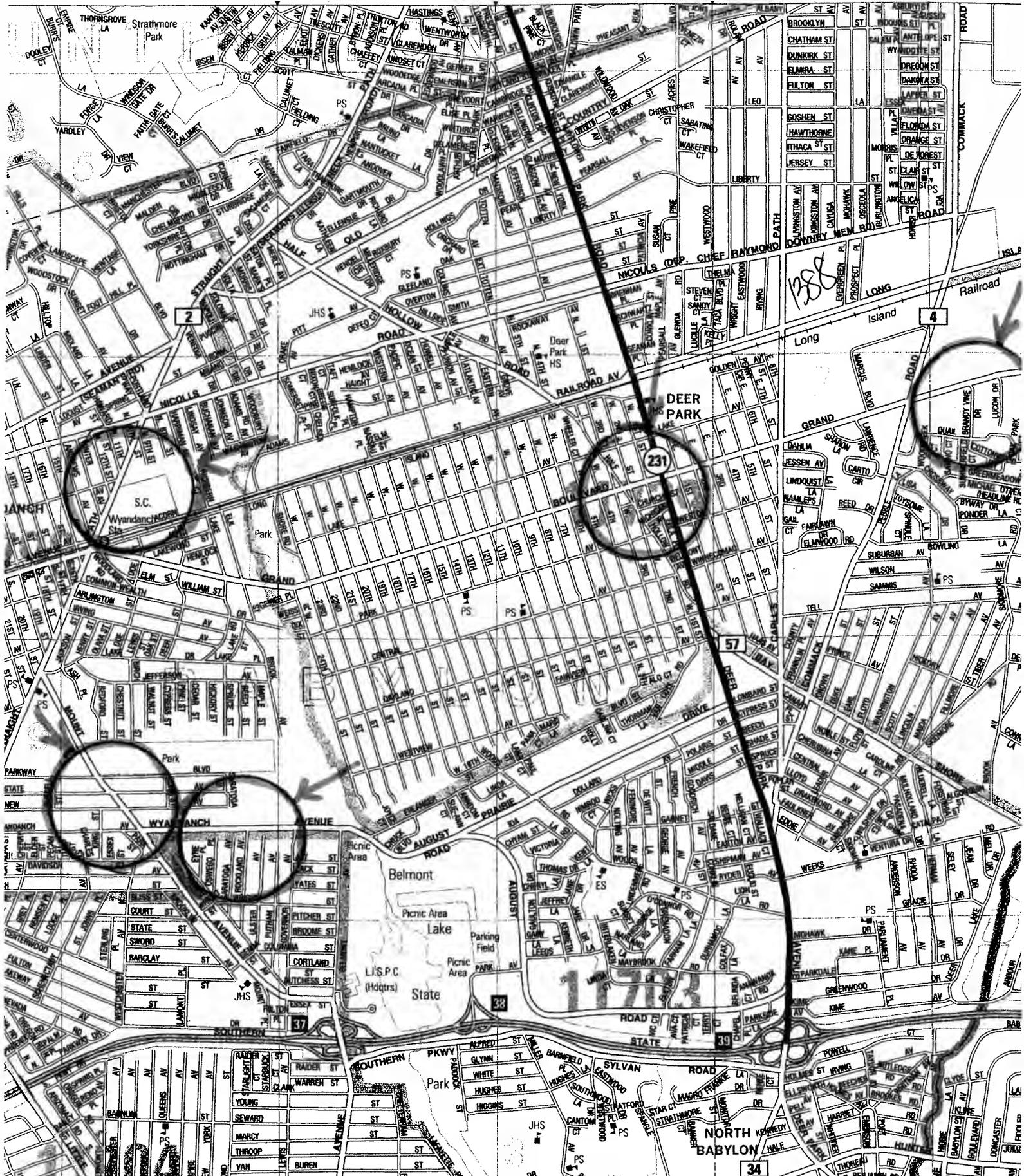
SCH.D. 9 F.D. 13  
SCH.D. 3 F.D. 15

TM# 0100-082.00-02.00-053.001

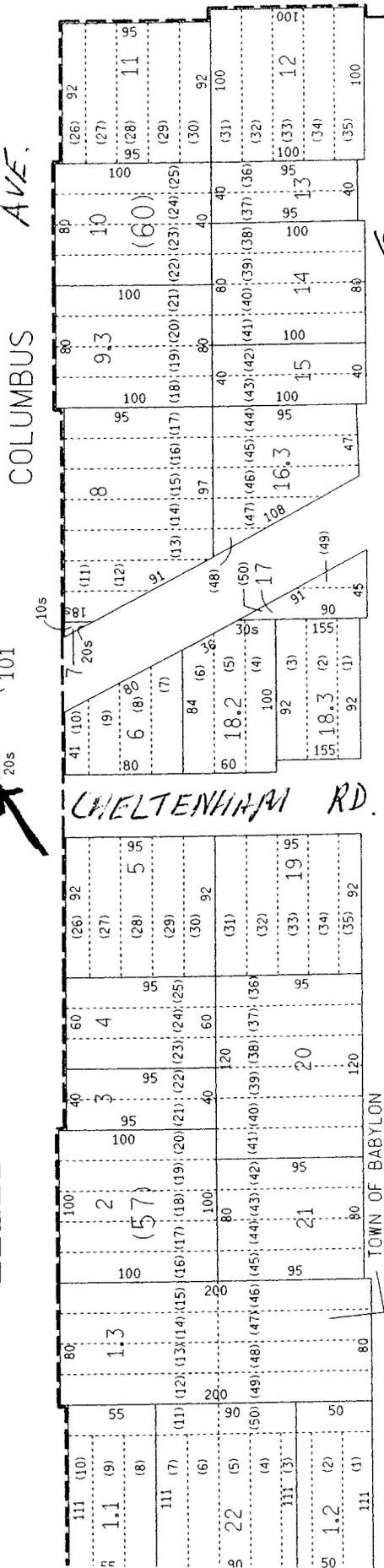
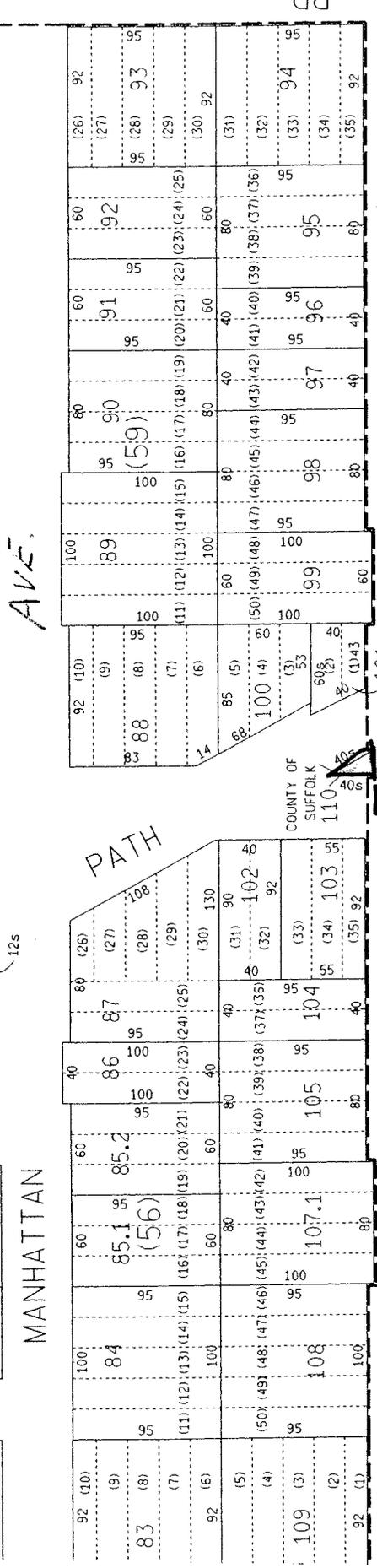
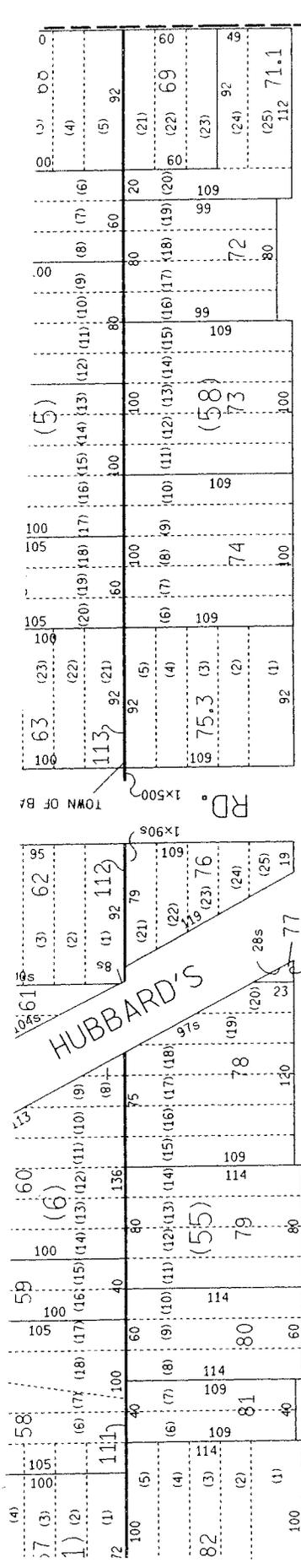
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TM# 0100-082.00-02.00-053.001



TIN# 0100-040.00-02.00-015.006, 0100-063.00-01.00-036.000  
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0100-082.00-02.00-053.001

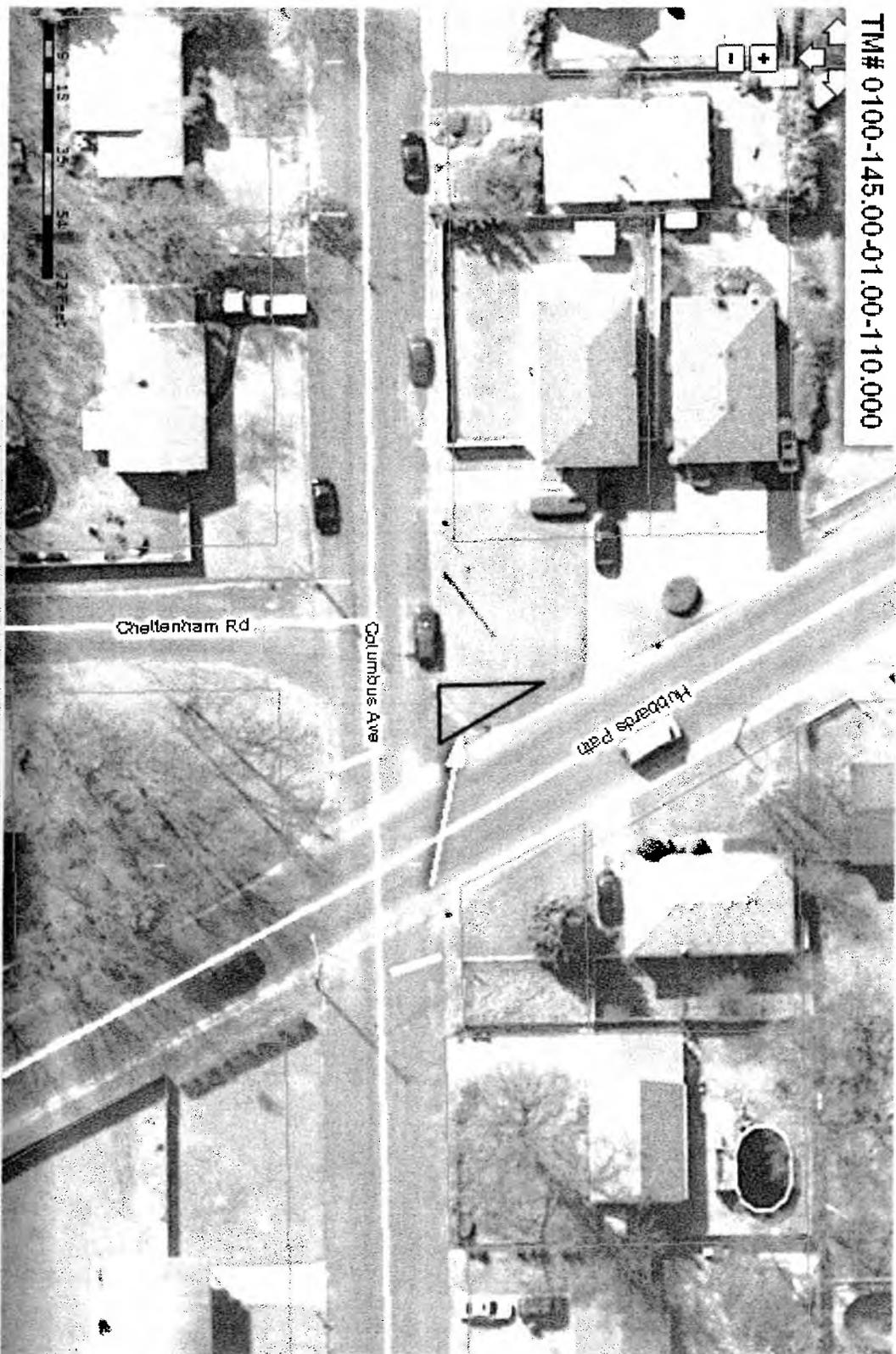


Tm# C100-145.00-01.00-110.000

1588

1388

TM# 0100-145.00-01.00-110.000



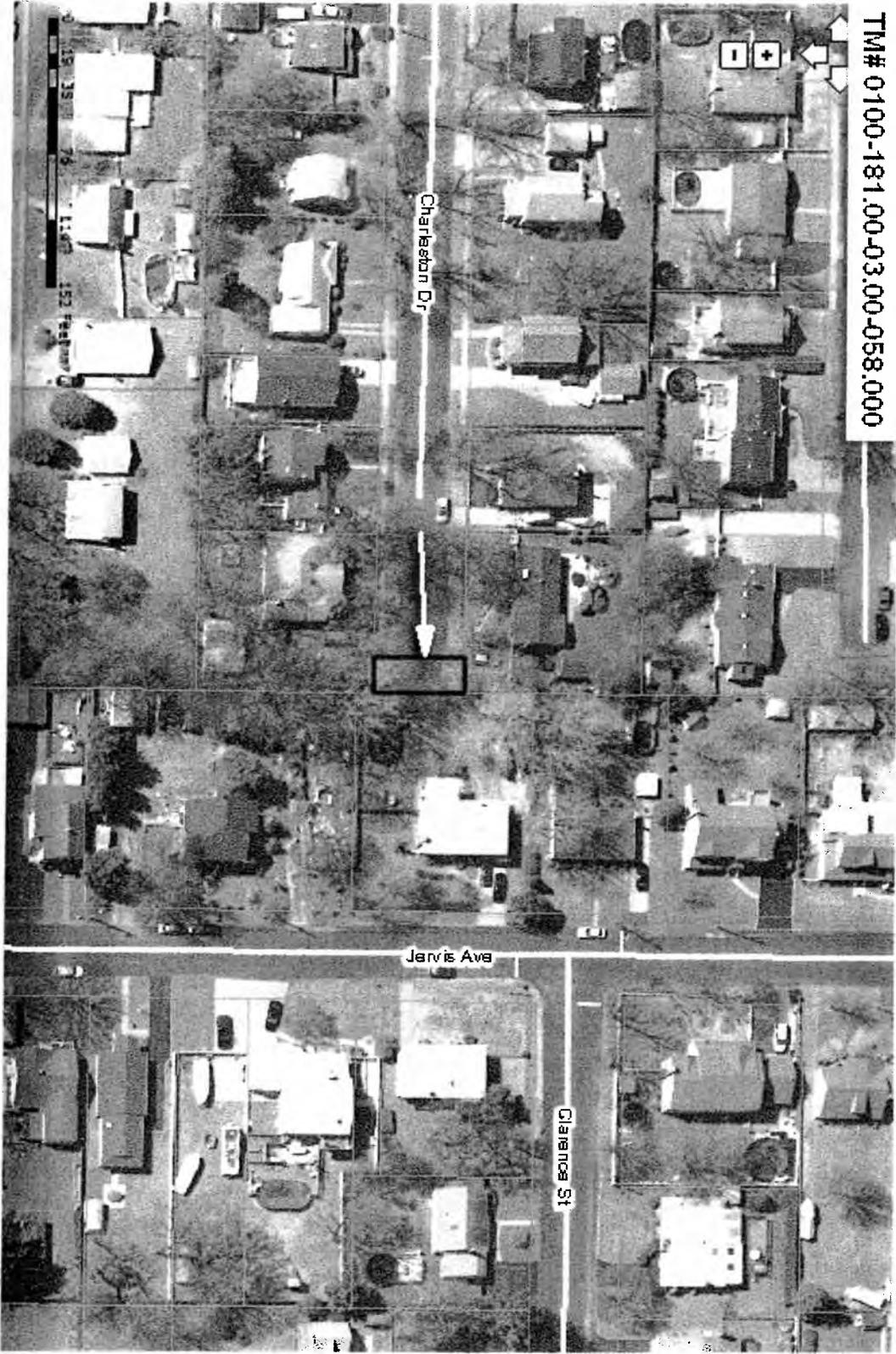


T/M# 0100-145.00-01.00-110.000



1388

TM# 0100-181.00-03.00-058.000





1388

BA

73°24'45"

H

73°24'00"

J

73°23'15"

K

73°22'30"

L

73°21'45"

Insp. Map 6

T# 0100-181.00-03.00-058.000

1388

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 Babylon for Municipal 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

R.J. Bhatt, LMS IV

Signature of Preparer

R.J. Bhatt

Date

3/23/10

COUNTY OF SUFFOLK

Gen B10

1388

MAR 25 2010



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

March 23, 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.: 0100-040.00-02.00-015.006 et al.  
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 Babylon 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:

Christopher E. Kent, Chief Deputy County Executive  
Brendan Chamberlain, director, Intergovernmental Relations (2 hard copies)  
Eric Naughton, Budget Director  
Thomas A. Isles, Director of Planning  
CE Reso Review via e-mail

Introductory Resolution No.

1389-10

Laid on Table

4/27/10

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  
DENNIS FENNESSY JR. & ANGELINA C. FENNESSY  
(SCTM NO. 0200-975.00-05.00-011.000)**

**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 975.00 Block 05.00 Lot 011.000 and acquired by Tax Deed on May 26, 1992 from General L. Rains, the Deputy County Treasurer of Suffolk County, New York, and recorded on June 15, 1992 in Liber 11483 at CP 90 and described as follows, being and intended to be that parcel of land known and designated as Lot 147 on a certain map entitled "Map of Mastic Acres, Unit One", and filed in the Office of the Clerk of the County of Suffolk on July 31, 1945 as Map No. 1441; 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**, Dennis Fennessy Jr. & Angelina C. Fennessy, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$5,100.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$5,000.00, 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 \$5,100.00, pursuant to said purchase offer; and

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

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

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

**3<sup>rd</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or 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 Dennis Fennessy Jr. & Angelina C. Fennessy, 36 Spar Drive, Mastic Beach, New York 11951.

DATED:

APPROVED BY

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

Date of Approval:

1389

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. 0200-975.00-05.00-011.000

ADJOINING OWNER	BID	BID	BID
Dennis & Angelina Fennessy Jr. 36 Spar Drive Mastic Beach, New York 11951 0200-975.00-05.00-010.000	\$5,100.00		
Diana Capdevilla 30 Spar Drive Mastic Beach, New York 11951 0200-975.00-05.00-012.000	\$0		
Oscar & Maria Ibarra 31 Edgewater Drive Mastic Beach, New York 11951 0200-975.00-05.00-037.000	\$0		

SIZE OF PARCEL: 50' x 125'  
APPRAISED VALUE: \$5,000.00  
COMMENT: Direct Sale to Adjacent Owner

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

1389

**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

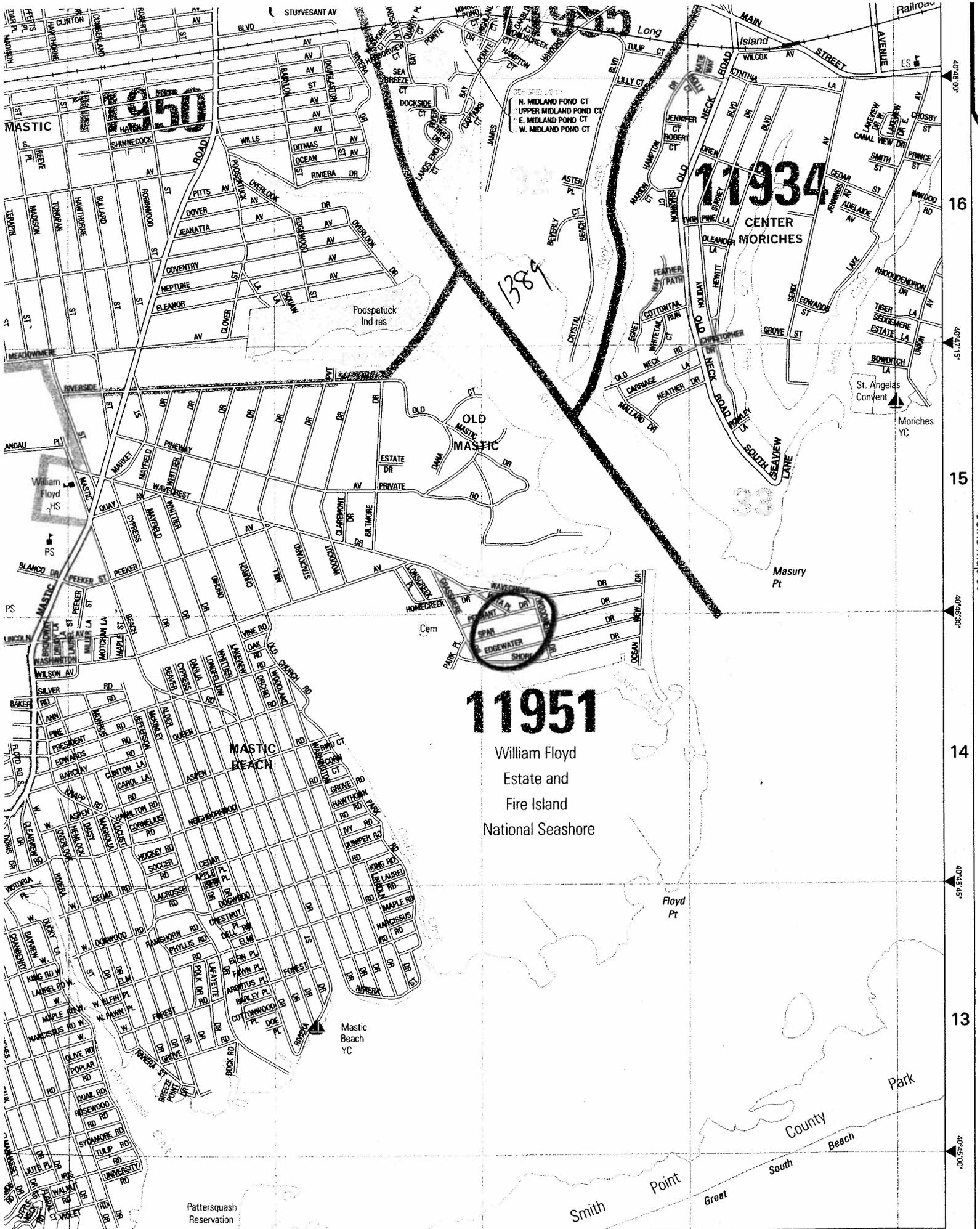
Date

Lori Sklar - LMS III

Lori Sklar

3/19/10





**11950**

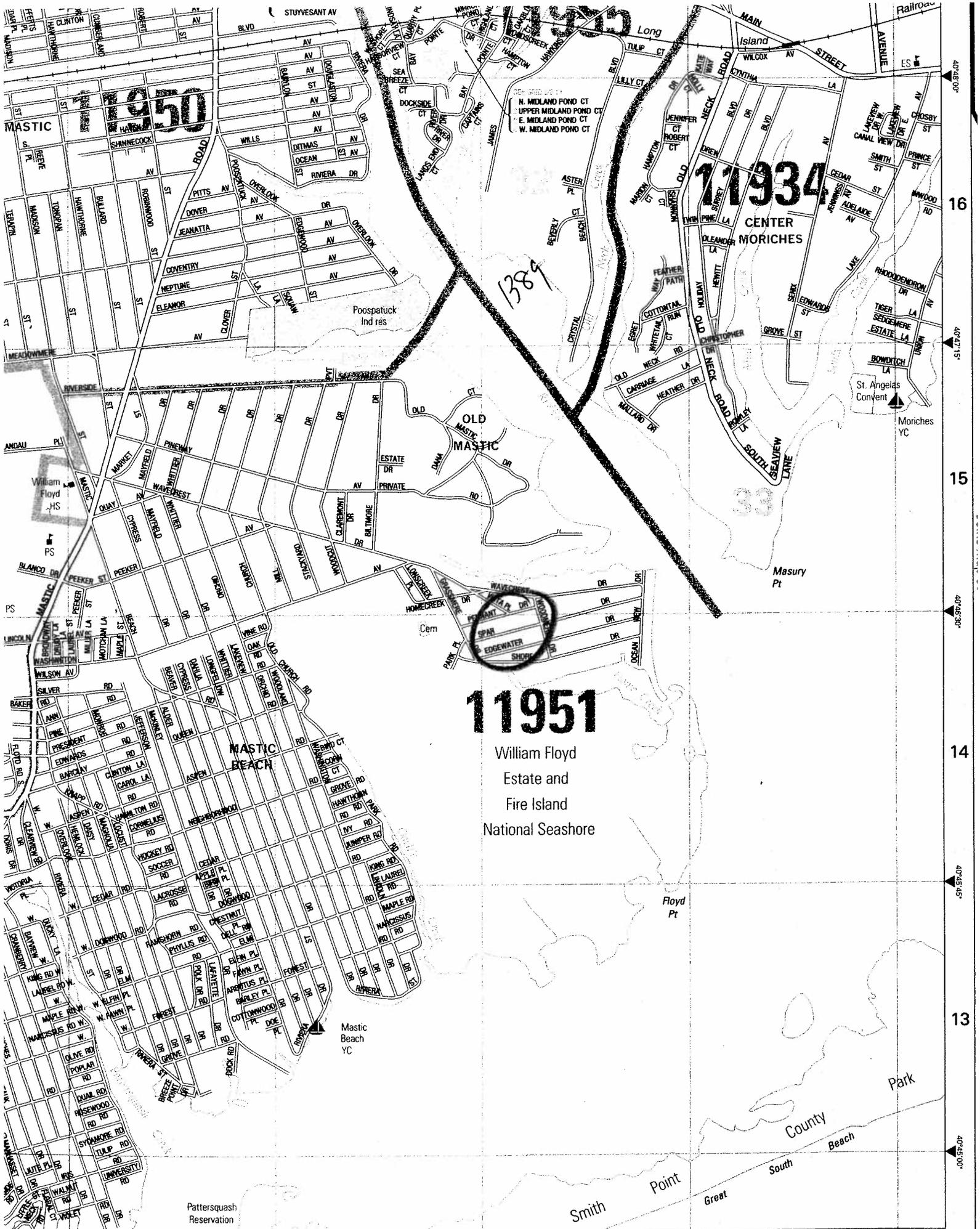
**11934**

**11951**

William Floyd  
Estate and  
Fire Island  
National Seashore

1389

33



72°51'00"      C2      72°50'15"      D2      72°49'30"      E2      72°48'45"      F2      72°48'00"

40°48'00"  
40°47'15"  
40°46'30"  
40°45'45"  
40°45'00"

# Map

1389



Hospitals



College-University



Public Schools



Major Roads

Streets

Owner Parcel

Natural Color 2006

Land Use (continued)

MILITARY BASE

PARK (CITY/COUNTY)

PARK (STATE)

PARK/MONUMENT (NATIONAL)

SHOPPING CENTRE

UNIVERSITY/COLLEGE

COUNTY OF SUFFOLK



Gen Bill  
1389  
MAR 25 2010

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

March 19, 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: 0200-975.00-05.00-011.000

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

**UPDATED VERSION 4/15/10**

Intro. Res. No. 1390-2010

Laid on Table 4/27/2010

Introduced by Legislators Cooper, Cilmi, Gregory, Barraga, Romaine, Stern, Horsley, Losquadro, Browning and Lindsay

**RESOLUTION NO.                   -2010, ADOPTING LOCAL LAW  
NO.                   -2010, A LOCAL LAW TO PROHIBIT CYBER-  
BULLYING 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 PROHIBIT CYBER-BULLYING 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 PROHIBIT CYBER-BULLYING 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 bullying is a long-standing problem among school-aged children in Suffolk County and throughout the nation.

This Legislature also finds and determines that, with the advent of technology, bullying has transformed from a predominantly school-based issue to a broader societal problem.

This Legislature further finds and determines that cyber-bullying, which consists of repeated non-physical bullying behaviors transmitted by electronic means, is the newest form of harassment.

This Legislature finds that cyber-bullying is rampant: forty two percent (42%) of children in the fourth through eighth grade surveyed in a recent poll reported being bullied online.

This Legislature determines that cyber-bullying follows its victims everywhere they go, can occur as frequently as the aggressor desires, and can take place at any time of the day or night, as it is perpetrated online and/or through text and picture messages on cellular phones and handheld devices.

This Legislature also finds that perpetrators of cyber-bullying are often more extreme in the threats and taunts they inflict on their victims, as they do not actually see their victim's emotional reaction to the abuse and believe they are anonymous.

This Legislature further finds that victims of cyber-bullying suffer very real and serious harm as a result of these incidents, often showing signs of depression, anxiety, social isolation, nervousness when interacting with technology, low self esteem, and declining school performance.

This Legislature also determines that, in some cases, victims attempt or commit suicide in part because of the cyber-bullying they've endured.

This Legislature further determines that several states have enacted laws criminalizing cyber-bullying but, to date, the New York State Legislature has failed to address this problem.

This Legislature finds that Suffolk County should do everything in its power to protect its school-aged residents from such reprehensible behavior.

Therefore, the purpose of this law is to ban the cyber-bullying of minors in the County of Suffolk.

**Section 2. Definitions.**

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

“CYBER-BULLYING” shall mean engaging in a course of conduct or repeatedly committing acts of abusive behavior over a period of time, with the intent to coerce, intimidate, harass or cause substantial emotional distress to a person, and which serve no legitimate purpose, by communicating or causing a communication to be sent by mechanical or electronic means, posting statements on the internet or through a computer network. Acts of abusive behavior shall include, but not be limited to, taunting; threatening; intimidating; insulting; tormenting; humiliating; disseminating embarrassing or sexually explicit photographs, either actual or modified, of a minor; disseminating the private, personal or sexual information, either factual or false, of a minor; or sending hate mail.

“MINOR” shall mean any natural person or individual under the age of nineteen (19).

“PERSON” shall mean any natural person or individual.

**Section 3. Prohibitions.**

No person shall engage in cyber-bullying against a minor in the County of Suffolk.

**Section 4. Penalties.**

Any person who knowingly violates the provisions of this article shall be guilty of an unclassified misdemeanor punishable by a fine of up to \$1,000 and/or up to one year's imprisonment.

**Section 5. Applicability.**

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

**Section 6. Reverse Preemption.**

This law shall be null and void on the day that statewide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this article, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Suffolk. The County Legislature may determine via mere resolution whether or not identical or substantially similar statewide legislation has been enacted for the purposes of triggering the provisions of this section.

**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 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 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/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 9. 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:

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)

1390

DATE: April 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 PROHIBITING CYBERSTALKING IN SUFFOLK COUNTY  
SPONSOR: LEGISLATOR COOPER

DATE OF RECEIPT BY COUNSEL: 4/22/10 PUBLIC HEARING: 5/11/10  
DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

This proposed local law would prohibit cyberstalking of persons over the age of nineteen (19) in Suffolk County.<sup>1</sup>

Any person who violates this law shall be guilty of an unclassified misdemeanor punishable by a fine of up to one thousand dollars (\$1,000) and/or up to one year's imprisonment.

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-cyberstalking

<sup>1</sup> "Cyberstalking" is defined as "engaging in a course of conduct or repeatedly committing acts of abusive behavior over a period of time with the intent to coerce, intimidate, harass or cause substantial emotional distress to a person, and which serve no legitimate purpose, by communication or causing a communication to be sent by mechanical or electronic means, posting statements on the internet or through a computer network. Acts of abusive behavior shall include, but not be limited to, threatening; intimidating; tormenting; humiliating; disseminating embarrassing or sexually explicit photographs, either actual or modified, of a person without their permission; or disseminating the private, personal or sexual information of a person without their permission."

**RESOLUTION NO. -2010, AMENDING THE 2010  
ADOPTED OPERATING BUDGET TO REALLOCATE FUNDING  
FOR A NEW INITIATIVE, THE HEROIN TREATMENT  
PROGRAM FOR YOUNG ADULTS**

**WHEREAS**, Resolution No. 930-2009 transferred appropriations within the 2010 Operating Budget to the Department of Health Services, Division of Patient Care Services Administration, by adding \$1,032,477 for the Central Islip Health Center; and

**WHEREAS**, the Central Islip Health Center ceased operations on December 9, 2009; and

**WHEREAS**, these additional funds are no longer required for the operation of the Central Islip Health Center; and

**WHEREAS**, there are certain public health and service needs which the Health Department has identified; and

**WHEREAS**, the most significant issue is a response to the large rise in heroin use, overdoses and deaths among the adolescent and young adult population in Suffolk County; and

**WHEREAS**, the resources available in Suffolk County to serve adolescents that are abusing or have become dependent on opiate are limited; and

**WHEREAS**, the Department of Health Services has developed a new initiative in response to this problem, "The Heroin Treatment Program for Young Adults", which requires funding; and

**WHEREAS**, this new initiative will provide medication-assisted treatment services to the affected youth in our County; and

**WHEREAS**, the funds required for these programs exist within the 2010 Adopted Operating Budget, and sufficient funds are available for transfer and will allow for the implementation of a new initiative; now, therefore be it

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

FROM:

Department of Health Services  
Division of Patient Care Services  
Administration  
001-HSV-4100-4980

<u>XORG</u>	<u>OBJECT NAME</u>	2010 Adopted <u>Budget</u>	Increase/ <u>Decrease</u>	2010 Modified <u>Budget</u>
AJK1	Islip Health Center	\$12,157,642	(\$225,000)	\$11,923,642

TO:

Department of Health Services  
Division of Community Mental Hygiene Services  
Methadone Clinics  
001-HSV-4321

<u>OBJECT</u>	<u>OBJECT NAME</u>	2010 Adopted <u>Budget</u>	Increase/ <u>Decrease</u>	2010 Modified <u>Budget</u>
1100	Permanent Salaries	\$4,329,221	+\$102,408	\$4,431,629
3370	Medical, Dental & Laboratory Supp	\$210,000	+\$ 21,500	\$231,500
4770	Special Services	\$285,000	+\$ 28,500	\$313,500
4560	Fees For Svcs: Non-Employ.	\$380,000	+\$ 72,592	\$452,592

and be it further

**2<sup>nd</sup>** **RESOLVED**, that the following positions be and they hereby are transferred as follows:

FROM:

<u>Position No.</u>	<u>Spec. No.</u>	<u>Position Title</u>	<u>J.C.</u>	<u>Grade</u>
01-4327-1000-0037	2701	Drug Counselor	C	19/01
01-4320-5100-0129	2701	Drug Counselor	C	19/01

TO:

<u>Position No.</u>	<u>Spec. No.</u>	<u>Position Title</u>	<u>J.C.</u>	<u>Grade</u>
01-4321-1000-0163	2701	Drug Counselor	C	19/01
01-4321-1000-0164	2701	Drug Counselor	C	19/01

and be it further

**3<sup>rd</sup>** **RESOLVED**, that the County Executive be and hereby is authorized to execute any contracts for services for the Heroin Treatment Program for Young Adults; and be it further

**4<sup>th</sup>** **RESOLVED**, that Suffolk County Department of Health Services provide both a written report and testimony to the Health Committee no later than 90 days of the adoption of the resolution as to the status of the program, positions filled, number of patients, the number of client visits and projections for the future of the program, and every 90 days thereafter.

**5<sup>th</sup>** **RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.



1392

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

Laid on Table 4/27/10

**RESOLUTION NO. -2010, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE LAKE PANAMOKA COUNTY PARK ADDITION – OAKVIEW TRAIL TRUST PROPERTY, TOWN OF BROOKHAVEN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Lake Panamoka County Park Addition – Oakview Trail Trust Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.39 acres of land by Suffolk County for open space preservation purposes; and

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

**WHEREAS**, at its March 17, 2010 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; 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 March 22, 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 Acquisition of Land for Open Space Preservation Purposes Known as the Lake Panamoka County Park Addition – Oakview Trail Trust Property, 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 proposed use of the subject parcel 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

**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-oakview-trail-trust-property

1393

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

Laid on Table 4/27/10

**RESOLUTION NO. -2010, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED IMPROVEMENTS TO CR 31 AT CR 104 ROUNDABOUT, CP 5572, TOWN OF SOUTHAMPTON**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Improvements to CR 31 at CR 104 Roundabout, CP 5572, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project consists of the reconfiguration of existing stop-controlled intersection of CR 31 at CR 104 into a modern roundabout. The intersection currently experiences high speeds. Roundabout installation will result in a reduction of vehicle speeds for all approached directions, and more efficient use of the capacity of the intersection. All work will be done within the existing right of way; and

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

**WHEREAS**, at its March 17, 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 March 22, 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 to CR 31 at CR 104 Roundabout, CP 5572, Town of Southampton constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
- 2) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or

regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code;

- 3) The parcel does not appear to suffer from any severe environmental development constraints (limiting soil properties; no high groundwater and no unmanageable slopes); and
- 4) Pedestrian and traffic safety will be improved;

and be it further

**2nd RESOLVED**, that CEQ recommends that the improvements at CR 31 Old Riverhead Road at CR 104 Riverhead Road will improve pedestrian and traffic safety; and be it further

**3rd 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

**4th 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:

1394

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

Laid on Table 4/27/10

**RESOLUTION NO. -2010, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED CONSTRUCTION OF SIDEWALKS ON CR 76, CP 5497, TOWNS OF ISLIP AND SMITHTOWN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Construction of Sidewalks on CR 76, CP 5497, Towns of Islip and Smithtown", pursuant to Section 6 of Local Law No. 22-1985 which project consists of installation of sidewalks between existing segments, drainage modifications, minor pavement widening and asphalt resurfacing; 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 March 17, 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 March 22, 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 Sidewalks on CR 76, CP 5497, Towns of Islip and Smithtown constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
- 2) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code;

- 3) The parcel does not appear to suffer from any severe environmental development constraints (limiting soil properties; no high groundwater and no unmanageable slopes); and
- 4) Pedestrian safety will be improved in the vicinity of the adjacent residential areas;

and be it further

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

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

DATED:

APPROVED BY:

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

Date:

**UPDATED VERSION 4/13/2010**

Intro. Res. No. 1395-2010  
Introduced by Legislator Romaine

Laid on Table 4/27/2010

**RESOLUTION NO. -2010, APPOINTING  
MEMBER OF THE SUFFOLK COUNTY WATER AUTHORITY  
(STEVEN ROMANO)**

**WHEREAS**, Resolution No. 193-2005 reappointed Michael A. LoGrande as a member and Chairman of the Suffolk County Water Authority, with a term to expire May 29, 2010; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that Steven Romano, currently residing at Riverhead, New York, 11901, is hereby appointed as a member of the Suffolk County Water Authority, commencing May 30, 2010 and expiring May 29, 2015, said appointment having been made pursuant to the provisions of Section 1077(1) of the NEW YORK PUBLIC AUTHORITIES LAW; and be it further

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

DATED:

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

Steven Romano

MAR 12 2010

Riverhead NY 11901

E mail:

March 15, 2010

Re: Suffolk County Water Authority Board Position

Dear County Legislator Romaine,

As you are aware the Chairman of Suffolk County Water Authority, Mr. Michael LoGrande, will be retiring in May of 2010. Please consider this letter my formal application of interest for this soon to be vacated position.

My life's experiences include serving as a Board member with the following organizations:

2005- Present     President -Mill Pond Commons Condominium  
1993-1998        School Board Member- Rocky Point Schools  
1990-1992        President -Citizens for an Economically, Affordable Education  
1984-1992        Board Member and President Sound Beach Republican Club

Past Member and officer with the following organizations:

Rocky Point Civics, Sound Beach Civics, North East Brookhaven Republican Club  
Condominium Association of Riverhead, Sons of Italy, St. Anthony's Parish

My education includes an Associates Degree from Suffolk Community College and a Bachelors degree in Business Management from Dowling College. I am married and have three grown adult children, and three grandchildren. I have lived in Suffolk County since 1967.

I had worked in private industry from 1975-1982 and since 1982, have been an employee of Suffolk County Water Authority. Over my 28-year career, which started as a temporary union laborer, I have been promoted numerous times and currently hold the position of Manger, New Construction at our Oakdale Facility. I am familiar with our complete operation, as my work experience in both our New Construction and Customer Service Divisions have enabled me to be conversant with all SCWA issues, as well as a myriad of municipal issues, laws, regulations, and requirements.

I have worked hand in hand with staff from the Suffolk County Department of Health, Public Works and numerous Town and Village Highway Departments. I have had dealings with NY State D.E.C, United States E.P.A, Town Boards, Community Development Agencies, Planning and Building Departments, Consumer Affairs, Better Business Bureau, L.I.B.I., Homeowner Associations and yes, even some of your offices and perhaps even yourselves, and or some of your predecessors.

I have been both plaintiff and defendant on behalf of SCWA at examination before trials and before courts of Law. I have worked with individual homeowners, Builders, Developers, Lawyers, Architects, Engineers, Surveyors, Expeditors, Plumbers, and Fire Suppression Installers.

I have been a union shop steward, negotiated contracts, and held grievance hearings from both sides of the table. I always attempt to establish an avenue where one could disagree but did not have to be disagreeable. Factual passionate debate is always welcomed when I am involved, as most problems are complex in nature and lend themselves to compelling arguments from both sides of any issue.

I would be the perfect candidate to fill Mr. LoGrande's position. I believe my work experience with the Authority has allowed me to sharpen my analytical skills, interpersonal skills, and problem solving skills. With our new incoming C.E.O., Mr. Jeff Szabo, my experience and independence would assist him in his transition, and help him formulate, and advocate changes he will want to implement. My appointment would also bring some balance to the Board, with a full time resident from the east end. .

That stated, I have been very fortunate to have a career with SCWA. I would like to give something back to our organization and ratepayers, even if it means that I would need to retire to do so. However, if you feel that no conflict exists and retirement would not be necessary for me to serve, I would accept the position with no stipend required. If retirement were necessary, I would accept the appointment at half the current annual stipend.

It is my opinion, as well as many others that trustees who have expertise in the water utility industry would best serve our ratepayers. One million residents depend on us each day to provide, clean, safe drinking water at a reasonable cost.

If you think my experiences and credentials would assist the Board in carrying out its powers, purposes and duties, I would be delighted to come in to speak to you or your staff on this upcoming appointment.

Sincerely,

A handwritten signature in cursive script that reads "Steven Romano".

Steven Romano

**RESOLUTION NO. -2010, AUTHORIZING PLANNING  
STEPS FOR THE ACQUISITION OF LAND UNDER THE  
SUFFOLK COUNTY DRINKING WATER PROTECTION  
PROGRAM, AS AMENDED BY LOCAL LAW 24-2007  
(ROBIN PLACE PROPERTY – TOWN OF HUNTINGTON)**

**WHEREAS**, the Suffolk County Drinking Water Protection Program, as amended by Local Law 24-2007, authorizes the use of 31.10% of sales and compensating use tax proceeds generated each year for specific environmental protection, including the acquisition of open space in accordance with specific criteria set forth therein; and

**WHEREAS**, the parcel(s) listed in Exhibit "A" of this resolution meets the criteria for acquisition under the Drinking Water Protection Program; and

**WHEREAS**, adequate funding is provided for, pursuant to Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, from 31.10% of the sales and compensating use tax proceeds, for the acquisition of such land as open space; now, therefore, be it

**1st RESOLVED**, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 0.12 acres, is hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

**2nd RESOLVED**, that the parcel(s) listed in Exhibit "A" meet the criteria required by the Suffolk County Drinking Water Protection Program; and be it further

**3rd RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition Management, Department of Environment and Energy, and/or her designee is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

**4th RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

**5th RESOLVED**, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

**6th RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby further authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may

be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

**7th**                **RESOLVED**, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel(s); 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 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-robin-place-open-space-drinking-water-plan-steps

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District      0400 Section      235.00 Block        01.00 Lot            002.000	0.12	American Key, Inc. 292 Fulton Avenue, Suite 203 Hempstead, NY 11550  Millennium Home & Land Ltd. 12 Parkway Drive Westbury, NY 11590

**EXHIBIT "A"**

**RESOLUTION NO.            -2010, TEMPORARILY REDUCING  
BEACH AND GOLF FEES AT COUNTY PARKS**

**WHEREAS**, Long Island's parks, beaches and golf courses are among the finest in the country; and

**WHEREAS**, providing affordable recreation opportunities is a top priority of Suffolk County government during this period of economic hardship as many families are spending their vacations close to home; and

**WHEREAS**, New York State has announced that it is increasing user fees at its parks, golf courses and beaches to close a projected budget deficit; and

**WHEREAS**, the County of Suffolk should temporarily reduce fees at County beaches and golf courses to allow residents "priced out" by the State to avail themselves of the County's recreational resources; now, therefore be it

**1st            RESOLVED**, that all fees for golf at the County's golf courses, except tournament and replay fees, and parking fees at County beaches with lifeguards shall be reduced by one dollar (\$1.00), effective 30 days after the enactment of this resolution with said reduction in fees to continue until December 31, 2010; and be it further

**2nd            RESOLVED**, that effective January 1, 2011, the fees for golf courses and beaches with lifeguards shall return to the rates set forth in Resolution No. 22-2009 and Section 688-3 of the SUFFOLK COUNTY CODE; 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:

1308

Intro. Res. No. -2010  
Introduced by Legislator Eddington

Laid on Table 4/27/10

**RESOLUTION NO. -2010, AUTHORIZING TRANSFER OF  
SURPLUS LABORATORY INSTRUMENTATION AND  
EQUIPMENT TO THE STATE UNIVERSITY OF NEW YORK AT  
STONY BROOK**

**WHEREAS**, the Suffolk County Department of Health Services has surplus laboratory instrumentation and equipment, which have been taken out of service because it is obsolescent; and

**WHEREAS**, this equipment has been declared surplus property; and

**WHEREAS**, the State University of New York (SUNY) at Stony Brook has requested the donation of this laboratory instrumentation and equipment from the Suffolk County Department of Health Services; and

**WHEREAS**, SUNY Stony Brook is willing to assume responsibility for the removal and transportation of this laboratory instrumentation and equipment; now, therefore be it

**1st RESOLVED**, that the Suffolk County Department of Health Services is hereby authorized, empowered, and directed, to transfer the following surplus laboratory instrumentation and equipment to the following organization, for the purpose of utilizing the instruments for testing associated with waste water treatment plants within its facility, which list of surplus laboratory instrumentation and equipment is attached hereto as Exhibit "A";

**To:**  
SUNY at Stony Brook  
Analytical Laboratory  
Marine Sciences Research Center  
Stony Brook, NY 11790  
Contact: Joseph Ruggieri  
Telephone: (631) 632-3043

**Laboratory Instrumentation and Equipment**  
Exhibit "A"

and be it further

**2nd RESOLVED**, that the above described surplus laboratory instrumentation and equipment is hereby declared to be scrap value only and is transferred pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

**3rd RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said laboratory instrumentation and equipment; 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) 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-surplus-laboratory-suny-stony-brook

1. Varian Gas Chromatograph/Mass Spectrometer (GC/MS), Model Saturn 2200,  
System ID #398009038, Suffolk County Inventory Tag #147480
  - a. Autosampler for Model 2200 GC/MS system, System ID # 8400-01152  
Suffolk County Inventory Tag # 147481
  
2. Varian Gas Chromatograph/Mass Spectrometer (GC/MS), Model Saturn 2000,  
System ID #400208646 (No Suffolk County Inventory Tag)
  - a. Autosampler for Model 2000 GC/MS system, System ID #8400-01207  
(No Suffolk County Inventory Tag)

Exhibit "A"

1399  
Intro. Res. No. -2010  
Introduced by Presiding Officer Lindsay

Laid on Table 4/27/10

**RESOLUTION NO. -2010, ENDING THE VOUCHER SYSTEM  
AND DIRECTING THE DEPARTMENT OF SOCIAL SERVICES  
TO DEVELOP A COMPREHENSIVE PLAN TO HOUSE  
HOMELESS SEX OFFENDERS**

**WHEREAS**, the County of Suffolk, through its Department of Social Services, is obligated to provide housing for all persons who are homeless, including sex offenders; and

**WHEREAS**, the Department of Social Services has housed most homeless sex offenders in trailers in Riverhead and Westhampton for the past several years; and

**WHEREAS**, residents of Riverhead and Southampton have complained that it is inequitable to house all sex offenders in their communities; and

**WHEREAS**, the County has incurred large costs transporting sex offenders to and from the trailers; and

**WHEREAS**, the condition of the trailers in Riverhead and Westhampton has been the subject of a fair hearing and is a potential source of future litigation; and

**WHEREAS**, the Department of Social Services and the County Executive's Office have begun to implement a new policy for sex offender emergency housing, whereby the Department gives a sex offender a daily voucher of \$90 and the sex offender is responsible to find their own housing; and

**WHEREAS**, the new voucher policy is unacceptable because it undermines the central goal of Megan's Law -- to allow residents to be aware of the presence of sex offenders in their community; and

**WHEREAS**, under the voucher system, sex offenders can be housed in close proximity to families and children; and

**WHEREAS**, there is no oversight of sex offenders under the voucher policy; now, therefore be it

**1st RESOLVED**, that the Department of Social Services is hereby directed to terminate the voucher program for homeless sex offenders; and be it further

**2nd RESOLVED**, that the Department of Social Services is directed to develop a new program to provide emergency housing for homeless sex offenders; and be it further

**3rd RESOLVED**, that the program developed by the Department of Social Services should be equitable, cost effective and provide some measure of oversight of sex offenders; and be it further

**4th RESOLVED**, the Department of Social Services shall present the program called for herein to the County Executive and the Suffolk County Legislature within 30 days of the effective date of this resolution; and be it further

**5th**            **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

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

Date:

s:\res\r-emergency housing for sex offenders

Introductory Resolution No. 1400-10

Laid on Table 4/27/10

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  
ROBERT STANZONI & LIDDEL HOMES INC.  
(SCTM NO. 0200-823.00-08.00-063.000)**

**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 823.00 Block 08.00 Lot 063.000 and acquired by Tax Deed on August 16, 2004 from John Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004 in Liber 12341 at CP 445 and described as follows, being and intended to be that parcel of land known and designated as Lot 6226 on a certain map entitled "Map of Mastic Park, Sec. 7", and filed in the Office of the Clerk of the County of Suffolk on October 23, 1923 as Map No. 639; 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**, Robert Stanzoni & Liddel Homes Inc., have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$1,550.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

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

**WHEREAS**, the Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$1,550.00, pursuant to said purchase offer; and

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

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

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

**3<sup>rd</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or 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 Robert Stanzoni & Liddel Homes Inc., 17 Monte Lane, Center Moriches, New York 11934.

DATED:

APPROVED BY

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

Date of Approval:

1400

**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. 0200-823.00-08.00-063.000

<b>ADJOINING OWNER</b>	<b>BID</b>	<b>BID</b>	<b>BID</b>
Robert Stanzoni Liddel Homes Inc. 17 Monte Lane Center Moriches, New York 11934 0200-823.00-08.00-062.000	\$1,550.00		
Denise Makosiej 18 Lambert Avenue Mastic, New York 11950 0200-823.00-08.00-064.000	\$0		
County of Suffolk 300 Center Drive Riverhead, New York 11901 0200-823.00-08.00-067.000	\$0		

SIZE OF PARCEL: 20' x 100'  
APPRAISED VALUE: \$1,500.00  
COMMENT: Direct Sale to Adjacent Owner

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

1400

**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

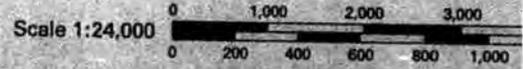
9. Timing of Impact  
2010

10. Name & Title of Preparer Signature of Preparer Date  
Lori Sklar - LMS III Lori Sklar 3/29/10

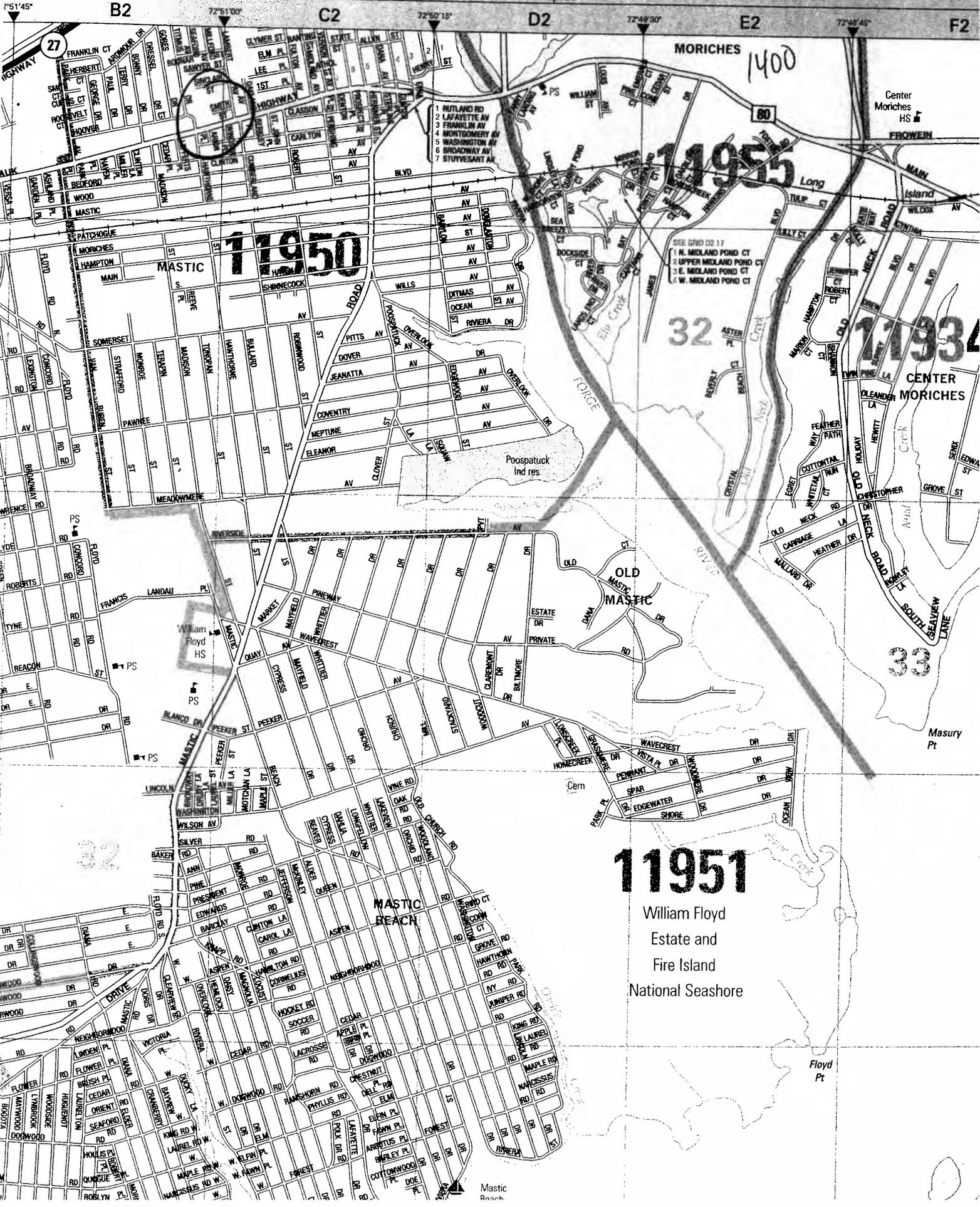




Quickly estimate distance:  
Each grid box represents approximately  
0.65 mi. horizontally by 0.86 mi. vertically.



Joins Map 33



**11951**

William Floyd  
Estate and  
Fire Island  
National Seashore

Mastic Beach

# Map

1400



Gen C1

COUNTY OF SUFFOLK

APR 02 2010



1400

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

March 29, 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: 0200-823.00-08.00-063.000

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. 1401-10

Laid on Table 4/27/10

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  
WALTER O. DUNSTON  
(SCTM NO. 0900-139.00-02.00-081.000)**

**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 Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0900 Section 139.00 Block 02.00 Lot 081.000 and acquired by Tax Deed on July 21, 1995 from John Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 8, 1995 in Liber 11736 at CP 550 and described as follows, being and intended to be that parcel of land known and designated as District 0900 Section 139.00 Block 02.00 Lot 081.000; 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**, Walter O. Dunston, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$3,300.00. 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 \$3,000.00, 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 \$3,300.00, pursuant to said purchase offer; and

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

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

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

3<sup>rd</sup> **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or 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 WALTER O. DUNSTON, P.O. Box 785, Riverhead, New York 11901.

DATED:

APPROVED BY

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

Date of Approval:

1401

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. 0900-139.00-02.00-081.000

ADJOINING OWNER	BID	BID	BID
Walter O. Dunston P.O. Box 785 Riverhead, New York 11901 0900-139.00-02.00-005.000	\$3,300.00		
Lloyd Peters 9418 32 <sup>nd</sup> Avenue East Elmhurst, New York 11369 0900-139.00-02.00-002.000	\$0		
Meadows East Realty Group, LLC 23 Highland Drive Southampton, New York 11968 0900-139.00-02.00-001.000	\$0		

SIZE OF PARCEL: 12' x 58'  
APPRAISED VALUE: \$3,000.00  
COMMENT: Direct Sale to Adjacent Owner

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

1401

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

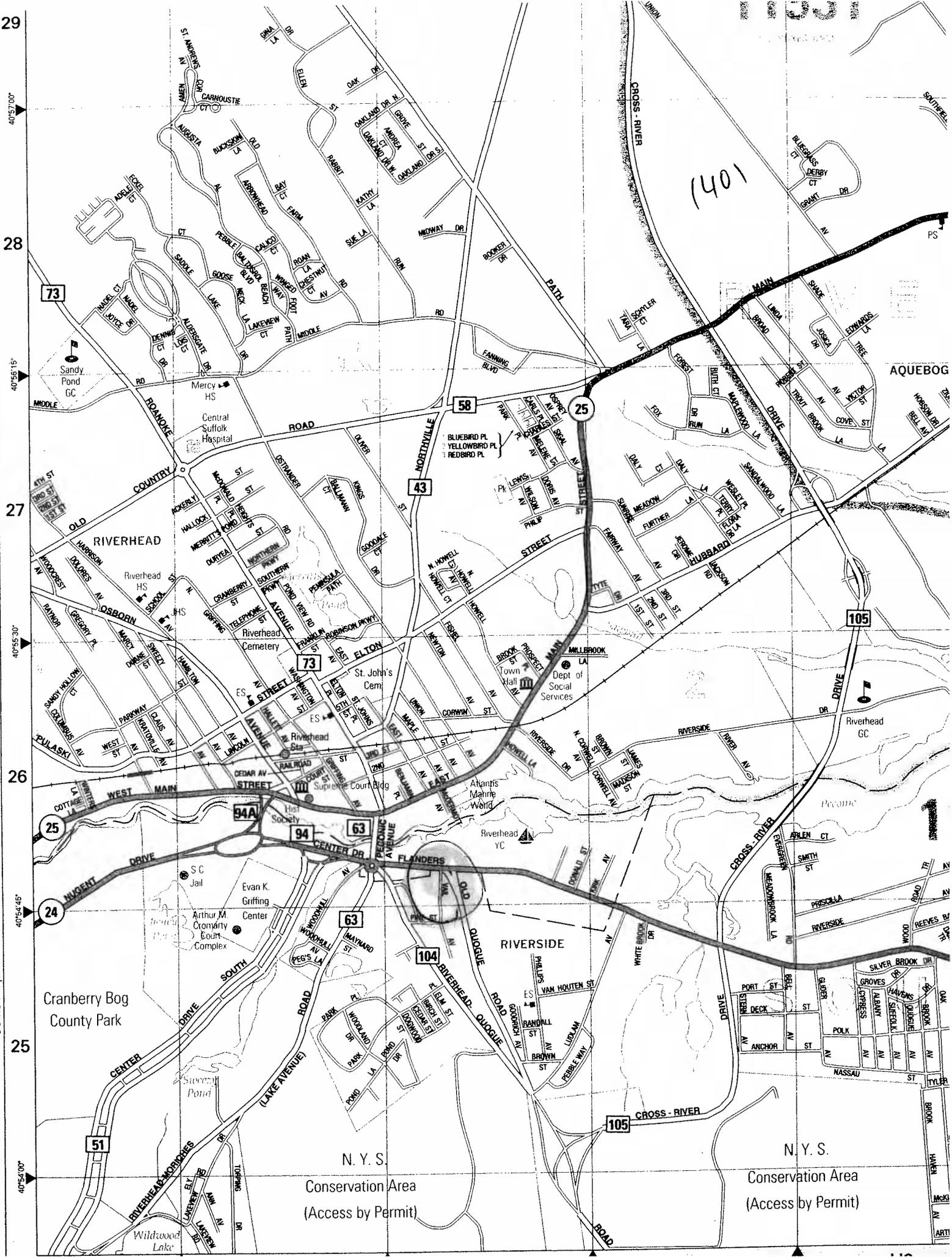
Lori Sklar – LMS III

Lori Sklar

3/31/10



29  
40°57'00"  
28  
40°56'15"  
27  
40°55'30"  
26  
40°54'45"  
25  
40°54'00"  
Joins Map 36  
Joins Map 37



1401

- 1 BLUEBIRD PL
- 2 YELLOWBIRD PL
- 3 REDBIRD PL

OLD QUARRE

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

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

Cranberry Bog  
County Park

Wildwood  
Lake

AQUEBOG

105

105 CROSS-RIVER

104 RIVERHEAD QUARRE

94

94A

73

58

43

25

73

25

51

24

25

26

27

28

29



0900-139-02-081

Vail Ave

Old Quogue Rd

Handys Rd

Gen C2

COUNTY OF SUFFOLK



APR 06 2010

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

1401

March 31, 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: 0900-139.00-02.00-081.000

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. 1402-10

Laid on Table 4/27/10

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  
JOSEPH S. & JOSEPHINE POLIMINE  
(SCTM NO. 0500-175.00-02.00-097.001)**

**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 175.00 Block 02.00 Lot 097.001 and acquired by Tax Deed on April 29, 1988 from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and recorded on May 2, 1988 in Liber 10593 at CP 113 and described as follows, being and intended to be that parcel of land being and intended to be that parcel of land carried under SCTM# District 0500 Section 175.00 Block 02.00 Lot 097.001,

**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**, Joseph S. & Josephine Polimine, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$3,001.00. 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 \$3,000.00, 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 \$3,001.00, pursuant to said purchase offer; and

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

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

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

**3<sup>rd</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or 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 Joseph s. & Josephine Polimine, 50 Pearl Street, Holbrook, New York 11741.

DATED:

APPROVED BY

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

Date of Approval:

1402

**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. 0500-175.00-02.00-097.001

<b>ADJOINING OWNER</b>	<b>BID</b>	<b>BID</b>	<b>BID</b>
Joseph & Josephine Polimine 50 Pearl Street Holbrook, New York 11741 0500-175.00-02.00-104.000	\$3,001.00		
Town of Islip 655 Main Street Islip, New York 11751 0500-175.00-02.00-063.000 & 096.000	\$0		
Thomas McCaffery & Gail Turnbow 34 Pearl Street Holbrook, New York 11741 0500-175.00-02.00-098.000	\$0		
Michael Marrazzo & Danielle Gioeli 38 Pearl Street Holbrook, New York 11741 0500-175.00-02.00-099.000	\$0		
James & Patricia McLaughlin 40 Pearl Street Holbrook, New York 11741 0500-175.00-02.00-100.000	\$0		
Alfonso & Debra Villani 42 Pearl Street Holbrook, New York 11741 0500-175.00-02.00-101.000	\$0		

1402

**DIRECT SALE:**

Suffolk County Local Law No. 13-1976

Tax Map No. 0500-175.00-02.00-097.001

ADJOINING OWNER	BID	BID	BID
Harold & Ann Marie Foy Jr. 46 Pearl Street Holbrook, New York 11741 0500-175.00-02.00-102.000	\$0		
Stephanie Lemke 48 Pearl Street Holbrook, New York 11741 0500-175.00-02.00-103.000	\$0		
John & Carol Troso Jr. 54 Pearl Street Holbrook, New York 11741 0500-175.00-02.00-105.000	\$0		
Uzzo Family Irrevocable Trust 56 Pearl Street Holbrook, New York 11741 0500-175.00-02.00-106.000	\$0		
Michael & Melissa Fleischman 58 Pearl Street Holbrook, New York 11741 0500-175.00-02.00-107.000	\$0		
William & Colleen Savas 62 Pearl Street Holbrook, New York 11741 0500-175.00-02.00-108.000	\$0		
Christopher Robayo 56 Opal Street Holbrook, New York 11741 0500-175.00-02.00-109.000	\$0		

1402

**DIRECT SALE:**

Suffolk County Local Law No. 13-1976

Tax Map No. 0500-175.00-02.00-097.001

ADJOINING OWNER	BID	BID	BID
David & Lori Jordan 996 Cheril Drive Holbrook, New York 11741 0500-175.00-02.00-110.000	\$0		
Richard & Lisa Romanowski 992 Cheril Drive Holbrook, New York 11741 0500-175.00-02.00-111.000	\$0		
Frank & Stephanie Liva 988 Cheril Drive Holbrook, New York 11741 0500-175.00-02.00-112.000	\$0		
Michael Casey & Kelly Bellew 984 Cheril Drive Holbrook, New York 11741 0500-175.00-02.00-113.000	\$0		
Jeff Waldstreicher 980 Cheril Drive Holbrook, New York 11741 0500-175.00-02.00-114.000	\$0		
Kwok Wan Ko 976 Cheril Drive Holbrook, New York 11741 0500-175.00-02.00-115.000	\$0		
Anthony & Laura Dubato 972 Cheril Drive Holbrook, New York 11741 0500-175.00-02.00-116.000	\$0		

SIZE OF PARCEL: 17' x 1,048'

APPRAISED VALUE: \$3,000.00

COMMENT: Direct Sale to Adjacent Owner

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

1402

**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                      3/26/10



# Map

1402



OwnerParcel



OwnerParcel



Hospitals



College-University

Airports

Railroads



Major Roads

Streets

Land Use

AIRPORT

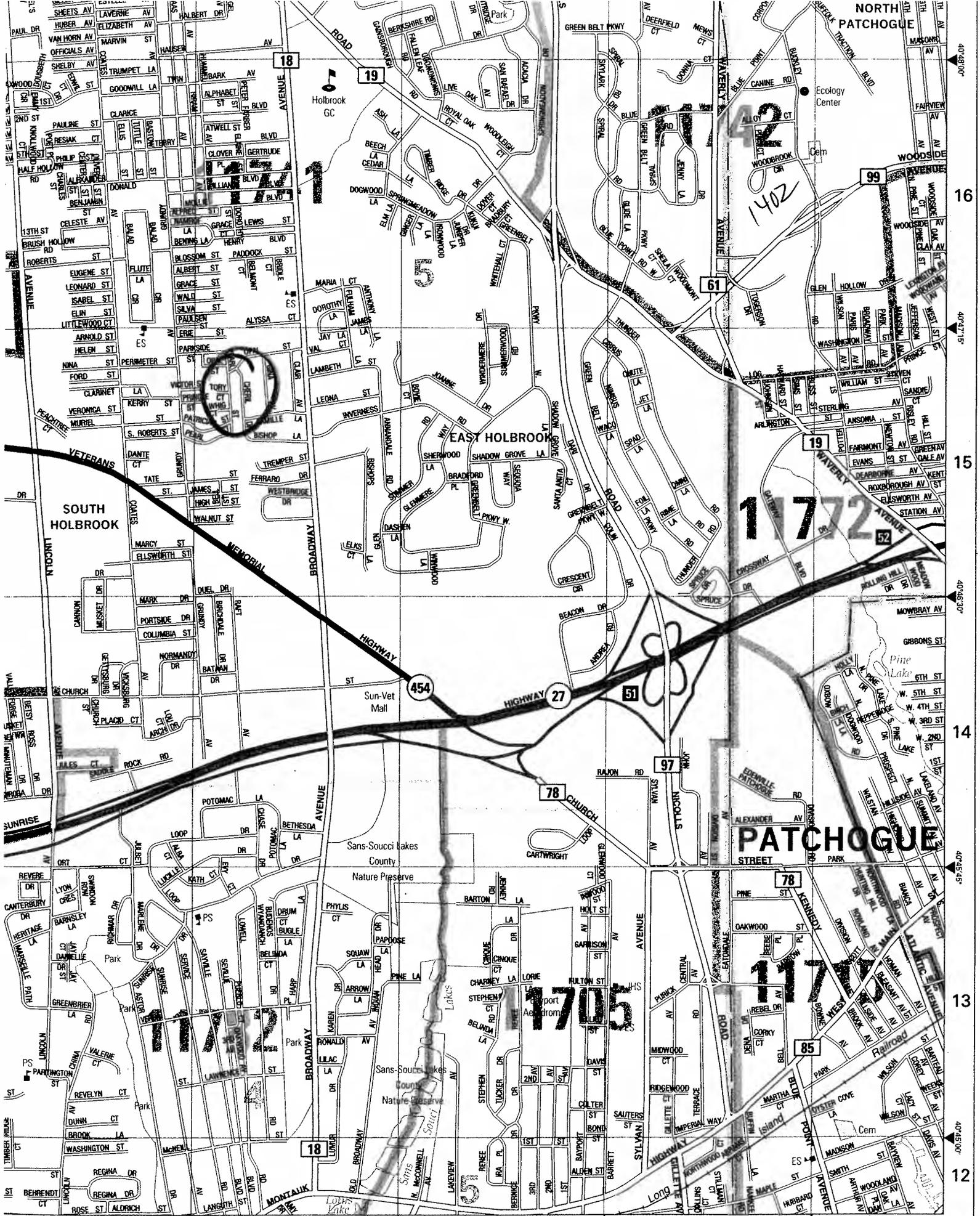
CEMETERY

HOSPITAL

MILITARY BASE

PARK (CITY/COUNTY)

PARK (STATE)



J1

73°04'30"

K1

73°03'45"

L1

73°03'00"

M1

73°02'15"

N1

Joins Map 23

©Hegstrom Map Company, Inc.

COUNTY OF SUFFOLK



Gen C3

APR 02 2010

1402

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

March 25, 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: 0500-175.00-02.00-097.001

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. 1403-10

Laid on Table 4/27/10

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  
ELIZABETH THYSSEN & MICHAEL CHARRIER  
(SCTM NO. 0900-298.00-03.00-017.036)**

**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 Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0900 Section 298.00 Block 03.00 Lot 017.036 and acquired by Tax Deed on July 26, 2006 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 14, 2006 in Liber 12464 at CP 302 and described as follows, being and intended to be that parcel of land known and designated as SCTM # 0900-298.00-03.00-017.036; 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**, Elizabeth Thyssen & Michael Charrier, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$25,500.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$16,000.00, 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 \$25,500.00, pursuant to said purchase offer; and

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

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

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

**3<sup>rd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or 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 Elizabeth Thyssen, & Michael Charrier, P.O. Box 286, 122 Lynn Avenue, Southampton, New York 11946

DATED:

APPROVED BY

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

Date of Approval:

1403

**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. 0900-298.00-03.00-017.036

ADJOINING OWNER	BID	BID	BID
Elizabeth Thyssen & Michael Charrier P.O. Box 286 122 Lynn Avenue Southampton, New York 11946 0900-298.00-03.00-017.034	\$25,500.00		
David & Kimberly Kirst 32 Gardenia Avenue Southampton, New York 11946 0900-298.00-03.00-017.032	\$25,000.00		
Susan Pott 30 Gardenia Avenue Southampton, New York 11946 0900-298.00-03.00-013.000	\$0		
82 Management Corp. 17 Baywoods Drive Hampton Bays, New York 11946 0900-298.00-03.00-017.014	\$0		
Charles & Jacqueline McArdle 34 Cardenia Avenue Hampton Bays, New York 11946 0900-298.00-03.00-017.042	\$0		
Elise Aufieri & Eileen Saldiveri 28 Gardenia Avenue Hampton Bays, New York 11946 0900-298.00-03.00-017.045	\$0		

SIZE OF PARCEL: 50' x 109' x var.  
 APPRAISED VALUE: \$16,000.00  
 COMMENT: Direct Sale to Adjacent Owner

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

1403

**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

3/31/10

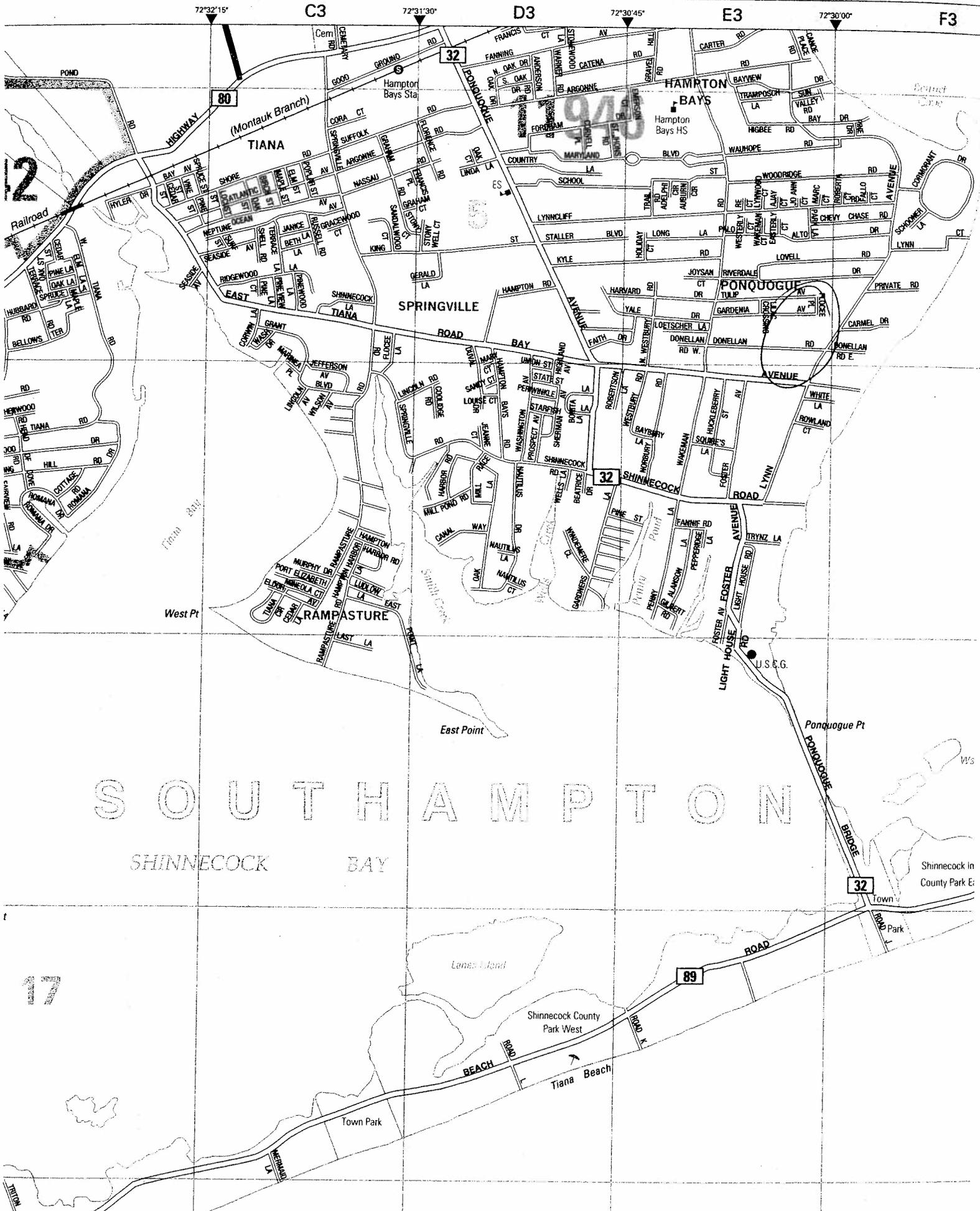
1403



# Suffolk Co.

Joins Map 47

1403



# Map

1403



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 C4

COUNTY OF SUFFOLK



1403 APR 06 2010

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

March 31, 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: 0900-298.00-03.00-017.036

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. 1404-10 Laid on Table 4/27/10

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  
**MICHAEL MITCHELL**  
0100-079.00-02.00-037.000

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 079.00, Block 02.00, Lot 037.000, 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 256, and otherwise known and designated by the Town of Babylon, as Lot Numbers 24 and 25 in Block 24 on a certain Map entitled "Map of Home Acres" filed in the office of the Clerk of the County of Suffolk on May 27, 1931 as Map No. 300; 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 256.

**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**, MICHAEL MITCHELL has made application of said above described parcel and MICHAEL MITCHELL has paid the application fee and has paid \$1,450.20, 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

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

**2<sup>nd</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to MICHAEL MITCHELL, 28 Levey Blvd., Wyandanch NY 11798, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

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

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

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

1404

March 30, 2010

Tax Map No.: 0100-079.00-02.00-037.000

Name of Last Legal Fee Owner: MICHAEL MITCHELL

TREASURER'S COMPUTATION.....\$1,147.03

Taxes.....2009/2010.....\$303.17

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

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....\$1,450.20

Monies Received.....\$1,450.20

RESOLUTION AMOUNT.....\$1,450.20

APPROVED:

Karen A. Slater 3/31/10  
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

1404

1. Type of Legislation

Resolution X  
Tax Map Number 0100-079.00-02.00-037.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2010

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

Cathy O'Neal

Cathy O'Neal

3/30/2010

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0100	079.00	02.00	037.000

1404

**A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:**

2006/07	\$370.78
2007/08	\$388.49
2008/09	\$285.07

**2009/2010 TAXES IN THE AMOUNT OF \$303.17 IS NOT INCLUDED IN COMPUTATION.**

**TOTAL: \$1,044.34**

<b>B. INTEREST DUE</b>	<b>\$48.07</b>
<b>C. TOTAL</b>	<b>\$1,092.41</b>
<b>D. 5% LINE C</b>	<b>\$54.62</b>
<b>E. FEE</b>	
<b>F. MISC</b>	
<b>G. MISC</b>	

**H. TOTAL DUE**

**\$1,147.03**

*Handwritten signature and date: 01/31/10*

**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. 04-Jan-10

*Handwritten signature of Diane M. Stuke*

Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 07/03/10





0100 079 02 037

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.		<b>COUNTY OF SUFFOLK</b>		KEY MAP 	TOWN OF	BABYLON	SECTION NO
		<b>Real Property Tax Service Agency</b> County Center Riverhead, N Y 11981 SCALE IN FEET:			VILLAGE OF		079
					DISTRICT NO	0100	PROPERTY MAP

CONVERSION DATE: Feb. 07, 1997

00

Gen C 5

COUNTY OF SUFFOLK



STEVE LEVY  
COUNTY EXECUTIVE

APR 05 2010

1404

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

PAMELA J. GREENE  
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER  
COMMISSIONER

April 2, 2010

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

Re: Tax Map No. 0100-079.00-02.00-037.000  
MICHAEL MITCHELL

Dear Mr. Crannell:

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

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

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

Very truly yours,

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

CO:lag

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

Copy of Resolution to:

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

Copy of letter to:

Carrie Meek Gallagher, Commissioner, Dept. of Environment and Energy  
Eric Naughton, Budget Director  
Thomas A. Isles, Director, Planning Dept.  
Lauretta Fischer, Principal Planner, Planning Dept.

Introductory Resolution No. 1405-10 Laid on Table 4/27/10

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  
**DIOMEDES CEBALLOS AND ZORAIDA CEBALLOS, HIS WIFE**  
**0500-067.00-01.00-077.001**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 067.00, Block 01.00, Lot 077.001, 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, Suffolk County Tax Map Number District 0500, Section 067.00, Block 01.00 and Lot 077.001; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on 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**, WELLS FARGO BANK NA as Mortgagee by Jerry Huey, as Attorney, has made application of said above described parcel and WELLS FARGO BANK NA as Mortgagee by Jerry Huey, as Attorney has paid the application fee and has paid \$151.91, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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

**2<sup>nd</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to DIOMEDES AND ZORAIDA CEBALLOS, HIS WIFE, 1694 Class Avenue, Holbrook NY 11741, 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

1405

March 30, 2010

Tax Map No.: 0500-067.00-01.00-077.001

Name of Last Legal Fee Owner: DIOMEDES AND ZORAIDA CEBALLOS, HIS WIFE

TREASURER'S COMPUTATION.....	\$133.69
Taxes.....2009/2010.....	\$18.22
Recording Fees collected for County Clerk.....	N/A
License Fee.....	N/A
Repairs.....	N/A
Interest.....	N/A
Miscellaneous Expenses.....	N/A
<hr/>	
TOTAL.....	\$151.91
<hr/>	
Monies Received.....	\$151.91
<hr/>	
<u>RESOLUTION AMOUNT</u> .....	\$151.91
<hr/>	

APPROVED:

*Karen A. Plater* 3/31/10  
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

1. Type of Legislation

1405

Resolution X

Tax Map Number 0500-067.00-01.00-077.001

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

8. Proposed Source of Funding

N/A

9. Timing of Impact

2010

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

Cathy O'Neal

Cathy O'Neal      3/30/2010



tance:  
metely  
vertically.

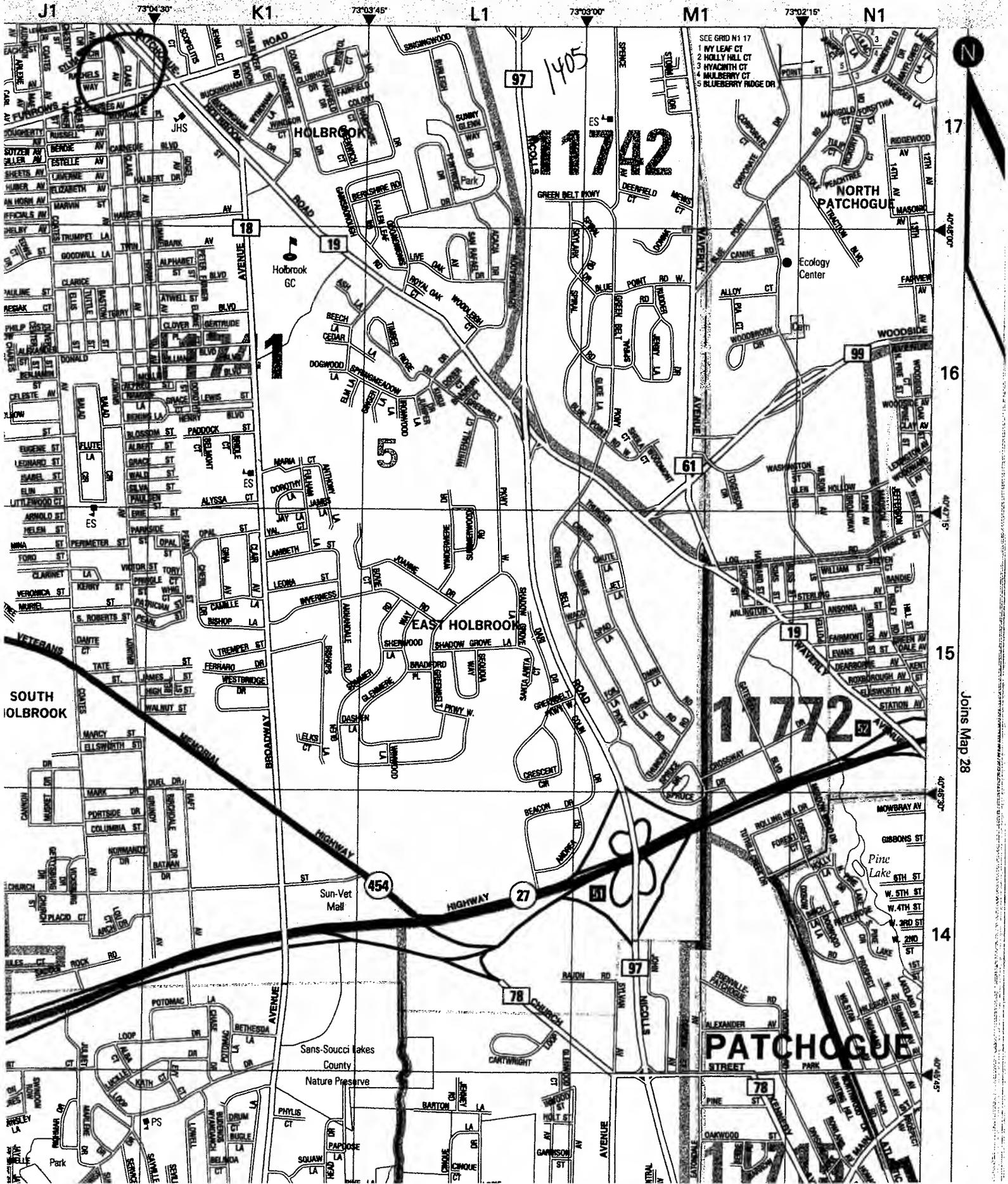
0500 06701077-001

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 21



17

16

15

14

Joins Map 28

- SEE GRID N1 17
- 1 HOLLY HILL CT
- 2 MYLAKE CT
- 3 MYLAKE CT
- 4 MULBERRY CT
- 5 BLUEBERRY RIDGE DR

11772

Pine Lake

PATCHOGUE STREET

Holbrook GC

Sun-Vet Mall

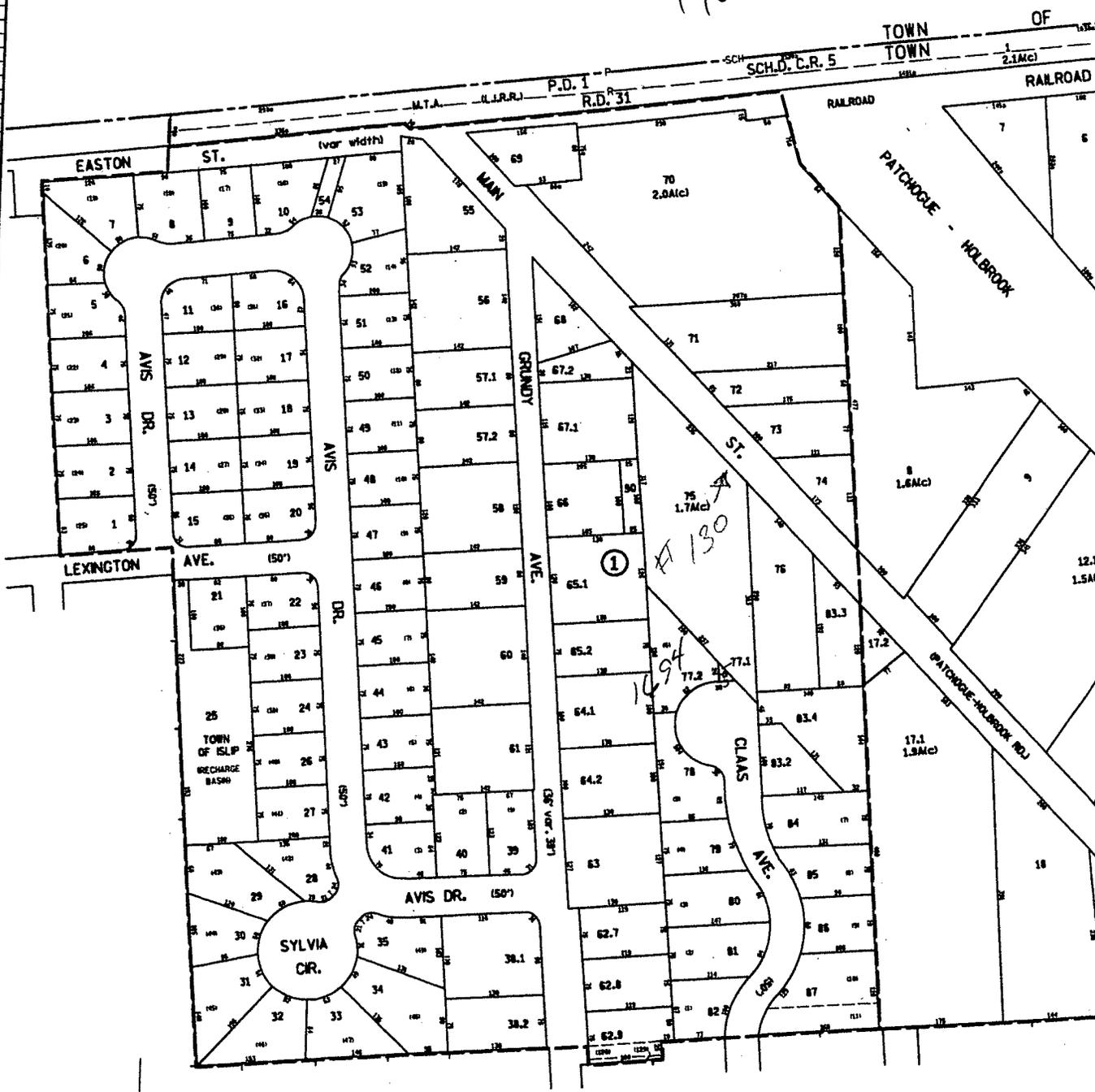
Sans-Souci Lakes County Nature Preserve

SOUTH HOLBROOK

PATCHOGUE

03-01-07  
 04-20-01  
 07-16-04  
 12-28-06  
 06-01-07

1405



N 213,890  
 E 254,700

0500 067 01 077.00

<b>DISTRICT</b>	Property or All Line	Subdivision Let No.	Block Let	School District Line	Hydrant District Line	UNLESS DRAWN OTHERWISE, FOLI ARE WITHIN THE SCHOOL C.B.S. SET BY LIGHT PAIR AMBULANCE
	Delineate Common Owner	Subdivision Block/Block No. (21)	Block No. (2)	Fire District Line	Refuge District Line	
	Subdivision Let Line	Beard Dimension	County Line	Water District Line	Historical District Line	
	Stream / Shore	Scoted Dimension	Town Line	Light District Line	Ambulance District Line	
	Parcel No. 23	Deed Area 12.1 A(c) or 12.1A	Village Line	Park District Line	Restwater District Line	
		Calculated Area 12.1 A(c)		Sever District Line		

COUNTY OF SUFFOLK



STEVE LEVY  
COUNTY EXECUTIVE

Gen C6  
APR 05 2010

1405

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

PAMELA J. GREENE  
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER  
COMMISSIONER

April 2, 2010

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

Re: Tax Map No. 0500-067.00-01.00-077.001  
DIOMEDES AND ZORAIDA CEBALLOS, HIS WIFE

Dear Mr. Crannell:

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

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

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

Very truly yours,

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

CO:lag

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

Copy of Resolution to:

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

Copy of letter to:

Carrie Meek Gallagher, Commissioner, Dept. of Environment and Energy  
Eric Naughton, Budget Director  
Thomas A. Isles, Director, Planning Dept.  
Lauretta Fischer, Principal Planner, Planning Dept.

