

L A I D O N T H E T A B L E N O V E M B E R 1 6 , 2 0 1 0

LADS REPORT PREPARED BY:

Michele Gerardi

2043. Approving payment to General Code Publishers for Administrative Code pages. (Pres. Off.) WAYS & MEANS
2044. Making a recommendation concerning adoption of the Final Scope for the draft Generic Environmental Impact Statement for the declaration as surplus and subsequent sale of 255± acres of County owned land in Yaphank for mixed use development purposes, Town of Brookhaven. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE **LAID ON TABLE 11/3/2010**
2045. Adopting Local Law No. -2010, A Charter Law to limit campaign donations by members of the Ethics Commission. (Cooper) WAYS & MEANS
2046. Adopting Local Law No -2010, A Charter Law to discourage speculative revenues and ensure balanced budgets. (Lindsay) BUDGET & FINANCE
2047. Amending Resolution No. 202-2010, accepting and appropriating \$50,000 for "Creation Of Explosive Detection Canine Team". (Barraga) WAYS & MEANS
2048. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town Of Brookhaven (SCTM No. 0200-344.00-03.00-003.000). (Co. Exec.) WAYS & MEANS
2049. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 346. (Co. Exec.) BUDGET & FINANCE
2050. Authorizing certain technical corrections to Adopted Resolution No. 1249-2000. (Co. Exec.) WAYS & MEANS
2051. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Lorene Paragallo (SCTM No. 0403-003.00-01.00-072.000). (Co. Exec.) WAYS & MEANS
2052. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Juana Salmeron and Miguel Salmeron (SCTM No. 0100-055.00-02.00-062.000). (Co. Exec.) WAYS & MEANS
2053. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Hulse, Inc., by Wayne Hulse, President (SCTM No. 0200-943.00-03.00-009.002). (Co. Exec.) WAYS & MEANS
2054. 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 **LAID ON TABLE 11/3/2010**
2055. Adopting Local Law No. -2010, A Charter Law to require the appropriate use of taxpayer monies for funded positions. (Viloria-Fisher) WAYS & MEANS **LAID ON TABLE 11/3/2010**

2056. Adopting Local Law No. -2010, A Local Law to enlarge the membership of the Citizens' Advisory Board for the Arts. (Lindsay) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
2057. Adopting Local Law No. -2010, A Charter Law to increase transparency and accountability in County budget process. (Cilmi) BUDGET & FINANCE
2058. Adopting Local Law No. -2010, A Charter Law establishing an Office of Consumer Affairs. (Montano) WAYS & MEANS
2059. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Majella Enterprises, Inc. (SCTM No. 0100-099.00-01.00-047.003). (Co. Exec.) WAYS & MEANS
2060. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Shahrokh Zebardjadi (SCTM No. 0200-978.10-01.00-071.000). (Co. Exec.) WAYS & MEANS
2061. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town Of Brookhaven (SCTM No. 0200-344.00-03.00-018.000). (Co. Exec.) WAYS & MEANS
2062. Sale of County-owned real estate pursuant to Section 72-h of the General Municipal Law - Town Of Brookhaven (SCTM No. 0200-229.00-02.00-013.000). (Co. Exec.) WAYS & MEANS
2063. Amending the 2010 Adopted Operating Budget to transfer funds from Alternatives Counseling Center, Inc. Alternatives for Youth Program to the Project Outreach Alternatives for Youth Program. (Co. Exec.) HEALTH & HUMAN SERVICES
2064. Accepting and appropriating 100% Federal grant funds from the United States Department of Justice, National Institute of Justice, to the Department of Health Services for a Forensic DNA Backlog Reduction Program, FY 2010. (Co. Exec.) HEALTH & HUMAN SERVICES
2065. Amending the 2010 Adopted Operating Budget to accept and appropriate 100% additional State Aid from the New York State Office of Alcoholism and Substance Abuse Services for Eastern Suffolk BOCES to purchase Youth Development Surveys. (Co. Exec.) HEALTH & HUMAN SERVICES
2066. Accepting and appropriating 100% State grant funds awarded through the New York State Division of Criminal Justice Services funding to the Suffolk County Department Of Probation. (Co. Exec.) PUBLIC SAFETY
2067. Accepting and appropriating funds for a 100% TANF funded grant to serve TANF Recipients with job training skills. (Co. Exec.) LABOR, WORKFORCE & AFFORDABLE HOUSING
2068. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Margaret Vaughan (SCTM No. 0200-206.00-03.00-005.000). (Co. Exec.) WAYS & MEANS

2069. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Frances B. Lewin Trust by Thomas Austin Lewin, as successor trustee (SCTM No. 0800-139.00-03.00-023.000). (Co. Exec.) WAYS & MEANS
2070. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act 270-109 Realty Corp., by Lee J. Schneider, member (SCTM No. 0100-097.00-01.00-026.000). (Co. Exec.) WAYS & MEANS
2071. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act John C. Sheeron (SCTM No. 0100-216.00-03.00-030.000). (Co. Exec.) WAYS & MEANS
2072. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Edward Vaughan, Jr. (SCTM Nos. 0200-206.00-03.00-006.001 and 0200-206.00-03.00-006.002). (Co. Exec.) WAYS & MEANS
2073. Establishing an automated calling policy prior to distributing rabies baits in Suffolk County. (Stern) HEALTH & HUMAN SERVICES
2074. Accepting and appropriating a grant in the amount of \$105,570 from the State of New York Governor's Traffic Safety Committee, to target speeding, aggressive, and distracted driving, with 83.79% support. (Co. Exec.) PUBLIC SAFETY
2075. Accepting and appropriating Federal Funding in the amount of \$90,000 from the United States Department of the Treasury, Internal Revenue Service, for the Suffolk County Police Department's participation in operation STEPP (Suffolk-Treasury Enhanced Prosecution Program) with 84.94% support. (Co. Exec.) PUBLIC SAFETY
2076. Accepting and appropriating a grant in the amount of \$100,000 from the United States Department of Justice, Office of Justice Programs, Office for Civil Rights, for the Suffolk County Police Department to participate in a Human Trafficking Task Force with 66.22% support. (Co. Exec.) PUBLIC SAFETY
2077. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Josh Reznick (SCTM No. 0900-313.00-01.00-042.030). (Co. Exec.) WAYS & MEANS
2078. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Saint Martin Estate property - Mud Creek addition - Town of Brookhaven - (SCTM No. 0200-973.60-04.00-011.001). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
2079. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Haber property - Mastic/Shirley Conservation Area II - Town of Brookhaven - (SCTM No. 0200-983.50-02.00-026.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

2080. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Campo Brothers property - Beaverdam Creek - Town of Brookhaven - (SCTM Nos. 0200-931.00-05.00-020.000 and 0200-961.00-03.00-026.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
2081. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Marist Brothers of Schools, Inc. property - Beaverdam Creek County Wetlands addition - Town of Brookhaven - (SCTM No. 0200-976.10-03.00-027.001 p/o). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
2082. Authorizing the acquisition of Farmland Development Rights under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) for the Harbes Farm Riverhead West, LLC property - Town of Riverhead - (SCTM No. 0600-008.00-03.00-004.000 p/o). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
2083. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Peconic Land Trust, Inc. property as contract vendee - Catcove - Peconic River County Park addition - Town of Southampton - (SCTM Nos. 0900-118.01-01.00-002.000, 0900-118.00-02.00-014.000, 0900-118.00-02.00-015.000, 0900-118.00-02.00-016.000, 0900-118.00-02.00-017.000, 0900-118.00-02.00-018.000, 0900-118.00-02.00-020.001 and 0900-118.00-02.00-025.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
2084. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Pefcos Realty Corporation Property - Woodhulls Landing Woodlands - Town of Brookhaven - (SCTM Nos. 0200-028.00-05.00-012.000 p/o and 0200-028.00-06.00-001.000 p/o). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
2085. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the D'Onofrio and Behr property - Beaverdam Creek - Town of Brookhaven - SCTM Nos. 0200-961.00-03.00-061.000 and 0200-961.00-03.00-062.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
2086. Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(B)] - for the Fasano, Dragotta, Cullum and Grau property - Pine Barrens Core - Town of Southampton - (SCTM Nos. 0900-283.00-01.00-034.000 p/o and 0900-284.00-01.00-028.000 p/o). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
2087. Designating the Honor and Remember Flag as the County of Suffolk's emblem of the service and sacrifice by those in the United States Armed Forces who have given their lives in the line of duty. (Co. Exec.) VETERANS & SENIORS
2088. Authorizing the Long Island Juvenile Diabetes Research Foundation to illuminate the H. Lee Dennison Building for National Diabetes Awareness Month and World Diabetes Day. (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

2089. Confirming appointment of County Commissioner of Consumer Affairs (Eric A. Kopp). (Co. Exec.) CONSUMER PROTECTION
2090. Naming a trail at Lakeland County Park as "The Suffolk County Veterans Purple Heart Trail". (Co. Exec.) PARKS & RECREATION
2091. Naming County Road 39 "The Edwin M. 'Buzz' Schwenk Memorial Highway". (Schneiderman) PUBLIC WORKS & TRANSPORTATION
2092. Increasing County bus fare for the implementation of Sunday bus service. (Schneiderman) PUBLIC WORKS & TRANSPORTATION
2093. Authorizing Site License Agreement to Strawberry Fields, site, Town of Southold. (Romaine) PARKS & RECREATION
2094. Reappointing Commissioner of the Suffolk County Board of Elections (Anita S. Katz). (Pres. Off.) WAYS & MEANS
2095. Amending the 2010 Operating Budget and appropriating funds in connection with bonding for a settlement for attorney fees as part of a Federal lawsuit. (Co. Exec.) BUDGET & FINANCE
2096. Amending the 2010 Operating Budget and appropriating funds in connection with bonding a settlement for a Bus Liability Case. (Co. Exec.) BUDGET & FINANCE
2097. Amending the Adopted 2010 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2010 Capital Budget and Program, and appropriating funds in connection with investigation of predators on bay scallops in the Peconic Estuary (CP 8710). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
2098. Amending the Adopted 2010 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2010 Capital Budget and Program, and appropriating funds in connection with a Water Quality Monitoring Station in the Peconic Estuary (CP 8711). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
2099. Amending the Adopted 2010 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2010 Capital Budget and Program, and appropriating funds in connection with enhanced groundwater protection equipment at Suffolk County Fueling Sites (CP 8710). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
2100. Directing modernization of the County Financial Disclosure Form. (Co. Exec.) WAYS & MEANS
2101. Appropriating funds in connection with energy conservation at various County facilities (CP 1664). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
2102. Appropriating funds in connection with improvements to Old Field Horse Farm (CP 7176). (Co. Exec.) PARKS & RECREATION

2103. Restoring the voucher system and directing the Department of Social Services to close Riverside and Westhampton trailers. (Co. Exec.) HEALTH & HUMAN SERVICES
2104. A resolution to implement the Community Pride and Renewal Program and to amend the 2010 Adopted Capital Budget to provide funding in connection with the Community Pride and Renewal (CPR) Program (CP 6422) and Downtown Beautification and Renewal (CP 6418). (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
2105. Authorizing and directing the Department of Social Services to enter into agreement to house sex offenders. (Romaine) HEALTH & HUMAN SERVICES
2106. Adopting Local Law No. -2010, A Charter Law to enhance transparency in County Budget process. (Cilmi) BUDGET & FINANCE
2107. Adopting Local Law No. -2010, A Charter Law strengthening the budget adoption process. (Co. Exec.) BUDGET & FINANCE

2043

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

Laid on Table 11/16/10

**RESOLUTION NO. -2010, APPROVING PAYMENT TO
GENERAL CODE PUBLISHERS FOR ADMINISTRATIVE CODE
PAGES**

WHEREAS, General Code Publishers Corp. has provided Supplement No. 88 to Supplement No. 90 update the Suffolk County Administrative Code totaling \$16347.34; and

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

1st RESOLVED, that the payment of \$16347.34 for the provisions of such pages is hereby approved.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

2044
Intro. Res. No. -2010
Introduced by the Presiding Officer

Laid on Table 11/3/10

RESOLUTION NO. -2010, MAKING A RECOMMENDATION CONCERNING ADOPTION OF THE FINAL SCOPE FOR THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR THE DECLARATION AS SURPLUS AND SUBSEQUENT SALE OF 255± ACRES OF COUNTY OWNED LAND IN YAPHANK FOR MIXED USE DEVELOPMENT PURPOSES, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Legislature approved Resolution No. 45-2010, which adopted a Positive Declaration requiring the preparation of a Draft Generic Environmental Impact Statement (DGEIS) for the declaration as surplus and subsequent sale of 255± acres of County owned land in Yaphank for mixed use development purposes; and

WHEREAS, a draft scoping document was prepared and issued to all involved and interested parties as well as posted on the Suffolk County Website; and

WHEREAS, at its March 16, 2010 meeting, the Council on Environmental Quality (CEQ) held a public scoping hearing to solicit oral and written comments on the contents of the document; and

WHEREAS, on March 30, 2010 the written comment period expired and a final scoping document was prepared to address the substantive issues raised; and

WHEREAS, at its September 15, 2010 meeting, the CEQ reviewed the final scoping document for the DGEIS for the declaration as surplus and subsequent sale of 255± acres of County owned land in Yaphank for mixed use development purposes, together with the comments received and the response to said comments; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that, based on the information received, pursuant to Chapter 279 of the Suffolk County Code, the final scoping document for the DGEIS for the declaration as surplus and subsequent sale of 255± acres of County owned land in Yaphank for mixed use development purposes, adequately addresses all substantive and relevant comments received and is worthy of adoption; 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 circulate the Final Scope for the Generic Environmental Impact Statement for the Declaration as Surplus and Subsequent Sale of 255± Acres of County Owned Land in Yaphank for Mixed Use Development Purposes, Town of Brookhaven, pursuant to the provisions of Title 6 NYCRR, Part 617.

DATED:

APPROVED BY:

2045
Intro. Res. No. -2010
Introduced by Legislator Cooper

Laid on Table 11/16/10

**RESOLUTION NO. -2010, ADOPTING LOCAL LAW
NO. -2010, A CHARTER LAW TO LIMIT CAMPAIGN
DONATIONS BY MEMBERS OF THE ETHICS
COMMISSION**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2010 a proposed local law entitled, "**A CHARTER LAW TO LIMIT CAMPAIGN DONATIONS BY MEMBERS OF THE ETHICS COMMISSION**"; now, therefore, be it

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

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

**A CHARTER LAW TO LIMIT CAMPAIGN DONATIONS BY
MEMBERS OF THE ETHICS COMMISSION**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County of Suffolk created the Suffolk County Ethics Commission in 1988.

This Legislature further finds that the Ethics Commission was vested with new powers and authority so that it could effectively monitor the actions of public officials, investigate possible conflicts of interest and ensure integrity in Suffolk County government.

This Legislature determines that the Ethics Commission has the authority to inspect financial disclosure statements, issue advisory opinions, receive complaints, conduct investigations, issue subpoenas and assess civil penalties.

This Legislature finds that the Ethics Commission cannot carry out its important mandate and successfully exercise its broad powers unless it is recognized as a truly independent, non-partisan and non-political entity. Accordingly, this Legislature has enacted certain safeguards to ensure that the Commission is insulated from politics to the fullest extent practicable. Presently, no political party officer can serve on the Commission and no more than two members of the Commission can belong to the same political party.

This Legislature also finds that recent media reports show that members of the Suffolk County Ethics Commission and its legal staff have contributed money to various county elected officials and their political committees.

This Legislature determines that members of the Ethics Commission should not make contributions to county elected officials because the contributions, at a minimum, create a perception that the Commission may be subject to favoritism or swayed by political considerations. Such a perception undermines the legitimacy of the Ethics Commission.

Therefore, the purpose of this law is to bar the members of the Ethics Commission from making political contributions to county elected officials.

Section 2. Definitions.

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

“CONTRIBUTION” as defined in §14-100 of NEW YORK ELECTION LAW.