Introductory Resolution No. 1406-10 Laid on Table 4/27/10

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  
**PETER KARIKA**  
**0500-046.00-01.00-099.000**

**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 046.00, Block 01.00, Lot 099.000, and acquired by tax deed on December 09, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on December 09, 2009, in Liber 12609, at Page 104, and otherwise known and designated by the Town of Islip, as Suffolk County Tax Map Number District 0500, Section 046.00, Block 01.00 and Lot 099.000; 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 December 09, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on December 09, 2009 in Liber 12609 at Page 104.

**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**, PETER KARIKA has made application of said above described parcel and PETER KARIKA has paid the application fee and will be paying \$63,215.79, 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

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

2<sup>nd</sup> - **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to PETER KARIKA, 4311 Expressway Drive No., 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

1406

March 30, 2010

Tax Map No.: 0500-046.00-01.00-099.000  
Name of Last Legal Fee Owner: PETER KARIKA

TREASURER'S COMPUTATION.....	\$54,431.78
Taxes.....2009/2010.....	\$8,784.01
Recording Fees collected for County Clerk.....	N/A
License Fee.....	OPEN
Repairs.....	N/A
Interest.....	N/A
Miscellaneous Expenses.....	N/A
<b>TOTAL.....</b>	<b>\$63,215.79</b>
Monies to be Received.....	\$63,215.79
<u>RESOLUTION AMOUNT.....</u>	<u>\$63,215.79</u>

APPROVED:

Karen Slater 3/31/10  
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

1. Type of Legislation

1406

Resolution X  
Tax Map Number 0500-046.00-01.00-099.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

8. Proposed Source of Funding

N/A

9. Timing of Impact

2010

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

Cathy O'Neal

Cathy O'Neal      3/30/2010

SUFFOLK COUNTY TIR

PAGE 01/01

# COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0500	046.00	01.00	099.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2004/05	6860.99
2005/06	11713.61
2006/07	11518.42
2007/08	11053.19
2008/09	8491.95

2009/10 PROPERTY TAXES \$8784.01 NOT INCLUDED IN COMPUTATION

TOTAL: 49638.16

B. INTEREST DUE	2201.63
C. TOTAL	51839.79
D. 5% LINE C	2591.99
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

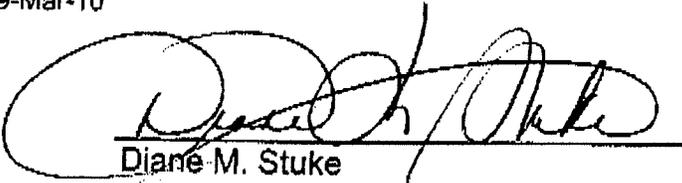
\$54,431.78

## 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.

09-Mar-10

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

\*\*Interest and penalty computed to  
and including 09/05/10



# LAKE GROVE

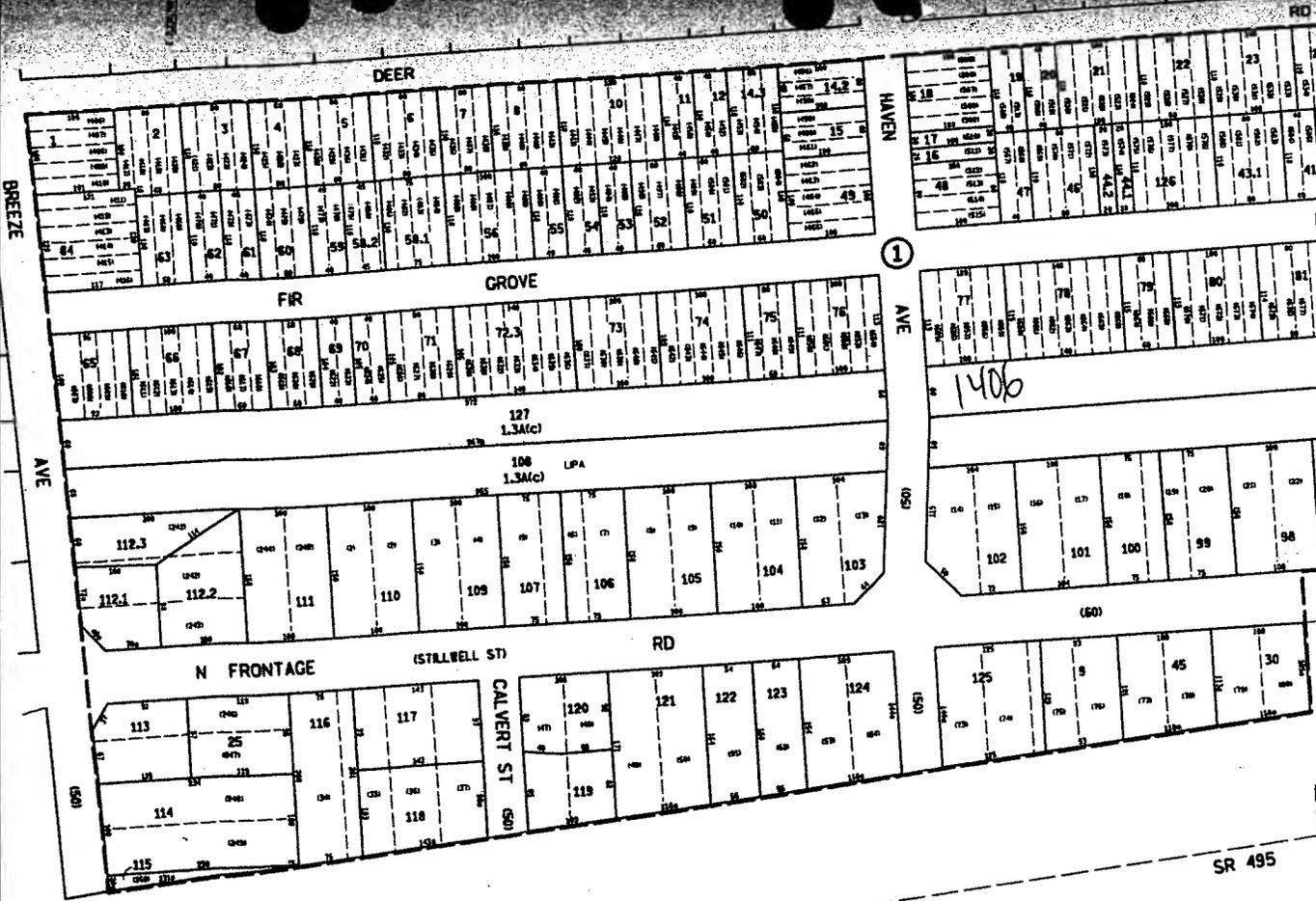
# NESCONSET

Joins Map 14  
Joins Map 15  
1479

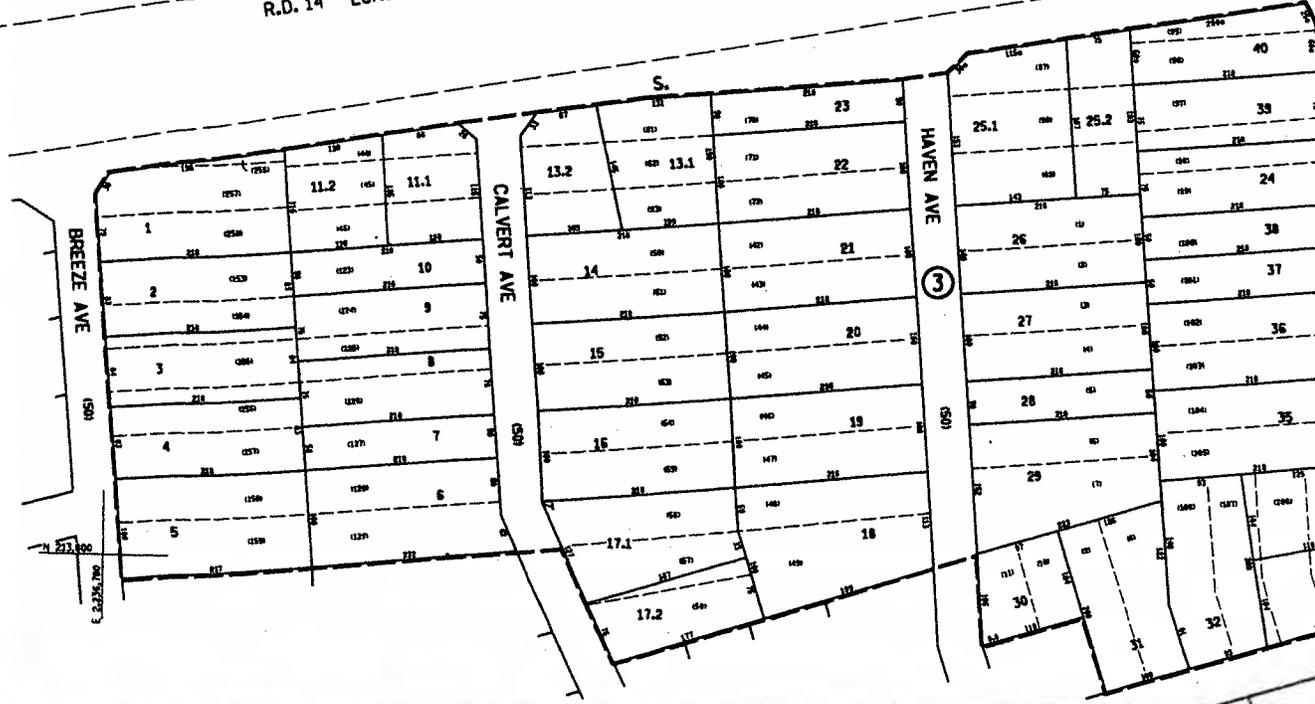
1406



03-17-02  
03-18-02  
03-19-02  
03-20-02  
03-21-02  
03-22-02  
03-23-02  
03-24-02  
03-25-02  
03-26-02  
03-27-02  
03-28-02  
03-29-02  
03-30-02  
03-31-02



R.D. 4  
R.D. 14 LONG ISLAND EXPRESSWAY



Property or RI Line	Subdivision Lot No.	Block Line	School District Line	Hydrant District Line	UNLESS DRAWN OTHERWISE WITHIN THE SCHOOL 7 FIRE 14 LIGHT 1 PARK 1 AMBULANCE
Decoded Center Line	Subdivision Back/Map No. (21)	Block No. (2)	Fire District Line	Refuge District Line	
Subdivision Lot Line	Deed Description	County Line	Water District Line	Historic District Line	
Stream / Shore	Scaled Dimension	Town Line	Park District Line	Sanitation District Line	
Parcel No. 23	Deed Area 12.1 A(c) or 12.1A	Village Line	Lower District Line	Settlement District Line	
	Colored Area 12.1 A(c)				

0500 046 01 099

Gen C7

COUNTY OF SUFFOLK



APR 05 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

April 2, 2010

1406

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

Re: Tax Map No. 0500-046.00-01.00-099.000  
PETER KARIKA

Dear Mr. Crannell:

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

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

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

Very truly yours,

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

CO:lag

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

Copy of Resolution to:

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

Copy of letter to:

- Carrie Meek Gallagher, Commissioner, Dept. of Environment and Energy
- Eric Naughton, Budget Director
- Thomas A. Isles, Director, Planning Dept.
- Lauretta Fischer, Principal Planner, Planning Dept.

1407  
Intro. Res. No. -2010  
Introduced by Presiding Officer Lindsay

Laid on Table 4/27/10

**RESOLUTION NO. -2010, ACHIEVING COST SAVINGS  
THROUGH EFFECTIVE USE OF LIGHT DUTY POLICE  
OFFICERS**

**WHEREAS**, the Suffolk County Police Department ("the Department") continually strives to reduce costs and become more efficient in providing law enforcement services; and

**WHEREAS**, one cost saving strategy employed by the Department is civilianization, that is hiring civilians to fill positions that do not require the skills of a sworn police officer; and

**WHEREAS**, the Department recently announced plans to civilianize approximately fifty (50) additional positions within the Department; and

**WHEREAS**, the Department has a significant number of officers assigned to light duties at any given time; and

**WHEREAS**, reassigning light duty officers to positions currently held by officers capable of working patrol will increase the number of police officers in sector cars and reduce the need to hire additional civilians, thereby providing additional cost savings; now, therefore be it

**1st RESOLVED**, that it shall be the policy of the County of Suffolk and the Police Department to replace fully active police officers working in non-patrol positions with light duty officers, to the fullest extent practicable; and be it further

**2nd RESOLVED**, that the Commissioner of the Police Department shall not civilianize any position presently performed by a police officer if the functions of that position can be performed by an available light duty officer; and be it further

**3rd RESOLVED**, that the Police Commissioner, at the time any position in the Department is civilianized, shall file a certification with the Clerk of the Legislature and the Office of Comptroller, that no light duty officer is available and/or capable of performing the functions associated with that position; 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:

1408  
Intro. Res. No. - 2010  
Introduced by Legislator Romaine

Laid on Table 4/27/10

**RESOLUTION NO. -2010, ADOPTING LOCAL LAW  
NO. -2010, A CHARTER LAW TO INCREASE  
LEGISLATIVE OVERSIGHT OF RFP PROCESS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on , 2009 a proposed local law entitled, "**A CHARTER LAW TO INCREASE LEGISLATIVE OVERSIGHT OF RFP PROCESS**"; 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 INCREASE LEGISLATIVE OVERSIGHT OF  
RFP PROCESS**

**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 County departments are, increasingly, issuing Requests for Proposals (RFP) for consultant services.

This Legislature also determines that significant County manpower and resources are required to prepare a Request for Proposals.

This Legislature further finds that the issuance of a Request for Proposals and the subsequent hiring of a consultant often has the effect of advancing policy objectives that have not been embraced or endorsed by the County Legislature.

This Legislature further finds that the County Legislature, as the policy making arm of Suffolk County government, must exercise stronger control of the RFP process.

This Legislature also determines that greater legislative scrutiny over the RFP process is necessary to control expenditures not specifically enumerated in the operating budget.

Therefore, the purpose of this local law is to require legislative approval for any contract in excess of \$50,000 which results from a RFP process.

**Section 2. Amendment.**

Article 38 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

**ARTICLE XXXVIII RFP PROCESS**

\* \* \* \*

**C38-3. Legislative Approval.**

A. Any County contract, contract amendment, contract extension or contract modification in excess of \$50,000, resulting from the utilization of a Request for Proposals (RFP) shall require the approval of the County Legislature by duly enacted resolution.

[A.]B. Any County contract, contract amendment, contract extension or contract modification in excess of \$20,000, resulting from the utilization of a[n] RFP process in which only one person responds to the RFP shall require the approval of at least two-thirds of the entire membership of the County Legislature by duly enacted resolution.

[B.]C. Any County contract, contract amendment, contract extension or contract modification that does not comply with Subsection A and B of this section shall be deemed null and void ab initio.

\* \* \* \*

**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 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:\res\refile 1121-09 CL - RFP Process

1408

**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:** APRIL 16, 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. 1408-2010; A CHARTER LAW TO INCREASE LEGISLATIVE OVERSIGHT OF RFP PROCESS

**SPONSOR:** LEGISLATOR ROMAINE

**DATE OF RECEIPT BY COUNSEL:** 4/9/2010

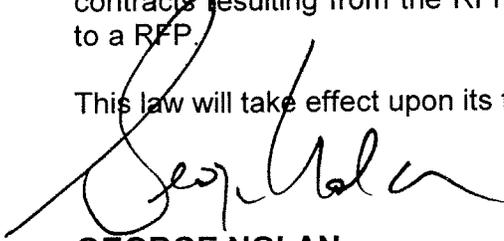
**PUBLIC HEARING:** 5/11/2010

**DATE ADOPTED/NOT ADOPTED:** \_\_\_\_\_

**CERTIFIED COPY RECEIVED:** \_\_\_\_\_

This proposed charter law would require that any County contract in excess of \$50,000, resulting from the utilization of a Request for Proposals (RFP), receive the approval of the County Legislature by a duly enacted resolution. Presently, the County Legislature acts on contracts resulting from the RFP process only in those instances in which one entity responds to a RFP.

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



**GEORGE NOLAN**  
Counsel to the Legislature

**GN:js**

s:\rule28\28-refile-oversight-rfp-process

Intro. Res. No. 1409-2010  
Introduced by Legislator Schneiderman

Laid on Table 4/27/2010

**RESOLUTION NO. -2010, AMENDING THE 2010  
OPERATING BUDGET AND TRANSFERRING FUNDS FOR  
THE SOUTHAMPTON HOSPITAL ELLEN HERMANSON  
BREAST CENTER**

**WHEREAS**, the South Fork Breast Health Coalition is merging with the Southampton Hospital Ellen Hermanson Breast Center; and

**WHEREAS**, the South Fork Breast Health Coalition has not yet expended funds appropriated in the 2010 Operating Budget for the Bosom Buddy program; and

**WHEREAS**, the South Fork Breast Health Coalition will no longer administer the Bosom Buddy program; and

**WHEREAS**, the Southampton Hospital Ellen Hermanson Breast Center will administer the Bosom Buddy program and apply for future funding for the program; and

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

**1<sup>st</sup> RESOLVED**, that the 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:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	HSV	4100	HPY1	4980	South Fork Breast Health Coalition	-\$5,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	HSV	4100	XXXX	4980	Southampton Hospital Ellen Hermanson Breast Center	+\$5,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the Southampton Hospital Ellen Hermanson Breast Center;

and be it further

3<sup>rd</sup> **RESOLVED**, that the funds appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Southampton Hospital Ellen Hermanson Breast Center.

DATED:

APPROVED BY:

---

County Executive of Suffolk County

Date:

T:\BRO\Southampton Breast Health Program Transfer--Schneiderman.doc

1410  
Intro. Res. No. -2010  
Introduced by Legislator Browning

Laid on Table 4/27/10

**RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO.  
-2010, A LOCAL LAW REQUIRING BROADER  
DISSEMINATION OF AUCTION INFORMATION**

**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 REQUIRING BROADER DISSEMINATION OF AUCTION INFORMATION**" 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 REQUIRING BROADER DISSEMINATION OF  
AUCTION INFORMATION**

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

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that pursuant to the SUFFOLK COUNTY TAX ACT, Suffolk County takes title to properties when their owners fail to pay property taxes.

This Legislature also finds and determines that a large number of these parcels are subsequently sold by the County at public auction.

This Legislature hereby determines that county legislators, as the elected representatives closest to the people, have detailed knowledge of their communities and an understanding of how the auction sale of a parcel might impact a neighborhood in their district.

This Legislature also finds that members of the County Legislature should receive notification of the parcels to be included in an auction so they can take corrective action, if necessary, to maintain public ownership of specific parcels.

Therefore, the purpose of this law is to require that the Division of Real Property Acquisition and Management notify the County Legislature when parcels are acquired under the SUFFOLK COUNTY TAX ACT and when they are scheduled to be auctioned.

**Section 2. Amendments.**

Article XLII of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

**Article XLII, DEPARTMENT OF ENVIRONMENT AND ENERGY**

\*\*\*\*

**§A42-4. Disposition of property acquired through Suffolk County Tax Act.**

\*\*\*\*

D. Upon the County acquiring an interest in real property by tax deed, the Commissioner shall advise the County Executive; the Commissioner of Public Works; the Commissioner of Parks, Recreation and Conservation; the Commissioner of the Department of Economic Development and Workforce Housing, the Clerk of the County Legislature, and such others as by management order of the County Executive or resolution of the County Legislature shall be designated, thereof. Those so advised shall, within four weeks, report in writing to the Commissioner whether they wish consideration to be given to holding such interest for a County purpose, together with the reasons for such proposed retention.

\*\*\*\*

G. Public auction. All parcels approved for disposition, except those that may be sold as provided in Subsection H or as provided under § A36-2A of the Suffolk County Administrative Code, shall be offered for sale to the highest bidder at public auction pursuant to regulations established for such auctions by the Commissioner. All parcels approved for disposition, which have structures affixed thereto capable of physical occupancy by individuals, shall only be offered for sale to the highest bidder at a public auction who is willing to agree, in writing, to a restrictive covenant in such deed as may convey title to such individual requiring the owner of the parcel, or his or her natural children or natural parents, to occupy said premises, said restriction to run with the land for a period of 10 years subsequent to the transfer of title from the County of Suffolk. The owner of the parcel shall provide to the County written notice of any subsequent transfer of the parcel within said ten-year period. The Commissioner shall reserve to the County a right of reverter should this restriction be violated. In those instances in which a former property owner has affirmatively waived, in writing, his, her or its right of redemption of property under Subsections A and B of this section, then the Commissioner, or his or her designee, shall take such measures as shall be necessary and appropriate to expedite the offering for sale of such parcels to the highest bidder at public action in accordance with the provisions of this article at the earliest possible date.

\*\*\*\*

(4) The Director of the Division of Real Property Acquisition and Management shall provide to each member of the Suffolk County Legislature a list of all parcels to be auctioned at least forty five (45) days prior to the auction date. The Director shall notify legislators of any parcels added to the auction list prior to the auction date. The auction list must be complete fifteen (15) days prior to the auction date and no additional parcels may be added to the auction list after that time.

\*\*\*\*

**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\l-notify legislature auction properties

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1410

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: APRIL 16, 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. 1410-2010; A LOCAL LAW REQUIRING BROADER DISSEMINATION OF AUCTION PROPERTIES

SPONSOR: LEGISLATOR BROWNING

DATE OF RECEIPT BY COUNSEL: 4/13/2010 PUBLIC HEARING: 5/11/2010  
DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

This proposed local law would require the Department of Environment and Energy and its Division of Real Property Acquisition and Management to share with the County Legislature information related to the County's acquisition of parcels through tax foreclosure and the subsequent auction sale of these properties.

Specifically, this law would add the Clerk of the County Legislature to the list of County officials who receive notice when the County acquires an interest in real property by tax deed. Those officials who receive such notice (presently, the County Executive and the Commissioners of Public Works, Parks, Recreation and Conservation and Economic Development and Workforce Housing receive notice) can advise the Department of Energy and Environment that the County should consider retaining the real property for public purposes.

Additionally, this law would require the Director of Real Property Acquisition and Management to provide a list of all parcels to be sold at an auction at least 45 days prior to the auction date. Legislators must be advised if other parcels are added to an auction and no parcel may be added in the 15 day period preceding the auction.

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

GEORGE NOLAN  
Counsel to the Legislature

GN:js

UPDATED VERSION AS OF 4/20/10

Intro. Res. No.1411-2010  
Introduced by Legislator Browning

Laid on Table 4/27/2010

**RESOLUTION NO.                   -2010, AUTHORIZING TRANSFER  
OF SURPLUS COUNTY COMPUTER SYSTEMS AND  
HARDWARE TO SENIORNET AT FAMILY SERVICE LEAGUE**

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

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

**WHEREAS**, SeniorNet at Family Service League has requested the donation of two (2) computer systems from the County; and

**WHEREAS**, this organization is willing to assume responsibility for the removal and transportation of this equipment; now, therefore be it

**1st                   RESOLVED**, that the Suffolk County Department of Public Works is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following organization, for use within its facilities for nominal consideration:

**TO:**  
SeniorNet at Family Service League  
1490 William Floyd Parkway  
Shirley, NY 11967  
Contact Person: Slava Vero  
631-427-3700, ext. 235

**COMPUTER SERIAL NO:**  
4RJKR11  
8L44R21

**MONITOR ITEM NO:**  
Item No. 13  
Item No. 14

and be it further

**2nd                   RESOLVED**, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed organization for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

**3rd                   RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; 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:

1412  
Intro. Res. No. -2010  
Introduced by Legislators Kennedy, Romaine and Presiding Officer Lindsay

Laid on Table 4/27/10

**RESOLUTION NO. -2010, ADOPTING LOCAL LAW  
NO. -2010, A LOCAL LAW ESTABLISHING FAIR AND  
OBJECTIVE PROCEDURES FOR CONTRACTING TITLE  
INSURANCE WORK**

**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 ESTABLISHING FAIR AND OBJECTIVE PROCEDURES FOR CONTRACTING TITLE INSURANCE WORK**"; 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 ESTABLISHING FAIR AND OBJECTIVE  
PROCEDURES FOR CONTRACTING TITLE INSURANCE WORK**

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

**Section 1. Legislative Intent.**

This Legislature finds that the County of Suffolk has led the nation in the protection of environmentally sensitive lands since 1973.

This Legislature hereby finds and determines that the County of Suffolk regularly engages in the acquisition and disposition of real property and utilizes the services of title insurance companies during these transactions.

This Legislature further finds that no procedures or regulations presently exist to guide the County's award of title insurance business.

This Legislature determines that in recent years most of the County's title insurance work has been awarded to three companies despite the fact that the title insurance industry is tightly regulated by the State of New York and there is little variation in the prices charged by title companies.

This Legislature also finds that media reports showed that the companies receiving title work from the County made significant political contributions to certain county officials, thereby creating the appearance of a "pay to play" system.

This Legislature further finds that even the appearance of impropriety in the selection of companies the County does business with undermines the confidence of citizens in County government.

This Legislature determines that the County of Suffolk previously enacted legislation to standardize the selection of real estate appraisers.

This Legislature also finds that the County of Suffolk can and should develop objective procedures and criteria for contracting title insurance services and thereby eliminate the appearance of favoritism.

Therefore, the purpose of this local law is to establish procedures and criteria that will require the County of Suffolk to hire qualified title insurance companies on a rotating basis.

**Section 2. Amendment.**

Article 42 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

**Article XLII. DEPARTMENT OF ENVIRONMENT AND ENERGY**

\*\*\*\*

**§A42-9. Procedures for Title Insurance.**

- A. There shall be within the Division of Real Property Acquisition and Management a pool of at least ten (10) qualified title insurance companies, which companies shall be designated by the Director of the Division of Real Property Acquisition and Management with the approval of the County Legislature by duly enacted resolution. Such information as may be reasonably necessary to evaluate the title insurance companies, including, but not limited to, certifications and licenses, shall be included with the resolution submitted for approval. Designation and approval of the pool of qualified title insurance companies by the County Legislature shall occur no less frequently than every two (2) years.
  
- B. At a minimum, any title insurance company must be qualified as a New York licensed title insurance company and must maintain such license in good standing for so long as they are involved in County real estate transactions. Proof of such license and certifications shall be submitted to the Director of the Suffolk County Division of Real Property Acquisition and Management on or before December 31 of each year. Further, any title insurance company in the pool must disclose to the Division of Real Property Acquisition and Management the organization of the company (i.e. sole proprietorship, partnership, corporation, limited liability corporation, et. al), the identity of licensed agents who have the capacity to bind the company, and any other information relevant to the company or underwriter operations. No company utilizing the services of an agent or underwriter with a record of a felony conviction within the preceding ten years shall be eligible to be enrolled in this pool.
  
- C. The Director of the Division of Real Property Acquisition and Management shall select on a rotating basis from the pool of title insurance companies to conduct County real estate transactions.

\*\*\*\*

**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-title insurance co pool

OFFICE OF THE COUNTY LEGISLATURE

1412

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: April 16, 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. 1412-2010; A LOCAL LAW ESTABLISHING FAIR AND OBJECTIVE PROCEDURES FOR CONTRACTING TITLE INSURANCE WORK

SPONSOR: LEGISLATOR KENNEDY

DATE OF RECEIPT BY COUNSEL: 4/16/10 PUBLIC HEARING: 5/11/10  
DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

This proposed local law would amend Article 42 of the SUFFOLK COUNTY ADMINISTRATIVE CODE to establish a process for selecting title insurance companies. This law will create a pool of at least ten qualified title insurance companies that shall be chosen by the Director of the Division of Real Property Acquisition and Management ("the Director") and approved by the County Legislature. The companies in the County's pool shall be selected for work on a rotating basis by the Director.

To qualify for inclusion in the title insurance company pool, a company must be licensed as a title insurance company with the State of New York and must maintain such license as long as they are involved with the County's real estate transactions. The companies must also disclose their business organization and the identity of licensed agents who have the capacity to bind the company. No company in the pool may utilize the services of an agent or underwriter who has been convicted of a felony within the preceding ten years.

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

GEORGE NOLAN  
Counsel to the Legislature

GN:

**RESOLUTION NO. -2010, APPROVING FERRY LICENSE  
FOR FIRE ISLAND WATER TAXI, LLC**

**WHEREAS**, Fire Island Water Taxi, LLC has applied to the Suffolk County Legislature, by a Petition dated and verified March , 2010 pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law and Local Law No. 7 of 1982 of Suffolk County for the establishment of it's water taxi rates; and

**WHEREAS**, Consents in writing will be submitted prior to the public hearing; and

**WHEREAS**, Fire Island Water Taxi LLC has heretofore filed with the Clerk of the Suffolk County Legislature its undertaking with a surety all pursuant to Article 8 of the Navigation Law; now, therefore be it

**1st RESOLVED**, that:

- 1) The undertaking heretofore, a bond filed with the Clerk of the Suffolk County Legislature in the sum of \$10,000.00 is hereby approved;
- 2) A ferry license and franchise be and the same hereby is granted to Fire Island Water Taxi LLC of Bay Shore, New York to operate a public ferry service over and upon the waters of the Great South Bay for service as follows:

Between pick-up, drop-off locations and ferry terminals at Bay Shore, Sayville, Fire Island Lighthouse, Captree and Robert Moses Boat Basins and the Fire Island communities of Kismet, Fair Harbor, Dunewood, Atlantique, Seaview, Ocean Bay Park, and the Incorporated Villages of Ocean Beach and Saltaire and Point O' Woods Assoc., Sailor's Haven, Cherry Grove, Watch Hill Marina, Fire Island Pines Water Island, Barrett Beach and Davis Park, both express and local service, with intermittent stops among said communities and Villages, all of which lie within the County of Suffolk. Commencing on the date of approval hereof up to and including March 15, 2014

- 3) This ferry license and franchise is granted subject to all existing laws, rules and regulations of all federal, state, county and municipal governments and agencies having jurisdiction thereof;
- 4) The rates and fares to be charged for transportation pursuant to this license and franchise shall be the rates and fares authorized for the Fire Island Water Taxi, LLC by the Suffolk County Legislature pursuant to Article 8 of the Navigation Law, Section 131-g of the Highway Law and Local Law No. 7 of 1982 of Suffolk County.
- 5) Said rates, fares and schedules if any, shall be posted in English at each Ferry Terminal in public view pursuant to Section 113 of the Navigation Law of the State of New York and Section 72 of the Transportation Corporations Law.

DATED:

APPROVED BY:

---

County Executive of Suffolk County

Date:

**RESOLUTION NO. -2010, APPROVING RATES  
ESTABLISHED FIRE ISLAND WATER TAXI, LLC**

**WHEREAS**, Fire Island Water Taxi, LLC has applied to the Suffolk County Legislature, by a Petition dated and verified March , 2010, pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law and Local Law No. 7 of 1982 of Suffolk County for the establishment of its ferry rates; and

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

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

**1st RESOLVED**, that the Petition of Fire Island Water Taxi, LLC dated and verified as of March , 2010 is approved; and be it further

**2nd RESOLVED**, that Rate changes, Date changes, Time changes and Zone changes are approved as follows:

**Proposed Rates:**

- **UNSCHEDULED SEASONAL CROSS BAY SERVICE** - Seasonal service begins the Friday prior to Memorial Day and ends Labor Day.

*From: Bay Shore to west end island locations (Fire Island Lighthouse east to Point O' Woods)*

*From: Sayville to central island locations (Sailors Haven east to Barrett Beach)*

- **\$125.00** for up to 6 passengers, **\$15.00** for each additional passenger, PER RESERVATION, PER PARTY, PER STOP. This rate would be available from 9:00am to 9:00pm weather permitting. Waiting time **\$25.00/ 1/4hr.**
- **\$150.00** for up to 6 passengers, **\$15.00** for each additional passenger, PER RESERVATION, PER PARTY, PER STOP. This rate would be available from 9:01pm to 8:59am weather permitting. Waiting time **\$25.00/ 1/4hr.**

From: Bay Shore to central island locations (Sailors Haven east to Barrett Beach)	Sayville to west end island locations Fire Island Lighthouse east to Point O' Woods)
Add <b>\$25.00</b> to above rates	Add <b>\$25.00</b> to above rates

- **UNSCHEDULED OFF SEASON CROSS BAY SERVICE** - Off season service begins the day after Labor Day and continues through the Thursday prior to Memorial Day.

From: Bay Shore and Sayville

- **Add \$25.00** to each base rate for **UNSCHEDULED SEASONAL CROSS BAY SERVICE**, PER RESERVATION, PER PARTY, PER STOP. This rate would be available from 9:00am to 9:00pm weather permitting. Waiting time **\$25.00/ 1/4hr.**

- **Add \$50.00** to each base rate for **UNSCHEDULED SEASONAL CROSS BAY SERVICE, PER RESERVATION, PER PARTY, PER STOP**. This rate would be available from 9:01pm to 8:59am weather permitting. Waiting time \$25.00/ 1/4hr.
- **Special Late Night Seasonal Service** - One Way fare from Fire Island to Bay Shore and Sayville - **\$25.00** per person minimum 6 people.
- **Seasonal Lateral Service** - Various communities to be included in lateral service: (Fire Island Lighthouse through Watch Hill - Per Person fare to be based upon travel zones established herein (see Exhibit "B").
- **In-Season Promotional Passenger Discount Rate For Lateral Service:**
  - The temporary discount rate is for specific posted dates and times i.e. July 5<sup>th</sup> through Aug 5<sup>th</sup> 6 pm to 9 pm;
  - is at least **\$1.00** off the posted lateral passenger rate, not to exceed a discount greater than **25%** from the posted "normal" rate;
  - promotional discount fares will be registered with the Clerk of the Suffolk County Legislature at least 15 days prior to institution stating the effective dates and times along with the parameters for obtaining the discount (receipt from retail establishment);
  - upon suspension notification will be given to the Clerk of the Suffolk County Legislature no later than 5 business days afterwards.
- **Freight** - **\$2.00** minimum per item, **\$5.00** per Bicycle
- **Child Lateral One Way Fare** - Under 12 years of age - 50% of Adult fare
- **Infants** under two years of age - No Charge
- **Senior Citizens Fare** - with Suffolk County Sr. Citizens Card - Same as Child Fare
- **Dogs** - Same as Child Fare
- **Charter & Special Events Rates** – Are available upon request and will be priced based on each particular event.
- **Scheduled & Unscheduled Service** – Petitioner will use a combination of scheduled and unscheduled service that will be based on demand, time of day, equipment requirements and availability.
- **On Demand Lateral Services** – Petitioner will provide only on demand lateral service at a premium price to the following locations (east end) Watch Hill, Davis Park, Barrett Beach and Water Island that includes a two person minimum fare.

**Current Rates:**

- **UNSCHEDULED SEASONAL CROSS BAY SERVICE** – Seasonal service begins the Friday prior to Memorial Day and ends Labor Day.

- **\$125.00** for up to 6 passengers, **\$15.00** for each additional passenger, PER RESERVATION, PER PARTY. This rate would be available from 7:00am to 10:00pm weather permitting. Waiting time \$25.00/ 1/4hr.
- **\$150.00** for up to 6 passengers, **\$15.00** for each additional passenger, PER RESERVATION, PER PARTY. This rate would be available from 10:01pm to 6:59am weather permitting. Waiting time \$25.00/ 1/4hr.
- **UNSCHEDULED OFF SEASON CROSS BAY SERVICE** - Off season service begins the day after Labor Day and continues through the Thursday before Memorial Day, 24 hour notice required.
  - **\$150.00** for up to 6 passengers, **\$15.00** for each additional passenger, PER RESERVATION, PER PARTY. This rate would be available from 7:00am to 10:00pm weather permitting. Waiting time \$25.00/ 1/4hr.
  - **\$175.00** for up to 6 passengers, **\$18.00** for each additional passenger, PER RESERVATION, PER PARTY. This rate would be available from 10:01pm to 6:59am weather permitting. Waiting time \$25.00/ 1/4hr.
- **SEASONAL LATERAL SERVICE** – Various communities to be included in lateral service. Per person fare to be based upon travel zones established herein.

Pickup	Discharge								
Current									
Zones	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 8
1	6 . 0 0	8 . 0 0	10 . 0 0	12 . 0 0	14 . 0 0	16 . 0 0	18 . 0 0	22 . 0 0	
2	8 . 0 0	6 . 0 0	8 . 0 0	10 . 0 0	12 . 0 0	14 . 0 0	16 . 0 0	18 . 0 0	
3	10 . 0 0	8 . 0 0	6 . 0 0	8 . 0 0	10 . 0 0	12 . 0 0	14 . 0 0	16 . 0 0	
4	12 . 0 0	10 . 0 0	8 . 0 0	6 . 0 0	8 . 0 0	10 . 0 0	12 . 0 0	14 . 0 0	
5	14 . 0 0	12 . 0 0	10 . 0 0	8 . 0 0	6 . 0 0	8 . 0 0	10 . 0 0	12 . 0 0	
6	16 . 0 0	14 . 0 0	12 . 0 0	10 . 0 0	8 . 0 0	6 . 0 0	8 . 0 0	10 . 0 0	
7	18 . 0 0	16 . 0 0	14 . 0 0	12 . 0 0	10 . 0 0	8 . 0 0	6 . 0 0	8 . 0 0	
8	22 . 0 0	18 . 0 0	16 . 0 0	14 . 0 0	12 . 0 0	10 . 0 0	8 . 0 0	6 . 0 0	

- **FREIGHT** - \$2.00 minimum per item, \$5.00 per bicycle.
- **CHILD ONE-WAY FARE** – Under 12 years of age – 50% of Adult Fare
- **SENIOR CITIZENS FARE** – with Suffolk County Sr. Citizen’s Card – Same as Child Care
- **DOGS** – Same as Child Fare.

DATED:

APPROVED BY:

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

Date:

## Exhibit "B"

2010 Rates	WH	DP	WI	BB	PINES	CG	SH	POW	OBP	SEA	OB	ATL	DW	FH	SALT	KIS	LH
<u>Watch Hill</u>		\$ 11	12	\$ 12	\$ 14	\$ 19	\$ 22	\$ 24	\$ 24	\$ 25	\$ 25	\$ 28	\$ 28	\$ 28	\$ 30	\$ 30	\$ 30
<u>Davis Park</u>	\$ 11		\$ 12	\$ 12	\$ 14	\$ 19	\$ 22	\$ 24	\$ 24	\$ 25	\$ 25	\$ 28	\$ 28	\$ 28	\$ 30	\$ 30	\$ 30
<u>Water Island</u>	\$ 12	\$ 12		\$ 10	\$ 11	\$ 17	\$ 19	\$ 23	\$ 23	\$ 24	\$ 24	\$ 28	\$ 28	\$ 28	\$ 30	\$ 30	\$ 30
<u>Barrett Beach</u>	\$ 12	\$ 12	\$ 10		\$ 11	\$ 17	\$ 19	\$ 23	\$ 23	\$ 24	\$ 24	\$ 28	\$ 28	\$ 28	\$ 30	\$ 30	\$ 30
<u>Pines</u>	\$ 14	\$ 14	\$ 11	\$ 11		\$ 7	\$ 10	\$ 12	\$ 14	\$ 14	\$ 16	\$ 16	\$ 16	\$ 18	\$ 18	\$ 20	\$ 20
<u>Cherry Grove</u>	\$ 19	\$ 19	\$ 17	\$ 17	\$ 7		\$ 8	\$ 12	\$ 12	\$ 14	\$ 14	\$ 16	\$ 16	\$ 16	\$ 18	\$ 18	\$ 20
<u>Sailors Haven</u>	\$ 22	\$ 22	\$ 19	\$ 19	\$ 10	\$ 8		\$ 10	\$ 10	\$ 10	\$ 12	\$ 12	\$ 14	\$ 14	\$ 16	\$ 16	\$ 16
<u>Point O Woods</u>	\$ 24	\$ 24	\$ 23	\$ 23	\$ 12	\$ 12	\$ 10		\$ 7	\$ 8	\$ 8	\$ 10	\$ 10	\$ 10	\$ 12	\$ 12	\$ 12
<u>Oceans Bay Park</u>	\$ 24	\$ 24	\$ 23	\$ 23	\$ 14	\$ 12	\$ 10	\$ 7		\$ 7	\$ 8	\$ 10	\$ 10	\$ 10	\$ 12	\$ 12	\$ 12
<u>Seaview</u>	\$ 25	\$ 25	\$ 24	\$ 24	\$ 14	\$ 14	\$ 10	\$ 8	\$ 7		\$ 7	\$ 8	\$ 8	\$ 8	\$ 10	\$ 12	\$ 12
<u>Ocean Beach</u>	\$ 25	\$ 25	\$ 24	\$ 24	\$ 16	\$ 14	\$ 12	\$ 8	\$ 8	\$ 7		\$ 7	\$ 8	\$ 8	\$ 10	\$ 10	\$ 10
<u>Atlantique</u>	\$ 28	\$ 28	\$ 28	\$ 28	\$ 16	\$ 16	\$ 12	\$ 10	\$ 10	\$ 8	\$ 7		\$ 7	\$ 7	\$ 8	\$ 8	\$ 10
<u>Dunewood</u>	\$ 28	\$ 28	\$ 28	\$ 28	\$ 16	\$ 16	\$ 14	\$ 10	\$ 10	\$ 8	\$ 8	\$ 7		\$ 7	\$ 8	\$ 8	\$ 10
<u>Fair Harbor</u>	\$ 28	\$ 28	\$ 28	\$ 28	\$ 18	\$ 16	\$ 14	\$ 10	\$ 10	\$ 8	\$ 8	\$ 7	\$ 7		\$ 8	\$ 8	\$ 10
<u>Saltaire</u>	\$ 30	\$ 30	\$ 30	\$ 30	\$ 18	\$ 18	\$ 16	\$ 12	\$ 12	\$ 10	\$ 10	\$ 8	\$ 8	\$ 8		\$ 7	\$ 8
<u>Kismet</u>	\$ 30	\$ 30	\$ 30	\$ 30	\$ 20	\$ 18	\$ 16	\$ 12	\$ 12	\$ 12	\$ 10	\$ 8	\$ 8	\$ 8	\$ 7		\$ 7
<u>Fl Lighthouse</u>	\$ 30	\$ 30	\$ 30	\$ 30	\$ 20	\$ 20	\$ 16	\$ 12	\$ 12	\$ 12	\$ 10	\$ 10	\$ 10	\$ 10	\$ 8	\$ 7	\$ 7

1415

UPDATED VERSION AS OF 4/15/10

Intro. Res. No. -2010  
Introduced by Legislators Gregory, Romaine and Montano

Laid on Table 4/27/10

**RESOLUTION NO. -210, ADOPTING LOCAL LAW  
NO. -2010, A LOCAL LAW TO ESTABLISH A PROMPT  
CONTRACTING POLICY FOR NOT-FOR-PROFIT  
ORGANIZATIONS**

**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 ESTABLISH A PROMPT CONTRACTING POLICY FOR NOT-FOR-PROFIT ORGANIZATIONS**"; 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 ESTABLISH A PROMPT CONTRACTING POLICY  
FOR NOT-FOR-PROFIT ORGANIZATIONS**

**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 historically utilized outside not-for-profit agencies to provide important services to veterans, seniors, young people, handicapped citizens and other residents who depend on programs funded by the County.

This Legislature further finds that many not-for-profit organizations are funded every year by the County of Suffolk and are often identified in the county operating budget as a "line item" to receive funding.

This Legislature also determines that notwithstanding their inclusion in the Suffolk County Operating Budget, not-for-profit organizations are often unable to consummate a contract with the County for many months even though the terms and conditions of these agreements vary little from year to year. In the absence of a fully executed contract, these agencies are unable to receive payment for the services they render.

This Legislature also finds that this contracting lag places not-for-profit organizations in an unenviable position, where they incur salary and other expenses to deliver a service but must wait many months for reimbursement from the County because no contract is in place. As a result of these delays, some not-for-profit organizations must borrow money to continue services and thereby incur additional interest costs.

This Legislature further finds and determines that unnecessary delays in executing contracts and making payments to not-for-profit organizations may result in service

interruptions and could ultimately discourage such organizations from doing business with the County.

Therefore, the purpose of this law is to address a longstanding problem and establish a prompt contracting policy for not-for-profit organizations that provide services to Suffolk County residents.

## **Section 2. Definitions.**

The following terms shall have the meanings indicated:

“ADMINISTERING DEPARTMENT” - the department, office or agency of Suffolk County Government to which an appropriation is made, on a line-item basis, in the Suffolk County Operating Budget to fund a not-for-profit organization.

“FULLY EXECUTED CONTRACT” – a contractual agreement executed by an administering department and a not-for-profit organization, and any other county official as may be required, and approved by the Suffolk County Attorney.

“NOT-FOR-PROFIT ORGANIZATION”- a not-for-profit corporation as defined in section 102 of the NEW YORK NOT-FOR-PROFIT CORPORATION LAW, which renders human services to the residents of Suffolk County, including services related to health, welfare/social services, child care, parks/recreation, economic development, cultural affairs, veterans’ affairs, handicapped programs, public safety, youth, aging/senior citizens’ program, minority affairs, women’s affairs, labor/employment services, and education.

## **Section 3. Prompt contracting requirements.**

- A. An administering department shall fully execute a contract with any not-for-profit organization that is funded on a line-item basis within their department in the Suffolk County Operating Budget by February 1 of the applicable budget year. In the event an administering department did not contract with the not-for-profit organization in the preceding budget year, the administering department shall fully execute a contract with the not-for-profit organization by March 15 of the applicable budget year.
- B. In the event line item funding for a not-for-profit organization is approved via a resolution amending an adopted operating budget, the administering department shall have not more than sixty (60) days following the effective date of the resolution to fully execute a contract with the not-for-profit organization so funded.
- C. In the event an administering department is unable to comply with the time frames set forth in paragraphs (A) and (B) of this section due to circumstances beyond the control of the department, the administering department shall document the basis for its inability to comply in a written notice to the Presiding Officer of the Suffolk County Legislature, the Chairman of the Suffolk County Legislature’s Budget and Finance Committee, the Director of the Division of the Budget and the affected not-for-profit organization on or before the deadline date for the execution of the contract.

## **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 on January 1, 2011.

DATED:

APPROVED BY:

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

Date:

s:\laws\contract policy for not-for-profit organizations

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1415

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: APRIL 16, 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. 1415-2010; A LOCAL LAW TO ESTABLISH A PROMPT CONTRACTING POLICY FOR NOT-FOR-PROFIT ORGANIZATIONS

SPONSOR: LEGISLATOR MONTANO

DATE OF RECEIPT BY COUNSEL: 4/16/2010 PUBLIC HEARING: 5/11/2010  
DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

This proposed local law would establish a new policy, requiring County departments to contract promptly with not-for-profit organizations that are funded in the Suffolk County Operating Budget.

Specifically, this law would apply to not-for-profit organizations that are funded on a line-item basis in the operating budget. This law would require departments responsible for administering contracts with not-for-profit organizations to execute contracts with the not-for-profits by February 1 of the applicable year or, in the case of a not-for-profit organization that was not previously funded by the County, by March 15.

In the event line-item funding for a not-for-profit organization is approved by a resolution amending the adopted operating budget, the administering department must execute a contract with the not-for-profit organization within sixty days of the effective date of the resolution.

The law further provides that when an administering department is unable to comply with the time frames set forth above due to circumstances beyond its control, the department must document the basis for its inability to comply in a written notice to the Presiding Officer of the Suffolk County Legislature, the chairman of the Legislature's Budget and Finance Committee, the Director of the Division of the Budget and the affected not-for-profit organization.

This law will take effect January 1, 2011.

GEORGE NOLAN  
Counsel to the Legislature

GN:js

1416

Intro. Res. No. -2010  
Introduced by Legislator Romaine

Laid on Table 4/27/10

**RESOLUTION NO. -2010, AUTHORIZING PLANNING  
STEPS FOR THE ACQUISITION OF LAND UNDER THE  
SUFFOLK COUNTY DRINKING WATER PROTECTION  
PROGRAM, AS AMENDED BY LOCAL LAW 24-2007  
(GARSTEN PROPERTY – TOWN OF RIVERHEAD)**

**WHEREAS**, the Suffolk County Drinking Water Protection Program, as amended by Local Law 24-2007, authorizes the use of 31.10% of sales and compensating use tax proceeds generated each year for specific environmental protection, including the acquisition of open space in accordance with specific criteria set forth therein; and

**WHEREAS**, the parcel(s) listed in Exhibit "A" of this resolution meets the criteria for acquisition under the Drinking Water Protection Program; and

**WHEREAS**, adequate funding is provided for, pursuant to Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, from 31.10% of the sales and compensating use tax proceeds, for the acquisition of such land as open space; now, therefore, be it

**1st RESOLVED**, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 12.1 acres, is hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

**2nd RESOLVED**, that the parcel(s) listed in Exhibit "A" meet the criteria required by the Suffolk County Drinking Water Protection Program; and be it further

**3rd RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition Management, Department of Environment and Energy, and/or her designee is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

**4th RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

**5th RESOLVED**, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

**6th RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby further authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may

be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

**7th**           **RESOLVED**, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel(s); 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 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\garsten-open-space-drinking-water-plan-steps

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District 0600 Section 101.00 Block 02.00 Lot 006.002	12.1	Irwin Garsten 1365 Old Country Road Riverhead, NY 11901

**EXHIBIT "A"**

147  
Intro. Res. No. -2010  
Introduced by Legislator Stern

Laid on Table 4/27/2010

**RESOLUTION NO. -2010, AUTHORIZING CERTAIN  
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.  
95-2010**

**WHEREAS**, the County Legislature adopted Resolution No. 95-2010; and

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

**WHEREAS**, the County Legislature desires to make technical corrections to Resolution No. 95-2010; now, therefore be it

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

**Resolution No. 95-2010**

In the 1<sup>st</sup> RESOLVED clause change the appropriation in the Department of Social Services (DSS) to receive and administer the contract agency funding:

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	DSS	6015	XXXX	4980	Suffolk County Bar Pro Bono Foundation	+\$20,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	DSS	6008	JIW1	4980	Suffolk County Bar Pro Bono Foundation	+\$20,000

**DATED:**

**APPROVED BY:**

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

Date:

1418

4/27/10

Intro. Res. No. -2010  
Introduced by Legislator Viloría-Fisher

Laid on Table

**RESOLUTION NO. - 2010 TO ESTABLISH  
COMMUNITY AND YOUTH SERVICES PROGRAM  
FOR SUFFOLK COUNTY RESIDENTS AND  
NORTHERN BROOKHAVEN LITTLE LEAGUE AT  
SHEEP PASTURE ROAD IN PORT  
JEFFERSON/SETAUKET, NEW YORK**

**WHEREAS**, the County acquired a 36.8 acre parcel of real property located off Sheep Pasture Road in Port Jefferson-Setauket, New York, known as tax map No. 0200-158.00-04.00-016.000 for non-payment of taxes; and

**WHEREAS**, Resolution No. 76-1986, dedicated three separate parcels of land, one of which is the subject 36.8 acre parcel (approximately 30 acres dedicated as County parkland and approximately 6 acres dedicated for public purposes to be managed by the Suffolk County Department of Parks, Recreation and Conservation). Said parcel is identified as attachment "B" to Resolution No. 76-1986; and

**WHEREAS**, Resolution 1084-2002 and Resolution 784-2005 authorized the County Executive to enter into a license agreement with the Boys and Girls Club of Suffolk County ("the Club") for their non-exclusive use of the entire 36.8 parcel; and

**WHEREAS**, to date, the Boys and Girls Club has not come forth with a business plan acceptable to the Department of Parks, Recreation and Conservation and no progress has been made in creating athletic fields at the site; and

**WHEREAS**, the Northern Brookhaven Little League ("Little League") a not-for-profit entity, has formally requested the use of the 36.8 acre parcel described above for sports fields with appropriate accessory facilities necessary for parking, administration, maintenance and restrooms for the Little League's use and the use of Suffolk County residents; now, therefore, be it

**1st RESOLVED**, that Resolutions 1084-2002 and 784-2005 are hereby repealed and rescinded in their entirety and be it further

**2nd RESOLVED**, that the County Executive, is hereby authorized to enter into a license agreement with the Little League, upon such terms and conditions as may be approved by the County Executive and the Department of Law, for non-exclusive use of the entire 36.8 acre portion of the parcel. Such terms and conditions shall include, but not be limited to, scheduled use of the fields and facilities by Suffolk County residents consistent with open and equal access to such facilities for all Suffolk County residents, and prime time field use for Suffolk County residents, such hours for use to be enumerated in the license agreement; and be it further

**3rd RESOLVED**, that the Little League shall submit a business plan to the Commissioner of Parks, Recreation and Conservation for approval prior to execution of a license agreement. Such business plan will describe the Little League's plans to construct and maintain sports fields with appropriate accessory facilities necessary for parking, administration, maintenance and restrooms, at no cost to the County for use by the Little League and Suffolk

County residents. All construction shall be subject to the approval of the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation; and be it further

**4th RESOLVED**, that the term of said license agreement shall be for a period of up to ten (10) years from the date of its full execution with an option on the part of the County to renew said license for two (2) further periods of up to five (5) years each, provided the Little League has complied with all of the terms and conditions of said license agreement; and be it further

**5th RESOLVED**, that the exact dimensions of the premises to be licensed shall be in accordance with a survey to be prepared by the Commissioner of the Suffolk County Department of Public Works. The Commissioner of the Suffolk County Department of Public Works shall approve any and all construction plans on the licensed premises; and be it further

**6th RESOLVED**, that there is no legislative intent to prohibit license agreement renewals beyond the term of the license agreement as herein provided, subject to such terms and conditions as may be approved by the Suffolk County Legislature; and be it further

**7th RESOLVED**, that any and all fees which may be charged to other groups and organizations using the licensed premises on a scheduled basis, must be approved in advance by the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation. All fees collected by the Little League shall be forwarded to the County of Suffolk and shall be subject to a formula set forth in the license agreement for reimbursement to the Little League commensurate with services provided by the Little League to the County and/or the Little League's actual costs incurred in connection with the facilities. All fees shall be subject to audit by the Suffolk County Department of Parks, Recreation and Conservation and/or the Department of Audit and Control; and be it further

**8th RESOLVED**, that this Legislature hereby determines that the above activity constitutes a Type I action under the provisions of Title 6 NYCRR Part 617.4(b) and Chapter 279 of the Suffolk County Code, since the project involves the physical alteration of more than 2.5 acres of parkland; and be it further

**9th RESOLVED**, that the project will not have significant effect on the environment for the following reasons:

1. The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment;
2. The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;
3. The proposed site has been extensively disturbed due to sand mining, and no significant habitats will be affected.
4. Adequate natural and undisturbed buffers will be maintained between adjacent residential facilities and noted on the Conceptual Master Plan.
5. The wood area in the eastern portion of the site will remain in its natural state and noted on the plan.

6. Parking areas will be appropriately landscaped, which will be noted on the master plan and in the contract. Final landscape plans will be approved by the Parks Department.
7. The parking area will have appropriate drainage structures to retain storm water run off which will be approved by the Department of Public Works.
8. Compost/topsoil will be used to rehabilitate the soil for planting.
9. The Parks Department organic maintenance standards and the County Pesticide Law will be adhered to.
10. Existing roads should be able to accommodate the projected traffic.
11. A traffic signal will be installed at the entrance and all necessary Town of Brookhaven permits obtained.

DATED:

APPROVED BY:

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

Date:

s:\res\r-little league-sheep pasture road

Intro Res. No. 1419-10  
Introduced by Presiding Officer on the Request of the County Executive

Laid on Table

4/27/10

RESOLUTION NO. TO READJUST, COMPROMISE, AND  
GRANT REFUNDS AND CHARGEBACKS ON CORRECTION  
OR ERRORS/COUNTY TREASURER BY: COUNTY  
LEGISLATURE #337-2010

**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.

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
0100-165.00-03.00-001.000	2006/07	\$19,859.10	0	\$19,859.10

Dated:

Approved By:

---

Suffolk County Executive

Date of Approval:

1419

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

**ResolutionXXX**

Local Law

Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

4. Will the Proposed Legislation Have a Fiscal Impact?

**YES XXX**

NO

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

**County**

**Town**

Economic Impact

Village

School District

Other (Specify):

Library District

Fire District

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

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

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

Unknown

8. Proposed Source of Funding

To be refunded from the County General Fund

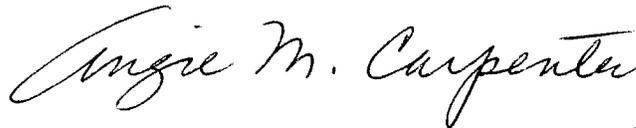
9. Timing of Impact

Variable

10. Typed Name & Title of Preparer

Angie M. Carpenter  
County Treasurer

11. Signature of Preparer



12. Date

3/18/10

**Additional back-up material regarding IR 1419 is on file in  
the Legislative Clerk's Office, Hauppauge.**

Intro Res. No. 1420-10  
Introduced by Presiding Officer on the Request of the County Executive

Laid on Table 4/27/10

RESOLUTION NO. TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #338

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
<b>SMITHTOWN:</b>				
0800-333.00-03.00-060.000	2008/09	\$223,123.89	0.00	\$223,123.89

Dated:

Approved By:

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

Date of Approval:

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**  
Village  
Library District

**Town**  
School District  
Fire District

Economic Impact  
Other (Specify):

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

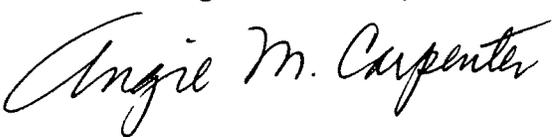
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  
Unknown

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

9. Timing of Impact  
Variable

10. Typed Name & Title of Preparer  
Angie M. Carpenter  
County Treasurer

11. Signature of Preparer



12. Date

3/18/10

**Additional back-up material regarding IR 1420 is on file in  
the Legislative Clerk's Office, Hauppauge.**

Intro. Res. # 1421-10

Laid on Table 4/27/10

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 #833-2010)

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#833-2010

(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
C	BROOKHAVEN	07/08	0200-975.00-02.00-001.000	35703.31	3626.13	32077.18
C	BROOKHAVEN	08/09	0200-975.00-02.00-001.000	38057.48	3865.22	34192.26
C	BROOKHAVEN	09/10	0200-975.00-02.00-001.000	39660.28	4027.99	35632.29
A	SMITHTOWN	09/10	0800-166.00-06.00-021.004	19126.57	15304.69	3821.88
A	SMITHTOWN	09/10	0803-003.00-03.00-010.000	12437.78	9923.51	2514.27
A	SMITHTOWN	09/10	0800-001.00-03.00-054.017	23437.26	20733.72	2703.54
A	SMITHTOWN	09/10	0800-051.00-08.00-012.000	23460.97	19759.36	3701.61
A	SMITHTOWN	09/10	0800-161.00-01.00-078.000	12355.92	9350.09	3005.83
A	SMITHTOWN	09/10	0800-167.00-03.00-034.003	11185.85	8626.77	2559.08
A	SMITHTOWN	09/10	0800-169.00-06.00-010.000	15487.99	11962.97	3525.02
A	SMITHTOWN	09/10	0800-169.00-06.00-015.000	16575.50	13634.93	2940.57
A	SMITHTOWN	09/10	0800-167.00-01.00-024.002	17159.94	14655.34	2504.60
A	SMITHTOWN	09/10	0800-059.05-01.00-032.000	8769.15	4600.21	4168.94
A	SMITHTOWN	09/10	0800-108.00-03.00-010.000	93050.55	72642.18	20408.37

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

APPROVED BY:

County Executive of Suffolk County

Date of Approval:



**Additional back-up material regarding IR 1421 is on file in  
the Legislative Clerk's Office, Hauppauge.**

Introductory Resolution No. 1422-10 Laid on Table 4/27/10

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  
**CHARLES SCOTT LITTLEJOHN**  
0500-055.00-01.00-002.000

**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 055.00, Block 01.00, 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 28, 2009, in Liber 12601, at Page 254, and otherwise known and designated by the Town of Islip, Suffolk County Tax Map Number District 0500, Section 055.00, Block 01.00 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 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**, CHARLES SCOTT LITTLEJOHN has made application of said above described parcel and CHARLES SCOTT LITTLEJOHN has paid the application fee and will be paying \$45,014.88, 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

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

**2<sup>nd</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to CHARLES SCOTT LITTLEJOHN , 28 Jane Road, 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: \_\_\_\_\_

Introductory Resolution No. 1423-10 Laid on Table 4/27/10

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  
**BUCKINGHAM HOLDINGS, LLC, BY J. B. KENEALY, MEMBER**  
**0200-980.60-03.00-005.000**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 980.60, Block 03.00, Lot 005.000, and acquired by tax deed on November 02, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 04, 2009, in Liber 12605, at Page 51, and otherwise known and designated by the Town of Brookhaven, as Lot Nos. 976, 977, and 978 as designated on a certain map entitled "Ninth Map of Mastic Beach, Suffolk County, Long Island, New York," and filed in the office of the Clerk of the County of Suffolk on the 17<sup>th</sup> day of June, 1938 as file No. 1259; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on November 02, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 04, 2009 in Liber 12605 at Page 51.

**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**, BUCKINGHAM HOLDINGS, LLC, BY J. B. KENEALY, MEMBER has made application of said above described parcel and BUCKINGHAM HOLDINGS, LLC, BY J. B. KENEALY, MEMBER has paid the application fee and has paid \$15,998.19, 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

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

**2<sup>nd</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to BUCKINGHAM HOLDINGS, LLC, BY J. B. KENEALY, MEMBER, 553 Broadway, Massapequa NY 11758, 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: \_\_\_\_\_

1473

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

April 06, 2010

Tax Map No.: 0200-980.60-03.00-005.000

Name of Last Legal Fee Owner: BUCKINGHAM HOLDINGS, LLC, BY J. B. KENEALY, MEMBER

TREASURER'S COMPUTATION.....	\$8,724.65
Taxes.....2009/2010.....	\$7,123.54
Recording Fees collected for County Clerk.....	N/A
License Fee.....	N/A
Repairs.....	N/A
Interest.....	N/A
Miscellaneous Expenses.....	\$150.00 Boardup Fee
<b>TOTAL.....</b>	<b>\$15,998.19</b>
Monies Received.....	\$15,998.19
<b>RESOLUTION AMOUNT.....</b>	<b>\$15,998.19.</b>

APPROVED:

*Karen A Slater 4/9/10*  
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 0200-980.60-03.00-005.000

1423

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2010

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

Diane Bishop

*Diane Bishop*      4/7/10

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

**DISTRICT**

0200

**SECTION**

980.60

**BLOCK**

03.00

1423

**LOT**

005.000

**A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:**

2006/07	\$476.18
2007/08	\$505.53
2008/09	\$6,991.03

**2009/2010 TAXES IN THE AMOUNT OF \$7,123.54 NOT INCLUDED IN COMPUTATION**

TOTAL: \$7,972.74

B. INTEREST DUE	\$336.45
C. TOTAL	\$8,309.19
D. 5% LINE C	\$415.46
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$8,724.65

*TS*  
*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. 19-Jan-10



Diane M. Stuke  
Deputy County Treasurer

\*\*Interest and penalty computed to  
and including 07/18/10

PROPERTIES DISTRICTS:

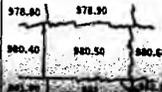
NOTICE

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



TOWN OF BROOKHAVEN VILLAGE OF DISTRICT NO. 0200

SECTION NO 980.50 PROPERTY MAP



0200-980.60-18.00-005.000

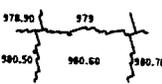
NOTICE

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



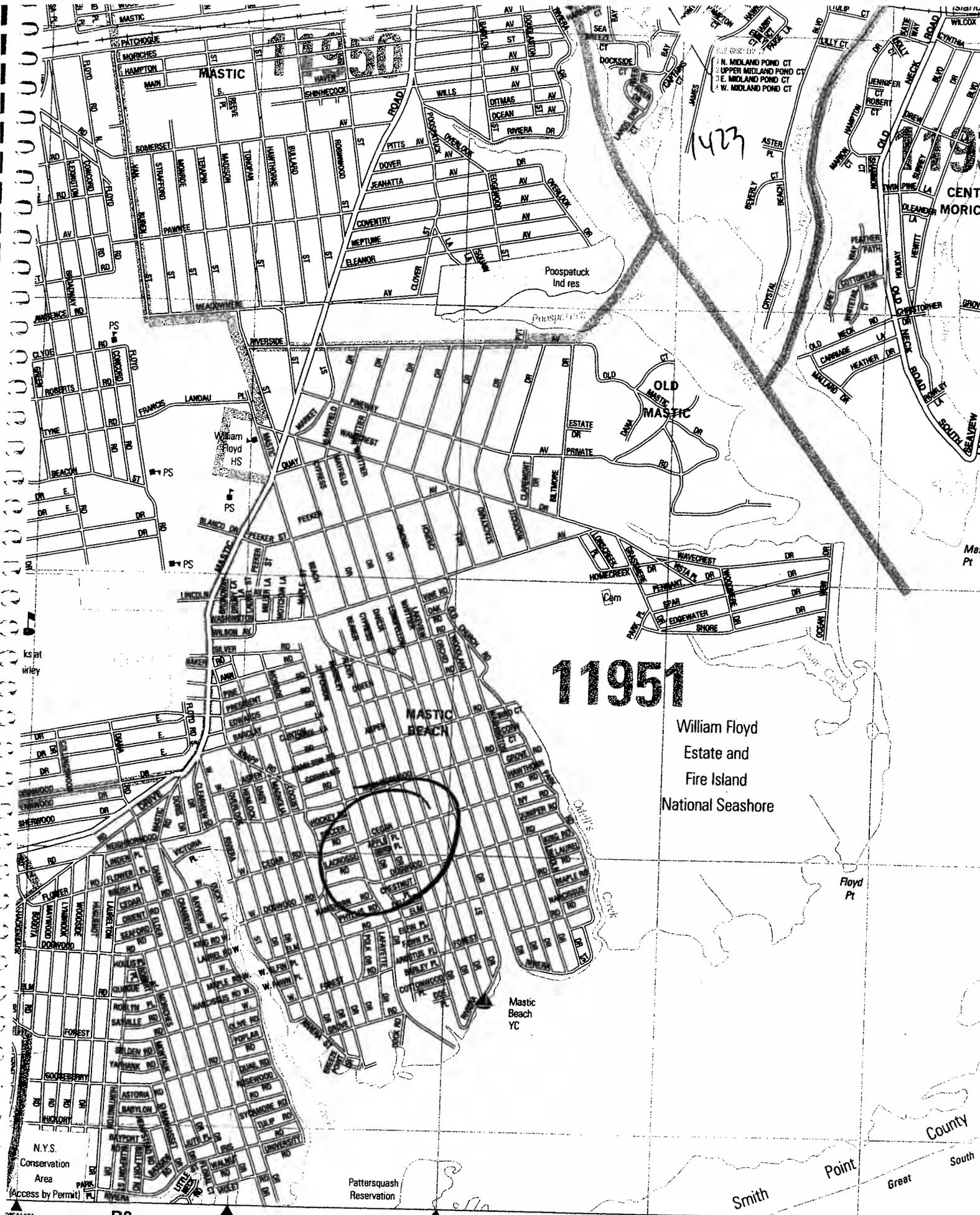
COUNTY OF SUFFOLK © Real Property Tax Service Agency County Center Riverhead, N.Y. 11901 SCALE IN FEET

KEY



TOWN OF BROOKHAVEN VILLAGE OF

SECTION NO 980.60



1423

11951

William Floyd  
Estate and  
Fire Island  
National Seashore

Floyd  
Pt

Mastic  
Beach  
YC

Pattersquash  
Reservation

2°51'45" B2 72°51'00" C2 72°50'16" D2 72°49'30" E2 72°48'45" F2

0200-980-60-03-00-005.000

Joins Map 35

County  
Point  
Great  
South

COUNTY OF SUFFOLK



STEVE LEVY  
COUNTY EXECUTIVE

APR 13 2010

1423

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

PAMELA J. GREENE  
DIVISION DIRECTOR

CARRIE MEEK-GALLAGHER  
COMMISSIONER

April 12, 2010

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

Re: Tax Map No. 0200-980.60-03.00-005.000  
BUCKINGHAM HOLDINGS, LLC, BY J. B. KENEALY, MEMBER

Dear Mr. Crannell:

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:

- Ken Crannell, Deputy County Executive (original plus 1 hard copy)
- Christopher E. Kent, Chief Deputy County Executive (1 hard copy)
- ~~Brendan Chamberlain, Director, Intergovernmental Relations~~ (2 hard copies)
- Steve Forst, Budget Office (1 hard copy)
- C.E. Reso. Review (electronic copy)

Copy of letter to:

- Carrie Meek Gallagher, Commissioner, Dept. of Environment and Energy
- Eric Naughton, Budget Director
- Thomas A. Isles, Director, Planning Dept.
- Lauretta Fischer, Principal Planner, Planning Dept.

Introductory Resolution No. 1424-10 Laid on Table 4/27/10

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  
**ELIZABETH MALDONADO**  
0200-038.00-01.00-038.000

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 038.00, Block 01.00, Lot 038.000, 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 424, and otherwise known and designated by the Town of Brookhaven, as Lot No. 17 as shown on a certain map entitled, "Map of Shoridge Hills, Plate No. 1" and filed in the office of the Clerk of the County of Suffolk on July 11, 1951 as Map No. 1847; 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 424.

**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**, HSBC CONSUMER LENDING., ADMINISTRATIVE SERVICES FOR BENEFICIAL HOMEOWNER SERVICE CORPORATION, BY BRIAN KUMIEGA, ESQ., MANAGING PARTNER, STEVEN J. BAUM, P.C. has made application of said above described parcel and HSBC CONSUMER LENDING., ADMINISTRATIVE SERVICES FOR BENEFICIAL HOMEOWNER SERVICE CORPORATION, BY BRIAN KUMIEGA, ESQ., MANAGING PARTNER, STEVEN J. BAUM, P.C. has paid the application fee and has paid \$46,185.08, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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

**2<sup>nd</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to ELIZABETH MALDONADO, 46 Valentine Road, Shoreham NY 11786, 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: \_\_\_\_\_

1424

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

April 06, 2010

Tax Map No.: 0200-038.00-01.00-038.000

Name of Last Legal Fee Owner: ELIZABETH MALDONADO

TREASURER'S COMPUTATION.....\$38,197.98

Taxes.....2009/2010.....\$7,987.10

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

License Fee.....N/A

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....\$46,185.08

Monies Received.....\$46,185.08

RESOLUTION AMOUNT.....\$46,185.08

APPROVED:

Karen A. Slater 4/8/10  
Accounting  
DB:lag

PREPARED BY:

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

1424

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X  
Tax Map Number 0200-038.00-01.00-038.000

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



4-6-10

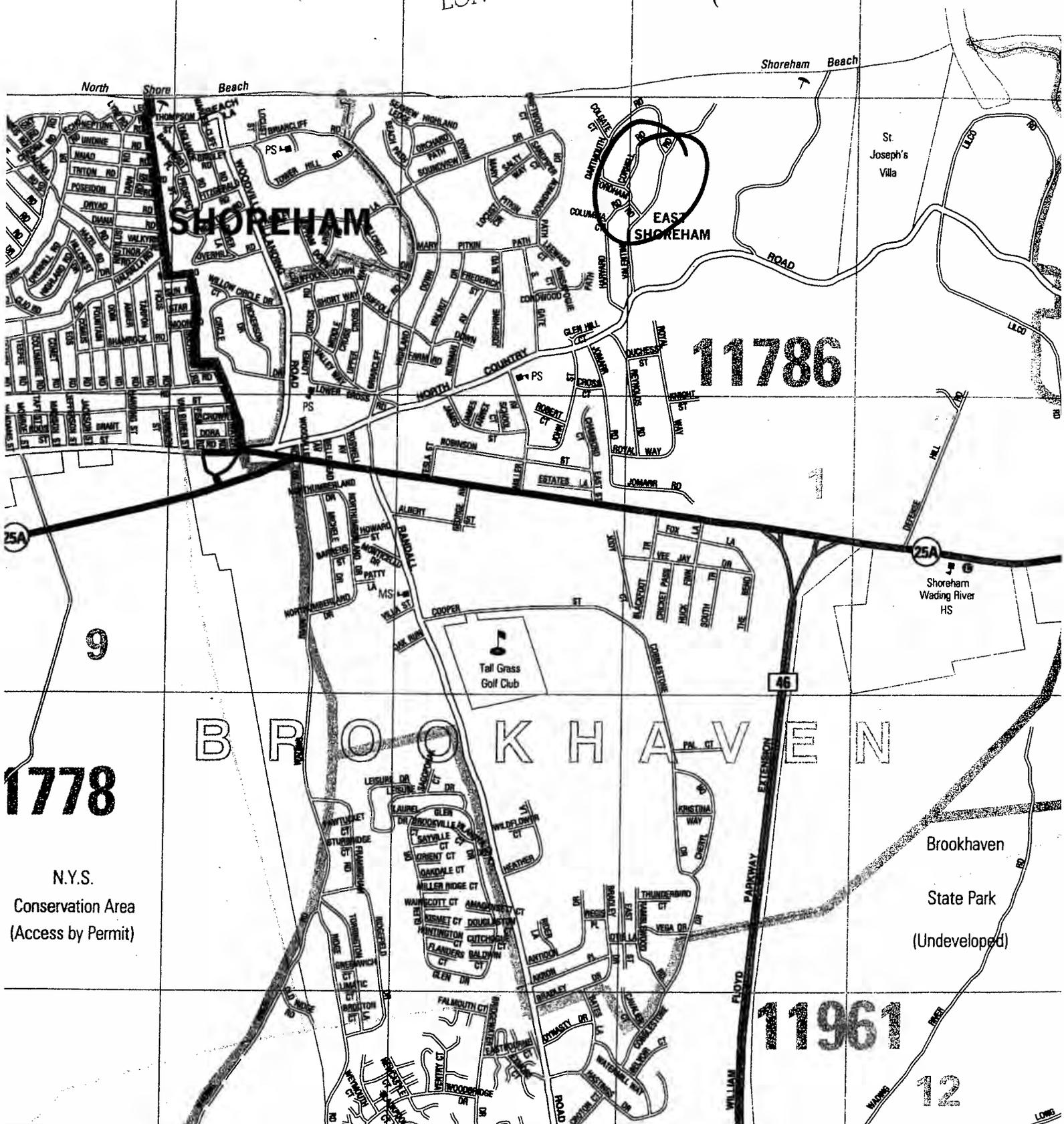


0200-038.00-01.00-038.000

ISLAND

LONG

1424



SHOREHAM

EAST SHOREHAM

11786

1778

BROOKHAVEN

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

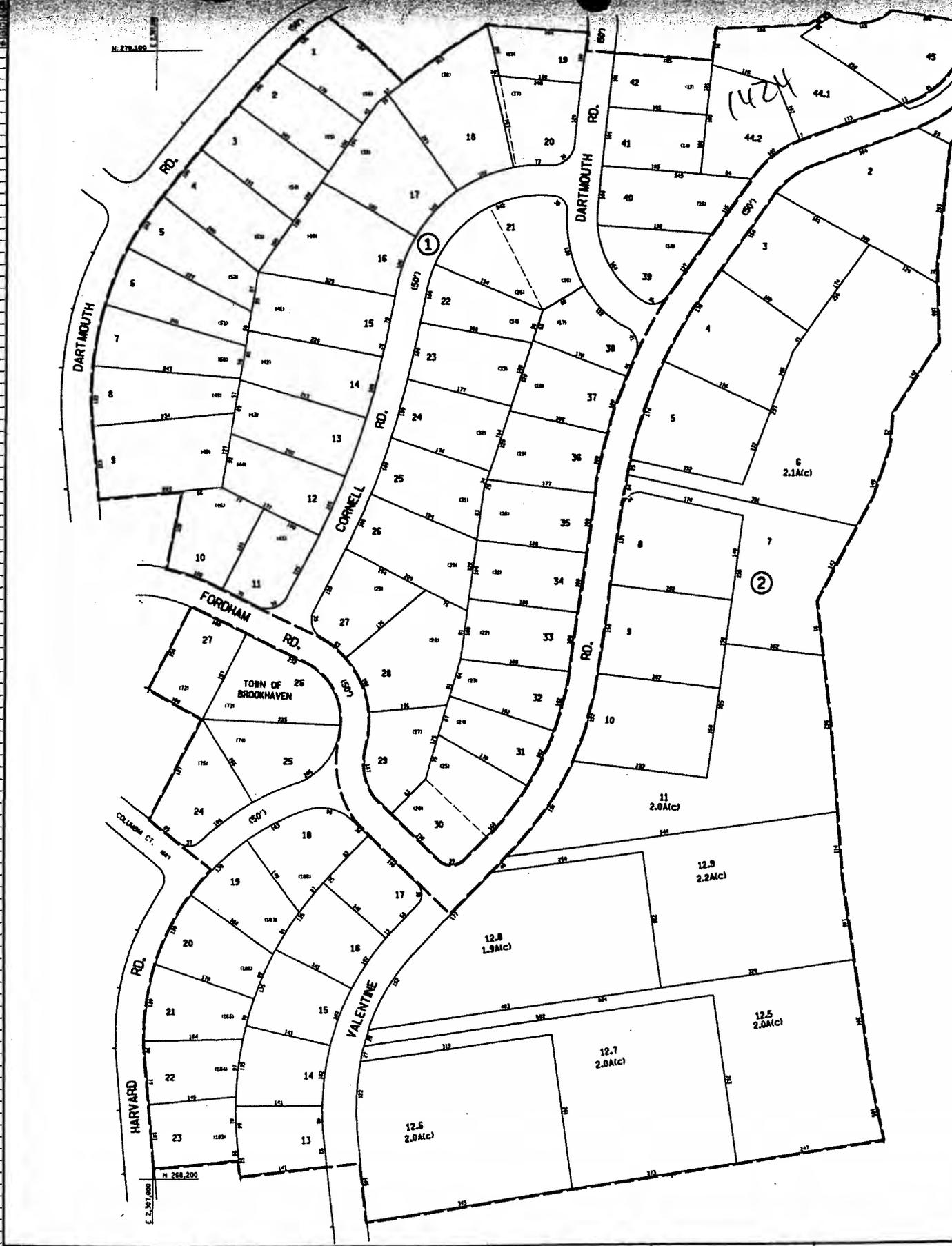
Brookhaven  
State Park  
(Undeveloped)

11961

12

W1 72°54'45" X1 72°54'00" Y1 72°53'15" Z1 72°52'30" A2

0200-138-00-01-00-038.070



<b>DZMGM</b> Property w/ R Line Streets Center Line Subdivision Lot Line Stream / Shore Parcel No.		Subdivision Lot No. 138 Subdivision Block/Map No. (21) Aerial Elevation 112 Scaled Elevation 112 Aerial Area 12.1 A(c) or 12.1A Calculated Area 12.1 A(c)	Block List 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 --- Postmaster District Line --- PM ---	UNLESS DRAWN OTHERWISE WITHIN THE FOOT OF SCHOOL 10 FIRE EYE LIGHT 125 PARK AMBULANCE
		23				

GEN 63

COUNTY OF SUFFOLK



APR 12 2010

1424

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

April 9, 2010

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

Re: Tax Map No. 0200-038.00-01.00-038.000  
ELIZABETH MALDONADO

Dear Mr. Crannell:

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:

- Ken Crannell, Deputy County Executive (original plus 1 hard copy)
- Christopher E. Kent, Chief Deputy County Executive (1 hard copy)
- ~~Brendan Chamberlain~~, Director, Intergovernmental Relations (2 hard copies)
- Steve Forst, Budget Office (1 hard copy)
- C.E. Reso. Review (electronic copy)

Copy of letter to:

- Carrie Meek Gallagher, Commissioner, Dept. of Environment and Energy
- Eric Naughton, Budget Director
- Thomas A. Isles, Director, Planning Dept.
- Lauretta Fischer, Principal Planner, Planning Dept.

Introductory Resolution No. 1425-10 Laid on Table 4/27/10

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  
**SHARON GOLDEN**  
0200-977.60-06.00-024.005

**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 977.60, Block 06.00, Lot 024.005, and acquired by tax deed on November 02, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 04, 2009, in Liber 12605, at Page 51, and otherwise known and designated by the Town of Brookhaven, Suffolk County Tax Map Number District 0200, Section 977.60, Block 06.00 and Lot 024.005; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on November 02, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on November 04, 2009 in Liber 12605 at Page 51.

**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**, SHARON GOLDEN has made application of said above described parcel and SHARON GOLDEN has paid the application fee and has paid \$3,825.91, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2009, and

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

**2<sup>nd</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to SHARON GOLDEN, 72 South Country Road, East Patchogue NY 11772, 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: \_\_\_\_\_

1425

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

April 06, 2010

Tax Map No.: 0200-977.60-06.00-024.005  
Name of Last Legal Fee Owner: SHARON GOLDEN

TREASURER'S COMPUTATION.....	\$3,825.91
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
<hr/>	
TOTAL.....	\$3,825.91
<hr/>	
Monies Received.....	\$3,825.91
<hr/>	
<u>RESOLUTION AMOUNT</u> .....	\$3,825.91
<hr/>	

APPROVED:

*Karen A. Slater 4/8/10*  
\_\_\_\_\_  
Accounting  
DB:lag

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

1425

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X  
Tax Map Number 0200-977.60-06.00-024.005

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



4-6-10

**COMPUTATION BY SUFFOLK COUNTY TREASURER**

<u>TRACT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	977.60	06.00	024.005

1425

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07	\$733.75
2007/08	\$1,549.38
2008/09	\$1,239.85

TOTAL: \$3,522.98

B. INTEREST DUE	\$120.75
C. TOTAL	\$3,643.73
D. 5% LINE C	\$182.19
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

\$3,825.91

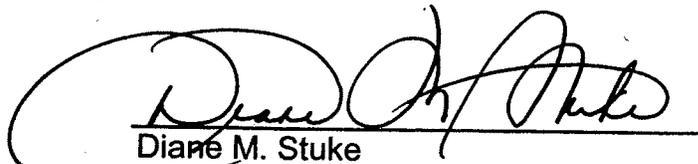
PAID 4/18/10

**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.

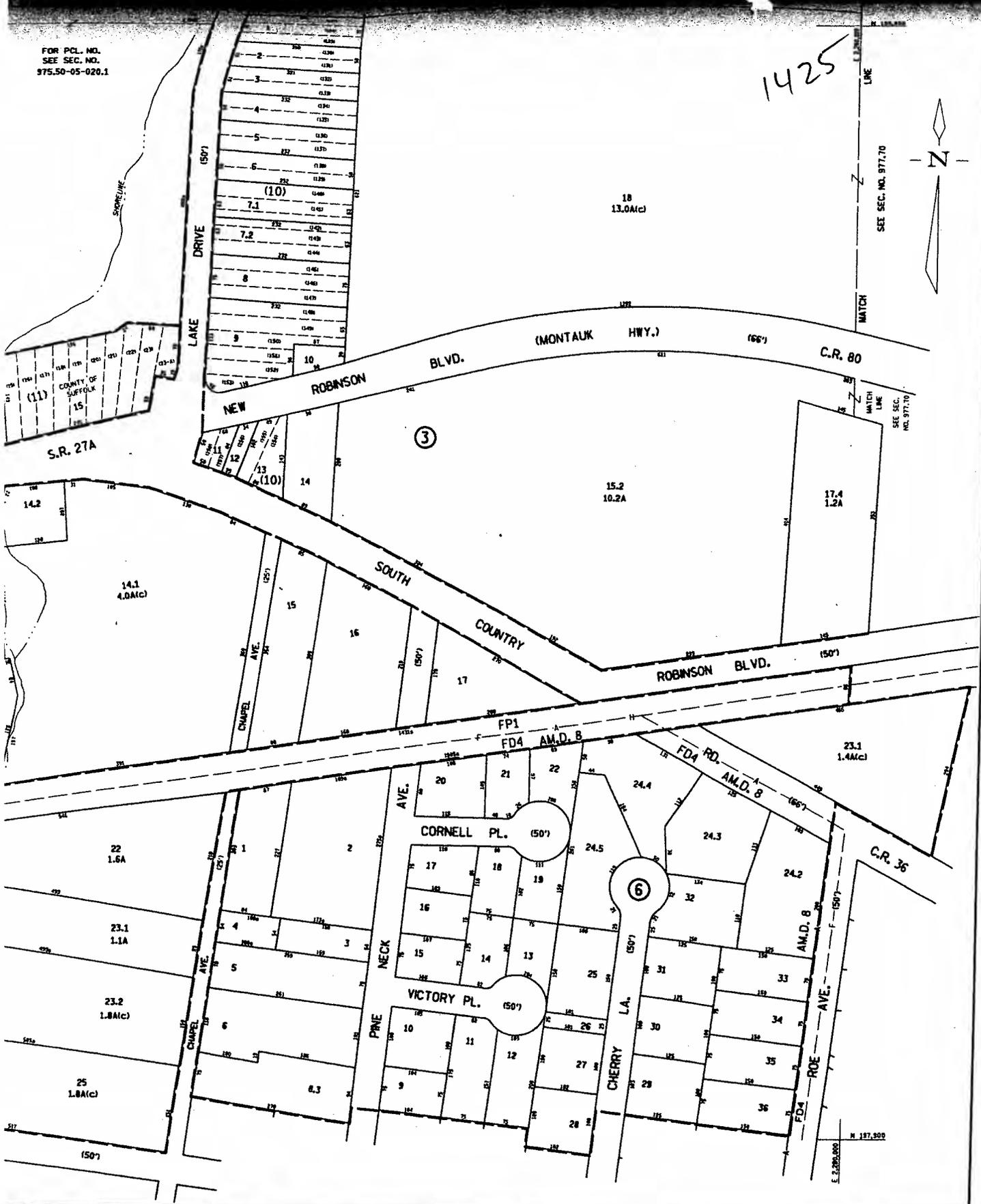
01-Dec-09

  
Diane M. Stuke  
Deputy County Treasurer

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

FOR P.C.L. NO.  
SEE SEC. NO.  
975.50-05-020.1

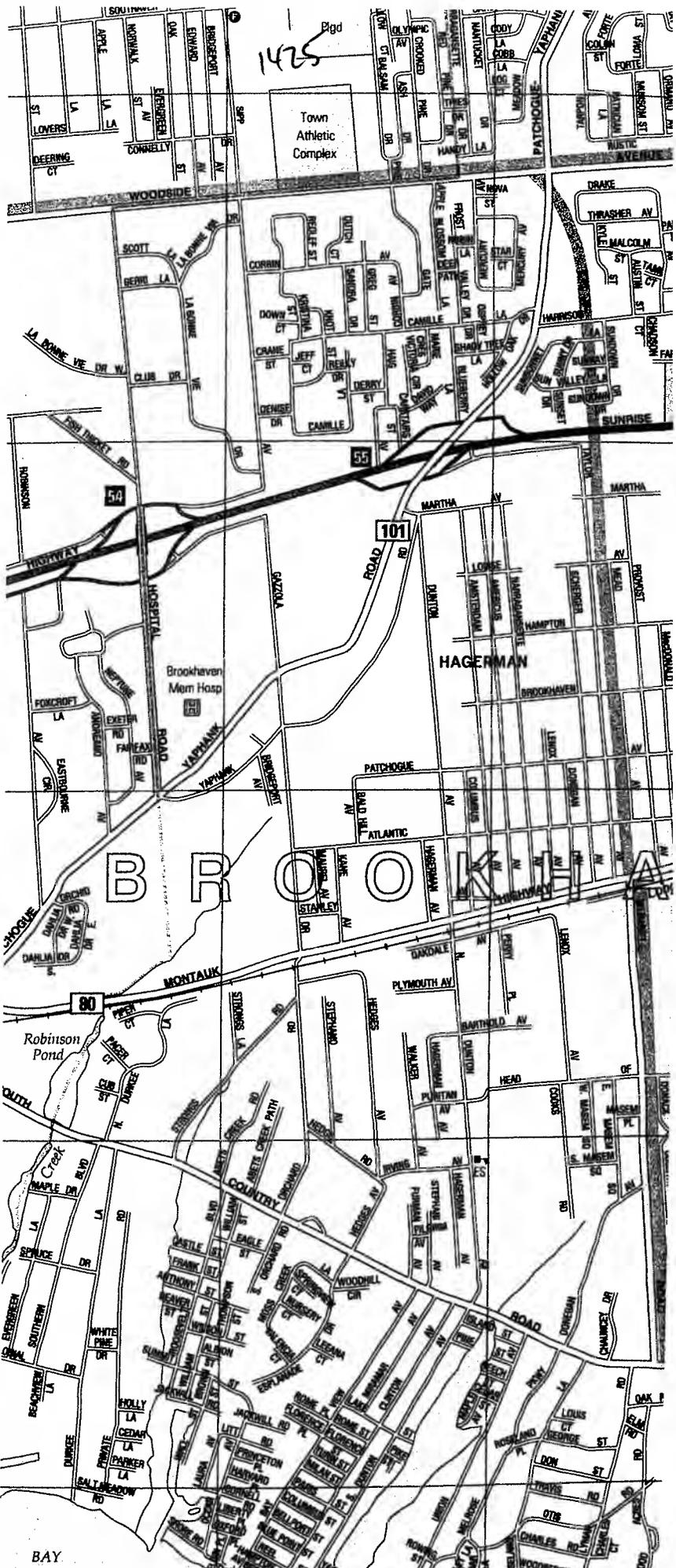
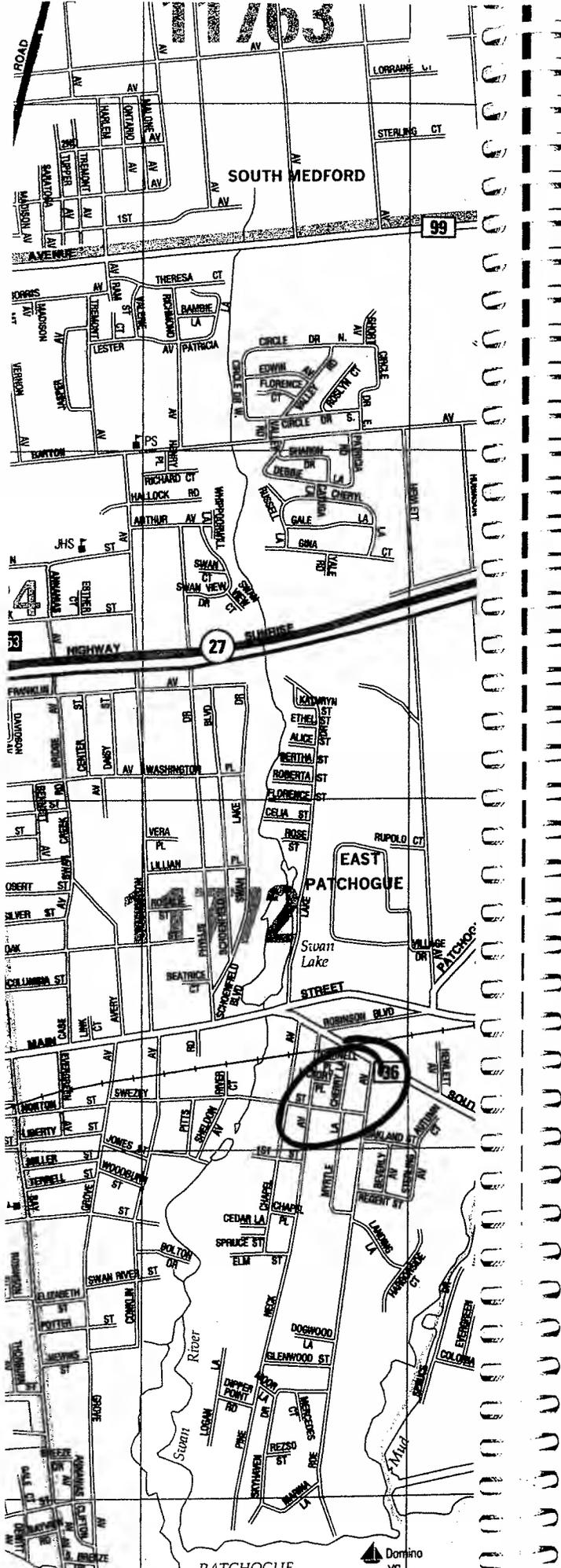
1425



<p>NOTICE</p> <p>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.</p>	<p><b>COUNTY OF SUFFOLK</b> © Real Property Tax Service Agency County Center Riverhead, N.Y. 11901 SCALE IN FEET:</p>	<p>KEY</p> <table border="1"> <tr> <td>975.40</td> <td>975.50</td> <td>975.60</td> </tr> <tr> <td>977.50</td> <td>977.60</td> <td>977.70</td> </tr> <tr> <td>979.30</td> <td>979.40</td> <td>979.50</td> </tr> </table>	975.40	975.50	975.60	977.50	977.60	977.70	979.30	979.40	979.50	<p>TOWN OF <b>BROOKHAVEN</b></p>	<p>SECTION NO</p>
			975.40	975.50	975.60								
			977.50	977.60	977.70								
979.30	979.40	979.50											
<p>VILLAGE OF</p>	<p><b>977.60</b></p>												
<p>DISTRICT NO <b>0200</b></p>	<p>PROPERTY MAP</p>												

CONVERSION DATE: Aug. 22, 1995

0200-977-60-06.00-024.005



0200-977-60-06.00-72405

S1

T1

Gen 64

COUNTY OF SUFFOLK



1425

APR 12 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

April 9, 2010

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

Re: Tax Map No. 0200-977.60-06.00-024.005  
SHARON GOLDEN

Dear Mr. Crannell:

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:tag

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

Copy of Resolution to:

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

Copy of letter to:

Carrie Meek Gallagher, Commissioner, Dept. of Environment and Energy  
Eric Naughton, Budget Director  
Thomas A. Isles, Director, Planning Dept.  
Lauretta Fischer, Principal Planner, Planning Dept.