“COUNTY ELECTED OFFICIAL” shall mean the Suffolk County Executive, Suffolk County Clerk, Suffolk County Sheriff, Suffolk County District Attorney, Suffolk County Treasurer, Suffolk County Comptroller and any member of the Suffolk County Legislature.

Section 3. Amendment.

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

ARTICLE XXX, Ethics Commission

§ C30-7. Campaign Contributions.

- A. Members of the Commission shall not make a contribution to any county elected official or any candidate for county office.
- B. A prohibited contribution by a Commission member shall constitute grounds for removal from the Commission by the appointing authority.

Section 4. Applicability.

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

Section 5. Severability.

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

Section 6. SEQRA Determination.

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

Section 7. Effective Date.

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

____ Underlining denotes addition of new language.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\cl-limit campaign contributions ethics commission

OFFICE OF THE COUNTY LEGISLATURE
COUNTY OF SUFFOLK

2045

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: NOVEMBER 8, 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. 2045-2010; CHARTER LAW TO LIMIT DONATIONS BY MEMBERS OF THE ETHICS COMMISSION

SPONSOR: LEGISLATOR COOPER

DATE OF RECEIPT BY COUNSEL: 10/15/10 PUBLIC HEARING: 12/7/10

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

This proposed charter law would prohibit members of the Suffolk County Ethics Commission from making a contribution to any County-elected official or candidate for county office.¹

The making of a prohibited contribution by a commission member shall constitute grounds for removal by the appointing authority.

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 a horizontal line.

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-limit donations ethics commission

¹ The covered offices are County Executive, Clerk, Sheriff, District Attorney, Treasurer, Comptroller and Legislator.

2046

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

Laid on Table 11/16/10

**RESOLUTION NO. -2010, ADOPTING LOCAL LAW
NO. -2010, A CHARTER LAW TO DISCOURAGE
SPECULATIVE REVENUES AND ENSURE BALANCED
BUDGETS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2010 a proposed local law entitled, "**A CHARTER LAW TO DISCOURAGE SPECULATIVE REVENUES AND ENSURE BALANCED BUDGETS**"; 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 DISCOURAGE SPECULATIVE REVENUES
AND ENSURE BALANCED BUDGETS**

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 Executive is required to submit a proposed operating budget to the County Legislature each year for consideration and amendment.

This Legislature also finds that the County Executive's proposed 2011 operating budget includes millions of dollars of revenues from the sale of County-owned properties, including the sale of the John J. Foley Skilled Nursing Facility and 95 acres of land that is part of the County Executive's proposed Legacy Village development.

This Legislature finds that these land sale revenues are highly speculative as the County Legislature has failed to declare either property as surplus to the County's needs (as legally required) and both proposed sales have met strong public resistance and legislative opposition.

This Legislature also determines that the County Executive's decision to embrace speculative revenues is contrary to sound budgetary practices and makes it more likely that the County will confront yet another budget shortfall crisis in 2011.

This Legislature also finds that reliance on speculative revenues exacerbates the County's budgetary structural imbalance that bond rating agencies have already warned against and could lead to a future reduction in the County's bond rating.

This Legislature finds that action must be taken to ensure that future budgets are fiscally sound and based on legitimate revenue projections.

Therefore, the purpose of this law is to amend the SUFFOLK COUNTY CHARTER to provide that revenues from proposed land sales may not be included in a County operating

budget unless the County Legislature has determined that the property is not needed for public use.

Section 2. Amendment.

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

ARTICLE IV, County Budget and Capital Program

* * * *

§ C4-6. Submission of proposed county budget by County Executive.

* * * *

- L. Revenue from the sale of County-owned real property shall not be included in a recommended operating budget, nor approved as part of an adopted operating budget, unless the County Legislature has previously determined that the real property is no longer necessary for public use, by a resolution adopted by the affirmative vote of two-thirds of the entire membership of the Legislature. This restriction shall not apply to the disposition of real properties acquired by the County of Suffolk pursuant to the Suffolk County Tax Act.

* * * *

Section 3. Applicability.

This law shall apply to operating budgets recommended and adopted on or after the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

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

Section 6. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\cl-operating budget revenues

2046

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: NOVEMBER 8, 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. 2046-2010; A CHARTER LAW TO DISCOURAGE SPECULATIVE REVENUES AND ENSURE BALANCED BUDGETS

SPONSOR: PRESIDING OFFICER LINDSAY

DATE OF RECEIPT BY COUNSEL: 10/20/2010 PUBLIC HEARING: 12/7/2010

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

This proposed charter law would bar the County Executive and Legislature from including land sale revenues in a recommended or adopted budget unless the County Legislature has previously declared the subject real property surplus by a two-thirds vote.

This law will apply to operating budgets recommended or adopted on or after the effective date of this law. This law will take effect immediately upon its filing in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-operating-budget-revenues

2047
Intro. Res. No. -2010
Introduced by Legislator Barraga

Laid on Table 11/16/10

**RESOLUTION NO. -2010, AMENDING RESOLUTION NO.
202-2010, ACCEPTING AND APPROPRIATING \$50,000 FOR
"CREATION OF EXPLOSIVE DETECTION CANINE TEAM"**

WHEREAS, Resolution No. 202-2010 accepted and appropriated \$50,000 of federal pass-through grant funding from the New York State Office of Homeland Security for the Sheriff's Explosive Detection Canine Team Program; and

WHEREAS, Resolution No. 202-2010 provided "that the primary purpose of the Canine Explosive Detection Team, created pursuant to this resolution, shall be to screen for explosives at the County Correctional facilities in Yaphank and Riverhead"; and

WHEREAS, the New York State Office of Homeland Security has advised the Suffolk County Sheriff that the language quoted above represents an unacceptable restriction on the use of the grant monies; and

WHEREAS, it is necessary to amend Resolution No. 202-2010 to ensure that the Sheriff receives the grant funding; now, therefore be it

1st RESOLVED, that the 5th RESOLVED clause of Resolution No. 202-2010 is hereby deleted; and be it further

2nd RESOLVED, that the 6th RESOLVED clause of Resolution No. 202-2010 shall be renumbered the 5th RESOLVED clause; and be it further

3rd RESOLVED, that all the other provisions of Resolution No. 202-2010 shall remain in full force and effect.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

IR No. 2048-10

LOT 11/16/10

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 BROOKHAVEN)
(0200-344.00-03.00-003.000)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 344.00 Block 03.00 Lot 003.000 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 Page 90 and described as follows, known and designated as Lots 55 and 56 in Block 1 on a certain map entitled "Map of Flower City Park, First Addition, Section 1", and filed in the Office of the Clerk of the County of Suffolk on July 6, 1929 as Map No. 578; and

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

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

WHEREAS, as provided in Resolution No. 840-2004 and Resolution No. 412-2005, this Legislature has determined that retention of development rights for transfer and use to promote the development of workforce housing is a vital need of Suffolk County residents and an important public purpose of County government; and

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

1st RESOLVED, that Pamela J. Greene, the 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 above described property and on the terms and conditions as hereinafter described to said Town of Brookhaven for the sum of \$1,926.75; plus the pro rata share of taxes, and be it further

2nd RESOLVED, that the County of Suffolk hereby transfer the above described property subject to it being sterilized for Open Space Purposes to protect the aquifer and water supply, which property shall be kept in its natural state in perpetuity, except for property maintenance activities as may be appropriate, to effectuate the declaration of covenants and restrictions, entered into by the Town of Brookhaven, without impairing the essential nature and open character of the premises and subject to the use of the open space area for passive recreational purposes; and be it further

3rd RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is to be permanently sterilized by a deed restriction and must remain as Open Space and Workforce Housing Development Rights shall be severed herewith (0.10) (one tenth) Workforce Housing Development Right 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

4th RESOLVED, that said quitclaim deed tendered by Pamela J. Greene, the Director of the Division of Real Property Acquisition and Management, pursuant to this resolution, shall contain appropriate language that shall permanently sterilize the above-described parcel and sever the development rights for workforce housing purposes in accordance with the County's Workforce Housing Program; and be it further

5th RESOLVED, that the Town of Brookhaven will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for Open Space purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Brookhaven, at any time, uses or attempts to use said subject parcel for other than Open Space 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 Open Space purposes; and be it further

6th RESOLVED, that said quitclaim deed issued by Pamela J. Greene, the 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

7th 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. Sections 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. 2010-158
MEETING OF February 9, 2010

ADOPTED
BY THE BROOKHAVEN TOWN BOARD

AUTHORIZATION TO ACQUIRE VACANT PARCELS OF SUFFOLK COUNTY OWNED LAND FOR OPEN SPACE PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW – OXFORD AVENUE, MIDDLE ISLAND (SCTM NO. 0200-344.00-03.00-018.000); PARKWAY BOULEVARD, MIDDLE ISLAND (SCTM NO. 0200-344.00-03.00-003.000); JOHANNA STREET, PORT JEFFERSON STATION (SCTM NO. 0200-229.00-02.00-013.000); AND DAVIDSON AVENUE, BELLPORT (SCTM NO. 0200-959.00-03.00-019.000)

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

WHEREAS, there is a vacant parcel of Suffolk County owned land located on Oxford Avenue, Middle Island, further identified as SCTM No. 0200-344.00-03.00-018.000 as shown on the attached map; and

WHEREAS, the Town of Brookhaven is interested in acquiring said parcel of real property for open space purposes for a total consideration not to exceed \$1,926.75 plus pro-rata taxes at the time of closing; and

WHEREAS, there is a vacant parcel of Suffolk County owned land located on Parkway Boulevard, Middle Island, further identified as SCTM No. 0200-344.00-03.00-003.000 as shown on the attached map; and

WHEREAS, the Town of Brookhaven is interested in acquiring said parcel of real property for open space purposes for a total consideration not to exceed \$1,926.75 plus pro-rata taxes at the time of closing; and

2048

WHEREAS, there is a vacant parcel of Suffolk County owned land located on Johanna Street, Port Jefferson Station, further identified as SCTM No. 0200-229.00-02.00-013.000 as shown on the attached map; and

WHEREAS, the Town of Brookhaven is interested in acquiring said parcel of real property for open space purposes for a total consideration not to exceed \$1,736.71 plus pro-rata taxes at the time of closing; and

WHEREAS, there is a vacant parcel of Suffolk County owned land located on Davidson Avenue, Bellport, further identified as SCTM No. 0200-959.00-03.00-019.000 as shown on the attached map; and

WHEREAS, the Town of Brookhaven is interested in acquiring said parcel of real property for open space purposes for a total consideration not to exceed \$3,536.63 plus pro-rata taxes at the time of closing; and

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

WHEREAS, the Town Board of the Town of Brookhaven is aware that the restrictive covenants described above will run with the land and shall bind the heirs, successors, and assigns of the Town of Brookhaven and in the event of any violation of the restrictive covenants stated above, the Deed conveying said parcels shall be void ab initio and title to the realty shall revert to the County of Suffolk; and

2048

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel further identified as SCTM No. 0200-344.00-03.00-018.000 and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed \$1,926.75 plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above; and be it further

RESOLVED, that the Town Board of the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel further identified as SCTM No. 0200-344.00-03.00-003.000 and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed \$1,926.75 plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above; and be it further

RESOLVED, that the Town Board of the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel further identified as SCTM No. 0200-229.00-02.00-013.000 and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed \$1,736.71 plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above; and be it further

RESOLVED, that the Town Board of the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel further identified as SCTM No. 0200-959.00-03.00-019.000 and requests that the Suffolk County Legislature approve the

2048

conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed \$3,536.63 plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above.

2048

**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

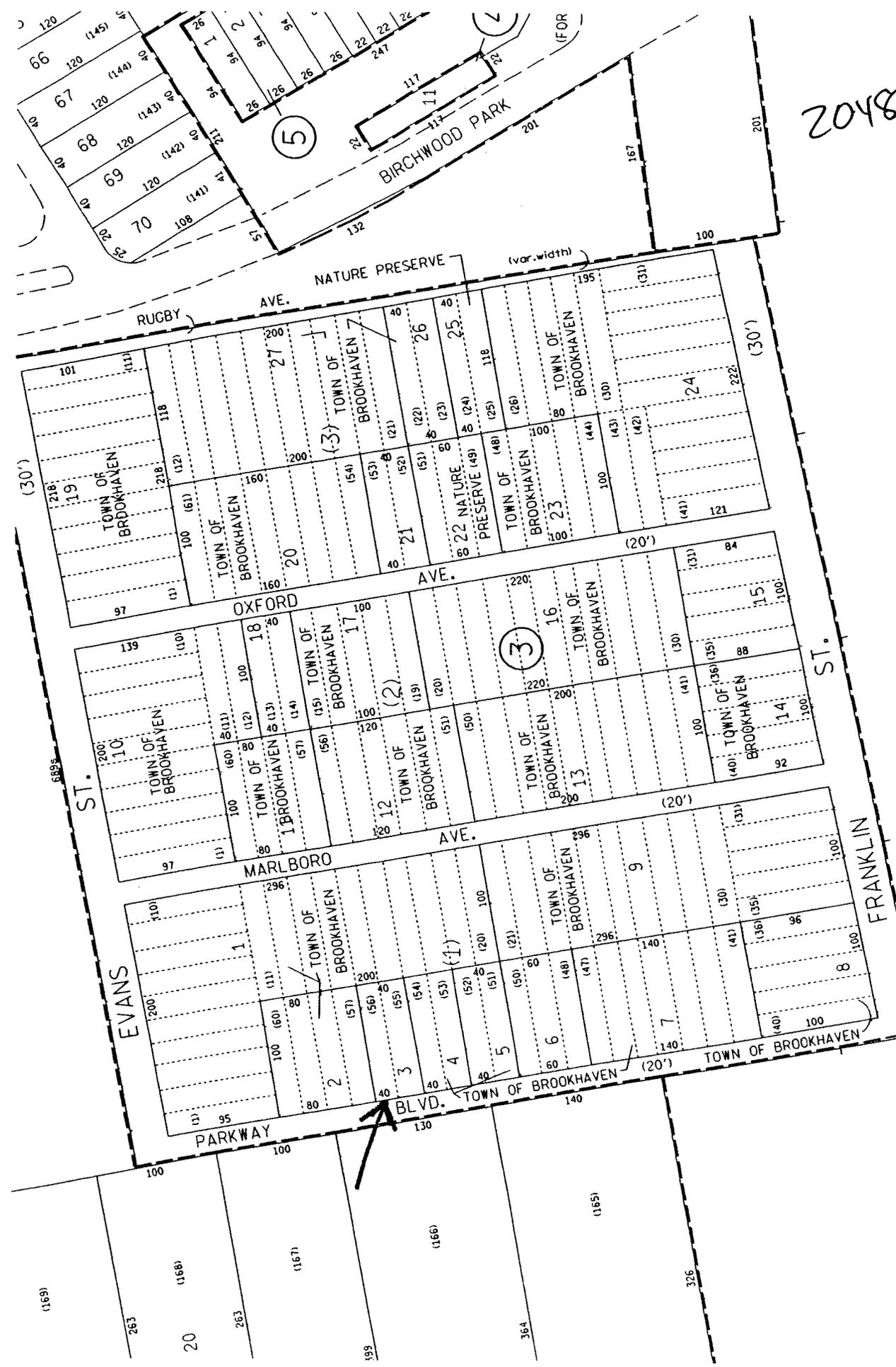
Tax Map No.: 0200-344.00-03.00-003.000

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$ 1,926.75
Purpose:	
A. Affordable Housing	_____
B. Open Space/Park	<u> X </u>
C. Road/Highway	_____
D. Drainage/Recharge Basin	_____
E. Other	_____.