Introductory Resolution No. 1426-10 Laid on Table 4/27/10

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  
**KENNETH BRADY**  
0208-015.00-07.00-005.000

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, Village of Lake Grove, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0208, Section 015.00, Block 07.00, Lot 005.000, 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 424, and otherwise known and designated by the Town of Brookhaven, Village of Lake Grove, as Lot No. 67, on a certain map entitled "Map of Lake Grove Estates, Section 6, situate at Lake Grove, Town of Brookhaven, Suffolk County, New York, dated September 14, 1964, prepared by William R. Simmons, Jr., L.S." and which said map was filed in the Suffolk County Clerk's office on May 4, 1965 as No. 4331; 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 424.

**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**, KENNETH BRADY has made application of said above described parcel and KENNETH BRADY has paid the application fee and will be paying \$61,634.99, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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

**2<sup>nd</sup> - RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to KENNETH BRADY, 9 Wade Drive, Lake Grove NY 11755, 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: \_\_\_\_\_

1426

SUFFOLK COUNTY  
DIVISION OF REAL PROPERTY  
ACQUISITION AND MANAGEMENT  
CLOSING STATEMENT

April 06, 2010

Tax Map No.: 0208-015.00-07.00-005.000  
Name of Last Legal Fee Owner: KENNETH BRADY

TREASURER'S COMPUTATION.....\$52,800.51

Taxes.....2009/2010.....\$8,834.48

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

License Fee.....OPEN

Repairs.....N/A

Interest.....N/A

Miscellaneous Expenses.....N/A

TOTAL.....\$61,634.99

Monies to be Received.....\$61,634.99

RESOLUTION AMOUNT.....\$61,634.99

APPROVED:

Karen A. Slater 4/9/10  
Accounting  
DB:lag

PREPARED BY:

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

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1426

1. Type of Legislation

Resolution X  
Tax Map Number 0208-015.00-07.00-005.000

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

Convey County owned parcel to prior owner

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

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

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

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

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

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

2010

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

Diane Bishop



4-6-10

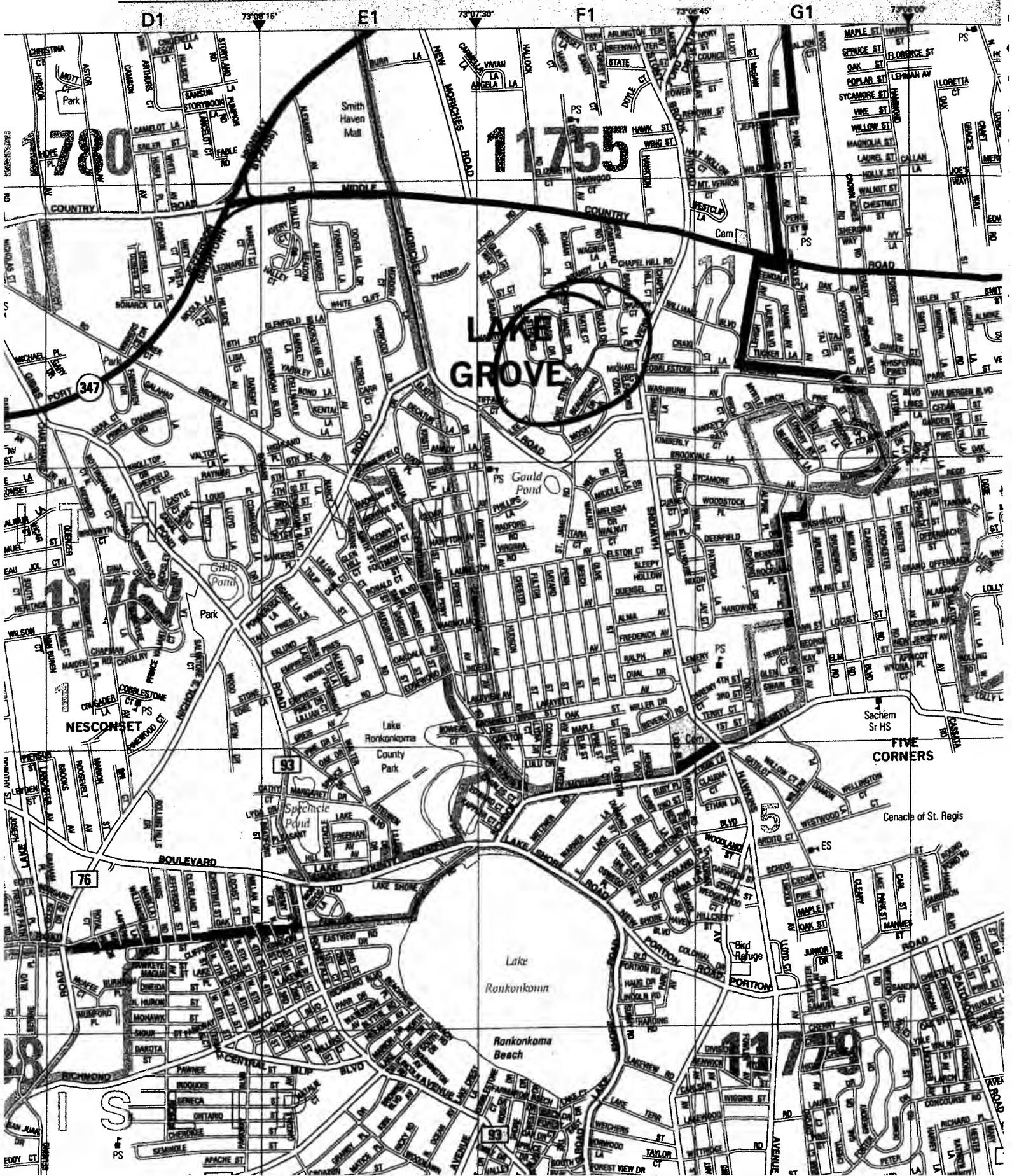


0208-01500-0700-005000

1426

# Suffolk Co.

Joins Map 20



**LAKE GROVE**

**NESCONSET**

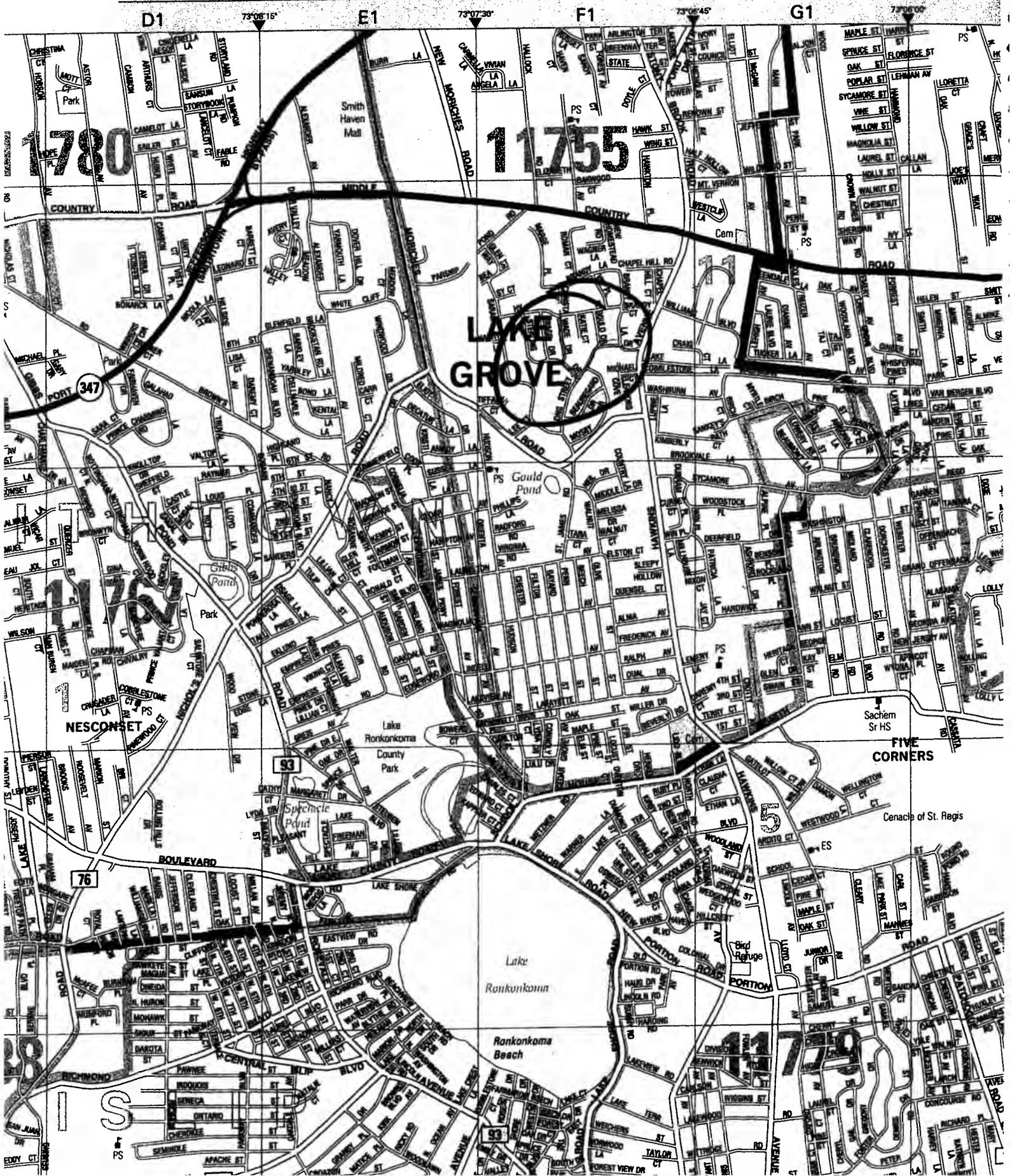
**FIVE CORNERS**

Lake Ronkonkoma

Ronkonkoma Beach

Cenacle of St. Regis

Bird Refuge



**LAKE GROVE**

**NESCONSET**

**FIVE CORNERS**

Lake Ronkonkoma

Ronkonkoma Beach

Cenacle of St. Regis

Bird Refuge



0208-015.00-01.00-005.000

PERMITS TRACTS: 	<b>NOTICE</b> 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.	<b>COUNTY OF SUFFOLK</b> © <b>Real Property Tax Service Agency</b> County Center Riverhead, N Y 11901 SCALE IN FEET:	<b>KEY MAP</b> 	TOWN OF <b>BROOKHAVEN</b>	SECTION NO <b>015</b>
				VILLAGE OF <b>LAKE GROVE</b>	PROPERTY MAP
				DISTRICT NO <b>0208</b>	

1426  
60N 65

COUNTY OF SUFFOLK



STEVE LEVY  
COUNTY EXECUTIVE

APR 12 2010

PAMELA J. GREENE  
DIVISION DIRECTOR

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

CARRIE MEEK-GALLAGHER  
COMMISSIONER

April 9, 2010

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

Re: Tax Map No. 0208-015.00-07.00-005.000  
KENNETH BRADY

Dear Mr. Crannell:

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:

Ken Crannell, Deputy County Executive (original plus 1 hard copy)  
Christopher E. Kent, Chief Deputy County Executive (1 hard copy)  
~~Christopher E. Kent~~ 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. 1427-10

Laid on Table 4/27/10

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  
ALLAN J. & MARTHA T. METZ, Joint Tenants with Rights of  
Survivorship  
(SCTM NO. 0200-853.00-06.00-037.000)**

**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 853.00 Block 06.00 Lot 037.000 and acquired by Tax Deed on May 17, 1988 from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and recorded on May 18, 1988 in Liber 10605 at CP 450 and described as follows, being and intended to be that parcel of land known and designated as Lots 6620 & 6621 on a certain map entitled "Map of Mastic park, Sec. 8", and filed in the Office of the Clerk of the County of Suffolk on March 13, 1922 as Map No. 245; 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**, Allan J. & Martha T. Metz, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$6,600.00. 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 \$6,600.00, 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 \$6,600.00, pursuant to said purchase offer; and

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

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

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

**3<sup>rd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or 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 Allan J. & Martha T. Metz, 203 Patchogue Avenue, Mastic, New York 11950.

DATED:

APPROVED BY

---

County Executive of Suffolk County

Date of Approval:

1427

**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. 0200-853.00-06.00-037.000

<b>ADJOINING OWNER</b>	<b>BID</b>	<b>BID</b>	<b>BID</b>
Allan J. & Martha T. Metz 203 Patchogue Avenue Mastic, New York 11950 0200-853.00-06.00-038.000	\$6,600.00		
Eugene Gaudio 201 Patchogue Avenue Mastic, New York 11950 0200-853.00-06.00-036.000	\$0		
LIRR/MTA 347 Madison Avenue New York, New York 10017 0200-853.00-06.00-022.001	\$0		

SIZE OF PARCEL: 40' x 100'  
APPRAISED VALUE: \$6,600.00  
COMMENT: Direct Sale to Adjacent Owner

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

1427

**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

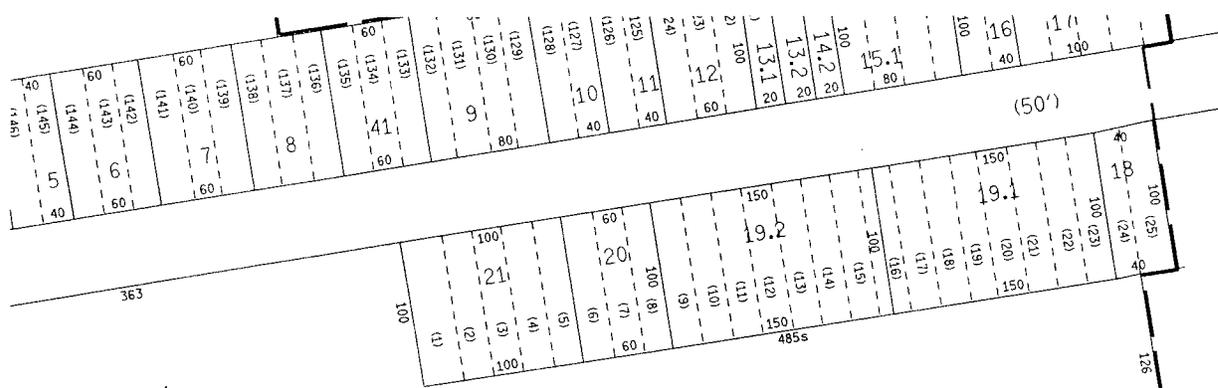
Date

Lori Sklar – LMS III

Lori Sklar

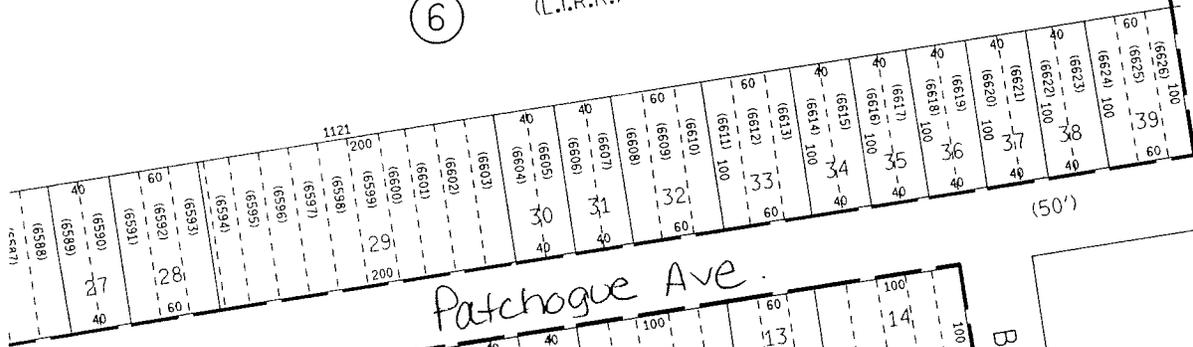
4/8/10

1427



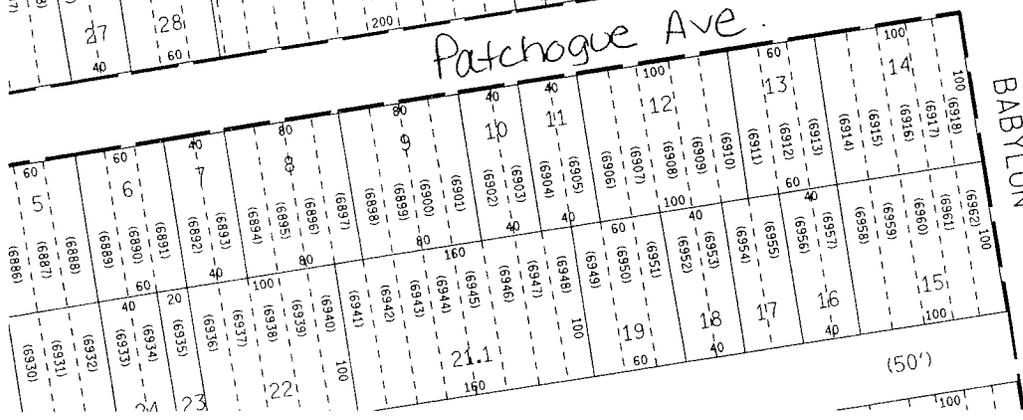
22.1  
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6 (L.I.R.R.)



Patchogue Ave.

BABYLON



# Map

1427



OwnerParcel



Hospitals



College-University



Public Schools

Railroads



Major Roads

Streets

Owner Parcel



Land Use

AIRPORT

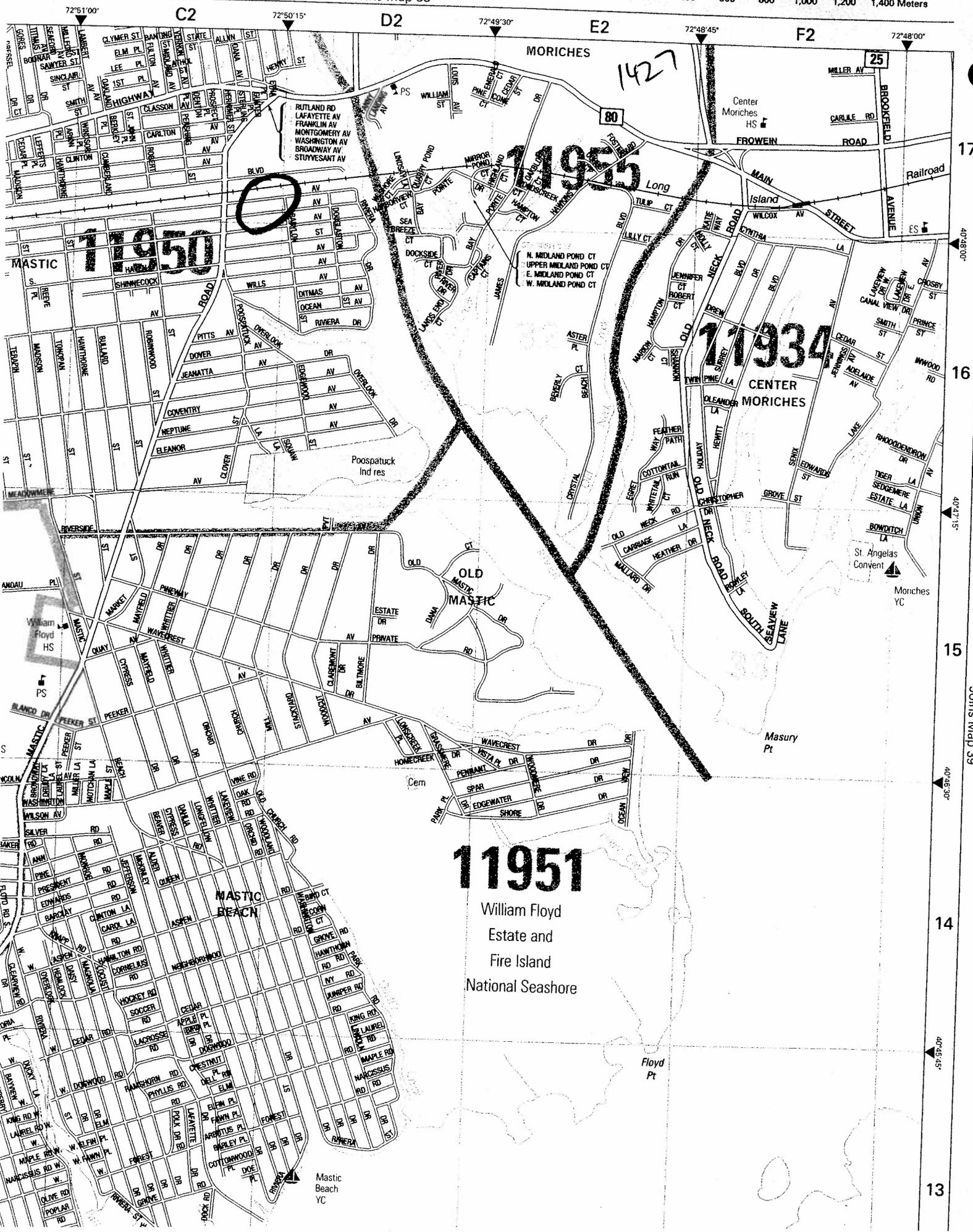
CEMETERY

HOSPITAL

MILITARY BASE

PARK (CITY/COUNTY)

PARK (STATE)



**11951**

William Floyd  
Estate and  
Fire Island  
National Seashore



1427

**11950**

**11955**

**11934**

CENTER MORICHES

MASTIC BEACH

Mastic Beach YC

Floyd Pt

Masury Pt

St. Angelas Convent

Center Moriches HS

William Floyd HS

MASTIC

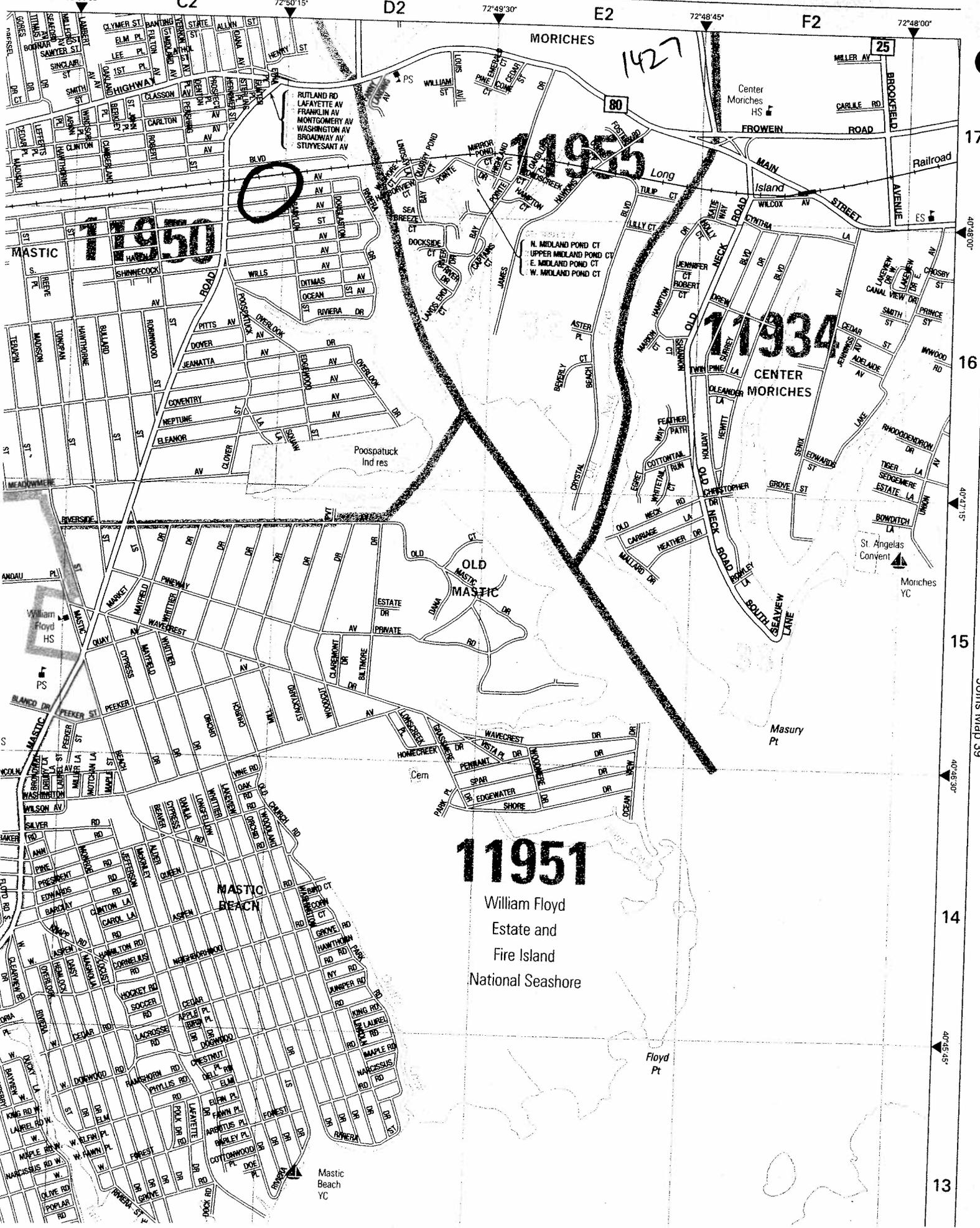
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COUNTY OF SUFFOLK

GEN 26

1427

APR 13 2010



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

April 8, 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: 0200-853.00-06.00-037.000

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. 1428-10

Laid on Table 9/27/10

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  
STEVEN J. & ALLISON M. EIENE  
(SCTM NO. 0200-824.00-09.00-033.00)**

**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 824.00 Block 09.00 Lot 033.000 and acquired by Tax Deed on August 16, 2004 from John Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004 in Liber 12341 at CP 445 and described as follows, being and intended to be that parcel of land known and designated as Lots 3547 & 3548 on a certain map entitled "Map of Mastic Park, Sec. 4", and filed in the Office of the Clerk of the County of Suffolk on August 21, 1921 as Map No. 275; 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**, Steven J. & Allison M. Eiene, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$5,000.00. 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 \$4,500.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, the Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$5,000.00, pursuant to said purchase offer; and

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

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

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

**3<sup>rd</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or 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 Steven J. & Allison M. Eiene, 11 Lyndale Court, Shirley, New York 11967.

DATED:

APPROVED BY

---

County Executive of Suffolk County

Date of Approval:

1428

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. 0200-824.00-09.00-033.000

ADJOINING OWNER	BID	BID	BID
Steven J. & Allison M. Eiene 11 Lyndale Court Shirley, New York 11967 0200-824.00-09.00-034.000	\$5,000.00		
GI Home Developing Corp. P.O. Box 725 Quogue, New York 11959 0200-824.00-09.00-019.000	\$0		
Felix Colon 36 Classon Avenue Mastic, New York 11950 0200-824.00-09.00-020.000	\$0		
Peter Mercardante 75 Carlton Avenue Mastic, New York 11950 0200-824.00-09.00-032.000	\$0		

SIZE OF PARCEL: 40' x 100'  
APPRAISED VALUE: \$4,500.00  
COMMENT: Direct Sale to Adjacent Owner

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

1428

**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 in 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

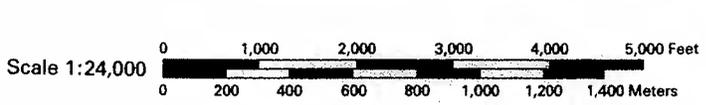
Lori Sklar

4/9/10

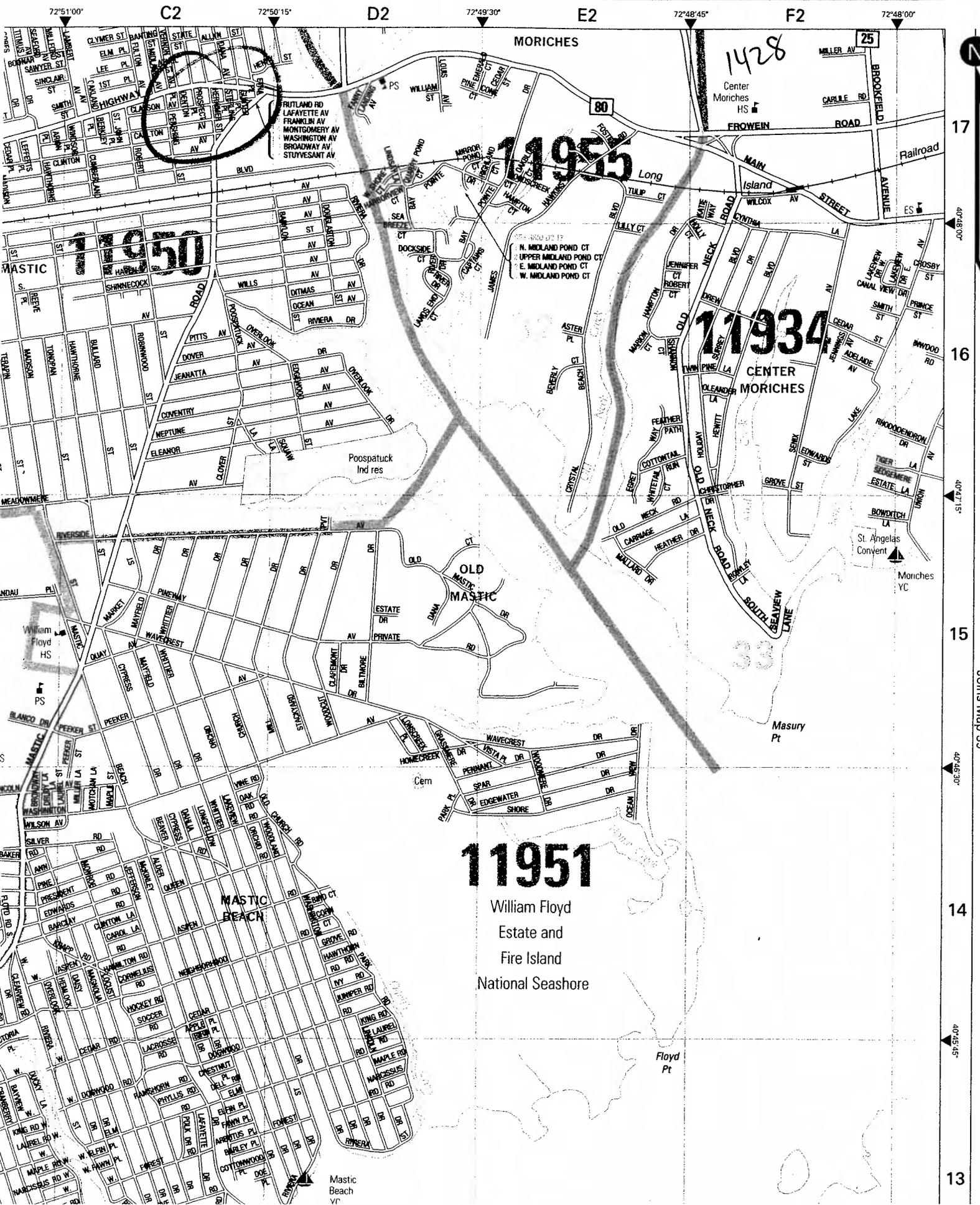
1428



ate distance:  
nts approximately  
y 0.86 mi. vertically.



Joins Map 33



**11951**  
William Floyd  
Estate and  
Fire Island  
National Seashore

17  
16  
15  
14  
13

# Map

1428



Hospitals



College-University



Public Schools



Major Roads

Streets

Owner Parcel

Natural Color 2006

Land Use (continued)



MILITARY BASE



PARK (CITY/COUNTY)



PARK (STATE)



PARK/MONUMENT (NATIONAL)

SHOPPING CENTRE

UNIVERSITY/COLLEGE

GEN E7

COUNTY OF SUFFOLK



1428

APR 13 2010

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

April 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: 0200-824.00-09.00-033.000

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. 1429-10

Laid on Table 4/27/10

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  
MICHAEL & ANNMARIE SHEEHAN  
(SCTM NO. 0500-297.00-01.00-131.000)**

**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 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 297.00 Block 01.00 Lot 131.000 and acquired by Tax Deed on April 9, 1984 from Jean H. Tuthill, County Treasurer of Suffolk County, New York, and recorded on April 9, 1984 in Liber 9541 at CP 514 and described as follows, being and intended to be that parcel of land known and designated as p/o Lots 764 & 765 on a certain map entitled Amended "Map of Fairview Park, Sec. C.", and filed in the Office of the Clerk of the County of Suffolk on December 3, 1935 as Map No. 1198; 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**, Michael & Annmarie Sheehan, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$4,500.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$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 \$4,500.00, pursuant to said purchase offer; and

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

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

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

**3<sup>rd</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or 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 Michael & Annmarie Sheehan, 22 Wood Hollow Drive, Westhampton, New York 11977.

DATED:

APPROVED BY

---

County Executive of Suffolk County

Date of Approval:

1429

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. 0500-297.00-01.00-131.000

ADJOINING OWNER	BID	BID	BID
Michael & Annmarie Sheehan My Three Sons Inc. 22 Wood Hollow Drive Westhampton, New York 11977 0500-297.00-01.00-130.000 & 132.000	\$4,500.00		
Maria Cepeda 69 Beecher Avenue East Islip, New York 11730 0500-322.00-01.00-014.000	\$0		
Robert & Margaret Freisman 71 Beecher Avenue East Islip, New York 11730 0500-322.00-01.00-015.000	\$0		

SIZE OF PARCEL: 75' x 42'  
APPRAISED VALUE: \$4,000.00  
COMMENT: Direct Sale to Adjacent Owner

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

1429

**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

4/7/10



# Map

1429



Hospitals



College-University



Public Schools



Major Roads

Streets

Owner Parcel

Natural Color 2006

Land Use (continued)

MILITARY BASE

PARK (CITY/COUNTY)

PARK (STATE)

PARK/MONUMENT (NATIONAL)

SHOPPING CENTRE

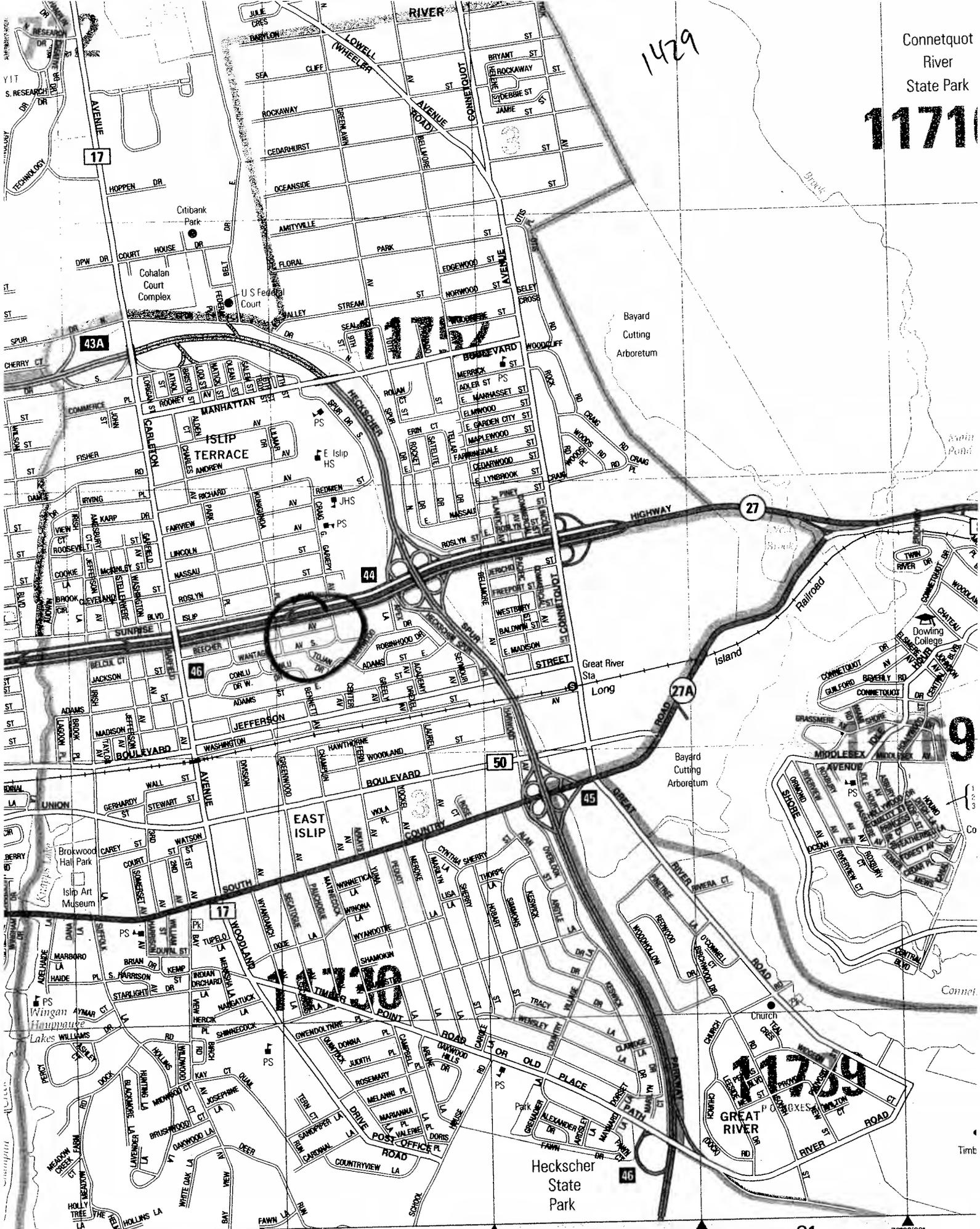
UNIVERSITY/COLLEGE

1429

11710

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11709



COUNTY OF SUFFOLK

GEN 58



1429 APR 13 2010

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

April 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: 0500-297.00-01.00-131.000

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

1430

Intro. Res. No. -2010  
Introduced by Legislator Romaine

Laid on Table 4/27/10

**RESOLUTION NO. -2010, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW 24-2007 (HERITAGE SQUARE PROPERTY - TOWN OF BROOKHAVEN)**

**WHEREAS**, the Suffolk County Drinking Water Protection Program, as amended by Local Law 24-2007, authorizes the use of 31.10% of sales and compensating use tax proceeds generated each year for specific environmental protection, including the acquisition of open space in accordance with specific criteria set forth therein; and

**WHEREAS**, the parcel(s) listed in Exhibit "A" of this resolution meets the criteria for acquisition under the Drinking Water Protection Program; and

**WHEREAS**, adequate funding is provided for, pursuant to Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, from 31.10% of the sales and compensating use tax proceeds, for the acquisition of such land as open space; now, therefore, be it

**1st RESOLVED**, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 51.56 acres, is hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

**2nd RESOLVED**, that the parcel(s) listed in Exhibit "A" meet the criteria required by the Suffolk County Drinking Water Protection Program; and be it further

**3rd RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition Management, Department of Environment and Energy, and/or her designee is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

**4th RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

**5th RESOLVED**, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

**6th RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby further authorized, empowered, and directed, pursuant to Section 42-2(C) of the

SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

**7th**               **RESOLVED**, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel(s); 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 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:

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District 0200 Section 684.00 Block 04.00 Lot 003.001	39.96	Heritage Square Builders at at East Moriches LLC 475 Rt. 25A Rocky Point, NY 11778
2	District 0200 Section 684.00 Block 04.00 Lot 009.001	11.6	Heritage Square Builders at at East Moriches LLC 475 Rt. 25A Rocky Point, NY 11778
	TOTAL ACREAGE	51.56	

**EXHIBIT "A"**

1431

Intro. Res. No. -2010  
Introduced by Legislator Cilmi

Laid on Table 4/27/10

**RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW TO ENCOURAGE THE SALE OF SUBSTANDARD PROPERTIES IN THE COUNTY'S INVENTORY TO ADJACENT PROPERTY OWNERS**

**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 ENCOURAGE THE SALE OF SUBSTANDARD PROPERTIES IN THE COUNTY'S INVENTORY TO ADJACENT PROPERTY OWNERS**" 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 ENCOURAGE THE SALE OF SUBSTANDARD PROPERTIES IN THE COUNTY'S INVENTORY TO ADJACENT PROPERTY OWNERS**

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

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that pursuant to the SUFFOLK COUNTY TAX ACT, Suffolk County takes title to properties when property owners fail to pay their property taxes.

This Legislature also finds that it is in the best interests of county taxpayers to move these tax default properties out of the county inventory and back on to the tax rolls as quickly as possible.

This Legislature further determines that the County of Suffolk normally offers tax default properties for sale at public auction. However, some of the properties in the county inventory are substandard or irregular and cannot support development. Section A42-4 of the SUFFOLK COUNTY ADMINISTRATIVE CODE authorizes the County to sell such parcels directly to adjacent property owners if their appraised value is less than \$30,000.

This Legislature finds that the County's inventory presently includes some substandard parcels which appraise above \$30,000.

This Legislature further finds and determines that allowing the direct sale of substandard lots with appraised values up to \$50,000 would facilitate the quick return of more parcels to the tax rolls, thereby increasing tax revenues and reducing expenses related to the oversight and maintenance of these parcels.

Therefore, the purpose of this law is to authorize the Division of Real Property Management and Acquisition, subject to legislative approval, to sell substandard lots appraised for less than \$50,000 directly to adjacent property owners

**Section 2. Amendments.**

Article XLII of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

**Article XLII. DEPARTMENT OF ENVIRONMENT AND ENERGY**

\*\*\*\*

**§A42-4. Disposition of property acquired through Suffolk County Tax Act.**

\*\*\*\*

(4) In the event a parcel does not meet applicable minimum zoning code requirements in order to be developed, is appraised for less than [~~\$30,000~~] ~~\$50,000~~, and fails to satisfy the criteria for special auction under the provisions of this subsection, the Commissioner, or his or her designee, shall offer the parcel to appropriate adjoining property owners at not less than the appraised value before offering it for sale by general auction.

\*\*\*\*

**Section 3. Applicability.**

This law shall apply to the disposition of tax default properties 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-adjacent landowner direct sale property

1431

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: APRIL 16, 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 ENCOURAGE THE SALE OF SUBSTANDARD PROPERTIES IN THE COUNTY'S INVENTORY TO ADJACENT PROPERTY OWNERS

SPONSOR: LEGISLATOR CILMI

DATE OF RECEIPT BY COUNSEL: 4/16/2010 PUBLIC HEARING: 5/11/2010

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

Section A42-4 of the SUFFOLK COUNTY ADMINISTRATIVE CODE authorizes the Department of Environment and Energy to forego an auction and sell property acquired through tax default directly to adjacent owners if the parcel is not buildable and its appraised value is less than \$30,000. This proposed local law would amend § A42-4 and authorize the direct sale of parcels with an appraised value of less than \$50,000.

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

GEORGE NOLAN  
Counsel to the Legislature

GN:js

s:\rule28\28-adjacent-landowner-direct-sale-property

1432

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

Laid on Table 4/27/10

**RESOLUTION NO. -2010, ADDING DEPOSITORY TO LIST  
OF DESIGNATED DEPOSITORIES FOR SUFFOLK COUNTY  
(M&T BANK)**

**WHEREAS**, the Suffolk County Legislature adopted Resolution No. 8-2010, "Designating Depositories Pursuant to Section 212 of the County Law", at its organizational meeting on January 4, 2010; and

**WHEREAS**, the Suffolk County Treasurer has requested that said Resolution be amended to include M&T Bank; now, therefore be it

**1st RESOLVED**, that the 1<sup>st</sup> RESOLVED clause of Resolution No. 8-2010 be amended to read as follows:

**1st RESOLVED**, that each of the following banks having and maintaining a principal or branch office or offices in the County of Suffolk, namely, JP Morgan Chase Bank, 395 North Service Road, Melville, New York; Citibank, 730 Veterans Memorial Highway, Hauppauge, New York; TD Bank, 45 Melville Park Road, Melville, New York; Bank of America, 300 Broad Hollow Road, Melville, New York; Capital One Bank, 275 Broad Hollow Road, Melville, New York; State Bank of Long Island, 740 Veterans Memorial Highway, Hauppauge, New York; Suffolk County National Bank, 6 West Second Street, Riverhead, New York; New York Commercial Bank, 1601 Veterans Memorial Highway, Suite 120, Islandia, New York; HSBC Bank, 534 Broad Hollow Road, Melville, New York; Hamptons State Bank, North Sea Road and Windmill Lane, Box 5037, Southampton, New York; Wachovia Bank, 58 South Service Road, Melville, New York; Bridgehampton National Bank, 2200 Montauk Highway, Bridgehampton, New York; Bank of Smithtown, 1 East Main Street, Smithtown, NY 11787, Madison National Bank, 888 Veterans Memorial Highway, Suite 400, Hauppauge, NY, 11787, Empire National Bank, 1707 Veterans Memorial Highway, Islandia, NY 11749, Gold Coast Bank, 2929 Expressway Drive North, Suite 101, Islandia, NY 11749, Signature Bank, 58 South Service Road, Melville, NY 11747, [and] Herald National Bank, 58 South Service Road, Suite 110, Melville, NY 11747, and M&T Bank, 120 Broad Hollow Road, East Farmingdale, NY 11735, or any successor entity thereto, be and the same are hereby designated and appointed a depository for the deposit of moneys received or under the control of the County Treasurer, pursuant to Section 212 of the NEW YORK COUNTY LAW, provided, however, that the maximum amount to be kept on deposit in any such bank or branches shall not exceed \$750,000,000.00 including interest bearing deposits in any one of said bank or branches, except that such limitation shall not apply to those depositories in which regular county working accounts (checking accounts) are maintained in whatever amounts are required for

the regular and necessary conduct of the County's business; and be it further

and be it further

**2nd** **RESOLVED**, that all other terms and conditions of Resolution No. 8-2010 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:

**[ ]** Brackets denote deletion of existing language

**\_\_\_** Underlining shall mean addition of new language

s:\res\lr-add-depository-M&T



PRESIDING OFFICER  
COUNTY LEGISLATURE  
SUFFOLK COUNTY, NY

## SUFFOLK COUNTY TREASURER

330 CENTER DRIVE RIVERHEAD, N.Y. 11901-3311

Telephone: (631) 852-1500 FAX (631) 852-1507

ANGIE M. CARPENTER  
COUNTY TREASURER

DOUGLAS W. SUTHERLAND  
CHIEF DEPUTY

RECEIVED

DIANE M. STUKE  
DEPUTY

2010 APR 13 A 11:43

April 7, 2010

Honorable William J. Lindsay, Presiding Officer  
Suffolk County Legislature  
William Rogers Office Building  
Veterans Memorial Highway  
Hauppauge, New York 11788

Dear Presiding Officer Lindsey:

I am requesting that an amendment be filed to the depository resolution to authorize that M&T Bank is added to the Suffolk County list of depositories. I have enclosed a copy of the letter that was sent requesting they be included.

Anything that could be done to expedite this would be most appreciated. It would be helpful, so that the Department of Finance & Taxation may take advantage of competitive interest rates in order to achieve the maximum interest earning for our public funds. The bigger the pool we have to work with the better the results, especially in this market.

Thank you for your consideration of this request.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Angie".

Angie M. Carpenter  
County Treasurer

AMC:kr  
Enc:  
Fax & Regular Mail



303 South Broadway, Suite 130, Tarrytown, NY 10591  
914 366 8500 FAX 914 366 8501

April 6, 2010

Ms. Angie M. Carpenter  
Suffolk County Treasurer  
Department of Finance  
330 Center Drive  
Riverhead, NY 11901

**Re: M&T Bank Authorized Depository**

Dear Ms. Carpenter:

It was a pleasure speaking with you concerning M&T Bank's Government Banking product line and service offerings. As discussed, this letter will serve as a written request to the County to consider M&T Bank as an authorized depository.

We are very interested in broadening our relationship with Suffolk County and stand ready to better serve your banking needs. I would like to arrange a meeting to introduce myself to you and your staff and to learn more about your banking/business requirements. M&T Bank currently has four (4) branch locations in the County including; Bohemia, East Farmingdale, Hauppauge and Melville.

I have included the 2009 M&T Annual Report and a one page overview summary description of the bank for your perusal. If you require any additional information please do not hesitate to contact me at 914.366.8562. I look forward to meeting with you.

Sincerely,

Stephen M. Cavazuti  
Vice President- Senior Relationship Manager  
Government Banking  
303 South Broadway  
Tarrytown, NY 10591  
[scavazuti@mtb.com](mailto:scavazuti@mtb.com)

SUFFOLK COUNTY  
TREASURER'S OFFICE  
RIVERHEAD, NY

1 2010 APR -7 A 10:32

Intro. Res. No. 1433-2010  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 4/27/2010

**RESOLUTION NO. -2010, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$89,600 FROM THE NEW YORK STATE DEPARTMENT OF PARKS, RECREATION AND CONSERVATION FOR A TEA-21 RECREATIONAL TRAILS PROGRAM GRANT AT MANORVILLE HILLS COUNTY PARK**

**WHEREAS**, the Suffolk County Parks Department was awarded a Recreational Trails Program grant in the amount of \$89,600 to improve public access for non-motorized recreational activities at Manorville Hills County Park; and

**WHEREAS**, the Recreational Trails Program is a State-administered, Federal assistance program under the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21); and

**WHEREAS**, the grant project includes the development of safe and adequate parking facilities as well as the installation of a mounting ramp to assist horseback riders with physical limitations and/or disabilities; and

**WHEREAS**, the award is a reimbursable grant project and with a 20% local match requirement being met with labor provided by Parks Department employees; and

**WHEREAS**, said grant funds have not been included in the Parks Department's 2010 Operating Budget; now, therefore be it

**1<sup>ST</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of \$89,600 as follows:

<u>REVENUE:</u>	<u>AMOUNT</u>
001-7110-4200 – Federal Aid: Other, Misc.	\$89,600

APPROPRIATION:

Suffolk County Parks Department  
Parks and Recreation  
001-PKS-7110

<u>3000-Supplies, Materials &amp; Other Expenses</u>	<u>\$89,600</u>
3250-Building Materials	\$89,600

DATED:

APPROVED BY:

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

Date:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

<p>1. Type of Legislation</p> <p>Resolution <u>  X  </u>      Local Law _____      Charter Law _____</p>		
<p>2. Title of Proposed Legislation</p> <p style="text-align: center;">INTRODUCTORY RESOLUTION ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$89,600 FROM THE NEW YORK STATE DEPARTMENT OF PARKS, RECREATION AND CONSERVATION FOR A TEA-21 RECREATIONAL TRAILS PROGRAM GRANT AT MANORVILLE HILLS COUNTY PARK</p>		
<p>3. Purpose of Proposed Legislation</p> <p>See # 2 above.</p>		
<p>4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>  X  </u>    No _____</p>		
<p>5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)</p> <p><input checked="" type="checkbox"/> County                      Town                      Economic Impact</p> <p><input type="checkbox"/> Village                      School District              Other (Specify):</p> <p><input type="checkbox"/> Library District              Fire District</p>		
<p>6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact</p> <p style="text-align: center;">The County will receive Federal aid totaling \$89,900.00.</p>		
<p>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</p>		
<p>8. Proposed Source of Funding</p>		
<p>9. Timing Impact</p>		
<p>10. Typed Name &amp; Title of Preparer</p> <p>Tom Malanga Intergovernmental Relations Coordinator Dept. of Parks, Recreation &amp; Conservation</p>	<p>11. Signature of Preparer</p> 	<p>12. Date</p> <p>2/10/2010</p>



**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

**GENERAL FUND**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**COMBINED**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 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.

Intro. Reso. No. **1434-10**  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table **4/27/10**

**RESOLUTION NO. -2010, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF \$10,000 FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE, OFFICE OF INSPECTOR GENERAL, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE U.S. DEPARTMENT OF AGRICULTURE'S SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) AND WELFARE FRAUD INVESTIGATION WITH 83.37% SUPPORT.**

**WHEREAS**, the United States Department of Agriculture, Office of Inspector General, has made \$10,000 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in the U.S. Department of Agriculture's Supplemental Nutrition Assistance Program (SNAP) and welfare fraud investigation; and

**WHEREAS**, said project involves participation with the Department of Agriculture in an operation involving the enforcement and investigation of Supplemental Nutrition Assistance Program (SNAP) and Welfare Fraud; and

**WHEREAS**, the operational period of the project is from October 1, 2009 through September 8, 2010; and

**WHEREAS**, said reimbursement funds have not been included in the 2010 Suffolk County Operating Budget; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said reimbursement funding as follows:

<b>REVENUE:</b>	<b><u>Amount</u></b>
001-4380-Federal Aid: SNAP FY10 PR41	\$10,000
<b>ORGANIZATIONS:</b>	
<b>Police Department (POL)</b>	
<b>SNAP FY10 PR41</b>	
<b>001-POL-3642</b>	
<b><u>1000-Personal Services</u></b>	<b><u>\$10,000</u></b>
1120-Overtime Salaries	10,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the non-reimbursable fringe benefits of approximately \$1,995 associated with the overtime salaries for this program are included in the 2010 Suffolk County Operating Budget; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute reimbursement-related agreements between Suffolk County and the U.S. Department of Agriculture, Office of Inspector General.

**DATED:**

**APPROVED BY:**

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

**Date of Approval:**

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1434

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation		
<b>ACCEPTING AND APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF \$10,000 FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE, OFFICE OF INSPECTOR GENERAL, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE U.S. DEPARTMENT OF AGRICULTURE'S SUPPLEMENTAL NUTRITION ASSISTANCE PRAGRAM (SNAP) AND WELFARE FRAUD INVESTIGATION WITH 83.37% SUPPORT.</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes <u>XX</u> No</b>		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
<b>County</b>	<b>Town</b>	<b>Economic Impact</b>
<b>Village</b>	<b>School District</b>	<b>Other (Specify):</b>
<b>Library District</b>	<b>Fire District</b>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
No impact. The resolution provides \$10,000 in grant funds.		
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 8, 2010.		
8. Proposed Source of Funding		
United States Department of Agriculture		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst		4-14-10

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1434

**GENERAL FUND**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**COMBINED**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 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.

COUNTY OF SUFFOLK



MAR 26 2010

1434

STEVE LEVY  
COUNTY EXECUTIVE

RICHARD DORMER  
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

**TO:** Ken Crannell, Deputy County Executive  
Suffolk County Executive's Office

**FROM:** Edward Webber, Chief of Support Services *EW*  
Suffolk County Police Department

**DATE:** March 25, 2010

**SUBJECT:** Resolution Packets & SCIN Forms for  
The United States Department of Agriculture Supplemental Nutrition  
Assistance Program and Welfare Fraud Investigation  
SNAP FY10 PR41

---

Attached please find two copies of the following for the SNAP FY10 PR41 Reimbursement Program:

1. Draft Resolution.
2. SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the Cost Reimbursement Agreement between the U.S. Department of Agriculture, Office of Inspector General and the Suffolk County Police Department.

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  
Christopher Kent, Chief Deputy County Executive



**ACCREDITED LAW ENFORCEMENT AGENCY**

www.joinscpd.com

30 YAPHANK AVENUE, YAPHANK, NEW YORK 11980 – (631) 852-6000



1434

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

1. Type of Legislation

Resolution  X                       Local Law                           Charter Law    

2. Title of Proposed Resolution

Accepting & appropriating Federal funding in the amount of \$10,000 from the United States Department of Agriculture, Office of Inspector General, for the Suffolk County Police Department's participation in the U.S. Department of Agriculture's Supplemental Nutrition Assistance Program (SNAP) and welfare fraud investigation with 83.37% support.

3. Purpose of Proposed Legislation

To accept \$10,000 from the United States Department of Agriculture, Office of Inspector General, as reimbursement for the SCPD's participation in the U.S. Department of Agriculture's investigation of Supplemental Nutrition Assistance Program (SNAP) and welfare fraud.

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

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

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

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:

The County will incur approximately \$1,995 in fringe benefits costs on overtime as these costs are not allowed under this funding program, but in exchange the County will receive \$10,000 which will allow the Suffolk County Police Department to work with the U.S. Department of Agriculture in the investigation of Supplemental Nutrition Assistance Program (SNAP) and welfare fraud.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:

None

8. Proposed Source of Funding

The United States Department of Agriculture, Office of Inspector General

9. Timing of Impact

Immediate

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

Susan C. Krause  
Grants Technician



3/25/10

**UNITED STATES DEPARTMENT OF AGRICULTURE  
OFFICE OF INSPECTOR GENERAL**

1434

**COST REIMBURSEMENT AGREEMENT**

This Agreement is made between the United States Department of Agriculture, Office of Inspector General (OIG) and the Suffolk County Police Department, (tax identification number 11-6000464).

WHEREAS, OIG and the Suffolk County Police Department are conducting an investigation into Supplemental Nutrition Assistance Program (SNAP) fraud that began in 2008 and the investigation is continuing and ongoing. The parties agree to the following:

1. To conduct and participate in joint law enforcement operations and to:
  - a. Cooperate in a comprehensive law enforcement effort to identify and locate individuals and businesses involved in SNAP fraud and related violations of law throughout Suffolk County in the State of New York in violation of State and Federal laws including, but not limited to:

7 U.S.C. § 2024 (SNAP Fraud); and  
New York State Penal Law § 158 (Welfare Fraud).
  - b. Conduct appropriate law enforcement operations and engage in traditional methods of investigation to effectuate prosecutions before the courts of the United States and/or the State of New York.
  - c. Gather intelligence relating to SNAP fraud, dealing in proceeds of unlawful activity, and related violations of law.
2. To accomplish the objectives of the joint law enforcement operations outlined above, the Suffolk County Police Department agrees to assign experienced officers to the joint activities, as requested by the OIG, Northeast Region, Special Agent-in-Charge (SAC).
3. To accomplish the objectives of the joint law enforcement operations outlined above, OIG agrees to participate with the Suffolk County Police Department to coordinate resources as needed to assist in meeting the goals of the joint task force effort. Permissible expenses reimbursable under this Agreement are for overtime costs relating to Suffolk County Police Department officers. With respect to approved funding for this joint law enforcement operation, OIG will obligate in its financial management system an amount equal to the total authorized funding under this Agreement for the joint operation, as specified below in paragraphs four through eight.
4. Subject to the availability of funds from the Department of Justice Assets Forfeiture Fund, OIG will administer the funds to Suffolk County Police Department for reimbursement of

overtime relating to Suffolk County officers incurred while engaged in the joint law enforcement operations under this Agreement.

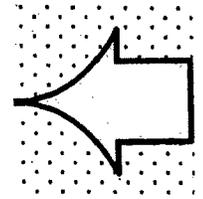
5. The Suffolk County Police Department will submit a reimbursement request to the Northeast Region OIG office, covering incurred costs to OIG for disbursement of funds for overtime relating to Suffolk County Police officers. The reimbursement request must include the following information: FMMI Code: 105410R2200706RADOJAJR70650; and Purchase Requisition No.: 0010000041. Upon receipt, the Northeast Region SAC will review the reimbursement request to ensure that the request contains only costs that may be lawfully reimbursed based upon the standards and criteria enunciated in 28 U.S.C. § 524(c)(1)(I). After the SAC has reviewed the reimbursement request and concluded that the costs submitted are in accordance with 28 U.S.C. § 524(c)(1)(I), the SAC will send the request to OIG's Investigations Business Operations Division (IBOD). IBOD will perform an initial review of the reimbursement request and then forward the request to OIG's Financial Management Division (FMD). FMD will complete a final review of the reimbursement request and process the request for payment as appropriate. The maximum total amount for authorized reimbursement pursuant to this Agreement is ten thousand dollars (\$10,000).
6. During the period of the joint law enforcement operations outlined above, the Suffolk County Police Department will remain responsible for the payment of costs incurred by Suffolk County Police personnel.
7. More than one law enforcement agency may be involved in the joint law enforcement operation as outlined above. OIG will reimburse funds for expenses incurred in the conduct of the joint law enforcement operation as outlined above only to the entity identified in this Agreement. If more than one State or local law enforcement agency is participating in the joint law enforcement operation, separate reimbursable agreements must be entered into with each law enforcement agency in order to reimburse costs as approved by the Department of Justice Assets Forfeiture Fund.
8. In no event will the Suffolk County Police Department charge any indirect costs to OIG for the administration or implementation of this Agreement.
9. The Suffolk County Police Department shall maintain, on a current basis, complete and accurate records and accounts of all obligations and expenditures of funds under this Agreement, in accordance with generally accepted accounting principles and instructions provided by OIG to facilitate onsite auditing and inspection of such records and accounts.
10. The Suffolk County Police Department shall permit and have readily available for examination and auditing by OIG, the United States Department of Justice, the Comptroller General of the United States, and any of their duly authorized agents and representatives, any and all records, documents, accounts, invoices, receipts, and expenditures relating to this Agreement. The Suffolk County Police Department shall maintain all such reports and records until all audits and examinations are completed and resolved, or for a period of three (3) years after termination of this Agreement, whichever is later.

1434

- 11. The Suffolk County Police Department shall comply with Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d et seq., and all requirements imposed by applicable regulations.
- 12. All overtime payments from all federally-provided sources for each individual State or local officer participating in the joint law enforcement operation with the Federal Government shall not exceed 25 percent yearly base pay of a GS-12, Step 1, taken from the general pay scale at the beginning of each Federal Government fiscal year, without any locality pay or other adjustments during the fiscal year.
- 13. All costs must be incurred by September 8, 2010. All requests for payment and supporting documentation must be submitted to OIG no later than September 15, 2010. Billings for all outstanding expenditures must be received by OIG within sixty (60) days of the termination date for the joint law enforcement operation, but no later than October 15, 2010. OIG will only be responsible for the disbursement of funds for authorized overtime relating to Suffolk County Police Department officers as specified by and during the term of this Agreement.
- 14. This Agreement may be terminated by either party with thirty (30) days advance written notice. Any amendments to this Agreement must be in writing and signed by both parties.

*Karen L. Ellis* 1-7-10  
 \_\_\_\_\_  
 KAREN L. ELLIS Date  
 Assistant Inspector General  
 for Investigations

*Richard Dormer* 01/21/10  
 \_\_\_\_\_  
 RICHARD DORMER Date  
 Police Commissioner



15114

1434

### PAYEE INFORMATION REQUEST

Business Name: Suffolk County

Tax ID Number: 11-6000464

DUNS Number: \_\_\_\_\_  
(VIA CCR registration)

Complete Address: Suffolk County Police Department  
30 Yaphank Avenue, Yaphank, NY 11980

Contact Name: Charles Palmer  
REQUIRED  
Title Senior Accountant

Telephone Number: (631) 852-6110  
REQUIRED

Vendor Type: County Government and Non-profit

1099 Vendor Y or N (circle one)

**EFT Information:**

Bank Name: Bank of America

Routing Number: 021000322

Account Number: 0661001032

Account Type: C for checking

City, State, Zip: Riverhead, New York 11901

Please assure that the routing and Account Numbers are for an Accounting Clearing House (ACH) Account. We DO NOT accept Wire Transfer Accounts.

PLEASE CHECK WITH YOUR BANK TO CONFIRM THIS INFORMATION.  
FAILURE TO DO SO MAY DELAY YOUR PAYMENT.

If you have any questions, please contact Carrie Volkmann at (202) 702-6996.

**Additional back-up material regarding IR 1434 is on file in  
The Legislative Clerk's Office, Hauppauge.**

Intro. Res. No. 1435-10  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 4/27/10

**RESOLUTION NO. \_\_\_\_\_-2010 A TECHNICAL CORRECTION  
TO RESOLUTION NO. 15 -2010, ACCEPTING AND  
APPROPRIATING 100% FUNDING FROM THE NEW YORK  
STATE OFFICE OF CHILDREN AND FAMILY SERVICES TO  
THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL  
SERVICES FOR SUPPLEMENTAL CHILD CARE SUBSIDY  
ALLOCATIONS UNDER THE AMERICAN RECOVERY AND  
REINVESTMENT ACT (ARRA)**

**WHEREAS**, the New York State Office of Children and Family Services (OCFS) has awarded the Suffolk County Department of Social Services additional Child Care stimulus funds provided under the ARRA, in the amount of \$2,493,706 to supplement the New York State Office of Children and Family Services Child Care Block Grant (CCBG) for the period beginning October 1, 2008 and ending September 30, 2010 to help off set the cost of providing child care under the NYS CCBG for low-income families not receiving public assistance; and

**WHEREAS**, New York State OCFS has identified claims for expenditures under the NYS CCBG for low-income families not receiving public assistance for payments to non-contracted child care providers and/or for payments issued directly to parents or caretakers as eligible for ARRA child care funds; and

**WHEREAS**, the increase in funding will be used to open additional subsidized child care for low-income families from the non-temporary assistance child care waiting list; and

**WHEREAS**, funding has not been included in the 2009 or 2010 Suffolk County Operating Budgets; and

**WHEREAS**, it is the intention of the Department of Social Services to utilize this one time revenue in such a manner as to not create a recurring expense; and

**WHEREAS**, the ARRA grant funds are 100% federally funded and it is in the best interest of Suffolk County to accept and appropriate; ~~now, therefore be it~~ and

**WHEREAS**, the accounting systems of all recipients and sub-recipients must insure that funds from any award under the American Recovery and Reinvestment Act are not comingled with funds from any other source; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the 2009 Suffolk County Operating Budget be amended as follows; and be it further

**4<sup>th</sup> 2<sup>nd</sup>** **RESOLVED**, that the County Comptroller and County Treasurer be and they are hereby authorized to accept the following funds:

**REVENUES:** **\$2,493,706**

001-4620 FEDERAL AID: Child Care Block Grant **\$2,493,706**

and be it further

**2<sup>nd</sup> 3<sup>rd</sup>** **RESOLVED**, that the total funds in the amount of \$2,493,706 be and are hereby appropriated as follows:

ORGANIZATIONS: \$2,493,706

Department of Social Services  
Client Benefits  
001-DSS-6170  
DSS – DAY CARE – ARRA  
001-DSS-6172

<u>4000-Program Expenses</u>	<u>\$2,493,706</u>
<b>4690-Day-Care Assistance Programs</b>	<b>\$2,493,706</b>

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

APPROVED BY:

---

County Executive of Suffolk County

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

1435

RESOLUTION NO. 15-2010 – EXPLANATION OF TECHNICAL CORRECTION AND BUDGET AMENDMENTS 4-1-2010.

Resolution No. 15-2010 accepted and appropriated Funding from the NYS Office Of Children and Family Services for Supplemental Child Care Subsidy Allocations under the American Recovery and Reinvestment Act (ARRA). The Resolution was adopted on February 2, 2010.

The Resolution added funding to the DSS appropriation 001-DSS-6170 “DSS Day Care”, and increased the Revenue Line 001-DSS-6170- rev 4620 “Federal Aid: Child Care Block Grant”.

Funding for this Grant is for the period October 1, 2009 through September 30, 2010.

Audit and Control must segregate all ARRA funding expenditures and revenues (which is part of the conditions of accepting ARRA funding).

To segregate the ARRA funding, a technical correction to Resolution 15-2010 is being submitted to the County Legislature to approve.

The technical correction will be adding language to amend the 2009 Operating Budget and to change the expenditure code from 001-DSS-6170-4690 to 001-DSS-6172-4690 and to change the revenue line from 001-DSS-6170 (unit)- 4620 (revenue source) to 001-DSS-6172 (unit)- 4620 (revenue source).

DSS made expenditures against the Grant in the fiscal year 2009 Budget, and also billed for reimbursement in 2009.

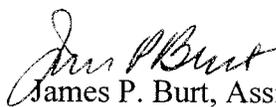
Currently, posted in IFMS for 2009 under expenditure 001-DSS-6170-4690 are expenses totaling \$1,069,483, which need to be journal vouchered to 001-DSS-6172-4690.

Currently, posted in IFMS for 2009 under revenue 001-DSS-6170-4620 are revenues totaling \$348,565 which need to be journal vouchered to 001-DSS-6172-4620.

Currently, DSS has claims against 2009 Expenses totaling \$720,918 which will be posted to 2010 under the correct revenue code 001-DSS-6172-4620.

These adjustments must be made before Audit and Control can close out Fiscal Year 2009.

The balance of appropriations left in 2009, after all adjustments are made, will be rolled over to the 2010 Budget as a Grant Rollover.

 4/12/2010  
James P. Burt, Assistant Budget Director

1436

Intro. Res. No. - 2010

Laid on the Table

4/27/10

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2010, AMENDING THE 2010 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% STATE AID FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH TO FAMILY SERVICE LEAGUE FOR SUICIDE PREVENTION ACTIVITIES**

**WHEREAS**, the New York State Office of Mental Health has allocated 100% State aid funding in the amount of \$23,240 to Family Service League for Suicide Prevention activities; and

**WHEREAS**, Family Service League acts as Fiscal Agent and Sub Contractor for Suicide Prevention related activities such as symposiums, trainings and website support; and

**WHEREAS**, these 100% State aid funds from the New York State Office of Mental Health are not included in the 2010 Adopted Operating Budget; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$23,240 in State aid as follows:

REVENUES:

001-3493 Community Support Services \$23,240

ORGANIZATIONS

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

XORG	OBJECT NAME	2010 Adopted Budget	Increase/ Decrease	2010 Modified Budget
JDM1	FSL SUICIDE PREVENTION	\$0	+\$23,240	\$23,240

**2<sup>nd</sup> RESOLVED** that the County Executive be and hereby is authorized to execute a contract with Family Service League; and be it further

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

**4<sup>th</sup> RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

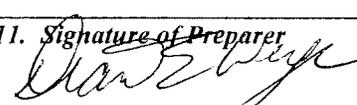
\_\_\_\_\_  
County Executive of Suffolk County

Date of Approval:

HSV# 10-2010

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

1436

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/>	Local Law <input type="checkbox"/>	Charter Law <input type="checkbox"/>
Title of Proposed Legislation Amending the 2010 Adopted Operating Budget to accept and appropriate 100% State aid from the New York State Office of Mental Health to Family Service League for Suicide Prevention activities.		
3. Purpose of Proposed Legislation This legislation is needed to accept and appropriate 100% State aid from the New York State Office of Mental Health to Family Service League for Suicide Prevention activities. Family Service League acts as Fiscal Agent and Sub Contractor for Suicide Prevention related activities such as symposiums, trainings and website support.		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: Not applicable		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. None		
8. Proposed Source of Funding 100% State aid from New York State Office of Mental Health		
9. Timing of Impact 2010		
10. Typed Name & Title of Preparer Diane E. Weyer Principal Financial Analyst	11. Signature of Preparer   	Date 3/10/10  4/6/10
BETH A. REYNOLDS PRINCIPAL EXECUTIVE ANALYST		

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1436

**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**

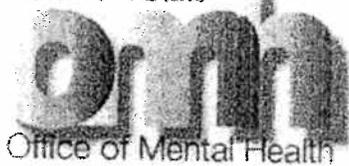
	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

**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.



1436

Michael F. Hogan, Ph.D. Commissioner

44 Holland Avenue  
Albany, New York 12229

March 4, 2010

Thomas O MacGilvray CSW  
Director  
Suffolk Co Mental Hygiene Div  
PO Box 6100 725 Veterans Mem Highway  
North County Complex Bldg C-928  
Hauppauge, NY 11788

Dear Director MacGilvray CSW:

The NYS Office of Mental Health (OMH) is reissuing your January 1, 2010 to December 31, 2010 State Aid letter. Your total allocation amount at this time is \$20,841,887.

The allocations authorized in this letter include full annual funding for initiatives previously authorized. The first six months are approved actuals and the second six months are estimates. Any changes in your authorization level based on the enactment of the 2010-11 State Budget will result in a revised State aid letter.

Final Consolidated Budget Reports will be due November 1, 2010. The Consolidated Claim Report and Consolidated Financial Report for local fiscal year 2010 are due May 1, 2011. Guidelines for completion of the CBR/CCR/CFR can be accessed through the OMH website. If any of your providers need assistance in completing these forms, they should contact the OMH Help Desk at 1-800-HELPNYS.

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

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

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

Att.  
cc: Gary Schiliro

COUNTY OF SUFFOLK

1436

60-60



MAR 26 2010

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

LINDA MERMELSTEIN, M.D., M.P.H.  
Acting Commissioner

March 25, 2010

Ken Crannell, Deputy County Executive  
County Executive's Office, 12<sup>th</sup> Floor  
H. Lee Dennison Building  
Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

I request the introduction of the enclosed Resolution to amend the 2010 Adopted Operating Budget to accept and appropriate 100% State aid from the New York State Office of Mental Health to Family Service League for Suicide Prevention activities. Family Service League acts as Fiscal Agent and Sub Contractor for Suicide Prevention related activities such as symposiums, trainings and website support.

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

Sincerely yours,

Linda Mermelstein, M.D., M.P.H.  
Acting Commissioner

Enclosures

LM/lw

- C: Christopher E. Kent, Chief Deputy County Executive
- Brendan Chamberlain, Director of Intergovernmental Relations (2 copies)**
- Margaret B. Bermel, M.B.A, Director of Health Administrative Services
- Janet DeMarzo, Deputy Commissioner
- Art Flescher, Acting Director of Community Mental Hygiene Services
- Mary K. Howe, Chief Management Analyst
- Sheila Reagan, Senior Program Examiner
- Donald Murphy, Principal Auditor
- Diane E. Weyer, Principal Financial Analyst



Public Health  
Prevent. Promote. Protect.

COUNTY OF SUFFOLK

1436



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

**To:** Linda Mermelstein, M.D. M.P.H.  
Acting Commissioner, Department of Health Services

**From:** Art Flescher, L.C.S.W., C.A.S.A.C.  
Acting Director, Division of Community Mental Hygiene Services

**Date:** March 5, 2010

**Subject:** REQUEST FOR LEGISLATIVE RESOLUTION

---

I would like to request a Legislative Resolution to accept and appropriate 100% State Aid allocated by the New York State Office of Mental Health to Family Service League for the purposes of Suicide Prevention activities.

Family Service League acts as fiscal agent and sub-contractor for activities related to Suicide Prevention. Examples of these activities are Web site support, Symposiums and Trainings. The most recent State Aid Letter issued on March 4, 2010 allocates \$23,240 for costs previously incurred by Family Service League for the activities listed.

Attached please find draft intro resolution, fiscal impact statement, routing form and the State Aid Letter issued on March 4, 2010. Please note fund code 122P which is where the funding for Family Service League is allocated.

AF:ADT  
Attachments (4)  
Cc: D.Weyer, L.Wright, M.Howe, S. Reagan, A.Torres, D.Desimone



**Public Health**  
Prevent. Promote. Protect

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

**Additional back-up material regarding IR 1436 is on file in  
The Legislative Clerk's Office, Hauppauge.**

1437

Intro. Res. No. - 2010  
Introduced by Presiding Officer, on request of the County Executive

Laid on the Table 4/27/10

**RESOLUTION NO. - 2010, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR GENERAL DENTISTRY SERVICES FOR THE DEPARTMENT OF HEALTH SERVICES, JOHN J. FOLEY SKILLED NURSING FACILITY**

**WHEREAS**, the Department of Health Services is required to provide general dentistry services to residents at the John J. Foley Skilled Nursing Facility; and

**WHEREAS**, it is necessary for the Department of Health Services to subcontract this service with a consultant who has specialized expertise in providing general dentistry services; and

**WHEREAS**, the Department of Health Services requested an RFP for "General Dentistry Services" for the John J. Foley Skilled Nursing Facility; and

**WHEREAS**, the Purchasing Division of the Department of Public Works advertised for these services and mailed the RFP to two (2) potential vendors and received only one response from DentServ Dental Services, PC; and

**WHEREAS**, an independent evaluation committee reviewed the proposal from DentServ Dental Services, PC and found its quality of work and experience satisfactory, and its cost proposal submission within the industry standards, and have recommended that the Department of Health Services enter into a contractual agreement with DentServ Dental Services, PC; and

**WHEREAS**, Local Law 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 said contract; now therefore, be it

**1<sup>st</sup> RESOLVED**, that upon receiving a two-thirds vote of the County Legislature as required by Local Law 3-1996 the Department of Health Services shall enter into a contractual agreement with DentServ Dental Services, PC for the provision of general dentistry services; and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with DentServ Dental Services, PC effective April 1, 2010.

DATED:

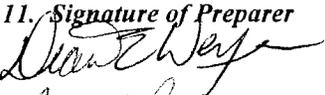
APPROVED BY:

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

Date of Approval:

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

1437

1. Type of Legislation		
Resolution	<u>X</u>	Local Law
Charter Law		
2. Title of Proposed Legislation Requesting legislative approval of a contract award for General Dentistry Services for the Department of Health Services, John J. Foley Skilled Nursing Facility.		
3. Purpose of Proposed Legislation To comply with Local Law 3 – 1996 requiring the County Legislature to approve any Contract in excess of \$20,000 awarded pursuant to a Request for Proposal (RFP) process in which only one party responds to the County’s solicitation of proposals.		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES ___    NO <u>X</u>		
5. If the answer to item 4 is “yes”, on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is “yes”, Provide Detailed Explanation of Impact: Funds were already included in the 2010 Suffolk County Operating Budget		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. Not applicable		
8. Proposed Source of Funding 2010 Operating funds		
9. Timing of Impact Upon execution of a contract with DentServ Dental Services, PC		
10. Typed Name & Title of Preparer Diane E. Weyer Principal Financial Analyst	11. Signature of Preparer  	12. Date 3/26/10.  4/6/10
<b>BETH A. REYNOLDS PRINCIPAL EXECUTIVE ANALYST</b>		

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1437

**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.

COUNTY OF SUFFOLK



1437  
APR 05 2010

STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

LINDA MERMELSTEIN, M.D., M.P.H.  
Acting Commissioner

March 31, 2010

Ken Crannell, Deputy County Executive  
County Executive's Office, 12<sup>th</sup> Floor  
H. Lee Dennison Building  
Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

I request the introduction of the enclosed Resolution requesting Legislative approval of a contract award for General Dentistry Services for the Department of Health Services, John J. Foley Skilled Nursing Facility. This legislation is needed to comply with Local Law 3 – 1996 requiring the County Legislature to approve any Contract in excess of \$20,000 awarded pursuant to a Request for Proposal (RFP) process in which only one party responds to the County's solicitation of proposals.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Deidre DeSimone at 853-3174. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-Dental Svcs JJFSNF.doc".

Sincerely yours,

Linda Mermelstein, M.D., M.P.H.  
Acting Commissioner

Enclosures

LM/lw

- C: Christopher E. Kent, Chief Deputy County Executive
- Brendan Chamberlain, Director of Intergovernmental Relations (2 copies)**
- Margaret B. Bermel, M.B.A, Director of Health Administrative Services
- Janet DeMarzo, Deputy Commissioner
- Deidre DeSimone, Principal Contracts Examiner
- Leonard J. Marchese, Director of Management and Research
- Barbara Russo, Principal Financial Analyst
- Diane E. Weyer, Principal Financial Analyst



Public Health  
Prevent. Promote. Protect.

OFFICE OF THE COMMISSIONER  
225 Rabro Drive East, Hauppauge, NY 11788 (631) 853-3000 Fax (631) 853-2927

1438

4/27/10

Introductory Resolution No. -2010 Laid on the Table  
Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2010; TRANSFERRING AND  
APPROPRIATING LIVING WAGE CONTINGENCY FUNDS  
TO THE FEDERATION OF ORGANIZATIONS FOR THE NYS  
MENTALLY DISABLED, INC., RESPITE FEE SUBSIDY**

**WHEREAS**, a contingency fund was established in the 2010 Suffolk County Operating Budget for the express purpose of implementing the Living Wage Law, Local Law 12-2001; and

**WHEREAS**, Local Law No. 12-2001, the Living Wage Law, ensures that employees of County contractors and subcontractors and beneficiaries of tax, loan, grant and other subsidy assistance provided by the County earn an hourly wage that is sufficient for a family of four to live at or above the federal poverty level; and

**WHEREAS**, the Federation of Organizations for the NYS Mentally Disabled, Inc., provides support and assistance to caregivers of frail elderly family members through the Respite Fee Subsidy contract with the Suffolk County Office for the Aging; and

**WHEREAS**, additional funding is needed to pay living wages to respite workers to maintain the program and without these additional funds, the Federation of Organizations for the NYS Mentally Disabled, Inc., will not be able to provide the current level of service; now, therefore, be it

**1<sup>st</sup> RESOLVED** that the Suffolk County Comptroller be and hereby is authorized, empowered and directed to disburse funds as follows:

<b>FROM:</b>	<b><u>CHANGE</u></b>
001-MSC-1998-4770	(\$30,851)
Suffolk County Living Wage Contingency Fund	

<b>TO:</b>	<b><u>ADOPTED</u></b>	<b><u>MODIFIED</u></b>	<b><u>CHANGE</u></b>
001-EXE-GFC2-4980	\$31,311	\$ 62,162	\$ 30,851
Federation of Organizations for the NYS Mentally Disabled, Inc., Respite Fee Subsidy Program			

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County  
Date of Approval

1438

# STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

<b>1. Type of Legislation</b>		
Resolution <u>  X  </u>	Local Law _____	Charter Law _____
<b>2. Title of Legislation</b>		
Resolution Transferring and Appropriating Living Wage Contingency Funds to the Federation of Organizations for the NYS Mentally Disabled, Inc., Respite Fee Subsidy.		
<b>3. Purpose of Proposed Legislation</b>		
Additional funding is needed to pay living wages to respite workers to maintain the program and without these additional funds, the Federation of Organizations for the NYS Mentally Disabled, Inc., will not be able to provide the current level of service.		
<b>4. Will the Proposed Legislation Have a Fiscal Impact?</b> Yes _____ No <u>  X  </u>		
<b>5. If the answer to Item 4 is a yes, on what will it impact? (Circle appropriate category)</b>		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
<b>6. If the answer to item 5 is a yes, Provide Detailed Explanation of Impact.</b>		
100% County Funds included in the <sup>2010</sup> <del>2009</del> Adopted Budget under 001-MS-1998-4770.		
<b>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</b>		
2010 - \$30,851		
2010-2015 unknown		
<b>8. Proposed Source of Funding.</b>		
100% County Funds included in the 2010 Adopted Budget under 001-MS-1998-4770.		
<b>9. Timing of Impact.</b>		
Upon Approval		
<b>10. Typed Name &amp; Title of Preparer</b>	<b>11. Signature of Preparer</b>	<b>12. Date</b>
HOLLY RHODES-TEAGUE DIRECTOR	<i>Holly Rhodes Teague</i> <i>Dyanne Martin</i>	4/1/10

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1438

**GENERAL FUND**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**COMBINED**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 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.

1458

**SUFFOLK COUNTY DEPARTMENT OF LABOR – LIVING WAGE UNIT**

**NOTICE OF DECISION ON HARDSHIP ASSISTANCE**

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

**TO BE COMPLETED BY LIVING WAGE UNIT**

**DATE:** March 18, 2010

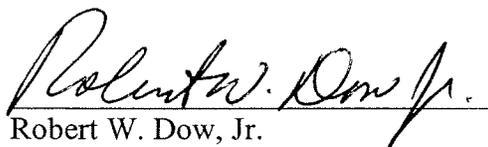
**TO:** Holly Rhodes –Teague, Director  
Suffolk County Office for the Aging  
Dennison Building  
Hauppauge, NY

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on **March 17, 2010** regarding the contract for **Respite Fee Subsidy Program** from **Federation of Organizations for the NYS Mentally Disabled, Inc.** has been received and examined by the *Local Law Compliance Unit*.

The **Request for Hardship Assistance** has been:

- Accepted, and the *Living Wage* Unit authorizes the submission of the accompanying resolution to the County Legislature.
- Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage* Unit at (631) 853-3808.

  
Robert W. Dow, Jr.  
Commissioner  
Suffolk County Department of Labor

COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

ML316

Gen GS

1438

APR 06 2010

OFFICE FOR THE AGING  
HOLLY S. RHODES-TEAGUE  
DIRECTOR

MEMORANDUM

TO: Ken Crannell  
Deputy County Executive

FROM: Holly Rhodes-Teague  
Director

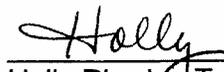
DATE: April 1, 2010

**SUBJECT: Resolution Transferring and Appropriating Living Wage Contingency Funds to the Federation of Organizations for the NYS Mentally Disabled, Inc., Respite Fee Subsidy**

As per ADH 01-10, I am enclosing two copies each of Draft Resolution, Request for the Introduction of Suffolk County Legislation (SCIN Form 175a), Fiscal Impact Statement (SCIN Form 175b) and Notice of Decision on Hardship Assistance (LW-31).

Additional funding of \$30,851 is needed for the Federation of Organizations for the NYS Mentally Disabled, Inc., Respite Fee Subsidy Program to pay living wages to respite workers to maintain the program. Without these additional funds, the agency will not be able to provide the current level of service.

If you require any further information, please contact Joanne Kandell, Principal Accountant at 853-8212.

  
\_\_\_\_\_  
Holly Rhodes-Teague

HRT:JK  
Enclosures

cc: Christopher Kent, Chief Deputy County Executive  
Joanne Kandell, Principal Accountant  
Maureen Porta, Senior Citizens Program Administrator II  
Mary Valerie Kempkinski, Contracts Examiner

1439

LOT 4/27/10

Intro. Res. No.- 10

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2010, ACCEPTING AND APPROPRIATING \$74,959 IN 100% GRANT FUNDING FROM THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE, FOR THE CONTINUATION OF THE INTENSIVE CASE SERVICES COMPONENT OF THE SANCTION INTERVENTION PROGRAM IN THE DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the New York State Office of Temporary and Disability Assistance has designated Suffolk County as the recipient of 100% Federal funding in the amount of \$74,959 as a supplement to continue the intensive services component of the Sanction Intervention Program currently under contract to the Education and Assistance Corporation, Inc.; and

**WHEREAS**, the purpose of the grant is to provide funds to perform intensive case services for non-compliant families to overcome barriers to employment and assist in the improvement of the economic well being of families as well as support the district's efforts to increase work participation; and

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

**WHEREAS**, non-compliant individuals will continue to be referred to this program by the staff of Department of Social Services for the comprehensive review of individual and family barriers and the development of a service plan; and

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

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

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

<b><u>REVENUES:</u></b>		<b><u>\$74,959</u></b>
001-4610	FEDERAL AID: Administration	<b>\$74,959</b>

and, be it further

**2<sup>nd</sup> RESOLVED**, that total funds in the amount of \$74,959 be and they are hereby appropriated as follows:

**ORGANIZATIONS:**

\$74,959

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

4000 – Contractual Expenses

\$74,959

4980 – GYD1 – Education & Assistance Corporation, Inc

\$74,959

and, be it further

3<sup>rd</sup> **RESOLVED**, that the deadline for expending funds is April 30, 2010 in conformance with the terms of the grant award; and be it further

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

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

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

County Executive of Suffolk County

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

1439

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation  
Resolution  Local Law Charter Law

2. Title of Proposed Legislation  
ACCEPTING AND APPROPRIATING \$74,959 IN 100% GRANT FUNDING FROM THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE, FOR THE CONTINUATION OF THE INTENSIVE CASE SERVICES COMPONENT OF THE SANCTION INTERVENTION PROGRAM IN THE DEPARTMENT OF SOCIAL SERVICES

3. Purpose of Proposed Legislation  
The purpose of this Resolution is to use these supplementary Federal Funds to continue the Intensive Case Services component of the Sanction Intervention Program with the Education & Assistance Corporation, Inc. The additional funding will be used to provide intensive case services to assist TANF eligible recipients who are non-compliant with federal work requirements become fully engaged in work activities.

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

5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)  
County Town Economic Impact  
Village School District Other (specify):  
Library District Fire District

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

7. Total Financial Cost of Funding over 5 Years on Each Affected Political of other Subdivision.  
100% funded.

8. Proposed Source of Funding.  
Federal Aid

9. Timing of Impact.  
Immediate

10. Typed Name & Title of Preparer  
Patricia A. Clark  
Director of Management and Research

11. Signature of Preparer  
*Theresa Lobo*

12. Date  
3-30-19

FORM 175b (10/95)  
*Theresa Lobo*  
Principal Financial Analyst

*Theresa Lobo* 4/6/19

1439



NEW YORK STATE  
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE  
40 NORTH PEARL STREET  
ALBANY, NY 12243-0001  
David A. Paterson  
Governor

### Local Commissioners Memorandum

#### Section 1

<b>Transmittal:</b>	10-LCM-06
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Center for Employment and Economic Supports
<b>Date:</b>	March 24, 2010
<b>Subject:</b>	Funding for Intensive Case Services for Noncompliant Families (ICS4)
<b>Contact Person(s):</b>	<u>Program Related Questions:</u> Libby McGinn (518) 486-6106 or <a href="mailto:Elizabeth.McGinn@otda.state.ny.us">Elizabeth.McGinn@otda.state.ny.us</a>  <u>Claiming Related Questions:</u> Regions 1-4 Edward Conway 1-800-343-8859, extension 4-7549 or <a href="mailto:Edward.Conway@otda.state.ny.us">Edward.Conway@otda.state.ny.us</a> Region 5 Michael Borenstein 212-961-8251 or <a href="mailto:Michael.Borenstein@otda.state.ny.us">Michael.Borenstein@otda.state.ny.us</a> Region 6 Marian Borenstein 212-961-8250 or <a href="mailto:Marian.Borenstein@otda.state.ny.us">Marian.Borenstein@otda.state.ny.us</a>
<b>Attachments:</b>	Attachment 1- Allocations
<b>Attachment Available On – Line:</b>	Yes

#### Section 2

##### I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to inform social services districts (districts) of amended allocations for services provided through the Intensive Case Services (ICS) program. A total of \$3,850,000 in federal Temporary Assistance for Needy Families (TANF) funds are available to support services to noncompliant and other at-risk families in receipt of public assistance through the ICS program.

These funds reflect a reduction from allocations previously provided to local social services districts on January 19, 2010. The 2010-11 Executive Budget includes a recommendation to continue funding ICS4 at \$11,313,453. If these funds become available in the SFY 2010-11 Enacted Budget, OTDA will notify districts.

The program end date for the previous ICS program cycle (ICS3) was December 31, 2009, with final claims due by February 15, 2010. This LCM provides ICS4 allocations available to reimburse district expenditures associated with the ICS program for the period beginning January 1, 2010 and ending April 30, 2010. Final claims associated with this allocation must be submitted by June 15, 2010.

These program awards are intended to allow districts to continue existing intensive case services programs. Nine districts chose to not participate in the ICS3 program during calendar year 2009. If any of those districts without an approved ICS3 plan began a program in 2010, the district must submit a plan for approval consistent with ICS3 guidelines as provided in 08-LCM-13 before any claims incurred associated with an ICS4 program may be reimbursed. Further, any such district without an approved ICS3 program that began operating an ICS program in 2010, must contact Libby McGinn at [Elizabeth.McGinn@otda.state.ny.us](mailto:Elizabeth.McGinn@otda.state.ny.us) or (518) 486-6106 no later than April 12, 2010.

## II. Eligible Participants and Services

### A. Eligible Participants

Consistent with ICS3, districts must ensure that ICS services are provided to TANF eligible individuals. Participants served under the ICS program must be eligible to receive TANF-funded non-assistance services, and must be in receipt of TANF (case types 11 or 12) or Safety Net Maintenance of Effort (MOE) (case type 16 or 17 with state charge code 63 or 64). This includes two-parent families eligible for TANF-funded non-assistance as described in 06-LCM-9. Eligible participants also must be:

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

### B. Eligible Services

The ICS program seeks to provide enhanced outreach, case management, and other services to help recipients of public assistance achieve economic independence, and to ensure that program requirements and services appropriately address client circumstances. Intensive case services support district efforts to identify and address factors that contribute to program noncompliance, and to engage individuals in appropriate work or work-preparation activities to prevent or restore a reduction in public assistance benefits, and help clients enter the workforce so they may improve the economic security of their families. Additionally, the services are intended to help each district and the State achieve the required work participation rates, which typically require full-time program engagement.

Services funded under this initiative may be provided to eligible participants and are intended to support these program goals by enabling districts to achieve contact with clients, identify the most appropriate service strategy for each client, and to develop strategies to fully engage clients in appropriate work or work-preparation activities. For example, ICS funds may be used to enable districts or community-based organizations to conduct home visits or other enhanced outreach efforts that provide the opportunity to thoroughly explain program requirements, conduct in-depth assessments of family circumstances, and establish employment/self-sufficiency plans for families that are most appropriate.

Up to 20% of a district's allocation may be used to provide intensive case services to help eligible individuals who are not fully engaged in countable work activities to increase hours of program participation or work.

All services provided with these funds must meet the definition of TANF non-assistance services (as described in 00 LCM-20 and federal TANF regulations at 45 CFR §260.31). At least 80% of each district's ICS allocation must be used to support services targeting TANF-eligible, noncompliant participants and districts may use their entire allocation to serve this population. Additionally, districts are permitted to use up to 20% of their allocation to serve TANF-eligible participants who are not currently subject to sanction, but who are not fully engaged in countable work activities, including recipients who may be working part-time. For example, districts could elect to use up to 20% of the ICS allocation to support enhanced assessments to identify and help participants address barriers to full-time participation or job development activities to help current part-time workers obtain full-time employment.

Districts are reminded that ICS funds may not be used to support anti-fraud related activities.

**III. Funding/Allocations**

The ICS4 allocations provided in **Attachment 1** provide each district a pro-rata share of the district's total combined ICS3 program allocation provided for calendar year 2009.

District allocations are available beginning January 1, 2010. The deadline for expending ICS4 funds is April 30, 2010 and final claims must be submitted by June 15, 2010.

**IV. Outcome Measures and Reporting Requirements**

Districts will continue to use the TANF Reporting and Control System (TRACS2) to report the number of participants served and other program measures for the ICS4 program. Districts should report outcomes associated with ICS4 using the same reporting mechanism used to report outcomes for calendar year 2009. Reports must be submitted quarterly for each target population served. Reporting instruction information for ICS4 funds will be provided separately to the district's ICS program contact.

**V. Claiming Instructions**

Districts will claim reimbursement for their ICS4 expenditures using the following instructions:

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The Special Project name is ICS4. The administrative and/or contracted costs associated with approved projects under ICS4 should be reported as F-17 functional code expenditures and claimed in a column labeled ICS4 on the Schedule D-17, "Distribution of Allocated Costs to Other Reimbursable Programs (LDSS-3274)." The information from the Schedule D-17 is entered into TRACS where a "Reimbursement Claim for Special Projects" (LDSS-3922) will be completed.

Instances in which district staff are working part time on ICS, only those costs attributed to ICS services should be charged to ICS4.

The LDSS-3922 for ICS4 should be submitted to the Bureau of Financial Services using the TRACS system. Districts must retain the signed LDSS-3922 which supports the ICS4 claims submitted via TRACS for audit purposes. Instructions for completing the Schedule D-17 are found in Fiscal Reference Manual (FRM) Volume 3, Chapter 18 (Volume 4 for New York City). Instructions for completing the LDSS-3922 are found in FRM, Volume 2, Chapter 3. The expenditures should be entered in the Non-Administration/Administration Costs columns based on the guidelines below.

According to the TANF regulations, costs considered to be program are:

- direct costs, including salaries and fringe benefit costs for staff providing program services;
- direct administrative costs associated with providing these services (e.g., supplies, equipment, travel, postage, utilities, rental costs and maintenance); and,
- contracts devoted entirely to program activities.

According to TANF regulations, administrative costs include:

- contract costs that are not excluded totally or in part as program activities;
- all indirect or overhead costs (i.e., A-87 costs); and,
- activities related to eligibility determinations.

See Chapter 10 of Volume 3 (Volume 4 for New York City) of the Fiscal Reference Manual for detailed information on TANF administrative expenditure requirements.

100% Federal reimbursement for all eligible expenditures is available, up to the limit of the district's approved ICS4 allocation.

The starting date for expending these ICS4 funds is January 1, 2010 and the expenditure deadline is April 30, 2010. Final claims must be submitted by June 15, 2010.

Program costs in excess of the allocation may be claimed on the Schedule D-3 Allocation and Claiming of Administrative Costs for Employment Programs (LDSS-2347-B1) as Direct Charge Costs (Line 7) under TANF Program (Column 2) for TANF eligible clients.

Questions on claiming can be directed to the OTDA Bureau of Financial Services by contacting:

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

1439

Region 5, Michael Borenstein at (212) 961-8251.

Email: [Michael.Borenstein@otda.state.ny.us](mailto:Michael.Borenstein@otda.state.ny.us)

Region 6, Marian Borenstein at (212) 961-8250.

Email: [Marian.Borenstein@otda.state.ny.us](mailto:Marian.Borenstein@otda.state.ny.us)

**Issued By:**

**Name:**

Russell Sykes

**Title:**

Deputy Commissioner

**Division/Office:**

Center for Employment and Economic Supports

1437

## Intensive Case Services 4 (ICS 4) Allocations

Attachment 1

District	District's Share of the \$3,080,000 (80% of Funding)	District's Share of the \$770,000 (20% of Funding)	Allocation
ALBANY	\$29,773	\$7,443	\$37,216
ALLEGANY	\$12,090	\$3,023	\$15,113
BROOME	\$29,554	\$7,388	\$36,942
CATTARAUGUS	\$5,530	\$1,382	\$6,912
CAYUGA	\$9,237	\$2,309	\$11,546
CHAUTAUQUA	\$27,456	\$6,864	\$34,320
CHEMUNG	\$14,810	\$3,702	\$18,512
CHENANGO	\$3,408	\$852	\$4,260
CLINTON	\$11,286	\$2,821	\$14,107
COLUMBIA	\$4,005	\$1,001	\$5,006
CORTLAND	\$7,298	\$1,824	\$9,122
DELAWARE	\$2,298	\$574	\$2,872
DUTCHESS	\$14,383	\$3,596	\$17,979
ERIE	\$182,976	\$45,744	\$228,720
ESSEX	\$4,871	\$1,218	\$6,089
FRANKLIN	\$5,725	\$1,431	\$7,156
FULTON	\$3,834	\$959	\$4,793
GENESEE	\$4,920	\$1,230	\$6,150
GREENE	\$4,969	\$1,242	\$6,211
HAMILTON	\$2,054	\$514	\$2,568
HERKIMER	\$4,713	\$1,178	\$5,891
JEFFERSON	\$6,274	\$1,568	\$7,842
LEWIS	\$3,188	\$797	\$3,985
LIVINGSTON	\$7,176	\$1,794	\$8,970
MADISON	\$2,469	\$617	\$3,086
MONROE	\$150,380	\$37,595	\$187,975
MONTGOMERY	\$2,895	\$724	\$3,619
NASSAU	\$45,016	\$11,254	\$56,270
NIAGARA	\$27,834	\$6,958	\$34,792
ONEIDA	\$20,749	\$5,187	\$25,936
ONONDAGA	\$57,858	\$14,464	\$72,322
ONTARIO	\$10,286	\$2,571	\$12,857
ORANGE	\$19,090	\$4,773	\$23,863
ORLEANS	\$5,700	\$1,425	\$7,125
OSWEGO	\$8,700	\$2,175	\$10,875
OTSEGO	\$2,981	\$745	\$3,726
PUTNAM	\$2,237	\$559	\$2,796
RENSSELAER	\$25,907	\$6,477	\$32,384

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Attachment 1

Intensive Case Services 4 (ICS 4) Allocations

District	District's Share of the \$3,080,000 (80% of Funding)	District's Share of the \$770,000 (20% of Funding)	Allocation
ROCKLAND	\$9,383	\$2,346	\$11,729
ST. LAWRENCE	\$5,871	\$1,468	\$7,339
SARATOGA	\$2,322	\$581	\$2,903
SCHENECTADY	\$13,822	\$3,455	\$17,277
SCHOHARIE	\$3,018	\$754	\$3,772
SCHUYLER	\$3,846	\$962	\$4,808
SENECA	\$2,566	\$642	\$3,208
STEUBEN	\$21,005	\$5,251	\$26,256
SUFFOLK	\$59,967	\$14,992	\$74,959
SULLIVAN	\$8,334	\$2,084	\$10,418
TIOGA	\$5,371	\$1,343	\$6,714
TOMPKINS	\$6,956	\$1,739	\$8,695
ULSTER	\$9,602	\$2,401	\$12,003
WARREN	\$3,115	\$779	\$3,894
WASHINGTON	\$2,810	\$703	\$3,513
WAYNE	\$5,895	\$1,474	\$7,369
WESTCHESTER	\$68,528	\$17,132	\$85,660
WYOMING	\$3,213	\$803	\$4,016
YATES	\$2,518	\$629	\$3,147
REST OF STATE	\$1,022,072	\$255,516	\$1,277,588
NEW YORK CITY	\$2,057,928	\$514,484	\$2,572,412
NEW YORK STATE	\$3,080,000	\$770,000	\$3,850,000

COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

APR 05 2010

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DEPARTMENT OF SOCIAL SERVICES

Gregory J. Blass  
Commissioner

**Memorandum**

**To:** Ken Crannell, Deputy County Executive for Administration

**From:** Gregory J. Blass, Commissioner  
Department of Social Services 

**Date:** March 30, 2010

**Subject:** **REQUEST FOR LEGISLATIVE RESOLUTION -CERTIFICATE OF NECESSITY**  
Intensive Case Services Program

I am requesting that the attached legislative resolution be submitted at the April 27th meeting of the Suffolk County Legislature with a **CERTIFICATE OF NECESSITY**:

ACCEPTING AND APPROPRIATING \$74,959 IN 100% GRANT FUNDING FROM THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE, FOR THE CONTINUATION OF THE INTENSIVE CASE SERVICES COMPONENT OF THE SANCTION INTERVENTION PROGRAM IN THE DEPARTMENT OF SOCIAL SERVICES

The purpose of this resolution is to accept 100% Federal Funding in the amount of \$74,959 for the Intensive Case Services component of the Sanction Intervention Program, currently under contract to the Education and Assistance Corporation, Inc. (EAC)

On March 24, 2010 The New York State Office of Temporary Disability Assistance issued 10-LCM-06 to advise counties of their 2010 funding allocation for the Intensive Case Services for Noncompliant Families program. The LCM further stated that the funding is only authorized through April 30, 2010 and has a final claim deadline of June 15, 2010.

At this time, I am requesting a CERTIFICATE OF NECESSITY in order to comply with the expenditure time frames set forth in the above referenced LCM.

Attached, please find the above referenced resolution, the introduction form (SCIN 175a), the fiscal impact statement (SCIN Form 175b), and a copy of 10-LCM-06. If you have any questions, please contact Patricia Clark at 854-9939.

Enc.

c: Christopher Kent, Chief Deputy County Executive  
ec: CE Reso. Review Distribution List

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Intro. Res. No. -2010

Laid on Table

4/27/10

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2010, AUTHORIZING ACCEPTANCE OF PUBLIC SAFETY RADIO EQUIPMENT FOR USE BY THE SUFFOLK COUNTY POLICE DEPARTMENT AND SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE & EMERGENCY SERVICES IN CONNECTION WITH THE REGIONAL INTERNET PROTOCOL GATEWAY AND RADIO CACHE PROGRAM**

**WHEREAS**, the United States Departments of Commerce and Homeland Security have made funds available through the Public Safety Interoperable Communications Grant Program (Grant Program) for the purpose of strengthening interoperable communications with respect to voice, data and/or video signals among local law enforcement and public safety entities, and the New York City Urban Area Security Initiative received a grant under the Grant Program; and

**WHEREAS**, under the grant awarded, the City of New York took the lead to procure and distribute radio equipment to public safety entities represented by the New York City Interagency Communications Committee (NYCICC), and Suffolk County, along with the counties of Nassau and Westchester, the cities of New York and Yonkers, the Metropolitan Transportation Authority and the Port Authority of New York and New Jersey are all so represented by the NYC ICC; and

**WHEREAS**, in order to facilitate improved interoperability among the entities represented by NYCICC, the City of New York will transfer to Suffolk County one hundred UHF and one hundred 800 MHz portable radios and related equipment for use by the Suffolk County Police Department (SCPD) and Suffolk County Department of Fire, Rescue & Emergency Services (FRES), and the SCPD and FRES have a need for the equipment; and

**WHEREAS**, it is in the interest of both Suffolk County and the other public safety entities represented by NYCICC to improve interoperable communications capabilities to protect the public health, safety and welfare; and

**WHEREAS**, it is necessary and appropriate for Suffolk County and the other entities represented by NYCICC to enter into agreements to formalize their respective rights and obligations relative to the property acquired with the funds provided under the Grant Program for use in the Regional Internet Protocol Gateway and Radio Cache Program; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the transfer of the radio equipment with a value of approximately \$400,000.00 for use by the SCPD and FRES is hereby accepted; and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive or his designee is hereby authorized to enter into a Memorandum of Understanding with the City of New York for the purposes of implementing the Regional Internet Protocol Gateway and Radio Cache Program, and be it further

**3<sup>rd</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Section 617.5 (c) (20) of Title 6 of the New York Code of Rules and Regulations ("NYCRR"), in that the resolution pertains to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; since this resolution is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

---

County Executive of Suffolk County

Date:

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STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation		
<b>AUTHORIZING ACCEPTANCE OF PUBLIC SAFETY RADIO EQUIPMENT FOR USE BY THE SUFFOLK COUNTY POLICE DEPARTMENT AND SUFFOLK COUNTY FIRE, RESCUE &amp; EMERGENCY SERVICES IN CONNECTION WITH THE REGIONAL INTERNET PROTOCOL GATEWAY AND RADIO CACHE PROGRAM</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes XX No</b>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<b>County</b>	<b>Town</b>	<b>Economic Impact</b>
<b>Village</b>	<b>School District</b>	<b>Other (Specify):</b>
<b>Library District</b>	<b>Fire District</b>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
The resolution provides radio equipment with a value of approximately \$400,000		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Radios provided by New York City Interagency Communications 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		2-19-10

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

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**GENERAL FUND**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**COMBINED**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 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.

COUNTY OF SUFFOLK



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APR 02 2010

STEVE LEVY  
COUNTY EXECUTIVE

RICHARD DORMER  
POLICE COMMISSIONER

**POLICE DEPARTMENT**

March 25, 2010

Ken Crannell  
Deputy County Executive  
H. Lee Dennison Building  
100 Veterans Memorial Highway  
Hauppauge, NY 11788

Re: Legislative Proposal  
Accepting public safety radio equipment

Dear Deputy County Executive Crannell:

I am requesting that the County Executive propose the attached legislative resolution authorizing the County Executive to enter into a Memorandum of Understanding with the City of New York for the purposes of accepting public safety radio equipment for Suffolk County in connection with the Regional Internet Protocol Gateway and Radio Cache Program.

Enclosed is the hard copy request for a resolution (SCIN 175a) along with the draft resolution and fiscal impact statement (SCIN 175b).

An e-mail version was sent on March 23, 2010 to CE RESO REVIEW under the title Reso-SCPD- Radio Cache Grant Program.

Very truly yours,

  
Richard Dormer  
Police Commissioner

cc: Christopher Kent, Chief Deputy County Executive  
Brendan Chamberlain, Intergovernmental Relations



**ACCREDITED LAW ENFORCEMENT AGENCY**

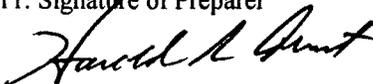
[www.suffolkpd.org](http://www.suffolkpd.org)

30 YAPHANK AVENUE, YAPHANK, NEW YORK 11980 – (631) 852-6000



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STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
AUTHORIZING ACCEPTANCE OF PUBLIC SAFETY RADIO EQUIPMENT FOR USE BY THE SUFFOLK COUNTY POLICE DEPARTMENT AND SUFFOLK COUNTY FIRE, RESCUE & EMERGENCY SERVICES IN CONNECTION WITH THE REGIONAL INTERNET PROTOCOL GATEWAY AND RADIO CACHE PROGRAM		
3. Purpose of Proposed Legislation		
This resolution authorizes the County Executive to enter into a Memorandum of Understanding with the City of New York for the purposes of implementing the Regional Internet Protocol Gateway and Radio Cache Program in order to facilitate improved interoperability among the entities represented by the New York City Interagency Communications Committee (NYCICC), the City of New York will transfer to Suffolk County one hundred UHF and one hundred 800 MHz portable radios and related equipment for use by the Suffolk County Police Department (SCPD) and Suffolk County Fire, Rescue & Emergency Services (FRES).		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes _____                      No <u>  X  </u>		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
None		
8. Proposed Source of Funding		
The Public Safety Interoperable Communications Grant Program from the United States Departments of Commerce and Homeland Security which awarded a grant to the City of New York.		
9. Timing of Impact		
Not applicable		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Harold R. Armet, Lieutenant		March 23, 2010

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**MEMORANDUM OF UNDERSTANDING**

**Among**

**New York City Urban Area First Responder Disciplines and Public Safety Entities**

**Of**

**The City of New York**

**The City of Yonkers**

**The New York State Counties of Nassau, Suffolk and Westchester**

**The Metropolitan Transportation Authority**

**The Port Authority of New York and New Jersey**

**On**

**The Regional Internet Protocol Gateway and Radio Cache**

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## Agreement

This Memorandum of Understanding is between law enforcement and fire services, emergency management and public safety entities of the City of New York, the City of Yonkers, the surrounding Counties of Nassau, Suffolk and Westchester, the Port Authority of New York and New Jersey (PANYNJ), and the New York State Metropolitan Transportation Authority (MTA), hereinafter referred to as the "Stakeholders" who are represented by the New York City Interagency Communications Committee (NYC ICC) for the purposes of the subject matter of this Agreement.

Whereas, the Urban Area agencies recognize the need for interagency communication, interoperability and cooperation, and formed the NYC ICC in 2002. The NYC ICC meet regularly to evaluate states of interoperable communications, develop strategies that exercise and drill communications capabilities, raise interoperability awareness within agencies, and ensure that improvements are coordinated. This Memorandum of Understanding will be executed between the Stakeholders, and training exercises will be developed to test and evaluate the gateway and radio cache assets in preplanned events that routinely include regional public works, public and private health care, and state and federal officials; and,

Whereas, the New York City "Urban Area Securities Initiative" (UASI) received a grant from the federal Public Safety Interoperable Communications (PSIC) Grant Program for the purpose of enhancing interoperable communications with respect to voice, data and/or video signals. The grant will provide public safety agencies with the opportunity to achieve meaningful and measurable improvements to the state of public safety communications interoperability through the full and efficient use of all telecommunications resources. The Department of Commerce's National Telecommunications and Information Administration (NTIA), in consultation with the Department of Homeland Security (DHS), announced the allocation of over \$968 million to all 56 States and Territories for the PSIC Grant Program on July 18, 2007; and

Whereas, the Technology program goals are to adopt advanced technological solutions, improve spectrum efficiency, and to use cost-effective measures; and the All Hazards Mitigation program goals are to improve communications in areas at high risk for natural disaster, and to continue to improve interoperability efforts in urban and metropolitan areas at high risk for threats to terrorism; and

Whereas, the limitation on the project scope is expected to include a range of activities that support project development, implementation and evaluation; and

Whereas, the Stakeholders will have acquired and deployed the combinations of UHF/800 MHz portable radios and local interoperability sites (Schedule A) by the end of the PSIC grant performance period, September 30, 2010; and

Whereas, in an effort to maximize the financial advantage of ordering large quantities of equipment and to better ensure the standardization of specialized response equipment

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issued to the Stakeholders, a decision was made that the City of New York would leverage its purchasing power through City/State contracts to procure and distribute the program equipment; and

Whereas, the Stakeholders enter into this Agreement to accomplish appropriate issuance, distribution, maintenance, and deployment of such equipment as designated in Schedule A, attached hereto, and made a part hereof.

**NOW, THEREFORE, the parties to this Agreement hereby agree as follows:**

### **I. Purpose**

The New York City "Urban Area" is an area at high-risk for threats of terrorism, man-made and natural disasters. The Urban Area intends to build a regional Internet Protocol gateway to integrate legacy systems of varying operating frequency, and to deploy a substantial cache of radios in an effort to improve interoperable communications regionally. Urban Area agency radio systems are deployed at VHF high-band, UHF and 800 MHz bands, and patchwork interoperability ties together disparate communications systems.

The objective of the IP gateway and radio cache is to strengthen interoperable communications capabilities between disparate radio systems within the Urban Area, a Tier 1 level Urban Area Security Initiative (UASI). The IP gateway and land-mobile radio solution will immediately integrate caches and public safety radio networks providing remote access and control from any point on the network. Radio caches are intended to be locally owned and regionally deployable to respond to major emergencies and they will be programmed with compatible radio system talk groups and interoperable conventional frequencies to interface with the gateway.

Where applicable, public and private health care entities such as hospitals and ambulance services capable of patching to local agency systems will have connectivity to the networked region; and, as may be required in scheduled events and emergencies, public works agencies will have access to the stakeholders' patched network.

A Standard Operating Procedure ("SOP") will be developed with funding from the Interoperable Emergency Communications Grant Program as part of the Department of Homeland Security Office of Emergency Communications initiative to revise the New York City Urban Area Tactical Interoperable Communications Plan, for the deployment and implementation of the Gateway-Radio Cache during emergency events to meet unanticipated communication requirements, except to the extent that the chief executive or other authorized official of the State of New York, or a political subdivision thereof, acting pursuant to his or her emergency powers under applicable law, has determined that other procedures shall be followed.

This Agreement and forthcoming SOP (equipment supplied will not be deployed until the SOP is approved and signed by all agencies) are not intended to preclude, nor shall it

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apply to the longstanding communication practices and protocols of, and between law enforcement and fire services, emergency management and public safety entities of the Stakeholders.

The procedures and protocols set forth herein shall guide the strengthening and improvement of communications in areas at high risk for natural disasters, and to continue to improve interoperability communications capabilities between disparate radio systems within the Urban Area but shall not give rise to liability on the part of any party for failure to comply with such procedures and protocols for actions taken or not taken in response to an emergency or in the case of a natural or man made disaster.

## II. Definitions

These terms shall have the following meaning when used in this Agreement:

1. Deploy or Deployment – refers to the use of the equipment by the Stakeholder(s).
2. Equipment – refers to the assets of the gateway and radio cache distributed to the Stakeholder(s) through the NYC ICC.
3. First Responders – refers to, but is not limited to, fire , police, law enforcement, emergency medical services, public health, and emergency management agencies (career and volunteer) whose employees or members may be required to participate in radio communications and/or dispatch during an emergency event.
4. Issue or Issuance or Issued – refers to the act of the equipment becoming available to the Stakeholder(s) through official distribution by the NYC ICC.
5. Reissue or Reissuance – refers to the act of the NYC ICC retaking ownership of the Equipment and transferring such Equipment to another entity.

## III. Governance Structure and Activities

The NYC ICC is co-chaired by the NYC Office of Emergency Management (OEM) and the NYC Department of Information Technology and Telecommunications (DoITT). The co-chairs will serve as Project Managers during the grant performance period. Their responsibilities will include administering this Agreement between Stakeholder agencies; centralizing procurement activities; forming an implementation team comprising one primary and one secondary point of contact from each Stakeholder agency. The implementation team with project management oversight will develop generalized gateway and radio cache standard operating procedures as part of the Interoperable Emergency Communications Grant Program; and will assist in the development, testing and evaluation processes for the gateway and radio cache assets in pre-planned events that routinely include regional public works, public and private health care and state and federal officials.

**IV. General Terms and Conditions**

The Stakeholders acknowledge that the equipment issued under the terms and conditions of this Agreement is not intended to provide all the Equipment appropriate and necessary for the Stakeholder’s emergency response operations and that the equipment issued is intended to enhance the interoperable communications capability of the New York City Urban Area with respect to voice signals.

The Stakeholders acknowledge that each Stakeholder agency will be responsible for maintenance and calibration of the equipment issued to them respectively and it is not anticipated that replacement equipment or additional supplies will be distributed under this Agreement.

**V. Responsibilities, Equipment Utilization**

1. The Parties agree that the City of New York has provided procurement services for the Gateway and Radio Cache equipment, accessories and permitted ancillary services.
2. The City will transfer title and possession to the assets of the Gateway and Radio Cache to the Stakeholder Agencies once this Agreement has been executed.
3. The Stakeholders agree to provide site infrastructure to host the equipment; to routinely maintain the assets; to participate in pre-planned events that test the assets; to provide technical personnel for deployment activities within a reasonable timeframe; and each Stakeholder agency will internally seek to meet these initiatives in the post-performance period.
4. The project managers will coordinate equipment training programs for members of stakeholders’ staff, who will utilize and/or repair equipment in the usual course of their employment.
5. The Stakeholders agree that the equipment shall only be used in public safety situations where there is a need for interoperable communications.
6. The radios and ~~Gateway system covered by manufacturers’ warranties~~ which will be ~~transferred along with the equipment.~~ Stakeholders agree that any problems with performance of, or defects in, the equipment shall be raised with the relevant manufacturer and not with the City.

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**VI. Additional Responsibilities**

**Inventory Requirements**

All equipment, the cost of which was born by the DHS allocation for the PSIC Grant Program, once purchased and distributed to the Stakeholders, shall be deemed the property of the Stakeholders and shall be used as far as practicable by the Stakeholders for the purpose of carrying out the intent of this Agreement.

The Stakeholders shall maintain a complete inventory of all such ~~equipment and shall submit an annual accounting~~ of the inventory, and shall include, but not be limited to, the following information: quantity, make, model and serial number of an item to the NYC ICC Co-Chairs OEM/DoITT no later than the 1<sup>st</sup> day of December, each year, through the termination of this Agreement. Disposition of the inventoried property will be made in accordance with applicable provisions of environmental law, rules and regulations, and pursuant to the terms of the grant.

**Retention of Reports and Audits**

Stakeholders shall maintain ~~for 2 years copies of all inventory reports, training reports,~~ work reports, evaluation surveys and audits which reflect the services rendered hereunder and fiscal accountability of all monies appropriated and spent thereby, make copies thereof available and submit such copies to the NYC ICC Co-Chairs, DoITT and OEM upon request.

**Notices**

All notices and requests hereunder by either party shall be in writing and, except as otherwise specified in this Agreement, directed to the address of the parties as follows:

County of Suffolk  
Captain James Connell  
Suffolk County Police Department, Communications Section  
Fax #- 631-852-6418

New York City Interagency Communications Committee  
c/o NYC Office of Emergency Management  
165 Cadman Plaza East  
Brooklyn, NY 11201  
Attn: Henry Jackson

**VII. Confidentiality**

Any information obtained in the course of performing this Agreement which may be confidential pursuant to federal, state or local law, shall be kept confidential and shall not be disclosed except as permitted by applicable law and with the written consent of the

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NYC ICC and/or the written consent of the Stakeholder that is disclosing confidential information or any other required and necessary entity.

All of the reports, information or data, furnished or prepared, assembled or used by the Stakeholders under this Agreement are to be held confidential, and prior to publication, the Stakeholders agree that the same shall not be made available to any individual organization without the prior written approval of the NYC ICC and/or any other required and necessary entity.

Any stakeholder that wishes to enter into a non disclosure agreement to protect confidential information that is shared by the stakeholders and/or the NYC ICC in furtherance of this MOU, shall submit a written request for said agreement to the appropriate parties.

(Any information that is provided to Stakeholder in order to implement this plan (PA facility drawings or operating procedures that are confidential – may be subject to a NDA).

### **VIII. Representations and Warranties**

Each party represents and warrants to the other that it has the full right and authority to enter into and perform this Agreement and is not a party to any agreement or understanding in conflict with this Agreement.

### **IX. Liability**

~~Stakeholders shall be responsible for the acts and omissions of their own agencies, officers, employees and agents in the implementation of this Agreement. The Stakeholders shall not assert any claim, commence any litigation or seek any recovery from any Stakeholder to this Agreement arising from such acts and omissions of each such Stakeholder's own agencies, officers, employees or agents.~~ Nothing herein shall be deemed to affect any defense, immunity or other benefit provided by the Laws of the State of New York, or to create any liability that does not exist under current law. The foregoing provision shall be included in any agreements or standard operating procedures adopted pursuant to this Agreement.

### **X. Indemnification**

~~Stakeholders shall indemnify, defend, and hold harmless the City of New York and their respective officers, employees, and agents from any and all claims, judgments or liabilities to which they may be subject because of any act or omission of Stakeholder, its employees, agents or representatives in connection with this Agreement, or because of any negligence or any fault or default of the Stakeholder, its employees, agents and representatives, provided, however, that nothing in this Section shall impose any liability on the Stakeholder for the acts, negligence or fault of the City or its respective officers,~~

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employees and agents or the acts of any other Stakeholder. This obligation shall survive and continue beyond any termination or expiration of this Agreement.

**XI. Governing Law**

This Agreement shall be construed in accordance with the substantive laws of the State of New York. By execution of this Agreement, the parties consent to submit to the personal jurisdiction of the courts of the State of New York, New York County and the federal courts located within the City of New York.

**XII. Term of Agreement**

This Agreement shall remain in effect through the useful life of the equipment or the actual life of the equipment, whichever ends first.

**XIII. Attachments**

Schedule A – List of Stakeholders and Equipment Assigned to it.

**XIV. Reservation of Rights**

The City reserves the right to require return of the equipment from the Stakeholders for breach of the Agreement or if the equipment is not being used properly, is being misused or is unused by the Stakeholder. If the City exercises this right, the Stakeholder agrees it shall undertake whatever actions are reasonably requested by the City to transfer the equipment and title to the equipment back to the City for reissuance.

IN WITNESS WHEREOF, the undersigned, as authorized representative of the Stakeholder has duly executed ONE (1) copy of this Agreement, consisting of pages (including the signatory pages) as of the day and year written beside my signature.

**Approved as to Legality:**  
**Christine Malafi, County Attorney**

By: \_\_\_\_\_  
Name  
Assistant County Attorney  
Date: \_\_\_\_\_

**Approved:**  
**Suffolk County Department of Fire, Rescue  
and Emergency Services**

By: \_\_\_\_\_  
Name: Joseph F. Williams  
Title: Commissioner  
Date: \_\_\_\_\_

**County of Suffolk**

By: \_\_\_\_\_  
Name:  
Title: Deputy County Executive  
Date: \_\_\_\_\_

**Approved:**  
**Suffolk County Police Department**

By: \_\_\_\_\_  
Name: Richard Dorner  
Title: Commissioner  
Date: \_\_\_\_\_



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Intro. Reso. No -2010

Laid on the Table

4/27/10

Introduced by the Presiding Officer on behalf of the County Executive

**RESOLUTION NO. -2010, APPROVING THE APPOINTMENT OF A RELATIVE OF AN ACTING COUNTY COURT JUDGE IN THE SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS (BRIAN A. CROWLEY)**

**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**, Brian A. Crowley, son of Acting County Court Judge Kevin J. Crowley, has been offered employment in the Department of Public Works as a Custodial Worker I; now therefore be it

**1<sup>st</sup> RESOLVED**, that the appointment of Brian A. Crowley as a Custodial Worker I for the Department of Public Works is hereby approved pursuant to §A6-3(E) of the SUFFOLK COUNTY ADMINISTRATIVE CODE; and be it further

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

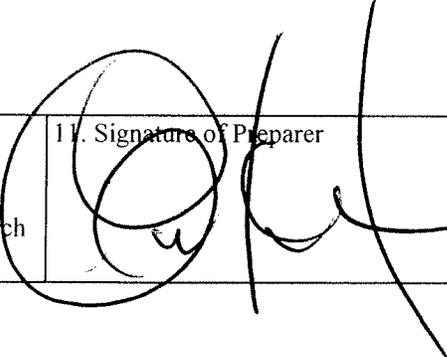
Dated:

APPROVED BY:

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

Date:

STATEMENT OF FINANCIAL IMPACT 1441  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>RESOLUTION NO.   -2010, APPROVING THE APPOINTMENT OF A RELATIVE OF AN ACTING COUNTY COURT JUDGE IN THE SUFFOLK COUNTY LEGISLATURE (BRIAN A. CROWLEY)</b>		
3. Purpose of Proposed Legislation		
SAME AS ABOVE –		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes</b> <u>  X  </u> <b>No</b>		
5. If the answer to item 4 is "yes", on what will it impact?   (circle appropriate category)		
<b>County</b>	<b>Town</b>	<b>Economic Impact</b>
<b>Village</b>	<b>School District</b>	<b>Other (Specify):</b>
<b>Library District</b>	<b>Fire District</b>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact:		
N/A - Funding exists within the Adopted 2010 Operating Budget – Starting salary in the range of \$26,000 per year plus benefits.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A – Will be noted in future budget requests - Annual Salary for 2010 is in the range of \$26,000 per year plus benefits. Salary will increase base on terms of the salary plan and any future contractual agreement.		
8. Proposed Source of Funding		
Adopted Operating Budget		
9. Timing of Impact		
UPON APPROVAL		
10. Typed Name & Title of Preparer	11. Signature of Preparer	
Allen M. Kovesdy Director of Management and Research		April 12, 2010

SCIN FORM 175b (10/95)

1441

FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$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.

Intro. Reso. No. 1442-10

Laid on Table 4/27/10

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2010, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF \$5,000 FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE, OFFICE OF INSPECTOR GENERAL, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE U.S. DEPARTMENT OF AGRICULTURE'S SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) AND WELFARE FRAUD INVESTIGATION WITH 83.36% SUPPORT.**

**WHEREAS**, the United States Department of Agriculture, Office of Inspector General, has made \$5,000 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in the U.S. Department of Agriculture's Supplemental Nutrition Assistance Program (SNAP) and welfare fraud investigation; and

**WHEREAS**, said project involves participation with the Department of Agriculture in an operation involving the enforcement and investigation of Supplemental Nutrition Assistance Program (SNAP) and Welfare Fraud; and

**WHEREAS**, the operational period of the project is from October 1, 2009 through September 8, 2010; and

**WHEREAS**, said reimbursement funds have not been included in the 2010 Suffolk County Operating Budget; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said reimbursement funding as follows:

<b>REVENUE:</b>	<u><b>Amount</b></u>
001-4380-Federal Aid: SNAP FY10 PR40	\$5,000

**ORGANIZATIONS:**

**Police Department (POL)  
SNAP FY10 PR40  
001-POL-3641**

<u><b>1000-Personal Services</b></u>	<u><b>\$5,000</b></u>
1120-Overtime Salaries	5,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the non-reimbursable fringe benefits of approximately \$998 associated with the overtime salaries for this program are included in the 2010 Suffolk County Operating Budget; and be it further

1.

**3<sup>rd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute reimbursement-related agreements between Suffolk County and the U.S. Department of Agriculture, Office of Inspector General.

**DATED:**

**APPROVED BY:**

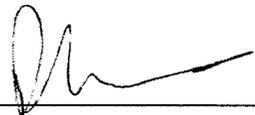
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**County Executive of Suffolk County**

**Date of Approval:**

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1442

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>ACCEPTING AND APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF \$5,000 FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE, OFFICE OF INSPECTOR GENERAL, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE U.S. DEPARTMENT OF AGRICULTURE'S SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) AND WELFARE FRAUD INVESTIGATION WITH 83.36% SUPPORT.</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes <u>XX</u> No</b>		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
<input checked="" type="radio"/> <b>County</b>	<input type="radio"/> <b>Town</b>	<input type="radio"/> <b>Economic Impact</b>
<input type="radio"/> <b>Village</b>	<input type="radio"/> <b>School District</b>	<input type="radio"/> <b>Other (Specify):</b>
<input type="radio"/> <b>Library District</b>	<input type="radio"/> <b>Fire District</b>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
No impact. The resolution provides \$5,000 in grant funds.		
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 8, 2010.		
8. Proposed Source of Funding		
United States Department of Agriculture		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst		4-14-10

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1442

**GENERAL FUND**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**COMBINED**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 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.

COUNTY OF SUFFOLK



MAR 26 2010

1442

STEVE LEVY  
COUNTY EXECUTIVE

RICHARD DORMER  
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

**TO:** Ken Crannell, Deputy County Executive  
Suffolk County Executive's Office

**FROM:** Edward Webber, Chief of Support Services *W*  
Suffolk County Police Department

**DATE:** March 25, 2010

**SUBJECT:** Resolution Packets & SCIN Forms for  
The United States Department of Agriculture Supplemental Nutrition  
Assistance Program and Welfare Fraud Investigation,  
SNAP FY10 PR40 Reimbursement Program

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Attached please find two copies of the following for the SNAP FY10 PR40 Reimbursement Program:

1. Draft Resolution.
2. SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the Cost Reimbursement Agreement between the U.S. Department of Agriculture, Office of Inspector General and the Suffolk County Police Department.

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  
Christopher Kent, Chief Deputy County Executive



**ACCREDITED LAW ENFORCEMENT AGENCY**

[www.joinscpd.com](http://www.joinscpd.com)

30 YAPHANK AVENUE, YAPHANK, NEW YORK 11980 – (631) 852-6000



**UNITED STATES DEPARTMENT OF AGRICULTURE  
OFFICE OF INSPECTOR GENERAL**

1442

**COST REIMBURSEMENT AGREEMENT**

This Agreement is made between the United States Department of Agriculture, Office of Inspector General (OIG) and the Suffolk County Police Department, (tax identification number 11-6000464).

WHEREAS, OIG and the Suffolk County Police Department are conducting an investigation into Supplemental Nutrition Assistance Program (SNAP) fraud that began in 2008 and the investigation is continuing and ongoing. The parties agree to the following:

1. To conduct and participate in joint law enforcement operations and to:
  - a. Cooperate in a comprehensive law enforcement effort to identify and locate individuals and businesses involved in SNAP fraud and related violations of law throughout Suffolk County in the State of New York in violation of State and Federal laws including, but not limited to:

7 U.S.C. § 2024 (SNAP Fraud); and  
New York State Penal Law § 158 (Welfare Fraud).
  - b. Conduct appropriate law enforcement operations and engage in traditional methods of investigation to effectuate prosecutions before the courts of the United States and/or the State of New York.
  - c. Gather intelligence relating to SNAP fraud, dealing in proceeds of unlawful activity, and related violations of law.
2. To accomplish the objectives of the joint law enforcement operations outlined above, the Suffolk County Police Department agrees to assign experienced officers to the joint activities, as requested by the OIG, Northeast Region, Special Agent-in-Charge (SAC).
3. To accomplish the objectives of the joint law enforcement operations outlined above, OIG agrees to participate with the Suffolk County Police Department to coordinate resources as needed to assist in meeting the goals of the joint task force effort. Permissible expenses reimbursable under this Agreement are for overtime costs relating to Suffolk County Police Department officers. With respect to approved funding for this joint law enforcement operation, OIG will obligate in its financial management system an amount equal to the total authorized funding under this Agreement for the joint operation, as specified below in paragraphs four through eight.
4. Subject to the availability of funds from the Department of Justice Assets Forfeiture Fund, OIG will administer the funds to Suffolk County Police Department for reimbursement of

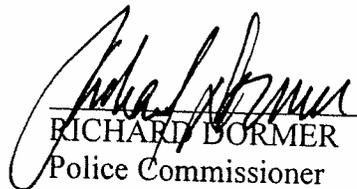
1442

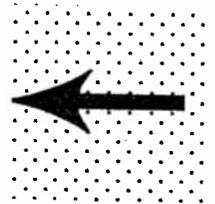
overtime relating to Suffolk County officers incurred while engaged in the joint law enforcement operations under this Agreement.

5. The Suffolk County Police Department will submit a reimbursement request to the Northeast Region OIG office, covering incurred costs to OIG for disbursement of funds for overtime relating to Suffolk County Police officers. The reimbursement request must include the following information: FMMI Code: 105410R2200706RADOJAJR70650; and Purchase Requisition No.: 0010000040. Upon receipt, the Northeast Region SAC will review the reimbursement request to ensure that the request contains only costs that may be lawfully reimbursed based upon the standards and criteria enunciated in 28 U.S.C. § 524(c)(1)(I). After the SAC has reviewed the reimbursement request and concluded that the costs submitted are in accordance with 28 U.S.C. § 524(c)(1)(I), the SAC will send the request to OIG's Investigations Business Operations Division (IBOD). IBOD will perform an initial review of the reimbursement request and then forward the request to OIG's Financial Management Division (FMD). FMD will complete a final review of the reimbursement request and process the request for payment as appropriate. The maximum total amount for authorized reimbursement pursuant to this Agreement is five thousand dollars (\$5,000).
6. During the period of the joint law enforcement operations outlined above, the Suffolk County Police Department will remain responsible for the payment of costs incurred by Suffolk County Police personnel.
7. More than one law enforcement agency may be involved in the joint law enforcement operation as outlined above. OIG will reimburse funds for expenses incurred in the conduct of the joint law enforcement operation as outlined above only to the entity identified in this Agreement. If more than one State or local law enforcement agency is participating in the joint law enforcement operation, separate reimbursable agreements must be entered into with each law enforcement agency in order to reimburse costs as approved by the Department of Justice Assets Forfeiture Fund.
8. In no event will the Suffolk County Police Department charge any indirect costs to OIG for the administration or implementation of this Agreement.
9. The Suffolk County Police Department shall maintain, on a current basis, complete and accurate records and accounts of all obligations and expenditures of funds under this Agreement, in accordance with generally accepted accounting principles and instructions provided by OIG to facilitate onsite auditing and inspection of such records and accounts.
10. The Suffolk County Police Department shall permit and have readily available for examination and auditing by OIG, the United States Department of Justice, the Comptroller General of the United States, and any of their duly authorized agents and representatives, any and all records, documents, accounts, invoices, receipts, and expenditures relating to this Agreement. The Suffolk County Police Department shall maintain all such reports and records until all audits and examinations are completed and resolved, or for a period of three (3) years after termination of this Agreement, whichever is later.

11. The Suffolk County Police Department shall comply with Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d et seq., and all requirements imposed by applicable regulations.
12. All overtime payments from all federally-provided sources for each individual State or local officer participating in the joint law enforcement operation with the Federal Government shall not exceed 25 percent yearly base pay of a GS-12, Step 1, taken from the general pay scale at the beginning of each Federal Government fiscal year, without any locality pay or other adjustments during the fiscal year.
13. All costs must be incurred by September 8, 2010. All requests for payment and supporting documentation must be submitted to OIG no later than September 15, 2010. Billings for all outstanding expenditures must be received by OIG within sixty (60) days of the termination date for the joint law enforcement operation, but no later than October 15, 2010. OIG will only be responsible for the disbursement of funds for authorized overtime relating to Suffolk County Police Department officers as specified by and during the term of this Agreement.
14. This Agreement may be terminated by either party with thirty (30) days advance written notice. Any amendments to this Agreement must be in writing and signed by both parties.

  
KAREN L. ELLIS      1-7-10  
Assistant Inspector General      Date  
for Investigations

  
RICHARD DORMER      01/21/10  
Police Commissioner      Date



1442

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

1. Type of Legislation

Resolution  X                       Local Law                           Charter Law    

2. Title of Proposed Resolution

Accepting & appropriating Federal funding in the amount of \$5,000 from the United States Department of Agriculture, Office of Inspector General, for the Suffolk County Police Department's participation in the U.S. Department of Agriculture's Supplemental Nutrition Assistance Program (SNAP) and welfare fraud investigation with 83.36% support.

3. Purpose of Proposed Legislation

To accept \$5,000.00 from the United States Department of Agriculture, Office of Inspector General, as reimbursement for the SCPD's participation in the U.S. Department of Agriculture's investigation of Supplemental Nutrition Assistance Program (SNAP) and welfare fraud.

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

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

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

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:

The County will incur approximately \$998 in fringe benefits costs on overtime as these costs are not allowed under this funding program, but in exchange the County will receive \$5,000 which will allow the Suffolk County Police Department to work with the U.S. Department of Agriculture in the investigation of Supplemental Nutrition Assistance Program (SNAP) and welfare fraud.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:

None

8. Proposed Source of Funding

The United States Department of Agriculture, Office of Inspector General

9. Timing of Impact

Immediate

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

Susan C. Krause  
Grants Technician



3/25/10

**Additional back-up material regarding IR 1442 is on file in  
The Legislative Clerk's Office, Hauppauge.**

Introduced by the Presiding Officer at Request of the County Executive

**RESOLUTION NO. -2010, AUTHORIZING THE FILING OF A  
GRANT APPLICATION FOR FEDERAL FISCAL YEAR 2009  
SECTION 5307 FORMULA FUNDS FOR MASS  
TRANSPORTATION PROJECTS FOR SUFFOLK COUNTY  
TRANSIT**

**WHEREAS**, the Administrator of the Federal Transit Administration (FTA) has been delegated authority to award financial capital assistance for mass transportation projects; and

**WHEREAS**, in Federal Fiscal Year 2009 Suffolk County was allocated \$7,091,729 in capital assistance funds under Section 5307 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU); and

**WHEREAS**, the County of Suffolk is a Designated Recipient of Federal formula funds for mass transportation capital projects as defined by 49 U.S.C. Section 5307(a)(2); and

**WHEREAS**, the grant contracts for Federal and State financial assistance will impose certain obligations upon the County, and will require the County to commit resources necessary to cover the entire grant with the understanding that reimbursement at the ratio of 80% Federal funds and 20% non-federal funds will be made and that the State share will be used to fund up to 50% of the non-federal share of federally funded projects, but not to exceed 10% of federally funded projects costs and that the County will provide the remaining 10% local share of project costs; and

**WHEREAS**, the County will provide all annual certifications and assurances required for the project to the Federal Transit Administration; and

**WHEREAS**, it is required by the U.S. Department of Transportation, in accord with the provision of Title VI of the Civil Rights Act of 1964, as amended, that the County give an assurance that it will comply with the Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements there under; now, therefore, be it

<sup>1st</sup> **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive 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

<sup>2nd</sup> **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to file and execute an application for Federal assistance on behalf of the County of Suffolk with the Federal Transit Administration for Federal assistance authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration; and be it further

3<sup>rd</sup> **RESOLVED**, that the County proposes to utilize allocated Federal Fiscal Year 2009 funds to aid in the financing of capital mass transportation projects pursuant to Section 5307 of the Federal Transit Act, a Program of Projects and Budget being described as follows:

<u>Related Capital Program Number</u>	<u>Program of Projects</u>	<u>Estimated Total Cost</u>
5658	Purchase of Replacement Dual Mode Transit Buses (including related equipment)	\$6,000,000
5658	Purchase Replacement Paratransit Vans (including related equipment)	\$300,000
5658	Purchase New Service Paratransit Vans (including related equipment)	\$200,000
5651	Purchase and Install Bus Passenger Shelters	\$200,000
5648	Acquire Vehicle Locator System	\$500,000
--	Contingencies	\$214,661
--	Project Administration	\$300,000
--	Preventive Maintenance	\$900,000
--	Complimentary Service ADA	\$250,000
	<b>Total Estimated Cost of the Program of Projects</b>	<b>\$8,864,661</b>
	Estimated Federal Share: 80%	\$7,091,729
	Estimated State Share: 10%	\$886,466
	Estimated County Share: 10%	\$886,466

and be it further

4<sup>th</sup> **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964; and to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for the Program of Projects and Budget; and be it further

5<sup>th</sup> **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to execute grant agreements on behalf of the County of Suffolk with the U.S. Department of Transportation and the New York State Department of Transportation for aid in the financing of the capital assistance Program of Projects and Budget herein described.

DATED:

APPROVED BY:

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

Date of Approval:

1443

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2010, AUTHORIZING THE FILING OF A GRANT APPLICATION FOR FEDERAL FISCAL YEAR 2009 SECTION 5307 FORMULA FUNDS FOR MASS TRANSPORTATION PROJECTS FOR SUFFOLK COUNTY TRANSIT		
3. Purpose of Proposed Legislation		
Permits the County to apply for a grant for federal funds for various mass transportation projects for Suffolk County Transit.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No _____		
5. If the Answer to Item 4 is "yes", on what will it impact? (Circle the appropriate category)		
<input checked="" type="checkbox"/> County	<input type="checkbox"/> Town	<input type="checkbox"/> Economic Impact
<input type="checkbox"/> Village	<input type="checkbox"/> School District	<input type="checkbox"/> Other (specify):
<input type="checkbox"/> Library District	<input type="checkbox"/> Fire District	
6. If the Answer to Item 5 is "yes", Provide Detailed Explanation of Impact.		
County will contribute 10% share of cost of the projects.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision		
\$886,466		
8. Proposed Source of Funding		
Federal: \$7,091,729; State: \$886,466; County: \$886,466		
9. Timing of Impact		
CFY 2011		
10. Typed Name and Title of Preparer	11. Signature of Preparer	12. Date
Robert W. Shinnick, Director Transportation Operations		4/11/10
DEBRA Kolyer Principal Financial Analyst Budget Office		4/13/10

FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1443

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.

ML 523

APR 07 2010

COUNTY OF SUFFOLK

1443



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 Grannell, Deputy County Executive

FROM: *Thomas LaGuardia*  
Thomas LaGuardia, P.E., Chief Deputy Commissioner  
Department of Public Works

DATE: April 2, 2010

RE: CP 5658—Public Transit Vehicles  
Proposed resolution authorizing the filing of an application for Federal Fiscal Year 2009 Section 5307 formula funds for various mass transportation projects for Suffolk County Transit

Suffolk County has been allocated \$7,091,729 in federal Section 5307 formula funds for mass transportation capital assistance in FFY 2009. The proposed resolution will permit the County to apply for a grant for these federal funds and matching NYS funds for various mass transportation projects, mainly to: purchase hybrid diesel-electric transit buses, paratransit vans for SCAT, bus shelters, supplement funding for the purchase and installation of the Automated Vehicle Locator (AVL) system as well as funds for preventive maintenance of SCT transit buses and paratransit vans and funds for the ADA complimentary service for Suffolk County Transit.

The total cost of all projects in the application translates to \$8,864,661 with the federal, state and county shares being 80%, 10% and 10%, respectively, of the total project costs

The SCIN Forms 175a and Statement of Financial Impact Form are attached.

This proposed resolution, with backup, will be forwarded electronically titled: "RESO-DPW-Applic for FFY 2009 FTA Section 5307 Grant"

Please initiate the process to have this resolution introduced at the meeting of the Suffolk County Legislature on April 27, 2010. If you have any questions, please do not hesitate to contact Robert W. Shinnick, Director of Transportation Operations, at 24880, or Chuck Nauss, Principal Transportation Planner at 24869.

TL:RWS:cfm  
Enclosures

cc: Ed Dumas, 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

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Intro. Reso. No. 1444-10

Laid on Table 4/27/10

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2010, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF \$16,903.00 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE TACTICAL DIVERSION TASK FORCE FY10 WITH 83.37% SUPPORT.**

**WHEREAS**, the United States Department of Justice, Drug Enforcement Administration (DEA), has made \$16,903 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in the Tactical Diversion Task Force FY2010; and

**WHEREAS**, said project is part of a multi-agency task force designed to assist the DEA in investigations and enforcement of Federal, State, and Local Laws surrounding controlled substance pharmaceuticals; and

**WHEREAS**, the operational period of the Program is from February 16, 2010 through September 30, 2010; and

**WHEREAS**, said reimbursement funds have not been included in the 2010 Suffolk County Operating Budget; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said reimbursement funding as follows:

<b>REVENUE:</b>	<b><u>Amount</u></b>
001-4340-Federal Aid: Tactical Diversion Task Force FY10	\$16,903
 <b>ORGANIZATIONS:</b>	
<b>Police Department (POL)</b>	
<b>Tactical Diversion Task Force FY10</b>	
<b>001-POL-3639</b>	
<b><u>1000-Personal Services</u></b>	<b><u>\$16,903</u></b>
1120-Overtime Salaries	16,903

and be it further

**2<sup>nd</sup> RESOLVED**, that the non-reimbursable fringe benefits of approximately \$3,372 associated with the overtime salaries for this program are included in the 2010 Suffolk County Operating Budget; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute reimbursement-related agreements between Suffolk County and the U.S. Department of Justice, Drug Enforcement Administration.

**DATED:**

**APPROVED BY:**

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

**Date of Approval:**

COUNTY OF SUFFOLK



1444

MAR 26 2010

STEVE LEVY  
COUNTY EXECUTIVE

RICHARD DORMER  
POLICE COMMISSIONER

POLICE DEPARTMENT

MEMORANDUM

**TO:** Ken Crannell, Deputy County Executive  
Suffolk County Executive's Office

**FROM:** Edward Webber, Chief of Support Services  
Suffolk County Police Department *EW*

**DATE:** March 24, 2010

**SUBJECT:** Resolution Packets & SCIN Forms for  
The Tactical Diversion Task Force FY10 Reimbursement Program

---

Attached please find two copies of the following for the United States Department of Justice, Drug Enforcement Administration sponsored **Tactical Diversion Task Force FY10** program:

1. Draft Resolution.
2. SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the of the Agreement between the United States Department of Justice, Drug Enforcement Administration and the Suffolk County Police Department.

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  
Christopher Kent, Chief Deputy County Executive



**ACCREDITED LAW ENFORCEMENT AGENCY**

www.joinscpd.com

30 YAPHANK AVENUE, YAPHANK, NEW YORK 11980 – (631) 852-6000



STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1444

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>ACCEPTING AND APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF \$16,903 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE TACTICAL DIVERSION TASK FORCE FY10 WITH 83.37% SUPPORT.</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes <u>XX</u> No</b>		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
<input checked="" type="radio"/> <b>County</b>	<input type="radio"/> <b>Town</b>	<input type="radio"/> <b>Economic Impact</b>
<input type="radio"/> <b>Village</b>	<input type="radio"/> <b>School District</b>	<input type="radio"/> <b>Other (Specify):</b>
<input type="radio"/> <b>Library District</b>	<input type="radio"/> <b>Fire District</b>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
No impact. The resolution provides \$16,903 in grant funds.		
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 February 16, 2010 and September 30, 2010.		
8. Proposed Source of Funding		
United States Department of Justice		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst		4-14-10

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1444

**GENERAL FUND**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**COMBINED**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 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.

1444

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

1. Type of Legislation

Resolution  X                       Local Law                           Charter Law    

2. Title of Proposed Resolution

Accepting & appropriating Federal funding in the amount of \$16,903.00 from the United States Department of Justice, Drug Enforcement Administration, for the Suffolk County Police Department's participation in the Tactical Diversion Task Force FY10 with 83.37% support.

3. Purpose of Proposed Legislation

To accept \$16,903 from the United States Department of Justice, Drug Enforcement Administration, for the Suffolk County Police Department's participation in the Tactical Diversion Task Force FY10, targeting illegal activities surrounding controlled substance pharmaceuticals.

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

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

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

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:

The County will incur approximately \$3,372 in fringe benefits on overtime as these costs are not allowed under this funding program, but in exchange the County will receive \$16,903 to be used to participate in joint operations designed to enforce and investigate illegal activities surrounding controlled substance pharmaceuticals.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:

None

8. Proposed Source of Funding

The United States Department of Justice, Drug Enforcement Administration

9. Timing of Impact

Immediate

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

Susan C. Krause  
Grants Technician



3/24/2010

1444

**DRUG ENFORCEMENT ADMINISTRATION - NEW YORK FIELD  
DIVISION AND SUFFOLK COUNTY POLICE DEPARTMENT**

**TACTICAL DIVERSION TASK FORCE AGREEMENT**

This agreement is made this 16th day of February, 2010, between the United States Department of Justice, Drug Enforcement Administration (hereinafter "DEA"), and the Suffolk County Police Department (hereinafter "Suffolk County P.D.").

WHEREAS there is evidence that trafficking in controlled substance pharmaceuticals and/or listed chemicals exists in the area and that such illegal activity has a substantial and detrimental effect on the health and general welfare of the people of New York, the parties hereto agree to the following:

1. The New York Field Division Tactical Diversion Task Force ("the Task Force") will perform the activities and duties described below:
  - a. Investigate, disrupt and dismantle individuals and/or organizations involved in diversion schemes (e.g., "doctor shopping", prescription forgery, and prevalent retail-level violators) of controlled pharmaceuticals and/or listed chemicals in the New York area;
  - b. Investigate, gather and report intelligence data relating to trafficking of controlled pharmaceuticals and/or listed chemicals; and
  - c. Conduct undercover operations where appropriate and engage in other traditional methods of investigation in order that the Task Force's activities will result in effective prosecution before the courts of the United States and the State of New York.
2. To accomplish the objectives of the Task Force, the Suffolk County P.D. agrees to detail one (1) experienced officer to the Task Force for a period of not less than two years. During this period of assignment, the Suffolk County P.D. officer will be under the direct supervision and control of a DEA Supervisory Special Agent assigned to the Task Force.
3. The Suffolk County P.D. officer assigned to the Task Force shall adhere to DEA policies and procedures. Failure to adhere to DEA policies and procedures shall be grounds for dismissal from the Task Force.
4. The Suffolk County P.D. officer assigned to the Task Force shall be deputized as a Task Force Officer of DEA pursuant to 21 U.S.C. § 878.
5. To accomplish the objectives of the Task Force, DEA will assign at least two (2) Special Agents to the Task Force. DEA will also, subject to the availability of annual Diversion Control Fee Account (DCFA) funds or any continuing resolution thereof, provide necessary funds, vehicles, and equipment to support the activities of the DEA Special Agents and Suffolk County P.D. officer assigned to the Task Force. This support will include: vehicles, office space, office supplies, travel funds, funds for the purchase of evidence and information, investigative

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equipment, training, and other support items, as available DCFA funds permit. Task Force officers must record their work hours via DEA's activity reporting system.

6. During the period of assignment to the Task Force, the Suffolk County P.D. will be responsible for establishing the salary and benefits, including overtime, of the officers assigned to the Task Force, and for making all payments due them. DEA will, subject to the availability of funds, reimburse the Suffolk County P.D. for overtime payments made by it to Suffolk County P.D. officers assigned to the Task Force for overtime, up to a sum equivalent to 25 percent of the salary of a GS-12, step 1, (RUS) Federal employee (approximately \$16,903.25), per officer.

7. In no event will the Suffolk County P.D. charge any indirect cost rate to DEA for the administration or implementation of this agreement.

8. The Suffolk County P.D. shall maintain on a current basis complete and accurate records and accounts of all obligations and expenditures of funds under this agreement in accordance with generally accepted accounting principles and instructions provided by DEA to facilitate on-site inspection and auditing of such records and accounts.

9. The Suffolk County P.D. shall permit and have readily available for examination and auditing by DEA, the United States Department of Justice, the Comptroller General of the United States, and any of their duly authorized agents and representatives, any and all records, documents, accounts, invoices, receipts or expenditures relating to this agreement. The Suffolk County P.D. shall maintain all such reports and records until all audits and examinations are completed and resolved, or for a period of three (3) years after termination of this agreement, whichever is sooner.

10. The Suffolk County P.D. shall comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, as amended, and all requirements imposed by or pursuant to the regulations of the United States Department of Justice implementing those laws, 28 C.F.R. Part 42, Subparts C, F, G, H and I.

11. The Suffolk County P.D. agrees that an authorized officer or employee will execute and return to DEA the attached OJP Form 4061/6, Certification Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements. The Suffolk County P.D. acknowledges that this agreement will not take effect and no Federal funds will be awarded to the Suffolk County P.D. by DEA until the completed certification is received.

12. When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with Federal money, the Suffolk County P.D. shall clearly state: (1) the percentage of the total cost of the program or project which will be financed with Federal money and (2) the dollar amount of Federal funds for the project or program.

1444

13. The term of this agreement shall be from the date of signature by representatives of both parties until September 30, 2010. This agreement may be terminated by either party on thirty days' advance written notice. Billings for all outstanding obligations must be received by DEA within 90 days of the date of termination of this agreement. DEA will be responsible only for obligations incurred by the Suffolk County P.D. during the term of this agreement.

For the Drug Enforcement Administration:

  
\_\_\_\_\_  
John P. Gilbride  
Special Agent in Charge  
New York Field Division

Date: 2/16/10

For the Suffolk County Police Department:

\_\_\_\_\_  
Richard Dormer  
Commissioner  
Suffolk County Police Department

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

**Additional back-up material regarding IR 1444 is on file in  
The Legislative Clerk's Office, Hauppauge.**

Intro. Reso. No. **1445-10**  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table **4/27/10**

**RESOLUTION NO. -2010, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF \$16,903 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE SAFE STREETS TASK FORCE FY10 WITH 83.37% SUPPORT.**

**WHEREAS**, the United States Department of Justice, Federal Bureau of Investigation, has made \$16,903 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in the Safe Streets Task Force FY10; and

**WHEREAS**, said project is part of a multi-agency task force designed to assist the Federal Bureau of Investigation in investigations and enforcement of Federal, State, and Local Laws; and

**WHEREAS**, the operational period of the Program is from October 1, 2009 through September 30, 2010; and

**WHEREAS**, said reimbursement funds have not been included in the 2010 Suffolk County Operating Budget; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said reimbursement funding as follows:

<b>REVENUE:</b>	<b><u>Amount</u></b>
001-4344-Federal Aid: Safe Streets Task Force FY10	\$16,903
<b>ORGANIZATIONS:</b>	
	<b>Police Department (POL)</b>
	<b>Safe Streets Task Force FY10</b>
	<b>001-POL-3640</b>
<b><u>1000-Personal Services</u></b>	<b><u>\$16,903</u></b>
1120-Overtime Salaries	16,903

and be it further

**2<sup>nd</sup> RESOLVED**, that the non-reimbursable fringe benefits of approximately \$3,372 associated with the overtime salaries for this program are included in the 2010 Suffolk County Operating Budget; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute reimbursement-related agreements between Suffolk County and the U.S. Department of Justice, Federal Bureau of Investigation.

**DATED:**

**APPROVED BY:**

\_\_\_\_\_  
**County Executive of Suffolk County**  
**Date of Approval:**

COUNTY OF SUFFOLK

1445

MAR 26 2010



STEVE LEVY  
COUNTY EXECUTIVE

RICHARD DORMER  
POLICE COMMISSIONER

**POLICE DEPARTMENT**

**MEMORANDUM**

**TO:** Ken Crannell, Deputy County Executive  
Suffolk County Executive's Office

**FROM:** Edward Webber, Chief of Support Services *EW*  
Suffolk County Police Department

**DATE:** March 24, 2010

**SUBJECT:** Resolution Packets & SCIN Forms for  
The FBI sponsored Safe Streets Task Force FY10

---

Attached please find two copies of the following for the **Safe Streets Task Force FY10**:

1. Draft Resolution.
2. SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the Agreement between the FBI and the Suffolk County Police Department.

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  
Christopher Kent, Chief Deputy County Executive



**ACCREDITED LAW ENFORCEMENT AGENCY**

[www.joinscpd.com](http://www.joinscpd.com)

30 YAPHANK AVENUE, YAPHANK, NEW YORK 11980 – (631) 852-6000



1445

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>ACCEPTING AND APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF \$16,903 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN THE SAFE STREETS TASK FORCE FY10 WITH 83.37% SUPPORT.</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes <u>XX</u> No</b>		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
No impact. The resolution provides \$16,903 in grant funds.		
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		
United States Department of Justice		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst		4-14-10

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1445

**GENERAL FUND**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

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

**COMBINED**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 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.

1445

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

1. Type of Legislation

Resolution  X                       Local Law                           Charter Law    

2. Title of Proposed Resolution

Accepting & appropriating Federal funding in the amount of \$16,903 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the Safe Streets Task Force FY10 with 83.37% support.

3. Purpose of Proposed Legislation

To accept \$16,903 from the United States Department of Justice, Federal Bureau of Investigation, for the Suffolk County Police Department's participation in the Safe Streets Task Force FY10.

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

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

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

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:

The County will incur approximately \$3,372 in fringe benefits on overtime as these costs are not allowed under this funding program, but in exchange the County will receive \$16,903 to be used to participate in joint operations designed to investigate and identify organized crime groups, violent street gangs and fugitives.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:

None

8. Proposed Source of Funding

The United States Department of Justice, Federal Bureau of Investigation

9. Timing of Impact  
Immediate

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

Susan C. Krause  
Grants Technician



3/24/10



1445  
U.S. Department of Justice

Federal Bureau of Investigation  
26 Federal Plaza  
New York, NY 10278

In Reply, Please Refer to  
File No.

November 13, 2009

Humayun J. Chaudhry  
Commissioner  
Suffolk County Police Department  
Riverhead County Center, Room N216  
300 Center Drive  
Riverhead, NY 11901

Dear Commissioner Chaudhry:

This letter is to advise you the maximum overtime reimbursement rate for the new fiscal year has changed. The new rate for fiscal year 2010 has been adjusted from \$1,360.72 to \$1,408.60 per Task Force Officer (TFO), per month. This new rate will be in effect from October 1, 2009 through September 30, 2010. Please adjust your overtime reimbursement requests accordingly.

Additionally, over the past several years, there have been several personnel changes at the New York Joint Terrorism Task Force (NYJTTF). The current NYJTTF Coordinator is Supervisory Special Agent (SSA) William J. Callaghan. Please adjust your records and address all correspondence, including the overtime reimbursement requests, to SSA Callaghan at the above address.

Thank you for your attention to these matters.

Sincerely,

Gregory Alan Fowler  
Special Agent-in-Charge

WJC:ly  
/cc: Zhayde Sinnott,  
SCPD Command 3420

1445

09-PO-052

**SAFE STREETS TASK FORCE (SSTF)  
MEMORANDUM OF UNDERSTANDING (MOU)**

**1) PARTIES**

This Memorandum of Understanding (MOU) is entered into by and between the Federal Bureau of Investigation (FBI); and the Suffolk County Police Department (SCPD).

**2) AUTHORITIES**

Authority for the FBI to enter into this agreement can be found at 28 U.S.C. § 533; 42 U.S.C. § 3771; and 28 C.F.R. § 0.85 and applicable United States Attorney General Guidelines.

**3) PURPOSE**

The purpose of this MOU is to delineate the responsibilities of SSTF participants, maximize inter-agency cooperation, and formalize relationships between the participating agencies for policy guidance, planning, training, public and media relations. This MOU is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law or otherwise by any third party against the parties, the United States, or the officers, employees, agents, or other associated personnel thereof.

**4) MISSION**

The mission of the SSTF is to identify and target for prosecution organized crime groups responsible for drug trafficking, money laundering, alien smuggling, crimes of violence (murder), robbery (aggravated assault), violent street gangs, as well as an intensified focus on the apprehension of dangerous fugitives. The SSTF will enhance the effectiveness of Federal/State/Local law enforcement resources through a well coordinated initiative seeking the most effective investigative/prosecutive avenues by which to convict and incarcerate dangerous offenders.

**5) SUPERVISION AND CONTROL**

**A. Supervision**

Overall supervision of the personnel on the SSTF shall be the shared responsibility of the participants.

The Special Agent in Charge (SAC) of the New York Division shall designate one Supervisory Special Agent (SSA) to have direct and daily responsibility for all personnel and investigative matters pertaining to the SSTF.

1  
FOR OFFICIAL USE ONLY

This document is the property of the FBI and is loaned to your agency.

Neither it nor its contents may be released without authorization by FBI Headquarters.

Responsibility for conduct, not under the direction of the SAC or SSA, of each SSTF member, both personally and professionally, shall remain with the respective agency head and each agency shall be responsible for the actions of their respective employees.

Each agency member who is a SSTF member will be subject to the personnel rules, regulations, laws, and policies applicable to those of their respective agencies. FBI participants will continue to adhere to the Bureau's ethical standards and will remain subject to the Supplemental Standards of Ethical Conduct for employees of the Department of Justice.

Each SSTF member will continue to report to his or her respective agency head for non-investigative administrative matters not detailed in this MOU.

Subject to other provisions in this document, continued membership on the SSTF will be based on performance and will be at the discretion of each member's respective supervisor.

**B. Case Assignments**

The FBI SSA with designated oversight for investigative and personnel matters will be responsible for opening, monitoring, directing, and closing SSTF investigations in accordance with existing FBI policy and the applicable United States Attorney General's Guidelines.

Assignments of cases to personnel will be based on, but not limited to, experience, training and performance, in addition to the discretion of the SSA with designated oversight for investigative and personnel matters.

For FBI administrative purposes, SSTF cases will be entered into the relevant FBI computer system.

SSTF members will have equal responsibility for each case assigned. SSTF personnel will be totally responsible for the complete investigation from predication to resolution.

**C. Resource Control**

Specific control of SSTF resources, including personnel, and the continual dedication of SSTF resources shall be retained by the participating agency heads, who will be kept fully apprised of all investigative developments by their respective subordinates.

**6) OPERATIONS**

**A. Investigative Exclusivity**

1445

It is agreed that matters designated to be handled by the SSTF will not knowingly be subject to non-SSTF law enforcement efforts by any of the participating agencies. It is incumbent on each agency to make proper internal notification regarding the SSTF'S existence and areas of concern.

It is agreed that there is to be no unilateral action taken on the part of the FBI or participating agencies relating to SSTF investigations or areas of concern. All law enforcement actions will be coordinated and cooperatively carried out.

## **B. Informants**

The disclosure of FBI informants to non-SSTF members will be limited to those situations where it is essential to the effective performance of the SSTF. These disclosures will be consistent with applicable FBI guidelines.

Non-FBI SSTF members may not make any further disclosure of the identity of an FBI informant, including to other members of the SSTF. No documents which identify, tend to identify, or may indirectly identify an FBI informant may be released without prior FBI approval.

In those instances where a participating agency provides an informant, the FBI may, at the discretion of the SAC, become solely responsible for the informant's continued development, operation, and for compliance with necessary administrative procedures regarding operation and payment as set forth by the FBI.

The United States Attorney General's guidelines and FBI policy and procedure for operating FBI informants and cooperating witnesses (CWs) shall apply to all FBI informants and CWs opened and operated in furtherance of SSTF investigations. Documentation of, and any payments made to, FBI informants and CWs shall be in accordance with FBI policy and procedure.

Operation, documentation, and payment of solely state, county, or local informants and CWs opened and operated by Non-FBI SSTF members in furtherance of SSTF investigations must be in accordance with the United States Attorney General's guidelines. Documentation of state, county, or local informants and CWs opened and operated in furtherance of SSTF investigations shall be maintained at an agreed to location.

## **C. Reports and Records**

All investigative reporting will be prepared in compliance with existing FBI policy. Subject to pertinent legal and/or policy restrictions, copies of pertinent documents created by each member of the SSTF will be made available for inclusion in the respective investigative agencies' files as appropriate.

SSTF reports prepared in cases assigned to state, county and local participants will be maintained at a FBI approved location; original documents will be maintained by the FBI.

Records and reports generated in SSTF cases which are opened and assigned by the FBI SSA with designated oversight for investigative and personnel matters will be maintained in the FBI investigative file for SSTF.

SSTF investigative records maintained at the New York office of the FBI will be available to all SSTF members, as well as their supervisory and command staff subject to pertinent legal, administrative and /or policy restrictions.

All evidence and original tape recordings (audio and video) acquired during the course of the SSTF investigations will be maintained by the FBI. The FBI 's rules and policies governing the submission, retrieval and chain of custody will be adhered to by SSTF personnel.

ALL SSTF investigative records will be maintained at an approved FBI location.

Placement of all or part of said information into participating agency files rests with the discretion of supervisory personnel of the concerned agencies.

Classified information and/or documents containing information that identifies or tends to identify an FBI informant shall not be placed in the files of participating agencies unless appropriate FBI policy has been satisfied.

**7) INFORMATION SHARING**

No information possessed by the FBI, to include information derived from informal communications by the Assignee with personnel of the FBI, may be disseminated by the Assignee to non SSTF personnel without the permission of the Assignee's designated FBI SSTF Supervisor and in accordance with the applicable laws and internal regulations, procedures or agreements between the FBI and the Participating Agencies that would permit the Participating Agencies to receive that information directly. Likewise, the Assignee will not provide any Participating Agency information to the FBI that is not otherwise available to it unless authorized by appropriate Participating Agency officials.

**8) PROSECUTIONS**

SSTF investigative procedure is to conform to the requirements for Federal Prosecution.

A determination will be made on a case-by-case basis whether the prosecution of SSTF cases will be at the State or Federal level. This determination will be based on the evidence obtained and a consideration of which level of prosecution would be of the greatest benefit to the overall objectives of the SSTF.

In the event that a state or local matter is developed that is outside the jurisdiction of the FBI or it is decided to prosecute a SSTF case at the state or local level, the FBI agrees to provide all relevant information to state and local authorities.

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11) **VEHICLES**

The FBI may authorize members of the SSTF to use vehicles owned or leased by the FBI when necessary in connection with SSTF surveillance, case management and investigations, and if available.

When authorized, participating agency personnel using FBI vehicles agree to operate the vehicles in accordance with all applicable FBI rules and regulations as outlined in the FBI Manual of Administrative Operations and Procedures (MAOP), Part I Section 3.1.

FBI vehicles, including Government-owned, rented, and leased vehicles, are to be used for official business only.

The participating agencies agree that FBI vehicles will not be used to transport passengers unrelated to SSTF business.

The responsibility for all other liability attributed to the participating agencies resulting from the use of SSTF vehicles by their employees, confidential informants, or by cooperating witnesses rests with the individual participating agency.

The participating agencies agree to be responsible for any damage incurred to SSTF vehicles caused by any act or omission on the part of their respective employees and participating agencies agree to assume financial responsibility for property damage to said vehicles.

A separate vehicle use agreement will be executed by the SSTF member.

12) **SALARY/OVERTIME COMPENSATION**

The overtime of SSTF members may be paid by the FBI in accordance with a separate Contract Reimbursement Agreement.

13) **PROPERTY AND EQUIPMENT**

Property utilized by the SSTF in connection with authorized investigations and/or operations and is the custody and control and used at the direction of the SSTF, will be maintained in accordance with the policies and procedures of the agency supplying the equipment.

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**14) FUNDING**

This MOU is not an obligation or commitment of funds, nor a basis for transfer of funds, but rather is a basic statement of the understanding between the parties hereto of the tasks and methods for performing the tasks described herein. Unless otherwise agreed in writing, each party shall bear its own costs in relation to this MOU. Expenditures by each party will be subject to its budgetary processes and to the availability of funds and resources pursuant to applicable laws, regulations, and policies. The parties expressly acknowledge that the above language in no way implies that Congress will appropriate funds for such expenditures.

**15) FORFEITURES**

The FBI shall be responsible for the processing of assets seized for federal forfeiture in conjunctions with SSTF operations.

Asset forfeitures will be conducted in accordance with Federal law, and the rules and regulations set forth by the FBI and Department of Justice (DOJ). Forfeitures attributable to SSTF investigations may be distributed among the agencies participating in the SSTF.

**16) DISPUTE RESOLUTION**

In cases of overlapping jurisdiction, the participating agencies agree to work in concert to achieve the SSTF's objectives.

The parties agree to attempt to resolve any disputes regarding jurisdiction, case assignments, workload, etc., at the field level first before referring the matter to supervisory personnel for resolution.

**17) MEDIA RELEASES**

All media releases and statements will be mutually agreed upon and jointly handled according to FBI and participating agency guidelines.

Press releases will conform to DOJ Guidelines regarding press releases. No release will be issued without FBI final approval.

**18) SECURITY CLEARANCES**

Thirty days prior to being assigned to the SSTF, each candidate will be required to furnish pages 1, 2, 3, 9 (certification only), and 10 of the "Questionnaire for Sensitive Positions" (SF-86). Sometime thereafter, a representative from the FBI will conduct an interview of each candidate.

If, for any reason, a candidate is not selected, the participating agency will be so advised and a request will be made for another candidate.

Upon being selected, each candidate will receive a comprehensive briefing

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on FBI field office security policy and procedures.

During the briefing, each candidate will execute a non-disclosure agreement (SF-312) and FD-868, as may be necessary or required by the FBI.

When FBI space becomes available, before receiving access, SSTF members will be required to undergo a full background investigation and receive and maintain a "Top Secret" security clearance. In addition, SSTF members will also be required to complete the "Questionnaire for Sensitive Positions" and the required fingerprint cards. In the interim, SSTF members will not be allowed unescorted access to FBI space.

Upon departure from the SSTF, each candidate will be given a security debriefing and reminded of the provisions contained in the non-disclosure agreement previously agreed to by the SSTF member.

19) **LIABILITY**

Unless specifically addressed by the terms of this MOU, the parties agree to be responsible for the negligent or wrongful acts or omissions of their respective employees. Legal representation by the United States is determined by DOJ on a case by case basis. The FBI cannot guarantee the United States will provide legal representation to any Federal, state or local law enforcement officer.

Congress has provided that the exclusive remedy for the negligent or wrongful act or omission of an employee of the United States government, acting within the scope of his employment, shall be an action against the United States under the Federal Tort Claims Act (FTCA), 28 U.S.C. § 1346(b), §§ 2671-2680.

For the limited purpose of defending claims arising out of SSTF activity, state or local law enforcement officers who have been specially deputized and who are acting within the course and scope of their official duties and assignments pursuant to this MOU, may be considered an "employee" of the United States government as defined in 28 U.S.C. § 2671. See 5 U.S.C. § 3374(c)(2).

Under the Federal Employees Liability Reform and Tort Compensation Act of 1988 (commonly known as the Westfall Act), 28 U.S.C. § 2679(b)(1) the Attorney General or her designee may certify that an individual defendant acted within the scope of his employment at the time of the incident-giving rise to the suit. *Id.*, 28 U.S.C. § 2679(d)(2). The United States can then be substituted for the employee as the sole defendant with respect to any tort claims. 28 U.S.C. § 2679(d)(2). If the United States is substituted as defendant, the individual employee is thereby protected from suits in his official capacity.

If the Attorney general declines to certify that an employee was acting within the scope of employment, "the employee may at any time before trial petition the court to find and certify that the employee was acting within the scope of this office or employment." 28 U.S.C. § 2679(d)(3).

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Liability for negligent or willful acts of SSTF employees, undertaken outside the terms of this MOU will be the sole responsibility of the respective employee and agency involved.

Liability for violations of federal constitutional law rests with the individual federal agent or officer pursuant to Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics, 403 U.S. 388 (1971) or pursuant to 42 U.S.C. § 1983 for state and local officers or cross-deputized federal officers.

Both state and federal officers enjoy qualified immunity from suit for constitutional torts "insofar as their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known. Harlow v. Fitzgerald, 457 U.S. 800 (1982).

SSTF officers may request representation by the U.S. Department of Justice for civil suits against them in their individual capacities for actions taken within the scope of employment. 28 C.F.R §§ 50.15, 50.16.

An employee may be provided representation "when the actions for which representation requested reasonably appear to have been performed within the scope of the employee's employment and the Attorney General or [her] designee determines that providing representation would otherwise be in the interest of the United States." 28 C.F.R. § 50.15(a).

A SSTF officer's written request for representation should be directed to the Attorney General and provided to the Chief Division Counsel (CDC) of the FBI division coordinating the SSTF. The CDC will then forward the representation request to the FBI's Office of the General Counsel (OGC) together with a Letterhead memorandum concerning the factual basis for the lawsuit. FBI/OGC will then forward the request to the Civil Division of DOJ together with an agency recommendation concerning scope of employment and Department representation. 28 C.F.R. § 50.15(a)(3).

If a SSTF officer is found to be liable for a constitutional tort, he/she may request indemnification from DOJ to satisfy an adverse judgment rendered against the employee in his/her individual capacity. 28 C.F.R. § 50.15(c)(4). The criteria for payment are substantially similar to those used to determine whether a federal employee is entitled to DOJ representation under 28 C.F.R. § 50.15(a).

20) **DURATION**

The term of this MOU is for the duration of the SSTF's operations, contingent upon approval of necessary funding, but may be terminated at any time upon written mutual consent of the agency involved.

Any participating agency may withdraw from the SSTF at any time by written notification to the SSA with designated oversight for investigative and personnel matters or program manager of the SSTF at least 30 days prior to withdrawal.

1445

09-PO-052

Upon termination of this MOU, all equipment provided to the SSTF will be returned to the supplying agency/agencies. In addition, when an entity withdraws from the MOU, the entity will return equipment to the supplying agency/agencies. Similarly, remaining agencies will return to a withdrawing agency any unexpended equipment supplied by the withdrawing agency during any SSTF participation.

**21) MODIFICATIONS**

This agreement may be modified at any time by written consent of all involved agencies.

Modifications to this MOU shall have no force and effect unless such modifications are reduced to writing and signed by an authorized representative of each participating agency.

*Richard Dormer* 10/6/09  
Suffolk County Police Department / Date  
Richard Dormer, Commissioner

*[Signature]* 11/3/2009  
Special Agent In Charge / Date

\_\_\_\_\_  
Contracting Officer / Date

Approved as to legality:

Christine Malafi,  
Suffolk County Attorney

By: *[Signature]* 6/5/09  
Samantha N. McEachern  
Assistant County Attorney

County of Suffolk

By: *Frederick Pollert* 7/6/09

Frederick Pollert  
DEPUTY COUNTY EXECUTIVE

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**Additional back-up material regarding IR 1445 is on file in  
The Legislative Clerk's Office, Hauppauge.**

Intro. Reso. No. **(446-10)**  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table **4/27/10**

**RESOLUTION NO. -2010, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF \$16,900 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES (OCDEF), FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN OCDEF OPERATIONS AND INVESTIGATIONS WITH 83.37% SUPPORT.**

**WHEREAS**, the United States Department of Justice, Organized Crime Drug Enforcement Task Forces (OCDEF), has made \$16,900 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in OCDEF operations and investigations; and

**WHEREAS**, said project is part of a multi-agency task force designed to assist OCDEF in investigations and enforcement of Federal, State, and Local Laws; and

**WHEREAS**, the operational period of the Program is from December 16, 2009 through September 30, 2010; and

**WHEREAS**, said reimbursement funds have not been included in the 2010 Suffolk County Operating Budget; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said reimbursement funding as follows:

<b>REVENUE:</b>	<u><b>Amount</b></u>
001-4393-Federal Aid: OCDEF Criminal Intel FY10	\$16,900
 <b>ORGANIZATIONS:</b>	
<b>Police Department (POL) OCDEF Criminal Intel FY10 001-POL-3632</b>	
<u><b>1000-Personal Services</b></u>	<u><b>\$16,900</b></u>
1120-Overtime Salaries	16,900

and be it further

**2<sup>nd</sup> RESOLVED**, that the non-reimbursable fringe benefits of approximately \$3,372 associated with the overtime salaries for this program are included in the 2010 Suffolk County Operating Budget; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute reimbursement-related agreements between Suffolk County and the U.S. Department of Justice, Organized Crime Drug Enforcement Task Forces.