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

WRT:slb



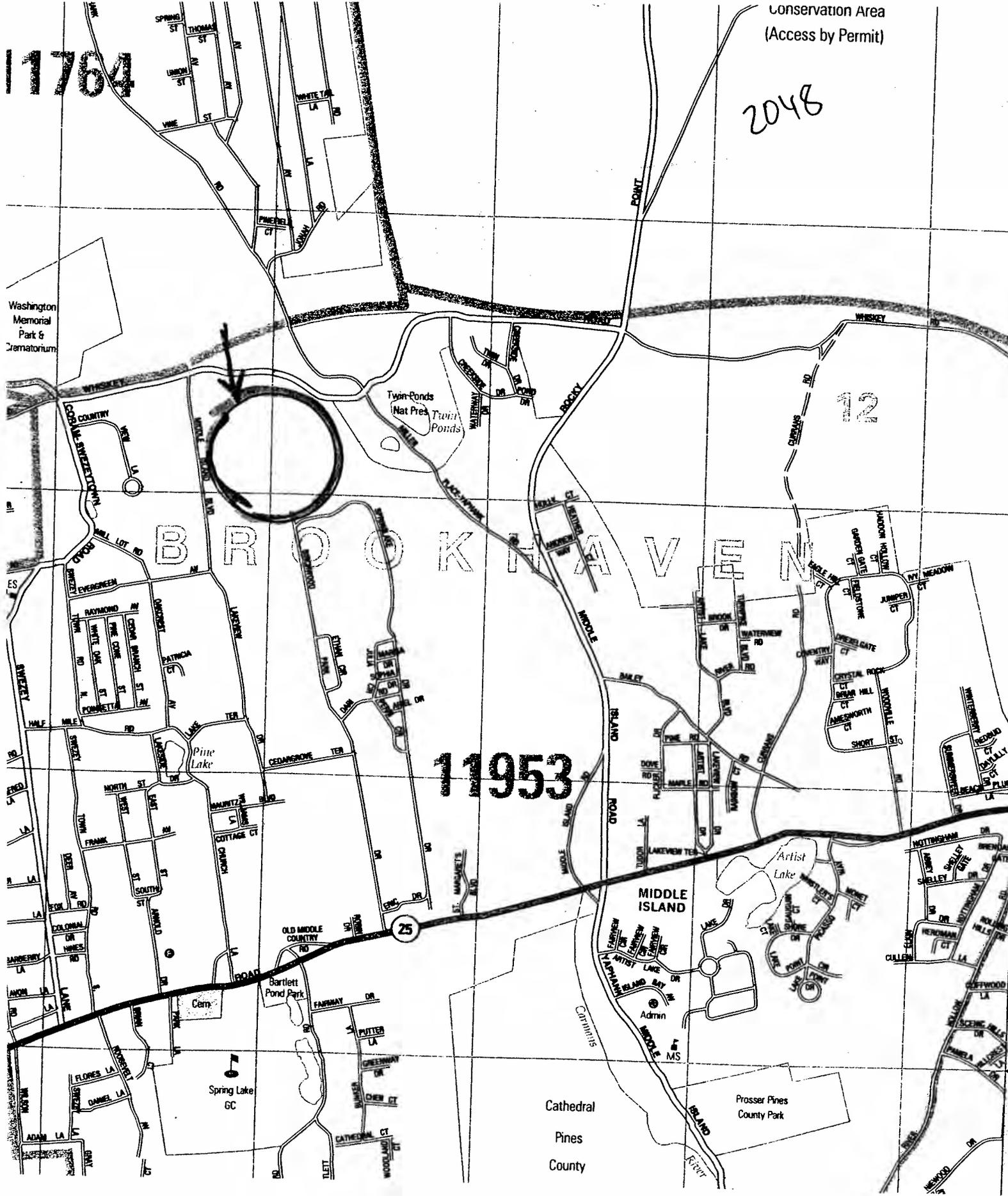
2048

Tm# 0200-344.00-03.00-003.000

11764

Conservation Area
(Access by Permit)

2048



11953

12

TM# 0200-344-00-03.00-003.00

Gen A1
OCT 20 2010
2048

**COUNTY OF SUFFOLK
OFFICE OF THE COUNTY EXECUTIVE**



**STEVE LEVY
COUNTY EXECUTIVE**

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

**PAMELA J. GREENE
DIVISION DIRECTOR**

**CARRIE MEEK GALLAGHER
COMMISSIONER**

October 14, 2010

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

Re: Tax Map No.: 0200-344.00-03.00-003.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real
Estate to the Town Brookhaven of for General Municipal 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 municipal purposes.

I would appreciate your placing this on the legislative agenda.

Yours truly,

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

PJG:WRT:slb

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

Copy w/ Resolution to:

Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Connie R. Corso, Deputy County Executive for Finance and Administration
Thomas A. Isles, Director of Planning
CE Reso Review via e-mail

Intro Res. No. 2049-10

Laid on Table 11/16/10

Introduced by Presiding Officer on the Request of the County Executive

RESOLUTION NO. TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #346

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>
SOUTHOLD:				
1000-133.00-01.00-015.003	2007/08	\$4,002.76	0.00	\$4,002.76
1000-133.00-01.00-015.003	2008/09	\$4,193.95	0.00	\$4,193.95
1000-133.00-01.00-015.003	2009/10	\$4,332.72	0.00	\$4,332.72

Dated:

Approved By:

Suffolk County Executive

Date of Approval:

2049

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

ResolutionXXX

Local Law

Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation

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

4. Will the Proposed Legislation Have a Fiscal Impact?

YES XXX

NO

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

County

Town

Economic Impact

Village

School District

Other (Specify):

Library District

Fire District

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

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

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

Unknown

8. Proposed Source of Funding

To be refunded from the County General Fund

9. Timing of Impact

Variable

10. Typed Name & Title of Preparer

11. Signature of Preparer

12. Date

Angie M. Carpenter
County Treasurer

Angie M. Carpenter 10/18/10

Additional back-up material regarding IR 2049

is on file in the Legislature's Clerk's Office, Hauppauge.

2050

Intro. Res. No. - 2010

Laid on the Table 11/16/10

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2010, AUTHORIZING CERTAIN
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.
1249-2009**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1249-2009; and

WHEREAS, this Resolution, when adopted, contained technical errors; and

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

— **1st RESOLVED**, that the Clerk of the Legislature shall make the following technical corrections to Resolution No. 1249-2009:

Delete the entire 9th Resolved clause:

~~**9th RESOLVED**, that the Commissioner of the Suffolk County Department of Public Works is hereby authorized, empowered, and directed to have Proposed Acquisition Maps No's 13, 14, 15, 16, 17, and 18 surveyed, appraised, environmentally audited, and searched for title; and be it further~~

and insert:

9th RESOLVED, that the Commissioner of the Suffolk County Department of Public Works is hereby authorized, empowered, and directed to have Proposed Acquisition Map Nos. 13, 14, 15, 16, 17, and 18 surveyed, appraised, environmentally audited, searched for title and completed for all aspects of site-related engineering; and be it further

Delete the entire 10th Resolved clause:

~~**10th RESOLVED**, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds appropriated under Capital Project Number 5510; and be it further~~

and insert:

10th RESOLVED, that the cost of such surveys, appraisals, environmental audits, title searches and site-related engineering shall be paid from the funds appropriated under Capital Project Number 5510; and be it further

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2050

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 CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 1249-2009		
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 CHIEF FINANCIAL ANALYST		

Gen A3

COUNTY OF SUFFOLK

2050



OCT 06 2010

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

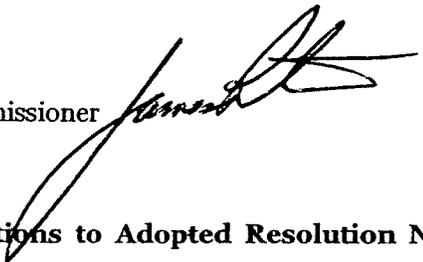
GILBERT ANDERSON, P.E.
COMMISSIONER

JAMES K. PETERMAN, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive

FROM: James K. Peterman, P.E., Chief Deputy Commissioner 

DATE: September 24, 2010

RE: **Authorizing Certain Technical Corrections to Adopted Resolution No. 1249-2009**

Attached is a draft resolution and duplicate copy to authorize technical corrections to Adopted Resolution No. 1249-2009 which approved maps and authorized acquisition of lands in connection with the Reconstruction of CR 3, Pinelawn Road/Wellwood Avenue at Colonial Springs Road in the Towns of Babylon and Huntington (CP 5510).

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-1249-09TechCorr.doc".

JKP/WH/td
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
- Michael Mulé, Senior Planner

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Introductory Resolution No. 2051-10 Laid on Table 11/16/10

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
LORENE PARAGALLO
0403-003.00-01.00-072.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0403, Section 003.00, Block 01.00, Lot 072.000, and acquired by tax deed on June 29, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 30, 2010, in Liber 12629, at Page 469, and otherwise known and designated by the Town of Huntington, as Lot No.100 on a certain map entitled "Map of Lloyd Neck Estates", filed in the Office of the Clerk of the County of Suffolk on August 5, 1927 as Map No. 644; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on June 29, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 30, 2010 in Liber 12629 at Page 469.

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, LORENE PARAGALLO has made application of said above described parcel and LORENE PARAGALLO has paid the application fee and has paid \$75,533.56, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to LORENE PARAGALLO, 238 Westleton Drive, Apt. 22D, Myrtle Beach SC 29572, 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: _____

2051

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

October 07, 2010

Tax Map No.: 0403-003.00-01.00-072.000

Name of Last Legal Fee Owner: LORENE PARAGALLO

TREASURER'S COMPUTATION.....	\$75,533.56
Taxes.....2009/2010.....	INCLUDED IN COMP.
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
<hr/>	
TOTAL.....	\$75,533.56
<hr/> <hr/>	
Monies Received.....	\$75,533.56
<hr/>	
<u>RESOLUTION AMOUNT</u>	\$75,533.56
<hr/> <hr/>	

APPROVED:

Karen A Slater 10/8/10
Accounting
DB:lag

PREPARED BY:

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

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2051

1. Type of Legislation

Resolution X
Tax Map Number 0403-003.00-01.00-072.000

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

10/7/10

Gen A
OCT 18 2010

COUNTY OF SUFFOLK

2051



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

October 12, 2010

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

Re: Tax Map No. 0403-003.00-01.00-072.000
LORENE PARAGALLO

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 C. Naughton, Budget Director
Thomas A. Isles, Director, Planning Dept.
Lauretta Fischer, Principal Planner, Planning Dept.
Alice Kubicsko, Inventory

Introductory Resolution No. 2052-10 Laid on Table 11/16/10

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
JUANA SALMERON AND MIGUEL SALMERON
0100-055.00-02.00-062.000**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 055.00, Block 02.00, Lot 062.000, and acquired by tax deed on September 01, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 01, 2010, in Liber 12636, at Page 227, and otherwise known and designated by the Town of Babylon, as Lots 36-38 inclusive in Block 16, as shown on the "Map of Wyandanch Springs Park" filed in the Office of the Suffolk County Clerk on June 1, 1892 as Map #44; 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 01, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 01, 2010 in Liber 12636 at Page 227.

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, JUANA SALMERON AND MIGUEL SALMERON have made application of said above described parcel and JUANA SALMERON AND MIGUEL SALMERON have paid the application fee and has paid \$428.32, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to JUANA SALMERON AND MIGUEL SALMERON, 9 South 22nd Street, 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: _____

2052

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

October 05, 2010

Tax Map No.: 0100-055.00-02.00-062.000

Name of Last Legal Fee Owner: JUANA SALMERON AND MIGUEL SALMERON

TREASURER'S COMPUTATION.....	\$428.32
Taxes.....2009/2010.....	OPEN
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN

TOTAL.....	\$428.32
------------	----------

Monies Received.....	\$428.32
----------------------	----------

<u>RESOLUTION AMOUNT</u>	\$428.32
--------------------------------	----------

APPROVED:

PREPARED BY:

Karen A. Slater 10/7/10
Accounting
LS:lag

Lori Sklar
Redemption Unit
(631)853-5937

COMPUTATION BY SUFFOLK COUNTY TREASURER 2052

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0100	055.00	02.00	062.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06 394.45

2006/07 THROUGH 2009/10 PROPERTY TAXES PAID BY MORTGAGE COMPANY

TOTAL: 394.45

B. INTEREST DUE 13.48
C. TOTAL 407.93
D. 5% LINE C 20.40
E. FEE
F. MISC
G. MISC

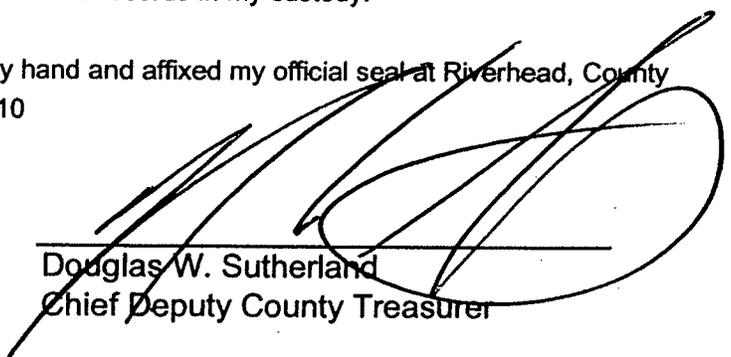
H. TOTAL DUE \$428.32

01
short
K 10/7/10

CERTIFICATION BY COUNTY TREASURER

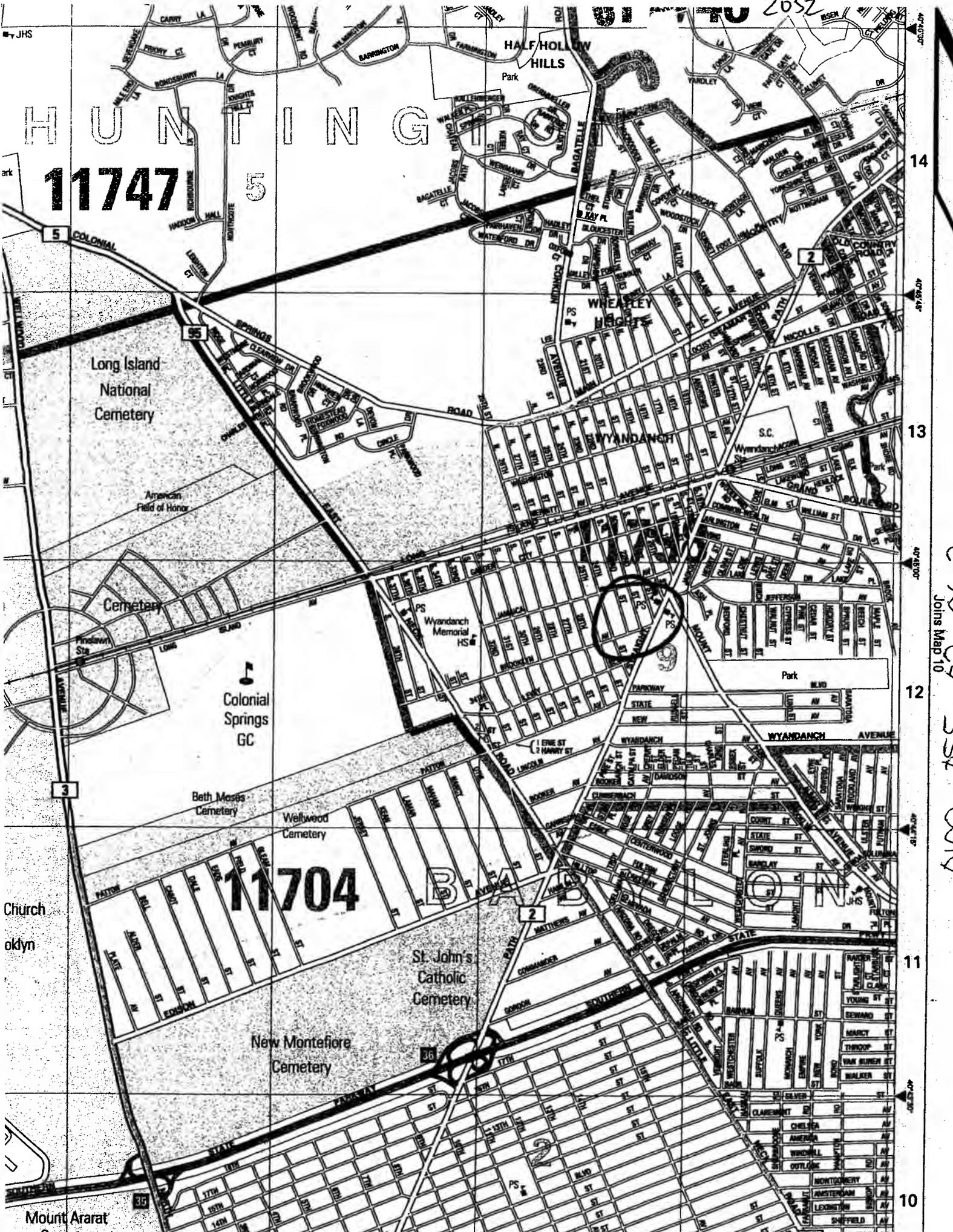
I, Douglas W. Sutherland, Chief Deputy County Treasurer of the County of Suffolk, in the State of New York, do hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that such sums are applied by law and taken from official books and records in my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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 27-Sep-10