**DATED:**

**APPROVED BY:**

\_\_\_\_\_  
**County Executive of Suffolk County**  
**Date of Approval:**

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1446

1. Type of Legislation		
Resolution <u>XX</u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
<b>ACCEPTING AND APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF \$16,900 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE (OCDETF), FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN OCDETF OPERATIONS AND INVESTIGATIONS WITH 83.37% SUPPORT.</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes <u>XX</u> No</b>		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
No impact. The resolution provides \$16,900 in grant funds.		
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 December 16, 2009 and September 30, 2010.		
8. Proposed Source of Funding		
United States Department of Justice		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Assistant Executive Analyst		4-14-10

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1446

**GENERAL FUND**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**COMBINED**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 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.

COUNTY OF SUFFOLK

MAR 26 2010



STEVE LEVY  
COUNTY EXECUTIVE

RICHARD DORMER  
POLICE COMMISSIONER

POLICE DEPARTMENT

1446

MEMORANDUM

**TO:** Ken Crannell, Deputy County Executive  
Suffolk County Executive's Office

**FROM:** Edward Webber, Chief of Support Services *EW*  
Suffolk County Police Department

**DATE:** March 24, 2010

**SUBJECT:** Resolution Packets & SCIN Forms for  
The Organized Crime Drug Enforcement Task Forces (OCDETF) Criminal  
Intelligence FY10 Reimbursement Program

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Attached please find two copies of the following for the **OCDETF Criminal Intelligence FY10** program:

1. Draft Resolution.
2. SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the Agreement between OCDETF and the Suffolk County Police Department.

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  
Christopher Kent, Chief Deputy County Executive



**ACCREDITED LAW ENFORCEMENT AGENCY**

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1446

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

1. Type of Legislation

Resolution  X                       Local Law                           Charter Law    

2. Title of Proposed Resolution

Accepting & appropriating Federal funding in the amount of \$16,900 from the United States Department of Justice, Organized Crime Drug Enforcement Task Forces (OCDETF), for the Suffolk County Police Department's participation in OCDETF operations and investigations with 83.37% support.

3. Purpose of Proposed Legislation

To accept \$16,900 from the United States Department of Justice, Organized Crime Drug Enforcement Task Forces (OCDETF), for the Suffolk County Police Department's participation in OCDETF operations and investigations.

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

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

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

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:

The County will incur approximately \$3,372 in fringe benefits on overtime as these costs are not allowed under this funding program, but in exchange the County will receive \$16,900 to be used to participate in joint operations designed to enforce and investigate OCDETF offenses.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:

None

8. Proposed Source of Funding

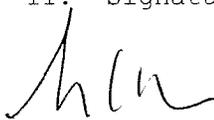
The United States Department of Justice, Organized Crime Drug Enforcement Task Forces

9. Timing of Impact

Immediate

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

Susan C. Krause  
Grants Technician



3/24/10

**Additional back-up material regarding IR 1446 is on file in  
The Legislative Clerk's Office, Hauppauge.**

Intro. Reso. No. 1447-10  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 4/27/10

**RESOLUTION NO. -2010 ACCEPTING AND APPROPRIATING \$7,794.00 IN SUB-GRANTED FUNDS FROM THE ECONOMIC OPPORTUNITY COUNCIL OF SUFFOLK, INC., FOR THE WYANDANCH WEED AND SEED PROGRAM SPONSORED BY THE U.S. DEPARTMENT OF JUSTICE WITH 83.2% SUPPORT.**

**WHEREAS**, the Economic Opportunity Council of Suffolk, Inc., as the designated Weed and Seed Coordinator for the Wyandanch Weed and Seed Program, has been awarded \$142,000.00 in grant funding by the United States Department of Justice; and

**WHEREAS**, the Program is designed to coordinate delivery of criminal justice services to eliminate violent crime, drug-trafficking, and drug-related crime, and to provide a safe environment for law abiding citizens to live, work and raise a family; and

**WHEREAS**, the project requires local law enforcement commitment as a sub-grantee for expanded law enforcement activities ("weeding") and prevention services ("seeding") in the target area; and

**WHEREAS**, the Department of Probation will receive \$7,794.00 under this grant for overtime to support surveillance and search operations of offenders potentially violating their conditions of probation; and

**WHEREAS**, the operational period of this Program will be from September 1, 2009 to August 31, 2010; and

**WHEREAS**, said sub-granted funds in the amount of \$7,794.00 for the Suffolk County Probation Department overtime expenses, have not been included in the 2010 Suffolk County Operating Budget; and

**WHEREAS**, an estimated \$1,578.00 in fringe benefits, associated with overtime, have been included in the Suffolk County 2010 Operating Budget; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said sub-grant funds as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
001- 4320 -Federal Aid: Crime Control	\$7,794.00

<u>APPROPRIATIONS</u>	<u>AMOUNT</u>
-----------------------	---------------

Suffolk County Probation Department  
Wyandanch Weed & Seed  
001-PRO-3155

1000 Personal Service  
1120-Overtime

\$7,794.00  
\$7,794.00

and be it further

**2<sup>nd</sup> RESOLVED**, County Executive be and hereby is authorized to execute the sub-grant agreement between Suffolk County and the Economic Opportunity Council of Suffolk, Inc.

DATED:

APPROVED BY:

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

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1447

<b>1. Type of Legislation</b> Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>		
<b>2. Title of Proposed Legislation</b> Accepting and appropriating \$7,794.00 in sub-granted funds from the Economic Opportunity Council of Suffolk, Inc., for the Wyandanch Weed and Seed Program sponsored by the U.S. Department of Justice with 83.2% support.		
<b>3. Purpose of Legislation</b> To accept and appropriate \$7,794.00 of Federal funds for overtime expensed awarded to the Economic Opportunity Council, Inc. The Department of Probation is the subgrantee for these funds for its participation in the Wyandanch Weed & Seed Project for the period September 1, 2009 through August 31, 2010. These funds have not been included in the 2010 Suffolk County Operating Budget.		
<b>4. Will the Proposed Legislation Have a Fiscal Impact?</b> Yes <u>      </u> No <u>  X  </u>		
<b>5. If the answer to item 5 is "yes", on what will it impact?                      (Circle appropriate category)</b> County                      Town                      Economic Impact Village                      School District    Other (Specify): Library District              Fire District		
<b>6. If the answer to item 5 is "yes", provide Detailed Explanation of Impact</b>		
<b>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision</b> None to the County.		
<b>8. Proposed Source of Funding</b> Federal Aid Revenue (001-4320) Crime Control		
<b>9. Timing of Impact</b> Immediate		
<b>10. Typed Name &amp; Title of Preparer</b>  Karlene Maimoni Director of Program Evaluation	<b>11. Signature of Preparer</b>  	<b>12. Date</b>  April 14, 2010

## Budget Revision Request

1447

**TO:** Joyce Bradford, Program Manager

**FROM:** Anne Stewart, Site Coordinator  
Straight Path Corridor

**RE:** Budget Revision Request for Grant # 2009-WS-QX-0086

	<u>Approved Budget</u>	<u>Requested Change</u>	<u>Revised Total</u>
<b>Personnel</b>	<b>\$ 58,013</b>	-0-	<b>58,013</b>
<b>Fringe Benefits</b>	<b>\$ 19,575</b>	-0-	<b>19,575</b>
<b>Travel</b>	<b>6,000</b>	-0-	<b>6,000</b>
<b>Equipment</b>	<b>1,700</b>	-0-	<b>1,700</b>
<b>Supplies</b>	<b>1,786</b>	-0-	<b>1,786</b>
<b>Construction</b>	<b>-0-</b>	-0-	<b>-0-</b>
<b>Contracts</b>	<b>54,026</b>	-0-	<b>54,026</b>
a. Town of Babylon case manager for referrals (match-non federal)		+14,442	
b. Safe Haven	9,187.50	-0-	
c. Neighborhood Watch	4,600	-0-	
d. Police Overtime	20,427	-0-	
e. Probation/Parole overtime	7,794	-0-	
f. Probation overtime (match-non federal)	25,596	- 25,596	
g. Patrol Special Operations (match-non federal)		+11,154	
h. Life skill Training	9,000	-0-	
l.1 Cell Phone	677.50	-0-	
j. Internet Service	2,340	-0-	
k. Financial Audit (match non federal)	737	-0-	
<b>Other</b>	<b>900</b>	<b>-0-</b>	<b>900</b>
<b>Total</b>	<b>\$142,000</b>		<b>\$142,000</b>

Budget Narrative: (NOTE: Please be sure to provide the basis of computation in all budget categories where funds are being added. In addition, please be sure to indicate what categories funds are being removed.)

1447

Contracts dollar amount remains the same A change request for Match from probation in the amount of \$25,596 has been changed because probation felt that could not track or have adequate overtime for the match. The change in scope will have a match for overtime for Patrol Special Operations Team in the amount of \$11,154 (136.03hrs @82.00/hr x 1sgt, 5 officer). Patrol special operations team will combat drug violence, gun violence and other violent crimes in weed and seed site as part of Law enforcement strategy goal 1 ( maximize coordination efforts of federal state and local police to increase manpower to combat drug and violent crime in the community). Also a match for a case manager for referrals (salary 659.34 bi-weekly for 19.7 pay periods and fringe benefits at 73.74 bi-weekly for 19.7 pay periods) to work at the Town of Babylon Resource center to assist resident in the weed and seed site, through referral, who are in need of social services or other services from local Providers. The Town of Babylon is paying for the extra hours for the case manager who is working for another community based organization by providing the same services for the site to have more referral services. Goal 2 of Prevention/Intervention/Treatment strategy(Reduce the incidence of social problems by creating an informed community and integrated system of service is the strategy being addressed.

Federal Request Budget Break down

	Approved	Weed	Seed
Personnel	\$58,013.	29,006.50	29,006.50
Fringe Benefits	19,575	9,787	9,788
Travel	6,000.		6,000
Equipment	1,700		1,700
Supplies	1,786		1,786
Consultants	54,026	32,821	21,205
Other	900		900
<b>Total</b>	<b>142,000</b>	<b>\$71,614.50</b>	<b>\$70,385.50</b>

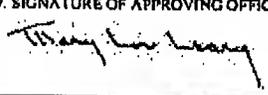
**Budget Summary** – When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

Budget Category	Federal Request	Non Federal Request	Total Budget
A. Personnel	\$58,013	\$ -0-	\$58,013
B. Fringe	\$19,575.	\$-0-	\$19,575

1447

C. Travel	\$6,000	\$-0-	\$6,000
D. Equipment	\$1,700	\$ -0-	\$1,700
E. Supplies	\$1,786	\$-0-	\$1,786
F. Construction	\$ -0-	\$ -0-	\$-0-
G. Consultants/Contracts	\$54,026	\$26,333	\$80,359
H. Other	\$900	\$21,000	\$21,900
I. Indirect Costs	0	0	
<b>Total Project Cost</b>	<b>\$142,000</b>	<b>\$47,333</b>	<b>\$189,333</b>
<b>Federal Request</b>	<b>\$142,000</b>		
<b>Non-federal Match</b>		<b>47,333</b>	

1447

 Department of Justice Office of Justice Programs <b>Community Capacity                  Development Office</b>		<b>Grant</b>		PAGE 1 OF 3	
1. RECIPIENT NAME AND ADDRESS (Including Zip Code) Economic Opportunity Council of Suffolk 475 E. Main Street Patchogue, NY 11772-3121		4. AWARD NUMBER: 2009-WS-QX-0086			
		5. PROJECT PERIOD: FROM 09/01/2009 TO 08/31/2010 BUDGET PERIOD: FROM 09/01/2009 TO 08/31/2010			
		6. AWARD DATE 09/21/2009	7. ACTION Initial		
1A. GRANTEE IRS/VENDOR NO. 112141197		8. SUPPLEMENT NUMBER 00			
		9. PREVIOUS AWARD AMOUNT		\$ 0	
3. PROJECT TITLE Straight Path Corridor Wood and Seed Initiative		10. AMOUNT OF THIS AWARD		\$ 142,000	
		11. TOTAL AWARD		\$ 142,000	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).					
13. STATUTORY AUTHORITY FOR GRANT This project is supported under 42 U.S.C. sections 103-105					
15. METHOD OF PAYMENT PAPRS					
AGENCY APPROVAL			GRANTEE ACCEPTANCE		
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Mary Lou Lewry Acting Assistant Attorney General			18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Adrian Pascott Chief Executive Officer		
17. SIGNATURE OF APPROVING OFFICIAL 			19. SIGNATURE OF AUTHORIZED GRANTEE OFFICIAL 		19A. DATE 10/19/09
AGENCY USE ONLY					
20. ACCOUNTING CLASSIFICATION CODES FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC. REG. SUB. POMS AMOUNT X Q WS 26 00 00 142000				21. IWSAGT0087	

OJP FORM 40002 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 40002 (REV. 4-88)

1447

Envelops 1 Box of Envelops@ 40.54

2. Postage 100.00/month x 10months \$1,000  
487 pc/month@.41/piece

**Total Supplies \$1,786.48**

**F. Construction -0-**

**G. Consultant/Contracts**

Name of Consultant	Service Provided	Computation	Cost
--------------------	------------------	-------------	------

Safe Havens			\$9,187.50
-------------	--	--	------------

1. Safe haven-Library	children programs/meetings		
	Early literacy for preschool-9yrs		
	Instructor \$25/hr x 2.5/hrs x 3days/wk x(35) wks	\$6,562.50	
	An assistant @10/hr x 2.5 hrs x3 days x 35 wks =	\$2,625	

3. Neighborhood watch			\$4,600
-----------------------	--	--	---------

	neighborhood watch (NW) coordinator	3,600	
	\$15.00/hr x 3 hr/day x		
	2days/wk x 40 weeks = 3,600		

	National Night Out		\$1,000
	200 t shirts @3.00/per	\$600.00	
	10 cases of water @6.50	65.00	
	5 packages Hot dogs@10.00/pk.	50.00	
	10 pks of hot dog rolls A2.50	50.00	
	1 box of 100 night out pencils	40.00	
	1 box of 100 child ID kits	195.00	

4. Police overtime	A contract for community policy strategy	387.02	
--------------------	--	--------	--

	overtime hours @ 52.78/hr for 12 officers@ @\$1,702/officer	1447 \$20,427
5. Probation home visits to parolees(overtime)	511.92/hrs @ \$50.00/hr. x 10 officers for 10 months	25,596 (match )
6. Probation/Parole overtime	A contract for law enforcement strategy 155.89hrs @ \$50/hr x 10 officers = , \$777.45/ /officer	\$7,794.50
7. Life skill Training	1 instructor @ 25/hr x 3hr/day x3days/wk x 40 wks	\$9,000
8. 1 cell for site coordinator (Verizon)	12 mo x56.46	677.50
9. Internet Service (Optimum Online)	12 mo x \$195.00	2,340.00
11. Financial Audit	2.83% of projected agency cost of \$26,000	\$737 (match)
		<b>Total</b> <b>\$80,359</b>

**H. Other Costs**

Description	Computation	Cost
1. Telephone site	12mo x 75.00 (actual cost for Optimum Online)	\$900
2 Space Cost @ 500 sq. ft at \$30/sq ft annual	1000/month x12 months	\$12,000 (match)
3. Space maintenance	150 /month x12 months	\$1,800 (match)
4. Space use for steering meetings	@200/mo x 12	\$2,400 (match)
5. Utilities for safe haven	400/month x 12 months	\$4,800 (match)
	<b>Total</b>	<b>\$21,900</b>

Total 25.70%

1,416.71

1447

**Travel (\$6,000)**

A request of \$6,000 to cover the costs of travel to Weed and Seed conferences and meetings. Phonenix Az being an average cost of travel. We estimate two people to travel for three trips at approximate \$1000/trip. We will seek approval for all travel.

**Equipment (\$1,700)**

A request for \$1,700 a computer work station for the joint Task force to process data, access the internet, and share information between the joint forces

**Supplies (\$1,786.48)**

- 1 A Request for \$786.48 will cover office supplies as itemized for the Weed and Seed office.
- 2 A Request for \$1,000 in postage to cover cost for mailing news letter, community forums (2,500 pieces mailed) notice of meetings and special events.

**Consultants/Contracts (\$80,359)**

Consultant contracts will be according to the established policy of the grantee  
A request for the following:

1. \$9,187.50 for an instructor and an assistant to enhance reading skills, for children ages 5 -9 years of ages through teaching the literacy program. 1 instructor \$25/hr x 2.5 hrs x 3days x 35 weeks.=\$6,562.50 and 1 assistant @10 hr x 2.5 hrs x 3 days x35= \$2,625
2. A Request for \$4,600 for neighborhood watch ( that include \$3,600 for a neighborhood watch coordinator \$15.00/hr x 3hr/day x 2day/wk x 40 weeks) who will make out weekly schedule of areas to be covered and volunteers to be assigned, coordinate with local police for weekly scheduled, report to the Town code infractions and follow up to have code corrected. Conduct recruitment efforts in community and with other organizations, make out a weekly report; \$1,000 for National Night Out to be used for community participation in this national event.
3. A request for \$20,427 for police overtime – 387.02 overtime hours @ \$52.78/hr for 15 officers @ \$1,362/ officer
4. A match for probation over time for making home visits to monitor parolees to ensure compliance of probation status for 511.92hrs for 10 months @ \$50.00/hr x 10 officers = \$25,596
5. A request for \$7,794.28 Overtime hours for Probation officers @ 156 hrs @ 50/hr x 10 officers = \$779 per officer for searches, arrests, intercepts of ex-offenders on probation outside of regular work hours Overtime is used for probation officers participating in task force activities in searching drug houses, street contacts, search the red zones for potential violators that should not be in area and

APR 15 2010



Steve Levy  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PROBATION

John K. Desmond  
DIRECTOR

**MEMORANDUM**

TO: Ken Crannell, Deputy County Executive

FROM: John K. Desmond, Director of Probation

SUBJECT: Resolution:  
To Accept and Appropriate Federal Sub-Grant Funding  
For Probation's Participation in the Wyandanch Weed & Seed Program

DATE: April 14, 2010

.....

Enclosed for further processing is a resolution package to accept and appropriate Federal Sub-grant funding from the Economic Opportunity Council of Suffolk, Inc. (EOC) for the Probation Department's participation in the Wyandanch Weed & Seed Program.

EOC was awarded \$142,000.00 from the U.S. Department of Justice to continue the delivery of criminal justice services to eliminate violent crime, drug trafficking and drug-related crime and to provide a safe environment for law abiding citizens. Overtime funds in the amount of \$7,794.00 have been earmarked in this federal grant award to EOC for the Probation Department to support surveillance and search operations in an effort to reduce recidivism. The grant period is September 1, 2009 through August 31, 2010. These funds have not been included in Probation's 2010 Operating Budget. This resolution package includes the required checklist items as well as a copy of the U.S. Department of Justice award notice to EOC, Budget Work Sheet and approved Grant Adjustment Notice (GAN Number 1). A grant adjustment was required to eliminate the matching funds for Probation in the grant.

I hope this resolution request meets with your approval. If you have any questions in this regard, please do not hesitate to contact me at 2-5100 or Karlene Maimoni at 2-5133.

Thank you for your consideration in this regard.

JKD:KM  
Enclosures (1 package)

Cc: CE RESO REVIEW (e-mail copy)  
Christopher Kent, Chief Deputy County Executive  
Brendan Chamberlain, Intergovernmental Relations (2 copies)  
Theresa Lollo, Principal Financial Analyst, Budget Office  
Evelyn Creen, Federal & State Aid Claims Unit  
James J. Golbin, Ph.D., Chief Planner  
Karlene Maimoni, Director of Program Evaluation  
Payroll Unit

**Additional back-up material regarding IR 1447 is on file in  
The Legislative Clerk's Office, Hauppauge.**

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2010, ESTABLISHING BINDING ARBITRATION POLICY FOR SUFFOLK COUNTY DETECTIVE INVESTIGATORS PBA (DIPBA) CONTRACT**

**WHEREAS**, Section 209(4)(c)(vi) of the NEW YORK CIVIL SERVICE LAW authorizes binding arbitration for collective bargaining agreements between a municipality and Detective Investigators when an impasse is determined to exist in collective bargaining negotiations between an employee organization of such Detective Investigators and a public employer as to the conditions of employment, said binding arbitration determination of the public arbitration panel not to exceed two years from the termination date of any previous collective bargaining agreement or, if there is no previous collective bargaining agreement, not to exceed two years from the date of the panel's determination; and

**WHEREAS**, the County of Suffolk and the Suffolk County Detective Investigators PBA (DIPBA) have reached a labor cost savings agreement to defer the cash equivalent of four days pay from the DIPBA unit members to help mitigate budget deficits sustained due to the "great economic recession"; and

**WHEREAS**, a condition of this agreement is the authorization of the 2008-2009 Compulsory Interest Arbitration Panel to issue an award of three years covering the period January 1, 2008 through December 31, 2010; now, therefore be it

**1st RESOLVED**, that, the County of Suffolk, pursuant to Section 153(1) of the NEW YORK COUNTY LAW and Civil Service Law Section 209.2, hereby authorizes the public arbitration panel now considering the conditions of employment of members of the Suffolk County DIPBA for the period January 1, 2008 through December 31, 2009 to do so for the period covering January 1, 2008 through December 31, 2010, and also hereby authorizes the Director of Labor Relations to enter into on behalf of the County and execute all documents necessary to implement this authorization, anything in Section 209(4)(c)(vi) of the NEW YORK CIVIL SERVICE LAW to the contrary notwithstanding; and be it further

**2nd RESOLVED**, that nothing contained herein shall be construed as waiving any right of Suffolk County to assert (through witnesses, testimony, evidence, and arguments) any position including, but not limited to, legal, financial, economic, governmental, and other related arguments regarding:

- 1.) the comparability of wages, hours, and conditions of employment with other employees working under similar conditions in public or private employment in comparable communities;
- 2.) the interests and welfare of the public;
- 3.) the financial ability of the County to pay;
- 4.) the comparison of hazards of employment, physical qualifications, educational qualifications, mental qualifications, job training and skills in other trades or professions; and

- 5.) the terms of previously negotiated collective bargaining agreements regarding salary, insurance, retirement benefits, medical benefits, hospitalization benefits, job security, and paid time off; and
- 6.) any other relevant factors.

**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/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: April 2010

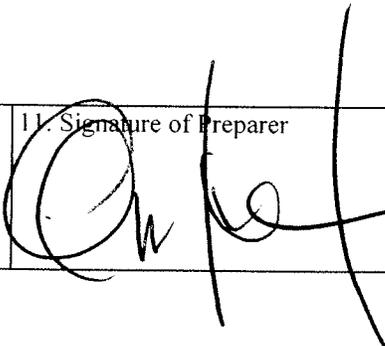
APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1448

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation		
<b>RESOLUTION NO. -2010, ESTABLISHING BINDING ARBITRATION POLICY FOR SUFFOLK COUNTY DETECTIVE INVESTIGATORS PBA (DIPBA) CONTRACT</b>		
3. Purpose of Proposed Legislation		
ADDS AN ADDITIONAL YEAR TO THE ARBITRATION AWARD FROM TWO (2) TO THREE (3) YEARS 1/1/2008 – 12/31/2010		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes X</b> <b>No</b>		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
<b>County</b>	<b>Town</b>	<b>Economic Impact</b>
<b>Village</b>	<b>School District</b>	<b>Other (Specify):</b>
<b>Library District</b>	<b>Fire District</b>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact:		
N/A - Funding exists within the Adopted 2010 Operating Budget		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A – Will be noted in future budget requests		
8. Proposed Source of Funding		
Adopted Operating Budget		
9. Timing of Impact		
UPON APPROVAL		
10. Typed Name & Title of Preparer	11. Signature of Preparer	
Allen M. Kovesdy Director of Management and Research		April 19, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1448

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.

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy  
COUNTY EXECUTIVE

LABOR RELATIONS

Jeffrey L. Tempera  
Director

MEMORANDUM OF AGREEMENT

When signed below, this shall constitute an agreement between the County of Suffolk hereafter referred to as "the County" and the Suffolk County Detective Investigators Police Benevolent Association (DIPBA), hereafter referred to as "the Association", as follows:

1. The Association unit members ("employees") shall each defer the cash equivalent of four days of their 2009 pay as follows: First, retroactive monies, if any, due employees as a result of the Interest Arbitration Award covering the term January 1, 2008 through December 31, 2010 shall be applied against the four days owed pursuant to this Agreement. If the Award provides for retroactive monies in excess of four days pay at the 2009 rate, then the monies to be deferred shall initially be from any awarded retroactive wage increases, then from any awarded longevity increases, and then from any other awarded retroactive monies as designated by the Association. If the Award does not provide for retroactive monies sufficient to completely offset the four days pay at the 2009 rate, then all or part of each of the next unpaid cleaning allowance payments shall be deferred as required to meet the remainder of the Association's obligations pursuant to this Agreement. The four days pay at the 2009 rate shall be deferred by all employees on the payroll as of the date of the Interest Arbitration Award covering the term January 1, 2008 through December 31, 2010. Any monies deferred as a result of the Interest Arbitration award covering the term January 1, 2008 through December 31, 2010 shall not be included as part of the four days pay at the 2009 rate required to be deferred pursuant to this Agreement.
  
2. All monies due to employees and which are deferred by the implementation of the pay deferral shall be paid out to the employees as follows:
  - a) Employees shall receive from the County any deferred monies due to them upon separation from employment.
  - b) Deferred monies shall be paid out to the affected employees at the rate of salary in effect at the time of the employee's separation from employment.
  
3. It is agreed that the impact of the pay deferral shall be considered "pension neutral" for the purposes of employee retirement.

Memorandum of Agreement  
DIPBA - 4 Day Lag

Page 2

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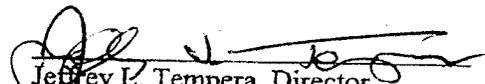
- 4. The parties hereby authorize the 2008-2009 Interest Arbitration Panel to issue an award of three years covering the period January 1, 2008 through December 31, 2010. In addition, if the parties are unable to negotiate an agreement covering the terms and conditions of a successor agreement to the one that expires on December 31, 2010, the resulting Interest Arbitration Panel shall be authorized to and shall issue an award of three years covering the period January 1, 2011 through December 31, 2013. If the Legislature does not approve the provisions contained in the first sentence of this paragraph by not later than June 30, 2010, then this entire Agreement shall be deemed null and void. If the Legislature does not approve the provisions contained in the second sentence of this paragraph by not later than sixty (60) calendar days after the filing of a Petition for Interest Arbitration for the successor contract commencing on January 1, 2011, the County shall be deemed in breach of this Agreement and all deferred monies shall be payable to the employees within ninety (90) calendar days from the breach of the Agreement.

DATED: 7/15/10

FOR THE ASSOCIATION:

  
 Jack Weishahn, President  
 Suffolk County Detective Investigators PBA

FOR THE COUNTY:

  
 Jeffrey L. Tempera, Director  
 Suffolk County Executive  
 Office of Labor Relations

1449

Intro. Res. No. -2010

Laid on Table

4/27/10

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2010, ESTABLISHING BINDING  
ARBITRATION POLICY FOR SUFFOLK COUNTY  
DETECTIVES ASSOCIATION (SDA) CONTRACT**

**WHEREAS**, Section 209(4)(c)(vi) of the NEW YORK CIVIL SERVICE LAW authorizes binding arbitration for collective bargaining agreements between a municipality and officers or members of a police department when an impasse is determined to exist in collective bargaining negotiations between an employee organization of such officers or members and a public employer as to the conditions of employment, said binding arbitration determination of the public arbitration panel not to exceed two years from the termination date of any previous collective bargaining agreement or, if there is no previous collective bargaining agreement, not to exceed two years from the date of the panel's determination; and

**WHEREAS**, the County of Suffolk and the Suffolk County Detectives Association (SDA) have reached a labor cost savings agreement to defer the cash equivalent of four days pay from the SDA unit members to help mitigate budget deficits sustained due to the "great economic recession"; and

**WHEREAS**, a condition of this agreement is the authorization of the 2008-2009 Compulsory Interest Arbitration Panel to issue an award of three years covering the period January 1, 2008 through December 31, 2010; now, therefore be it

**1st RESOLVED**, that, the County of Suffolk, pursuant to Section 153(1) of the NEW YORK COUNTY LAW and Civil Service Law Section 209.2, hereby authorizes the public arbitration panel now considering the conditions of employment of members of the Suffolk County SDA for the period January 1, 2008 through December 31, 2009 to do so for the period covering January 1, 2008 through December 31, 2010, and also hereby authorizes the Director of Labor Relations to enter into on behalf of the County and execute all documents necessary to implement this authorization, anything in Section 209(4)(c)(vi) of the NEW YORK CIVIL SERVICE LAW to the contrary notwithstanding; and be it further

**2nd RESOLVED**, that nothing contained herein shall be construed as waiving any right of Suffolk County to assert (through witnesses, testimony, evidence, and arguments) any position including, but not limited to, legal, financial, economic, governmental, and other related arguments regarding:

- 1.) the comparability of wages, hours, and conditions of employment with other employees working under similar conditions in public or private employment in comparable communities;
- 2.) the interests and welfare of the public;
- 3.) the financial ability of the County to pay;
- 4.) the comparison of hazards of employment, physical qualifications, educational qualifications, mental qualifications, job training and skills in other trades or professions; and

- 5.) the terms of previously negotiated collective bargaining agreements regarding salary, insurance, retirement benefits, medical benefits, hospitalization benefits, job security, and paid time off; and
- 6.) any other relevant factors.

**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/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: April 2010

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date:

## COUNTY OF SUFFOLK



1449

## OFFICE OF THE COUNTY EXECUTIVE

Steve Levy  
COUNTY EXECUTIVE

LABOR RELATIONS

Jeffrey L. Tempera  
Director

MEMORANDUM OF AGREEMENT

When signed below, this shall constitute an agreement between the County of Suffolk hereafter referred to as "the County" and the Suffolk County Detectives Association, hereinafter referred to as "S.D.A.", as follows:

1. S.D.A. unit members ("employees") shall each defer the cash equivalent of four days of their 2009 pay as follows: First, retroactive monies, if any, due employees as a result of the Interest Arbitration Award covering the term January 1, 2008 through December 31, 2010 shall be applied against the four days owed pursuant to this Agreement. If the Award provides for retroactive monies in excess of four days pay at the 2009 rate, then the monies to be deferred shall initially be from any awarded retroactive wage increases, then from any awarded longevity increases, and then from any other awarded retroactive monies as designated by the S.D.A.. If the Award does not provide for retroactive monies sufficient to completely offset the four days pay at the 2009 rate, then all or part of each of the next unpaid cleaning allowance payments shall be deferred as required to meet the remainder of the S.D.A.'s obligations pursuant to this Agreement. The four days pay at the 2009 rate shall be deferred by all employees on the payroll as of the date of the Interest Arbitration Award covering the term January 1, 2008 through December 31, 2010. Any monies deferred as a result of the Interest Arbitration award covering the term January 1, 2008 through December 31, 2010 shall not be included as part of the four days pay at the 2009 rate required to be deferred pursuant to this Agreement.
2. All monies due to employees and which are deferred by the implementation of the pay deferral shall be paid out to the employees as follows:
  - a) Employees shall receive from the County any deferred monies due to them upon separation from employment.
  - b) Deferred monies shall be paid out to the affected employees at the rate of salary in effect at the time of the employee's separation from employment.
3. It is agreed that the impact of the pay deferral shall be considered "pension neutral" for the purposes of employee retirement.

1449

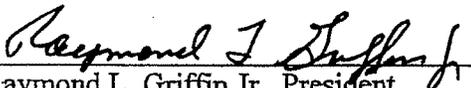
Memorandum of Agreement  
SDA - 4 Day Lag

Page 2

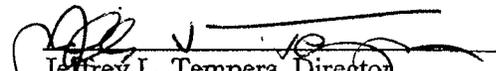
- 4. The parties hereby authorize the 2008-2009 Interest Arbitration Panel to issue an award of three years covering the period January 1, 2008 through December 31, 2010. In addition, if the parties are unable to negotiate an agreement covering the terms and conditions of a successor agreement to the one that expires on December 31, 2010, the resulting Interest Arbitration Panel shall be authorized to and shall issue an award of three years covering the period January 1, 2011 through December 31, 2013. If the Legislature does not approve the provisions contained in the first sentence of this paragraph by not later than June 30, 2010, then this entire Agreement shall be deemed null and void. If the Legislature does not approve the provisions contained in the second sentence of this paragraph by not later than sixty (60) calendar days after the filing of a Petition for Interest Arbitration for the successor contract commencing on January 1, 2011, the County shall be deemed in breach of this Agreement and all deferred monies shall be payable to the employees within ninety (90) calendar days from the breach of the Agreement.

DATED: 4-12-10

FOR THE ASSOCIATION:

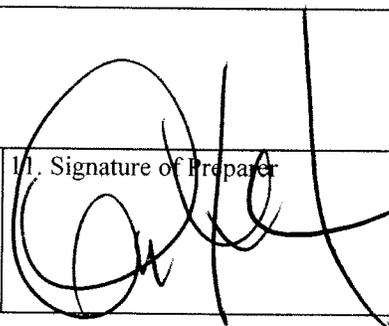
  
 Raymond L. Griffin Jr., President  
 Suffolk Detectives Association

FOR THE COUNTY:

  
 Jeffrey L. Tempera, Director  
 Suffolk County Executive  
 Office of Labor Relations

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1449

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation		
<b>RESOLUTION NO. -2010, ESTABLISHING BINDING ARBITRATION POLICY FOR SUFFOLK COUNTY DETECTIVES ASSOCIATION (SDA) CONTRACT</b>		
3. Purpose of Proposed Legislation		
ADDS AN ADDITIONAL YEAR TO THE ARBITRATION AWARD FROM TWO (2) TO THREE (3) YEARS 1/1/2008 – 12/31/2010		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes <u>  X  </u></b> <b>No</b>		
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 - Funding exists within the Adopted 2010 Operating Budget		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A – Will be noted in future budget requests		
8. Proposed Source of Funding		
Adopted Operating Budget		
9. Timing of Impact		
UPON APPROVAL		
10. Typed Name & Title of Preparer	11. Signature of Preparer	
Allen M. Kovesdy Director of Management and Research		April 19, 2010

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1449

**GENERAL FUND**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

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

**COMBINED**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		<b>\$0.000</b>

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 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.

1450

Intro. Res. No. -2010

Laid on Table

4/27/10

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2010, ESTABLISHING BINDING  
ARBITRATION POLICY FOR SUFFOLK COUNTY SUPERIOR  
OFFICERS ASSOCIATION (SOA) CONTRACT**

**WHEREAS**, Section 209(4)(c)(vi) of the NEW YORK CIVIL SERVICE LAW authorizes binding arbitration for collective bargaining agreements between a municipality and officers or members of a police department when an impasse is determined to exist in collective bargaining negotiations between an employee organization of such officers or members and a public employer as to the conditions of employment, said binding arbitration determination of the public arbitration panel not to exceed two years from the termination date of any previous collective bargaining agreement or, if there is no previous collective bargaining agreement, not to exceed two years from the date of the panel's determination; and

**WHEREAS**, the County of Suffolk and the Suffolk County Superior Officers Association (SOA) have reached a labor cost savings agreement to defer the cash equivalent of four days pay from the SOA unit members to help mitigate budget deficits sustained due to the "great economic recession"; and

**WHEREAS**, a condition of this agreement is the authorization of the 2008-2009 Compulsory Interest Arbitration Panel to issue an award of three years covering the period January 1, 2008 through December 31, 2010; now, therefore be it

**1st RESOLVED**, that, the County of Suffolk, pursuant to Section 153(1) of the NEW YORK COUNTY LAW and Civil Service Law Section 209.2, hereby authorizes the public arbitration panel now considering the conditions of employment of members of the Suffolk County SOA for the period January 1, 2008 through December 31, 2009 to do so for the period covering January 1, 2008 through December 31, 2010, and also hereby authorizes the Director of Labor Relations to enter into on behalf of the County and execute all documents necessary to implement this authorization, anything in Section 209(4)(c)(vi) of the NEW YORK CIVIL SERVICE LAW to the contrary notwithstanding; and be it further

**2nd RESOLVED**, that nothing contained herein shall be construed as waiving any right of Suffolk County to assert (through witnesses, testimony, evidence, and arguments) any position including, but not limited to, legal, financial, economic, governmental, and other related arguments regarding:

- 1.) the comparability of wages, hours, and conditions of employment with other employees working under similar conditions in public or private employment in comparable communities;
- 2.) the interests and welfare of the public;
- 3.) the financial ability of the County to pay;
- 4.) the comparison of hazards of employment, physical qualifications, educational qualifications, mental qualifications, job training and skills in other trades or professions; and

- 5.) the terms of previously negotiated collective bargaining agreements regarding salary, insurance, retirement benefits, medical benefits, hospitalization benefits, job security, and paid time off; and
- 6.) any other relevant factors.

**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/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: April 2010

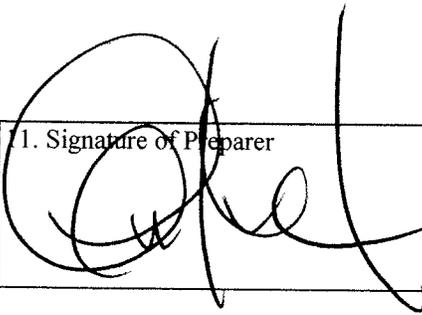
APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date:

1450

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation		
<b>RESOLUTION NO. -2010, ESTABLISHING BINDING ARBITRATION POLICY FOR SUFFOLK COUNTY SUPERIOR OFFICERS ASSOCIATION (SOA) CONTRACT</b>		
3. Purpose of Proposed Legislation		
ADDS AN ADDITIONAL YEAR TO THE ARBITRATION AWARD FROM TWO (2) TO THREE (3) YEARS 1/1/2008 – 12/31/2010		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>  X  </u> No		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
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 - Funding exists within the Adopted 2010 Operating Budget		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A – Will be noted in future budget requests		
8. Proposed Source of Funding		
Adopted Operating Budget		
9. Timing of Impact		
UPON APPROVAL		
10. Typed Name & Title of Preparer	11. Signature of Preparer	
Allen M. Kovesdy Director of Management and Research		April 19, 2010

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1450

**GENERAL FUND**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
<b>TOTAL</b>	\$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
<b>TOTAL</b>	\$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
<b>TOTAL</b>	\$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.

1450

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy  
COUNTY EXECUTIVE

LABOR RELATIONS

Jeffrey L. Tempera  
Director

MEMORANDUM OF AGREEMENT

When signed below, this shall constitute an agreement between the County of Suffolk hereafter referred to as "the County" and the Suffolk County Superior Officers Association, Inc., hereafter referred to as "S.O.A." as follows:

1. S.O.A. unit members ("employees") shall each defer the cash equivalent of four days of their 2009 pay as follows: First, retroactive monies, if any, due employees as a result of the Interest Arbitration Award covering the term January 1, 2008 through December 31, 2010 shall be applied against the four days owed pursuant to this Agreement. If the Award provides for retroactive monies in excess of four days pay at the 2009 rate, then the monies to be deferred shall initially be from any awarded retroactive wage increases, then from any awarded longevity increases, and then from any other awarded retroactive monies as designated by the S.O.A. If the Award does not provide for retroactive monies sufficient to completely offset the four days pay at the 2009 rate, then all or part of each of the next unpaid cleaning allowance payments shall be deferred as required to meet the remainder of the S.O.A.'s obligations pursuant to this Agreement. The four days pay at the 2009 rate shall be deferred by all employees on the payroll as of the date of the Interest Arbitration Award covering the term January 1, 2008 through December 31, 2010. Any monies deferred as a result of the Interest Arbitration award covering the term January 1, 2008 through December 31, 2010 shall not be included as part of the four days pay at the 2009 rate required to be deferred pursuant to this Agreement.
2. All monies due to employees and which are deferred by the implementation of the pay deferral shall be paid out to the employees as follows:
  - a) Employees shall receive from the County any deferred monies due to them upon separation from employment.
  - b) Deferred monies shall be paid out to the affected employees at the rate of salary in effect at the time of the employee's separation from employment.
3. It is agreed that the impact of the pay deferral shall be considered "pension neutral" for the purposes of employee retirement.

1450

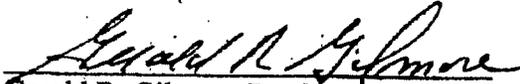
Memorandum of Agreement  
SOA - 4 Day Lag

Page 2

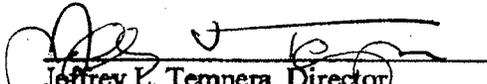
- 4. The parties hereby authorize the 2008-2009 Interest Arbitration Panel to issue an award of three years covering the period January 1, 2008 through December 31, 2010. In addition, if the parties are unable to negotiate an agreement covering the terms and conditions of a successor agreement to the one that expires on December 31, 2010, the resulting Interest Arbitration Panel shall be authorized to and shall issue an award of three years covering the period January 1, 2011 through December 31, 2013. If the Legislature does not approve the provisions contained in the first sentence of this paragraph by not later than June 30, 2010, then this entire Agreement shall be deemed null and void. If the Legislature does not approve the provisions contained in the second sentence of this paragraph by not later than sixty (60) calendar days after the filing of a Petition for Interest Arbitration for the successor contract commencing on January 1, 2011, the County shall be deemed in breach of this Agreement and all deferred monies shall be payable to the employees within ninety (90) calendar days from the breach of the Agreement.

DATED: 4-12-10

FOR THE ASSOCIATION:

  
 Gerald R. Gilmore, President  
 SC Superior Officers Association

FOR THE COUNTY:

  
 Jeffrey L. Tempera, Director  
 Suffolk County Executive  
 Office of Labor Relations

1451

Intro. Res. No. -2010  
Introduced by Legislator Schneiderman

Laid on Table 4/27/10

**RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO.  
-2010, A LOCAL LAW TO ENACT A CAMPAIGN  
FINANCE REFORM ACT TO LIMIT CAMPAIGN  
CONTRIBUTIONS FROM COUNTY CONTRACTORS**

**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 ENACT A CAMPAIGN FINANCE REFORM ACT TO LIMIT CAMPAIGN CONTRIBUTIONS FROM COUNTY CONTRACTORS”** 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 ENACT A CAMPAIGN FINANCE REFORM ACT  
TO LIMIT CAMPAIGN CONTRIBUTIONS FROM COUNTY  
CONTRACTORS**

**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 general public perceives that “special interests” use campaign contributions to gain extraordinary access to, and favorable consideration from, government officials.

This Legislature further determines that many members of the general public believe that this “pay to play” culture results in government contracts being awarded on the basis of connections and contributions rather than merit.

This Legislature also finds that elected officials must take appropriate steps to restore the public’s faith in political institutions.

This Legislature further finds and determines that limiting the amount of campaign contributions that contractors can make to County Officials is a reform measure that will strengthen public confidence in the integrity of the political system and increase the likelihood that county contracts will, in fact, be awarded to the best qualified individuals and businesses.

Therefore, the purpose of this law is to limit the contributions that contractors can make to elected County Officials and candidates for county office and thereby reduce special interest influence on the county’s contracting process.

**Section 2. Definitions.**

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

“AGREEMENT” - any written or oral contract between the County of Suffolk and a contractor, for the sale of goods or services, including construction work, or a lease or contract relating to real

or personal property. This term shall include a transaction whereby a contractor agrees to sell goods and/or services to the County, pursuant to a successful bid.

“CONTRACTOR” - any individual, partnership, joint venture, corporation or other business entity of any kind that contracts with the County of Suffolk. In the case of a corporation or other business entity, this definition shall extend to the principals, officers and directors of the corporation or business entity, and their relatives, which shall include spouses, issue, brothers and sisters.

“CONTRIBUTION” – as defined in Section 14-100 of the New York Election Law.

“COUNTY” - any department, board, bureau, commission, division, office, or other agency of Suffolk County government.

“ELECTED OFFICIAL” - the Suffolk County Executive, Suffolk County Clerk, Suffolk County Sheriff, Suffolk County District Attorney, Suffolk County Treasurer, Suffolk County Comptroller and members of the Suffolk County Legislature.

“ELECTION CYCLE” – the period between elections for public office, i.e. the four year period between elections for the offices County Executive, County Clerk, County Sheriff, District Attorney, County Treasurer and County Comptroller and the two year period between elections for County Legislature.

“PUBLIC OFFICE” - the offices of Suffolk County Executive, Suffolk County Clerk, Suffolk County Sheriff, Suffolk County District Attorney, Suffolk County Treasurer, Suffolk County Comptroller and Suffolk County Legislator.

### **Section 3. Limitation on Contributions.**

- A. No contractor who enters into an agreement or agreements with the County, which in the aggregate exceeds \$10,000 during a calendar year, shall make a contribution or contributions totaling more than \$500 to any elected official or candidate for public office during the election cycle then prevailing. Contributions made by a contractor prior to entering into an agreement or agreements with the County during that same election cycle shall be counted towards the \$500 limit, however, a contribution in excess of \$500 made prior to the contractor entering into an agreement with the County shall not constitute a violation hereunder.
- B. No County official or candidate for public office shall knowingly accept a contribution from a contractor that exceeds the limit set forth in subsection (A) of this section. For the purposes of this subsection, contributions made to any political committee, authorized by an elected official or candidate for public office to accept contributions on his or her behalf, shall be considered contributions made to such elected official or candidate for public office.

### **Section 4. Penalties.**

- A. Any contractor who knowingly makes a contribution in violation of this law shall be guilty of an unclassified misdemeanor, punishable by a fine of \$1000 and/or four months in jail.

- B. Any elected official or candidate for public office who knowingly accepts a contribution in violation of this law shall be guilty of an unclassified misdemeanor, punishable by a fine of \$1000 and/or four months in jail.
- C. Any contractor who knowingly violates this law shall be subject to the termination of the agreement by the County of Suffolk.

**Section 5. Applicability.**

This law shall apply to 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:

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

Date:

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)

1451

DATE: APRIL 16, 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 ENACT A CAMPAIGN FINANCE REFORM ACT TO LIMIT CAMPAIGN CONTRIBUTIONS FROM COUNTY CONTRACTORS

SPONSOR: LEGISLATOR SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 4/15/2010 PUBLIC HEARING: 5/11/2010  
DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED:

Enactment of this proposed local law would limit the contributions that contractors can make to elected County officials and candidates for County office.

This local law would prohibit any contractor (defined as any individual, partnership, joint venture, corporation or other business entity that contracts with the County of Suffolk, and extends to the principals, officers, directors of the business entity, and their relatives) who enters into an agreement or agreements with the County of Suffolk, which in the aggregate exceeds \$10,000 in a calendar year, from making a contribution or contributions totaling more than \$500 to any public official or candidate for County office during the election cycle then prevailing. Any contribution made by a contractor prior to entering into a contract with the County of Suffolk would be counted towards the \$500 limit, but any excess contribution made prior to entering into the agreement(s) with the County would not constitute a violation.

This local law would also prohibit any elected official or candidate for public office from knowingly accepting a contribution from a contractor in violation of this law. Contributions to a political committee established by the elected official or candidate for public office to accept donations would be considered contributions made to such an elected official or candidate for public office.

This local law would make a violation of this law an unclassified misdemeanor punishable by a fine of \$1000 and/or 4 months in jail.

This local law would be effective immediately upon filing in the Office of the Secretary of State.

GEORGE NOLAN  
Counsel to the Legislature

1452

Intro. Res. No. -2010  
Introduced by Legislator Stern

Laid on Table 4/27/10

**RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO.  
-2010, A LOCAL LAW PROHIBITING DEMONSTRATIONS AT  
FUNERAL SERVICES IN THE COUNTY OF SUFFOLK**

**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 PROHIBITING DEMONSTRATIONS AT FUNERAL SERVICES IN THE COUNTY OF SUFFOLK**" 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 PROHIBITING DEMONSTRATIONS AT  
FUNERAL SERVICES 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 loss of a family member is a difficult and emotional trauma for the surviving family.

This Legislature also finds and determines that family members take this time to honor and mourn the deceased.

This Legislature further finds and determines that families have a significant interest in quietly mourning the loss of their loved one without the intrusion of others.

This Legislature also determines that incidents have occurred throughout the nation in which military funeral services have been disrupted by picketing and protesting.

This Legislature finds that picketing and protesting at funerals prevents grieving families from mourning the deceased in peace.

This Legislature determines that family members of the deceased frequently suffer emotional distress when picketing and protesting occur during a funeral.

This Legislature further finds that the United States Congress enacted legislation prohibiting demonstrations during, and immediately before and after funerals conducted at cemeteries under the control of the National Cemetery Administration.

This Legislature also determines that many states have enacted independent legislation banning demonstrations and protests at any funeral conducted within their state.

This Legislature finds that the County of Suffolk should enact similar legislation to preserve dignity and respect at funerals held in Suffolk County.

This Legislature also finds that a full opportunity exists under the terms and provisions of this law for the exercise of free speech and other constitutional rights at times other than the period from one hour before the start of funeral services until one hour after the completion of funeral services.

Therefore, the purpose of this law is protect the privacy of grieving families and to maintain the peaceful nature of cemeteries and funeral locations by prohibiting demonstrations during, and immediately before and after funeral services in the County of Suffolk.

## **Section 2. Definitions.**

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

“DEMONSTRATION” shall mean picketing or similar protest conduct, including oration, speech, the use of sound amplification equipment or devices, or similar conduct that is not part of a funeral, memorial service or ceremony.

“FUNERAL” shall mean the ceremonies, processions and memorial services held in connection with the burial or cremation of a deceased person.

## **Section 3. Prohibitions.**

- A) No person in the County of Suffolk shall engage in a demonstration within 150 feet of any church, mortuary or other location at which a funeral is being held within one hour prior to the commencement of any funeral, during any funeral, or until one hour following the completion of any funeral.
- B) No person in the County of Suffolk shall engage in a demonstration within 300 feet of any cemetery at which a funeral is being held within one hour prior to the commencement of any funeral, during any funeral, or until one hour following the completion of any funeral, nor shall any person impede the access to or egress from such cemetery.

## **Section 4. Penalties.**

Any person who knowingly violates the provisions of this law shall be guilty of an unclassified misdemeanor punishable by a fine of up to \$1,000 and/or up to one year's imprisonment.

## **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 its filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

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

Date:

s:\laws\l-funeral protests

# OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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



1452  
WILLIAM H. ROGERS BUILDING  
P.O. Box 6100  
HAUPPAUGE, NY 11788-0099  
(631) 853-5494 (PHONE)  
(631) 853-4415 (FAX)

DATE: April 20, 2010  
TO: CLERK OF THE COUNTY LEGISLATURE  
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

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PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. -2010; A LOCAL LAW PROHIBITING DEMONSTRATIONS AT FUNERAL SERVICES  
IN THE COUNTY OF SUFFOLK

SPONSOR: LEGISLATOR STERN

DATE OF RECEIPT BY COUNSEL: 4/20/10 PUBLIC HEARING: 5/11/10

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

This proposed local law would prohibit demonstrations<sup>1</sup> during funeral services, as well as one hour before or after scheduled funeral services are conducted. Demonstrations shall be prohibited within 150 feet of any church, mortuary or other location where a funeral is being held, as well as within 300 feet of any cemetery at which a funeral is being held.

Persons violating this law will be guilty of an unspecified misdemeanor punishable by a fine of up to \$1,000 and/or up to one year's imprisonment.

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

A handwritten signature in black ink, appearing to read "George Nolan", written over the printed name and title.

GEORGE NOLAN  
Counsel to the Legislature

GN:

s:\rule28\28-funeral protests

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<sup>1</sup> "Demonstrations" shall include, picketing and similar protest conduct, including oration, speech, the use of sound amplification equipment or devices, or similar conduct that is not part of a funeral, memorial service or ceremony.

1453

Intro. Res. No. -2010  
Introduced by Legislator Kennedy

Laid on Table 4/27/2010

**RESOLUTION NO. -2010, AMENDING THE ADOPTED 2010 OPERATING BUDGET TO TRANSFER FUNDS FROM WATER QUALITY PROTECTION (FUND 477) AND AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STORMWATER SYSTEM DISCHARGE REMEDIATION AND STREAM WATER SILT REMOVAL AND REMEDIATION AT THE NISSEQUOGUE TRIBUTARY HEADWATERS NORTH FROM CR 76, TOWNLINE ROAD, TO MILLER'S POND, SMITHTOWN (CP 8710)**

**WHEREAS**, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

**WHEREAS**, various studies and evaluations have been performed concerning the elevated groundwater table and chronic flooding occurring along the Nissequogue Tributary Headwaters, including a three volume report produced through Capital Project 5013 in 1979; and

**WHEREAS**, basement flooding, roadway obstruction and property damage has been a periodic and episodic hardship experienced by corridor residents residing in the areas of Smithtown, Village of the Branch, and Hauppauge; and

**WHEREAS**, these conditions are exacerbated during times of heavy rainfall, such as was experienced during the early months of 2010; and

**WHEREAS**, specific recommendations from the report funded through C.P. 5013 were made concerning the renovation of multiple stormwater removal systems with direct discharge into the Tributary; and

**WHEREAS**, it is the desire of the County of Suffolk and the Town of Smithtown to collaborate in a storm water remediation and silt removal project in this area to better control flooding in the immediate area; and

**WHEREAS**, the removal and remediation of the stream water silt from Nissequogue Tributary Headwaters north from CR 76, Townline Road, to Miller's Pond, Smithtown will assist and contribute to restoring this natural resource; and

**WHEREAS**, Introductory Resolution No. 1333-2010, if adopted, extends the term of the executed intermunicipal agreement between the County and the Town of Smithtown in connection with this project; and

**WHEREAS**, the Town of Smithtown, as the SEQRA lead agency for the proposed dredging, issued a negative declaration on 11/10/2009, and SEQRA is complete; and

**WHEREAS**, Resolution No. 659-2002 created the Suffolk County Water Quality Review Committee (SCWQRC) which Committee, although its role in this process is advisory, should review this request to determine whether it is an allowed use under the Suffolk County Water Quality Protection and Restoration Program; and

**WHEREAS**, funding for this project should not be spent until it is approved as a permitted use by the Suffolk County Water Quality Review Committee; and

**WHEREAS**, there are available Fund 477 funds within the reserved fund balance for Water Quality Protection projects to support the appropriation of funds for this project through the 2010 Capital Budget and Program; now, therefore be it

**WHEREAS**, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of 62 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

**2<sup>nd</sup> RESOLVED**, that pursuant to Section C12-2(B)(1)(a)(1) of the SUFFOLK COUNTY CHARTER, the County is authorized to fund the investigation and reduction or elimination of sediment accumulation on County-owned property, as a non-point source abatement and control; and be it further

**3<sup>rd</sup> RESOLVED**, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

**4<sup>th</sup> RESOLVED**, that the Adopted 2010 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 reserve fund balance as follows:

**EXPENDITURES:**

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Fund	\$500,000

and be it further

**5<sup>th</sup> RESOLVED**, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

**REVENUES:**

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	525	Transfer from Water Quality Protection	\$500,000

and be it further

**6<sup>th</sup> RESOLVED**, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

Project Number: 8710  
 Project Title: Water Quality Protection – Nissequogue Tributary Headwaters North from CR 76, Townline Road, to Miller's Pond, Smithtown

	<u>Total Est'd Cost</u>	<u>Current 2010 Capital Budget &amp; Program</u>	<u>Revised 2010 Capital Budget &amp; Program</u>
3. Construction	\$ 500,000	\$0	\$ 500,000
<b>TOTAL</b>	<b>\$ 750,000</b>	<b>\$0</b>	<b>\$ 500,000</b>

and be it further

**7<sup>th</sup> RESOLVED**, that the transfer in the amount of \$500,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.321	50	Nissequogue Tributary Headwaters North from CR 76, Townline Road, to Miller's Pond, Smithtown	\$500,000

and be it further

**8<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project; and be it further

**9<sup>th</sup> RESOLVED**, that authorization to use the funds herein appropriated is hereby limited to the following activities related to the investigation and reduction or elimination of sediment accumulation on County-owned property:

a) review of previously prepared studies in order to identify additional sources of flooding than those already identified;

b) identification and investigation of appropriate and feasible management techniques, mitigation measures and infrastructure improvements, if any, to more effectively address and control periodic flooding in the area;

c) seek to lower water elevations, reduce flooding and improve water quality entering the Nissequogue Tributary Headwaters, north from CR 76, Townline Road, to Miller Pond, Smithtown; and

d) embark upon capital improvements on County-owned property necessary to mitigate the flooding problems; and be it further

**10<sup>th</sup> 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 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 (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. **1454-10** Laid on the Table **4/27/10**  
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2010, APPROVAL OF AUCTION  
RULES FOR THE DISPOSITION OF SURPLUS PROPERTY  
ACQUIRED UNDER THE SUFFOLK COUNTY TAX ACT**

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

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

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

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

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

DATED:

APPROVED BY:

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

Date of Approval:

## **Exhibit "A"**

### **Auction Terms and Conditions - Definitions**

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

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

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

**County:** The County of Suffolk.

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

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

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

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

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

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

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

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

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

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

**Purchaser:** The successful bidder(s) at the auction sale and, where the Purchaser is a Business Entity, then each partner or any director(s), officer(s), or shareholder(s) having a total of twenty percent (20%) or more of the Purchaser's voting stock, ownership interest or control.

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

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

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

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

## **AUCTION TERMS AND CONDITIONS**

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

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

1. **AUCTION INVENTORY** - Properties that will be auctioned by the County include parcels forfeited by the prior owners as a result of failure to pay taxes. The County's rights thereto are pursuant to Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law are believed to have been extinguished by the tax sale proceedings, and/or as a result of forfeiture. Auction parcels may also include parcels acquired by condemnation, but no longer needed as part of the public project. The County reserves the right, in its sole discretion, to withdraw from the auction at any time, any of the properties listed in the Auction Brochure or in any other listing of surplus real property available for auction.
2. **OFFICIAL IDENTIFICATION** - For purposes of the auction, each parcel is identified by a section, block and lot number as shown on the Suffolk County Tax Map. No other identification is guaranteed. Descriptions in the auction materials pertaining to any auctioned property, such as the size, exact location, street requirements and information as to existing structures, are approximate only. Purchasers should verify all information relative to each property.
3. **NOTIFICATION OF AUCTION** - The Notice of Auction will be published in the official newspapers as required by the Suffolk County Code. In addition to said publication, not less than one month prior to each auction, an Auction Brochure which includes both a list of the properties expected to be offered by auction and a document entitled "Terms and Conditions of Sale – October 2010 Auction" will be published on the internet at [www.co.suffolk.ny.us](http://www.co.suffolk.ny.us). \*Copies of the Auction Brochure will be available at the Division of Real Property Acquisition and Management Offices and at the Riverhead County Center,

the Offices of the Suffolk County Legislature, each Town Hall and various County offices.

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

4. **TERMS AND CONDITIONS OF SALE** - The "Terms and Conditions of Sale - October 2010 Auction" document will specify the rules applicable to the auction for which it is prepared and dated. Failure of the purchaser to comply with the published auction rules, terms and conditions shall constitute a default and may result in cancellation of a sale and forfeiture of both the down payment and the auction fee.
5. **AUCTION RULES** - In addition to those rules and conditions that are set forth in the "Terms and Conditions of Sale - October 2010 Auction" all sales of surplus County property will be subject to the following:
  - a) Approval of the deed and proposed conveyance by the Suffolk County Legislature, which approval may precede the sale or follow it;
  - b) Any state of facts an accurate survey or personal inspection of the premises would disclose;
  - c) Applicable zoning/land use/building/health and environmental regulations;
  - d) Easements, covenants, conditions and rights-of-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the tax sale;
  - e) For the immediate tax year, pro rata real estate taxes; and
  - f) For assessment purposes, the purchaser shall be deemed to be the owner prior to the next taxable status date following the closing;
  - g) The rights, if any, of tenants and persons in possession, and;
  - h) Outstanding water and sewer assessments and other unpaid liens or charges (including, but not limited to, demolition charges, interest and penalties, condominium fees) whether they have been billed or not as of the date of the auction, all as specified in the Auction Brochure;
  - i) Any covenants, easements or conditions imposed by the County Planning or any other Department and listed in the Auction Brochure, or by the Legislature as part of its approval of the sale.
  - j) Purchaser's signing a Certification as part of the bid finalization that he or she has read and understood the Terms and Conditions as set forth in the pertinent Auction Brochure;
  - k) Such additional contract terms and conditions as may be set forth in the Auction Brochure or Memorandum of Sale.
6. **NO WARRANTIES** - All real property in the auction, including any building thereon, is sold "**AS IS**" and without any representation or warranty whatsoever as to the physical condition or as to title.

7. **REFUNDS** - In the event that a sale is cancelled or the bid is rejected by the Suffolk County Legislature, the down payment and other monies paid when the Memorandum of Sale was executed will be refunded without interest.
  
8. **AUCTION PROCEDURES** - As determined by the Director to be appropriate or necessary, the following rules or conditions shall be included in the "Terms and Conditions of Sale - October 2010 Auction"
  - a) County **general auctions** are Public Auctions at which a person must be present to participate as a bidder. Third party bidding may be accepted provided the bidder identifies the purchaser/principal for whom he or she is acting as an agent and provided the purchaser/principal pre-registers pursuant to paragraph 11 herein. **No absentee bids** are accepted.
  - b) The County may conduct **special auctions**, that is, auctions limited to certain properties, based on their type or condition, for example, Brownfield sites; or their potential use, for example, affordable housing sites and commercial properties; or based on any other special circumstance relating to the properties to be auctioned. At special auctions, sealed bids from bidders who are not physically present and third party bidding may be accepted provided the bidder identifies the purchaser/ principal for whom he or she is acting as an agent and provided the purchaser/principal pre-registers pursuant to paragraph 11 herein.
  - c) **Registration** shall be required prior to any auction. Prior to the auction, each registered bidder will be assigned a bidding number that must be displayed in order to bid.
  - d) **The auction may be divided into Sessions.** The auctioneer will accept bids in increments, as described below, until such time as no further bids are entered. Thereupon the parcel is declared, "Sold" to the highest bidder. All successful bids in one Session must be finalized (see the next subsection regarding finalization) before commencement of the next Session, or the underlying sales will be deemed cancelled.
  - e) Directly after the sale of a parcel, the **purchaser or third party bidder, in purchaser's absence, must finalize** the sale by signing the Terms and Conditions of Sale, or Memorandum of Sale, as applicable, and depositing the down payment and the auction fee with the auction cashier. Delay in finalizing the sale may be cause for cancellation. *If a purchaser fails to finalize the purchase of any parcel, he, she or it shall not be permitted to bid on any further parcels and the Director may immediately cancel all other sales that took place at the same auction to the same purchaser.* In the event of cancellation due to failure to finalize a purchase, the subject parcel(s) may be returned to the auction block or withdrawn from the auction.
  
9. **PRE-AUCTION INFORMATION** - Collecting and verifying any information in regard to auctioned parcels, including, for example, address, location, zoning and land use restrictions, building or health code requirements, taxes or assessed value is the responsibility of the buyer. Much of this information may be obtained from the Town or Village in which the property is located. The County is not responsible to provide real property information, other than the Suffolk County Tax Map number. Purchaser's misunderstanding or failure to verify property information is not grounds for rescinding or canceling an auction sale. **THE COUNTY MAKES NO WARRANTY EXPRESSED OR IMPLIED IN CONNECTION WITH ANY AUCTION SALE.**

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

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

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

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

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

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

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

14. **DOWNPAYMENT** - Following acceptance of the winning bid, and prior to the start of the next auction Session, the purchaser or third party bidder in purchaser's absence shall deposit a down payment in the amount of twenty percent (20%) of the sale price, or as otherwise specified. **ONLY cash, certified checks, bank checks, money orders or traveler's checks are acceptable for the down payment.** If the purchaser fails to produce the acceptable payment, as described, the parcel may be resold at the same auction or withdrawn from the auction, in the sole discretion of the County. [Additionally, closing costs which consist of the following will be paid with the down payment on the day of the auction for each parcel: (a) New York State Transfer Tax (\$2.00 for each \$500.00 of the purchase/bid price); (b) Filing Fee for the Real Property Transfer Report (\$25.00); (c) Filing Fee for combined Gains Transfer Tax Affidavit (\$5.00); (d) all fees required by the Suffolk County Clerk for recording of the deed (\$28.00 to record a, one page deed; \$3.00 for each additional page); and (e) a \$20.00 surcharge. Closing costs may be subjected to an increase if said fees increase prior to closing.]
  
15. **RESTRICTIVE COVENANT ON RESIDENTIALLY-IMPROVED PARCELS** - A parcel offered at auction which is improved by a residential structure, may be offered subject to a restrictive covenant that will be noted in the Auction Brochure and included in the deed conveying the parcel. The covenant requires the owner of the parcel, or his or her [natural] children, [and/or natural] parents, successors and assigns to occupy said premises. Said restriction requiring owner occupancy shall run with the land for a period of ten (10) years subsequent to the transfer of title from the County of Suffolk. The owner of the parcel [shall provide to] may sell the parcel at any time in which case the new owner, his or her children, parents, successors and assigns shall be required to occupy the premises for the balance of the 10 year period. The County shall be given written notice of any [subsequent] transfer of the parcel within said ten (10) year period. The Commissioner of the Department of Environment and Energy shall reserve to the County a right of reverter should this restriction be violated. It is the responsibility of the purchaser to note which parcels are sold subject to the said restrictive covenant.
  
16. **SPECIFICALLY DESIGNATED SMALL LOT PARCELS**—In order to promote the development of residential dwellings for first time home buyers and/or in order to promote the development of residential dwellings for first time home buyers and/or occupants, parcels which may not meet minimum zoning code requirements of the municipal zoning district in which the parcel is located shall be offered to convey such parcel to the highest bidder at a special auction who:  
(i) agrees, in writing, within sixty (60) days of the date of such auction, to apply for and diligently pursue, using best efforts and at such bidder's sole cost and expense, a building permit, to allow the construction of a single family residential dwelling on such parcel that substantially conforms in size and appearance to the residential dwellings located within the immediately surrounding residential community; (ii) agrees, in writing, within one hundred eighty (180) days of the date of such auction, to apply for and diligently pursue, using best efforts and at such bidder's sole cost and expense, any and all variances and/or other relief

from such minimum zoning requirements; and (iii) agrees, in writing, to accept title to such parcel subject to the covenants contained in this section.

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

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

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

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

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

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

[4.] If the first time home owner or buyer of the single family dwelling constructed on the parcel described herein fails to occupy such single family dwelling as his and/or her primary residence for a period of ten (10) consecutive years from the time of occupancy

of such single family dwelling; provided, however, that the right, title and interest to the parcel herein described shall not revert to the County of Suffolk if:

- [a.] the first time home owner or buyer sells to a first time home owner or buyer meeting the income qualifications set forth in paragraph (1.)(b.)(2.), or as amended; and
- [b.] any gain realized from such sale up to and including the fifth anniversary of ownership, and declining ratably thereafter to fifty (50%) percent of any realized gain during the sixth year of ownership up to and including the tenth anniversary of ownership, shall be paid to the County of Suffolk; and
- [c.] the income qualifications and the formula for recapture of realized gain set forth in this paragraph shall apply to each and every subsequent sale;

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

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

- [a.] the dates of completion and occupancy of the single family dwelling constructed on the parcel described herein; and
- [b.] the total income, from all sources, of all occupants of the single family dwelling constructed on the parcel described herein; and
- [c.] in the case of a first time home buyer, the sales price of the single family dwelling constructed on the parcel described herein; and
- [d.] the single family dwelling constructed on the parcel described herein meets all applicable building and zoning codes, rules and regulations;

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

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

18. **FORMER OWNER BIDDING RESTRICTED** - The former owner of the property, or his agent, shall not be permitted to bid on the property or purchase same at the public auction, unless his or her bid amount exceeds the total of tax arrears, penalties and interest or surcharges that would have been due as of the day of the auction, without regard to limits on the time to redeem. If the former owner or his agent is the successful bidder at auction all liens existing prior to the foreclosure will be reinstated and added to the auction price.
19. **ASSIGNMENT RESTRICTED** - A Memorandum of Sale executed at the auction cannot be assigned unless the Director agrees thereto in writing. Assignments shall only be approved upon good cause shown. In the event that an assignment is approved, a fee of no less than \$300 can be charged.
20. **BROKERS** - The County of Suffolk will not pay any broker's commissions or fees. If a broker or attorney acting in the capacity of a broker is authorized to bid as the designee or agent of the actual purchaser, it is the sole responsibility of the purchaser to pay any brokerage fees or commissions earned thereby.
21. **PARTICIPATION BY SUFFOLK COUNTY EMPLOYEES PROHIBITED** - County employees and/or their immediate families, whether or not residing with the employees, are not permitted to participate as a purchaser or bidder at a County auction. Purchasers will be required to furnish an affidavit at the closing to the effect that the Purchasers are not employees or immediate family members of any Suffolk County Employee.
22. **SALE SUBJECT TO APPROVAL BY LEGISLATURE** - The Suffolk County Code requires that the disposition of surplus property must be approved by the County Legislature. A list of proposed auction sales will be presented to the Legislature for review and approval. All offers to sell are conditioned on approval from the County Legislature which in its sole discretion, can decline to approve.
23. **SALE SUBJECT TO CANCELLATION BY COUNTY** - At the County's discretion, sales remain subject to cancellation even after legislative approval, but prior to the title closing in the event that insurable title cannot be conveyed, or for other good cause as determined to exist by the Director. In the event that a sale is cancelled due to the purchaser's violation of any of the conditions set forth herein, any monies paid by or on behalf of the purchaser to the County shall be forfeited by purchaser and shall be retained by the County.
24. **RISK OF LOSS** - Damage by fire or other casualty loss that occurs between the sale and the title closing, the repair of which exceeds 10% of the purchase price as determined by the Director in his or her sole discretion, may permit the purchaser to cancel the sale. If the damage is less than 10% of the purchase price, the Division of Real Property Acquisition and Management may cancel the sale, or may reduce the purchase price, after verifying the amount and value of damage by an appraisal by up to 10% in order to induce the purchaser to close.
25. **TITLE CLOSINGS** - Closings can be scheduled only after the legislative resolution approving the sale is filed with the County Clerk. The County will use its best efforts to close within six months of this approval. Closing dates for the sale of properties purchased at auction will be determined by the Director. Notice of a closing date will be

sent to the purchaser, at least ten (10) calendar days in advance. The County reserves the right, in its sole discretion, to extend the time for closing or to compel the completion of the sale by an action for specific performance. If an adjournment is requested by the purchaser, then the Director may declare the adjourned date, or any subsequent adjourned date to be the final law date set for closing of title. On purchaser's failure to accept delivery of the deed on the final law date the sale may be cancelled and all monies paid to date may be retained by the County. In such event, purchaser will have no further rights or any claim regarding the sale or the parcel.

26. **METHOD OF PAYMENT** - Except for the auction fee (see below) **cash, certified checks, bank checks, money orders or traveler's checks are the only forms of payment acceptable** for amounts due at auction or closing. At the discretion of the Director, such certified or bank checks, money orders or traveler's checks, if payable to the order of the Purchaser, may be endorsed over to the Division of Real Property Acquisition and Management. The balance of the purchase price together with the pro rata share of taxes for a parcel sold at auction shall be due and payable at the time of the closing of title.
27. **AUCTION FEES** - In addition to the amount of the accepted winning bid, the purchaser of each parcel must pay an auction administrative fee (generally 1%, or up to 3% of the sales price), but not less than \$25, if auction fees are required for the subject auction. The auction fee is separate and apart from the purchase price and must be paid by separate check or cash. Payment of the auction fee may be made by any of the methods mentioned in the immediately prior section or by personal check. There will be a \$25 fee imposed as an additional closing cost for checks that are not collectible after one presentation to the bank. Auction fees offset the costs of advertising, printing and other expenses of this auction and may be increased or decreased as appropriate to the auction, but may not exceed 3% of the winning bid without approval of the County Legislature.

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

- A) a .5% surcharge on winning bids between \$0 and \$50,000;
- B) a .75% surcharge on winning bids between \$50,001 and \$100,000; an
- C) a 1% surcharge on winning bids between \$100,001 and \$250,000, said surcharge to be applied only to the first \$250,000 for winning bids exceeding that amount.

28. **DEFAULT BY THE PURCHASER** - If, due to failure on the part of the purchaser, title does not close on any auctioned parcel, the down payment and auction fee are subject to forfeiture as liquidated damages for the County's auction costs, overhead expenses and loss of the transaction. *In the event of a default on one parcel, the Defaulting Purchaser may not be permitted to close on any other parcels for which he or she is the successful bidder.* If the purchaser fails to pay the balance of the purchase price as herein required, the deposit and auction fee shall be forfeited.
29. **UPSET PRICE** - Bidding will begin at the upset price as specified in the Auction Brochure.
30. **BIDDING INCREMENTS** - During the auction, the auctioneer will announce the minimum increments required to advance bidding. A bid will not be accepted unless it meets or exceeds the increment then in effect. The Director may modify the Bidding Increments at any time without notice. Generally, increments will increase as a multiple of each \$20,000 that the sale price increases.

Typical increments are as follows:

<i>Bid Amount (Range)</i>	<i>Minimum Increment of Subsequent Bid</i>
\$ 5,000 to \$ 25,000	\$ 500
\$25,000 to \$ 50,000	\$1,000
\$50,000 to \$100,000	\$2,000

31. **OCCUPANCY PRIOR TO CLOSING** - After the close of the Auction, the purchaser of any parcel may contact the Division of Real Property Acquisition and Management to attempt to arrange for a license agreement that would permit inspection or use and occupancy of the auctioned parcel prior to closing. A license agreement may be approved at the discretion of the Director, on such terms as the Director may deem reasonable. No entry onto the auctioned property is permitted without a license agreement.
32. **PERSONAL PROPERTY** - No personal property is included in the sale of any of the parcels auctioned by Suffolk County, except as may remain on the premises after the closing. The disposition of any personal property, located on any parcel following the closing shall be the responsibility of the purchaser.
33. **DEED FORMAT** - The Auction Brochure will set forth the type of deed approved by the legislature for conveyance of each parcel to the winning bidder. One of three types of deeds may be employed:
- a) Bargain and Sale Deed without Covenants, or with Covenants against Grantor's Acts;
  - b) Quitclaim Deed;
  - c) Directed Deed (from the Treasurer to the Purchaser.)

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

"Nothing contained in any description herein is intended to convey more than the assessed owner owned at the time of the levy of the tax, the non-payment of which resulted in the tax sale. There is no representation as to the extent of the acreage conveyed herein";

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

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

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

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

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

39. **DISPUTE RESOLUTION FINAL** - The decision of the Director regarding any dispute related to the auction or the conveyance of auctioned property is final. The Director reserves the right to reject any bid for failure to comply with auction procedures, or for any other reason related to the conduct of the auction, or to cancel an approved sale if the County elects not to proceed or if the purchaser fails to complete his or her obligations in timely fashion.
40. **FORM OF COMMUNICATION** - In connection with a "limited auction", that is, an auction among persons owning property adjacent to the parcel to be sold pursuant to §A14-30(H), the County will send an "Initial Inquiry Response" to solicit the interest of each such owner in participating in an auction. The form is sent to the owner at the address listed with the County Treasurer by certified mail, return receipt requested. All subsequent communications or notices may be sent by regular mail. For publicly advertised auctions, all communications with prospective participants or with purchasers will be sent by regular mail to the address that they provide.
41. **NO WARRANTY OF VACANCY** - The County makes no warranty that the premises will be delivered vacant. If an auctioned property becomes occupied following the sale, then following closing and recording of the deed, an eviction, if necessary, will be the responsibility of the Purchaser. The County expects not to place a licensee, other than the prospective purchaser, in any auctioned premises after the auction. However, it will do so in order to safeguard the premises or for other property management reasons.
42. **PERMISSION TO REMOVE SIGN** - The purchaser on each auction parcel may remove the auction sign after signing the Memorandum of Sale and tendering the down payment.
43. **INELIGIBILITY TO PURCHASE** No bidder, or purchaser/principal in the event of third party bidding, including, without limitation, any business entity or subsidiary, parent or affiliate thereof, or any trustee(s), director(s), officer(s) or shareholder(s) with voting interests or owning a total of twenty percent (20%) or more of any of the foregoing, who or which is or has been in default in or on any contract, obligation or agreement of any kind or nature whatsoever entered into with the County, or any of its agencies, within a period of five (5) years prior to the date of the auction sale, will be accepted as an eligible bidder for any property. Such obligations include, among other things, the obligation to pay in full all Suffolk County property taxes and charges when due. If the purchaser owns, alone or with others, any other property for which outstanding and delinquent taxes are owed to Suffolk County, those delinquent taxes must be paid in full prior to closing on any parcels purchased at auction.

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

or discriminatory lending practices involving, but not limited to, violations of the Racketeer Influenced and Corrupt Organization Act, the Equal Credit Opportunity Act, the Federal Fair Housing Act, the Real Estate Settlement Procedures Act, the Federal Truth in Lending Act, the N.Y. General Business Law or the Suffolk County Human Rights Law or if the taking of title and/or occupancy by purchaser will result in a violation of any Federal, State, County or Local Law.

44. **FINAL SALE** – Except as provided in paragraph 45 hereinafter, all sales shall be final, absolute and without recourse once title has closed and the deed has been recorded. In no event, shall Suffolk County be or become liable for any defects in title for any cause whatsoever; no claim, demand or suit of any nature shall exist against Suffolk County in favor of the purchaser, its heirs, success or assigns, arising from this sale.
45. **MATERIAL MISREPRESENTATION** – If any material misrepresentation, omission or false statement relating to any representation required herein is discovered after the title closing, the County may avail itself of all remedies available to it at law, it being acknowledged that these representations are being relied upon by the County and are material to this transaction. If such misrepresentation, omission or false statement occurs, the purchaser understands that he/she/it may be charged with fraud, and/or intent to defraud. In addition, in such event, the County reserves the right to pursue the purchaser and others for cancellation of the transaction. This clause shall survive the title closing. The verified registration statement is a sworn statement and the making of a false representation or intentional omission in it may be punishable as a crime.
46. **CERTIFICATION OF NON-AGENCY** – The purchaser shall be required to certify that he/she is not representing the former owner(s) of the property and has no intent to defraud Suffolk County of the unpaid taxes, assessment, penalties and charges, which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom Suffolk County foreclosed. If such conveyance occurs, the purchaser understands that he/she may be charged with fraud, and/or intent to defraud. In addition, in such event, the County reserves the right to pursue the purchaser, the former owner and others for cancellation of the transaction, and/or any deficiency between the purchase price at auction and such sums as may be owed to Suffolk County as related to the property.
47. **JURISDICTION** – Bidder and/or purchaser at this auction agrees that the sole forum for any dispute or cause of action arising out of this auction shall be the Supreme Court of the State of New York, County of Suffolk and related Appellate Courts.

1454

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

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

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

3. Purpose of Proposed Legislation

Annual approval of Auction Rules

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

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

X  County \_\_\_\_\_ Town \_\_\_\_\_ Economic Impact

\_\_\_\_\_ Village \_\_\_\_\_ School District Other (Specify):

\_\_\_\_\_ Library District \_\_\_\_\_ Fire District

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

Auction revenues

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

Unknown

8. Proposed Source of Funding

Unknown

9. Timing of Impact

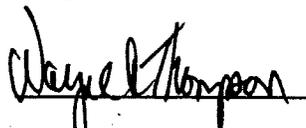
2010 - 2011

10. Name & Title of Preparer

Signature of Preparer

Date

Wayne R. Thompson,  
Property Manager



4/7/10

NICHOLAS E. PAGLIA JR  
EXECUTIVE TECHNICIAN /s/ 4/19/10

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1454

**GENERAL FUND**

	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

**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	\$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.

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COUNTY OF SUFFOLK



1454 APR 08 2010

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

April 7, 2010

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

Re: RESOLUTION NO. -2010, REVIEW OF AUCTION RULES FOR  
THE DISPOSITION OF SURPLUS PROPERTY ACQUIRED UNDER  
THE SUFFOLK COUNTY TAX ACT

Dear Mr. Crannell:

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

Yearly Approval of Auction Rules.

Please note changes in rules- additions are underlined and deletions in [ ]

I would appreciate your placing this on the legislative agenda.

Very truly yours,

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

PJG:WRT:slb

Enc: Resolution  
Summary Statement  
Sponsor's Memo

Copy to:

Christopher E. Kent, Chief Deputy County Executive  
Brendan Chamberlain, director of Intergovernmental Relations (2 hard copies)  
Connie Corso, Budget Director  
CE Reso Review, via e-mail

1455

Intro. Res. No. - 2010  
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 4/27/10

**RESOLUTION NO. 2010, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH DREDGING OF COUNTY WATERS (CP 5200)**

**WHEREAS**, the Commissioner of Public Works has requested funds for engineering in connection with Dredging of County Waters; and

**WHEREAS**, sufficient funds are not included in the 2010 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; 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 \$350,000 in Suffolk County Serial Bonds; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20) and (21) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of thirty eight (38) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete Dredging of County Waters, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

**4<sup>th</sup> RESOLVED**, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5539  
Project Title: CR 7, Wicks Road Corridor Study and Improvements

	<u>Total Est'd Cost</u>	<u>Current 2010 Capital Budget &amp; Program</u>	<u>Revised 2010 Capital Budget &amp; Program</u>
3. Construction	\$2,789,000	\$1,789,000B	\$1,589,000B
TOTAL	\$4,621,000	\$1,789,000	\$1,589,000

Project No.: 5200  
Project Title: Dredging of County Waters

	<u>Total Est'd Cost</u>	<u>Current 2010 Capital Budget &amp; Program</u>	<u>Revised 2010 Capital Budget &amp; Program</u>
1. Planning	\$22,930,000	\$150,000B	\$350,000B
TOTAL	\$26,370,000	\$1,650,000	\$1,850,000

and be it further

**5<sup>th</sup> RESOLVED**, that the proceeds of \$350,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5200.117 (Fund 001 Debt Service)	50	Dredging of County Waters	\$350,000

Date:

APPROVED BY:

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

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1455

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>		
2. Title of Proposed Legislation		
AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH DREDGING OF COUNTY WATERS (CP 5200)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
<input checked="" type="checkbox"/> County	<input type="checkbox"/> Town	<input type="checkbox"/> Economic Impact
<input type="checkbox"/> Village	<input type="checkbox"/> School District	<input type="checkbox"/> Other (Specify):
<input type="checkbox"/> Library District	<input type="checkbox"/> Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact		
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 <i>Assistant Budget Director</i>	<i>Carmine Chiusano</i>	3/18/10

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1455

**GENERAL FUND**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	<b>\$77,080</b>	<b>\$0.14</b>		\$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	<b>\$0</b>	<b>\$0.00</b>		\$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	<b>\$77,080</b>	<b>\$0.14</b>		\$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.

**Suffolk County**  
 General Obligation Serial Bonds  
 Level Debt

1455

Term of Bonds	5
Amount to Bond:	\$350,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2010					
11/1/2010					
5/1/2011	2.500%	\$65,529.93	\$11,550.00	\$77,079.93	\$77,079.93
			\$4,693.76	\$4,693.76	
5/1/2011	3.500%	\$67,692.42	\$4,693.76	\$72,386.17	\$77,079.93
			\$3,576.83	\$3,576.83	
5/1/2012	3.500%	\$69,926.27	\$3,576.83	\$73,503.10	\$77,079.93
			\$2,423.05	\$2,423.05	
5/1/2013	3.500%	\$72,233.83	\$2,423.05	\$74,656.88	\$77,079.93
			\$1,231.19	\$1,231.19	
5/1/2014	3.500%	\$74,617.55	\$1,231.19	\$75,848.74	\$77,079.93
		\$350,000.00	\$35,399.65	\$385,399.65	\$385,399.65

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COUNTY OF SUFFOLK



MAR 10 2010

1455

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*  
Thomas LaGuardia, P.E., Chief Deputy Commissioner

**DATE:** February 23, 2010

**RE: AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH DREDGING OF COUNTY WATERS (CP 5200)**

Attached are a draft resolution and duplicate copy to appropriate the sum of \$350,000 for engineering in connection with the above referenced project.

There are insufficient funds included in the 2010 Capital Budget and Program for this project and, as such, an offset must be provided. We are utilizing \$200,000 from CP 5539 for an offset towards this project. This project has been rescheduled for 2011 due to the need for additional funding exceeding the original estimates and because of workload involved with ARRA stimulus projects.

The additional funding is needed due to NYSDEC now requiring dredge material cores rather than grab samples. The cores cost \$2,500 each and each project usually requires 4 cores

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-Dredging of County Waters.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

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1456

4/27/10

Intro. Res. No. - 2010  
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table

**RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH COUNTY-WIDE HIGHWAY SIGN MANAGEMENT PROGRAM (CP 5196)**

**WHEREAS**, the Commissioner of Public Works has requested funds for engineering in connection with County-Wide Highway Sign Management Program; and

**WHEREAS**, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; and

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

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$250,000 in Suffolk County Serial Bonds; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20) and (21) and of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty five (55) 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

**3<sup>rd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete County-Wide Highway Sign Management Program, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

**4<sup>th</sup> RESOLVED**, that the proceeds of \$250,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5196.110 (Fund 001 Debt Service)	50	County-Wide Highway Sign Management	\$250,000

DATED:

APPROVED BY:

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

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1456

1. Type of Legislation		
Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>		
2. Title of Proposed Legislation		
<b>RESOLUTION NO.            - 2010, APPROPRIATING FUNDS IN CONNECTION WITH COUNTY-WIDE HIGHWAY SIGN MANAGEMENT PROGRAM (CP 5196)</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?            Yes <u>  X  </u> No <u>      </u>		
5. If the answer to item 4 is "yes", on what will it impact?    (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
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
Nicholas Paglia Executive Technician		April 16th, 2010

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1456

**GENERAL FUND**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	<b>\$55,057</b>	<b>\$0.10</b>		\$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	<b>\$0</b>	<b>\$0.00</b>		\$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	<b>\$55,057</b>	<b>\$0.10</b>		\$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.

**Suffolk County**  
 General Obligation Serial Bonds  
 Level Debt

1456

Term of Bonds: 5  
 Amount to Bond: \$250,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
<span style="border: 1px solid black; padding: 2px;">5/1/2010</span>					
11/1/2010					
5/1/2011	<span style="border: 1px solid black; padding: 2px;">2.500%</span>	\$46,807.09	\$8,250.00	\$55,057.09	\$55,057.09
			\$3,352.68	\$3,352.68	
5/1/2011	<span style="border: 1px solid black; padding: 2px;">3.500%</span>	\$48,351.73	\$3,352.68	\$51,704.41	\$55,057.09
			\$2,554.88	\$2,554.88	
5/1/2012	<span style="border: 1px solid black; padding: 2px;">3.500%</span>	\$49,947.33	\$2,554.88	\$52,502.21	\$55,057.09
			\$1,730.75	\$1,730.75	
5/1/2013	<span style="border: 1px solid black; padding: 2px;">3.500%</span>	\$51,595.60	\$1,730.75	\$53,326.34	\$55,057.09
			\$879.42	\$879.42	
5/1/2014	<span style="border: 1px solid black; padding: 2px;">3.500%</span>	\$53,298.25	\$879.42	\$54,177.67	\$55,057.09
		\$250,000.00	\$25,285.46	\$275,285.46	\$275,285.46

COUNTY OF SUFFOLK



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:** February 23, 2010  
**RE:** **APPROPRIATING FUNDS IN CONNECTION WITH  
COUNTY-WIDE HIGHWAY SIGN MANAGEMENT  
PROGRAM (CP 5196)**

*Gilbert Anderson*

Attached are a draft resolution and duplicate copy to appropriate the sum of \$250,000 for engineering in connection with the above referenced project. There are sufficient funds included in the 2010 Capital Budget and Program for this project.

The objective of this program, in conformance with a Federal Highway Administration mandate, as outlined in Revision 2 of the current National Manual on Uniform Traffic Control Devices, is to implement an assessment and management system designed to maintain traffic sign retroreflectivity, review sign placement compliance, and inventory other roadside appurtenances requiring maintenance.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-County-Wide Highway Sign Management.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

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1457

Intro. Res. No. - 2010  
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 4/27/10

**RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH MOVEABLE BRIDGES NEEDS ASSESSMENT AND REHABILITATION (CP 5806)**

**WHEREAS**, the Commissioner of Public Works has requested funds for engineering in connection with Moveable Bridges Needs Assessment and Rehabilitation; and

**WHEREAS**, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; and

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

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$500,000 in Suffolk County Serial Bonds; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20) and (21) and of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty nine (49) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No.461-2006; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete Moveable Bridges Needs Assessment and Rehabilitation, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

**4<sup>th</sup> RESOLVED**, that the proceeds of \$500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP 5806.112 (Fund 001 Debt Service)	50	Moveable Bridges Needs Assessment and Rehabilitation	\$500,000

DATED:

APPROVED BY:

---

County Executive of Suffolk County

Date of Approval:



**Suffolk County**  
 General Obligation Serial Bonds  
 Level Debt

1457

Term of Bonds: 5  
 Amount to Bond: \$500,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
<span style="border: 1px solid black; padding: 2px;">5/1/2010</span>					
11/1/2010					
5/1/2011	<span style="border: 1px solid black; padding: 2px;">2.500%</span>	\$93,614.19	\$16,500.00	\$110,114.19	\$110,114.19
			\$6,705.37	\$6,705.37	
5/1/2011	<span style="border: 1px solid black; padding: 2px;">3.500%</span>	\$96,703.45	\$6,705.37	\$103,408.82	\$110,114.19
			\$5,109.76	\$5,109.76	
5/1/2012	<span style="border: 1px solid black; padding: 2px;">3.500%</span>	\$99,894.67	\$5,109.76	\$105,004.43	\$110,114.19
			\$3,461.50	\$3,461.50	
5/1/2013	<span style="border: 1px solid black; padding: 2px;">3.500%</span>	\$103,191.19	\$3,461.50	\$106,652.69	\$110,114.19
			\$1,758.84	\$1,758.84	
5/1/2014	<span style="border: 1px solid black; padding: 2px;">3.500%</span>	\$106,596.50	\$1,758.84	\$108,355.34	\$110,114.19
		\$500,000.00	\$50,570.93	\$550,570.93	\$550,570.93

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1457

**GENERAL FUND**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	\$110,114	\$0.20		\$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	\$110,114	\$0.20		\$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.

COUNTY OF SUFFOLK



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: February 22, 2010  
RE: **APPROPRIATING FUNDS IN CONNECTION WITH  
MOVEABLE BRIDGES NEEDS ASSESSMENT AND  
REHABILITATION (CP 5806)**

Attached are a draft resolution and duplicate copy to appropriate the sum of \$500,000 for engineering in connection with the above referenced project. There are sufficient funds included in the 2010 Capital Budget and Program for this project.

This project provides for an in-depth inspection and evaluation of all mechanical, electrical and structural components of the movable bridge spans under the jurisdiction of Suffolk County. A project for the rehabilitation or replacement of deficient components will be initiated based on the findings of this study. A study of Quogue bridge is complete and this funding will progress both preliminary and final design for that bridge rehabilitation.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-Moveable Bridges Needs Assesment.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

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

1458

Intro. Res. No. - 2010  
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 4/27/10

**RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH RECONSTRUCTION OF SHINNECOCK CANAL LOCKS (CP 5343)**

**WHEREAS**, the Commissioner of Public Works has requested funds for construction in connection with Reconstruction of Shinnecock Canal Locks; and

**WHEREAS**, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said request; and

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

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$500,000 in Suffolk County Serial Bonds; now, therefore, be it

**1<sup>st</sup> RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 391 of 1993 classified the action contemplated by this as a Type II Action; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty nine (49) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No.461-2006; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete Reconstruction of Shinnecock Canal Locks, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

**4<sup>th</sup> RESOLVED**, that the proceeds of \$500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP 5343.315 (Fund 001 Debt Service)	50	Reconstruction of Shinnecock Canal Locks	\$500,000

DATED:

APPROVED BY:

---

County Executive of Suffolk County

Date of Approval:



**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1458

**GENERAL FUND**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$43,981</b>	<b>\$0.08</b>		\$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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**COMBINED**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$43,981</b>	<b>\$0.08</b>		\$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.

**Suffolk County**  
 General Obligation Serial Bonds  
 Level Debt

1458

Term of Bonds 15  
 Amount to Bond: \$500,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
<span style="border: 1px solid black; padding: 1px;">5/1/2010</span>					
11/1/2010					
5/1/2011	<span style="border: 1px solid black; padding: 1px;">2.500%</span>	\$25,563.82	\$18,416.67	\$43,980.49	\$43,980.49
			\$8,737.53	\$8,737.53	
5/1/2011	<span style="border: 1px solid black; padding: 1px;">3.500%</span>	\$26,505.42	\$8,737.53	\$35,242.96	\$43,980.49
			\$8,249.39	\$8,249.39	
5/1/2012	<span style="border: 1px solid black; padding: 1px;">3.500%</span>	\$27,481.71	\$8,249.39	\$35,731.10	\$43,980.49
			\$7,743.27	\$7,743.27	
5/1/2013	<span style="border: 1px solid black; padding: 1px;">3.500%</span>	\$28,493.95	\$7,743.27	\$36,237.22	\$43,980.49
			\$7,218.51	\$7,218.51	
5/1/2014	<span style="border: 1px solid black; padding: 1px;">3.500%</span>	\$29,543.48	\$7,218.51	\$36,761.98	\$43,980.49
			\$6,674.41	\$6,674.41	
5/1/2015	<span style="border: 1px solid black; padding: 1px;">3.500%</span>	\$30,631.66	\$6,674.41	\$37,306.07	\$43,980.49
			\$6,110.28	\$6,110.28	
4/30/2016	<span style="border: 1px solid black; padding: 1px;">3.500%</span>	\$31,759.93	\$6,110.28	\$37,870.21	\$43,980.49
			\$5,525.37	\$5,525.37	
5/1/2017	<span style="border: 1px solid black; padding: 1px;">3.500%</span>	\$32,929.75	\$5,525.37	\$38,455.12	\$43,980.49
			\$4,918.91	\$4,918.91	
5/1/2018	<span style="border: 1px solid black; padding: 1px;">3.500%</span>	\$34,142.66	\$4,918.91	\$39,061.58	\$43,980.49
			\$4,290.12	\$4,290.12	
5/1/2019	<span style="border: 1px solid black; padding: 1px;">3.500%</span>	\$35,400.25	\$4,290.12	\$39,690.37	\$43,980.49
			\$3,638.16	\$3,638.16	
4/30/2020	<span style="border: 1px solid black; padding: 1px;">3.750%</span>	\$36,704.16	\$3,638.16	\$40,342.32	\$43,980.49
			\$2,962.20	\$2,962.20	
5/1/2021	<span style="border: 1px solid black; padding: 1px;">4.000%</span>	\$38,056.10	\$2,962.20	\$41,018.29	\$43,980.49
			\$2,261.33	\$2,261.33	
5/1/2022	<span style="border: 1px solid black; padding: 1px;">4.500%</span>	\$39,457.83	\$2,261.33	\$41,719.16	\$43,980.49
			\$1,534.65	\$1,534.65	
5/1/2023	<span style="border: 1px solid black; padding: 1px;">4.500%</span>	\$40,911.19	\$1,534.65	\$42,445.84	\$43,980.49
			\$781.20	\$781.20	
4/30/2024	<span style="border: 1px solid black; padding: 1px;">4.500%</span>	\$42,418.09	\$781.20	\$43,199.29	\$43,980.49
		\$500,000.00	\$159,707.33	\$659,707.33	\$659,707.33

Gen HS

COUNTY OF SUFFOLK



1458 APR 02 2010

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*  
Thomas LaGuardia, P.E., Chief Deputy Commissioner  
**DATE:** March 22, 2010  
**RE:** **APPROPRIATING FUNDS IN CONNECTION WITH  
RECONSTRUCTION OF SHINNECOCK CANAL  
LOCKS (CP 5343)**

Attached are a draft resolution and duplicate copy to appropriate the sum of \$500,000 for construction in connection with the above referenced project. There are sufficient funds included in the 2010 Capital Budget and Program for this project.

The project involves the cleaning and painting of the three Tide Gates. Ongoing maintenance of this kind significantly extends the life of the tide gates.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-Reconstruction of Shinnecock Canal Locks.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

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Intro. Res. No. 1459-10  
Introduced by the Presiding Officer at the Request of the County Executive

Laid on the Table 4/27/10

**RESOLUTION NO. -2010, AMENDING THE 2010 OPERATING BUDGET AND APPROPRIATING FUNDS IN CONNECTION WITH BONDING A SETTLEMENT FOR AN AUTO LIABILITY CASE**

WHEREAS, an Auto Liability case was approved for settlement by the Ways and Means Committee for a total amount of \$425,000; and

WHEREAS, the settlement is a mandated expense that must be paid by the County; and

WHEREAS, sufficient funds for Auto Liability settlements are not available in the 2010 Operating Budget; and

WHEREAS, the County Legislature, by Resolution of even date herewith, has authorized the issuance of \$425,000 in Suffolk County Serial Bonds to cover the cost of said settlements; now, therefore be it

RESOLVED, that this settlement in the amount of \$425,000 be bonded and paid under the authority of the Office of Risk Management, County Department of Civil Services, in conjunction with the County Department of Audit and Control and the County Executive's Budget Office; and be it further

RESOLVED, that the proceeds of Four Hundred Twenty Five Thousand (\$425,000) Dollars in Suffolk County Serial Bonds be and are hereby appropriated as follows:

REVENUES:		
038-2780 Proceeds: Debt		\$425,000

APPROPRIATIONS:	Miscellaneous	
	Auto Liability Insurance	
	038-MSC-1915	
	Mandated	
8505 - Settlements		\$425,000

DATED:

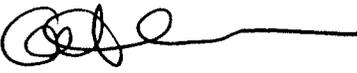
APPROVED BY:

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

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1459

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>		
2. Title of Proposed Legislation		
<b>RESOLUTION NO.        -2010, AMENDING THE 2010 OPERATING BUDGET AND APPROPRIATING FUNDS IN CONNECTION WITH BONDING A SETTLEMENT FOR AN AUTO LIABILITY CASE</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
County                      X	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2011		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Gina H. Kommer Assistant Executive Analyst		April 15, 2010

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1459

**GENERAL FUND**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$93,597</b>	<b>\$0.17</b>		\$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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**COMBINED**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$93,597</b>	<b>\$0.17</b>		\$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.

**Suffolk County**  
 General Obligation Serial Bonds  
 Level Debt

1459

Term of Bonds: 5  
 Amount to Bond: \$425,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2010					
11/1/2010					
5/1/2011	2.500%	\$79,572.06	\$14,025.00	\$93,597.06	\$93,597.06
			\$5,699.56	\$5,699.56	
5/1/2011	3.500%	\$82,197.94	\$5,699.56	\$87,897.50	\$93,597.06
			\$4,343.30	\$4,343.30	
5/1/2012	3.500%	\$84,910.47	\$4,343.30	\$89,253.76	\$93,597.06
			\$2,942.27	\$2,942.27	
5/1/2013	3.500%	\$87,712.51	\$2,942.27	\$90,654.79	\$93,597.06
			\$1,495.02	\$1,495.02	
5/1/2014	3.500%	\$90,607.03	\$1,495.02	\$92,102.04	\$93,597.06
		\$425,000.00	\$42,985.29	\$467,985.29	\$467,985.29

1460

Intro. Res. No. -2010

Laid on Table

4/27/10

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2010, REQUESTING  
LEGISLATIVE APPROVAL OF A CONTRACT AWARD  
FOR LAW ENFORCEMENT CANDIDATE PSYCHOLOGICAL APPEAL  
SERVICES FOR THE DEPARTMENT OF CIVIL SERVICE/  
HUMAN RESOURCES.**

**WHEREAS**, the Department of Civil Service/Human Resources utilizes the services of a psychologist to provide law enforcement candidate psychological appeal services; and

**WHEREAS**, the Department of Civil Service/Human Resources requested an RFP for law enforcement candidate psychological appeal services; and

**WHEREAS**, the Purchasing Division of the Department of Public Works advertised for these services and provided the RFP to three (3) potential vendors and received only one response from Dr. Michael Goodstone; and

**WHEREAS**, an independent evaluation committee reviewed the proposal from Dr. Michael Goodstone and found his quality of work and experience excellent, and his cost proposal submission satisfactory, and has recommended that the Department of Civil Service/Human Resources enter into a contractual agreement with the provider; and

**WHEREAS**, Local Law 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 this contract; now therefore be it

**1st RESOLVED**, that upon receiving a two-thirds vote of the County Legislature as required by Local Law 3 – 1996 that the Department of Civil Service/Human Resources enter into a contractual agreement with Dr. Michael Goodstone for the provision of law enforcement candidate psychological appeal services for a period of three years with two one-year options to extend.

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with Dr. Michael Goodstone.

DATED:

APPROVED BY:

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

Date:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1460

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
<b>RESOLUTION NO.                    -2010, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR LAW ENFORCEMENT CANDIDATE PSYCHOLOGICAL APPEAL SERVICES FOR THE DEPARTMENT OF CIVIL SERVICE/HUMAN RESOURCES</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?                    Yes ___ No <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact?   (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
THIS RESOLUTION APPROVES THE AWARDING OF A CONTRACT TO THE SOLE RESPONDER TO AN RFP. CONTRACT COSTS ARE INCLUDED IN THE 2010 ADOPTED OPERATING BUDGET. NO ADDITIONAL COSTS ARE ASSOCIATED WITH APPROVING THIS AWARD.		
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
Gina H. Kommer Assistant Executive Analyst		April 16, 2010

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1460

**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.

**RESOLUTION NO -2010, UTILIZING 100% HIICAP  
AND WRAP FUNDING IN CONNECTION WITH THE  
PURCHASE OF PUBLIC SERVICE  
ANNOUNCEMENTS ON SUFFOLK COUNTY BUSES.**

**WHEREAS**, the 2010 Adopted Operating Budget contains \$13,000 of 100% grant funding from the New York State Office for the Aging for outreach to Suffolk seniors through the HIICAP and WRAP Programs, and

**WHEREAS**, this grant funding will be utilized for public service announcements to be placed on Suffolk County Transit System buses at no cost to Suffolk County taxpayers, and

**WHEREAS**, the New York State Office for the Aging required the Suffolk County Office for the Aging to develop, create, manufacture, and deploy this outreach program within a three month window, and

**WHEREAS**, these funds must be fully utilized by May 31, 2010 and,

**WHEREAS**, this outreach program required artwork and copy in order to place public service announcements on county buses and Gateway Outdoor Advertising had the proven skills and a track record of meeting required time-frames, and

**WHEREAS**, the Department of Public Works contracted with a vendor, Gateway Outdoor Advertising, whose has a duly executed contract with the Suffolk County Department of Public Works (Suffolk County Transit) for ad placement on buses operated by the County, but not for extra work associated with the placement of ads and public service announcements on buses, and

**WHEREAS**, in addition to the placement services, the vendor provided the necessary artwork and copy for these public service advertisements to the satisfaction of both the Suffolk County Office for the Aging and the Department of Public Works, while adhering to the requirements of the grant and the 2010 Adopted Operating Budget, and

**WHEREAS**, the Suffolk County Office for the Aging has requested that Gateway Outdoor Advertising be paid for their services utilizing the grant funding provided in their 2010 Budget, now, therefore be it

**RESOLVED**, that upon the receipt of all required paperwork and documentation, the County Comptroller be and they hereby is authorized to pay Gateway Outdoor Advertising for their services.

DATED:

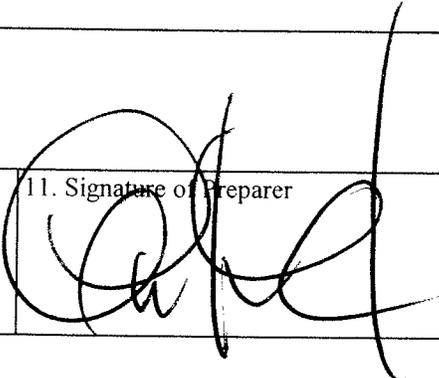
APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1461

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation		
<b>RESOLUTION NO -2010, UTILIZING 100% HIICAP AND WRAP FUNDING IN CONNECTION WITH THE PURCHASE OF PUBLIC SERVICE ANNOUNCEMENTS ON SUFFOLK COUNTY BUSES.</b>		
3. Purpose of Proposed Legislation		
SAME AS ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes</b> <u>  X  </u> <b>No</b>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<b>County</b>	<b>Town</b>	<b>Economic Impact</b>
<b>Village</b>	<b>School District</b>	<b>Other (Specify):</b>
<b>Library District</b>	<b>Fire District</b>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact:		
N/A - 100% Grant funding for this purchase exists within the Adopted 2010 Operating Budget		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Adopted Operating Budget		
9. Timing of Impact		
UPON APPROVAL		
10. Typed Name & Title of Preparer	11. Signature of Preparer	
Allen M. Kovesdy Director of Management and Research		April 19, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1461

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.

1462

Intro. Res. No. -2010

Laid on Table

4/27/10

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2010, APPROVING A LICENSE AGREEMENT FOR NADIA TINTERA TO RESIDE AT UNIT AT WEST HILLS COUNTY PARK, HUNTINGTON**

**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 Nadia Tintera, Public Health Sanitarian for the Health Department, be approved to enter into a license agreement to reside at Unit at West Hills 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 Unit at West Hills County Park; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered, and directed, to enter into a License Agreement with Nadia Tintera to reside at Unit at West Hills County Park, in Huntington, in accordance with the provisions set forth in Chapter 378 of the SUFFOLK COUNTY CODE and Resolution No. 973-2009; and be it further

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

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

DATED:

APPROVED BY:

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County Executive of Suffolk County

Date of Approval:

1462

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

<p>1. Type of Legislation</p> <p>Resolution <u>X</u>      Local Law _____      Charter Law _____</p>											
<p>2. Title of Proposed Legislation</p> <p style="text-align: center;">APPROVING A LICENSE AGREEMENT FOR NADIA TINTERA TO RESIDE AT UNIT      AT WEST HILLS COUNTY PARK, HUNTINGTON</p>											
<p>3. Purpose of Proposed Legislation</p> <p>See #2.</p>											
<p>4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>X</u>      No</p>											
<p>5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)</p> <table style="width: 100%; border: none;"> <tr> <td style="border: 1px solid black; padding: 2px;">County</td> <td style="padding: 2px;">Town</td> <td style="padding: 2px;">Economic Impact</td> </tr> <tr> <td style="padding: 2px;">Village</td> <td style="padding: 2px;">School District</td> <td style="padding: 2px;">Other (Specify):</td> </tr> <tr> <td style="padding: 2px;">Library District</td> <td style="padding: 2px;">Fire District</td> <td></td> </tr> </table>			County	Town	Economic Impact	Village	School District	Other (Specify):	Library District	Fire District	
County	Town	Economic Impact									
Village	School District	Other (Specify):									
Library District	Fire District										
<p>6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact</p> <p style="text-align: center;">County will receive \$1,325.00 per month during the term of the license agreement.</p>											
<p>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</p> <p style="text-align: center;">N/A</p>											
<p>8. Proposed Source of Funding</p> <p style="text-align: center;">N/A</p>											
<p>9. Timing Impact</p> <p style="text-align: center;">Monthly, during the agreement term.</p>											
<p>10. Typed Name &amp; Title of Preparer</p> <p>Tom Malanga Intergovernmental Relations Coordinator Dept. of Parks, Recreation &amp; Conservation</p>	<p>11. Signature of Preparer</p> <p style="text-align: center;"><i>Thomas J. Malanga</i></p> <p style="text-align: center;"><b>NICHOLAS E. PAGLIA JR</b> <b>EXECUTIVE TECHNICIAN</b></p>	<p>12. Date</p> <p style="text-align: center;">4/13/2010</p>									

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1462

**GENERAL FUND**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**COMBINED**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 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.

1462

UNIT	Location	Current Rental Fees
101	Meadow Croft - Sayville	\$750.00
102	West Sayville Golf Course Gate house	\$875.00
103	Inlet Pond-Southold	\$925.00
104	Blydenburgh cottage (Ballantine)	\$1,175.00
105	Blydenburgh	\$800.00
109	Southaven-Brookhaven	\$1,050.00
111A	Coindre Hall-apartment	\$1,725.00
113	Cordwood Landing - Miller Place	\$1,050.00
114A	Robert Cushman Murphy - Manorville	\$1,000.00
114B	Robert Cushman Murphy - Manorville	\$800.00
115A	West Hills-Huntington	\$1,900.00
117	Southaven-Brookhaven	\$1,200.00
118	Robinson Duck Farm-Brookhaven	\$1,425.00
119A	Prosser Pines - Middle Island	\$1,000.00
119B	Prosser Pines - Middle Island	\$800.00
120A	Froehlich Farm - Huntington	\$1,625.00
124B	Robinson Duck Farm-Brookhaven	\$850.00
131	Timber Point	\$1,400.00
133A	Robert Cushman Murphy - Manorville	\$1,250.00
133B	Robert Cushman Murphy - Manorville	\$950.00
133C	Robert Cushman Murphy - Manorville	\$800.00
134	West Hills - Huntington Oakley House	\$1,900.00
135	Robert Cushman Murphy - Manorville	\$1,350.00
136	Black Duck Lodge - Flanders	\$600.00
139	Cedar Point - East Hampton	\$1,000.00
140	West Hills - Huntington	\$1,325.00
141	Blydenburgh cottage (Gerondel)	\$1,050.00
Schmidt	Arthur Kunz County Park-Kings Park	1,475.00
none	Isaac Mills House- 1 bedroom	600.00
none	Cedar Beach House-Southold	1,050.00
none	Lake Ronkonkoma	1,200.00

Gen 119

COUNTY OF SUFFOLK



APR 14 2010

1462

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:** April 13, 2010

**RE:** INTRODUCTORY RESOLUTION APPROVING A LICENSE AGREEMENT FOR NADIA TINTEA TO RESIDE AT UNIT AT WEST HILLS COUNTY PARK, HUNTINGTON

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 Nadia Tintera to reside in Unit at West Hills 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 Nadia Tintera, who works as a Public Health Sanitarian in the Health Department, to reside at Unit at West Hills County Park.

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

Enclosures



1463

Intro. Res. No. -2010

Laid on Table

4/27/10

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2010, AUTHORIZING USE OF CEDAR BEACH COUNTY PARK BY EVENT POWER FOR ITS MIGHTY NORTH FORK TRIATHLON FUNDRAISER**

**WHEREAS**, an unincorporated entity known as "Event Power" hosts the Mighty North Fork Triathlon events which are sanctioned by USA Triathlon, Inc., a nonprofit corporation having its principal place of business in Colorado Springs, CO; and

**WHEREAS**, Event Power would like to use Cedar Beach County Park in Southold for the purpose of hosting their Mighty North Fork Triathlon on Sunday, July 11, 2010; and

**WHEREAS**, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured has been provided by USA Triathlon, Inc.; now therefore, be it

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

**2<sup>nd</sup> RESOLVED**, that the use of Cedar Beach County Park by Event Power for the purpose of hosting a fundraiser on Sunday, July 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 USA Triathlon, Inc. and the payment of the Two Hundred and Twenty-Five Dollars (\$225.00) 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

**3<sup>rd</sup> 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 Cedar Beach County Park by Event Power.

DATED:

APPROVED BY:

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

1463

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>X</u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation  AUTHORIZING USE OF THE CEDAR BEACH COUNTY PARK BY EVENT POWER FOR ITS MIGHTY NORTH FORK TRIATHLON FUNDRAISER		
3. Purpose of Proposed Legislation Authorize use of County Parkland for fundraising event.		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>X</u> No _____		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
<input type="checkbox"/> County	<input type="checkbox"/> Town	<input type="checkbox"/> Economic Impact
<input type="checkbox"/> Village	<input type="checkbox"/> School District	<input type="checkbox"/> Other (Specify):
<input type="checkbox"/> Library District	<input type="checkbox"/> Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact There is a fee of \$225.00 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		
10. Typed Name & Title of Preparer  Tom Malanga Intergovernmental Relations Coordinator Dept. of Parks, Recreation & Conservation	11. Signature of Preparer  	12. Date  4/12/2010

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1463

**GENERAL FUND**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$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
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**COMBINED**

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0.00</b>		\$0.000

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 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.

1463



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 X (Specify Below) GENERAL GROUP (HIKE/FIELD TRIP)
Triathlon - Fundraiser (Mighty North Fork Triathlon)
(Horse/Dog Event, Fundraiser, Other)

PARK(S) Requested

DATE(S) Requested

1st Choice Cedar Beach, Southold 1st Choice 7/11/2010
2nd Choice 2nd Choice

Name of Group/Organization Event Power
Address P.O. Box 1626 Southampton, NY Zip Code 11969
Applicant Name Ralph Reuben Kline Phone (631) 258-4576 Cell # 717-357-0126
Address 3620 Demott Ave. Applicant Signature
Town Wantagh State NY Zip 11793 Today's Date 1/24/2010
Arrival Time 4:00 a.m./p.m. Departure Time 12:00 pm (Parks Close at Dusk)
Estimated # Attending 500 # Cars/Vans 250 # Buses NA

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 X NO
Is event open to the general public? YES X 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.
Is event being catered? YES NO X Name of Caterer
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 X 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

1463

**CERTIFICATE OF INSURANCE**

02/08/2010

**PRODUCER**  
 American Specialty Insurance & Risk Services, Inc.  
 142 North Main Street  
 Roanoke, Indiana 46783

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 POLICY BELOW.

**INSURED**  
 USA Triathlon  
 1365 Garden of the Gods Road, Suite 250  
 Colorado Springs, CO 80907

**INSURERS AFFORDING COVERAGE**  
 INS. A: AXIS Insurance Company  
 INS. B:  
 INS. C:

CERT NUMBER: 1000857804

**COVERAGES**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOT WITHSTANDING 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 CONDITION OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INS LTR	POLICY TYPE	POLICY NUMBER	POLICY EFFECTIVE	POLICY EXPIRATION	LIMITS	
A	GL	AXGL02100260-09	12/01/2009 12:01 a.m.	12/01/2010 12:01 a.m.	General Aggregate-Per Event	2,000,000
					Products-Completed Operations Aggregate	2,000,000
					Personal and Advertising Injury	1,000,000
					Each Occurrence	1,000,000
					Damage to Premises Rented to You (Any One Premises)	1,000,000
					Medical Expense Limit (Any One Person)	Excluded
A	XS	AXXS01100446-09	12/01/2009 12:01 a.m.	12/01/2010 12:01 a.m.	General Aggregate	10,000,000
					Each Occurrence	10,000,000

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS**

- The Certificateholder is only an additional insured with respect to liability caused by the negligence of the Named Insured as per Form AXIS 1003-Additional Insured-Certificateholders, but only with respect to MIGHTY NORTH FORK TRIATHLON on July 11, 2010.

**CERTIFICATE HOLDER**

SUFFOLK COUNTY  
 P O BOX 144  
 WEST SAYVILLE, NY 11796

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

**AUTHORIZED REPRESENTATIVE**

*Anthony L. White*

1463

EventPower  
P.O. Box 1626  
Southampton, NY 11969  
o:631.259.4516  
f: 631.614.3597

Febraury 8th, 2010

Leslie Butler  
Suffolk County Parks  
P.O. Box 144  
West Sayville, NY 11796

Dear Leslie,

I dropped off the permit application for the use of Cedar Beach for July 11, 2010 for the 12<sup>th</sup> Annual Mighty North Fork Triathlon. Enclosed please find a check for \$225.00. We are currently waiting for the insurance certificate and will forward this on to you as soon as it is in our possession.

The triathlon would start at 6:50 AM and be over by 10:00 AM. We will clean up the parking lot, beach, and roads, and leave the race site by 12:00 PM. The race consists of a 500 meter swim, an 8 mile bike, and a 3.5 mile run.

If you have any questions, please contact me.

Thank you in advance for processing the permit.

Sincerely,

A handwritten signature in cursive script that reads "Reuben Kline". To the right of the signature, there are initials "RP." written in a similar cursive style.

Reuben Kline  
Race Director, Event Power

1463

EventPower  
P.O. Box 1626  
Southampton, NY 11969  
o:631.259.4516  
f: 631.614.3597

Febraury 9th, 2010

Leslie Butler  
Suffolk County Parks  
P.O. Box 144  
West Sayville, NY 11796

Dear Leslie,

Enclosed please find the insurance certificate for the Mighty North Fork Triathlon event we would like to schedule for July 11, 2010. We mailed the payment of \$225.00 to you yesterday, and hope that it has been received.

The triathlon would start at 6:50 AM and be over by 10:00 AM. We will clean up the parking lot, beach, and roads, and leave the race site by 12:00 PM. The race consists of a 500 meter swim, an 8 mile bike, and a 3.5 mile run.

If you have any questions, please contact me.

Thank you in advance for processing the permit.

Sincerely,



Reuben Kline  
Race Director, Event Power

TOTAL TRAINING  
3620 DE MOTT AVE. 516-528-8803  
WANTAGH, NY 11793

1463

5259

DATE 2/2/2010

1-2  
210

PAY TO THE ORDER OF

Suffolk County Parks

\$ 225.00

Two hundred and twenty five <sup>00</sup>/<sub>100</sub>

DOLLARS



JPMorgan Chase Bank, N.A.  
New York, New York 10017  
www.Chase.com

FOR MNF permit

*Stephen T. Quinn*

⑈005259⑈ ⑆021000021⑆

820113662⑈

West Sayville Administration  
Montauk Highway  
West Sayville, NY  
(631) 854-4949

**Sales Receipt**

Transaction #: 33584  
Date: 2/17/2010 Time: 12:16:34 PM  
Cashier: Julie Register #: 1

Reference: total training  
check 5259 fundraiser fee

Item	Description	Amount
SE_Fund	Fund Raisers	\$225.00
	Sub Total	\$225.00
	Total	\$225.00
	Check Tendered	\$225.00
	Change Due	\$0.00



33584

Thank you.  
We hope you'll come back soon!  
West Sayville Administration  
<http://www.suffolkcountyny.gov/parks>

Gen #10

COUNTY OF SUFFOLK

APR 14 2010



1463

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:** APRIL 12, 2010

**RE:** INTRODUCTORY RESOLUTION AUTHORIZING USE OF THE CEDAR BEACH COUNTY PARK BY EVENT POWER FOR ITS MIGHTY NORTH FORK TRIATHLON 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-Event Power Fundraising Event.doc."

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

Enclosures



1464

4/27/10

Intro. Res. No. -2010

Laid on Table

Introduced by the Presiding Officer on request of County Executive

**RESOLUTION NO. -2010, AUTHORIZING USE OF INDIAN ISLAND COUNTY PARK BY AMERICAN DIABETES ASSOCIATION FOR ITS TOUR DE CURE FUNDRAISER**

**WHEREAS**, American Diabetes Association, Inc. is a national 501(c)(3) nonprofit organization having its principal place of business at 1701 N. Beauregard Street, Alexandria, VA; and

**WHEREAS**, the American Diabetes Association would like to hold its "Tour De Cure" Cycling Event Fundraiser on Long Island for the 19<sup>th</sup> time; and

**WHEREAS**, the American Diabetes Association has requested to begin and end this year's Tour De Cure Fundraiser at Indian Island County Park; and

**WHEREAS**, the Tour De Cure Fundraiser, is scheduled to be held on June 12, 2010; and

**WHEREAS**, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by American Diabetes Association; now therefore, be it

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

**2<sup>nd</sup> RESOLVED**, that the use of Indian Island County Park by American Diabetes Association for the purpose of hosting a fundraiser on Saturday, June 12, 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 by the County of Suffolk from American Diabetes Association and the payment of the Four Hundred Dollars (\$400.00) event, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

**3<sup>rd</sup> 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 Indian Island County Park by American Diabetes Association.

DATED:

APPROVED BY:

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

Date of Approval:

1464

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

<p>1. Type of Legislation</p> <p>Resolution <u>X</u>      Local Law _____      Charter Law _____</p>		
<p>2. Title of Proposed Legislation</p> <p>AUTHORIZING USE OF INDIAN ISLAND COUNTY PARK BY AMERICAN DIABETES ASSOCIATION FOR ITS TOUR DE CURE FUNDRAISER</p>		
<p>3. Purpose of Proposed Legislation</p> <p>Authorize use of County Parkland for fundraising event.</p>		
<p>4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>X</u>      No _____</p>		
<p>5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)</p> <p><input checked="" type="checkbox"/> County      <input type="checkbox"/> Town      <input type="checkbox"/> Economic Impact</p> <p><input type="checkbox"/> Village      <input type="checkbox"/> School District      <input type="checkbox"/> Other (Specify):</p> <p><input type="checkbox"/> Library District      <input type="checkbox"/> Fire District</p>		
<p>6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact</p> <p>There is a fee (\$400.00) collected by the County for use of the park.</p>		
<p>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</p> <p>N/A</p>		
<p>8. Proposed Source of Funding</p> <p>N/A</p>		
<p>9. Timing Impact</p> <p>N/A UPON ADOPTION</p>		
<p>10. Typed Name &amp; Title of Preparer</p> <p>Tom Malanga Intergovernmental Relations Coordinator Dept. of Parks, Recreation &amp; Conservation</p>	<p>11. Signature of Preparer</p> <p><i>Thomas J Malanga</i></p>	<p>12. Date</p> <p>4/12/2010</p>

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1464

**GENERAL FUND**

	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

**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	\$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.



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

1464

**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)  
Bike ride Fundraiser  
 (Horse/Dog Event, Fundraiser, Other)

**PARK(S) Requested**

**DATE(S) Requested**

1<sup>st</sup> Choice Indian Island Park 1<sup>st</sup> Choice 6/12 6/12/10  
 2<sup>nd</sup> Choice \_\_\_\_\_ 2<sup>nd</sup> Choice \_\_\_\_\_

Name of Group/Organization American Diabetes Association

Address 534 Broadhollow Rd. Suite 1110, Melville Zip Code 11747

Applicant Name Kristine Magnifico Phone 631-348-0422 Cell # 516-438-9786

Address 2498 Grand Ave. Applicant Signature Kristine Magnifico

Town Bellmore State Ny Zip 11710 Today's Date 11/22/10

Arrival Time 8 6 a.m./p.m. Departure Time 4 pm (Parks Close at Dusk)

Estimated # Attending 800 # Cars/Vans 300 # 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  only registered riders

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 6/12/10 AREA ASSIGNED Field/areas 1-6 picnic Picnic   
 Youth \_\_\_\_\_ Adult \_\_\_\_\_

PARK APPROVED Indian Island County Park \_\_\_\_\_

Received of Kristine Magnifico Amount \$ 100.00 Cash \_\_\_\_\_ MO \_\_\_\_\_ Credit \_\_\_\_\_  
 Alcohol Permit Approved \_\_\_\_\_ (Staff Initials) Transaction # 33585 Check 475102

SPECIAL INSTRUCTIONS use of field and picnic areas 1-6



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
2/12/2010

1464

PRODUCER (301)795-6600 FAX: (301)795-6610  
 The Novick Group  
 One Church Street  
 Suite 400  
 Rockville MD 20850

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  
 American Diabetes Association  
 National Center  
 1701 N. Beauregard Street  
 Alexandria VA 22311

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: St. Paul Travelers Companies,	
INSURER B: Travelers	
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 ADD'L LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY	CK09008011	1/1/2010	1/1/2011	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
	<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person) \$ 0
					PERSONAL & ADV INJURY \$ 1,000,000
					GENERAL AGGREGATE \$ 10,000,000
					PRODUCTS - COMP/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				
	AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO				BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS				
	<input type="checkbox"/> NON-OWNED AUTOS				
	GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT \$
	<input type="checkbox"/> ANY AUTO				OTHER THAN EA ACC AGG \$
B	EXCESS / UMBRELLA LIABILITY	GL09003205	1/1/2010	1/1/2011	EACH OCCURRENCE \$ 4,000,000
	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE \$
	<input type="checkbox"/> DEDUCTIBLE				\$
	<input checked="" type="checkbox"/> RETENTION \$ 10,000				\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATU-TORY LIMITS OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)				E.L. EACH ACCIDENT \$
	If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE \$
	OTHER				E.L. DISEASE - POLICY LIMIT \$

### DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

RE: ADA East Division; Suffolk County is an Additional Insured but only with respect to claims arising out of the negligence of the Named Insured at the Tour de Cure in Indian Island County Park on 06/12/10.

### CERTIFICATE HOLDER

Suffolk County Parks  
 Post Office Box 144  
 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  
 Louis Novick/HOLLIE

THIS CHECK CONTAINS SAFETY FEATURES FRONT AND BACK. DO NOT CASH UNLESS YOU SEE THE WATERMARK WHEN HOLDING AT AN ANGLE.

**American Diabetes Association.**

Cure • Care • Commitment®

1701 North Beauregard Street  
Alexandria, VA 22311  
Tel: (703) 549-1500

**Bank of America**  
Alexandria, Virginia



66-798  
531

No. 475102

1464

CHECK DATE	CHECK NUMBER	CHECK AMOUNT
28-JAN-10	475102	*****400.00

PAY Four Hundred Dollars And 00 Cents\*\*\*\*\*

TO  
THE  
ORDER  
OF

SUFFOLK COUNTY  
Department of Parks, Recreation & C  
P. O. Box # 144  
West Sayville, NY 11796

*Larry Hanson*

*Deborah Johnson*

⑈475102⑈ ⑆053107989⑆ 000480113779⑈

West Sayville Administration  
Montauk Highway  
West Sayville, NY  
(631) 854-4949

**Sales Receipt**

Transaction #: 33585  
Date: 2/17/2010 Time: 12:18:23 PM  
Cashier: Julie Register #: 1

Reference: American Diabetes Association  
check 475102 permit fee

Item	Description	Amount
SE_Fund	Fund Raisers	\$400.00
Sub Total		\$400.00
Total		\$400.00
Check Tendered		\$400.00
Change Due		\$0.00



33585

Thank you.  
We hope you'll come back soon!  
West Sayville Administration  
<http://www.suffolkcountyny.gov/parks>

1464



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***Cure • Care • Commitment***®

February 8, 2010

To Whom It May Concern,

The American Diabetes Association is requesting permission to host our Tour de Cure Bike Ride at Indian Island County Park in Riverhead on Saturday, June 12, 2010.

Tour de Cure is a series of fundraising cycling events held in 43 states nationwide to benefit the American Diabetes Association. The Tour is a ride, not a race, with routes designed for everyone from the occasional rider to the experienced cyclist. Whether participants ride 10 miles or 100 miles, they will travel a route supported from start to finish with rest stops, food to fuel the journey and fans to cheer them on! Last year, more than 40,000 cyclists in 80 Tour events raised nearly \$17 million to support the mission of the ADA: ***to prevent and cure diabetes and to improve the lives of all people affected by diabetes.***

Locally the Long Island Tour de Cure has been held at Indian Island County Park in 2008 and 2009. Both of these local Tour de Cure events have been very successful for us each year having over 500 riders and raising \$181,000 in 2008 and \$210,000 in 2009. Indian Island County Park serves as our start/finish line for the cyclists and is also the site of our afternoon entertainment for the riders upon their return. The cyclists will travel along the North Shore of Long Island and they can choose between different routes which include 100 miles, 63 miles, 50 miles, 35 miles, 15 miles and 5 miles. This event is fun and rewarding for family, friends and co-workers alike. It's a great day for everyone to come out and put their pedal power to good use and help cycle for a cure.

Please let me know if you have any other questions. Feel free to contact me at 631-348-0422 x 3410 or [kmagnifico@diabetes.org](mailto:kmagnifico@diabetes.org).

Kindest Regards,

A handwritten signature in black ink that reads 'Kristine Magnifico'.

Kristine Magnifico

Gen Hill

COUNTY OF SUFFOLK

APR 14 2010



1464

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:** April 12, 2010

**RE:** INTRODUCTORY RESOLUTION AUTHORIZING USE OF INDIAN ISLAND COUNTY PARK BY AMERICAN DIABETES ASSOCIATION FOR ITS TOUR DE CURE 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-American Diabetes Association Fundraiser.doc".

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

Enclosures



1465

4/27/10

Intro. Res. No. -2010

Laid on Table

Introduced by the Presiding Officer on request of County Executive

**RESOLUTION NO. -2010, AUTHORIZING USE OF  
MESCHUTT COUNTY PARK BY THE SUFFOLK BICYCLE  
RIDERS ASSOCIATION FOR ITS BICYCLE RALLY  
FUNDRAISER**

**WHEREAS**, the Suffolk County Bicycle Riders Association would like to hold its Bicycle Rally Fundraiser at Meschutt County Park in the Town of Southampton; and

**WHEREAS**, the Bicycle Rally Fundraiser is scheduled to be held on June 6, 2010;  
and

**WHEREAS**, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by Suffolk County Bicycle Riders Association; now therefore, be it

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

**2<sup>nd</sup> RESOLVED**, that the use of Meschutt County Park by the Suffolk County Bicycle Riders Association for the purpose of hosting a fundraiser on Sunday, June 1, 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 by the County of Suffolk from Suffolk County Bicycle Riders Association and the payment of the One Hundred and Fifty Dollars (\$150.00) event, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

**3<sup>rd</sup> 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 Meschutt County Park by Suffolk County Bicycle Riders Association.

DATED:

APPROVED BY:

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

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation <span style="float: right; font-size: 1.5em;">1465</span> Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation AUTHORIZING USE OF MESCHUTT COUNTY PARK BY SUFFOLK BICYCLE RIDERS ASSOCIATION FOR ITS BICYCLE RALLY FUNDRAISER		
3. Purpose of Proposed Legislation Authorize use of County Parkland for fundraising event.		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <input checked="" type="checkbox"/> No _____		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
<input type="checkbox"/> County	<input type="checkbox"/> Town	<input type="checkbox"/> Economic Impact
<input type="checkbox"/> Village	<input type="checkbox"/> School District	<input type="checkbox"/> Other (Specify):
<input type="checkbox"/> Library District	<input type="checkbox"/> Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact There is a fee (\$150.00) 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 <del>N/A</del> UPON ADOPTION		
10. Typed Name & Title of Preparer  Tom Malanga Intergovernmental Relations Coordinator Dept. of Parks, Recreation & Conservation	11. Signature of Preparer  	12. Date  4/16/2010

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1465

**GENERAL FUND**

	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

**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	\$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.

1465



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)

(Horse/Dog Event, Fundraiser, Other)

**PARK(S) Requested**

**DATE(S) Requested**

1<sup>st</sup> Choice Meschutt Beach County Park 1<sup>st</sup> Choice 6-6-2010  
2<sup>nd</sup> Choice \_\_\_\_\_ 2<sup>nd</sup> Choice \_\_\_\_\_

Name of Group/Organization Suffolk Bicycle Riders Association

Address PO Box 404, St James, NY Zip Code 11780

Applicant Name PAUL MICKLENN Phone 631-689-7186 Cell # 631-885-0995

Address 19 Stay Brook Avenue Applicant Signature Paul Micklen

Town Stay Brook State NY Zip 11790 Today's Date 2-18-2010

Arrival Time 7:00 (a.m./p.m.) Departure Time Dusk (Parks Close at Dusk)

Estimated # Attending less than 200 # Cars/Vans \_\_\_\_\_ # 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 \_\_\_\_\_ \* Bottled water  
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:** user will provide portable toilets

**Office Use Only**

DATE(S) APPROVED 6/6 AREA ASSIGNED Parking lot Picnic \_\_\_\_\_ Youth \_\_\_\_\_ Adult \_\_\_\_\_

PARK APPROVED Meschutt Beach County Park \_\_\_\_\_

Received of Paul Micklen Amount \$ \_\_\_\_\_ Cash \_\_\_\_\_ MO \_\_\_\_\_ Credit \_\_\_\_\_

Alcohol Permit Approved \_\_\_\_\_ (Staff Initials) Transaction # \_\_\_\_\_ Check \_\_\_\_\_

SPECIAL INSTRUCTIONS Rest stop for bikers will be given water bottles

PERMIT # own portable toilets PARKS DEPT. APPROVAL \_\_\_\_\_

1465

Suffolk Bicycle Riders' Association



P.O. Box 404  
St. James, N.Y. 11780

February 18, 2010

Leslie Butler  
Suffolk County Parks Department  
PO Box 144  
West Sayville, NY 11796

Dear Ms. Butler:

On behalf of the Suffolk Bicycle Riders Association (SBRA), I would like to request the use of the Meschutt Beach County Park to be used as a water stop for our annual event, Bike-Boat-Bike (BBB). Bike-Boat-Bike is a fundraiser used to promote bicycle awareness, safety and education. We are a "Not for Profit" organization.

Enclosures:

- Application for Parkland Group Permit requesting use of Meschutt Beach County Park on 6/6/2010.
- Check for \$150 as we expect less than 200 riders entering the Meschutt Beach County Park.
- Copy of insurance certificate listing Suffolk County as a certificate holder.
- Copy of our NY State filing receipt, "Not for Profit."

If you have any questions or require additional information, please contact me.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Paul Miklean".

Paul Miklean  
Suffolk Bicycle Riders Association (SBRA)  
Corresponding secretary  
SBRA c/o 19 Stony Brook Avenue, Stony Brook, NY 11790  
(631) 689-7186  
pmiklean@gmail.com

Cc: Peter Olivieri, Co-Chairman BBB  
Robert DeVito, President of SBRA, Co-Chairman BBB

1465

Suffolk Bicycle Riders' Association



P.O. Box 404  
St. James, N.Y. 11780

March 22, 2010

John W. Pavacic  
Commissioner Suffolk County Parks Department  
P.O. Box 144  
West Sayville, NY 11796

Dear Mr. Pavacic:

The Suffolk Bicycle Riders Association (SBRA) has requested the use of the Meschutt Beach County Park for our annual bicycling event Bike-Boat-Bike (BBB) scheduled on June 6, 2010. Enclosures for the request are listed below.

Leslie Butler, Suffolk County Department of Parks has informed us that our insurance coverage does not provide the \$2 Million/Each Occurrence required by the Suffolk County Parks Department.

SBRA is requesting the Suffolk County Parks Department to view our circumstances as a hardship and accept our insurance coverage with the \$1 Million/Each Occurrence policy. In explaining the hardship, we have contacted our insurance carrier who has informed us that they provide a \$1 Million/Each Occurrence as their only option for bicycle club policies and that they would not be able to grant us a change of policy to your request of \$2 Million/Each Occurrence.

Hold harmless paragraph:

"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 in the Suffolk Bicycle Riders Association permit."

Thank you in advance for your approval of SBRA's use of the Meschutt Beach County Park June 6, 2010.

Sincerely,

Paul Miklean  
Suffolk Bicycle Riders Association (SBRA)  
Corresponding Secretary  
SBRA c/o 19 Stony Brook Avenue, Stony Brook, NY 11790  
(631) 689-7186  
[pmiklean@gmail.com](mailto:pmiklean@gmail.com)

Enclosures:

- Letter to Leslie Butler for use of Meschutt Beach County Park
- Application for Parkland Group Permit
- Certificate of Insurance
- Not for Profit filing receipt

cc: Peter Olivieri, Co-Chairman BBB  
Robert DeVito, President of SBRA, Co-Chairman BBB  
Leslie Butler, Suffolk County Department of Parks

COUNTY OF SUFFOLK

1465



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF CIVIL SERVICE/HUMAN RESOURCES  
DIVISION OF EMPLOYEE SERVICES

ALAN SCHNEIDER  
PERSONNEL DIRECTOR

**MEMORANDUM**

**TO:** JoAnn Williams  
SC Parks Department

**FROM:** Jenine M. Vella  
Sr. Insurance Contract Analyst  
SC Risk Management

**DATE:** March 25, 2010

**SUBJECT:** Insurance Waiver(s)

1. Suffolk Bicycle Riders' Assoc - Their waiver request is approved. Their current GL coverage of 1 million dollars is acceptable.





1465

Suffolk Bicycle Riders' Association  
P.O. Box 404  
St. James, N.Y. 11780

NYS DEPARTMENT OF STATE

FILING RECEIPT INCORPORATED (ART. 90, § 102)

CORPORATION NAME

SUFFOLK BICYCLE RIDERS ASSOCIATION, INC.

DATE FILED	DURATION & COUNTY CODE	FILM NUMBER	CASH NUMBER
04/14/80	2 SUFF	ABSTRACT-4	417018

NUMBER AND KIND OF SHARES

LOCATION OF PRINCIPAL OFFICE

ST. JAMES, NY

COMMENTS:

TYPE 1  
S\*

RECEIVED APR 22 1980

ADDRESS FOR PROCESS

REGISTERED AGENT

FRINITE & WHISS CO  
314 LARKFIELD RD  
EAST NORTHPORT NY 11731

FEES AND/OR TAX PAID AS FOLLOWS:

AMOUNT OF CHECK \$	AMOUNT OF MONEY ORDER \$	AMOUNT OF CASH \$
2000.00		
\$ 5.00 DOLLAR FEE TO COUNTY		\$ 200.00 FILING
		\$ TAX
		\$ CERTIFIED COPY
		\$ CERTIFICATE
		TOTAL PAYMENT \$ 2005.00
		REFUND OF \$

FILER NAME AND ADDRESS

FRINITE & WHISS CO  
314 LARKFIELD RD  
EAST NORTHPORT NY 11731

TO FOLLOW

1465

50-859/214 3094  
 0164003964  
 DATE 2/23/10

**SUFFOLK BICYCLE RIDERS ASSOC., INC.**  
 P.O. BOX 404  
 ST. JAMES, NY 11790

PAY TO THE ORDER OF Suffolk County Parks Department \$ 150.00  
one hundred and fifty and  $\frac{00}{100}$  DOLLARS

**BANK of SMITHTOWN**  
 ONE EAST MAIN STREET • SMITHTOWN, NY 11787

MEMO permit fee - Meschutt 6/6/10 Joseph Matella

⑆021408597⑆ ⑆0164003964⑆ 3094

West Sayville Administration  
 Montauk Highway  
 West Sayville, NY  
 (631) 854-4949

**Sales Receipt**

Transaction #: 33686  
 Date: 3/1/2010 Time: 11:50:40 AM  
 Cashier: Julie Register #: 1

Reference: Suffolk Bicycle Riders Assoc.  
 Inc.  
 check 3094 Meschutt 6/6/10

Item	Description	Amount
SE_Fund	Fund Raisers	\$150.00
Sub Total		\$150.00
Total		\$150.00
Check Tendered		\$150.00
Change Due		\$0.00



33686

Thank you.  
 We hope you'll come back soon!  
 West Sayville Administration  
<http://www.suffolkcountryny.gov/parks>

Gen H12

1465

COUNTY OF SUFFOLK



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:** April 16, 2010

**RE:** INTRODUCTORY RESOLUTION AUTHORIZING USE OF MESCHUTT COUNTY PARK BY SUFFOLK BICYCLE RIDERS ASSOCIATION FOR ITS BICYCLE RALLY 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-Suffolk Bicycle Riders Association Fundraiser.doc".

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

Enclosures



1466

Intro. Res. No. -2010

Laid on Table

4/27/10

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2010, APPROVING A LICENSE AGREEMENT FOR BARBARA FEY TO RESIDE AT UNIT AT TIMBER POINT COUNTY PARK, GREAT RIVER**

**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 Barbara Fey, a Probation Officer for the Probation Department, be approved to enter into a license agreement to reside at Unit at Timber Point County Park; and

**WHEREAS**, Resolution No. 571-2009 adopted the rental charge recommended by the Parks Housing Rental Board and the Commissioner of Parks, Recreation and Conservation for Unit 131 at Timber Point County Park; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered, and directed, to enter into a License Agreement with Barbara Fey to reside at Unit at Timber Point County Park in Great River, in accordance with the provisions set forth in Chapter 378 of the SUFFOLK COUNTY CODE and Resolution No. 571-2009; and be it further

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

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

DATED:

APPROVED BY:

---

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1466

1. Type of Legislation Resolution <u>X</u> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation  APPROVING A LICENSE AGREEMENT FOR BARBARA FEY TO RESIDE AT UNIT      AT TIMBER POINT COUNTY PARK, GREAT RIVER		
3. Purpose of Proposed Legislation See #2.		
4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>X</u> No		
5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)		
<input type="checkbox"/> County	<input type="checkbox"/> Town	<input type="checkbox"/> Economic Impact
<input type="checkbox"/> Village	<input type="checkbox"/> School District	<input type="checkbox"/> Other (Specify):
<input type="checkbox"/> Library District	<input type="checkbox"/> Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact  County will receive \$1,400.00 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,		
10. Typed Name & Title of Preparer  Tom Malanga Intergovernmental Relations Coordinator Dept. of Parks, Recreation & Conservation	11. Signature of Preparer  	12. Date  4/13/2010

NICHOLAS E. PAGLIA JR. *NP* 4/19/10  
EXECUTIVE TECHNICIAN

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1466

**GENERAL FUND**

	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

**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	\$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.

1466

<u>UNIT</u>	<u>Location</u>	<u>Current Rental Fees</u>
101	Meadow Croft - Sayville	\$750.00
102	West Sayville Golf Course Gate house	\$875.00
103	Inlet Pond-Southold	\$925.00
104	Blydenburgh cottage (Ballantine)	\$1,175.00
105	Blydenburgh	\$800.00
109	Southaven-Brookhaven	\$1,050.00
111A	Coindre Hall-apartment	\$1,725.00
113	Cordwood Landing - Miller Place	\$1,050.00
114A	Robert Cushman Murphy - Manorville	\$1,000.00
114B	Robert Cushman Murphy - Manorville	\$800.00
115A	West Hills-Huntington	\$1,900.00
117	Southaven-Brookhaven	\$1,200.00
118	Robinson Duck Farm-Brookhaven	\$1,425.00
119A	Prosser Pines - Middle Island	\$1,000.00
119B	Prosser Pines - Middle Island	\$800.00
120A	Froehlich Farm - Huntington	\$1,625.00
124B	Robinson Duck Farm-Brookhaven	\$850.00
131	Timber Point	\$1,400.00
133A	Robert Cushman Murphy - Manorville	\$1,250.00
133B	Robert Cushman Murphy - Manorville	\$950.00
133C	Robert Cushman Murphy - Manorville	\$800.00
134	West Hills - Huntington Oakley House	\$1,900.00
135	Robert Cushman Murphy - Manorville	\$1,350.00
136	Black Duck Lodge - Flanders	\$600.00
139	Cedar Point - East Hampton	\$1,000.00
140	West Hills - Huntington	\$1,325.00
141	Blydenburgh cottage (Gerondel)	\$1,050.00
Schmidt	Arthur Kunz County Park-Kings Park	1,475.00
none	Isaac Mills House- 1 bedroom	600.00
none	Cedar Beach House-Southold	1,050.00
none	Lake Ronkonkoma	1,200.00

COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF  
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC  
COMMISSIONER

TRACEY BELLONE  
DEPUTY COMMISSIONER

1466  
APR 14 2010

**TO: KEN CRANNELL, Deputy County Executive**

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

**CC: CHRISTOPHER KENT, Chief Deputy County Executive**

**DATE: April 13, 2010**

**RE: INTRODUCTORY RESOLUTION APPROVING A LICENSE  
AGREEMENT FOR BARBARA FEY TO RESIDE AT UNIT AT  
TIMBER POINT COUNTY PARK, GREAT RIVER**

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Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "Reso-PKS-Approving License for Barbara Fey to reside in Unit at Timber Point 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 Barbara Fey, who works as a Probation Officer in the Probation Department, to reside at Unit at Timber Point County Park.

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

Enclosures

1467

4/27/10

Intro. Res. No. -2010

Laid on Table

Introduced by the Presiding Officer on request of County Executive

**RESOLUTION NO. -2010, AUTHORIZING USE OF CATHEDRAL PINES COUNTY PARK BY THE LEAGUE FOR ANIMAL PROTECTION OF HUNTINGTON FOR ITS "RIDE LAPS FOR L.A.P." FUNDRAISER**

**WHEREAS**, the League for Animal Protection of Huntington is a 501(c)(3) nonprofit organization having its place of business at P.O. Box 390, Huntington, New York; and

**WHEREAS**, the League for Animal Protection of Huntington would like to use Cathedral Pines County Park in Middle Island for the purpose of hosting its "Ride Laps for L.A.P." fundraiser; and

**WHEREAS**, the "Ride Laps for L.A.P." fundraiser is scheduled to be held on Sunday, June 13, 2010; and

**WHEREAS**, a Certificate of Insurance naming Suffolk County as an additional insured will be provided by the League for Animal Protection of Huntington within 30 days of the "Ride Laps for L.A.P." fundraiser; now therefore, be it

**1<sup>st</sup> RESOLVED**, that the use of Cathedral Pines County Park by the League for Animal Protection of Huntington for the purpose of hosting a fundraiser on Sunday, June 13, 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 League for Animal Protection of Huntington, 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

**2<sup>nd</sup> RESOLVED**, that before this event shall be permitted to occur, the League for Animal Protection of Huntington 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

**3<sup>rd</sup> 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 the League for Animal Protection of Huntington, and be it further

**4<sup>th</sup> RESOLVED**, that the League for Animal Protection of Huntington 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

**5<sup>th</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant

to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

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

Date of Approval:

1467

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation AUTHORIZING USE OF CATHEDRAL PINES COUNTY PARK BY THE LEAGUE FOR ANIMAL PROTECTION OF HUNTINGTON FOR ITS "RIDE LAPS FOR L.A.P." FUNDRAISER		
3. Purpose of Proposed Legislation Authorize use of County Parkland for fundraising event.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<input type="checkbox"/> County	<input type="checkbox"/> Town	<input type="checkbox"/> Economic Impact
<input type="checkbox"/> Village	<input type="checkbox"/> School District	<input type="checkbox"/> Other (Specify):
<input type="checkbox"/> Library District	<input type="checkbox"/> Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact There is a fee of \$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 Upon Adoption		
10. Typed Name & Title of Preparer  Tom Malanga Intergovernmental Relations Coordinator Dept. of Parks, Recreation & Conservation	11. Signature of Preparer  	12. Date  4/12/2010

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1467

**GENERAL FUND**

	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

**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	\$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.



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

1467

**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)  
Ride LAPS for LAP  
 (Horse/Dog Event, Fundraiser, Other)

**PARK(S) Requested**

**DATE(S) Requested**

1<sup>st</sup> Choice Cathedral Pines 1<sup>st</sup> Choice 6/18/2010  
 2<sup>nd</sup> Choice \_\_\_\_\_ 2<sup>nd</sup> Choice \_\_\_\_\_

Name of Group/Organization The League For Animal Protection, Inc.

Address PO Box 390 Huntington NY Zip Code 11743

Applicant Name Christine Pan Phone \_\_\_\_\_ Cell # 917-834-7456

Address 22 Round Swamp Rd Applicant Signature CU Pan

Town Huntington State NY Zip 11743 Today's Date 3/3/10

Arrival Time 8 (a.m./p.m.) Departure Time 4pm (Parks Close at Dusk)

Estimated # Attending 100 # Cars/Vans \_\_\_\_\_ # 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:** we would like use of gazebo from 12pm-4pm

**Office Use Only**

DATE(S) APPROVED 6/13/10 AREA ASSIGNED \_\_\_\_\_ Picnic \_\_\_\_\_ Youth \_\_\_\_\_ Adult \_\_\_\_\_

PARK APPROVED Cathedral Pines Supervisor J. Splendor 852-5500 County Park \_\_\_\_\_

Received of Christine Pan Amount \$ 100.00 Cash \_\_\_\_\_ MO \_\_\_\_\_ Credit \_\_\_\_\_  
 Alcohol Permit Approved \_\_\_\_\_ (Staff Initials) Transaction # 33754 Check 5616

SPECIAL INSTRUCTIONS \_\_\_\_\_

LEAGUE FOR ANIMAL PROTECTION  
 OF HUNTINGTON, INC.  
 P O BOX 390  
 HUNTINGTON, NY 11743

DATE 2/3/10

5616  
 50-1133/214  
 BRANCH 104

PAY TO THE ORDER OF Suffolk County Parks \$ 100.00  
One hundred dollars and 00/100 DOLLARS

The First National Bank of Long Island  
 Office: Greenvale, Queens, New York  
 NORTHPORT, NEW YORK 11768

FOR Permit - May 16, 2010

Deborah Spelton  
Jan Sue C Kenyon

⑆005616⑆ ⑆021411335⑆ 049002520⑆

1467

West Sayville Administration  
 Montauk Highway  
 West Sayville, NY  
 (631) 854-4949

Sales Receipt

Transaction #: 33754  
 Date: 3/5/2010 Time: 9:50:37 AM  
 Cashier: Julie Register #: 1

Reference: League for Animal protection of  
 Huntington Inc.  
 fundraiser May 16, 2010

Item	Description	Amount
SE_Fund	Fund Raisers	\$100.00
	Sub Total	\$100.00
	Total	\$100.00
	Check Tendered	\$100.00
	Change Due	\$0.00



33754

Thank you.  
 We hope you'll come back soon!  
 West Sayville Administration  
<http://www.suffolkcountyny.gov/parks>

1467

ACORD<sup>TM</sup>

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
01/28/2010

PRODUCER 516.822.6550 FAX 516.822.6564  
 Prince Associates, Inc.  
 183 Broadway  
 Hicksville, NY 11801

INSURED League For Animal Protection  
 Deborah Stark  
 PO Box 390  
 Huntington, NY 11743

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.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Hartford Insurance Co.	
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 ADD'L LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	12SBABB6910	10/07/2009	10/07/2010	EACH OCCURRENCE \$ 1,000,000
					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
					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 <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$
					BODILY INJURY (Per person) \$
					BODILY INJURY (Per accident) \$
					PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$
					OTHER THAN EA ACC AGG \$
A	EXCESS / UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION \$ 10,000	12SBABB6910	10/07/2009	10/07/2010	EACH OCCURRENCE \$ 1,000,000
					AGGREGATE \$ 1,000,000
					\$
					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below Y/N <input type="checkbox"/>				WC STATUTORY 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

Certificate Holder is Additional Insured as agreed by signed written contract with regard to the event "Ride laps for LAP" held on May 16, 2010 at the Cathedral Pines County Park in Yaphank, NY.

CERTIFICATE HOLDER

Suffolk Count  
 Dept of Parks, Recreation & Conservation  
 PO Box 144  
 W 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  
 Craig Sherman



# LEAGUE FOR ANIMAL PROTECTION

of Huntington, Inc.

January 29, 2010

1467

Leslie Butler  
Suffolk County Department of Parks, Recreation & Conservation  
PO Box 144  
West Sayville, NY 11796

The League for Animal Protection of Huntington, Inc., is a private, not-for-profit, all-volunteer organization based in Huntington. We run a cat shelter in East Northport called Grateful Paw and our volunteers also work with the dogs residing in the Town of Huntington Animal Shelter.

The League would like to hold a fundraising event at Cathedral Pines on May 16, 2010, to benefit our animals. We will be inviting mountain bikers to come ride laps around the trail, putting up \$5 for each lap they complete. We will have a table where riders can sign in and ask questions about the fundraiser and/or The League. Refreshments and snacks will be provided to the riders; no alcoholic beverages will be served. There will also be a raffle for a gift certificate from Bike Junkie in Bethpage and we will have merchandise from our shelter available for purchase, such as T-shirts and pet items.

We would like the fundraiser to run from 8am until 12pm, with the gazebo available until 4pm for a barbeque after everyone has finished their rides. We will be asking people to bring food and drinks for the barbeque. The estimated amount of people expected to participate is not more than 100.

Enclosed please find The League's payment of \$100.00 for the permit, our proof of not-for-profit status, a certificate of insurance naming Suffolk County as an additional insured and a copy of the promotional flyer we intend on distributing at local bike shops.

Please call me at 917-834-7456 if you have any questions or comments regarding this fundraising event.

Sincerely,

Christine Pan  
Fundraising Committee

1467

# RIDE LAPS FOR LAP

## Raise Money for Shelter Animals

Fundraiser for The League for Animal Protection of Huntington, Inc.

Where:

**Cathedral Pines** *Cattykill*

Come ride laps and donate \$5 per lap to help raise money for our organization.

Date:

**05/16/2010**

Time:

**8AM-12PM**

Established in 1973, The League (LAP) is dedicated to the rescue, care and rehabilitation of stray, abandoned and abused animals in Huntington Township.

Refreshments and snacks will be offered. The gazebo will be available until 4pm for those who participate in the fundraiser ride. Please feel free to bring food and drinks for a post-ride barbeque!

The League for Animal Protection of Huntington, Inc. is a private, not-for-profit, all-volunteer organization based in Huntington. LAP runs a cat shelter in East Northport called Grateful Paw. LAP volunteers also work with the dogs residing in the Town of Huntington Animal Shelter.

Contact person:

Christine Pan 917-834-7456

All proceeds will go directly towards the care and well-being of our animals. We appreciate your support in helping out a worthy cause and our animals thank you too!

The League for Animal Protection of Huntington, Inc.

PO Box 390  
Huntington, NY 11743

CATS: 631-757-4517  
DOGS: 631-757-9373



**LEAGUE FOR ANIMAL PROTECTION**  
of Huntington, Inc.



Gen #14

COUNTY OF SUFFOLK

APR 14 2010



1467

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:** April 12, 2010

**RE:** INTRODUCTORY RESOLUTION AUTHORIZING USE OF CATHDRAL PINES COUNTY PARK BY THE LEAGUE FOR ANIMAL PROTECTION OF HUNTINGTON FOR ITS "RIDE LAPS FOR L.A.P." 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-League for Animal Protection of Huntington Fundraiser at Cathedral Pines.doc".

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

Enclosures



1468

Intro. Res. No. - 2010

Laid on Table

4/27/10

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 PAGNOTTA  
PROPERTY - PECONIC RIVER GREENBELT  
ADDITION (TOWN OF RIVERHEAD -  
SCTM#0600-137.00-04.00-001.000 p/o )**

**WHEREAS**, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

**WHEREAS**, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

**WHEREAS**, Resolution No. 877-2005, authorized planning steps for the acquisition of said property; and

**WHEREAS**, the 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 1<sup>st</sup> Resolved, is listed in Resolution No. 625-2004 - Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 - Master Lists I and/or II Reports, respectively; now, therefore, be it;

**1<sup>st</sup> 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 Four Hundred Fifty Thousand Dollars (\$450,000.00+), at Seventy Five Thousand Dollars (\$75,000.00) per acre, for 6.0+ acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>		<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District	0600	6.0+	George & Marcia Pagnotta
	Section	137.00		8955 125 <sup>th</sup> Street
	Block	04.00		Seminole, FL 33772
	Lot	001.000 p/o		

; and, be it further

**2<sup>nd</sup> 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 Four Hundred Fifty Thousand Dollars (\$450,000.00+), subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$450,000.00+, 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

**4<sup>th</sup> 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

**5<sup>th</sup> RESOLVED**, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Three (3) 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

**6<sup>th</sup> RESOLVED**, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

- b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study;
- c.) any tract of land located fully or partially within the statutorily designated Special Groundwater Protection Area: and, be it further

**7<sup>th</sup> RESOLVED**, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

**8<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

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

Date of Approval:

COUNTY OF SUFFOLK

Gen #15  
1468

MAR 29 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

March 29, 2010

Mr. Ken Crannell, Deputy County Executive  
H. Lee Dennison Building -12<sup>th</sup> 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 Pagnotta property (Peconic River Greenbelt Addition), in the Town of Riverhead, under the New Suffolk County ¼% Drinking Water Protection Program. The purchase price is \$450,000.00±, at \$75,000.00 per acre, for 6.0± acres.

Please contact me if you require any additional information.

Sincerely,

*Pamela J. Greene*  
Pamela J. Greene  
Director

PJG:pd

Att.

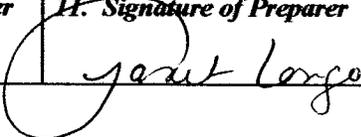
- cc: Christopher E. Kent, Chief Deputy County Executive
- Ed Dumas, Chief Deputy County Executive
- Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
- Thomas A. Isles, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., 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. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

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

**STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1468**

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/>	Local Law
		<input type="checkbox"/>
		Charter Law
		<input type="checkbox"/>
2. Title of Proposed Legislation		
Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program, of the Pagnotta property (Peconic River Greenbelt Addition), SCTM#0600-137.00-04.00-001.000 p/o, (Town of Riverhead).		
3. Purpose of Proposed Legislation		
See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES ___    NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
New Suffolk County 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		March 29, 2010

1469

Intro. Res. No. - 2010  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 4/27/10

**RESOLUTION NO. -2010 AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12- 5(E)(1)(a)] - FOR THE SWEETWATER ESTATES, LTD PROPERTY - HAUPPAUGE SPRINGS (TOWN OF ISLIP - SCTM#0500-001.00-01.00-001.001)**

**WHEREAS**, Article XII of the SUFFOLK COUNTY CHARTER established the Old Suffolk County Drinking Water Protection Program, as amended and effective as of November 30, 2000, the first priority of which being the acquisition of qualified lands to be funded by revenues generated by the quarter percent (1/4%) sales and compensating use tax; and

**WHEREAS**, in compliance with Sections C12-3(B) and (C) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, prior to the Division Director of the Division of Real Property Acquisition and Management entering into any negotiations for the acquisition of, and consummation of acquisition of any such parcel, the Board of Trustees of the Department of Parks, Recreation and Conservation shall review and recommend its acquisition; and

**WHEREAS**, adequate funding is provided for, under the Old Suffolk County Drinking Water Protection Program, pursuant to Section C12-5(E)(1)(a) of Article XII of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for the acquisition of such land; and

**WHEREAS**, Resolution No. 115-2001, authorized planning steps for the acquisition of the subject 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 the Division of Real Property Acquisition and Management to negotiate the acquisition; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(a), as amended and effective as of November 30, 2000, for a total purchase price of Eight Hundred Ninety Five Thousand Dollars (\$895,000.00+), at One Hundred Twenty Five Thousand Dollars (\$125,000.00) per acre, for 7.16± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u>		<u>ACRES:</u>	<u>REPUTED OWNER</u>
<u>No. 1</u>	<u>TAX MAP NUMBER:</u>			<u>AND ADDRESS:</u>
	District	0500	7.16±	Sweetwater Estates, LTD
	Section	001.00		2163 Sunrise Highway
	Block	01.00		Islip, NY 11754
	Lot	001.001		By: Lana Esterman, President

; and, be it further

**2<sup>nd</sup> 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 C42-2(C)(3)(d) 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 Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Eight Hundred Ninety Five Thousand Dollars (\$895,000.00+), subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$895,000.00, subject to a final survey, from previously appropriated funds in MY-176-LAW-GDX2 under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and, be it further

**4<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or 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

**5<sup>th</sup> RESOLVED**, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreation use; and, be it further

**6<sup>th</sup> RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

**7<sup>th</sup> 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 in 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) will be 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

**8<sup>th</sup> RESOLVED**, 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.

DATE:

APPROVED BY:

---

County Executive of Suffolk County

Date of Approval:

Gen #16

# COUNTY OF SUFFOLK



1469

MAR 29 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

March 29, 2010

Mr. Ken Crannell, Deputy County Executive  
H. Lee Dennison Building -12<sup>th</sup> 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 Sweetwater Estates, LTD property (Hauppauge Springs), in the Town of Islip, under the Old Suffolk County Drinking Water Protection Program. The purchase price is \$895,000.00±, at \$125,000.00 per acre for 7.16± acres.

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene  
Director

PJG:pd

Att.

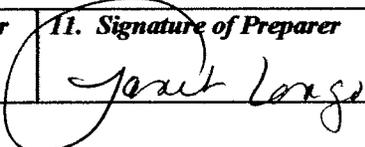
- cc: Christopher E. Kent, Chief Deputy County Executive
- Ed Dumas, Chief Deputy County Executive
- Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
- Thomas A. Isles, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condernnation
- 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. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

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

**STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION** 1469

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation Authorizing the acquisition under the Old Suffolk Drinking Water Protection Program, of the Sweetwater Estates, LTD property (Hauppauge Springs), SCTM#0500-001.00-01.00-001.001, (Town of Islip).		
3. Purpose of Proposed Legislation  See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	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  Old Suffolk County Drinking Water Protection Program		
9. Timing of Impact  N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer 	12. Date March 29, 2010

1470

4/27/10

Intro. Res. No. - 2010 Laid on Table  
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 CARLSON ESTATE PROPERTY - KINGS PARK GREENBELT (TOWN OF SMITHTOWN - SCTM#0800-029.00-02.00-002.000)**

**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 1<sup>st</sup> Resolved, is listed in Resolution No. 625-2004 - Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 - Master Lists I and/or II Reports, respectively; now, therefore, be it;

**1<sup>st</sup> 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 Six Hundred Dollars (\$325,600.00<sub>±</sub>), at Eighty Eight Thousand Dollars (\$88,000.00) per acre, for 3.70<sub>±</sub> acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u>	<u>ACRES:</u>	<u>REPUTED OWNER</u>
<u>No. 1</u>	<u>TAX MAP NUMBER:</u>	<u>3.70<sub>±</sub></u>	<u>AND ADDRESS:</u>
	District 0800		Estate of Erna L. Carlson
	Section 029.00		c/o Clifford K. Carlson
	Block 02.00		3026-67 West Villard
	Lot 002.000		Buzeman, MT 59718

; and, be it further

**2<sup>nd</sup> 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 Six Hundred Dollars (\$325,600.00<sub>±</sub>), subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$325,600.00<sub>±</sub>, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

**4<sup>th</sup> RESOLVED**, that 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

**5<sup>th</sup> RESOLVED**, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Four (4) 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

**6<sup>th</sup> RESOLVED**, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

h.) Wetlands, woodlands, pine barrens, and other lands which are suitable only for passive recreational use; and, be it further

**7<sup>th</sup> RESOLVED**, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

**8<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

---

County Executive of Suffolk County

Date of Approval:

Gen 107

# COUNTY OF SUFFOLK



1470

MAR 29 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

March 29, 2010

Mr. Ken Crannell, Deputy County Executive  
H. Lee Dennison Building -12<sup>th</sup> 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 Carlson property (Kings Park Greenbelt), in the Town of Smithtown, under the New Suffolk County ¼% Drinking Water Protection Program. The purchase price is \$325,600.00±, at \$88,000.00 per acre, for 3.70± 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-Condensation
- 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. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

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

**STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION** 1470

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____      Charter Law _____		
2. Title of Proposed Legislation Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program, of the Carlson property (Kings Park Greenbelt), SCTM#0800-029.00-02.00-002.000, (Town of Smithtown).		
3. Purpose of Proposed Legislation  See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES ___    NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:  N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.  N/A		
8. Proposed Source of Funding  New Suffolk County ¼% Drinking Water Protection Program		
9. Timing of Impact  N/A		
10. Typed Name & Title of Preparer Janet M. Longo Acquisition Supervisor	11. Signature of Preparer	12. Date March 29, 2010

1471

Intro. Res. No. - 2010

Laid on Table

4/27/10

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 NATURE CONSERVANCY AS CONTRACT VENDEE PROPERTY - MANOR GROVE - ARSHAMOMAQUE WETLANDS ADDITION ( TOWN OF SOUTHOLD - SCTM# 1000-053.00-01.00-001.003 & 1000-053.00-01.00-001.002 p/o )**

**WHEREAS**, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

**WHEREAS**, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

**WHEREAS**, Resolution No. 877-2005, authorized planning steps for the acquisition of said property; and

**WHEREAS**, the Town of Southold ("Town") has approved Resolution No. 61-2010 on February 2, 2010, authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

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

**WHEREAS**, 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, the Town, 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 1<sup>st</sup> Resolved, is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; 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 One Million One Hundred Twenty Five Thousand Dollars (\$1,125,000.00), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk’s share, totaling Five Hundred Sixty Two Thousand Five Hundred Dollars (\$562,500.00), for a fifty percent (50%) undivided interest; and the Town’s share, totaling Five Hundred Sixty Two Thousand Five Hundred Dollars (\$562,500.00), for a fifty percent (50%) undivided interest, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u>	<u>ACRES:</u>	<u>REPUTED OWNER</u>
No. 1	<u>TAX MAP NUMBER:</u>		<u>AND ADDRESS:</u>
	District 1000	27.36±	The Nature Conservancy
	Section 053.00		as Contract Vendee
	Block 01.00		1815 North Lynn Street
	Lot 001.003		Arlington, VA 22209
	District 1000		
	Section 053.00		
	Block 01.00		
	Lot 001.002 p/o		

; and, be it further

**2<sup>nd</sup> 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 as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for Five Hundred Sixty Two Thousand Five Hundred Dollars (\$562,500.00), subject to a final survey, said amount representing the County’s share of the total purchase price; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$562,500.00, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

**4<sup>th</sup> RESOLVED**, that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, each owning and undivided fifty percent (50%) interest; and, be it further

**5<sup>th</sup> 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

**6<sup>th</sup> RESOLVED**, that pursuant to Section C12-2(A)(2)(c) this property is not to be developed and One (1) Workforce Housing Development Rights, representing the County's percent (%) interest in the total number of development rights allocated to the property, shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

**7<sup>th</sup> RESOLVED**, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

a.) freshwater/tidal wetlands and buffer lands for same; and, be it further

**8<sup>th</sup> RESOLVED**, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

**9<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management is hereby authorized to negotiate and to enter into any necessary collateral agreements with the Town to effectuate the terms of this resolution; and, be it further

**10<sup>th</sup> RESOLVED**, if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation is hereby authorized to negotiate and to enter into a municipal cooperation agreement with the Town for the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department of Parks, Recreation and Conservation, who is charged with the management and operation of said property; and, be it further

**11<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

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

Date of Approval:

1471



**RESOLUTION 2010-161**

Item # 5.43

**ADOPTED**

DOC ID: 5691

**THIS IS TO CERTIFY THAT THE FOLLOWING RESOLUTION NO. 2010-161 WAS ADOPTED AT THE REGULAR MEETING OF THE SOUTHOOLD TOWN BOARD ON FEBRUARY 2, 2010:**

**WHEREAS**, the Town Board of the Town of Southold held a public hearing on the question of the purchase of open space fee title on certain parcels of property from The Nature Conservancy, contract vendee for the properties owned by Manor Grove Corp. on the 2<sup>nd</sup> day of February, 2010, at which time all interested parties were given the opportunity to be heard; and

**WHEREAS**, said property is identified as part of SCTM #1000-53.-1-1.3 and part of SCTM #1000-53.-1-1.2. The addresses are 650 Albertson Lane and 68775 Route 25, respectively, in Greenport. The properties are located in the R-80 and LB zoning districts at the northeasterly intersection of NYS Route 25 and Albertson Lane in Greenport, New York; and

**WHEREAS**, the purchase comprises a part of the properties consisting of approximately 27.36± acres (subject to survey) of the total property area, which excludes from the purchase an area of approximately 0.72± acre which includes the existing residential building and 2 accessory barns, as well as an area of approximately 0.38± acre which is involved in a lot line modification. The exact area of the open space fee title purchase is subject to a survey acceptable to the Land Preservation Committee, the County of Suffolk, and The Nature Conservancy (contract vendee); and

**WHEREAS**, the proposed acquisition is for the Town of Southold to acquire a fifty percent (50%) undivided interest in and to the approximately 27.36± acre property and for the County of Suffolk to acquire the remaining fifty percent (50%) undivided interest in and to the approximately 27.36± acre property, as tenants-in-common for open space purposes. The total purchase price is \$1,125,000 (one million one hundred twenty-five thousand dollars) and such purchase price will be divided equally in the respective amounts of \$562,500 by the Town of Southold and \$562,500 by the County of Suffolk. The purchase will be funded by the Town's Community Preservation Fund and the County of Suffolk in a 50%/50% partnership which will include the purchase price and any related acquisitions costs associated with the purchase of these parcels; and

**WHEREAS**, the properties are listed on the Town's Community Preservation Project Plan as properties that should be preserved for purposes of open space, nature preserves, passive recreational areas, wetland protection, significant biological diversity protection and furtherance of a greenbelt. The purpose of this acquisition is for open space protection, passive recreational purposes, wetland and biological diversity protection and to expand the existing preservation and protection efforts of the Town and County within the Pipes Cove Area. Proposed uses of the

property may include the establishment of a nature preserve, passive recreational area with trails, and limited parking for access purposes, all subject to a Management Plan which will be developed for this property; and

**WHEREAS**, the Land Preservation Coordinator has reviewed the acquisition in accordance with Chapter 117 (Transfer of Development Rights) of the Code of the Town of Southold, Section 117-5. Sanitary Flow Credits may be available for transfer from the properties upon the Town and County's purchase of the properties. The County of Suffolk will determine the number of Sanitary Flow Credits available from the properties. The Sanitary Flow Credits will be divided equally between the Town and County. The transfer of the Sanitary Flow Credits allotted to the Town will not be finalized, and shall not occur, until the Town closes on the properties, and the Town Board passes a resolution allowing the transfer into the Town TDR Bank; and

**WHEREAS**, the purchase of the development rights on this property is in conformance with the provisions of Chapter 17 (Community Preservation Fund) and Chapter 185 (Open Space Preservation) of the Town Code, and

**WHEREAS**, the proposed action has been reviewed pursuant to Chapter 268 (Waterfront Consistency Review) of the Town Code and Local Waterfront Revitalization Program ("LWRP") and the LWRP Coordinator recommends that this action is consistent with the LWRP; and

**WHEREAS**, the Land Preservation Committee has reviewed the application for the acquisition, and recommends that the Town Board acquire an open space fee title purchase; and

**WHEREAS**, the Town Board deems it in the best public interest that the Town of Southold purchase fee title on this open space land; and,

**WHEREAS**, the Town Board of the Town of Southold classifies this action as an Unlisted Action pursuant to the SEQRA Rules and Regulations, 6NYCRR 617.1 et. Seq.; and,

**WHEREAS**, the Town of Southold is the only involved agency pursuant to SEQRA Rules and Regulations; and,

**WHEREAS**, the Town Board of the Town of Southold accepted the Short Environmental Form for this project that is attached hereto; now, therefore, be it

**RESOLVED** that the Town Board of the Town of Southold hereby finds no significant impact on the environment and declares a negative declaration pursuant to SEQRA Rules and Regulations for this action; and, be it further

**RESOLVED** that the Town Board of the Town of Southold hereby elects to purchase fee title to this open space land from The Nature Conservancy, contract vendee for the properties owned by Manor Grove Corp., identified as part of SCTM #1000-53.-1 1.3 and part of SCTM #1000-53.-1-1.2. The proposed action has been reviewed pursuant to Chapter 268 (Waterfront Consistency

Review) of the Town Code and the Town Board determines that this action is consistent with the LWRP.

*Elizabeth A. Neville*

Elizabeth A. Neville  
Southold Town Clerk

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Christopher Talbot, Councilman  
**SECONDER:** Louisa P. Evans, Justice  
**AYES:** Ruland, Orlando, Talbot, Krupski Jr., Evans, Russell

Gen H 18

# COUNTY OF SUFFOLK

MAR 29 2010



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

1471

CARRIE MEEK GALLAGHER  
COMMISSIONER  
PAMELA J. GREENE  
DIVISION DIRECTOR

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

March 29, 2010

Mr. Ken Crannell, Deputy County Executive  
H. Lee Dennison Building -12<sup>th</sup> 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 Nature Conservancy property (Arshamomaque Wetlands Addition), in the Town of Southold, under the New Suffolk County ¼% Drinking Water Protection Program. The purchase price is \$1,125,000.00 for 27.36± acres, of which the County's 50% share is \$562,500.00

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-Condernation
- Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
- Brendan Chamberlain, Director, Intergovernmental Relations
- Tom Vaughn, County Executive Assistant
- Bob Zaher, Acquisition Agent
- CE Reso Review (e-mail copy only)

LOCATION  
H. LEE DENNISON BLDG. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

(631) 853-5900  
Fax (631) 853-5908  
Fax (631) 853-5905

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

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/>	Local Law
		Charter Law
1471		
2. Title of Proposed Legislation		
Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program, of the Nature Conservancy property (Manor Grove-Arshamomaque Wetlands Addition), SCTM#1000-053.00-01.00-001.003 & 1000-053.00-01.00-001.002 p/o, (Town of Souhold).		
3. Purpose of Proposed Legislation		
See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact?    YES ___    NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
New Suffolk County 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		March 29, 2010

1472

Intro. Res. No. - 2010

Laid on Table

4/27/10

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 CURTIS PROPERTY - NORTHWEST HARBOR HEADWATERS ( TOWN OF EAST HAMPTON SCTM#0300-112.00-03.00-004.000 p/o & 0300-133.00-02.00-011.001)**

**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 Town of East Hampton ("Town") has approved Resolution No. 2009-1265 on December 15, 2009, authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

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

**WHEREAS**, 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, the Town, 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 1<sup>st</sup> Resolved, is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; 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 Million Four Hundred Seventy Five Thousand Dollars (\$2,475,000.00), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk’s share, totaling One Million Two Hundred Thirty Seven Thousand Five Hundred Dollars (\$1,237,500.00), for a fifty percent (50%) undivided interest; and the Town’s share, totaling One Million Two Hundred Thirty Seven Thousand Five Hundred Dollars (\$1,237,500.00), for a fifty percent (50%) undivided interest, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0300 Section 112.00 Block 03.00 Lot 004.000 p/o	27.87±	Sara T. Curtis 40 Barrow Street New York, NY 10014 and
No. 2	District 0300 Section 133.00 Block 02.00 Lot 011.001		Mark Curtis 3446 Riviera Drive Key West, FL 33040-4611

; and, be it further

**2<sup>nd</sup> 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 as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for One Million Two Hundred Thirty Seven Thousand Five Hundred Dollars (\$1,237,500.00), subject to a final survey, said amount representing the County’s share of the total purchase price; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,237,500.00, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

**4<sup>th</sup> RESOLVED**, that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, each owning and undivided 50% interest; and, be it further

**5<sup>th</sup> 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

**6<sup>th</sup> RESOLVED**, that pursuant to Section C12-2(A)(2)(c) this property is not to be developed and Three (3) Workforce Housing Development Rights, representing the County's fifty percent (50%) interest in the total number of development rights allocated to the property, shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

**7<sup>th</sup> RESOLVED**, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

- a.) freshwater/tidal wetlands and buffer lands for same;
- d.) lands determined by the County Department of Planning to be necessary for maintaining the quality of surface and/or groundwater in Suffolk County; and, be it further

**8<sup>th</sup> RESOLVED**, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

**9<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management is hereby authorized to negotiate and to enter into any necessary collateral agreements with the Town to effectuate the terms of this resolution; and, be it further

**10<sup>th</sup> RESOLVED**, if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation is hereby authorized to negotiate and to enter into a municipal cooperation agreement with the Town for the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department of Parks, Recreation and Conservation, who is charged with the management and operation of said property; and, be it further

**11<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial

impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

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

Date of Approval:



**East Hampton Town Board**  
159 Pantigo Road  
East Hampton, NY 11937

1472

**Fred Overton**  
Town Clerk  
(631) 324-4142  
www.town.east-hampton.ny.us

ADOPTED

Meeting: 12/15/09 10:00 AM  
DOC ID: 7967 B

**RESOLUTION 2009-1265**

**Curtis Authorize Acquisition**

**AUTHORIZE ACQUISITION**

**Property of: Sarah T Curtis & Mark Curtis, & the Estate of Helena Curtis**  
**Address: 10 Red Springs Path & 84 Swamp Road**  
**SCTM #s: 300-112-3-4 & 300-133-2-11.1 respectively**

*WHEREAS*, pursuant to § 247 of the General Municipal Law of the State of New York, the Town Board held a public hearing on **December 4, 2009** to consider the acquisition of approximately **27.87 acres** of land located at **10 Red Springs Path & 84 Swamp Road, East Hampton**, which land is identified on the Suffolk County Tax Map as **SCTM # p/o 300-112-3-4 & 300-133-2-11.1**; and

*WHEREAS*, this transaction will be subject to the approved subdivision of 10 Red Springs Path, SCTM# 300-112-3-4, by the East Hampton Town Planning Board; and

*WHEREAS*, the sellers are proposing to subdivide off +- 5 acres from this +- 20 acre lot so that they may retain the existing dwelling; and

*WHEREAS*, subject to said subdivision, the Town will be participating in a 50/50 partnership with the County of Suffolk on the balance of this property, +- 15 acres, and the whole of SCTM lot # 300-133-2-11.1, for a total of approximately 27.87 acres; and

*WHEREAS*, the proposed purchase price is **\$2,475,000.00**, 50% of which will be attributable to the Town, **\$1,237,500** plus 50% of survey, title, prorated tax, and recording charges; and

*WHEREAS*, the purpose of said acquisition is preservation of community character and open space; and

*WHEREAS*, the acquisition of the subject property is classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA); and

*WHEREAS*, the Town Board finds, pursuant to § 64-e (8) of the New York Town Law, that acquisition of the subject property by purchase is the best alternative, of all reasonable alternatives available to the Town, for protection of the community character of the Town of East Hampton, and that such acquisition would be in the best interests of the Town;

***NOW, THEREFORE, BE IT RESOLVED***, that the Supervisor is hereby authorized and directed to enter into a contract of sale with the record owner of the subject property, reputedly **Sarah T Curtis & Mark Curtis, & the Estate of Helena Curtis**, for the purpose of acquiring said property at a cost to the Town of East Hampton not to exceed **\$1,237,500.00**, plus 50% of

1472

reasonable survey, title, prorated tax, and recording charges; and be it further

**RESOLVED**, that pursuant to contract the Supervisor is authorized and directed to execute any documents and the Town Comptroller is directed to pay the purchase price and any and all reasonable survey, title, prorated tax, and recording charges, as may be necessary to effect the transfer of title; and be it further

**RESOLVED**, that pursuant to § 64-e of the New York Town Law, the acquisition of subject property also includes the acquisition of development rights, which rights may be transferred at a future date subject to Suffolk County approval/participation; and be it further

**RESOLVED**, the monies to be expended for purchase of the foregoing property shall be drawn from the Town of East Hampton **Community Preservation Fund** Budget Account.

**FISCAL IMPACT:**

\$1,237,500 plus closing costs from CPF

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Pete Hammerle, Councilman
<b>SECONDER:</b>	Julia Prince, Councilwoman
<b>AYES:</b>	Julia Prince, Pete Hammerle, Pat Mansir, Brad Loewen

Gen H19

# COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

APR 12 2010

1472

CARRIE MEEK GALLAGHER  
COMMISSIONER  
PAMELA J. GREENE  
DIVISION DIRECTOR

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

April 8, 2010

Mr. Ken Crannell, Deputy County Executive  
H. Lee Dennison Building -12<sup>th</sup> 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 Curtis property (Northwest Harbor Headwaters), in the Town of East Hampton, under the New Suffolk County 1/4% Drinking Water Protection Program. The purchase price is \$2,475,000.00 for 27.87± acres, of which the Count's 50% share will be \$1,237,500.00.

Please contact me if you require any additional information.