Douglas W. Sutherland
Chief Deputy County Treasurer

**Interest and penalty computed to
and including 03/26/11



HUNTINGTON

11747 5

11704

BLAUVET

Long Island National Cemetery

American Field of Honor

Cemetery

Colonial Springs GC

Beth Moses Cemetery

Wellwood Cemetery

St. John's Catholic Cemetery

New Montefiore Cemetery

HALF HOLLOW HILLS Park

2052

14

13

12

11

10

Joins Map 10

Church of the Holy Trinity

Mount Ararat Cemetery

10

OCT 18 2010

Gen AS

COUNTY OF SUFFOLK



2052

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

October 12, 2010

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

Re: Tax Map No. 0100-055.00-02.00-062.000
JUANA SALMERON AND MIGUEL SALMERON

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

LS: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 C. Naughton, Budget Director
Thomas A. Isles, Director, Planning Dept.
Lauretta Fischer, Principal Planner, Planning Dept.
Alice Kubicsko, Inventory

53

Introductory Resolution No. 2053-10 Laid on Table 11/16/10

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
HULSE, INC., BY WAYNE HULSE, PRESIDENT
0200-943.00-03.00-009.002**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 943.00, Block 03.00, Lot 009.002, 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 District 0200, Section 943.00, Block 03.00, Lot 009.002; 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 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, HULSE, INC., BY WAYNE HULSE, PRESIDENT has made application of said above described parcel and HULSE, INC., BY WAYNE HULSE, PRESIDENT has paid the application fee and has paid \$2,223.41, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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

2nd - **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to HULSE, INC., BY WAYNE HULSE, PRESIDENT, 8 Private Road, Center Moriches NY 11934, 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

2053

October 04, 2010

Tax Map No.: 0200-943.00-03.00-009.002

Name of Last Legal Fee Owner: HULSE, INC., BY WAYNE HULSE, PRESIDENT

TREASURER'S COMPUTATION..... \$1,776.51

Taxes.....2009/2010..... \$446.90

License/Storage Fee..... OPEN

Repairs.....OPEN

Miscellaneous Expenses..... OPEN

TOTAL.....\$2,223.41

Monies Received.....\$2,223.41

RESOLUTION AMOUNT.....\$2,223.41

APPROVED:

Karen Blater 10/5/10

Accounting
DB:lag

PREPARED BY:

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

205

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	943.00	03.00	009.002

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07	568.61
2007/08	579.52
2008/09	431.84

2009/10 PROPERTY TAXES \$446.90 NOT INCLUDED IN COMPUTATION

TOTAL: 1579.97

B. INTEREST DUE	111.94
C. TOTAL	1691.91
D. 5% LINE C	84.60
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

\$1,776.51

RS
10/5/10

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.

13-Jul-10



Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 01/09/11

2054

Intro. Res. No. -2010
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 11/3/10

**RESOLUTION NO. -2010, 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**

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 60-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. 881-2008 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. 1337-2010, 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. The Facility and all associated assets and inventory used to carry out its functions as a skilled nursing facility, as more specifically set forth in the proposed Asset Purchase Agreement and Land Sale Contract, is likewise declared 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.

This Legislature has independently considered the Environmental Assessment Form (“EAF”), the Council on Environmental Quality (“CEQ”) recommendation, and any relevant testimony concerning the same; and

This Legislature, being the lead agency under State Environmental Quality Review Act (“SEQRA”) and Chapter 279 of the Suffolk County Code, hereby determines that this local law constitutes an unlisted action, pursuant to 6 NYCRR Part 617 of the implementing regulations pertaining to Article 8 (SEQRA) of the Environmental Conservation Law; and

This Legislature hereby determines that implementation of this action will not have a significant adverse impact on the environment for the following reasons, as demonstrated in the EAF:

1. The action involves the simple transfer of the ownership of an existing operating facility and associated property with no change to the environment or facility operations;
2. The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth threshold for determining significant impact on the environment;
3. 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;
4. The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high ground water and no unmanageable slopes); and

This Legislature hereby directs, in accordance with Section 279.5(c) (4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

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

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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



2054

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

DATE: NOVEMBER 1, 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 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: 10/28/2010 PUBLIC HEARING: 11/16/2010
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 14.06 acres of land on which the Foley facility sits and all associated assets and inventory, 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 buyer¹ 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 buyer² 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).

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

¹ The buyer in this transaction is Foley Land LLC.

² The buyer in this transaction is Foley Operating LLC.

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.

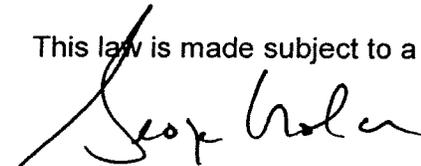
Pursuant to this Agreement, the buyer agrees to continue treatment of each patient receiving services at the Foley facility on the date of closing. Only patients requiring services not available at the facility will be eligible for transfer. To the extent any resident is being treated at another facility, 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".

This law is made subject to a permissive referendum.



GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-refile-sale-JJ-Foley-Nursing-Home

UPDATED VERSION AS OF 11/3/2010

Intro. Res. No. 2055-2010

Laid on Table 11/3/2010

Introduced by Legislators Viloria-Fisher, Kennedy, Horsley and Lindsay

**RESOLUTION NO. -2010, ADOPTING LOCAL LAW
NO. -2010, A CHARTER LAW TO REQUIRE THE
APPROPRIATE USE OF TAXPAYER MONIES FOR
FUNDED POSITIONS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2010 a proposed local law entitled, "**A CHARTER LAW TO REQUIRE THE APPROPRIATE USE OF TAXPAYER MONIES FOR FUNDED POSITIONS**"; 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 REQUIRE THE APPROPRIATE USE OF
TAXPAYER MONIES FOR FUNDED POSITIONS**

**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, under Section 2-1 the Suffolk County Charter, the County Legislature "shall determine County policies" and, under Section 2-8 of the Suffolk County Charter, the County Legislature makes appropriations and levies taxes.

This Legislature also finds and determines that, under Sections 3-2 and 3-3 of the Suffolk Charter, the County Executive is the administrative head of County Government who has general supervision over all administrative units of the County, is charged with the obligation and responsibility to execute the policies and mandates of the County Legislature as duly promulgated and enacted by it, and is limited in the discharge of his or her responsibilities in County budgeting, as Chief Budget Officer, to the powers granted in Article IV of the Suffolk County Charter.

This Legislature further finds and determines that, under normal circumstances, the checks and balances between the policy-making legislative branch of government and the management and execution of those policies by the executive branch of government serve the public well by reflecting the collective will of the electorate and avoiding concentrations of power in any one individual or group of individuals.

This Legislature finds that the Office of the County Executive has engaged in administrative action preventing an appointing authority from filling vacant budgeted positions in County Government without the written approval of the County Executive, which action has routinely been exercised by the Office of the County Executive in good and difficult fiscal times.

This Legislature determines that the continuous and routine exercise of this unilateral administrative action by the Office of the County Executive undermines and is detrimental to the checks and balances of County Government.

This Legislature further determines that such action is inimical and contrary to the County Charter which delegates the power to set policy to the County Legislature by legislative enactment and enables the County Executive, acting unilaterally, to frustrate, impair or nullify such duly enacted legislation and the underlying policies which such enacted legislation was intended to establish, promote and protect.

This Legislature finds that the longstanding practice of the Office of the County Executive to take unilateral administrative action in the arena of budgeting for the personnel who deliver the public services demanded and expected by the electorate is a matter of great concern to the Legislature and to the electorate residing within this County.

This Legislature also determines that this frustration, impairment and nullification of County policy by the unilateral administrative action of the Office of the County Executive results in questionable and uncertain County budgeting whereby positions of employment are created in the annual County Operating Budget to carry out and implement legislatively enacted policies but, in practice, are rarely filled or are filled at levels below what is budgeted for the implementation of those specific County policies.

This Legislature also finds that such unilateral administrative action by the Office of the County Executive results in disruption and the inefficient and avoidable expenditure of taxpayer funds by the appointing authority who may be required to reassign personnel or incur overtime due to the aforesaid exercise of County Executive unilateral action.

This Legislature also finds that the budgeting of such policies creates a public expectation that what is provided for in the Adopted Annual County Operating Budget will actually occur, the failure of which such occurrence unfairly causes the public to believe it was misled and deceived by the actions of its policy makers, thereby eroding public confidence in County institutions and its elected officials due to the County Executive's practice of creating illusory payrolls that are often never used and for which policy-making County Legislators are unfairly blamed.

This Legislature, being aware of the New York State Court of Appeals holding in a case entitled Caputo, Romaine, and Catterson v. Halpin., 78 N.Y.2d 117, which determined, among other things, that the Suffolk County Charter and Administrative Code established and conferred implied powers to the County Executive to unilaterally approve or disapprove the filling of vacant positions, adopts this law amending the County Charter with the express and explicit intention and purpose of eliminating, removing and abolishing any implied power that the Court believed may have existed under the current County Charter with respect to the budgeting of certain positions of employment in the Adopted County Operating Budget.

This Legislature declares that, by the enactment of this charter amendment, it shall be the policy of the County that the County Executive does not have any implied power to take any unilateral administrative action that prevents the filling of certain budgeted positions of employment in the Adopted County Operating Budget.

This Legislature finds that decisions regarding the filling of budgeted positions shall be made by the County of Suffolk acting through its co-equal branches of government via duly enacted resolution of the County of Suffolk.

This Legislature also finds that the aforesaid unilateral practice by the Office of the County Executive to nullify the filling of budgeted County positions of employment is particularly and unacceptably disruptive and detrimental to the mission and the day-to-day operations of offices supervised and managed by the County-wide elected officials.

Therefore, the purpose of this law is to preclude the practice of creating illusory County payrolls; to reaffirm the supremacy of the County Legislature as the policy-making body of County Government; to more precisely and clearly state those budgetary powers granted to each of the two co-equal branches of County Government by the County Charter with respect to appropriations, revenues, and personnel; to extinguish any implied power by the County Executive to take unilateral administrative action that prevents an appointing authority from filling certain budgeted positions of employment or which freezes the hiring of personnel to occupy certain budgeted positions of employment contained in the Adopted County Operating Budget all without increasing any expenditure of County funds beyond what was approved in the pertinent County Operating Budget.

Section 2. Definitions.

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

- A) "ADEQUATE APPROPRIATIONS" shall mean the amount of appropriations certified by the Legislative Office of Budget Review as sufficient to compensate the person being contemplated to fill a budgeted position for that person's services, including any and all fringe benefits, for a stated or defined period of time, calculated as of the effective date of the Adopted County Operating Budget.
- B) "APPOINTING AUTHORITY" shall mean the County-wide elected official possessing the legal authority and power to appoint subordinate positions in his or her department under New York State and Suffolk County Law.
- C) "ADOPTED COUNTY OPERATING BUDGET" shall mean all of the appropriations and all of the revenues contained in the Suffolk County Expense Budget in effect on January 1st of the pertinent fiscal year.
- D) "DEPARTMENT" shall mean any unit, office or agency of County Government created by the SUFFOLK COUNTY CHARTER or by Suffolk County Local Law, the head of which is elected by the voters of Suffolk County on a County-wide basis.
- E) "POSITION" shall mean any title, office, or employment involving an aggregation of duties to be performed and responsibilities to be exercised by one person authorized in a department's portion of the Adopted County Operating Budget, the incumbent of which is to be chosen in accordance with the New York Civil Service Law and Suffolk County Civil Service Rules for the competitive jurisdictional class or any title, office or employment involving an aggregation of duties to be performed and responsibilities to be exercised by one person authorized in a department's portion of the Adopted County Operating Budget, the incumbent of which is to be chosen for the competitive jurisdictional class but who has not yet received permanent competitive status by Suffolk

County or who is to be chosen for the non-competitive, exempt, or unclassified jurisdictional classes, other than elected officials or department heads, all in accordance with the New York Civil Service Law and Suffolk County Civil Services Rules.

- F) "PUBLIC EMERGENCY" shall mean a declaration issued by the County Executive to the County Legislature, in writing, identifying an event that has arisen out of or been caused by a sudden unforeseen occurrence or disaster such as a hurricane, fire, tornado, flood, blizzard, explosion, airplane crash, earthquake, nuclear war, radiological emergency, war, terrorist act, civil unrest or disobedience, act of God, or comparable event.

Section 3. Amendments.

- I) Section C4-2 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

§ C4-2. Chief budget officer designated.

The County Executive shall be the Chief Budget Officer of Suffolk County[.], whose powers with respect to the filling of positions of employment contained in the Adopted County Operating Budget, in those departments headed by a County-wide elected official, other than in the Office of County Executive, shall be ministerial in nature, anything in Article IV or other relevant section of the SUFFOLK COUNTY ADMINISTRATIVE CODE or state law to the contrary notwithstanding.

- II) A new Section C4-33 of the SUFFOLK COUNTY CHARTER is hereby added to read as follows:

§ C4-33. Filling budgeted departmental positions of employment.

- A) Any filled position in any department which may become vacant or any position in any department created by resolution, budget amendment, local law or charter law enacted into law by the County of Suffolk, the adequate appropriations for which are contained in the Adopted County Operating Budget, shall be filled by the pertinent appointing authority at the budgeted grade and requested step set forth in the pertinent collective bargaining agreement or salary plan, as the case may be, within ninety days after adequate appropriations are available for the filling of such position or after the occurrence of a vacancy for which adequate appropriations are available, as the case may be, any administrative action taken or to be taken by the Office of the County Executive to the contrary notwithstanding, unless the County Executive issues a declaration, with requisite findings, to the County Legislature and the pertinent appointing authority that such position should not be filled based upon one of the following:

- 1) An order of the New York State Civil Service Department or New York State Civil Service Commission prohibits the filling of such a position;
- 2) An order of a court of competent jurisdiction prohibits the filling of such a position;
- 3) A department or agency of the federal government having jurisdiction over the matter has stated in writing that the appointing authority is prohibited from filling such position;

- 4) A budget deficiency exists under Section C4-27 of the SUFFOLK COUNTY CHARTER;
- 5) A public emergency exists;
- 6) A suspension, freeze, transfer or reduction of any funds in the Adopted County Operating Budget has been proposed or has been implemented by the County Executive on or after the effective date of the pertinent Adopted County Operating Budget pursuant to any provision set forth in Article IV of the SUFFOLK COUNTY CHARTER; pursuant to Article IV of the SUFFOLK COUNTY ADMINISTRATIVE CODE; or pursuant to any other provision of federal, state or County law relating to or bearing upon the fiscal, budgetary or personnel and staffing affairs of Suffolk County; or
- 7) The appointing authority has failed or declined to fill the budgeted position and a written request to amend the Adopted County Operating Budget for the purpose of abolishing or transferring the pertinent position has been duly filed with the County Legislature for its consideration.

The aforesaid declaration with the requisite findings shall be in writing and filed with the Clerk of the County Legislature.

- B) In the event that the County Executive files a written declaration with the requisite findings pursuant to paragraph (A) of this section, then the Legislature, on its own motion, may reject the declaration, via enactment of a resolution directed solely and exclusively to such purpose within thirty days after its receipt of said declaration, in which event the pertinent appointing authority shall have thirty days to fill such position in accordance with the New York Civil Service Law and Suffolk County Civil Service Rules, measured from the date of enactment of such resolution, any administrative action to the contrary notwithstanding. Such resolution shall require the affirmative vote of at least a majority of the entire membership of the County Legislature and shall be subject to the approval or veto of the County Executive. If approved by the County Executive, the resolution shall be deemed enacted as of that date of approval.
- C) If, within ten days after its submission to the County Executive, the County Executive returns such resolution to the County Legislature with a statement of his or her reasons for vetoing it, such resolution shall not be effective unless the County Legislature, on a motion to override such veto, passes it by an affirmation vote of at least two-thirds of the entire membership of the County Legislature within thirty days of its return.
- D) If within ten days after its submission to him or her, the County Executive does not return such resolution to the County Legislature with a statement of his or her reasons for vetoing it and does not approve the resolution, such resolution shall be deemed to be approved and enacted as of said tenth day.
- E) In the event that the County Executive or pertinent appointing authority does not comply with any action taken by the County Legislature under paragraph (B) of this section or, in the event that the County Executive and the pertinent appointing authority have jointly failed to comply with paragraph (A) of this section, then any County Legislator may introduce a resolution directing the pertinent appointing authority to fill the position in

question via an appointment of the appropriate individual who qualifies under and pursuant to the pertinent New York State Civil Service Law and Suffolk County Civil Service Rules, which appointment shall require the approval of at least three-fourths of the entire membership of the County Legislature, which resolution shall not be subject to the approval or veto of the County Executive.

F) Nothing in Sections 4-6 through 4-9 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is intended or shall be construed to diminish or restrict the powers granted to the County Legislature or any appointing authority under this section of the SUFFOLK COUNTY CHARTER. Any administrative action promulgated or undertaken by the County Executive which has the effect of preventing or delaying the filling of any vacant positions heretofore issued or created, and in effect on the effective date of this law, is hereby nullified and superseded by this law.

III) Section C4-29 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

§ C4-29. Allotment system.

There shall be a system for the allotment of funds by the County Executive to department heads from appropriations authorized for the agency involved. No appropriation authorized for any department shall be available for expenditure unless the County Executive approves an allotment of funds to the department or a requested allotment becomes effective pursuant to § A4-7 of the Administrative Code[.], except as to appropriations for the filling of positions of County employment contained in the Adopted County Operating Budget, the allotment for which shall be deemed approved and effective as of the first day of the fiscal year for which such appropriation has been made or as otherwise prescribed by the Adopted County Operating Budget, anything in Article IV or other relevant section of the SUFFOLK COUNTY ADMINISTRATIVE CODE to the contrary notwithstanding.

Section 4. Applicability.

This law shall apply to any actions occurring on or after the effective date of this law with respect to any Adopted County Operating Budget in effect 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 not take effect until at least sixty (60) 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 sixty (60) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW and upon filing in the Office of the Secretary of State.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE
COUNTY OF SUFFOLK

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



2055

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

DATE: NOVEMBER 1, 2010
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. -2010; A CHARTER LAW TO REQUIRE THE APPROPRIATE USE OF TAXPAYER MONIES FOR FUNDED POSITIONS

SPONSOR: LEGISLATORS VILORIA-FISHER, KENNEDY, HORSLEY AND LINDSAY

DATE OF RECEIPT BY COUNSEL: 10/25/10 PUBLIC HEARING: 11/16/10
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

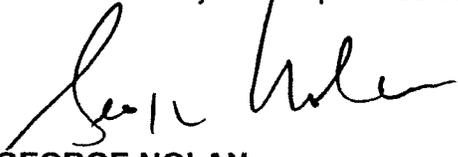
This proposed charter law will establish a new procedure for filling vacancies in those departments headed by Suffolk County's county-wide elected officials.

This law would require county-wide elected officials to fill vacancies within their departments within 90-days, if adequate appropriations are contained in the County's operating budget, unless the County Executive issues a declaration that such position shall not be filled because:

1. The Department of Civil Service prohibits such action.
2. A court order prohibits such action.
3. The federal government prohibits such action.
4. A budget deficiency exists.
5. A public emergency exists.
6. A suspension, freeze, transfer or reduction of funds has been proposed or implemented by the County Executive.
7. The department head declines to fill the position and seeks to abolish or transfer the position.

The County Legislature can reject the County Executive's declaration by resolution, in which event the department head must fill the position within 30 days. In the event the County Executive and/or the department head does not comply with the legislative resolution, the Legislature may enact another resolution by three-fourths vote directing the filling of the vacancy. Such a resolution shall not be subject to County Executive approval.

This law is subject to a permissive referendum.

A handwritten signature in black ink, appearing to read "George Nolan", written in a cursive style.

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-cl-appropriate use of taxpayer monies

2056

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

Laid on Table 11/16/10

**RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO.
-2010, A LOCAL LAW TO ENLARGE THE MEMBERSHIP OF
THE CITIZENS' ADVISORY BOARD FOR THE ARTS**

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 ENLARGE THE MEMBERSHIP OF THE CITIZENS' ADVISORY BOARD FOR THE ARTS**" 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 ENLARGE THE MEMBERSHIP OF THE
CITIZENS' ADVISORY BOARD FOR THE ARTS**

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 Citizens' Advisory Board for the Arts was created by Local Law No. 8-1978.

This Legislature also finds that under existing law, the Citizens' Advisory Board for the Arts consists of no fewer than 9 or more than 15 persons.

This Legislature finds the Citizen's Advisory Board has requested that the size of the Board be increased to 18 persons with one member coming from each legislative district.

This Legislature also determines that expanding the membership of the Citizens' Advisory Board for the Arts will ensure geographical diversity on the Board and engender stronger support for the cultural arts in Suffolk County.

Therefore, the purpose of this law is to increase the size of the Citizens' Advisory Board for the Arts to 18 members and to require that each legislative district be represented on the Board.

Section 2. Amendments.

Section 68-3 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§ 68-3. Creation; organization; functions.

C. Citizens' Advisory Board.

1. There shall be a Citizens' Advisory Board consisting of 18 members, with one member from each legislative district within Suffolk County. The members shall have direct experience in one of the arts or in the fields of education, law, nonprofit accounting, community planning, public relations, business or a related field.
2. The members of the Citizens' Advisory Board shall be appointed by resolution of the County Legislature, which shall be subject to approval of the County Executive. Members shall be appointed for terms of three years.
3. Members of the Citizens' Advisory Board shall serve without compensation. The members of the Board shall select its chairman and adopt its own Rules of Proceedings.

* * * * *

Section 3. Transition Provisions.

1. Any person serving as a member of the Citizens' Advisory Board as of the effective date of this law, whose term is unexpired, shall continue to serve as a representative of the legislative district in which he or she resides, until the expiration of their term. Such persons shall be eligible for reappointment to the Citizens' Advisory Board and may serve in a holdover capacity until such time as his or her successor is qualified.
2. Any person serving as a member of the Citizens' Advisory Board in a holdover capacity as of the effective date of this law, may continue to serve as a representative of the legislative district in which he or she resides, until such time as his or her successor is qualified. Such person shall be eligible for reappointment to the Citizen Advisory Board.

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 sixtieth (60) day immediately subsequent to filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\enlarge citizens advisory board for the arts

2056

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: November 8, 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 ENLARGE THE MEMBERSHIP OF THE CITIZENS' ADVISORY BOARD FOR THE ARTS

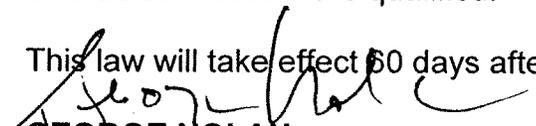
SPONSOR: PRESIDING OFFICER LINDSAY

DATE OF RECEIPT BY COUNSEL: 11/8/2010 PUBLIC HEARING: 12/7/2010
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

This proposed local law would enlarge the membership of the Citizens' Advisory Board for the Arts to 18 members with one representative coming from each legislative district.¹ Members will continue to be appointed by resolution and serve 3 year terms.

Members currently serving with an unexpired term may continue to serve as the representatives of the legislative district in which they reside until the expiration of their term. Current members serving in a holdover capacity may continue to serve until such time as successors are qualified.

This law will take effect 60 days after it is filed with the Secretary of State.


GEORGE NOLAN
Counsel to the Legislature

GN:mjk

s:\rule28\28-enlarge-citizens-advisory

¹ Presently the Board consists of no fewer than 9 nor more than 15 members.

UPDATED AS OF 11/10/2010

Intro. Res. No. 2057-2010
Introduced by Legislators Cilmi, Barraga and D'Amaro

Laid on Table 11/16/2010

**RESOLUTION NO. -2010, ADOPTING LOCAL LAW
NO. -2010, A CHARTER LAW TO INCREASE
TRANSPARENCY AND ACCOUNTABILITY IN COUNTY
BUDGET PROCESS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2010, a proposed local law entitled, "A CHARTER LAW TO INCREASE TRANSPARENCY AND ACCOUNTABILITY IN COUNTY BUDGET 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 TRANSPARENCY AND
ACCOUNTABILITY IN COUNTY BUDGET 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 the Suffolk County Charter empowers the County Legislature to amend the operating budget proposed by the County Executive.

This Legislature finds that a practice has evolved over time whereby the County Legislature amends the proposed operating budget each year through an "omnibus" resolution, which typically bundles hundreds of line item changes in a single resolution.

This Legislature determines that legislators are often required to cast a vote on an omnibus resolution before they, and the public, have a meaningful opportunity to review and debate the many line item changes contained therein or to consider the omnibus resolution's fiscal impact.

This Legislature further finds that for many years, the County Legislature exercised its budget amending authority in a different manner, considering each proposed amendment individually. While this process was time consuming, it was transparent and helped produce a meaningful and open debate of budget issues.

Therefore, the purpose of this law is to bar the use of omnibus-type budget amending resolutions and to require the County Legislature to consider proposed budget amendments on an individual basis.

Section 2. Amendments.

Section C4-10 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

§ C4-10. Action by County Legislature on proposed budget.

- A. Not less than 10 days after public hearings required by § C4-9 and not later than the 10th day of November or the 52nd day after the County Executive has actually submitted the proposed budget required by § 4-6 to the County Legislature, whichever is later, the County Legislature shall adopt the proposed county budget consisting of an expense budget by voting to approve a separate mandated portion and a separate nonmandated portion, with or without amendment. If the County Legislature does not adopt a county budget on or before the 10th day of November or the 52nd day after the County Executive has actually submitted the proposed budget required by § C4-6 to the County Legislature, whichever is later, the proposed county budget shall be deemed adopted as submitted. [The Suffolk County Legislature's Budget Review Office shall prepare budgetary and financial forecasts of cost to continue expenditures and revenues for major omnibus-type budget amending resolutions for the following year.]

- B. The County Legislature may amend the proposed county budget by [submitting a] adopting budget amendment resolutions which [will] add or increase an [item of appropriation] expenditure; [or] strike or reduce an [item of appropriation] expenditure except for [appropriations for] debt service and any other [appropriations] expenditures required by law[.]; add, increase, reduce, or eliminate a revenue; add, reduce or transfer personnel. The Legislature shall not amend the proposed budget in an omnibus fashion but may combine a limited number of line item changes in one resolution to achieve a single purpose or to provide an offset for an increased expenditure, addition of personnel or change in revenue.

* * * *

Section 3. Applicability.

This law shall apply to amendments of the proposed budget 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 not take effect until at least sixty (60) 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 sixty (60) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW and upon filing in the office of the Secretary of State.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE
COUNTY OF SUFFOLK

2057

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: NOVEMBER 1, 2010
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. -2010; A CHARTER LAW TO INCREASE TRANSPARENCY AND ACCOUNTABILITY
IN COUNTY BUDGET PROCESS

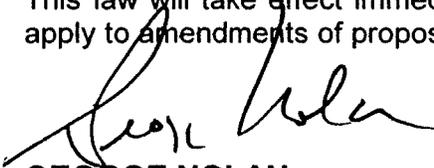
SPONSOR: LEGISLATORS CILMI, BARRAGA AND D'AMARO

DATE OF RECEIPT BY COUNSEL: 11/1/2010 PUBLIC HEARING: 12/7/2010
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

This proposed charter law would bar the County Legislature from amending the operating budget recommended by the County Executive "in an omnibus fashion".

Further, this law would clarify that the County Legislature may enact, on a line item basis, budget amendment resolutions that add or increase an expenditure; strike or reduce an expenditure; add, increase, reduce, or eliminate a revenue; or add, reduce or transfer personnel. The law does provide, however, that a budget amendment resolution may combine a limited number of line item changes to achieve a single purpose or to provide an offset for an increased expenditure, addition of personnel or change in revenue.

This law will take effect immediately upon its filing in the Office of the Secretary of State and apply to amendments of proposed operating budgets occurring on or after that date.


GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-increase-transparency-budget-process

2058
Intro. Res. No. -2010
Introduced by Legislator Montano

Laid on Table 11/16/10

**RESOLUTION NO. -2010, ADOPTING LOCAL LAW
NO. -2010, A CHARTER LAW ESTABLISHING AN
OFFICE OF CONSUMER AFFAIRS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2010 a proposed local law entitled, "A CHARTER LAW ESTABLISHING AN OFFICE OF CONSUMER AFFAIRS"; 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 ESTABLISHING AN OFFICE OF CONSUMER
AFFAIRS**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Suffolk County is in the midst of difficult economic times.

This Legislature also finds and determines that Suffolk County's elected officials have a duty to run the government efficiently and provide cost savings to County residents when possible.

This Legislature further finds and determines that the County can achieve cost savings by reorganizing the functions of the County Department of Consumer Affairs and transferring positions and funding to a newly created Office of Consumer Affairs within the County Executive's Office.

This Legislature finds that abolishing the Department of Consumer Affairs and transferring its functions to the Office of Consumer Affairs will reduce the cost of County government and will free up scarce resources for other government functions without increasing County real property taxes.

Therefore, the purpose of this law is to abolish the County Department of Consumer Affairs and to reorganize its functions, duties and responsibilities in a more cost effective fashion by transferring its functions to the newly created Office of Consumer Affairs within the County Executive's Office.

Section 2. Repealed.

Article XXXI of the SUFFOLK COUNTY CHARTER is hereby repealed.

Section 3. Creation of Office.

A new Article XXXI of the SUFFOLK COUNTY CHARTER, creating a Suffolk County Office of Consumer Affairs, is hereby enacted to read as follows:

ARTICLE XXXI, OFFICE OF CONSUMER AFFAIRS

§C31-1. Definitions.

- A. “Director” shall mean the head of the Office.
- B. “Office” shall mean the Suffolk County Office of Consumer Affairs

§C31-2. Office established; director; organization of office.

- A. There is hereby established an Office of Consumer Affairs in the County Executive’s Office, the head of which shall be the Director of Consumer Affairs and who may also be the County Director of Weights and Measures. No additional compensation shall be automatically extended to an individual holding both positions by virtue of his or her title as County Director of Weights and Measures. The Office of Consumer Affairs shall be organized into four (4) divisions for the purposes of performing the functions, duties and responsibilities of the Office of Consumer Affairs. These divisions shall be named the Bureau of Administration, the Bureau of Consumer Complaints, the Bureau of Licensing, and the Bureau of Weights and Measures.
- B. There is hereby established within the Office of Consumer Affairs in the County Executive’s Office, a Bureau of Weights and Measures, the head of which shall be a Director, who may also serve as the Director of the Office of Consumer Affairs and who shall have the powers, status and duties set forth in the NEW YORK AGRICULTURE AND MARKETS LAW.

§C31-3. Powers and duties.