Sincerely,

*Pamela J. Greene*  
Pamela J. Greene  
Director

PJG:pd  
Att.

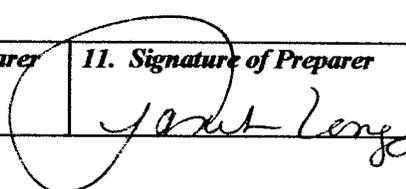
- cc: Christopher E. Kent, Chief Deputy County Executive
- Ed Dumas, Chief Deputy County Executive
- Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
- Thomas A. Isles, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condensation
- Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
- Brendan Chamberlain, Director, Intergovernmental Relations
- Tom Vaughn, County Executive Assistant
- Bob Zaher, Acquisition Agent
- CE Reso Review (e-mail copy only)

LOCATION  
H. LEE DENNISON BLDG. - 2<sup>nd</sup> Floor  
100 VETERANS MEMORIAL HIGHWAY

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

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

**STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION 1472**

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/>	Local Law
		<input type="checkbox"/>
		<input type="checkbox"/>
2. Title of Proposed Legislation		
Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program, of the Curtis property (Northwest Harbor Headwaters), SCTM#0300-112.00-03.00-004.000 p/o & 0300-133.00-02.00-011.001, (Town of East Hampton).		
3. Purpose of Proposed Legislation		
See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <u>X</u>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:		
N/A		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
New Suffolk County 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		April 8, 2010

**RESOLUTION NO. 2010, APPROVING  
PLANNING STEPS FOR THE ACQUISITION  
OF FARMLAND DEVELOPMENT RIGHTS –  
APRIL 2010**

**WHEREAS**, the Environmental Legacy Program was approved under the adopted 2007-2009 Capital Program allocating fifty million dollars for the acquisition of environmentally sensitive lands, active recreation sites, historic properties, and farmland development rights where there is a partner who will provide a 50% matching contribution; and

**WHEREAS**, the 5th RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution 751-1997; pursuant to the traditional Suffolk County Open Space Program; pursuant to Chapter 8 of the SUFFOLK COUNTY CODE; for parkland purposes; for environmentally sensitive land acquisition; for watershed and/or estuary protection; for drinking water protection purposes; or in accordance with the programmatic criteria set forth in Resolution No. 603-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

**WHEREAS**, Local Law 24-2007, "A Charter Law Extending and Accelerating the Suffolk County 1/4% Drinking Water Protection Program for Environmental Protection," authorizes the use of 31.10 per cent of sales and compensating use tax proceeds generated each year for Specific Environmental Protection including acquisition of open space; environmentally sensitive lands; farmland development rights; hamlet parks; active recreational parks; or historic/cultural parks, as determined by duly enacted Resolutions of the County of Suffolk; and

**WHEREAS**, the County's nationally acclaimed land preservation programs have received a jump start with the approval in 2004, 2005, and 2006 master lists of important and significant environmentally sensitive lands, farmland, and recreationally important lands identified in Resolution No. 621-2004, Resolution No. 877-2005, and Resolution No. 47-2006, respectively, that it is now necessary to add additional parcels to the master list for acquisition of farmland development rights; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that this list of farmlands identified by Exhibit "A " for the acquisition of farmland development rights in Suffolk County, is hereby approved and/or confirmed, as a supplement to parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk; and, be it further

**2<sup>nd</sup> RESOLVED**, that such acquisition(s) is(are) to be made in accordance with the procedures set forth in Chapter 8 of the SUFFOLK COUNTY CODE which provided that they be consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation(s) of the Suffolk County Farmland Committee; and, be it further

**I.) ENVIRONMENTAL LEGACY PROGRAM**

**3<sup>rd</sup> RESOLVED**, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning

steps (i.e., survey, appraisal, title search, and environmental audit) and ultimate inclusion in the Suffolk County Environmental Legacy Program, approved under the ADOPTED 2007-2009 CAPITAL PROGRAM:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section Block Lot		SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

;and, be it further

**4<sup>th</sup>** **RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and, be it further

**5<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and, be it further

**6<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C), of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcel(s), the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and, be it further

**7<sup>th</sup>** **RESOLVED**, that the cost of such surveys, title searches, audits, maps, and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to the Suffolk County Environmental Legacy Program, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

**8<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and, be it further

## **II.) MULTIFACETED LAND PRESERVATION PROGRAM – FARMLAND DEVELOPMENT RIGHTS**

**9<sup>th</sup>** **RESOLVED**, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning steps (i.e., survey, appraisal, title search, and environmental audit) and ultimate inclusion in the

Suffolk County Multifaceted Land Preservation Program, according to the provisions of the 5<sup>th</sup> RESOLVED clause of Resolution No. 459-2001, and pursuant to Chapter 8 of the SUFFOLK COUNTY CODE:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section Block Lot		SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

;and, be it further

**10<sup>th</sup>** **RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and, be it further

**11<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and, be it further

**12<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcel(s), the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and, be it further

**13<sup>th</sup>** **RESOLVED**, that the cost of such surveys, title searches, audits, maps, and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to the provisions of the 5<sup>th</sup> RESOLVED clause of Resolution No. 459-2001, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

**14<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and, be it further

**III.) NEW DRINKING WATER PROTECTION PROGRAM (AS AMENDED BY LOCAL LAW NO. 24-2007, EFFECTIVE DECEMBER 1, 2007) – FARMLAND DEVELOPMENT RIGHTS**

**15<sup>th</sup>** **RESOLVED**, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly

enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning steps (i.e., survey, appraisal, title search, and environmental audit) and ultimate inclusion in the Suffolk County New Drinking Water Protection Program, Farmland component, Section C12-(A) (1)(f) of the SUFFOLK COUNTY CHARTER:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section Block Lot		SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

;and, be it further

**16<sup>th</sup>** **RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and, be it further

**17<sup>th</sup>** **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 C42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and, be it further

**18<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcel(s), the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and, be it further

**19<sup>th</sup>** **RESOLVED**, that the cost of such surveys, title searches, audits, maps, and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Section C12-(A) (1)(f) of the SUFFOLK COUNTY CHARTER, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

**20<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and, be it further

**21<sup>st</sup>** **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) AND WITHIN THE MEANING OF Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing

agency administration, management, and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

EXHIBIT A

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP</u> <u>NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER</u>
No. 1	0100 01300 0200 039001	0.4	Gustave Wade
No. 2	0100 01300 0200 039002	0.6	Gustave J. & Carol Wade
No. 3	0100 01300 0200 039003	0.3	Gustave Wade
No. 4	0100 01300 0200 039004	0.3	Gustave J. & Carol Wade
No. 5	0100 01300 0200 039005	0.3	Gustave Wade
No. 6	0100 01300 0200 039006	0.3	Gustave J. & Carol Wade
No. 7	0100 01300 0200 039012 p/o	0.2	Gustave J. & Carol Wade
No. 8	0100 01300 0200 039013 p/o	0.3	Carol Wade
No. 9	0100 01300 0200 039014	0.3	Gustave Wade
No. 10	0100 01300 0200 039019 p/o	0.2	Gustave J. & Carol Wade
No. 11	0100 01300 0200 039020	0.5	Gustave Wade
No. 12	0100 01300 0200 039021	0.4	Gustave J. & Carol Wade
No. 13	0100 01300 0200 039022	0.6	Gustave Wade
No. 14	0100 01300 0200 039023	0.6	Gustave J. & Carol Wade
No. 15	0100 01300 0200 039024	0.3	Gustave Wade
No. 16	0100 01300 0200 039025	0.3	Gustave J. & Carol Wade
No. 17	0100 01300 0200 039026	0.3	Carol Wade
No. 18	0100 01300 0200 039027	0.3	Gustave J. & Carol Wade
No. 19	0100 01300 0200 039028	0.5	Carol Wade
No. 20	0100 01300 0200 039029	0.7	Gustave Wade
No. 21	0100 01300 0200 039030	0.7	Gustave J. & Carol Wade
No. 22	0100 01300 0200 039031	0.4	Gustave Wade
No. 23	0100 01300 0200 039032	0.5	Gustave J. & Carol Wade
No. 24	0100 01300 0200 039033	0.4	Gustave Wade
No. 25	0100 01300 0200 039034	0.4	Gustave J. & Carol Wade
No. 26	0100 01300 0200 039035	0.5	Gustave J. & Carol Wade
No. 27	0100 01300 0200 039036	0.3	Gustave Wade
No. 28	0100 01300 0200 039037	0.4	Gustave Wade
No. 29	0100 01300 0200 039038	0.4	Gustave J. & Carol Wade
No. 30	0100 01300 0200 039039	0.4	Gustave Wade
No. 31	0100 01300 0200 039040	0.7	Gustave J. & Carol Wade
No. 32	0100 01300 0200 039041	0.4	Gustave Wade
No. 33	0100 01300 0200 039042	0.5	Carol Wade
No. 34	0100 01300 0200 039043	0.4	Gustave Wade
No. 35	0100 01300 0200 039044	0.6	Gustave J. & Carol Wade
No. 36	0100 01300 0200 039045	0.4	Gustave Wade
No. 37	0100 01300 0200 039046	0.4	Gustave J. & Carol Wade
No. 38	0100 01300 0200 039047	0.5	Carol Wade
No. 39	0100 01300 0200 039048	0.3	Gustave J. & Carol Wade
No. 40	0100 01300 0200 039049	0.4	Gustave Wade
No. 41	0100 01300 0200 039051 p/o	3.9	Gustave Wade
No. 42	0600 02200 0200 013014	20	John P. Kujawski & Sons, Inc.

TOTAL ACRES

40.8

Gen 1120

# COUNTY OF SUFFOLK

APR 13 2010



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES, AICP  
DIRECTOR OF PLANNING

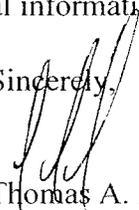
April 12, 2010

Mr. Ken Crannell  
Deputy County Executive  
H. Lee Dennison Building, 12<sup>th</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is a proposed Introductory Resolution that would authorize planning steps for the purchase of farmland development rights within the Towns of Babylon and Riverhead totaling 40.8 acres. These have been approved by the Farmland Committee.

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
- Lauretta R. Fischer, Principal Environmental Analyst, Department of Planning
- Jessica L. Kalmbacher, Planner, Department of Planning
- Michael A. Amoroso, Bureau Chief, Department of Law
- Pamela J. Greene, Director, Div. of Real Property Acquisition & Management
- Janet M. Longo, Acquisition Supervisor, Div. of Real Property Acquisition & Mgmt.
- Brendan Chamberlain, Director, Intergovernmental Relations ✓
- CE Reso Review (e-mail copy only)

**REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION**  
**OFFICE OF THE COUNTY EXECUTIVE**  
County of Suffolk

- (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 of Planning  
H. Lee Dennison Bldg., 4<sup>th</sup> Floor, Hauppauge

Department Contact Person  
(Name & Phone No.):  
Jessica L. Kalmbacher, Planner  
3-8352

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Suggestion Involves:

Technical Amendment

New Program

Grant Award

Contract (New  Rev. )

Other

---

Summary of Problem: (Explanation of why this legislation is needed.)

APPROVING PLANNING STEPS FOR THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS – APRIL 2010

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Proposed Changes in Present Statute: (Please specify section when possible.)

N/A

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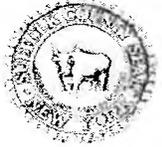
PLEASE FILL IN REVERSE SIDE OF FORM

---

SCIN FORM 175a (10/95) Prior editions of this form are obsolete.

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

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
APPROVING PLANNING STEPS FOR THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS – APRIL 2010		
3. Purpose of Proposed Legislation		
See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES _____ NO <input checked="" type="checkbox"/>		
5. If the answer to item 4 is “yes”, on what will it impact? (Circle appropriate category)		
County	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 Jessica L. Kalmbacher Planner	11. Signature of Preparer 	12. Date April 12, 2010



## SUFFOLK COUNTY FARMLAND RATING SYSTEM FOR THE PURCHASE OF DEVELOPMENT RIGHTS (PDR)

This rating system was developed for the evaluation of farmland for the potential purchase of its development rights (PDR) and inclusion in the County's Purchase of Development Rights Program under Chapter 8 of the Suffolk County Code. The system considers four major factors: contiguity, vistas, soils, and value. The first two factors seek to preserve large blocks of farmland, thus protecting the land from nonagricultural intrusions and preserving the scenic vistas. Soils which are better for farming, such as Bridgehampton and Haven associations, are assigned higher point values. Slope also plays a part in the soil type and its desirability for use as farmland. The estimated price of the farmland is also considered in the evaluation. Bonuses are given for farms within Agricultural Districts or within high population density areas. Negative points may be given for negative impacts such as excavations.

FARMLAND PRESERVATION FACTORS			Score	Subtotal
<b>A. CONTIGUITY: PROXIMITY TO PRESERVED FARM PROPERTIES</b>				
1.	PDR properties on three sides. (5 pts.)			
2.	PDR properties on two sides. (4 pts.)			
3.	PDR properties on one side. (3 pts.)			
4.	Large amount of protected farmland nearby. (2 pts.)			
5.	Some protected farmland nearby. (1 pt.)			
6.	No protected farmland nearby. (0 pt.)		0	0
<b>B. VISTAS</b>				
1.	Long road frontage and part of a large block of farmland (100+ acres). (5 pts.)			
2.	Small road frontage and part of a large block of farmland. (4 pts.)			
3.	Long road frontage and part of a small block of farmland. (3 pts.)		3	
4.	Small road frontage and part of a small block of farmland. (2 pts.)			
5.	Less than 100' of road frontage and part of a large block of farmland. (1 pt.)			
6.	Less than 100' of road frontage and part of a small block of farmland. (0 pt.)			3
<b>C. SOILS</b>				
		<b>Slope</b>	<b>Capability</b>	
1.	Capability Unit I-1: Bridgehampton, Haven, Montauk. (5 pts.)	0-3%	BgA, HaA, MKA	
2.	Nearly flat Class II: Riverhead, Scio, Plymouth, Haven, Montauk. (4 pts.)	0-3%	RdA, SdA, PsA, He, MfA	4
3.	Best soils but with some slope: Bridgehampton, Haven, Montauk. (3 pts.)	2-8%	BgB, BhB, HaB, MkB	
4.	Other Class II soils with some slope: Montauk, Riverhead, Scio, Sudbury. (2 pts.)	2-8%	MB, RdB, ScB, Su	
5.	Non-prime soil that is farmed: Plymouth. (1 pt.)		PmB3	
6.	Poor soil. (0 pt.)		Gp	4
<b>D. APPROXIMATE DEVELOPMENT RIGHTS VALUE PER ACRE</b> (Subject to appraisal and SC ETRB approval)				
1.	\$100,000. or less. (3 pts.)			
2.	\$100,001.-\$200,000. (1 pt.)		1	
3.	\$200,001. or more (-2 pts.)			1
<b>E. ADJUSTMENTS</b>				
1.	Located within a Census Designated Place with a population density of $\geq$ 1,000 persons per square mile. (3 pts.)		3	
2.	Located within an existing certified Agricultural District. (1 pt.)			
3.	Anticipated partnership with the municipality and/or not-for-profit conservation organization. (1 pt.)			
4.	Other positive factors. (i.e., historical significance, community benefit, etc.) (1 or 2 pts.)			
5.	Other negative factors. (-1 or -2 pts.)			3
<b>TOTAL SCORE (maximum = 25 points)</b>				<b>11</b>



## SUFFOLK COUNTY FARMLAND RATING SYSTEM FOR THE PURCHASE OF DEVELOPMENT RIGHTS (PDR)

This rating system was developed for the evaluation of farmland for the potential purchase of its development rights (PDR) and inclusion in the County's Purchase of Development Rights Program under Chapter 8 of the Suffolk County Code. The system considers four major factors: contiguity, vistas, soils, and value. The first two factors seek to preserve large blocks of farmland, thus protecting the land from nonagricultural intrusions and preserving the scenic vistas. Soils which are better for farming, such as Bridgehampton and Haven associations, are assigned higher point values. Slope also plays a part in the soil type and its desirability for use as farmland. The estimated price of the farmland is also considered in the evaluation. Bonuses are given for farms within Agricultural Districts or within high population density areas. Negative points may be given for negative impacts such as excavations.

Score    Subtotal

<b>FARMLAND PRESERVATION FACTORS</b>			
<b>A. CONTIGUITY: PROXIMITY TO PRESERVED FARM PROPERTIES</b>			
1. PDR properties on three sides. (5 pts.)			
2. PDR properties on two sides. (4 pts.)		4	
3. PDR properties on one side. (3 pts.)			
4. Large amount of protected farmland nearby. (2 pts.)			
5. Some protected farmland nearby. (1 pt.)			
6. No protected farmland nearby. (0 pt.)			4
<b>B. VISTAS</b>			
1. Long road frontage and part of a large block of farmland (100+ acres). (5 pts.) does it have to be contig. PDR?		5	
2. Small road frontage and part of a large block of farmland. (4 pts.)			
3. Long road frontage and part of a small block of farmland. (3 pts.)			
4. Small road frontage and part of a small block of farmland. (2 pts.)			
5. Less than 100' of road frontage and part of a large block of farmland. (1 pt.)			
6. Less than 100' of road frontage and part of a small block of farmland. (0 pt.)			5
<b>C. SOILS</b>			
	<b>Slope</b>	<b>Capability</b>	
1. Capability Unit I-1: Bridgehampton, Haven, Montauk. (5 pts.)	0-3%	BgA, HaA, MKA	5
2. Nearly flat Class II: Riverhead, Scio, Plymouth, Haven, Montauk. (4 pts.)	0-3%	RdA, SdA, PsA, He, MfA	
3. Best soils but with some slope: Bridgehampton, Haven, Montauk. (3 pts.)	2-8%	BgB, BhB, HaB, MkB	
4. Other Class II soils with some slope: Montauk, Riverhead, Scio, Sudbury. (2 pts.)	2-8%	MB, RdB, ScB, Su	
5. Non-prime soil that is farmed: Plymouth. (1 pt.)		PmB3	
6. Poor soil. (0 pt.)		Gp	5
<b>D. APPROXIMATE DEVELOPMENT RIGHTS VALUE PER ACRE</b> (Subject to appraisal and SC ETRB approval)			
1. \$100,000. or less. (3 pts.)			3
2. \$100,001.-\$200,000. (1 pt.)			
3. \$200,001. or more (-2 pts.)			3
<b>E. ADJUSTMENTS</b>			
1. Located within a Census Designated Place with a population density of $\geq 1,000$ persons per square mile. (3 pts.)			
2. Located within an existing certified Agricultural District. (1 pt.)		1	
3. Anticipated partnership with the municipality and/or not-for-profit conservation organization. (1 pt.)			
4. Other positive factors. (i.e., historical significance, community benefit, etc.) (1 or 2 pts.)			
5. Other negative factors. (-1 or -2 pts.)			1
<b>TOTAL SCORE (maximum = 25 points)</b>			<b>18</b>

1474

Intro Res. No. -2010

Laid on the Table 04/27/2010

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2010, A LOCAL LAW AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS FOR THE SALE OF THE JOHN J. FOLEY SKILLED NURSING FACILITY**

**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 AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS FOR THE SALE OF THE JOHN J. FOLEY SKILLED NURSING FACILITY,**" 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 final form as follows:

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

**A LOCAL LAW AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS FOR THE SALE OF THE JOHN J. FOLEY SKILLED NURSING FACILITY**

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

**Section 1. Legislative Intent.**

This Legislature finds and determines that John J. Foley Skilled Nursing Facility (the "Facility") is a 264-bed facility located on approximately 14 acres in Yaphank in Suffolk County (the County). In addition to operating 252 residential health care facility beds (including an Alzheimer's unit) and 12 designated AIDS beds, the nursing facility operates a 24-slot Adult Day Health Care Program (ADHCP). In 1995, the Facility began operating in a newly-constructed building. The total building size is approximately 181,749 square feet with recent (2005) expansions to the adult day health and rehabilitation program space as well as dining and recreational areas on the second floor.

This Legislature further finds and determines that the County has examined the operations at the Facility in order to determine the feasibility of continuing its operation as a County facility. The County has determined that, due to business impediments unique to municipalities (rising municipal labor and employee benefit costs and unreliability of continued intergovernmental transfer (IGT) payments), operating a municipal skilled nursing home is no longer in the best fiscal interest of the County.

This Legislature further finds and determines that where the County had once provided the Facility as an institution for destitute individuals, this is no longer the case. All nursing homes are eligible to receive payments from Medicaid and uninsured and underinsured patients can be cared for at any of Suffolk's 40+ nursing homes.

This Legislature further finds and determines that the Facility could be operated at the same high level of care, but more efficiently by individuals or entities that do not face the operational restrictions particular to municipalities.

This Legislature further finds and determines that pursuant to Suffolk County Resolution No. 881-08 the County Executive, through the Department of Health Services issued a request for expressions of interest ("RFEI") to transfer ownership and/or operation and management of the "Facility." Qualified RFEI respondents received a request for proposals ("RFP") to transfer ownership and/or operation and management of the Facility issued on September 21, 2009. On February 23, 2010, based on the evaluation of the RFP Review Committee, an award letter for the sale of the Facility was issued to Mr. Kenneth Rozenberg. The County issued, and Mr. Kenneth Rozenberg accepted, a Letter of Intent, dated March 17, 2010, to enter into an agreement for the sale and purchase of the Facility.

This Legislature also finds that pursuant to Suffolk County Introductory Resolution No. 1337-10, a Land Sale Contract and Asset Purchase Agreement ("the Plan") has been subject to the Suffolk County Administrative Code Section A9-6 review process, including four separate public hearings at which comments were solicited.

Therefore, the purpose of this law is to approve the Plan, an agreement for the sale and purchase of the Facility by the County to Mr. Kenneth Rozenberg, an established nursing home operator, through his companies, Foley Operating LLC and Foley Land LLC.

## **Section 2. Approval of Request for Proposals.**

The County hereby approves the award dated February 23, 2010 to Mr. Kenneth Rozenberg for the sale of the Facility and all assets, property, real or personal, and rights used or usable in the operation of the Facility, of every type and description, tangible or intangible, wherever located.

## **Section 3. Declaration of Surplus Land.**

The 14.06 acres of land, which acreage shall be subject to final survey, is surplus to County needs.

## **Section 4. Sale of Surplus Land.**

The sale by the County to Mr. Kenneth Rozenberg through his company Foley Land LLC of the County's right, title and interest in and to 14.06 acres of land, without recourse, is hereby authorized in exchange for the delivery, to or upon the order of the County, of (i) the payment of the purchase price as set forth in the proposed Land Sale Contract, and (ii) upon such other terms and conditions as are set forth in the proposed Land Sale Contract with Foley Land, LLC, , as purchaser, and the County, as seller.

## **Section 5. Approval of Land Sale Contract.**

The form and substance of the Land Sale Contract, presented to the members of the Legislature at this meeting as Exhibit 1, is hereby approved.

**Section 6. Execution and delivery of Land Sale Contract.**

The execution and delivery on behalf of and in the name of the County by the County Executive and/or his designee(s) of the Land Sale Contract presented to the members of the Legislature at this meeting, is hereby authorized and directed, with such ministerial and non-substantive changes therein as the County Executive and/or his designee(s) may approve, and the execution and delivery of such Land Sale Contract shall be conclusive evidence of his approval of any such changes and of the authorization and direction thereof by this Legislature.

**Section 7. Sale of the Facility.**

The sale by the County to Kenneth Rozenberg through his company Foley Operating LLC of all assets, property, real or personal, and rights used or usable in the operation of the Facility, of every type and description, tangible or intangible, wherever located, without recourse, is hereby authorized in exchange for the delivery, to or upon the order of the County, of (i) the payment of the purchase price as set forth in the proposed Asset Purchase Agreement, and (ii) upon such other terms and conditions as are set forth in the proposed Asset Purchase Agreement with Foley Operating LLC, as purchaser, and the County, as seller.

**Section 8. Approval of Asset Purchase Agreement.**

The form and substance of the Asset Purchase Agreement, presented to the members of the Legislature at this meeting as Exhibit 2, is hereby approved.

**Section 9. Execution and Delivery of Asset Purchase Agreement.**

The execution and delivery on behalf of and in the name of the County by the County Executive and/or his designee(s) of the Asset Purchase Agreement presented to the members of the Legislature at this meeting, is hereby authorized and directed, with such ministerial and non-substantive changes therein as the County Executive and/or his designee(s) may approve, and the execution and delivery of such Asset Purchase Agreement shall be conclusive evidence of his approval of any such changes and of the authorization and direction thereof by this Legislature.

**Section 10. Further Actions.**

The County Executive and/or his designee(s) are further authorized to execute and deliver, on behalf of the County, such agreements, instruments or authorizations as may be contemplated by, or necessary or advisable to consummate or otherwise give full effect to, the Land Sale Contract, the Asset Purchase Agreement and this local law, and which are deemed necessary or desirable to effectuate the transactions contemplated by the Land Sale Contract, the Asset Purchase Agreement and this local law, and to perform all acts and do all things required or contemplated to be performed or done by the Land Sale Contract, the Asset Purchase Agreement or by this local law or by any agreement, instrument or authorization approved, contemplated, necessary or authorized hereby.

**Section 11. Suffolk County Administrative Code A9-6 Compliance**

The County has complied with the procedures set forth in Section A9-6 of the Administrative Code. A report to the Suffolk County Legislature pursuant to Suffolk County Administrative Code Section A9-6 is attached as Exhibit 3. In addition, attached as Exhibit 4 is a letter from the New York State Department of Health supporting Kenneth Rozenberg as purchaser of the Facility.

**Section 12. Applicability.**

This law shall apply to all actions and transactions occurring on or after the effective date of this law. Adoption of this law shall be conclusive evidence of full compliance with Suffolk County Administrative Code § A9-6, and shall apply to all actions and transactions occurring on or after the effective date of this law.

**Section 13. 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 14. SEQRA Determination.**

Recommendation regarding SEQRA shall be forthcoming from the Council on Environmental Quality.

**Section 15. Effective Date.**

This Local Law shall not take effect until at least forty-five (45) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if within forty-five (45) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against such Local Law in conformity with the provisions of §24 (1) (a) of the MUNICIPAL HOME RULE LAW, and upon filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

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

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

1474

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: APRIL 26, 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. 1474 -2010; A LOCAL LAW AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS FOR THE SALE OF THE JOHN J. FOLEY SKILLED NURSING FACILITY

SPONSOR: THE PRESIDING OFFICER, ON THE REQUEST OF THE COUNTY EXECUTIVE.

DATE OF RECEIPT BY COUNSEL: 4/22/10 PUBLIC HEARING: 5/11/10

DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED:

This proposed local law authorizes the sale of the County's John J. Foley Skilled Nursing Facility ("Foley facility") to two companies controlled by Kenneth Rozenberg. Specifically, this law:

- 1. Declares the Foley facility and the 14.06 acres of land on which it sits, as surplus to the needs of the County.** Pursuant to Section 215 of NEW YORK COUNTY LAW, any surplus declaration requires a two-thirds vote of approval by the County Legislature.
- 2. Approves the Land Sale Contract that is attached as Exhibit "1" to the proposed local law.** Pursuant to this contract, the buyer<sup>1</sup> will acquire the building and land currently used as the Foley facility, together with certain easements, for Eighteen Million Dollars (\$18,000,000.00). The buyer represents that it "intends to continue to use the premises as a skilled nursing facility as it is being operated by seller."
- 3. Approves the Asset Purchase Agreement attached to the local law as Exhibit "2".** Pursuant to this agreement, the buyer<sup>2</sup> will purchase the Foley Facility assets - that is all of the assets, properties and rights used or usable in the operation of the Foley facility, separate and apart from the building and property that is the subject of the Land Sale Agreement. Among the assets are the licenses, certificates and permits held by the County to operate the Foley Facility and the Adult Day Care Program, to the extent that they are transferrable. The purchase price of the assets is Eighteen Million Dollars (\$18,000,000.00).

<sup>1</sup> The buyer in this transaction is Foley Land LLC.

<sup>2</sup> The buyer in this transaction is Foley Operating LLC.

The Asset Purchase Agreement provides that the buyer will not assume or be responsible for any collective bargaining contract or agreement related to the Foley facility and the adult day care program. The buyer agrees that for a three-month period following the closing, it will offer the Foley Facility's' existing employees the positions of employment that the buyer determines are necessary to operate the facility, provided that the existing employees are qualified to perform the job requirements. To the extent the buyer offers employment to the former County employees, their rates of pay will be consistent with nursing homes in Suffolk County.

Additionally, the County agrees to use reasonable efforts to obtain licenses to increase the adult day care program from the current 24 participants to 60 participants.

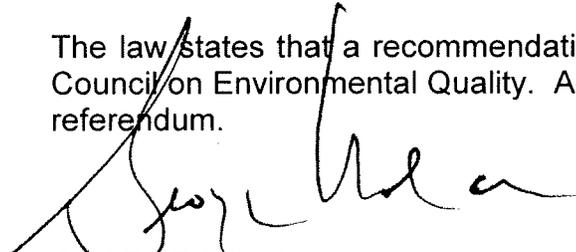
Pursuant to this Agreement, the buyer agrees to continue treatment of each patient receiving services at the Foley facility on the date of closing. Only patients requiring services not available at the facility will be eligible for transfer. To the extent any resident is being treated at another facility, the buyer will reserve the resident's bed in accordance with applicable law and comply with "bed hold" regulations.

The Agreement further provides that should the County Legislature fail to approve the sale of assets by December 31, 2010, either party will have the right to terminate.

The parties also agree to use "reasonable commercial efforts" to complete the subject transaction by December 31, 2011.

4. **States that the County has complied with the procedures set forth in Section A9-6 of the SUFFOLK COUNTY ADMINISTRATIVE CODE.** This section of the Code sets forth detailed procedures that must be followed before any health care service currently provided by the County may be privatized. Among the requirements are four (4) public hearings and a report from the Budget Review Office. In an attempt to comply with Section A9-6, a report from the Suffolk County Department of Health Services and a letter from New York State Department of Health have been attached to the local law as Exhibits "3" and "4".

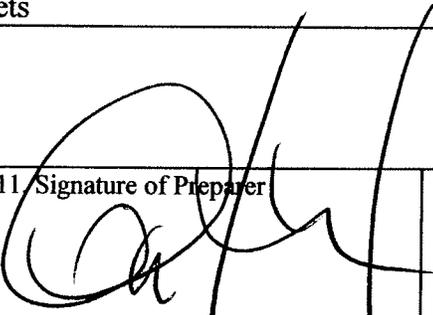
The law states that a recommendation regarding SEQRA will be forthcoming from the Council on Environmental Quality. Additionally, this law is made subject to a permissive referendum.



**GEORGE NOLAN**  
Counsel to the Legislature

**GN:tm**

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>		
2. Title of Proposed Legislation		
RESOLUTION NO   -2010, A LOCAL LAW AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS FOR THE SALE OF THE JOHN J. FOLEY SKILLED NURSING FACILITY.		
3. Purpose of Proposed Legislation		
SAME AS ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? <b>Yes <input checked="" type="checkbox"/></b> <b>No <input type="checkbox"/></b>		
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:		
<b><u>2011</u></b>		
ADDITIONAL REVENUE: Best Estimate: <u>\$20,000,000</u>		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED WORKSHEET		
8. Proposed Source of Funding : ADDITIONAL REVENUE / REDUCTION IN OPERATING EXPENSES		
2011 – 2016 Adopted Operating Budgets		
9. Timing of Impact		
UPON APPROVAL		
10. Typed Name & Title of Preparer	11. Signature of Preparer	
Allen M. Kovesdy Director of Management and Research		April 19, 2010

ATTACHED WORKSHEET:

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

**2012**

1. ADDITIONAL REVENUE: Best Estimate:	\$ 1,086,750
2. PROJECTED OPERATING SAVINGS:	<u>\$ 5,039,084</u>
	\$6,125,834

**2013**

1. ADDITIONAL REVENUE: Best Estimate:	\$ 2,659,000
2. PROJECTED OPERATING SAVINGS:	<u>\$ 7,024,352</u>
	\$ 9,683,352

**2014**

1. ADDITIONAL REVENUE: Best Estimate:	\$ 1,053,000
2. PROJECTED OPERATING SAVINGS:	<u>\$ 7,466,318</u>
	\$8,519,318

**2015**

1. PROJECTED OPERATING SAVINGS:	<u>\$ 7,928,584</u>
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**2016**

1. PROJECTED OPERATING SAVINGS:	<u>\$ 8,412,187</u>
---------------------------------	---------------------

**TOTAL: 2012 – 2016:**

1. ADDITIONAL REVENUE: Best Estimate:	\$ 4,798,750
2. PROJECTED OPERATING SAVINGS:	<u>\$ 35,870,526</u>
	\$40,669,276

**Additional back-up material regarding IR 1474 is on file in  
the Legislative Clerk's Office, Hauppauge.**

1475

Intro. Res. No. -2010 Laid on Table  
Introduced by the Presiding Officer at the request of the County Executive

4/27/10

**RESOLUTION NO. -2010, APPROVING THE  
DONATION OF ONE VEHICLE FROM THE  
UNITED STATES MARSHAL FOR THE SUFFOLK  
COUNTY SHERIFF'S OFFICE.**

**WHEREAS**, the Sheriff of Suffolk County works in conjunction the Long Island Division of the U.S. Marshals NY/NJ Regional Fugitive Task Force; and

**WHEREAS**, The U.S. Marshal provides the Sheriff's Office with a car during these task force operations; and

**WHEREAS**, The U.S. Marshals service has been awarded funding from the Department of Justice Asset Forfeiture Fund to purchase vehicles for all full-time state and local task force officers on the NY/NJ Regional Fugitive Task Force; and

**WHEREAS**, The U.S. Marshals service is offering to use these funds to provide the Suffolk County Sheriff Office with a vehicle for use in the task force operations; and

**WHEREAS**, The Sheriff will choose a vehicle from the dealership, an invoice will be presented and the U.S. Marshal who will directly pay said dealership a sum of up to \$25,000 and

**WHEREAS**, Copies of the vehicle title must be provided to the U.S. Marshals Service to show that these vehicles are the property of the County and not the U.S. Marshals Service; and

**WHEREAS**, Upon receipt of proper invoices the Marshals Service will reimburse the County for the purchase of fuel and retrofitting, not to exceed a total of \$6,000 for fuel and \$5,000 for retrofitting; and

**WHEREAS**, Chapter 186 of the Suffolk County Code requires that no vehicle shall be purchased or leased unless explicit approval for the acquisition of such vehicle, via lease or purchase, has been granted via a duly enacted Resolution of the Suffolk County Legislature; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Legislature hereby authorizes the fleet of the Suffolk County Sheriff's Office be increased by one (1) vehicle (undercover vehicle to be determined), approved pursuant to Chapter 186-2(b)(6) of the Suffolk County Code, and in accordance with or exceeding the County Vehicle Standards, for use by the Suffolk County Sheriff's Office; and be it further

**2<sup>nd</sup> RESOLVED**, that said vehicle must be for the sole use of the full-time task force officer and must be available for the officer to respond 24 hours a day and shall be obtained at no cost to the County, and be it further

**3<sup>rd</sup> RESOLVED**, that said vehicle must be large enough to accommodate a significant amount of equipment and personnel to conduct long surveillances and respond to emergencies, and should not be easily identifiable as a police vehicle.

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County  
Date:

1475

20 April 2010

TO: Stephanie Rubino, Chief Executive Analyst  
FROM: Chief of Staff Michael P. Sharkey  
SUBJECT: Resolution

Per our discussions, please submit a resolution on behalf of the Sheriff's Office to accept the donation of one vehicle from the U.S. Marshal's Service, valued at not more than \$25,000.

Thank you for your consideration in this matter.

MPS/dlh



**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

1475

**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.

*SAC.*



**U.S. Department of Justice  
U.S. Marshals Service  
NY/NJ Regional Fugitive  
Task Force**

88 10<sup>th</sup> Avenue - Third Floor Rear  
New York, New York 10011  
(646) 805-6473

1475

August 31, 2009

MEMORANDUM TO : Commanding Officers of RFTF Agency Participants

FROM : Commanding Officer/Chief Inspector Lenny Depaul

SUBJECT : AFF Funding for Task Force Vehicles

The United States Marshals Service has been awarded funding from the Department of Justice Asset Forfeiture Fund to purchase vehicles for all full-time state and local task force officers on the NY/NJ Regional Fugitive Task Force.

The vehicles must be for the sole use of the full-time task force officer and must be available for the officer to respond 24 hours a day. The vehicle must be large enough to accommodate a significant amount of equipment and personnel to conduct long surveillances and respond to emergencies, and should not be easily identifiable as a police vehicle. Therefore, SUV's, light trucks or Crossover vehicles are preferred purchases.

A sum of \$25,000 will be granted for the purchase of each task force vehicle. A sum of \$5,000 will be granted for each vehicle for retrofitting (i.e. emergency equipment, tinting, weapons safes, etc.) In addition up to \$6000 annually will be provided for fuel and maintenance per vehicle.

Once the vehicles are chosen from the dealership, an invoice will be presented and the USMS will pay the dealership directly. The vehicle will remain with the RFTF for the existence of the task force but the title will be in each agencies name.

I am enclosing the financial Memorandums of Understanding which must be signed by each agency.

If there are any issues or questions, please contact Supervisory Inspector Edward McMahon at (646) 805-6627.

1475



Obligation Number:  
ISDF-10-0374A

**FISCAL YEAR 2010**  
**MEMORANDUM OF UNDERSTANDING**  
**JOINT LAW ENFORCEMENT OPERATIONS**

Memorandum of Understanding (MOU) between:

Suffolk County Sheriff  
And  
United States Marshals Service

The purpose of this MOU notice is to obligate funding for state and local agencies to purchase fuel and retrofitting for vehicles provided with Asset Forfeiture funding, pursuant to the Memorandum of Understanding (MOU) between the Marshals Service and Suffolk County Sheriff.

Period of Performance: October 6, 2009 to September 30, 2010

FY <u>2010</u>	Appropriation Data:
<u>A3403</u>	<u>5042X JLEOTFS</u> <u>5</u> soc 2607 (Fuel obligation) \$ <u>6,000</u>
<u>A3403</u>	<u>5042X JLEOTFS</u> <u>5</u> soc 2544 (Retrofitting obligation) \$ <u>5,000</u>

State and local agencies are to purchase fuel and retrofitting for vehicles provided to support joint law enforcement operations and Marshals Service fugitive task forces. A total of \$ 6,000 is provided for each vehicle for fuel. A total of \$ 5,000 is provided for each vehicle for retrofitting. Upon receipt of a proper invoice for these purchases, the Marshals Service will reimburse the state and local agencies for these expenses.

Certification of Funds Available: Catherine Stegner 10/6/09  
(Name) Date  
Admin Officer

MOU Authorization: Henry DePaul 10/6/09  
(Name) Date  
Chief Deputy or RFTF Commander

[Signature] 12-04-09  
(Name) Date  
Department Representative



1475

Obligation Number:  
ISDF-09-0374

**FISCAL YEAR 2009  
MEMORANDUM OF UNDERSTANDING  
REGIONAL FUGITIVE TASK FORCE**

**Memorandum of Understanding (MOU) between:**

**Suffolk County Sheriff  
And  
United States Marshals Service**

The purpose of this MOU notice is to obligate funding for the purchase of vehicles for state and local agency investigators, pursuant to the Memorandum of Understanding (MOU) between the U.S. Marshals Service and Suffolk County Sheriff for Fiscal Year 2009.

Period of Performance: August 17, 2009 to September 30, 2009

2009 Appropriation Data: 0324A A3403FWF4014R soc 2599 \$ 25,000.00

Payment will be made directly to commercial vehicle dealerships for vehicles purchased for state and local investigators who participate in joint law enforcement task forces with the U.S. Marshals Service. Upon receipt of a proper invoice from the commercial vehicle dealership, the Marshals Service Office of Finance will issue payment directly to those dealerships. Copies of vehicle title must be provided to the U.S. Marshals Service to show that these vehicles are the property of the state and local agency and not the U.S. Marshals Service.

Certification of Funds Available:	William J. Sorukas, Jr. IOD Representative	Digitally signed by William J. Sorukas, Jr. DN: cn=William J. Sorukas, Jr., o=U.S. Marshals Service, ou=Investigative Operations Division, email=William.Sorukas@usdoj.gov, c=US Date: 2009.09.10 10:42:54 -0400	09/12/2009 Date
MOU Authorization:	Lenny DePaul RFTF Commander	Digitally signed by Lenny DePaul DN: cn=Lenny DePaul, o=NY/NJ RFTF, ou=USMS, email=leonard.depaul@usdoj.gov, c=US Date: 2009.09.21 15:44:56 -0400	9/21/2009 Date
	_____ Department Representative		_____ Date

Intro. Reso. No. 1476-10  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 4/27/10

**RESOLUTION NO. -2010, ACCEPTING AND APPROPRIATING ADDITIONAL FEDERAL PASS-THROUGH FUNDING IN THE AMOUNT OF \$63,450 FROM THE NEW YORK CITY POLICE DEPARTMENT IN CONJUNCTION WITH THE FEDERALLY SPONSORED SECURING THE CITIES PROGRAM WITH 100% SUPPORT.**

**WHEREAS**, the New York City Police Department (NYPD) has received federal grant funding for the Securing The Cities (STC) initiative, a program designed to prevent a radiological/nuclear attack on high risk urban areas by enhancing regional capabilities to detect, identify and interdict illicit radioactive materials in and around urban areas; and

**WHEREAS**, the NYPD will provide radiological detection equipment to the Suffolk County Police Department (SCPD) as part of the program; and

**WHEREAS**, Resolution No. 246-2010 accepted reimbursement funding for SCPD equipment training; and

**WHEREAS**, NYPD will also provide reimbursement funding for SCPD to purchase a vehicle to contain radiological and nuclear detection equipment, said equipment to be purchased by NYPD and installed by a NYPD selected vendor; and

**WHEREAS**, NYPD is also providing reimbursement funding for SCPD to purchase ancillary equipment for the vehicle, including, but not limited to, radios and a Mobile Data Computer; and

**WHEREAS**, the purchase of said specialized vehicle will increase the fleet of the Suffolk County Police Department by one (1) vehicle; and

**WHEREAS**, Chapter 186 of the Suffolk County Code requires that no vehicle shall be purchased or leased unless explicit approval for the acquisition of such vehicle, via lease or purchase, has been granted via duly enacted Resolution of the Suffolk County Legislature; and

**WHEREAS**, said reimbursement funds totaling \$63,450 have not been included in the 2010 Suffolk County Operating Budget; now, therefore, be it

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

<b>REVENUE:</b>	<b><u>Amount</u></b>
001-4394 – Federal Aid: Securing the Cities	\$63,450
<b>ORGANIZATIONS:</b>	
	<b>Police Department (POL)</b>
	<b>Securing the Cities FY08</b>
	<b>001-POL-3633</b>
<u>2000 Equipment</u>	<u>\$63,450</u>
2020-Office Machines	6,300
2040-Trucks, Trailers & Jeeps	52,050
2090-Radio & Communication	5,100

and be it further

**2<sup>nd</sup> RESOLVED**, that the Suffolk County Legislature hereby authorizes the fleet of the Suffolk County Police Department be increased by one (1) unmarked specialized mission vehicle, hereby approved pursuant to Chapter 186-2 (b) (6) of the SUFFOLK COUNTY CODE, and in accordance with or exceeding the county vehicle standard, for use by the Emergency Service Section of the Suffolk County Police Department; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute related agreements between Suffolk County and the New York City Police Department.

**DATED:**

**APPROVED BY:**

\_\_\_\_\_  
**County Executive of Suffolk County**  
**Date of Approval:**

1476

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

1. Type of Legislation  
Resolution X                      Local Law                          Charter Law    

2. Title of Proposed Resolution  
Accepting and appropriating additional federal pass-through funding in the amount of \$63,450 from the New York City Police Department in conjunction with the federally sponsored Securing the Cities program with 100% support.

3. Purpose of Proposed Legislation  
To accept \$63,450 from the New York City Police Department in federal pass through funding, to allow The Suffolk County Police Department to purchase a vehicle to be used for radiological/nuclear detection and deterrence.

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

5. If the answer to Item 4 is "Yes," on what will it impact?  
(Circle appropriate category)  
County                      Town                      Economic Impact  
Village                      School District                      Other (specify):  
Library District                      Fire District:

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:  
  
The County will have \$63,450 available to purchase a vehicle to be used for radiological/nuclear detection and deterrence as part of the Securing the Cities initiative with the New York City Police Department.

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:  
Regular fuel and maintenance costs for the vehicle will be the responsibility of the County. The vehicle will be titled to Suffolk County.

8. Proposed Source of Funding  
Department of Homeland Security, New York City Police Department

9. Timing of Impact  
Immediate

10. Typed Name & Title of Preparer    11. Signature of Preparer    12. Date  
Sarah Furey                      Sarah Furey                      4/12/2010  
Sr. Grants Analyst

SCIN FORM NO. 175b (10/95)

*SR* *Stefano Rubino*  
~~County~~ *Chief Executive Analyst*  
*4/20/10*

FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1476

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.

*SK*

1476

**SECURING THE CITIES AGREEMENT  
AMENDMENT #1  
TERM, PERSONAL SERVICES AND TRAINING/EXERCISE ALLOCATIONS AND  
REPORTING REQUIREMENTS**

**First Amendment** to the Agreement for the Procurement of Goods and Services and Construction Projects between the City of New York, acting by and through the New York City Police Department (NYPD), and SUFFOLK COUNTY POLICE DEPARTMENT (Agency).

The Agency and the NYPD agree to enter into this First Amendment on the 30<sup>th</sup> day of January 2008 for the purposes of:

- A) Specifying the term of the agreement, heretofore not stated;
- B) Providing further requirements for the receipt of equipment by the Agency;
- C) Detailing the procedure by which the Agency will be reimbursed by the NYPD for personnel and other acceptable costs, if any, incurred for training purposes;
- D) Detailing the reporting requirements, as to form and frequency, required by the NYPD in order to receive reimbursement pursuant to the terms of the Agreement.

**A) Paragraph #19** – This Agreement and the First Amendment will remain in effect from the date indicated above unless terminated by either agency within 30 days of written notice by either party. All equipment provided by the NYPD to the Agency must be returned to the NYPD 30 days after the written notice becomes effective, unless otherwise agreed to by both parties.

**B) Paragraph #7** – The Agency shall schedule and participate in the training for any equipment received as required by the NYPD. Furthermore, equipment shall not be deployed by any members of your agency without proper training.

**C) Paragraph #7A** – In order for the Agency to be reimbursed by the NYPD through the New York City Financial Management System (FMS) for allowable costs related to training provided by the NYPD or its contractor(s) pursuant to the terms of the Agreement, the Agency agrees to the following:

- i. In cooperation with the NYPD's Agency Chief Contracting Officer, effective immediately, the Agency will register as a vendor with New York City. The Agency will complete and submit all required vendor registration documents, including a Substitute W-9 form (Attached as Appendix "A" with related instructions);
- ii. Prior to training, the Agency will submit to the NYPD a projected Personnel training budget that will include: 1) the anticipated number of people in each rank who will attend the training on overtime (Trainee overtime); and/or, 2) the anticipated number of people in each rank who will backfill on overtime the member in training (Trainee backfill overtime); 3) the overtime cost structure for each rank; 4) the training or backfill hours required; and 5) the computed total cost, not to exceed the Agency's allocation as identified by the NYPD (Attached as Appendix "B").
- iii. In the event that the agency is providing training under this program and elects to provide trainers on overtime (Trainer overtime) or to backfill

1476

trainers on overtime (Trainer backfill overtime), the same information as stated above for the trainee or trainee backfill, must be provided.

- iv. Only Rank-for-Rank will be reimbursed for the Trainee backfill position. For example, the agency cannot request backfill reimbursement for a Lieutenant if a Police Officer attended the training.

**D) Paragraph #7B** – For each month the Agency sends personnel for training, the Agency will submit an itemized invoice (sample attached as Appendix "C") to the NYPD, including:

- a. the date of training;
- b. course name;
- c. the name and rank of each officer who attended the training on overtime or their backfill (as stated above) on overtime;
- d. the name and rank of each Training Program Instructor whose personal services costs are being billed against the STC Budget;
- e. the hourly overtime rate per rank;
- f. the number of hours each member attended training on overtime or provided overtime backfill or provided training on overtime;
- g. the reimbursement amount requested for each member, and;
- h. the total reimbursement amount requested.
  - i. No other training expense items will be requested by the Agency nor will the Agency be reimbursed by the NYPD under the FFY08 STC Grant Program for these expense items. Ancillary, nominal costs are expected to be absorbed by the Agency as a cost of reaching the overall goals of the STC Program;
  - ii. The Agency will maintain all personal service overtime documentation and records for each submission for reimbursement by the NYPD in accordance with the terms of the federal Securing the Cities grant that will fund the training as well as other applicable federal regulations.

***All other terms and conditions of the Agreement remain in full force and effect.***

IN WITNESS WHEREOF, the parties hereto have executed the First Amendment to the Agreement on the dates appearing opposite their respective signatures.

Date 1-30-2009

[Signature]  
For the New York City Police Department

Police Commissioner  
Title

Date SEPTEMBER 2, 2008

X [Signature]  
For the Suffolk

POLICE COMMISSIONER  
Title

1476

---

**From:** RIGGIO, MICHAEL [mailto:MICHAEL.RIGGIO@nypd.org]  
**Sent:** Sunday, March 28, 2010 11:25 AM  
**To:** White, Mark; Cameron, Stuart  
**Cc:** PELLEGRINO, COLLEEN; OKEEFE, DANIEL; MOGIL, ARTHUR; SPREEN, JOANN; GIOVANELLA, LAURALEE; RIGGIO, MICHAEL  
**Subject:** STC Mobile Detection Platform  
**Importance:** High

Chief White, Inspector Cameron

As part of the Department of Homeland Security (DHS) funded Securing the Cities (STC) urban radiation detection and interdiction initiative, the New York City Police Department (NYPD) will reimburse the Suffolk County Police Department for the purchase of a fully equipped Chevrolet Suburban vehicle.

As itemized in the STC FFY 08 grant award, the Suffolk County Police Department allocated \$400,000 towards the purchase of a Mobile Detection Platform, which is a state of the art radiological and nuclear detection system mounted inside a Chevrolet Suburban.

The NYPD will be responsible for purchasing the detection equipment contained in the vehicle and having it installed by the vendor. The Suffolk County Police Department will be responsible for purchasing the Chevrolet Suburban, which will be titled to Suffolk County, and delivering it to the vendor's facility for installation.

It is estimated that the detection system, including warranty, will cost approximately \$336,550. The NYPD will reimburse the Suffolk County Police Department up to \$63,450 to purchase a Chevrolet Suburban and any other ancillary vehicle equipment (light bars, sirens, computers, etc.) required by the Suffolk County Police Department to enhance the vehicle's function to carry out the mission of the STC Initiative.

Please contact me if you require additional assistance and information.

Sincerely,

Michael Riggio  
Captain  
New York City Police Department  
Counterterrorism Division  
[Michael.Riggio@nypd.org](mailto:Michael.Riggio@nypd.org)  
718-615-7142 Office  
347-865-3421 Cell

**Additional back-up material regarding IR 1476 is on file in  
the Legislative Clerk's Office, Hauppauge.**

Intro. Reso. No. **1477-10**  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table

4/27/10

**RESOLUTION NO. -2010, APPROVING AN INCREASE  
IN FLEET FOR THE SUFFOLK COUNTY POLICE  
DEPARTMENT'S OFFICE OF THE CHIEF OF PATROL**

**WHEREAS**, the Chief of Patrol's Office periodically throughout the year starts up various task forces and initiatives throughout the Police District. Many times it is unknown in advance when or if a certain task force or initiative will be implemented; and

**WHEREAS**, whenever one of these task forces or initiatives commences, finding undercover vehicles needed to accomplish their mission is problematic. The vehicles are required by officers assigned to these various task forces and initiatives to properly complete their mission; and

**WHEREAS**, the Police Commissioner finds that additional undercover vehicles will allow officers assigned to a task force or initiative to operate in a manner that will facilitate them in accomplishing their task; now, therefore, be it

**1st 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:**

1477

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law _____                      Charter Law _____		
2. Title of Proposed Legislation		
APPROVING AN INCREASE IN FLEET FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S CHIEF OF PATROL'S OFFICE.		
3. Purpose of Proposed Legislation		
This resolution requests approval for an increase in fleet for vehicles for the Chief of Patrol's Office in the Suffolk County Police Department.		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact?                      (circle appropriate category)		
County - <u>  X  </u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Fuel Cost only		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
\$75/month fuel cost per vehicle.		
8. Proposed Source of Funding		
Operating Funds		
9. Timing of Impact		
2010		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Charles Palmer, Sr. Accountant Police Department---Finance Section	<i>Cl Palmer</i>	04/07/10

SCIN FORM 175b (10/95)

*SR*      *Stephanie Rubio*  
Chief Executive Analyst  
4/20/10

1477

**FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

**GENERAL FUND**

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$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.

*SK*

Case 13

# COUNTY OF SUFFOLK



1477 APR 13 2010

STEVE LEVY  
COUNTY EXECUTIVE

RICHARD DORMER  
POLICE COMMISSIONER

## POLICE DEPARTMENT MEMORANDUM

**TO:** Ken Crannell, Deputy County Executive  
Suffolk County Executive's Office

**FROM:** Richard Dormer, Police Commissioner

**DATE:** April 7, 2010

**SUBJECT:** INTRODUCTORY RESOLUTION REQUEST

The Chief of Patrol's Office periodically throughout the year starts up various task forces and initiatives throughout the Police District. Whenever one of these task forces or initiatives commences, finding undercover vehicles needed to accomplish their mission is problematic. The vehicles are required by officers assigned to these various task forces and initiatives to properly complete their mission. The Department is, therefore, requesting approval for an increase in fleet for this purpose.

Copies of a draft resolution, impact statement and introduction form are attached. An e-mail version was also sent to CE RESO REVIEW under the titles "Reso-POL-FLEET INCREASE-Patrol-2010"; "Backup-POL-FLEET INCREASE-Patrol-SCIN 175A"; and "Backup-POL-FLEET INCREASE-Patrol-SCIN 175B"; Backup-POL-FLEET INCREASE -Patrol-cover letter 2010.

If you have any questions, please contact Edward Webber, Chief of Support Services Division, at 852-6230.

/ms

Att.

- cc: Christopher Kent, Chief Deputy County Executive  
 Brendan Chamberlain, Director of Intergovernmental Relations  
 Roger K. Shannon, Deputy Police Commissioner  
 Robert Anthony Moore, Chief of Department  
 Nicholas Mango, Chief, Patrol Division  
 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

**ACCREDITED LAW ENFORCEMENT AGENCY**

30 YAPHANK AVENUE, YAPHANK, NEW YORK 11980 – (631) 852-6000



1478

Intro. Res. No. - 2010

Laid on Table

4/27/10

Introduced by Presiding Officer on request of the County Executive

**RESOLUTION NO. -2010, AUTHORIZING THE  
RENEWAL OF THE LEASE OF PREMISES LOCATED  
AT 220 RABRO DRIVE, HAUPPAUGE, NY FOR USE BY  
THE DEPARTMENT OF HEALTH SERVICES**

**WHEREAS**, the Department of Health Services has operated from office space located at 220 Rabro Drive, Hauppauge and is desirous of remaining in that location; and

**WHEREAS**, the County entered into a Lease with the Manhattan-based landlord Kew Management Corp., which expired on December 15, 2009; and

**WHEREAS**, the County's Department of Health Services utilizes this facility for administrative purposes and with has expanded its occupancy in the facility by taking 4,500 square feet of office space previously occupied by the Department of Social Services Home Energy Assistance Program, bringing DHS' occupancy at 220 Rabro Drive to 13,721 square feet ; and

**WHEREAS**, the landlord has expressed its willingness to lease the space for two (2) years, through December 31, 2011; and

**WHEREAS**, the Space Management Steering Committee recommended the approval of the lease extension at its November 19, 2009 meeting; and

**WHEREAS**, sufficient funds are included in the 2010 Operating Budget for lease payments to be made in connection with the premises; now, therefore, be it

**1<sup>ST</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.59(c)(20) and (27) of Title 6 of the New York Code of Rules and Regulations (6 NYCRR) and within the meaning of Section 8-109 of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. Furthermore, in accordance with Section 1-4(A)(1)(d) of the Suffolk County Charter and Section 279-5(C)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality is directed to prepare and circulate all appropriate notices of determination of non-applicability or non-significance in accordance with this law; and be it further

**2<sup>ND</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute a Lease for two (2) years in accordance with the terms and conditions of this resolution and in substantial conformance with the form annexed.

**3<sup>RD</sup> RESOLVED**, annual rent for the Premises shall be \$211,633, as of January 1, 2010, which amount will increase to \$235,489.00 as of January 1, 2011.

DATED:

---

County Executive of Suffolk County  
Date of Approval:

1478

AMENDED AND RESTATED LEASE EXTENSION

between

KEW MANAGEMENT CORP. as LESSOR

and

COUNTY OF SUFFOLK

as COUNTY

Date for Reference Purposes as of April 2, 2010

Premises: 220 Rabro Drive, Hauppauge, New York

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**AMENDED AND RESTATED LEASE EXTENSION AGREEMENT**

THIS AMENDED AND RESTATED LEASE EXTENSION AGREEMENT ("Amended and Restated Lease Extension") made as of the \_\_\_ day of April, 2010, between Kew Management Corp, a corporation, organized and existing under the laws of the State of New York, with an address at 1123 Broadway, Suite 407, New York, New York 10010 ("LESSOR"), and the COUNTY OF SUFFOLK, a municipal corporation with an address at County Center, Riverhead, New York 11901 ("COUNTY" or "Contractor"), acting through its duly constituted Department of Public Works, located at 335 Yaphank Avenue, Yaphank, New York 11980.

WHEREAS, LESSOR and COUNTY, entered into two separate lease agreements for a total of 13,833 square feet of space located at 220 Rabro Drive, Hauppauge, New York (the "Demised Premises"), including 9,333 square feet of space for use by the Department of Health Services, and 4,500 square feet for use by the Department of Social Services, both of which have expired; and

WHEREAS, the COUNTY is desirous of continuing to utilize the Demised Premises for use solely by the Department of Health Services; and

WHEREAS, LESSOR and the COUNTY desire to restate the leases in a single lease and extend the term:

NOW, THEREFORE, LESSOR and the COUNTY, in consideration of the mutual covenants contained herein, hereby enter into a lease for the Demised Premises upon the terms, covenants and conditions set forth below:

**WITNESSETH:**

**SECTION 1. DESCRIPTION**

*Section 1.01* LESSOR currently leases and, in consideration of and subject to the terms, covenants, agreements, provisions, conditions, and limitations set forth in this Amended and Restated Lease Extension, hereby agrees to continue to lease to COUNTY approximately 13,721 square feet of building space and related facilities, improvements, and permanent installations constructed and installed at premises known as 220 Rabro Drive, Hauppauge New York, and further identified as a portion of:

<u>S.C. Tax Map No.</u>	<u>Dist.</u>	<u>Sect.</u>	<u>Blk</u>	<u>Lot</u>
	500	24	01	18.0009

The building and related facilities, property improvements, permanent installations, and the land on which the building is sited hereinafter are collectively referred to as the "Premises."

**SECTION 2. PURPOSE**

*Section 2.01* The parties acknowledge that COUNTY is a municipal corporation and is entering into and executing this Amended and Restated Lease Extension by virtue of the authority of Suffolk County Resolution No. \_\_\_ - 2010, dated the \_\_\_ day of \_\_\_\_\_, 2010 (the

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“Resolution”), for the use, purpose, and intent expressed in the Resolution, that the Resolution is incorporated herein by reference, and further that LESSOR has examined the Resolution and is fully aware of its intended purpose. COUNTY will not at any time use or occupy the Premises in violation of the certificate of occupancy issued for the Premises.

*Section 2.02* LESSOR warrants that it holds such title to or other interest in the Premises and other property as is necessary to give and fully provide the COUNTY with access to the Premises and full use and enjoyment thereof in accordance with the provisions of this Amended and Restated Lease Extension.

*Section 2.03* LESSOR warrants that the intended use of the Premises is a permitted use under LESSOR’s title to the Premises and that LESSOR knows of no covenant, restriction, or other agreement which would prevent such use or occupancy. LESSOR further certifies that no covenants, restrictions, or other impediments to title have been added since the date of the issuance of the title insurance policy which would adversely interfere with COUNTY’S use of the Premises.

**SECTION 3. TERM**

*Section 3.01* The term of this Amended and Restated Lease Extension and COUNTY’S obligation to pay rent shall be deemed to have commenced on January 1, 2010 (the “Commencement Date”). The “Term” of this Amended and Restated Lease Extension shall expire on December 31, 2011 (the “Expiration Date”), or on such earlier date as this Amended and Restated Lease Extension may terminate or expire as provided for herein; provided, however, that if such date does not fall on a “Business Day,” defined below, then this Amended and Restated Lease Extension shall end on the next Business Day.

For the purposes of this Amended and Restated Lease Extension and all agreements supplemented to this Amended and Restated Lease Extension, the term “Business Day” means any day except a Saturday, a Sunday, or any day in which commercial banks are required or authorized to close in Suffolk County, New York.

**SECTION 4. RENT**

*Section 4.01* “Annual Rent” for the Premises for the first year of the Term shall be \$211,633.00, which amount includes an abatement of rent for the first month of the Term. Annual Base Rent for the second year of the Term shall be \$235,489.00.

*Section 4.02* “Annual Rent” for the Premises, shall be payable by the COUNTY to LESSOR, at LESSOR’S address first set forth above, or at such other place designated by LESSOR in writing, in equal monthly installments, in advance, on the first day of each calendar month during the Term, except, however, the first monthly payment shall be payable within thirty (30) days of the COUNTY’S receipt of a signed voucher, in accordance with *Section 4.04* below. Partial months shall be prorated.

*Section 4.03* LESSOR recognizes that COUNTY is a municipal corporation whose financial obligations are strictly regulated by statute. The duly constituted rules, regulations, and proceedings of said municipality require that the payment of Annual Base Rent shall only be made in accordance with such statutes. As part of said procedures, it is necessary that LESSOR submit vouchers provided by COUNTY for the payment of Annual Base Rent hereinabove provided, and any other reasonable documentation as may be required by COUNTY for payment

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of Expenses, as defined in *Section 4.04*, or other charges under the terms of this Amended and Restated Lease Extension. LESSOR hereby agrees to submit such vouchers and all reasonable documentation of Expenses or other charges timely and as may be reasonably requested by COUNTY's Department of Audit and Control within a reasonable time after incurring the cost or expense relating to the request for payment. COUNTY agrees to deliver vouchers to LESSOR within ten (10) Business Days after a request from LESSOR for a voucher(s) to be submitted for payment of an Expense. Failure to submit the vouchers within a reasonable time of the cost or expense being incurred shall constitute grounds for the COUNTY to deny payment for the same. If COUNTY fails to deliver the vouchers as required hereunder, then LESSOR shall not be required to submit the undelivered vouchers as a condition to its right to receive any payment to which such voucher relates, and the failure of LESSOR to submit such undelivered voucher to COUNTY shall not prevent or constitute a condition to LESSOR's ability to exercise its rights pursuant to **Section 23**. Once completed by LESSOR, LESSOR shall submit the vouchers to COUNTY. By submitting completed vouchers for Annual Base Rent, LESSOR shall have satisfied its obligation to request payment of Annual Base Rent hereunder for the entire calendar year

*Section 4.04* Any sums, charges, fees, expenses, or amounts to be paid by COUNTY pursuant to the provisions of this Amended and Restated Lease Extension, other than Annual Base Rent, shall be designated as and deemed to be "Expense(s)" and shall be payable by COUNTY to LESSOR, as additional rent, within ninety (90) days after LESSOR gives COUNTY written notice that such payment is due, together with a voucher, and any supporting documentation reasonably required by COUNTY, for the amount of such Expense, unless otherwise provided in this Amended and Restated Lease Extension, except that any Expense submitted for the payment of "Real Estate Taxes," defined at *Section 5.01* shall be payable within thirty (30) days after LESSOR has given COUNTY written notice that such payment is due, together with a voucher and supporting documentation.

## **SECTION 5. REAL ESTATE TAXES**

*Section 5.01* LESSOR shall pay all Real Estate Taxes, as defined below, during the entire Term of this Lease. COUNTY agrees to pay, as an Expense, its "Proportionate Share" of an increase in Real Estate Taxes levied upon the building and land of which the Demised Premises form a part over "Base Year Taxes". For purposes of this Lease, "Proportionate Share" means 20.44% of that portion of a tax increase over and above "Base Year Taxes". The term "Base Year Taxes" means Real Estate Taxes assessed for the tax year December 1, 2009 through November 31, 2010.

The term "Real Estate Taxes" shall mean and be deemed to include all real property taxes, assessments, county taxes, transit taxes, or any other governmental charge of a similar nature whether general, special, ordinary, or extraordinary, foreseen or unforeseen, of any kind or nature whatsoever, including without limitation, assessments for public improvements or benefits. If, due to a change in the method of taxation, any franchise, income, profit, sales, rental, use and occupancy, or other tax shall be substituted for or levied against the LESSOR or any owner of the building and/or the land in lieu of Real Estate Taxes hereinabove defined, upon or with respect to the building or the land, such tax shall be included in the term "Real Estate Taxes". Nothing contained herein shall be construed to include as "Real Estate Taxes" any inheritance, estate, succession, transfer, gift franchise, corporation, income or profit tax, or capital levy that is or may be imposed upon LESSOR.

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*Section 5.02* Any and all demands by LESSOR to the COUNTY for reimbursement by the COUNTY of the increase in "Real Estate Taxes" shall be submitted to the COUNTY within one hundred eighty (180) days of the receipted tax bill. Failure to timely submit the receipted tax bill shall result in forfeiture of the right to reimbursement described under this paragraph heading. LESSOR shall not be penalized nor shall COUNTY be subject to any forfeiture of Expenses if LESSOR's receipt of any paid bill for taxes or special assessments is delayed for reasons beyond LESSOR's control.

*Section 5.03* COUNTY shall not be responsible to pay interest on any unpaid installment due to a late payment of any Real Estate Taxes by LESSOR, which may hereafter be levied, imposed, or assessed against or upon the building and/or the land upon which the Premises are located.

*Section 5.04* Any Real Estate Taxes relating to a fiscal period of the taxing authority, a part of which period is included within the Term and a part of which is included in a period of time either before the Commencement Date or after the Expiration Date, shall be adjusted between LESSOR and COUNTY so that COUNTY shall pay only that portion of such Real Estate Taxes allocable to the portion of such fiscal period which coincides with the Term, and LESSOR shall pay the remainder thereof.

*Section 5.05* COUNTY, at its own cost and expense, upon not less than thirty (30) days prior written notice to LESSOR, and provided LESSOR has not already done so, shall have the right, but not the obligation, to contest or review by legal proceedings, any Real Estate Taxes imposed upon or against the Premises. In the event that such Real Estate Taxes assessments, water rates, or other charges shall, as a result of such proceedings, whether instituted by LESSOR, its proxy, or COUNTY, be reduced, cancelled, set aside or to any extent discharged, COUNTY shall pay its share of the amount that shall be finally assessed or imposed against the Premises or be adjudicated to be due and payable on such disputed or contested claims, and shall receive any refund on such charges previously paid by COUNTY. In the event LESSOR brings such legal proceedings, any amount refunded to COUNTY may be reduced by the actual and customary costs and expenses incurred by LESSOR in instituting the successful proceeding.

*Section 5.06* In the event that COUNTY or LESSOR shall protest or contest any Real Estate Taxes, the contesting party shall provide the other with copies of any application, petition or other papers and pleadings related to such protest or contest. The non-contesting party, at its own cost and expense, may retain co-counsel, attend all hearings and proceedings, present evidence and arguments, and generally participate in any such protest or contest of Real Estate Taxes. In the event either LESSOR or COUNTY shall protest or contest any Real Estate Taxes, the other shall cooperate with all reasonable requests of the party initiating the protest or contest with regard to the prosecution of the protest or contest.

**SECTION 6. UTILITIES**

*Section 6.01* All costs, fees, and charges for public or private utility services for the Premises during the Term, together with any taxes thereon, shall be a COUNTY charge and shall be paid by COUNTY directly to the applicable utility company. Any utility connections required to be made following the Commencement Date shall be a COUNTY charge. Other services shall be paid as indicated on the "Landlord-Tenant Responsibilities Sheet" annexed as **Exhibit A**.

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**SECTION 7. CONDITION OF PREMISES**

*Section 7.01* LESSOR and COUNTY acknowledge and agree that COUNTY has previously used and occupied the Premises for a continuous period and the COUNTY hereby accepts the Premises in their "as is" condition.

**SECTION 8. PREVAILING WAGE**

*Section 8.01* Any construction or reconstruction of the Demised Premises constitutes a public works contract under Article 8 of the Labor Law. In the event the Parties agree to any construction, reconstruction, or renovation of the Demised Premises, at the request of the COUNTY, LESSOR agrees to comply with the prevailing wage requirements in connection with such construction or reconstruction of the Demised Premises.

*Section 8.02* No person performing, aiding in, or assisting in construction or reconstruction of the Demised Premises shall be paid less than the said prevailing rates as defined and utilized under Section 220 of the Labor Law. Any person or corporation that willfully pays, after entering into a contract, less than this established wage schedule shall be guilty of an offense punishable by a fine or by imprisonment or both.

*Section 8.03* LESSOR is advised to fully familiarize itself with all applicable provisions of the New York State Labor Law and more specifically, Article 8, Public Work. It is the responsibility of the LESSOR to provide each of its contractors/subcontractors with the prevailing wage rate schedule. The prime contractor is responsible for any underpayments of prevailing wages or supplements by its contractors/subcontracts.

**SECTION 9. [INTENTIONALL OMITTED]**

**SECTION 10. LAWFUL HIRING OF EMPLOYEES LAW IN CONNECTION WITH CONTRACTS FOR CONSTRUCTION OR FUTURE CONSTRUCTION**

*Section 10.01* This Amended and Restated Lease Extension is subject to the Lawful Hiring of Employees Law of the County of Suffolk, Suffolk County Code Chapter 234, as more fully set forth in **Exhibit B** entitled "Suffolk County Legislative Requirements." In accordance with this law, LESSOR and any subcontractor or owner, as the case may be, agree to maintain the documentation mandated to be kept by this law on the Construction Site at all times. LESSOR and any subcontractor or owner, as the case may be, further agree that employee sign-in sheets and register/log books shall be kept on the Construction Site at all times during working hours and all covered employees, as defined in the law, shall be required to sign such sign in sheets/register/log books to indicate their presence on the Construction Site during such working hours.

**SECTION 11. [INTENTIONALLY OMITTED]**

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**SECTION 12. RIGHT OF ENTRY – INSPECTION**

*Section 12.01* At any time and from time to time after execution of the Amended and Restated Lease Extension and during the Term of the Amended and Restated Lease Extension, the agents and employees of COUNTY may, upon reasonable notice to LESSOR, enter upon the Premises to determine the potential or actual compliance by the LESSOR with the requirement of the Amended and Restated Lease Extension, which purposes shall include, but not be limited to: (i) inspecting, sampling, and analyzing suspected asbestos-containing materials and air monitoring for asbestos fibers; (ii) inspecting the heating, ventilation, and air conditioning systems, maintenance records, and mechanical rooms for the Premises; (iii) inspecting for any leaks, spills, or other potentially hazardous conditions which may involve exposure to hazardous or toxic substances; and (iv) inspecting for any current or past hazardous waste operations, to ensure that appropriate mitigative actions were taken to alleviate any activities determined by the COUNTY to not be in compliance with environmental standards set forth in any pertinent Federal, State, or local laws. Notwithstanding the foregoing, any damage caused by the COUNTY while exercising the right of entry provided under this *Section 12.01* shall be remedied by LESSOR, at the sole cost and expense of COUNTY.

*Section 12.02* Nothing in **Section 12** shall be construed to create a duty on the COUNTY to inspect for toxic materials or to impose a higher standard of care on the COUNTY than on other lessees. The purpose of this **Section 12** is to promote the ease with which COUNTY may inspect the Demised Premises. Nothing in this Section shall act to relieve the LESSOR of any duty to inspect or of any liability which might arise as a result of LESSOR's failure to inspect for or correct a hazardous condition.

**SECTION 13. CARE AND REPAIR OF DEMISED PREMISES BY COUNTY**

*Section 13.01* During the Term of this Amended and Restated Lease Extension, and subject to the provisions of **Section 15**, COUNTY shall make and be responsible for, at COUNTY's sole cost and expense, all repairs and replacements relating to the Demised Premises which are not caused by or due to a Latent Defect and which are in accordance with the **Exhibit A**, and those repairs and/or replacements which are made necessary by: (1) the performance of any "Alterations," defined in *Section 14.01*, made by COUNTY; (2) the negligent use or operation of COUNTY's property or fixtures; (3) the moving of COUNTY's property or fixtures in, out or about the Demised Premises; (4) the negligence or misuse of the Demised Premises by COUNTY or its officers, employees, personnel, agents, representatives, contractors, subcontractors, or invitees. All repairs made by or on behalf of COUNTY shall be at least equal in quality and design to the original construction of the Premises.

*Section 13.02* The LESSOR, at the LESSOR'S sole cost and expense, shall comply with all applicable statutes, laws, ordinances, orders, regulations and notices of Federal, State, County and Municipal authorities, and with all directions, pursuant to law, of all public officers, which shall impose any duty upon LESSOR with respect to the Demised Premises or the use or occupation thereof, except that the LESSOR shall not be required to make any alterations in order so to comply in the event such alterations are necessitated or occasioned, in whole or in part, by the negligent acts, gross omissions, or negligence of the COUNTY or any person claiming through or under the COUNTY or any of their servants, employees, contractors, agents, visitors or licensees, or by the particular use or manner of use of the Demised Premises by the COUNTY, or any such person.

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**SECTION 14. ALTERATIONS**

*Section 14.01* COUNTY shall have the right, during the term of this Amended and Restated Lease Extension, to make any "Alterations," meaning any alterations, installations, improvements, additions, or renovations to the Demised Premises or any part or portion thereof, with notice to, but without the prior consent of, LESSOR which are non-structural and do not affect interior and exterior walls, the foundation or roof of the building and which do not affect or pertain to any plumbing, electrical, heating, ventilation, air-conditioning, mechanical, vertical transport, or other systems and equipment (collectively "Building Systems"). LESSOR shall have the right to condition its approval of any Alteration upon the COUNTY's agreement to remove the subject Alteration at the end of the Term. In the event LESSOR does not provide a written objection to the proposed Alterations within fifteen (15) Business Days of receipt of the County's written request to perform such Alterations, then LESSOR shall be deemed to have approved the Alteration. The County shall not, without the express written consent of LESSOR, enter upon the roof or attach or install anything thereon or make any Alterations thereto.

*Section 14.02* COUNTY shall deliver to LESSOR a copy of the final plans and specifications showing the actual construction for all Alterations. LESSOR shall have the right, but not the obligation, to review and supervise any Alterations performed at the Demised Premises.

*Section 14.03* All Alterations and LESSOR's Work, excluding COUNTY's trade fixtures, moveable office furniture, and moveable equipment, installed in the Demised Premises, either by COUNTY or by LESSOR on COUNTY's behalf, shall become the property of LESSOR and shall remain upon and be surrendered with the Demised Premises upon the expiration or earlier termination of the Amended and Restated Lease Extension. In the event this Amended and Restated Lease Extension terminates prior to the expiration date, COUNTY acknowledges and agrees that it shall remove exposed telephone, data and computer wiring and cabling to the ceiling and/or walls, at its sole expense. Nothing in this Section shall be construed to give LESSOR title to, or to authorize LESSOR to prevent COUNTY's removal of trade fixtures, moveable office furniture and equipment.

**SECTION 15. CARE OF DEMISED PREMISES BY LESSOR**

*Section 15.01* Subject to the provisions of **Section 13**, and excepting damage arising out of the willful acts or negligence of the County, its officers, employees, agents, or invitees, LESSOR shall maintain and repair the Demised Premises, including the building, Building Systems and all equipment, fixtures, and appurtenances furnished by the LESSOR under this Amended and Restated Lease Extension, in good repair and condition.

*Section 15.02* Subject to "Excusable Delays," defined below, and in the absence of gross negligence on the part of the County, LESSOR guarantees that the Demised Premises shall continually have heat, electricity, air conditioning, and plumbing available for use by the COUNTY. It is hereby understood and agreed that the heating and air condition systems will be kept under a uniform and systematic program of service and repair as prescribed according to manufacturer specifications, solely at LESSOR's expense. If any existing heating and air conditioning systems are inadequate to provide a consistent degree of comfort, LESSOR shall, at its own expense, replace or modify the system to assure consistent comfortable temperatures.

As used in this Amended and Restated Lease Extension, the term "Excusable Delays" means delays arising without the fault or negligence of LESSOR or LESSOR's contractors,

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subcontractors, and suppliers, and shall include, without limitation: Acts of God or of the public enemy, fire, floods, unusual severe weather, epidemics, quarantine restrictions, strikes, labor disputes, major material shortages preventing procurement of such materials, riots, war insurrection, inaction or delay by governmental authorities (e.g., failure by the governmental authorities to issue permits and approvals required for LESSOR's Work), or other unforeseeable causes beyond the control and without the fault or negligence of LESSOR, its contractors, and subcontractors.

*Section 15.03* LESSOR shall have a building superintendent or a locally designated representative available to promptly correct deficiencies and keep the COUNTY notified of the name of that person or persons as well as with all contact information.

*Section 15.04* In addition to the LESSOR's obligations under *Section 15.01*, and subject to the provisions of **Section 13**, LESSOR shall further make all necessary repairs, replacements and perform maintenance, at no additional cost to COUNTY, as follows:

1. to the exterior water, gas and electrical services, including drainage structures, cesspools, septic tanks and all connecting piping; it being specifically understood that in no event shall LESSOR be liable for failure of any service provided by an independent utility provider;
2. made necessary by fire or other peril covered by the standard extended coverage endorsement on fire insurance or by reason of war, wind, or Acts of God, contents excepted;
3. landscaping and general maintenance of landscaped areas of the Premises;
4. snow removal on all parking lots and walkways of the Premises;
5. to all items designated as LESSOR responsibility as shown in **Exhibit A**.

*Section 15.05* COUNTY shall give to LESSOR prompt written notice (notice by fax or e-mail being acceptable) of any accidents or damage to or defects in the proper functioning of the roof, the exterior of the building, plumbing, electrical service, electrical lights (excluding bulbs and ballasts), or HVAC apparatus. Absent negligence or willful misconduct by the County, its agents, contractors, employees, licensees and/or invitees, these defects shall be remedied by LESSOR.

*Section 15.06* LESSOR agrees, at its sole cost and expense, to perform all necessary maintenance, repairs, and replacements to the Premises caused by the negligence or willful misconduct of LESSOR, and LESSOR's employees, agents, contractors, and subcontractors. COUNTY shall notify LESSOR of the need for any such repair or replacement promptly after COUNTY becomes aware of the need for the same.

*Section 15.07* LESSOR shall provide timely maintenance testing and inspection of all Premises and building equipment and systems in accordance with applicable codes, and inspection certificates must be displayed as required by law.

**SECTION 16. INSURANCE**

*Section 16.01* COUNTY shall procure and keep in full force and effect at its own cost and expense liability insurance in which policy LESSOR or, in the event COUNTY is requested in writing by LESSOR, LESSOR's Mortgagee, or their successors or assigns, shall be named as an additional insured in an amount not less than One Million Dollars (\$1,000,000.00) per occurrence for bodily injury and One Million Dollars (\$1,000,000.00) per occurrence for property damage,

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and shall furnish LESSOR with proof of same. This insurance is to be excess over any other valid and collectible insurance except insurance that is written specifically as excess over the limits of liability that apply to this policy.

*Section 16.02* Notwithstanding the foregoing, COUNTY, at its sole option, subject to COUNTY being in full compliance with all applicable New York State, local and federal regulations regarding COUNTY's self-insurance program and subject to COUNTY's satisfying the Self-Insurance Standard, may elect to be either partially or totally self-insured and thereby assume responsibility for that portion of the liability insurance for which it is insured. In this case, COUNTY must notify LESSOR of its self-insured status by a signed writing. This self-insurance is to be excess over any other valid and collectible insurance.

*Section 16.03* In the event that a lease is for less than 100% of the building, the COUNTY shall only provide liability insurance, naming the LESSOR as an additional insured, for the area actually leased by the COUNTY, and under such circumstances LESSOR shall indemnify and hold harmless the COUNTY, its employees, and designated representatives from any claims, costs, damages or injuries to person or property of whatsoever kind of nature occurring in the common areas or any other portion of the Premises, excluding that actually leased by the County but including the entire parking lot regardless of whether certain areas thereof are designated for County use. LESSOR shall provide liability insurance for such areas described in this *Section 16.03*, regardless of whether the areas are designated for the COUNTY's, use, including contractual liability coverage, in an amount not less than One Million Dollars (\$1,000,000.00) per occurrence for bodily injury and One Million Dollars (\$1,000,000.00) per occurrence for property damage.

- a. All policies providing such coverage shall be issued by insurance companies with an A.M. Best rating of A- or better.
- b. LESSOR shall furnish to the COUNTY ACORD certificates, evidencing compliance with the aforesaid insurance requirements. In the case of commercial general liability insurance, the County of Suffolk shall be named as an additional insured, where applicable, and LESSOR shall furnish an Accord certificate evidencing the COUNTY's status as an additional insured on said policy. (Policy of the County Attorney to require Declaration pages – Courts of stated that Accord certificates are not proof of insurance)
- c. All such certificates, and other evidence of insurance shall provide for the County of Suffolk to be notified in writing thirty (30) days prior to any cancellation, nonrenewal, or material change in said policies. Such certificates and other evidence of insurance and notices shall be mailed to the Department at its address set forth in the paragraph entitled "Notices and Contact Persons" or at such other address of which the COUNTY shall have given LESSOR notice in writing.
- d. In the event LESSOR shall fail to provide the certificates of insurance or to maintain any insurance required by this Amended and Restated Lease Extension, the COUNTY may, but shall not be required to, obtain such policies and deduct the cost thereof from payments due LESSOR under this or any other agreement between the COUNTY and LESSOR.

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*Section 16.04* All risk of loss from fire or any other peril causing damage or destruction to the Premises or any other real or personal property of LESSOR during the Term shall be borne by LESSOR. Any property insurance policy(s) obtained by LESSOR to cover this exposure shall contain a Waiver of Subrogation against COUNTY. Prior to the Commencement Date, LESSOR must submit to COUNTY a current certificate of insurance indicating that such waiver is in full force. The risk of loss from any peril to the personal property, furniture, fixtures, equipment of COUNTY located on the Demised Premises shall be borne by COUNTY, and COUNTY waives any right of subrogation against LESSOR with respect to such losses.

*Section 16.05* LESSOR shall indemnify and hold harmless the COUNTY from and against all claims, costs (including attorneys' fees), losses, and liabilities of whatsoever nature arising out of the acts or omissions or negligence of LESSOR, its officers, agents, servants or employees in connection with the building and property of which the Demised Premises forms a part, and LESSOR's obligations under the First Extension.

*Section 16.06* In the event the property is transferred by LESSOR, the Transferee shall immediately provide the Department with the required proof of insurance in accordance with this **Section 16**.

*Section 16.07* To the extent permitted by law, COUNTY shall indemnify LESSOR, its agents, and employees from and against all claims (except for claims brought by Suffolk County Employees under Workers' Compensation Laws), costs (including attorneys' fees), losses, and liabilities of whatsoever nature arising out of the acts of omission or negligence of the COUNTY, its officers, agents, servants, invitees, contractors, licensees or employees.

*Section 16.08* The LESSOR shall indemnify and hold harmless the COUNTY from and against all claims, costs (including reasonable attorneys' fees), losses, and liabilities of whatsoever nature arising out of the acts or omissions or negligence of the LESSOR, its officers, agents, servants or employees in connection with the Premises. In this regard, LESSOR, at its own cost and expense, and throughout the term of this Amended and Restated Lease Extension, shall procure and keep in full force and effect Commercial General Liability insurance, including contractual coverage, in an amount not less than Two Million Dollars (\$2,000,000.00) per occurrence for bodily injury and Two Million Dollars (\$2,000,000.00) per occurrence for property damage, in accordance with the provisions of *Section 16.03(a) - (d)*.

*Section 16.08* In the event the property is transferred by LESSOR, the Transferee shall immediately provide the Department with the required proof of insurance in accordance with this **Section 16**.

## **SECTION 17. FIRE AND CASUALTY DAMAGE**

*Section 17.01* If either the entire Demised Premises is destroyed by fire or other casualty, or in the case of partial destruction or damage of the Demised Premises, which nevertheless renders the Demised Premises untenable for its intended purposes, as reasonably determined by either LESSOR or the COUNTY, this Amended and Restated Lease Extension may be immediately terminated. Either party may terminate the First Extension by giving written notice to the other within fifteen (15) calendar days of the fire or other casualty; if this Amended and Restated Lease Extension is so terminated, no rent will accrue to the LESSOR as of the date of such destruction or damage.

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*Section 17.02* Unless LESSOR or COUNTY shall serve a termination notice as provided for in *Section 17.01*, LESSOR shall work diligently to make all repairs and restorations to the Demised Premises, with all reasonable expedition, subject to delays due to adjustment of insurance claims and Excusable Delays. After any such casualty, COUNTY shall cooperate with LESSOR's restoration by removing from the Demised Premises as promptly as reasonably possible any of COUNTY's salvageable inventory and movable equipment, furniture, and other property as requested by LESSOR.

*Section 17.03* As long as the COUNTY is deprived of the use of any or all of the Demised Premises on account of fire or casualty, Annual Base Rent shall be abated in proportion to the usable area of the Demised Premises that are rendered substantially unfit for occupancy by such fire or casualty, unless, in the COUNTY's reasonable judgment, such fire or casualty renders the undamaged part of the Demised Premises materially unsuitable for use by the COUNTY for the uses contemplated by this Amended and Restated Lease Extension, in which event the Annual Base Rent shall be abated entirely during such period of deprivation.

*Section 17.04* The parties agree that this **Section 17** constitutes an express agreement governing any case of damage or destruction of the Demised Premises by fire or other casualty, and that Section 227 of the Real Property Law of the State of New York, which provides for such contingency in the absence of an express agreement, and any other law of like import now or hereafter in force shall have no applicability.

## **SECTION 18. AIR QUALITY**

*Section 18.01* The interior of the Demised Premises shall at all times maintain and meet Air Quality Standards suitable for and comparable to commercial office buildings, of similar age and construction type, in the Hauppauge area. If LESSOR has not remedied any defect in such air quality standards within thirty (30) days of notice from the COUNTY, the COUNTY may provide, at its own cost, a written report by an outside independent consultant specializing in air quality analysis, notifying LESSOR that the air quality in the interior Demised Premises is materially adversely affected by specifically found and identified mold or other air contaminants to levels significantly above those identified as normal for a commercial office building as described above. LESSOR shall take prompt action to cure or otherwise remedy the condition at LESSOR's sole cost and expense. Notwithstanding the foregoing, any condition caused by COUNTY's use or occupancy of the Demised Premises may be cured or otherwise remedied by LESSOR, at COUNTY's sole cost and expense.

*Section 18.02* Where LESSOR has cured an Air Quality condition at the request of COUNTY, LESSOR shall also be required to provide a written report to COUNTY, at LESSOR's sole cost and expense (unless such Air Quality condition was caused by COUNTY, in which case such report shall be provided at COUNTY's sole cost and expense), provided by an outside consultant specializing in Air Quality analysis, reasonably acceptable to the Department, indicating that the condition has been cured and that the Air Quality is suitable for the use intended.

*Section 18.03* LESSOR shall not be required to cure any condition if such condition is caused by the acts or inactions of the COUNTY, its invitees, employees, contractors and/or agents.

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**SECTION 19. NEGATIVE COVENANTS**

*Section 19.01* COUNTY shall not use, occupy, maintain, or operate the Demised Premises, nor suffer or permit the Demised Premises or any part thereof to be used, occupied, maintained, or operated, nor bring into or keep at the Demised Premises, nor suffer or permit anything to be brought into or kept therein, which would in any way (a) violate any term, covenant, or condition of this Amended and Restated Lease Extension, (b) violate any restrictive covenant, operating covenant, encumbrance, or easement affecting the Demised Premises, (c) violate any Legal Requirements, (d) make void or voidable any insurance policy then in force with respect to the Demised Premises or make any such insurance unobtainable or increase the rate of any insurance with respect to the Demised Premises, (e) cause physical damage to the Demised Premises or any part thereof, (f) permit the excess accumulation of waste or refuse matter, or (g) constitute a public or private nuisance.

*Section 19.02* COUNTY shall not place a load upon any floor or roof of the Demised Premises that exceeds the floor/roof load per square foot that such floor/roof was designed to carry or which is allowed by Legal Requirements.