The Director of the Office of Consumer Affairs shall have the following powers and duties:

- A. To receive and investigate complaints and initiate investigations of unfair or deceptive practices against consumers.
- B. To hold hearings, subpoena witnesses, administer oaths, take the testimony of any person under oath and in connection therewith compel the production of any evidence relating to any matter under their investigation by the Office of Consumer Affairs, provided that the Director shall obtain the written consent of the County Executive or the County Attorney before issuing a subpoena or subpoena duces tecum. At any hearing, a witness shall have the right to have present and be advised by counsel during the conduct of such hearing.
- C. To initiate and encourage consumer education programs and to prepare and disseminate, through publication or otherwise, consumer educational and informational materials to the consumers of Suffolk County.

- D. To represent the interests of consumers before federal, state and local administrative and regulatory agencies and legislative bodies.
- E. To study the operation of federal, state and local laws for consumer protection and to recommend amendments to such laws, where needed, for the protection of the consumer.
- F. To undertake activities to encourage businesses and industries in the County to maintain high standards of honesty, business practices, and business responsibilities in the manufacture, distribution and sale of consumer goods and services.
- G. To establish facilities for the voluntary mediation of consumer disputes arising out of transactions which take place in the County.
- H. To initiate and conduct investigations, research, studies and analyses of matters affecting the interests of the consumers of Suffolk County.
- I. To report the appropriate law enforcement agency information with respect to the violation of any federal, state or local consumer protection law.
- J. To cooperate and assist any agency, public or private, in the development of standards of quality for consumer goods and services.
- K. To assist, advise and cooperate with local, state and federal agencies to protect and promote the interests of the consumers of Suffolk County.
- L. To render each year to the County Executive and to each member of the County Legislature a written report of the activities, investigations, complaints and recommendations of the Office.
- M. To perform such other responsibilities and duties as may be assigned by the County Executive or the County Legislature.

§C31-4. Transition provision.

Any reference to the County Department of Consumer Affairs or its Commissioner in any other resolution, local law, Charter law, ordinance, rule or regulation of the County of Suffolk or in any state or federal law, rule or regulation shall be construed in the first instance as a reference to the Office of Consumer Affairs within the County Executive's Office and/or the Director of the Office of Consumer Affairs.

§C31-5. Transfer of personnel, records, property and equipment.

- A. Those employees in the Department of Consumer Affairs who are employed in positions in the department and divisions thereof on the effective date of this Article shall be transferred to the Office of Consumer Affairs.
- B. All records, property and equipment presently associated with and utilized in connection with the powers, functions and duties of the Department of Consumer Affairs shall be transferred to the Office of Consumer Affairs in the County Executive's Office.

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 not take effect until at least sixty (60) days after filing in the Office of the Secretary of State; provided, however, that if within such sixty days electors of the County, duly registered to vote therein either for the last preceding or the next following general election in number equal to at least five per centum of the total number of votes cast in the County for governor at the last gubernatorial election, shall file a position with the County Clerk protesting against this law, it shall become effective only if approved in conformity with section 34(4) of the New York Municipal Home Rule Law.

___ Underlining denotes addition of new language.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE
COUNTY OF SUFFOLK

2058

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: November 8, 2010

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. -2010; A CHARTER LAW ESTABLISHING AN OFFICE OF CONSUMER AFFAIRS

SPONSOR: LEGISLATOR MONTANO

DATE OF RECEIPT BY COUNSEL: 11/8/10 PUBLIC HEARING: 12/7/10

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

This proposed charter law would establish an Office of Consumer Affairs, under the auspices of the County Executive, to be headed by a Director.

The powers and duties presently vested in the current Department of Consumer Affairs would be exercised by the new office. Current employees of the Department of Consumer Affairs would be transferred to positions within the newly created Office of Consumer Affairs.

The new Office would have four divisions: the Bureau of Administration, the Bureau of Consumer Complaints, the Bureau of Licensing and the Bureau of Weights and Measures. The Bureau of Weights and Measures shall be led by a Director of Weights and Measures. The Director of the Office may also serve as the Director of Weights and Measures, but shall not be provided additional compensation for holding both titles.

The proposed law would be effective immediately upon its filing with the office of the Secretary of State.

A handwritten signature in black ink, appearing to read "George Nolan", written over a horizontal line.

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-office consumer affairs

Introductory Resolution No. 2059-10

Laid on Table 11/16/10

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
MAJELLA ENTERPRISES, INC.
(SCTM NO. 0100-099.00-01.00-047.003)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100 Section 099.00 Block 01.00 Lot 047.003 and acquired by Tax Deed on May 4, 1995 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on May 12, 1995 in Liber 11725 at CP 242 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Babylon, under Suffolk County Tax Map No. 0100-099.00-01.00-047.003; 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, Majella Enterprises, Inc., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$9,500.00. 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 \$9,500.00, 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 \$9,500.00, pursuant to said purchase offer; and

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

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

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

3rd RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Majella Enterprises, Inc., 400 Farmingdale Road, Farmingdale, New York 11735.

DATED:

APPROVED BY

County Executive of Suffolk County

Date of Approval:

2059

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

SUMMARY STATEMENT

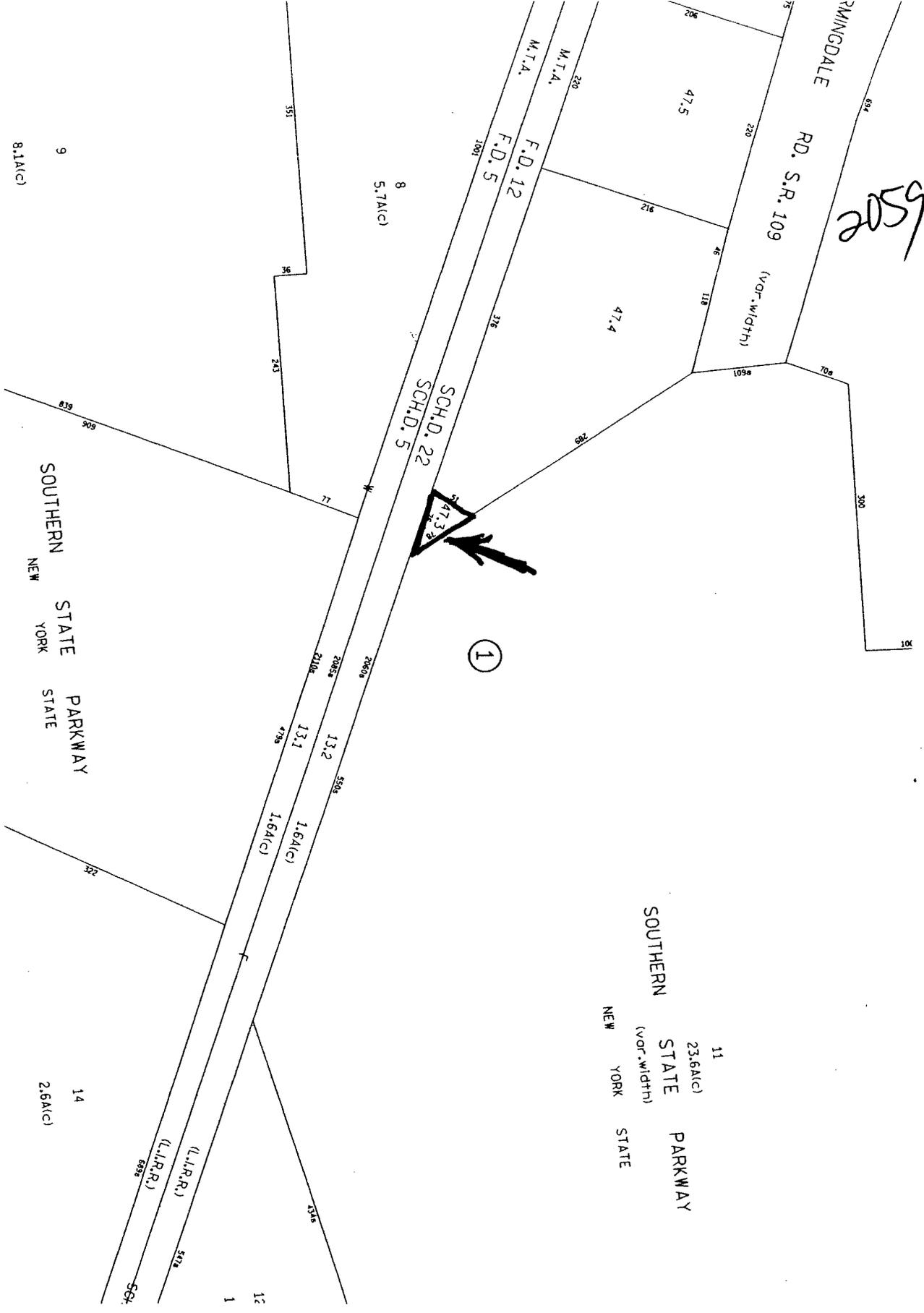
DIRECT SALE:

Suffolk County Local Law No. 13-1976
Tax Map No. 0100-099.00-01.00-047.003

ADJOINING OWNER	BID	BID	BID
Majella Enterprises, Inc. 400 Farmingdale Road Farmingdale, New York 11735 0100-099.00-01.00-047.004	\$9,500.00		
MTA LIRR 1700 Broadway New York, New York 10019 0100-099.00-01.00-013.002	\$0		
New York State Division of Real Property Empire State Plaza Albany, New York 12238 0100-099.00-01.00-011.000	\$0		

SIZE OF PARCEL: 78' x 76' x 51'
APPRAISED VALUE: \$ 9,500.00
COMMENT: Direct Sale to Adjacent Owner

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

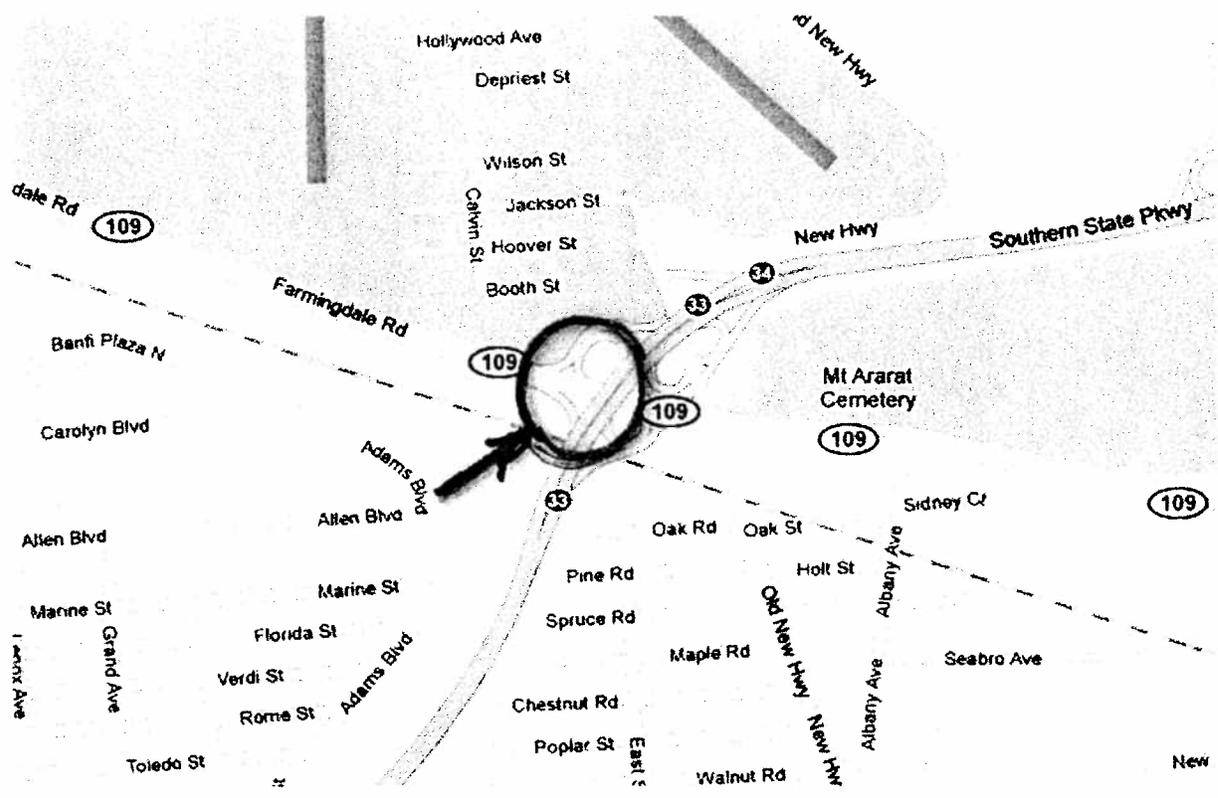


TM # 0100-099.00-0100-047.003

2059



2059



TM# 0100-059.00-01.00-047.003

2059

**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

R.J. Bhatt - LMS IV



10/21/10

Gen C1

COUNTY OF SUFFOLK



2059

OCT 26 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

October 21, 2010

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

Re: Tax Map Number: 0100-099.00-01.00-047.003

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. 2060-10

Laid on Table 11/16/10

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
SHAHROKH ZEBARDJADI
(SCTM NO. 0200-978.10-01.00-071.000)**

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 978.10 Block 01.00 Lot 071.000 and acquired by Tax Deed on August 15, 2007 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007 in Liber 12520 at CP 125 and described as follows, known and designated as Lot 13 in Block 607 on a certain map entitled "Map of New York and Brooklyn Suburban Investment Co., Section 8", and filed in the Office of the Clerk of the County of Suffolk on July 30, 1890 as Map No 173,

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, Shahrokh Zebardjadi, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$ 1,100.00. 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 \$1,000.00, 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 \$1,100.00, pursuant to said purchase offer; and

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

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

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

3rd RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Shahrokh Zebardjadi, P.O. Box 162, 308 Station Road, Bellport, New York 11713.

DATED:

APPROVED BY

County Executive of Suffolk County

Date of Approval:

2060

**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

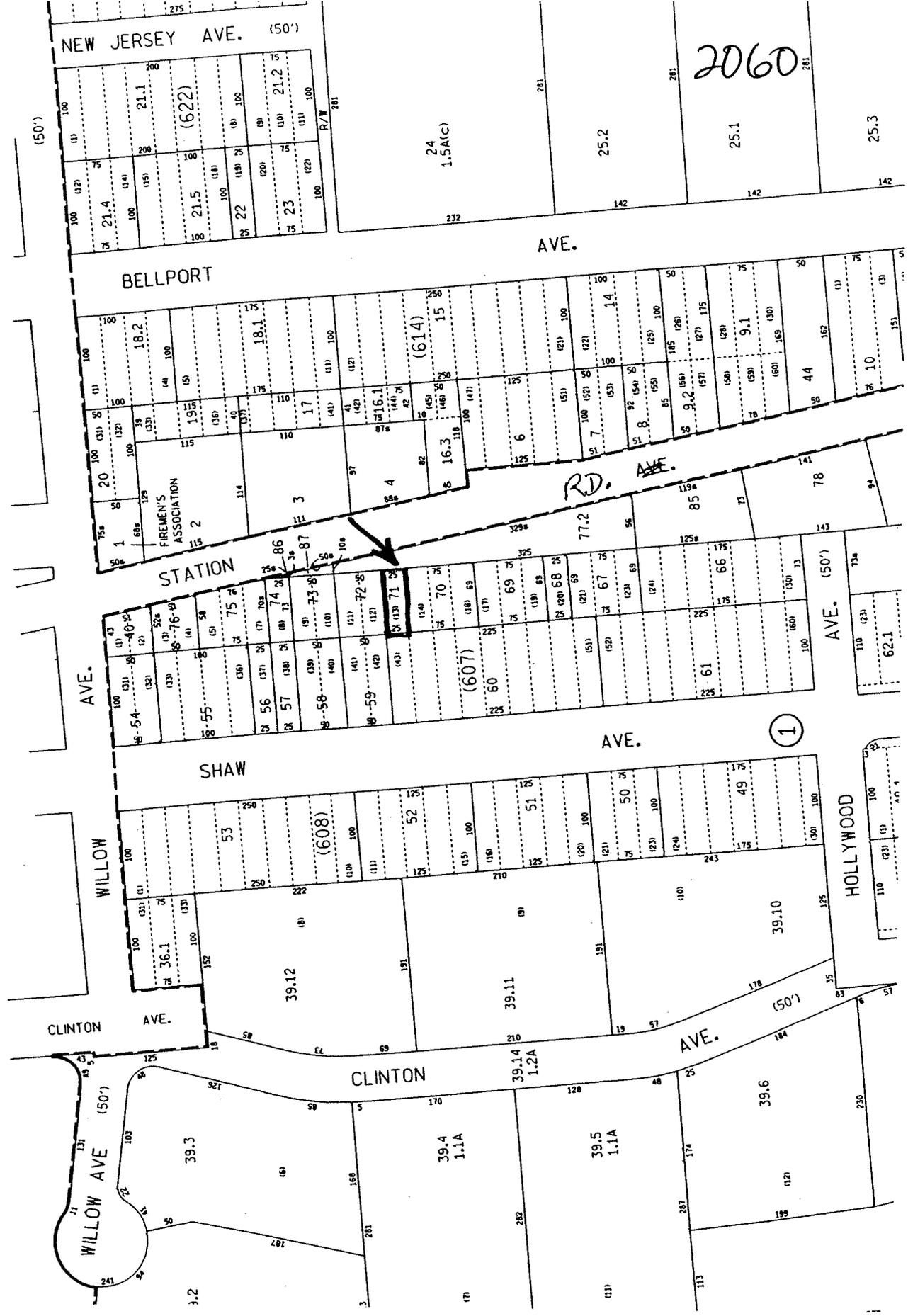
DIRECT SALE:

Suffolk County Local Law No. 13-1976
Tax Map No. 0200-978.10-01.00-071.000

ADJOINING OWNER	BID	BID	BID
Shahrokh Zebardjadi, P.O. Box 162 308 Station Road Bellport, New York 11713 0200-978.10-01.00-077.002 F/K/A 077.001	\$1,100.00		
Daniel McKasty 47 Shaw Avenue Bellport, New York 11713 0200-978.10-01.00-060.000	\$0		
Blanche Davis 1907 Panama Street Philadelphia, PA 19103 0200-978.10-01.00-070.000 & 072.000	\$0		

SIZE OF PARCEL: 25' x 69'
APPRAISED VALUE: \$1,000.00
COMMENT: Direct Sale to Adjacent Owner

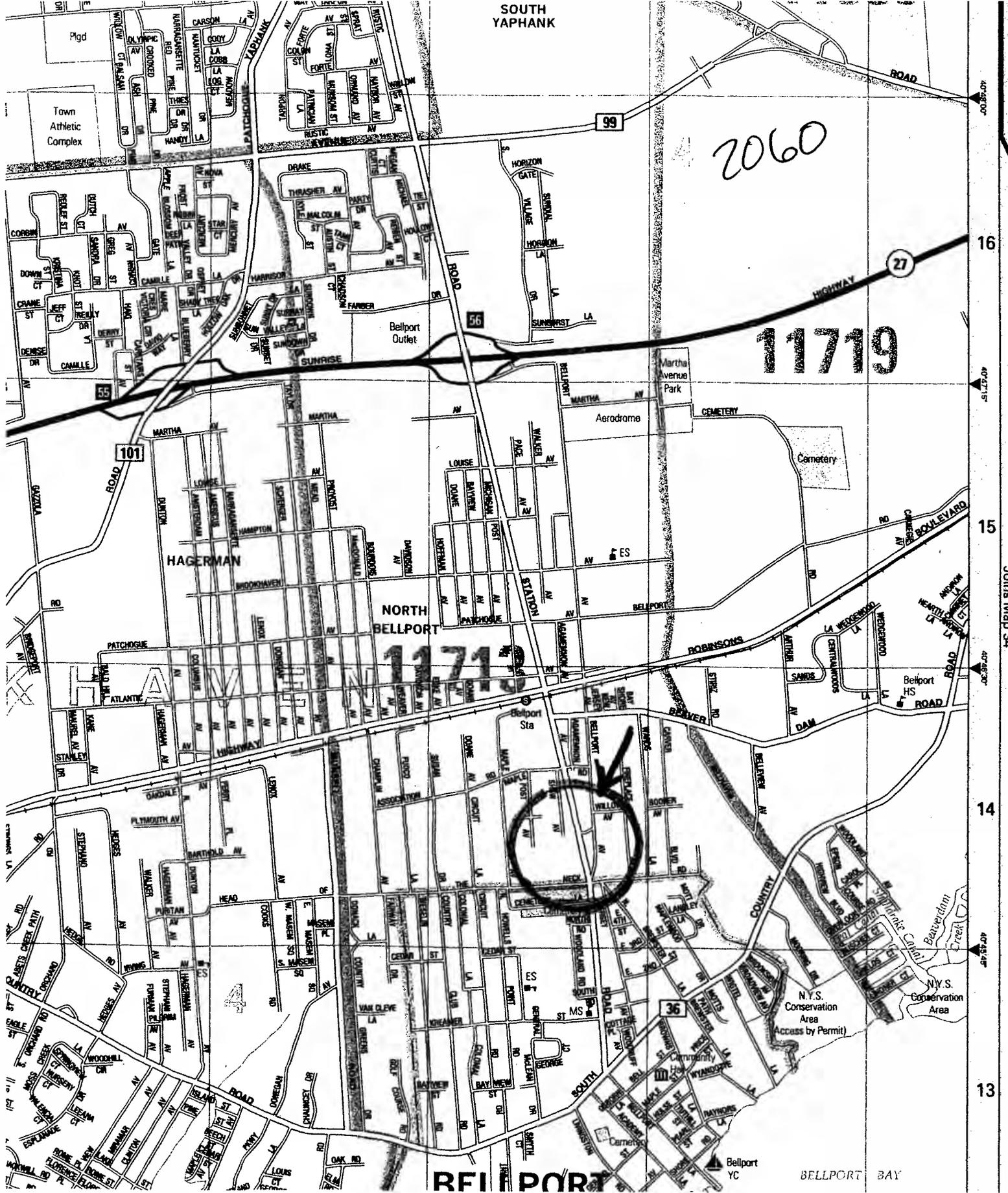
Wayne R. Thompson
Property Manager
(631) 853-5971



TM# 0200-978.10-01.00-071.000

2060





TM# 0200-97810-0100-071000

2060

**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

R.J. Bhatt - LMS IV [Signature] 10/19/10

Gen C's

COUNTY OF SUFFOLK



2060

OCT 26 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

October 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: 0200-978.10-01.00-071.000

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

1R2061-10

LOT 11/16/10

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 BROOKHAVEN)
(0200-344.00-03.00-018.000)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 344.00 Block 03.00 Lot 018.000 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 Page 90 and described as follows, known and designated as Lots 13 and 14 in Block 2 on a certain map entitled "Map of Flower City Park, First Addition, Section 1", and filed in the Office of the Clerk of the County of Suffolk on July 6, 1929 as Map No. 578; and

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

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

WHEREAS, as provided in Resolution No. 840-2004 and Resolution No. 412-2005, this Legislature has determined that retention of development rights for transfer and use to promote the development of workforce housing is a vital need of Suffolk County residents and an important public purpose of County government; and

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

1st RESOLVED, that Pamela J. Greene, the 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 above described property and on the terms and conditions as hereinafter described to said Town of Brookhaven for the sum of \$1,926.75; plus the pro rata share of taxes, and be it further

2nd RESOLVED, that the County of Suffolk hereby transfer the above described property subject to it being sterilized for Open Space Purposes to protect the aquifer and water supply, which property shall be kept in its natural state in perpetuity, except for property maintenance activities as may be appropriate, to effectuate the declaration of covenants and restrictions, entered into by the Town of Brookhaven, without impairing the essential nature and open character of the premises and subject to the use of the open space area for passive recreational purposes; and be it further

3rd RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is to be permanently sterilized by a deed restriction and must remain as Open Space and Workforce Housing Development Rights shall be severed herewith (0.10) (one tenth) Workforce Housing Development Right 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

4th RESOLVED, that said quitclaim deed tendered by Pamela J. Greene, the Director of the Division of Real Property Acquisition and Management, pursuant to this resolution, shall contain appropriate language that shall permanently sterilize the above-described parcel and sever the development rights for workforce housing purposes in accordance with the County's Workforce Housing Program; and be it further

5th RESOLVED, that the Town of Brookhaven will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for Open Space purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Brookhaven, at any time, uses or attempts to use said subject parcel for other than Open Space 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 Open Space purposes; and be it further

6th RESOLVED, that said quitclaim deed issued by Pamela J. Greene, the 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

7th 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. Sections 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. 2010-158
MEETING OF February 9, 2010

ADOPTED
BY THE BROOKHAVEN TOWN BOARD

AUTHORIZATION TO ACQUIRE VACANT PARCELS OF SUFFOLK COUNTY OWNED LAND FOR OPEN SPACE PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW – OXFORD AVENUE, MIDDLE ISLAND (SCTM NO. 0200-344.00-03.00-018.000); PARKWAY BOULEVARD, MIDDLE ISLAND (SCTM NO. 0200-344.00-03.00-003.000); JOHANNA STREET, PORT JEFFERSON STATION (SCTM NO. 0200-229.00-02.00-013.000); AND DAVIDSON AVENUE, BELLPORT (SCTM NO. 0200-959.00-03.00-019.000)

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

WHEREAS, there is a vacant parcel of Suffolk County owned land located on Oxford Avenue, Middle Island, further identified as SCTM No. 0200-344.00-03.00-018.000 as shown on the attached map; and

WHEREAS, the Town of Brookhaven is interested in acquiring said parcel of real property for open space purposes for a total consideration not to exceed \$1,926.75 plus pro-rata taxes at the time of closing; and

WHEREAS, there is a vacant parcel of Suffolk County owned land located on Parkway Boulevard, Middle Island, further identified as SCTM No. 0200-344.00-03.00-003.000 as shown on the attached map; and

WHEREAS, the Town of Brookhaven is interested in acquiring said parcel of real property for open space purposes for a total consideration not to exceed \$1,926.75 plus pro-rata taxes at the time of closing; and

2061

WHEREAS, there is a vacant parcel of Suffolk County owned land located on Johanna Street, Port Jefferson Station, further identified as SCTM No. 0200-229.00-02.00-013.000 as shown on the attached map; and

WHEREAS, the Town of Brookhaven is interested in acquiring said parcel of real property for open space purposes for a total consideration not to exceed \$1,736.71 plus pro-rata taxes at the time of closing; and

WHEREAS, there is a vacant parcel of Suffolk County owned land located on Davidson Avenue, Bellport, further identified as SCTM No. 0200-959.00-03.00-019.000 as shown on the attached map; and

WHEREAS, the Town of Brookhaven is interested in acquiring said parcel of real property for open space purposes for a total consideration not to exceed \$3,536.63 plus pro-rata taxes at the time of closing; and

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

WHEREAS, the Town Board of the Town of Brookhaven is aware that the restrictive covenants described above will run with the land and shall bind the heirs, successors, and assigns of the Town of Brookhaven and in the event of any violation of the restrictive covenants stated above, the Deed conveying said parcels shall be void ab initio and title to the realty shall revert to the County of Suffolk; and

2061

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel further identified as SCTM No. 0200-344.00-03.00-018.000 and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed \$1,926.75 plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above; and be it further

RESOLVED, that the Town Board of the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel further identified as SCTM No. 0200-344.00-03.00-003.000 and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed \$1,926.75 plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above; and be it further

RESOLVED, that the Town Board of the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel further identified as SCTM No. 0200-229.00-02.00-013.000 and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed \$1,736.71 plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above; and be it further

RESOLVED, that the Town Board of the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel further identified as SCTM No. 0200-959.00-03.00-019.000 and requests that the Suffolk County Legislature approve the

2061

conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed \$3,536.63 plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above.

206d

**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.: 0200-344.00-03.00-018.000

Section 72-h, Gen'l Municipal Law

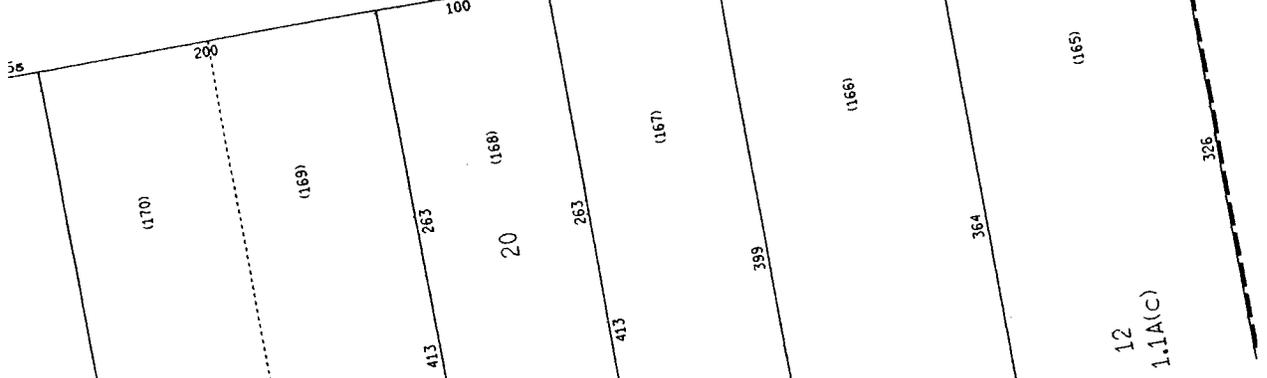
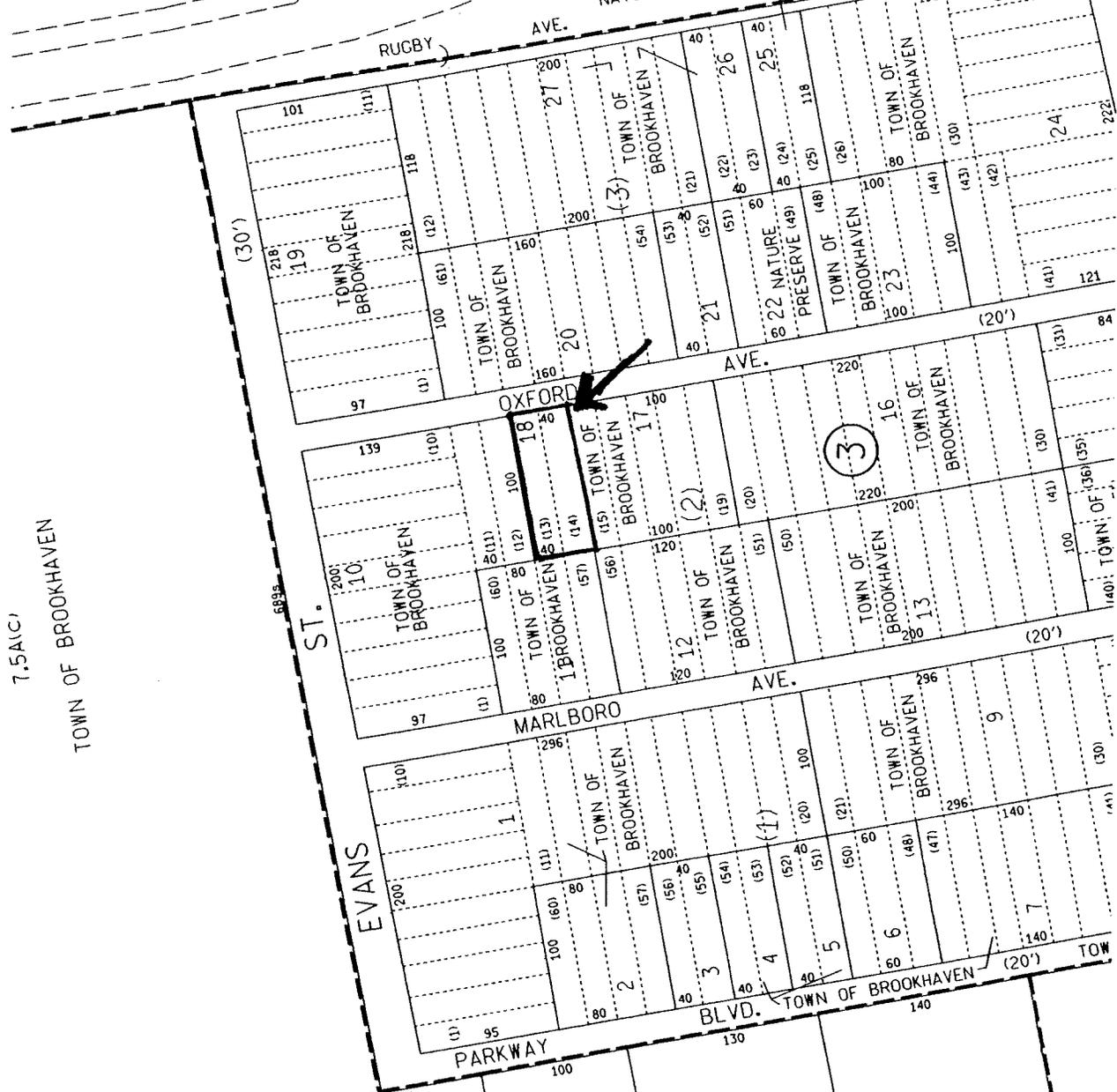
	<u>Amount</u>
County Investment	\$ 1,926.75