**SECTION 20. LESSOR'S DEFAULT REMEDIES/DAMAGES**

*Section 20.01* Upon the occurrence, at any time prior to, or during the Term of the Amended and Restated Lease Extension, in addition to any other remedy available to LESSOR at law or in equity, of any one or more of the following events (referred to as "Events of Default"):

(i) if COUNTY shall default in the payment when due of any installment of Annual Base Rent, and any such default continues for twenty (20) Business Days, except for January of each calendar year, then if such default in January continues beyond twenty-five (25) Business Days, after LESSOR shall give COUNTY a written notice specifying such default; or

(ii) if COUNTY defaults in the keeping, observance or performance of any covenant or agreement (other than a default of the character referred to in (i) above), and if such default continues and is not cured within thirty (30) days after LESSOR gives COUNTY written notice specifying same, or, in the case of a default which for causes beyond COUNTY's reasonable control cannot, with reasonable diligence be cured within such period of thirty (30) days, if COUNTY shall not immediately upon the giving of such written notice, (a) advise LESSOR of COUNTY's intention duly to institute all steps necessary to cure such default and (b) institute and thereafter diligently prosecute to completion all steps necessary to cure the same; or repeated and unexcused failure by the COUNTY to comply with one or more requirements of this Amended and Restated Lease Extension shall constitute a default notwithstanding that one or all such failures may have been timely cured;

the following Sections shall apply and LESSOR shall have, in addition to all other rights and remedies available at law or in equity, the rights and remedies set forth herein, which rights and remedies may be exercised upon or at any time following the occurrence of an Event of Default unless, prior to such exercise, LESSOR shall agree in writing with COUNTY that the Event(s) of Default has been cured by COUNTY in all respects.

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*Section 20.02* By notice to COUNTY, LESSOR shall have the right to terminate this Amended and Restated Lease Extension as of a date specified in the notice of termination and in such case, COUNTY's rights, including any based on any option to renew, to the possession and use of the Demised Premises shall end absolutely as of the termination date; and this Amended and Restated Lease Extension shall also terminate in all respects except for the provisions hereof regarding LESSOR's damages and COUNTY's liabilities arising prior to, out of or following the Event of Default and the ensuing termination.

*Section 20.03* Unless and until LESSOR has terminated this Amended and Restated Lease Extension pursuant to *Section 20.02* above, COUNTY shall remain fully liable and responsible to perform all of the covenants, and to observe all the conditions of this Amended and Restated Lease Extension throughout the remainder of the Term to the early termination

*Section 20.04* LESSOR may enforce and protect the rights of LESSOR hereunder by a summary proceeding, suit or suits in equity or at law for the specific performance of any covenant or agreement contained herein, and for the enforcement of any other appropriate legal or equitable remedy, including, without limitation, injunctive relief, and for recovery of all moneys due or to become due from COUNTY under any of the provisions of this Amended and Restated Lease Extension.

*Section 20.05* Without limiting the generality of the foregoing, if COUNTY shall be in default in the performance of any of its obligations hereunder, other than a default in the payment of rent or in curing an emergency situation, LESSOR, upon second written notice to COUNTY, providing COUNTY with ten (10) additional days to cure or remedy the default, may (but shall not be obligated to do so), in addition to any other rights it may have in law or in equity, cure such default on behalf of COUNTY, and COUNTY shall reimburse LESSOR upon demand as additional rent for any sums paid or costs incurred by LESSOR in curing such default, together with an administrative fee equal to 5% of such costs,.

*Section 20.06* LESSOR shall have all rights and remedies now or hereafter existing at law or in equity with respect to the enforcement of COUNTY's obligations hereunder and the recovery of the Demised Premises. No right or remedy herein conferred upon or reserved to LESSOR shall be exclusive of any other right or remedy, but shall be cumulative and in addition to all other rights and remedies given hereunder or now or hereafter existing at law. LESSOR shall be entitled to injunctive relief in case of the violation, or attempted or threatened violation, of any covenant, agreement, condition or provision of this Amended and Restated Lease Extension, or to a decree compelling performance of any covenant, agreement, condition or provision of this Amended and Restated Lease Extension.

*Section 20.07* No delay or forbearance by LESSOR in exercising any right or remedy hereunder, or LESSOR's undertaking or performing any act or matter which is not expressly required to be undertaken by LESSOR shall be construed, respectively, to be a waiver of LESSOR's rights or to represent any agreement by LESSOR to undertake or perform such act or matter thereafter. Waiver by LESSOR of any breach by COUNTY of any covenant or condition herein contained (which waiver shall be effective only if so expressed in writing by LESSOR) or failure by LESSOR to exercise any right or remedy in respect of any such breach shall not constitute a waiver or relinquishment for the future of LESSOR's right to have any such covenant or condition duly performed or observed by COUNTY, or of LESSOR's rights arising because of any subsequent breach of any such covenant or condition nor bar any right or remedy of LESSOR in respect of such breach or any subsequent breach. LESSOR's receipt and acceptance of any

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payment from COUNTY which is tendered not in conformity with the provisions of this Amended and Restated Lease Extension or following an Event of Default (regardless of any endorsement or notation on any check or any statement in any letter accompanying any payment) shall not operate as an accord and satisfaction or a waiver of the right of LESSOR to recover any payments then owing by COUNTY which are not paid in full, or act as a bar to the termination of this Amended and Restated Lease Extension and the recovery of the Demised Premises because of COUNTY's previous default.

*Section 20.08* COUNTY hereby expressly waives for itself and any person claiming through or under COUNTY, any and all rights of redemption granted by or under any present or future laws in the event of COUNTY being evicted or dispossessed for any cause, or in the event of LESSOR's obtaining possession of the Demised Premises, by reason of the violation by COUNTY of any of the covenants and conditions of this Amended and Restated Lease Extension or otherwise.

*Section 20.09* Except for the monetary obligations of either party, LESSOR and COUNTY shall not be in default of this Amended and Restated Lease Extension because of such party's inability to perform the covenants and obligations set forth herein during the continuance of any period of Excusable Delays, except as may otherwise be expressly specified in this Amended and Restated Lease Extension.

## **SECTION 21. COUNTY'S DEFAULT REMEDIES AND DAMAGES**

*Section 21.01* Each of the following shall constitute a default by LESSOR under this Amended and Restated Lease Extension: (1) failure to maintain, repair, operate, or service the Demised Premises as and when specified in this Amended and Restated Lease Extension, provided such failure shall remain uncured for a period of thirty (30) days next following LESSOR's receipt of written notice thereof from the COUNTY, unless such failure is of such a nature that, notwithstanding the reasonable diligence of LESSOR, it cannot be completely cured or remedied within said period of thirty (30) days, in which event, such failure shall not constitute a default by LESSOR so long as LESSOR thereafter diligently continues its efforts to cure or remedy the same; or (2) repeated and unexcused failure by LESSOR to comply with one or more requirements of this Amended and Restated Lease Extension shall constitute a default notwithstanding that one or all such failures may have been timely cured.

*Section 21.02* If a default under this **Section 21** continues after the expiration of all notice and cure periods provided for in this Amended and Restated Extension, COUNTY may, by written notice to LESSOR, terminate this Amended and Restated Lease Extension, and if so terminated, COUNTY shall be entitled to damages available under this Amended and Restated Lease Extension, and any other remedy available to COUNTY in law or equity.

*Section 21.03* The COUNTY shall have all of its common law, equitable, and statutory rights of set-off, subject to the further provisions of this Amended and Restated Lease Extension, including, without limitation. These rights shall include the COUNTY's option to withhold, for the purposes of set-off, any moneys due to LESSOR under this Amended and Restated Lease Extension up to any amounts due and owing to the COUNTY with regard to this Amended and Restated Lease Extension and/or any other lease or contract with any County department or agency, including any lease or contract for a term commencing prior to the term of this Amended and Restated Lease Extension, plus any amounts due and owing to the COUNTY for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties

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relative thereto. The COUNTY shall exercise its set-off rights in accordance with normal County practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the County agency, its representatives, or the County Comptroller, and only after legal consultation with the County Attorney. Notwithstanding anything to the contrary contained herein, in no event shall the amount set-off and withheld by the COUNTY in any particular month exceed seven and one-half percent (7.5%) of the next monthly installment of Annual Base Rent due and payable under this Amended and Restated Lease Extension. In the event that COUNTY is limited from withholding the entire amount owed in one month, COUNTY may continue to withhold monies from each next succeeding monthly installment of Annual Base Rent (subject to the above limitation) until the total expenses of the COUNTY are recouped from LESSOR. No deduction from rent in the amount permitted pursuant to this clause shall constitute a default by COUNTY under this Amended and Restated Lease Extension.

*Section 21.04* The rights and remedies of COUNTY specified hereunder are not exclusive, but are in addition to any other rights and remedies provided by law or equity or otherwise available under this Amended and Restated Lease Extension. COUNTY may enforce and protect the rights of COUNTY hereunder by a suit or suits in equity or at law for the specific performance of any covenant or agreement contained herein, and for the enforcement of any other appropriate legal or equitable remedy, including, without limitation, injunctive relief, and for recovery of all moneys due or to become due from LESSOR under any of the provisions of this Amended and Restated Lease Extension.

*Section 21.05* In the event of a breach or default by LESSOR of any of its obligations under this Amended and Restated Lease Extension, COUNTY shall look solely to the Premises for the satisfaction of the execution of any judgment which the COUNTY may be granted against LESSOR, and no other property or assets of LESSOR shall be subject to levy, execution or other enforcement procedure for the satisfaction of the COUNTY's remedies or money judgments.

## **SECTION 22. FAILURE IN PERFORMANCE**

*Section 22.01* The covenant to pay rent and the covenant to provide any service, utility, maintenance, repair or replacements required under this Amended and Restated Lease Extension are interdependent. In the event of any failure by the LESSOR to provide any service, utility, maintenance, repair or replacement required under this Amended and Restated Lease Extension, COUNTY may, subject to the notice requirement set forth in *Section 22.02* below, by contract or otherwise, perform the requirement and provide LESSOR with a written invoice containing the resulting cost to the COUNTY, including an administrative fee in accordance with the provisions of *Section 22.03*. In the event LESSOR does not remit payment of such invoice to COUNTY within thirty (30) days of LESSOR's receipt of such invoice, then COUNTY may deduct such amount from any payment due under this Amended and Restated Lease Extension, subject to the limitations set forth in *Section 22.03* below. If the COUNTY elects to perform any such requirement, the COUNTY and each of its contractors shall be entitled to access to any and all areas of the building, access to which is necessary to perform any such requirement, and the LESSOR shall afford and facilitate such access. No deduction from the Annual Base Rent shall be made while LESSOR is disputing the alleged failure in good faith. No deduction from Annual Rent Base Rent pursuant to this clause shall constitute a default by COUNTY under this Amended and Restated Lease Extension. These remedies are not exclusive, but are in addition to any other remedies which may be available under this Amended and Restated Lease Extension or at law.

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*Section 22.02* If LESSOR shall fail to perform any of its obligations under this Amended and Restated Lease Extension, COUNTY may perform the same at the expense of LESSOR (i) immediately (a) after forty-eight (48) hours written notice in the case of an "Emergency," as defined below; (b) after seven (7) business days written notice if such failure unreasonably interferes with the efficient operation of the Demised Premises; (c) after seven (7) business days written notice if such failure may result in a violation of any Legal Requirements or in the cancellation of any required insurance and (ii) in any other case if such failure continues after thirty (30) days from the date of the giving of written notice of COUNTY's intention to perform the same or, in the case of a failure which, for causes beyond the LESSOR's reasonable control cannot with reasonable diligence be cured within such 10-day period, such 10-day period shall be deemed extended if the LESSOR immediately upon the receipt of such notice, (a) advises the other of its intention to institute all steps necessary to cure such failure and (b) institutes and thereafter diligently prosecutes to completion all steps necessary to cure the same.

An "Emergency" means any situation where the Department, in its reasonable judgment, concludes that a particular action (including, without limitation, the expenditure of funds) is immediately necessary (i) to avoid imminent material damage to all or any material portion of the Demised Premises, (ii) to protect any Person from imminent harm, or (iii) to avoid the imminent unforeseen and unforeseeable suspension of any necessary material service in or to the Demised Premises, the failure of which service would have a material and adverse effect on the Demised Premises or the COUNTY's ability to utilize the Demised Premises for its intended purposes, including but not limited to, supplying heat, air-conditioning, ventilation, light and water to the Demised Premises.

*Section 22.03* If COUNTY performs any of LESSOR's obligations under this Amended and Restated Lease Extension, LESSOR shall pay COUNTY the costs thereof, together with an administrative fee equal to five percent (5%) of such costs, within sixty (60) days after receipt by LESSOR of a written statement as to the amounts of such costs and fee. In the event LESSOR does not remit the total amount of the costs and fee described herein within the requisite time, COUNTY may withhold such amount from the next monthly installment of Annual Base Rent, subject to the limitation that, in no event shall the amount withheld in any month exceed seven and one-half percent (7.5%) of the next monthly installment of Annual Base Rent. In the event that COUNTY is limited from withholding the entire amount owed, COUNTY may continue to withhold monies from each next succeeding monthly installment of Annual Base Rent until the total expenses of the COUNTY and administrative fee are recouped from LESSOR. No deduction from the Annual Base Rent shall be made while LESSOR is disputing the alleged failure in good faith and is taking reasonable steps to resolve the dispute expeditiously. No deduction from rent pursuant to this clause shall constitute a default by the COUNTY under this Amended and Restated Lease Extension. This remedy is not exclusive and is in addition to any other remedies that may be available under this Amended and Restated Lease Extension or at law.

*Section 22.04* In the event that there is an interruption, curtailment or failure by LESSOR to supply cooled or outside air, heat, elevator, plumbing or electricity for ten (10) consecutive business days after LESSOR has received written notice of such interruption, curtailment or failure (except that this *Section 22.04* shall only apply in the event such interruption, curtailment or failure of such services occurs as a direct result of a failure by LESSOR to comply with its repair or maintenance obligations regarding such systems as and to the extent required under this Amended and Restated Lease Extension), and where (a) such failure is not caused by Excusable Delays or causes reasonably beyond the control of LESSOR, (b) the Demised Premises has been placed in a condition where the COUNTY could not reasonably be expected to continue to use

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the Demised Premises for its intended purposes, and (c) LESSOR has either not commenced to cure such condition or has not used reasonable diligence in following same to completion, the same shall constitute a constructive eviction, in whole or in part, and COUNTY shall be entitled to a pro rata abatement of rent during the period any such interruption, curtailment or failure continues and until such services are restored.

*Section 22.05* No delay or forbearance by COUNTY in exercising any right or remedy hereunder, or COUNTY's undertaking or performing any act or matter which is not expressly required to be undertaken by COUNTY shall be construed, respectively, to be a waiver of COUNTY's rights or to represent any agreement by COUNTY to undertake or perform such act or matter thereafter. Waiver by COUNTY of any breach by LESSOR of any covenant or condition herein contained (which waiver shall be effective only if so expressed in writing by COUNTY) or failure by COUNTY to exercise any right or remedy in respect of any such breach shall not constitute a waiver or relinquishment for the future of COUNTY's right to have any such covenant or condition duly performed or observed by LESSOR, or of COUNTY's rights arising because of any subsequent breach of any such covenant or condition nor bar any right or remedy of COUNTY in respect of such breach or any subsequent breach. COUNTY's receipt and acceptance of any payment from LESSOR which is tendered not in conformity with the provisions of this Amended and Restated Lease Extension or following an Event of Default (regardless of any endorsement or notation on any check or any statement in any letter accompanying any payment) shall not operate as an accord and satisfaction or a waiver of the right of COUNTY to recover any payments then owing by LESSOR which are not paid in full, or act as a bar to the termination of this Amended and Restated Lease Extension.

**SECTION 23. LESSOR'S RIGHT TO INSPECT AND REPAIR; ACCESS GENERALLY**

*Section 23.01* In addition to the provisions set forth at *Section 28.01* of this Amended and Restated Lease Extension, LESSOR may, but shall not be obligated to, enter the Demised Premises at any reasonable time, on reasonable written notice to COUNTY (except that no notice need be given in case of emergency) for the purpose of inspection or the making of such repairs, replacements, and additions in, to, and about the Premises, as necessary or desirable. LESSOR shall not be required to notify COUNTY in connection with any entry into the Demised Premises during normal business hours for purposes of LESSOR's obligations under this Amended and Restated Lease Extension to maintain or repair the Demised Premises. LESSOR shall provide telephonic notice at least one hour prior to entering the Demised Premises during non-business hours. Notwithstanding anything to the contrary contained in this Section, LESSOR shall use reasonable efforts in its access of the Demised Premises to cause a minimal amount of interference with COUNTY's use of the Demised Premises.

**SECTION 24. SURRENDER OF DEMISED PREMISES; HOLDOVER**

*Section 24.01* This Amended and Restated Lease Extension and the tenancy hereby created shall cease and terminate at the end of the above term, without the necessity of any further notice from either the LESSOR or the COUNTY to terminate the same and that continued occupancy of the Demised Premises by the Lessee after the expiration of said term shall not operate to renew the Amended and Restated Lease Extension for said term or any part thereof.

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*Section 24.02* On the Expiration Date, or upon the earlier termination of this Amended and Restated Lease Extension, COUNTY shall, at its expense, quit, surrender, vacate, and deliver the Demised Premises to LESSOR in good order, condition and repair, ordinary wear and tear and damage for which COUNTY is not responsible under the terms of the Amended and Restated Lease Extension, or damage by the elements, fire or other casualty beyond COUNTY's reasonable control excepted, together with all improvements therein. COUNTY shall, at its expense, remove from the Demised Premises all COUNTY's personal property and any personal property of Persons claiming by, through or under COUNTY, equipment, furniture, and any Alterations not approved by LESSOR or required by LESSOR to be removed as a condition to such approval, and shall repair or pay the cost of repairing all damage to the Demised Premises occasioned by such removal. Any COUNTY's personal property or Alterations of COUNTY, which shall remain in the Demised Premises after the termination of this Amended and Restated Lease Extension, shall be deemed to have been abandoned and either may be retained by LESSOR as its property or may be stored or disposed of at County's expense. If property not so removed shall be sold, LESSOR may receive and retain the proceeds of such sale and apply the same against the reasonable expenses of the sale, moving and storage, arrears of rent and any damages to which LESSOR may be entitled. Any excess proceeds shall be the property of LESSOR.

*Section 24.03* In the event the COUNTY retains possession of the Demised Premises after termination of this Amended and Restated Lease Extension, subject to all of the other terms of this First Extension, the COUNTY shall be and remain liable to the LESSOR for rent for the Demised Premises at a monthly rate which is one hundred and five percent (105%) of the monthly rent last payable by the COUNTY during the immediate preceding term prior to the beginning of the holdover period, If, after six (6) months, the COUNTY continues to retain possession of the Demised Premises as a holdover, the monthly holdover rate shall increase the seventh (7<sup>th</sup>) month to one hundred and fifty percent (150%) of the monthly rent last payable by the COUNTY during the immediate preceding term prior to the termination of the Amended and Restated Lease Extension. Nothing herein shall confer upon the COUNTY any right to remain on the Demised Premises.

*Section 24.03* The provisions of this **Section 24** shall survive the expiration or earlier termination of this Amended and Restated Lease Extension.

**Section 25. NOTICES**

*Section 25.01* Operational Notices: Any communication, notice, claim for payment, reports, insurance, or other submission necessary or required to be made by the parties regarding this Amended and Restated Lease Extension shall be in writing and shall be given to the COUNTY or LESSOR or their designated representative, by regular or certified mail in postpaid envelope or by courier service at the following addresses or at such other address that may be specified in writing by the parties and must be delivered as follows: (a) if to COUNTY, to the Suffolk County Department of Public Works, Attention: Commissioner, 335 Yaphank Avenue, Yaphank, New York 11980; with a copy to the Suffolk County Department of Law, Attn: Suffolk County Attorney, 100 Veterans Memorial Highway, P.O. Box 6100, Hauppauge, New York 11788-0099; and (b) if to LESSOR, at LESSOR's address first above set forth, or at such other address as COUNTY or LESSOR, respectively, may designate in writing.

*Section 25.02* **Notices Relating to Termination and/or Litigation:** In the event LESSOR receives a notice or claim or becomes a party (plaintiff, petitioner, defendant, respondent, third

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party complainant, third party defendant) to a lawsuit or any legal proceeding related to this Amended and Restated Lease Extension, LESSOR shall immediately deliver to the County Attorney, at the address set forth above, copies of all papers filed by or against LESSOR.

- a. Any communication or notice regarding termination shall be in writing and shall be given to the COUNTY or the LESSOR or their designated representative at the addresses set forth in *Section 25.01* or at such other addresses that may be specified in writing by the parties and shall be deemed to be duly given only if delivered: (i) personally [personal service on COUNTY must be pursuant to New York Civil Practice Law and Rules Section 311]; (ii) by nationally recognized overnight courier; or (iii) mailed by registered or certified mail in a postpaid envelope addressed: Notice shall be deemed to have been duly given (1) if delivered personally, upon acceptance or refusal thereof, (2) if by nationally recognized overnight courier, the first Business Day subsequent to transmittal and (3) if mailed by registered or certified mail, upon the seventh Business Day after the mailing thereof.
- b. Any notice by either party to the other with respect to the commencement of any lawsuit or legal proceeding shall be effected pursuant to and governed by the New York Civil Practice Law and Rules or the Federal Rules of Civil Procedure, as applicable.

*Section 25.03* Each party shall give prompt written notice to the other party of the appointment of successor(s) to the designated contact person(s) or his or her designated successor(s).

**SECTION 26. SUBORDINATION, NONDISTURBANCE AND ATTORNMENT**

*Section 26.01* COUNTY agrees that this Amended and Restated Lease Extension is subject and subordinate to any and all recorded mortgages, deeds of trust and other liens now or hereafter existing or imposed upon the Demised Premises, and to any renewal, modification or extension thereof. It is the intention of the parties that this provision shall be self-operative and that no further instrument shall be required to effect present or subsequent subordination of this Amended and Restated Lease Extension. COUNTY agrees, however, within fifteen (15) Business Days next following the Suffolk County Attorney's Office receipt of a written demand, to execute such instruments as LESSOR may reasonably request to evidence further the subordination of this Amended and Restated Lease Extension to any existing or future mortgage, deed of trust or other security interest pertaining to the Demised Premises, and to any water, sewer or access easement necessary or desirable to serve the Premises or adjoining property owned in whole or in part by LESSOR if such easement does not interfere with the full enjoyment of any right granted the COUNTY under this Amended and Restated Lease Extension, subject to the conditions stated in *Section 26.05*.

*Section 26.02* No such subordination, to either existing or future mortgages, deed of trust or other lien or security instrument shall operate to affect adversely any right of the COUNTY under this Amended and Restated Lease Extension so long as the COUNTY is not in default under this Amended and Restated Lease Extension. LESSOR will include in any future mortgage, deed of trust or other security instrument to which this Amended and Restated Lease Extension becomes

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subordinate, or in a separate nondisturbance agreement on such lender's standard form, a provision to the foregoing effect.

*Section 26.03* In the event of any sale of the Demised Premises or any portion thereof by foreclosure of the lien of any such mortgage, deed of trust or other security instrument, or the giving of a deed in lieu of foreclosure, the COUNTY will be deemed to have attorned to any purchaser, purchasers, transferee or transferees of the Demised Premises or any portion thereof and its or their successors and assigns, and any such purchasers and transferees will be deemed to have assumed all obligations of the LESSOR under this Amended and Restated Lease Extension, so as to establish direct privity of estate and contract between COUNTY and such purchasers or transferees, with the same force, effect and relative priority in time and right as if the Amended and Restated Lease Extension had initially been entered into between such purchasers or transferees and the COUNTY; provided, further, that such purchasers or transferees shall, with reasonable promptness following any such sale or deed delivery in lieu of foreclosure, execute all such revisions to this Amended and Restated Lease Extension, or other writings, as shall be necessary to document the foregoing relationship.

*Section 26.04* Within twenty (20) days next following the COUNTY's receipt of a joint written request from LESSOR and a prospective lender of purchaser of the Demised Premises, the County Attorney's Office shall execute and deliver to LESSOR a letter stating that the same is issued subject to the conditions stated in *Section 26.05*, and, if such is the case, that (1) the Amended and Restated Lease Extension is in full force and effect; (2) the date to which the rent and other charges have been paid in advance, if any; and (3) whether any notice of default has been issued.

*Section 26.05* Letters issued pursuant to *Section 26.04* are subject to the following conditions: (1) that they are based solely upon a reasonably diligent review of the COUNTY's Amended and Restated Lease Extension file as of the date of issuance; (2) that the COUNTY shall not be held liable because of any defect in or condition of the Demised Premises; (3) that the COUNTY does not warrant or represent that the Demised Premises comply with applicable Federal, State and local law; and (4) that the LESSOR, and each prospective lender and purchaser are deemed to have constructive notice of such facts as would be ascertainable by reasonable pre-purchase and pre-commitment inspection of the Demised Premises and by inquiry to appropriate Federal, State, and local government officials.

## **SECTION 27. ASSIGNMENT AND SUBLETTING**

*Section 27.01* Except as otherwise provided in this **Section 27**, COUNTY shall not assign this Amended and Restated Lease Extension or sublet all or any portion of the Demised Premises without the prior written consent of LESSOR, which consent shall not be unreasonably withheld or delayed.

*Section 27.02* LESSOR shall not unreasonably withhold, delay, or condition its consent in the event such sublease meets the following conditions: (a) no default or event of default has occurred that is continuing beyond any applicable notice and grace periods set forth herein; (b) the sublessee assumes all of the obligations of this Amended and Restated Lease Extension, to the extent applicable to the portion of the Demised Premises so sublet; (c) COUNTY promptly furnishes LESSOR with an executed copy of the sublease or other agreement pursuant to which such sublessee shall agree to observe and perform, and to be bound by all of the terms, covenants and conditions of this Amended and Restated Lease Extension on COUNTY's part to be observed

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and performed; (d) the proposed sublessee is a reputable "Person," defined below, of good character, as reasonably determined by LESSOR, and LESSOR has been furnished with reasonable evidence thereof; (e) the proposed sublessee has a long term, senior, unsecured debt rating from the Rating Agencies at least equivalent to "A" (or its equivalent); and (f) the proposed sublessee shall not be (1) entitled directly or indirectly, to diplomatic or sovereign immunity, unless effectively waived to LESSOR's reasonable satisfaction, and shall be subject to service of process in, and the jurisdiction of the courts of the State of New York, or (2) any foreign government or multi-national organization (or agency, department or division thereof).

For purposes of this Amended and Restated Lease Extension, the term "Person" means a natural person, a partnership, a limited liability company, a corporation, and any other form of business or legal association or entity.

**SECTION 28. LESSOR'S RIGHT TO SHOW DEMISED PREMISES**

*Section 28.01* LESSOR may show the Demised Premises to prospective purchasers and mortgagees and, during the eighteen (18) months prior to the expiration of this Amended and Restated Lease Extension, LESSOR may show the Demised Premises to prospective tenants during "Business Hours," as that term is defined below, upon reasonable notice to COUNTY or by other special arrangement between LESSOR and COUNTY.

For the purposes of this Amended and Restated Lease Extension, the term "Business Hours" means from 8:30 a.m. to 5:30 p.m. during Business Days.

**SECTION 29. EMINENT DOMAIN**

*Section 29.01* If the Demised Premises, or any part thereof, or any estate therein, or any other part of the building materially affecting COUNTY's use of the Demised Premises, including parking area, be taken by virtue of eminent domain, this Amended and Restated Lease Extension shall terminate on the date when title vests pursuant to such taking, rent shall be apportioned as of said date and any Annual Base Rent paid for any period beyond said date shall be repaid to COUNTY. COUNTY shall not be entitled to any part of the award or any payment in lieu thereof; however, COUNTY may file a claim for any taking of fixtures and improvements owned by COUNTY, and for moving expenses.

*Section 29.02* COUNTY shall have the right to make a claim against the condemning authority for any taking of COUNTY's personal property and for business interruption, moving and related expenses, provided COUNTY shall make a separate claim therefore which shall not impair COUNTY's claim or recovery.

*Section 29.03* Notwithstanding the foregoing, if all or any portion of the Demised Premises shall be condemned or taken for governmental occupancy for a limited period of time, this Amended And Restated Lease Extension shall continue in full force and effect (with an abatement of Annual Base Rent). If the termination of such governmental occupancy is prior to expiration of this Amended and Restated Lease Extension, LESSOR shall restore the Demised Premises as nearly as possible to its condition prior to the condemnation or taking.

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**Section 30. ENVIRONMENTAL RESPONSIBILITIES**

*Section 30.01* COUNTY shall not use or suffer the use of all or any part of the Demised Premises to treat, generate, store, dispose of, transfer, release, convey or recover any "Hazardous Substances," as that term is defined below. COUNTY shall immediately notify LESSOR of the presence or suspected presence of any Hazardous Substance on or about the Demised Premises and shall deliver to LESSOR any notice received by COUNTY with respect to any Hazardous Substance relating thereto.

For purposes of this Amended and Restated Lease Extension, the term "Hazardous Substance" means (i) asbestos and any asbestos containing material and any substance that is listed in, or otherwise classified pursuant to any "Environmental Laws," as that term is defined below, or any applicable laws or regulations as "hazardous substance", "hazardous material", "hazardous waste", "infectious waste", toxic substance", "toxic pollutant", or any other formulation intended to define, list or classify substances by reason of deleterious properties such as ignitability, corrosivity, reactivity, carcinogenicity, toxicity, reproductive toxicity, or "EP toxicity", (ii) any petroleum and drilling fluids, produced waters, and other wastes associated with the exploration, development or production of crude oil, natural gas, or geothermal resources and (iii) petroleum product, polychlorinated biphenyls, urea formaldehyde, radon gas, radioactive matter, and medical waste. "Hazardous Substance" shall not include normal cleaning and personal household products being used in their intended manner and otherwise in a manner that is in compliance with Environmental Laws.

"Environmental Laws" means any and all present and future federal, state, and local laws, ordinances, rules, regulations, decisions, and standards relating to protection of human health and the environment, including, but not limited to, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. 9601 et.seq. ("CERCLA"); the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. 6901 et.seq. ("RCRA"); the Occupational Safety and Health Act) 29 U.S.C. 651 et.seq. ("OSHA"). Environmental Laws shall also include, but are not limited to, any requirements relating to underground storage tanks, the storage and use of gasoline, diesel fuel, waste oil or other petroleum products.

*Section 30.02* Subject to the provisions of *Section 30.04*, COUNTY, at its expense, shall comply with all Environmental Laws applicable to the Demised Premises and shall give LESSOR prompt notice of any lack of compliance with any of the foregoing and of any notice it receives of the alleged violation of any Environmental Laws. LESSOR shall cooperate with COUNTY's efforts hereunder.

*Section 30.03* LESSOR represents and warrants that to LESSOR's knowledge, the Demised Premises has not been used for the generation, treatment, storage, or disposal of hazardous waste, and LESSOR certifies that, to LESSOR's knowledge, the Demised Premises comply with all applicable Federal, State, and local regulations concerning the provision of a safe work environment free from environmental contaminants and hazards.

*Section 30.04* Except to the extent the same are the obligations of COUNTY under the Amended and Restated Lease Extension, LESSOR shall comply with all Environmental Laws affecting or related to its use or ownership of the Demised Premises, including but not limited to, the construction or demolition of any improvement thereon, and shall give COUNTY prompt notice of any lack of compliance with any of the foregoing of which it obtains knowledge and of any

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notice it receives of the alleged non-compliance with Environmental Laws. COUNTY shall cooperate with LESSOR's efforts hereunder; provided, however, that COUNTY shall not be required to incur any out of pocket costs in so doing. LESSOR shall indemnify COUNTY against all claims, losses, costs, expenses, fines, penalties and damages which may be imposed by reason of, or arising out of LESSOR's failure to fully and promptly comply with the provisions of this Section.

*Section 30.05* With respect to the existence of any Hazardous Substance which COUNTY has caused or created, COUNTY shall defend, indemnify, and hold harmless LESSOR and its employees, agents, officers, and directors, from and against any claims, demands, penalties, fines, liabilities, settlements, damages, costs, or expenses of whatever kind or nature, known or unknown, contingent or otherwise, arising out of, or in any way related to, (a) the presence, disposal, release, or threatened release of any Hazardous Substance which is on, from, or affecting the soil, water, vegetation, buildings, personal property, persons, animals, or otherwise; (b) any personal injury (including wrongful death) or property damage (real or personal) arising out of or related to such Hazardous Substance; (c) any lawsuit brought or threatened, settlement reached, or government order relating to such Hazardous Substance; and/or (d) any violation of Environmental Laws, or any policies or requirements of LESSOR which are based upon or in any way related to such Hazardous Substance, including, without limitation, attorney and consultant fees, investigation and laboratory fees, court costs, and litigation expenses.

*Section 30.06* The provisions of this **Section 30** shall survive the expiration or earlier termination of this Amended and Restated Lease Extension.

**SECTION 31. [INTENTIONALLY OMITTED]**

**SECTION 32. QUIET ENJOYMENT**

*Section 32.01* LESSOR covenants that if and so long as COUNTY pays Annual Base Rent and Expenses, and fully and faithfully performs the covenants hereof, COUNTY shall peaceably and quietly have, hold and enjoy the Demised Premises for the Term, subject to the provisions of this Amended and Restated Lease Extension.

**SECTION 33. NO IMPLIED WAIVER**

*Section 33.01* No failure or delay by either party to insist upon the strict performance of any provision of this Amended and Restated Lease Extension, or to exercise any right, power or remedy consequent upon a breach thereof, and no acceptance of full or partial rent or other performance by either party during the continuance of such breach shall constitute a waiver of any such provision.

**SECTION 34. SUFFOLK COUNTY LEGISLATIVE REQUIREMENTS**

*Section 34.01* The parties agree to be bound by the terms of Suffolk County Legislative Requirements, annexed hereto as **Exhibit B** and made a part hereof.

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**SECTION 35. COOPERATION ON CLAIMS**

*Section 35.01* Each of the parties hereto agrees to render diligently to the other party, without additional compensation, any and all cooperation, that may be required to defend the other party, its employees and designated representatives against any claim, demand or action that may be brought against the other party, its employees or designated representatives in connection with this Amended and Restated Lease Extension.

**SECTION 36. MISCELLANEOUS**

*Section 36.01* Neither LESSOR nor COUNTY shall be permitted to record this Amended and Restated Lease Extension or a memorandum thereof.

*Section 36.02* There is no litigation or arbitration proceeding currently pending with respect to the Demised Premises.

*Section 36.03* References contained herein to Sections, Exhibits and Schedules shall be deemed to be references to the Articles, Exhibits, and Schedules of and to this Amended and Restated Lease Extension unless specified to the contrary.

**SECTION 37. NOT A CO-PARTNERSHIP OR JOINT VENTURE**

*Section 37.01* Nothing herein contained shall create or be construed as creating a co-partnership or joint venture between the COUNTY and LESSOR or to constitute the LESSOR as an agent or employee of the COUNTY.

**SECTION 38. BROKER**

*Section 38.01* LESSOR and COUNTY, each to the other, represent and warrant that Newmark of Long Island LLC d/b/a Newmark Knight Frank LI, as "Broker", brought about this Lease and that otherwise no other broker or finder called the Premises to COUNTY's attention for lease or took any part in any dealings, negotiations, or consultations with respect to the Premises or this Lease. LESSOR agrees to pay Broker a full commission pursuant to a separate agreement between LESSOR and the Broker. LESSOR further agrees to indemnify and hold harmless the COUNTY against any claim, demand and judgment which may be made or obtained against the COUNTY by any other broker claiming a commission for bringing about this Lease. The COUNTY shall forthwith notify the LESSOR of any such claim, demand, or legal action and the LESSOR shall defend the COUNTY against any such claim, demand or legal action at no cost to the COUNTY.

**SECTION 39. CERTIFICATION**

*Section 39.01* The parties to this Amended and Restated Lease Extension hereby certify that, other than the funds provided in this Amended and Restated Lease Extension and other valid agreements with the COUNTY, there is no known relationship within the third degree of consanguinity, life partner, or business, commercial, economic, or financial relationship between the parties, the signatories to this Amended and Restated Lease Extension, and any partners,

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members, directors, or shareholders of more than five per cent (5%) of any party to this Amended and Restated Lease Extension.

**SECTION 40. NOT IN DEFAULT**

*Section 40.01* The LESSOR warrants that it is not, and shall not be during the Term of this Amended and Restated Lease Extension, in arrears to the COUNTY for taxes or upon debt or contract and is not, and shall not be during the term of this Amended and Restated Lease Extension, in default as surety, contractor or otherwise on any obligation to the COUNTY, and the LESSOR agrees that the COUNTY may withhold the amount of any such arrearage or default from amounts payable to the COUNTY under this Amended and Restated Lease Extension.

**SECTION 41. GOVERNING LAW**

*Section 41.01* This Amended and Restated Lease Extension shall be governed by the laws of the State of New York. In the event of any dispute or litigation, the venue of any proceeding to determine the rights and liabilities of the respective parties arising under this Amended and Restated Lease Extension shall be in the New York Supreme Court, Suffolk County; or, in the event of a proceeding in the federal courts, in the District Court for the Eastern District of New York.

**SECTION 42. WAIVER OF TRIAL BY JURY**

*Section 42.01* It is mutually agreed by and between LESSOR and COUNTY that the respective parties hereto shall and they hereby do waive any right to trial by jury in any action, proceeding or in any other matter in any way connected with this Amended and Restated Lease Extension, the relationship of LESSOR and COUNTY, the Demised Premises, and/or any claim of injury or damage, or for the enforcement of any remedy under any statute, emergency or otherwise.

**SECTION 43. CIVIL ACTIONS**

*Section 43.01* LESSOR represents that it shall not use any of the moneys received under this Amended and Restated Lease Extension, directly, in connection with the prosecution of any civil action against the County of Suffolk or any of its programs, funded by the County, in part or in whole, in any jurisdiction or any judicial or administrative forum.

**SECTION 44. SUCCESSORS BOUND**

*Section 44.01* This Amended and Restated Lease Extension shall bind, and inure to the benefit of, the parties and their respective heirs, executors, administrators, successors and assigns.

**SECTION 45. COUNTY REPRESENTATIVES**

*Section 45.01* It is expressly understood and agreed by and between the parties hereto that the officers, officials, employees and agents of the COUNTY are acting in a representative capacity for the County of Suffolk and not for their own benefit, and that LESSOR shall not have any claim against them or any of them as individuals in any event whatsoever.

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**SECTION 46. INDEPENDENT CONTRACTOR**

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

**SECTION 47. EXECUTION BY LESSOR**

*Section 47.01* When the LESSOR is a partnership, the names of the partners composing the firm must be stated in the Statements required under **Section 1** of **Exhibit B** of this Amended and Restated Lease Extension. The Amended and Restated Lease Extension must be signed with the partnership name, followed by the name of the partner signing the Amended and Restated Lease Extension.

*Section 47.02* Where the LESSOR is a corporation or a limited liability company, the Amended and Restated Lease Extension must be signed with the corporate or company name, followed by the signature and title of the officer or other authorized person signing the Amended and Restated Lease Extension on its behalf, and if requested by the COUNTY.

*Section 47.03* LESSOR warrants that its entry into this Amended and Restated Lease Extension was duly considered and authorized by its organizational body and pursuant to its by-laws, operating agreements and/or internal procedures.

**SECTION 48. IDENTIFICATION NUMBER**

*Section 49.01* All invoices or vouchers submitted to the COUNTY for payment of rent and/or Expenses must include the payee's (LESSOR's) identification number. The number is either the LESSOR's Federal employer identification number or Federal social security number, or both such numbers when the payee has both such numbers. Failure to include this number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on his invoice or Standard voucher, must give the reason or reasons why the payee does not have such number or numbers.

**SECTION 49. PARAGRAPH HEADINGS**

The paragraph headings in this Amended and Restated Lease Extension are included for convenience only and shall not be taken into consideration in any construction or interpretation of this Amended and Restated Lease Extension or any of its provisions.

**SECTION 50. SEVERABILITY**

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

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**SECTION 51. ENTIRE AGREEMENT**

This Amended and Restated Lease (including the Schedules and Exhibits annexed hereto) contains the entire agreement between the parties and all prior negotiations and agreements are merged herein. The COUNTY hereby acknowledges that neither LESSOR nor LESSOR's agent or representative has made any representations or statements, or promises, upon which The COUNTY has relied, regarding any matter or thing relating to the Building, the land allocated to it (including the parking area) or the Demised Premises, or any other matter whatsoever, except as is expressly set forth in this lease, including, but without limiting the generality of the foregoing, any statement, representation or promise as to the fitness of the Demised Premises for any particular use, the services to be rendered to the Demised Premises, or the prospective amount of any item of additional rent. No oral or written statement, representation or promise whatsoever with respect to the foregoing or any other matter made by LESSOR, its agents or any broker, whether contained in an affidavit, information circular, or otherwise, shall be binding upon the LESSOR unless expressly set forth in this lease. No rights, easements or licenses are or shall be acquired by The COUNTY by implication or otherwise unless expressly set forth in this lease.

**SECTION 52. NO ORAL CHANGES**

It is expressly agreed that this Amended and Restated Lease Extension represents the entire agreement of the parties, that all previous understandings are merged in this Amended and Restated Lease Extension. No modification of this Amended and Restated Lease Extension shall be valid unless written in the form of an amendment and executed by both parties. All references in this Amended and Restated Lease Extension to the consent or approval of LESSOR shall be deemed to mean the written consent of LESSOR, or the written approval of LESSOR, as the case may be, and no consent or approval of LESSOR shall be effective for any purpose unless such consent or approval is set forth in a written instrument executed by LESSOR.

**SECTION 53. INTERPRETATION**

This Amended and Restated Lease Extension is to be construed and interpreted without regard to any presumption or other rule requiring construction or interpretation against the party causing this Amended and Restated Lease Extension to be drafted.

**SIGNATURE PAGE FOLLOWS**

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

**LESSOR**

**COUNTY**

**KEW MANAGEMENT CORP.**

**COUNTY OF SUFFOLK**

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

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Deputy County Executive  
Date: \_\_\_\_\_

**APPROVED AS TO LEGALITY:**

Christine Malafi  
Suffolk County Attorney

**RECOMMENDED:**

**Space Management Steering Committee**

By: \_\_\_\_\_  
Basia Deren Braddish  
Title: Assistant County Attorney  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Name: Thomas LaGuardia  
Title: Chairman, Space Management Steering Committee  
Date: \_\_\_\_\_

**RECOMMENDED:  
DIVISION OF REAL PROPERTY ACQUISITION  
AND MANAGEMENT**

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

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ACKNOWLEDGEMENT

STATE OF NEW YORK}

SS:

COUNTY OF SUFFOLK}

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2010 before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or provided to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

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

ACKNOWLEDGEMENT

STATE OF NEW YORK}

SS:

COUNTY OF SUFFOLK}

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2010 before me, the undersigned, personally appeared \_\_\_\_\_, *Deputy County Executive*, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

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

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**EXHIBIT A**  
**LANDLORD-TENANT RESPONSIBILITIES SHEET**

ITEM	LANDLORD	COUNTY
<b>1) UTILITIES – Usage</b>		
A) OIL	N/A	N.A
B) GAS		Proportionate Share
C) WATER	X	
D) ELECTRICITY (if separately metered)		X
E) SEWER CHARGES/TAXES	See Section 13 Below	See Section 13 Below
<b>2) H.V.A.C. EQUIPMENT</b>		
A) REPAIR & REPLACE	X	
B) ORDINARY PREVENTIVE MAINTENANCE	X	
C) CHANGE AIR FILTER:	X	
<b>3) ELECTRIC EQUIPMENT</b>		
A) REPAIR & REPLACE	X	
B) INTERIOR LAMP & BALLAST REPLACEMENT		X
C) EMERGENCY LIGHTING AND EXIT LIGHTING		
D) PARKING FIELD & EXTERIOR BUILDING LIGHTING	X	
E) PARKING FIELD LAMP REPLACEMENT	X	
<b>4) PLUMBING</b>		
A) REPAIR & REPLACE	X	
B) ORDINARY PREVENTIVE MAINTENANCE		X
C) CLEAN OUT: DRAINAGE STRUCTURES & SYSTEMS	X	
D) CLEAN OUT: SEWAGE STRUCTURES & SYSTEMS	X	
<b>5) REPAIRS</b>		
A) STRUCTURAL REPAIRS * SEE PARAGRAPH ENTITLED "PREPARATION AND CARE OF DEMISED PREMISES BY LANDLORD"	X	

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ITEM	LANDLORD	COUNTY
B) REPAIR: SIDEWALKS, CURBS, RAMPS, DRIVEWAYS, PARKING AREAS, ROOF & ROOFING, INTERIOR (DUE TO FAULTY CONSTRUCTION), DRAINAGE STRUCTURES & SYSTEMS, SEWAGE STRUCTURES & SYSTEMS	X	
C) Repair: BUILDING ENVELOPE	X	
<b>6) CUSTODIAL</b>		
A) Clean Occupied Space & Supply Soap and Paper Products	X	
B) CLEAN WINDOWS - INTERIOR	X	
C) CLEAN WINDOWS – EXTERIOR, 1X/year	X	
D) TRASH REMOVAL – INTERIOR	X	
<b>7) CARTAGE</b>	X	
<b>8) SNOW &amp; ICE REMOVAL TO PARKING AREAS, DRIVES, RAMPS &amp; WALKS</b>	X	
<b>9) GROUNDS MAINTENANCE</b>	X	
A) GRASS & LANDSCAPING MAINTENANCE	X	
B) IRRIGATION OF GRASS & LANDSCAPING	X	
C) PARKING FIELD	X	
D) PARKING FIELD SWEEPING AND DEBRIS REMOVAL	X	
<b>10) REPAIRS &amp; MAINTENANCE OF COMMON USE AREAS</b>	N/A	N/A
<b>11) INTERIOR MAINTENANCE AND REPAIRS</b>		X
<b>12) GLAZING (NOT CAUSED BY TENANT DAMAGE)</b>	X	
<b>13) TAXES (SEE ALSO, Amended and Restated Lease Extension Agreement, Sections 5 )</b>	Base Year Included	X
14) VERMIN AND RODENT EXTERMINATION		X
15) FIRE SPRINKLERS & RPZ – MAINTENANCE AND TESTING	X	
16) SECURITY ALARM – Maintenance, repair & monitoring		X

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**EXHIBIT B**  
**SUFFOLK COUNTY LEGISLATIVE REQUIREMENTS**

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

The Contractor represents and warrants that it has filed with the Comptroller of Suffolk County the verified public disclosure statement required by Suffolk County Administrative Code Article V, Section A5-7 and shall file an update of such statement with the said Comptroller on or before the 31st day of January in each year of this Agreement's duration. The Contractor acknowledges that such filing is a material, contractual and statutory duty and that the failure to file such statement shall constitute a material breach of this Agreement, for which the County shall be entitled, upon a determination that such breach has occurred, to damages, in addition to all other legal remedies, of fifteen percent (15%) of the amount of the Agreement; provided, however, no penalty shall be due unless and until Contractor has received a written notice of failure to file the requisite forms and fifteen (15) Business Days to cure. No breach shall be deemed to have occurred in the event that County has failed to provide the requisite forms to be completed by Contractor. In any event, County agrees to provide Contractor with written notice of any anticipated or actual breach of this Section.

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

**2. Living Wage Law**

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

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

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

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

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R-0861

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

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

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

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

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

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

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

**4. Lawful Hiring of Employees Law**

This Agreement is subject to the Lawful Hiring of Employees Law of the County of Suffolk (Local Law 52-2006). It provides that all covered employers, (as defined), and the owners thereof, as the case may be, that are recipients of compensation from the County through any grant, loan, subsidy, funding, appropriation, payment, tax incentive, contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or an awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees (as defined) and with respect to the alien and nationality status of the owners thereof. The affidavit shall be executed by an authorized representative of the covered employer or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement with the County; and shall be made available to the public upon request.

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

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

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

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

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

- Required Forms:** Suffolk County Lawful Hiring of Employees Law Form LHE-1; entitled "Suffolk County Department of Labor --"Notice Of Application To Certify Compliance With Federal Law (8 U.S.C. SECTION 1324a) With Respect To Lawful Hiring of Employees"
- "Affidavit Of Compliance With The Requirements Of 8 U.S.C. Section 1324a With Respect To Lawful Hiring Of Employees" Form LHE-2.

**5. Gratuities**

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

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R-0861

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

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

**7. Child Sexual Abuse Reporting Policy**

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

**8. Non Responsible Bidder**

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

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

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

**10. Suffolk County Local Laws**

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

**SPACE SELECTION REPORT**

**BUILDING # R0946**

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**Summary:**

The building has been utilized by the Department of Health Services for administrative and records services. An SAR was submitted by the department to expand its capacities at the site in space previously occupied by the Department of Social Services as part of an overall consolidation of operations. A search was conducted by Space Management Steering Committee Staff within the catchment area defined by the requesting department. No qualified county, municipal nor private locations were found to be adequate to fulfill the requirement as had been requested by DHS. The space at the 220 Rabro Drive facility met the departmental requirements and was deemed to be the strongest option for the County by the department and the Space Management Steering Committee. The landlord has agreed to a two-year lease extension. Overall, the County will be leasing 13,721 square feet of office and administrative space that will serve DHS.

**Address**

**User Group(s)**

**220 Rabro Drive  
Hauppauge , New York**

**1. Dept of Health Services**

**Proposal Information**

- 1. Lease Term: **2 (Two) Years**
- 2. Renewal Date: From **1/1/2010** To **12/31/2011**
- 3. Square Footage: **13,721**
- 4. Type of Tenancy Proposed      \_\_\_\_\_ Sole Tenant       Multi-Tenant

**Comments: Lease extension includes: Additional 4,500 square feet of space and minor interior and site work.**

**Building Documents**

- 1. Advertisement:     Yes    \_\_\_\_\_ No w/explanation \_\_\_\_\_
- 2. Lease Term Sheet:  Yes    \_\_\_\_\_ No w/explanation \_\_\_\_\_
- 3. Rent Analysis:     Yes    \_\_\_\_\_ No w/explanation \_\_\_\_\_
- 4. Site Candidates:     Yes    \_\_\_\_\_ No w/explanation \_\_\_\_\_
- 5. Comparison Chart:  Yes    \_\_\_\_\_ No w/explanation \_\_\_\_\_
- 6. County Space:    \_\_\_\_\_ Yes     No w/explanation \_\_\_\_\_  
No suitable County owned space was available in this area.

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Intro Res. No. -2010

Laid on the Table

4/27/10

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2010, AMENDING THE 2010 CAPITAL PROGRAM AND BUDGET AND APPROPRIATING FUNDS IN CONNECTION WITH THE CONSTRUCTION OF A SKATE PARK TO BE LOCATED IN MASTIC, TOWN OF BROOKHAVEN, AND AUTHORIZING THE COUNTY TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF BROOKHAVEN IN CONNECTION WITH THE FINANCING, PLANNING, CONSTRUCTION AND OPERATION OF THE MASTIC SKATE PARK (CP 7112)**

**WHEREAS**, Suffolk County Resolution No. 586-2004, amended the 2004 Capital Program and Budget and appropriated funds for the Construction of a Skate Park at Smith Point County Park, Town of Brookhaven; and

**WHEREAS**, Suffolk County Resolution 1278-2004, amended the 2004 Capital Program and Budget and funds were appropriated for the Planning for the Construction of the Skate Park at Smith Point County Park, Town of Brookhaven; and

**WHEREAS**, Planning for the Construction of the Skate Park at Smith Point County Park, Town of Brookhaven has been completed; and

**WHEREAS**, during the planning and review process an alternative site for the Construction of the Skate Park in Mastic in the Town of Brookhaven has been determined to be a more suitable location for reasons of easier and safer access; and

**WHEREAS**, as a result of discussions between the Town of Brookhaven and the County of Suffolk, a determination has been made to enter into an Intermunicipal Agreement pursuant to General Municipal Law section 119-o, the terms and conditions of which shall require the Town to complete all planning, construction, permit applications and obtain approvals including SEQRA, and operate the Mastic Skate Park; and

**WHEREAS**, the Town of Brookhaven adopted town resolution 2009-1111 authorizing use of certain real property for a skate park (0200, 938.00, 05.00, 023.0), committing \$250,000 for the construction of a skate park, committing to maintain the skate park as an active park, and authorizing an intermunicipal agreement with the County for the construction and maintenance of the skate park; and

**WHEREAS**, the 2004 Capital appropriation for the Construction of the Skate Park at Smith Point County Park can not be utilized to fund the Construction of a Skate Park at the Mastic location; and

**WHEREAS**, Suffolk County is still committed to providing the \$250,000 for the Construction of a Skate Park at the Mastic location in the Town of Brookhaven; and

**WHEREAS**, Suffolk County needs to appropriate \$250,000 for the Construction of a Skate Park at the Mastic location under a new Capital Project Number 7112; and

**WHEREAS**, sufficient funds are not included in the 2010 Capital Budget and Program to cover the cost of capital project 7112 and pursuant to Suffolk County Charter, Section C 4-13, an offsetting authorization must be provided from another capital project; and

**WHEREAS**, Resolution No. 471-1994, as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 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 \$250,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty-seven (47) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 and as amended by Resolution No. 461-2006; and be it further

**2<sup>nd</sup> RESOLVED**, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

**Project No:** 7009  
**Project Title:** Improvement to Campgrounds

	Total Est'd Cost	Current 2010 Capital Budget & Program	Modified 2010 Capital Budget & Program
3. Construction	<u>\$10,718,500</u>	<u>\$ 500,000 B</u>	<u>\$250,000 B</u>
TOTAL	\$11,548,000	\$500,000	\$250,000

**Project No:** 7112  
**Project Title:** Mastic Skate Park, Town of Brookhaven

	<u>Total Est'd Cost</u>	<u>Current 2010 Capital Budget &amp; Program</u>	<u>Modified 2010 Capital Budget &amp; Program</u>
3. Construction	\$250,000	\$ 0	\$250,000 B
TOTAL	\$250,000	\$ 0	\$250,000

and be it further

**3<sup>rd</sup> RESOLVED**, that the proceeds of \$250,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7112.310 Fund 001 Debt Service	26	Mastic Skate Park, Town of Brookhaven	\$250,000

and be it further

**4<sup>th</sup> RESOLVED**, that the County Legislature hereby authorizes, empowers, and directs the County Executive, or his designee, to enter into an Intermunicipal Agreement, subject to the approval of the County Attorney, with the Town of Brookhaven, and to execute any and all documents deemed necessary and appropriate to implement the development of the Mastic skate park; and be it further

**5<sup>th</sup> RESOLVED**, that all plans completed for the construction of the skate park at Smith Point County Park, Town of Brookhaven be released to the Town of Brookhaven to be utilized for the construction of the skate park in Mastic in the Town of Brookhaven in the place of the Smith's Point County Park location; and be it further

**6<sup>th</sup> RESOLVED** that the County Comptroller and County Treasurer be and hereby are authorized to close the Capital Project 7162.315 Construction of a Skate Park at Smith Point County Park which is no longer required and credit the appropriate general fund revenue account no later than December 31, 2010, and that any unissued serial bond or capital note authorization remaining after the project is closed can be liquidated by the County Comptroller and the County Treasurer; and be it further

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

Date:

APPROVED BY:

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

Date of Approval:

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STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u>  X  </u> Local Law <u>      </u> Charter Law <u>      </u>		
2. Title of Proposed Legislation		
<p><b>RESOLUTION NO.    -2010, AMENDING THE 2010 CAPITAL PROGRAM AND BUDGET AND APPROPRIATING FUNDS IN CONNECTION WITH THE CONSTRUCTION OF A SKATE PARK TO BE LOCATED IN MASTIC, TOWN OF BROOKHAVEN, AND AUTHORIZING THE COUNTY TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF BROOKHAVEN IN CONNECTION WITH THE FINANCING, PLANNING, CONSTRUCTION AND OPERATION OF THE MASTIC SKATE PARK (CP 7112)</b></p>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?            Yes <u>  X  </u> No <u>      </u>		
5. If the answer to item 4 is "yes", on what will it impact?    (circle appropriate category)		
<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 20px; display: flex; align-items: center; justify-content: center; margin: 0 auto;"> <b>County</b> </div>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
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
Nicholas Paglia Executive Technician		April 20th, 2010

SCIN FORM 175b (10/95)

FINANCIAL IMPACT  
2010 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER

1479

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	\$21,990	\$0.04		\$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	\$21,990	\$0.04		\$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.

**Suffolk County**  
 General Obligation Serial Bonds  
 Level Debt

1479

Term of Bonds: 15  
 Amount to Bond: \$250,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2010					
11/1/2010					
5/1/2011	2.500%	\$12,781.91	\$9,208.33 \$4,368.77	\$21,990.24 \$4,368.77	\$21,990.24
5/1/2011	3.500%	\$13,252.71	\$4,368.77 \$4,124.70	\$17,621.48 \$4,124.70	\$21,990.24
5/1/2012	3.500%	\$13,740.85	\$4,124.70 \$3,871.63	\$17,865.55 \$3,871.63	\$21,990.24
5/1/2013	3.500%	\$14,246.97	\$3,871.63 \$3,609.25	\$18,118.61 \$3,609.25	\$21,990.24
5/1/2014	3.500%	\$14,771.74	\$3,609.25 \$3,337.21	\$18,380.99 \$3,337.21	\$21,990.24
5/1/2015	3.500%	\$15,315.83	\$3,337.21 \$3,055.14	\$18,653.04 \$3,055.14	\$21,990.24
4/30/2016	3.500%	\$15,879.96	\$3,055.14 \$2,762.68	\$18,935.10 \$2,762.68	\$21,990.24
5/1/2017	3.500%	\$16,464.88	\$2,762.68 \$2,459.46	\$19,227.56 \$2,459.46	\$21,990.24
5/1/2018	3.500%	\$17,071.33	\$2,459.46 \$2,145.06	\$19,530.79 \$2,145.06	\$21,990.24
5/1/2019	3.500%	\$17,700.13	\$2,145.06 \$1,819.08	\$19,845.19 \$1,819.08	\$21,990.24
4/30/2020	3.750%	\$18,352.08	\$1,819.08 \$1,481.10	\$20,171.16 \$1,481.10	\$21,990.24
5/1/2021	4.000%	\$19,028.05	\$1,481.10 \$1,130.66	\$20,509.15 \$1,130.66	\$21,990.24
5/1/2022	4.500%	\$19,728.92	\$1,130.66 \$767.32	\$20,859.58 \$767.32	\$21,990.24
5/1/2023	4.500%	\$20,455.60	\$767.32 \$390.60	\$21,222.92 \$390.60	\$21,990.24
4/30/2024	4.500%	\$21,209.04	\$390.60	\$21,599.64	\$21,990.24
		\$250,000.00	\$79,853.67	\$329,853.67	\$329,853.67

**CAPITAL PROJECT RANKING FORM**

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<b>CAPITAL PROJECT RANKING FORM</b>	<b>Response</b>	<b>Score</b>	<b>Category</b>
<b>Cumulative Ranking (maximum score=100 points)</b>		<b>46.8</b>	
1. Does this project meet the minimum 5-25-5 criteria for inclusion in the capital program pursuant to Local Law 23 of 1994? Enter "Y" or "N".	Y	5.6	Planning
2. ENTER "Y" if this is either a non-recurring project or a recurring project that is financed with "G" money or ENTER "N" if this is a recurring project financed through the capital program with a source of funds other than "G" money.	Y	5.6	Planning
3. Is implementation of the project mandated by federal, state or local law? ENTER "0" if not mandated, ENTER "1" (yes-long term) if mandated, but more than 3-years (beyond the current capital program) are needed to meet the mandate, or ENTER "2" if mandate must be met within the current 3-year capital program.	0	0.0	Planning
4. What percent of the project is funded by state or federal aid, or other nonproperty tax revenue (department income, tuition at the college, interfund transfers from Fund 404 for sewers, etc.)? ENTER the percent from 0 to 100.	0	0.0	Fiscal
5. What is the non-debt service net operating budget impact? ENTER "1" for an increase in net operating expenses (net of debt service on borrowing for this capital project and net of state & federal aid and other nonproperty tax revenue); ENTER "2" for no impact; ENTER "3" for a decrease in net operating expenses within 10 years; ENTER "4" for a decrease in net operating expenses within 5 years.	2	5.6	Fiscal
6. What affect will this project have on the local economy with respect to expansion of the tax base and/or job creation? ENTER "1" = negative economic impact; ENTER "2" = no effect; ENTER "3" = positive economic impact.	2	5.6	Economic
7. Which level of service best describes this project? ENTER "1" = will expand the level of services, provide new services, or provide service level quality enhancements; ENTER "2" = needed to maintain existing levels; or ENTER "3" = replaces, rehabilitates or repairs a deteriorating or obsolete facility (i.e., Yaphank Jail)	2	2.8	Service
8. Does this project (1) correct a critical health or safety hazard, (2) prevents a critical breakdown in county facilities (i.e. asbestos removal or road improvements at high accident locations) or (3) promotes public safety or public health, providing critical services to county residents? Enter "Y" or "N".	Y	11.1	Service
9. What impact does the project have on the environment? ENTER "1" a for negative impact, ENTER "2" for no impact or ENTER "3" for a positive impact.	2	5.6	Service
10. What percent of the County's population will potentially be served? ENTER "1" if potential use is less than or equal to 25% of the county's population, ENTER "2" if potential use is less than or equal to 50%, ENTER "3" if potential use is less than or equal to 75%, ENTER "4" if potential use exceeds 75%.	1	1.4	Service
11. How would you (the analyst) rate the need for this project? ENTER "1" = Not necessary; ENTER "2" = Moderate priority; ENTER "3" = High priority; ENTER "4" = Critical.	3	3.7	All Categories

1480

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

Laid on Table 4/27/10

**RESOLUTION NO. -2010, APPOINTING CHAIRMAN OF  
THE SUFFOLK COUNTY WATER AUTHORITY (JAMES F.  
GAUGHRAN)**

**WHEREAS**, Resolution No. 155-2008 reappointed James F. Gaughran as a member of the Suffolk County Water Authority for a term of office to expire on March 24, 2013; and

**WHEREAS**, Michael LoGrande is retiring from the Suffolk County Water Authority at the end of his current term; now, therefore be it

**1st RESOLVED**, that James F. Gaughran is hereby appointed as Chairman of the Suffolk County Water Authority, effective May 30, 2010, with a term of office to expire on March 24, 2013; and be it further

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

DATED:

APPROVED BY:

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

Date:

s:\res\r-appt-chairman-scwa-gaughran

1480

## **Elected Public Offices**

- Suffolk County Legislator, 17<sup>th</sup> District Suffolk County, NY. 1988 to 1993  
Chair, Public Safety Committee (1988)

Significant Accomplishments: Sponsored open space and drinking water preservation legislation saving over 6500 acres of significant watershed, wetland, waterfront and environmentally significant properties; revised County's historic trust statutes to preserve various unique historic properties; sponsored amendment to County Charter to permanently require balanced capital budgets and programs; sponsored county's first "crack house" law against drug dealers; as Chair of Suffolk County's Public Safety Committee reformed one of the nation's largest police departments and presided over such delicate issues as public misconduct and the allocation of scarce security resources.

- Huntington Town Councilman, Huntington, New York  
Member, Huntington Community Development Agency Board,  
Trustee, Huntington Board of Trustees,  
Commissioner, Dix Hills Water District  
1984 to 1987

Significant Accomplishments: Authored one of the States first full-disclosure laws requiring local officials to disclose all sources of outside income and exposing any possible conflicts of interest; revised town's land use policies to require economic and environmental reviews; ended decades of corrupt garbage collection practices by creating municipal solid waste districts; as lone Democrat became fiscal watchdog over budgetary issues.

## **Education**

- Juris Doctor, Hofstra School of Law, 1983
- Bachelor of Arts (Political Science), SUNY Stony Brook, 1979
- Graduate, Half Hollow Hills High School, Dix Hills, NY, 1975

## **Bar Admissions**

- New York 1984
- U.S. District Court, Eastern District New York 1998

## **Personal**

- Married to Carol in 1987
- Children, Kaitlin and Michael
- Lifelong Resident of Long Island currently residing in Northport, NY

1481

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

Laid on Table 4/27/10

**RESOLUTION NO. -2010, APPOINTING  
MEMBER OF THE SUFFOLK COUNTY WATER AUTHORITY  
(ERROL D. TOULON, JR.)**

**WHEREAS**, Resolution No. 193-2005 reappointed Michael A. LoGrande as a member and Chairman of the Suffolk County Water Authority, with a term to expire May 29, 2010; and

**WHEREAS**, Michael LoGrande is retiring from the Suffolk County Water Authority at the end of his current term; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that Errol D. Toulon, Jr., currently residing at Lake Grove, New York, 11755, is hereby appointed as a member of the Suffolk County Water Authority to succeed Michael LoGrande, for a term commencing May 30, 2010 and expiring May 29, 2015, said appointment having been made pursuant to the provisions of Section 1077(1) of the NEW YORK PUBLIC AUTHORITIES LAW; and be it further

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

DATED:

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

S:\res\r-appt-scwa-toulon

1481

# Errol D. Toulon, Jr.

---

## Education

- |                                 |  |                    |
|---------------------------------|--|--------------------|
| June 2008 to<br>May 2011        | <u>Dowling College</u><br><i>Doctor of Educational Administration</i><br>♦ Anticipate completion in May 2011 | Oakdale, NY        |
| January 2008 to<br>July 2008    | <u>Long Island University</u><br><i>Advanced Certificate in Homeland Security Management</i>                 | Riverhead, NY      |
| October 2006 to<br>October 2007 | <u>Dowling College</u><br><i>Master of Business Administration</i><br>♦ Graduated Summa Cum Laude            | Oakdale, New York  |
| April 2004 to<br>August 2006    | <u>Monroe College</u><br><i>Bachelor of Business Administration</i><br>♦ Graduated Magna Cum Laude           | Bronx, New York    |
| September 1980 to<br>May 1982   | <u>Kingsborough Community College</u><br><i>Associate of Applied Science, Business Administration</i>        | Brooklyn, New York |

## Experience

- |                                |  |   |
|--------------------------------|--|---|
| March 2000 to<br>Present       | <u>Owner/President</u><br>♦ Security Consultant  | Toulon & Associates, LLC                |
| October 2001 to<br>August 2004 | <u>Captain</u><br>♦ <i>Office of Compliance Consultants.</i> Compliance Supervisor. Monitored and ensured environmental compliance with Federal Court mandates. Performed audits and investigations for Federal Court judge. Prepared routine and complex reports.   | Correction Department, City of New York |
| July 1998 to<br>October 2001   | ♦ <i>Firearms and Tactics Unit.</i> Firearms Master Instructor. Managed firearms training and instruction for Department. Supervised Department firearms arsenal. Established policies, procedures and protocols.  |   |
| October 1990 to<br>July 1998   | ♦ <i>Emergency Service Unit.</i> Operations/Administrative Supervisor. Responsible for oversight of approximately 250 emergency personnel. Organize training of ESU personnel. Managed and monitored training and overtime budgets. Responsible for the coordination of dignitary/executive protection details, and devised security procedures for high security multi-agency escorts. Served as Integrity Control Officer. Created policies, procedures and protocols. |   |

1481

**DHS/FEMA  
Certifications**

- ♦ FEMA PER 230 Incident Response to Terrorist Bombing - Awareness
- ♦ FEMA PER 231 Prevention of and Response to Suicide Bombing
- ♦ FEMA MGT 310 WMD Threat & Risk Assessment
- ♦ FEMA AWR 160 WMD Standardized Awareness Training
- ♦ DHS WMD/Terrorism Incident Defensive Operations
- ♦ FEMA E. M. I. IS-0003 Radiological Emergency Management
- ♦ FEMA E. M. I. IS-00100 Incident Command System for Law Enforcement
- ♦ FEMA E. M. I. IS-00100.HC Incident Command System for Health Care/Hospitals
- ♦ FEMA E. M. I. IS-120a An Introduction to Exercises
- ♦ FEMA E. M. I. IS-00139 Exercise Design
- ♦ FEMA E. M. I. IS-00200 Single Resource and Initial Action Incidents
- ♦ FEMA E. M. I. IS-00200.HC Applying ICS to Healthcare Organizations
- ♦ FEMA E. M. I. IS-00208 State Disaster Management
- ♦ FEMA E. M. I. IS-00230 Principles of Emergency Management
- ♦ FEMA E. M. I. IS-00235 Emergency Planning
- ♦ FEMA IS-00300 Expanding Incident
- ♦ FEMA E. M. I. IS-00301 Radiological Emergency Response
- ♦ FEMA IS-00400 Advanced ICS Command and General Staff
- ♦ FEMA E. M. I. IS-00700 Introduction National Incident Manage System
- ♦ FEMA E. M. I. IS-00800 Introduction National Response Plan (NRP)
- ♦ FEMA AWR157 Transit Terrorist Tools and Tactics
- ♦ NYS SEMO G-139 Exercise Design
- ♦ National Domestic Preparedness HLS-Comprehensive Assessment Model

**Instructor  
Certifications**

- ♦ DHS--Weapons of Mass Destruction Awareness
- ♦ DHS--Domestic Terrorism/Hate Crimes
- ♦ FEMA – NIMS ICS-100, ICS-200, ICS-700a.
- ♦ NYPD Certified Firearms Instructor
- ♦ NYPD Certified General Topics Instructor
- ♦ NYS Firearms Instructor
- ♦ NYS General Topics Instructor
- ♦ Celayton Baton Master Instructor
- ♦ Jaycor Tactical Systems Pepperball Instructor

**Certifications**

- ♦ New York State Emergency Medical Technician Basic
- ♦ NYPD Specialized Protective Security
- ♦ NYPD Emergency Service Unit Specialized Training School
- ♦ Naval Intelligence Protective Security Operations
- ♦ New York State Office of Emergency Management
- ♦ New York State Licensed Private Investigator
- ♦ New York State Notary Public
- ♦ New York City Law and Criminal Investigations
- ♦ Glock, Inc. Armorer
- ♦ Hurst/TNT Jaws of Life Operations

**Professional &  
Fraternal  
Affiliations**

- ♦ Member, Academy of Criminal Justice Sciences
- ♦ Member, International Association of Professional Security Consultants
- ♦ Member, American Society of Industrial Security
- ♦ Member, International Association of Emergency Managers
- ♦ Member, American Correctional Association
- ♦ Member, Smithtown Industry Advisory Board
- ♦ Member, (Retired), Correction Captains Association
- ♦ Member, Homeland Security Task Force
- ♦ Member, Sigma Beta Delta, International Business Honor Society
- ♦ Member, American Criminal Justice Association, Lambda Alpha Epsilon Chapter

1482

Intro. Res. No. -2010  
Introduced by Legislator Cooper

Laid on Table 4/27/10

**RESOLUTION NO. -2010, AUTHORIZING TRANSFER OF  
SURPLUS COUNTY COMPUTER SYSTEMS AND HARDWARE  
TO FAMILY SERVICE LEAGUE – WORKPLUS PROGRAM**

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

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

**WHEREAS**, the Family Service League – WorkPlus Program has requested the donation of seven (7) computer systems from the County; and

**WHEREAS**, this organization is willing to assume responsibility for the removal and transportation of this equipment; now, therefore, be it

**1st RESOLVED**, that the Suffolk County Department of Public Works is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following organization, for use within its facilities for nominal consideration:

**TO:**  
Family Service League  
WorkPlus Program  
Manor Field Family Center  
90 East Fifth Street  
Huntington Station, NY 11746  
Contact Person: Ivan Falcon  
631-425-9694 x 231

**COMPUTER SERIAL NO:**  
51VLR11  
HD44R21  
H3VLR11  
DOVLR11  
85VLR11  
3PD4R21  
2N44R21

**MONITOR ITEM NO:**  
Item # 2  
Item # 3  
Item # 5  
Item # 6  
Item # 19  
Item # 20  
Item # 32

and be it further

**2nd RESOLVED**, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed organization for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

**3rd RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; 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-computer-family-service-league-dpw-list

1483

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

Laid on Table 4/27/10

**RESOLUTION NO. -2010, APPROVING THE APPOINTMENT OF A RELATIVE OF AN ACTING SUPREME COURT JUDGE IN THE SUFFOLK COUNTY TREASURER'S OFFICE (EMILY E. HUDSON)**

**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**, Emily E. Hudson, daughter of Acting Supreme Court Justice James C. Hudson, has been offered employment in the Treasurer's Office as a Student Intern II, year 3; now, therefore be it

**1st RESOLVED**, that the appointment of Emily E. Hudson as a Student Intern II, year 3, for the Suffolk County Treasurer's 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-hudson

1484

4/27/10

Intro. Res. No. -2010  
Introduced by Legislator Montano

Laid on Table

**RESOLUTION NO. -2010, AUTHORIZING TRANSFER OF  
SURPLUS COUNTY COMPUTER SYSTEMS AND HARDWARE  
TO PRONTO OF LONG ISLAND, INC.**

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

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

**WHEREAS**, Pronto of Long Island, Inc. has requested the donation of three (3) computer systems from the County; and

**WHEREAS**, this organization is willing to assume responsibility for the removal and transportation of this equipment; now, therefore, be it

**1st RESOLVED**, that the Suffolk County Department of Public Works is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following organization, for use within its facilities for nominal consideration:

**TO:**  
Pronto of Long Island  
128 Pine Aire Drive  
Bay Shore, NY 11706  
Contact Person: Belinda Alvarez Groneman  
631-231-8290

**COMPUTER SERIAL NO:**  
1YY1R21  
7YY1R21  
2F44R21

**MONITOR ITEM NO:**  
Item # 121  
Item # 122  
Item # 128

**PRINTER SERIAL NO:**  
CNBJN12665  
CNBJN25884  
CNBJN12661

and be it further

**2nd RESOLVED**, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed organization for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

**3rd RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; 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-computer-pronto-dpw-list

1485

4/27/10

Intro. Res. No. -2010  
Introduced by Legislator Montano

Laid on Table

**RESOLUTION NO. -2010, AUTHORIZING TRANSFER OF  
SURPLUS COUNTY COMPUTER SYSTEMS AND HARDWARE  
TO URBAN LEAGUE**

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

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

**WHEREAS**, Urban League has requested the donation of three (3) computer systems from the County; and

**WHEREAS**, this organization is willing to assume responsibility for the removal and transportation of this equipment; now, therefore, be it

**1st RESOLVED**, that the Suffolk County Department of Public Works is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following organization, for use within its facilities for nominal consideration:

**TO:**  
Urban League  
60 Clinton Street  
Hempstead, NY 11550  
Contact Person: Keisha Walker  
516-570-6645

**COMPUTER SERIAL NO:**  
CX3LR11  
5M44R21  
GXY1R21

**MONITOR ITEM NO:**  
Item # 142  
Item # 146  
Item # 150

**PRINTER SERIAL NO:**  
CNBJN17231  
CNBC57SINF  
CNBJK63326

and be it further

**2nd RESOLVED**, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed organization for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

**3rd RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; 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:\reslr-computer-urban-league-dpw-list

1486

4/27/10

Intro. Res. No. -2010  
Introduced by Legislator Montano

Laid on Table

**RESOLUTION NO. -2010, AUTHORIZING TRANSFER OF  
SURPLUS COUNTY COMPUTER SYSTEMS AND HARDWARE  
TO THE CENTRAL ISLIP CHURCH OF CHRIST**

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

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

**WHEREAS**, The Central Islip Church of Christ has requested the donation of three (3) computer systems from the County; and

**WHEREAS**, this organization is willing to assume responsibility for the removal and transportation of this equipment; now, therefore, be it

**1st RESOLVED**, that the Suffolk County Department of Public Works is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following organization, for use within its facilities for nominal consideration:

**TO:**  
Central Islip Church of Christ  
238 Poplar Street  
Central Islip, NY 11722  
Contact Person: Alicia Figueras

**COMPUTER SERIAL NO:**  
GM44R21  
5JK9R21  
9RRHR11

**MONITOR ITEM NO:**  
Item # 157  
Item # 158  
Item # 159

**PRINTER SERIAL NO:**  
JPHCB05143

and be it further

**2nd RESOLVED**, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed organization for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

**3rd RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; 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\computer-church-of-christ-dpw-list

1487

4/27/10

Intro. Res. No. -2010  
Introduced by Legislator Montano

Laid on Table

**RESOLUTION NO. -2010, AUTHORIZING TRANSFER OF  
SURPLUS COUNTY COMPUTER SYSTEMS AND HARDWARE  
TO THE CENTRAL ISLIP HISTORIC PRESERVATION SOCIETY**

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

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

**WHEREAS**, The Central Islip Historic Preservation Society has requested the donation of one (1) computer system from the County; and

**WHEREAS**, this organization is willing to assume responsibility for the removal and transportation of this equipment; now, therefore, be it

**1st RESOLVED**, that the Suffolk County Department of Public Works is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following organization, for use within its facilities for nominal consideration:

**TO:**  
Central Islip Historic Preservation Society  
60 Carleton Avenue  
Central Islip, NY 11722  
Contact Person: John Gross  
631-234-8948

**COMPUTER SERIAL NO:**  
BM44R21

**MONITOR ITEM NO:**  
Item # 15

**PRINTER SERIAL NO:**  
CNBJN17202

and be it further

**2nd RESOLVED**, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed organization for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

**3rd RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; 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:\reslr-computer-CI-historic-pres-dpw-list

1488

Intro. Res. No. -2010  
Introduced by Legislator Gregory

Laid on Table 4/27/10

**RESOLUTION NO. -2010, AUTHORIZING TRANSFER OF  
SURPLUS COUNTY COMPUTER SYSTEMS AND HARDWARE  
TO THE NORTH AMITYVILLE SENIOR CENTER**

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

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

**WHEREAS**, The North Amityville Senior Center has requested the donation of five (5) computer systems from the County; and

**WHEREAS**, this organization is willing to assume responsibility for the removal and transportation of this equipment; now, therefore, be it

**1st RESOLVED**, that the Suffolk County Department of Public Works is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following organization, for use within its facilities for nominal consideration:

**TO:**  
North Amityville Senior Center  
48-C Cedar Road  
Amityville, NY 11701  
Contact Person: Tanya Gillard  
631-789-3309

**COMPUTER SERIAL NO:**  
4F9KR11  
9YY1R21  
1PD4R21  
5B76N31  
CYY1R21

**MONITOR ITEM NO:**  
MUL7007A0100215  
TL819A432064506  
TL819A432064540  
TL819A333010830  
TL819A432063758

and be it further

**2nd RESOLVED**, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed organization for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

**3rd RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; 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-computer-senior-center-dpw-list

1489

Intro. Res. No. -2010  
Introduced by Legislators Montano and Romaine

Laid on Table 4/27/10

**RESOLUTION NO. -2010, ADOPTING LOCAL LAW  
NO. -2010, A LOCAL LAW TO ESTABLISH A  
NOTIFICATION REQUIREMENT FOR CONSULTANT  
CONTRACTS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on \_\_\_\_\_, a proposed local law entitled, "**A LOCAL LAW TO ESTABLISH A NOTIFICATION REQUIREMENT FOR CONSULTANT CONTRACTS**"; 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 ESTABLISH A NOTIFICATION REQUIREMENT  
FOR CONSULTANT CONTRACTS**

**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 NEW YORK GENERAL MUNICIPAL LAW requires that when goods and services are not procured by competitive bidding, they must be procured in a manner so as to ensure the prudent use of public money, the acquisition of goods and services of maximum quality at the lowest cost possible, and to guard against favoritism, extravagance, fraud and corruption.

This Legislature also finds that Chapter 708, Article 3 of the SUFFOLK COUNTY CODE governs procurement of consulting services by the County of Suffolk. While this section of the SUFFOLK COUNTY CODE generally requires advertised Request for Proposals ("RFP") for consultant contracts in excess of \$25,000, the County is permitted to waive RFP's for certain services "requiring special or technical skills".

This Legislature also finds that the legislative oversight of consultant hiring should be strengthened to ensure that consultants are not performing functions that would be better carried out by County employees. Further, strong oversight and scrutiny is required to ensure that RFP's are being utilized in all possible instances and that consultants are hired strictly on the basis of merit and that favoritism is not influencing the process.

Therefore, the purpose of this law is to require County department heads to notify the Legislature when they contract for consulting services.

**Section 2. Definitions.**

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

**CONSULTING SERVICES** - the expertise, advise, professional services or any other personal services provided by any individual, corporation, partnership or other entity to the County of

Suffolk, including, but not limited to, design work, planning work and medical, legal, engineering, computer, accounting, budgeting, lobbying or educational services.

DEPARTMENT HEAD – the Commissioner or Director of any duly established department, office or agency of Suffolk County Government.

**Section 3. Notification Requirements.**

- A) A department head shall notify each member of the Suffolk County Legislature, in writing, when his or her department, office or agency hires and contracts for consulting services. Such notification shall be made whether or not the consulting services contract results from a Request for Proposals. Notification shall be made by a department head within fifteen (15) days of the execution of a contract for consulting services.
  
- B) The notification provided by a department head pursuant to subsection (A) herein, shall include the following information:
  - 1. the name and business address of the consultant;
  - 2. the term of the agreement;
  - 3. the amount of the consulting services agreement;
  - 4. whether the contract for consulting services resulted from a Request for Proposals; and
  - 5. if no Request for Proposals was issued, an explanation why a Request for Proposals was not issued.
  
- C) Within thirty (30) days of the effective date of this law, department heads shall notify each member of the Suffolk County Legislature, in writing, of all active contracts their department, office or agency entered into for consulting services prior to this law's effective date. This notification shall provide the information described in subsection (B) herein for each such contract.
  
- D) A department head shall provide a copy of a consulting services contract to any member of the County Legislature who makes a request for said contract.

**Section 4. Exceptions.**

The provisions of this local law shall not apply to the Suffolk County District Attorney's Office, the Suffolk County Police Department and the Suffolk County Sheriff's Office.

**Section 5. Applicability.**

This law shall apply to contracts for consulting services entered into on or after the effective date of this law except that the notification requirement contained in Section 3(C) of this law shall pertain to active contracts entered into prior to 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:

1489

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: APRIL 22, 2010  
TO: CLERK OF THE COUNTY LEGISLATURE  
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

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PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. -2010; A LOCAL LAW TO ESTABLISH A NOTIFICATION REQUIREMENT FOR  
CONSULTANT CONTRACTS

SPONSOR: LEGISLATORS MONTANO AND ROMAINE

DATE OF RECEIPT BY COUNSEL: 4/21/2010 PUBLIC HEARING: 5/11/2010

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

This proposed local law would require all Suffolk County department heads to notify each member of the County Legislature, in writing, when his or her department, office or agency hires and contracts for consulting services.<sup>1</sup> The notification must be made by the department head within fifteen (15) days of the execution of any contract for consulting services.

The notification provided by a department head pursuant to the requirements of this law shall include the following information:

- 1.) the name and business address of the consultant;
- 2.) the term of the agreement;
- 3.) the amount of the consulting services agreement;
- 4.) whether the contract for consulting services resulted from a Request for Proposals (RFP); and
- 5.) if no Request for Proposals was issued, an explanation why a RFP was not issued.

Lastly, the law provides that a department head shall provide a copy of a consulting services contract upon the request of any member of the County Legislature.

This law will apply to contracts for consulting services entered into on or after the effective date of this law.

<sup>1</sup> "Consulting Services" is defined in the law as the expertise, advise, professional services or any other personal services provided by any individual, corporation, partnership or other entity to the County of Suffolk, including, but not limited to, design work, planning work and medical, legal, engineering, computer, accounting, budgeting, lobbying or educational services.

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

**GEORGE NOLAN**  
**Counsel to the Legislature**

**GN:js**

s:\rule28\28-notification-process-consultant-contracts

1490

Intro. Res. No. -2010  
Introduced by Legislator Gregory

Laid on Table 4/24/10

**RESOLUTION NO. -2010 , ADOPTING LOCAL LAW NO. -  
2010, A LOCAL LAW TO EXTEND PROMPT PAYMENT  
POLICY FOR NOT-FOR-PROFIT CONTRACT AGENCIES**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on \_\_\_\_\_, a proposed local law entitled, "**A LOCAL LAW TO EXTEND PROMPT PAYMENT POLICY FOR NOT-FOR-PROFIT CONTRACT AGENCIES**"; 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 EXTEND PROMPT PAYMENT POLICY FOR  
NOT- FOR-PROFIT CONTRACT AGENCIES**

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

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that Local Law 2-2008 established a County policy to pay child care providers in a prompt manner.

This Legislature also finds that the County Legislature enacted this "prompt payment" policy because the County's failure to pay its child care providers for services rendered within a reasonable time period threatened the very existence of these agencies.

This Legislature determines that the County has successfully complied within the requirements of Local Law 2-2008 and promptly paid child care providers since the law's enactment.

This Legislature finds that this County's other contract agencies continue to deal with the County's failure to pay promptly, often receiving payment many months after submitting vouchers/invoices to the County for services rendered. The County's failure to pay promptly causes cash flow problems for the agencies providing vital services to Suffolk County residents.

This Legislature continues to believe that Suffolk County government, like any person or entity, has an obligation to pay its debts in a reasonably timely manner and the failure to do so is inexcusable.

Therefore, the purpose of this local law is to extend the County's prompt payment policy to all not-for-profit contract agencies.

**Section 2. Definitions.**

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

ADMINISTERING DEPARTMENT - the department, office or agency of Suffolk County government responsible for administering a contract with a contract agency.

CONTRACT AGENCY - any not-for-profit corporation or entity which the County of Suffolk contracts with to render human services directly to the residents of Suffolk County including services related to health, welfare/social services, parks/recreation, economic development, cultural affairs, veterans' affairs, handicapped programs, public safety, youth, aging, senior citizens' programs, minority affairs, women's affairs, labor/employment services and education.

CONTRACT - any agreement, upon sufficient consideration, entered into by the County of Suffolk for an amount in excess of \$10,000.

COUNTY – the County of Suffolk and any department, office, or agency of Suffolk County government.

PROPER INVOICE – a written request for payment that is submitted by a contract agency setting forth services delivered or rendered as the price for said services, in such form and supported by such other documentation as the County of Suffolk may require.

RECEIPT OF INVOICE – the date on which a proper invoice is actually received by the administering department.

SET-OFF – a reduction by the County of payment due to a contract agency by an amount equal to the amount of an unpaid legally enforceable debt owed by the contract agency to the County.

**Section 3. Prompt Payment Policy**

- A. Notwithstanding the provisions of any other law to the contrary, the County shall make payment for services rendered by a contract agency pursuant to a contract within thirty (30) days of the administering department's receipt of invoice. Should the County fail to make payment by the required payment date, the County shall make an interest payment to the affected contract agency on the amount of the payment due. Interest shall be computed at the rate equal to the overpayment rate set by the New York State Commissioner of Taxation and Finance pursuant to subsection (e) of section one thousand ninety-six of NEW YORK TAX LAW.
- B. The County shall not be required to make payment within thirty (30) days of receipt of invoice when:
  - 1. the necessary appropriation required to authorize payment has not been enacted;
  - 2. the County is entitled to a set-off against the invoice amount;
  - 3. statutory or contractual provisions, if any, make payment within 30 days impossible; or

4. some or all of the invoice amount must be withheld to satisfy claims, liens or judgments against the contract agency; any remaining amount due the contract agency provide shall be paid within 30 days of receipt of invoice.
- C. The County may, within fifteen (15) days after receipt of invoice, notify a contract agency of defects in the delivered services; defects in the invoice; or other suspected improprieties. The existence of such defects or improprieties shall toll the commencement of the time period specified in subsection (A) of this section. If the County fails to provide reasonable grounds for its contention that a defect or impropriety exists, the date by which contract payment must be made in order for the County not to become liable for interest payments shall be calculated from the date of receipt of invoice.

#### **Section 4. Applicability.**

This law shall apply to 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 on the ninetieth (90<sup>th</sup>) day immediately subsequent to 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\I-LL - prompt payment - contract agencies

OFFICE OF THE COUNTY LEGISLATURE  
COUNTY OF SUFFOLK

1490

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



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DATE: APRIL 21, 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 EXTEND PROMPT PAYMENT POLICY FOR NOT-FOR-PROFIT CONTRACT AGENCIES

SPONSOR: LEGISLATOR GREGORY

DATE OF RECEIPT BY COUNSEL: 4/12/10 PUBLIC HEARING: 5/11/10  
DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

This proposed local law would establish a policy requiring the County to pay its contract agencies within thirty (30) days of its receipt of an invoice. "Contract Agency" is defined as any not-for-profit corporation or entity which the County of Suffolk contracts with to render human services directly to the residents of Suffolk County including services related to health, welfare/social services, parks/recreation, economic development, cultural affairs, veterans' affairs, handicapped programs, public safety, youth, aging, senior citizens' programs, minority affairs, women's affairs, labor/employment services and education.

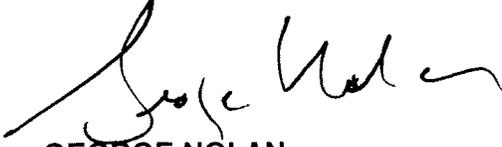
Specifically, this law would require the County to make payment for services rendered by a contract agency, pursuant to a contract, within thirty (30) days after the department administering the contract receives an invoice. In the event the County should fail to make a timely payment, the County would be required to make an interest payment computed at the rate equal to the overpayment rate set by the New York State Commissioner of Taxation and Finance pursuant to Section 1096(e) of the NEW YORK TAX LAW.

The law further provides that the County will not be required to make a payment within thirty (30) days of receipt of an invoice when (i) the necessary appropriation required to authorize payment has not been enacted (ii) the County is entitled to a set-off against the invoice amount (iii) statutory or contractual provisions make it impossible to make payment within thirty (30) days, or (iv) some or all of the invoice amount must be withheld to satisfy a claim, lien or judgment against the contractor or vendor.

The law further provides that the County may, within fifteen (15) days after receipt of an invoice, notify a contractor or vendor of a defect in the delivered goods or services, a defect in the invoice or some other impropriety. The existence of such a defect or impropriety will toll the thirty (30) day payment period.

1490

This law will take effect ninety (90) days after its filing with the Secretary of State and shall apply to all contracts entered into the County of Suffolk on or after that date.

A handwritten signature in black ink, appearing to read "George Nolan". The signature is fluid and cursive, with a long horizontal stroke at the beginning.

**GEORGE NOLAN**  
**Counsel to the Legislature**

**GN:tm**