Purpose:

- | | |
|----------------------------|-------------|
| A. Affordable Housing | _____ |
| B. Open Space/Park | _____X_____ |
| C. Road/Highway | _____ |
| D. Drainage/Recharge Basin | _____ |
| E. Other | _____ |

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

WRT:slb



7.5A(C)
TOWN OF BROOKHAVEN

Tm # 0200-34400-0300-018000

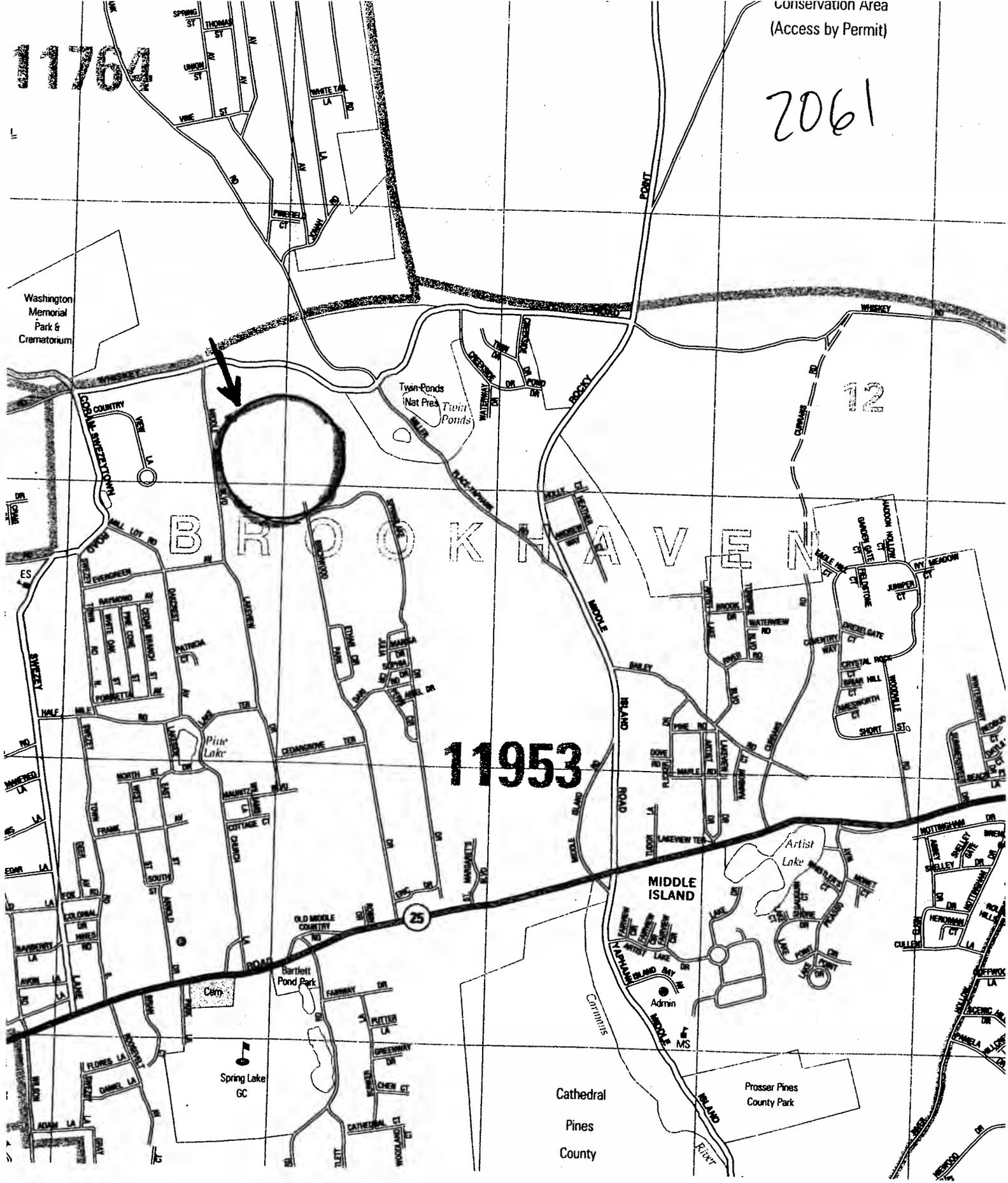
2061



11764

Conservation Area
(Access by Permit)

2061



11953

12

T.M.# 0200-3AA-00-03-00-018-000

Gen 23

**COUNTY OF SUFFOLK
OFFICE OF THE COUNTY EXECUTIVE**



OCT 26 2010

2061

**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**

October 18, 2010

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

Re: Tax Map No.: 0200-344.00-03.00-018.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the Town Brookhaven of for General Municipal 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 municipal purposes.

I would appreciate your placing this on the legislative agenda.

Yours truly,
Pamela J. Greene

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

PJG:WRT:slb

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

Copy w/ Resolution to:

Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
Connie R. Corso, Deputy County Executive for Finance and Administration
Thomas A. Isles, Director of Planning
CE Reso Review via e-mail

LOT 2062-10

LOT 11/16/10

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 BROOKHAVEN)
(0200-229.00-02.00-013.000)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 229.00 Block 02.00 Lot 013.000 and acquired by Tax Deed on February 21, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on March 7, 2003 in Liber 12239 at Page 108 and described as follows, known and designated as Lots 205 to 207 inclusive on a certain map entitled "Map of Clairmont Park, Section 2B", and filed in the Office of the Clerk of the County of Suffolk on September 3, 1910 as Map No. 421; and

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

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

WHEREAS, as provided in Resolution No. 840-2004 and Resolution No. 412-2005, this Legislature has determined that retention of development rights for transfer and use to promote the development of workforce housing is a vital need of Suffolk County residents and an important public purpose of County government; and

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

1st RESOLVED, that Pamela J. Greene, the 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 above described property and on the terms and conditions as hereinafter described to said Town of Brookhaven for the sum of \$1,736.71; plus the pro rata share of taxes, and be it further

2nd RESOLVED, that the County of Suffolk hereby transfer the above described property subject to it being sterilized for Open Space Purposes to protect the aquifer and water supply, which property shall be kept in its natural state in perpetuity, except for property maintenance activities as may be appropriate, to effectuate the declaration of covenants and restrictions, entered into by the Town of Brookhaven, without impairing the essential nature and open character of the premises and subject to the use of the open space area for passive recreational purposes; and be it further

3rd RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is to be permanently sterilized by a deed restriction and must remain as Open Space and Workforce Housing Development Rights shall be severed herewith 0.1 (One Tenth) Workforce Housing Development Right 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

4th RESOLVED, that said quitclaim deed tendered by Pamela J. Greene, the Director of the Division of Real Property Acquisition and Management, pursuant to this resolution, shall contain appropriate language that shall permanently sterilize the above-described parcel and sever the development rights for workforce housing purposes in accordance with the County's Workforce Housing Program; and be it further

5th RESOLVED, that the Town of Brookhaven will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for Open Space purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Brookhaven, at any time, uses or attempts to use said subject parcel for other than Open Space 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 Open Space purposes; and be it further

6th RESOLVED, that said quitclaim deed issued by Pamela J. Greene, the 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

7th 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. Sections 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. 2010-158
MEETING OF February 9, 2010

ADOPTED
BY THE BROOKHAVEN TOWN BOARD

AUTHORIZATION TO ACQUIRE VACANT PARCELS OF SUFFOLK COUNTY OWNED LAND FOR OPEN SPACE PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW – OXFORD AVENUE, MIDDLE ISLAND (SCTM NO. 0200-344.00-03.00-018.000); PARKWAY BOULEVARD, MIDDLE ISLAND (SCTM NO. 0200-344.00-03.00-003.000); JOHANNA STREET, PORT JEFFERSON STATION (SCTM NO. 0200-229.00-02.00-013.000); AND DAVIDSON AVENUE, BELLPORT (SCTM NO. 0200-959.00-03.00-019.000)

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

WHEREAS, there is a vacant parcel of Suffolk County owned land located on Oxford Avenue, Middle Island, further identified as SCTM No. 0200-344.00-03.00-018.000 as shown on the attached map; and

WHEREAS, the Town of Brookhaven is interested in acquiring said parcel of real property for open space purposes for a total consideration not to exceed \$1,926.75 plus pro-rata taxes at the time of closing; and

WHEREAS, there is a vacant parcel of Suffolk County owned land located on Parkway Boulevard, Middle Island, further identified as SCTM No. 0200-344.00-03.00-003.000 as shown on the attached map; and

WHEREAS, the Town of Brookhaven is interested in acquiring said parcel of real property for open space purposes for a total consideration not to exceed \$1,926.75 plus pro-rata taxes at the time of closing; and

2062

WHEREAS, there is a vacant parcel of Suffolk County owned land located on Johanna Street, Port Jefferson Station, further identified as SCTM No. 0200-229.00-02.00-013.000 as shown on the attached map; and

WHEREAS, the Town of Brookhaven is interested in acquiring said parcel of real property for open space purposes for a total consideration not to exceed \$1,736.71 plus pro-rata taxes at the time of closing; and

WHEREAS, there is a vacant parcel of Suffolk County owned land located on Davidson Avenue, Bellport, further identified as SCTM No. 0200-959.00-03.00-019.000 as shown on the attached map; and

WHEREAS, the Town of Brookhaven is interested in acquiring said parcel of real property for open space purposes for a total consideration not to exceed \$3,536.63 plus pro-rata taxes at the time of closing; and

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

WHEREAS, the Town Board of the Town of Brookhaven is aware that the restrictive covenants described above will run with the land and shall bind the heirs, successors, and assigns of the Town of Brookhaven and in the event of any violation of the restrictive covenants stated above, the Deed conveying said parcels shall be void ab initio and title to the realty shall revert to the County of Suffolk; and

2062

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel further identified as SCTM No. 0200-344.00-03.00-018.000 and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed \$1,926.75 plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above; and be it further

RESOLVED, that the Town Board of the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel further identified as SCTM No. 0200-344.00-03.00-003.000 and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed \$1,926.75 plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above; and be it further

RESOLVED, that the Town Board of the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel further identified as SCTM No. 0200-229.00-02.00-013.000 and requests that the Suffolk County Legislature approve the conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed \$1,736.71 plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above; and be it further

RESOLVED, that the Town Board of the Town of Brookhaven hereby authorizes, consents and approves the acquisition of the parcel further identified as SCTM No. 0200-959.00-03.00-019.000 and requests that the Suffolk County Legislature approve the

2062

conveyance of same pursuant to General Municipal Law Section 72-H for a consideration not to exceed \$3,536.63 plus pro-rata taxes at the time of closing subject to the restrictive covenants and reverter provisions as stated above.

2062

**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

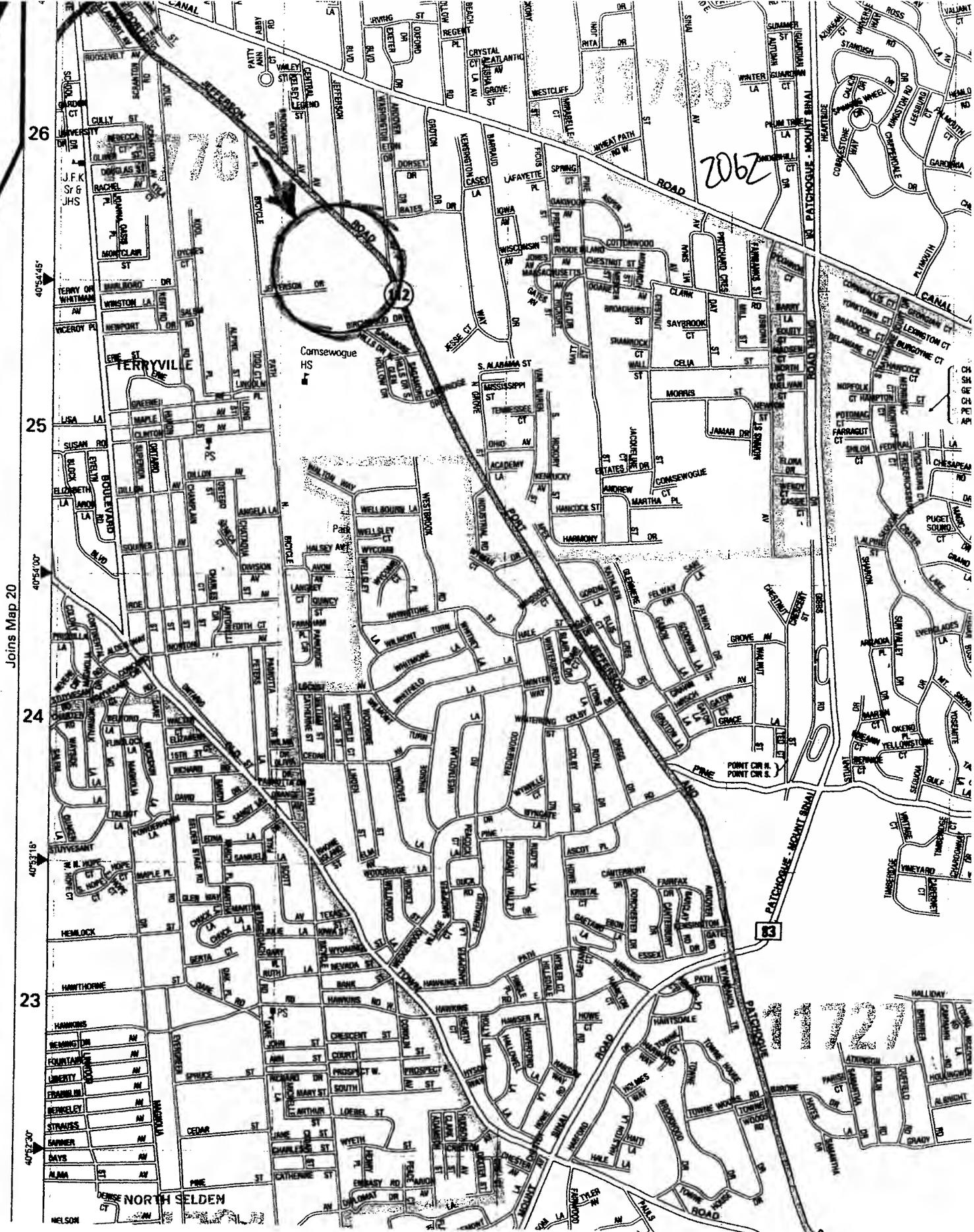
Tax Map No.: 0200-229.00-02.00-013.000

Section 72-h, Gen'l Municipal Law

	<u>Amount</u>
County Investment	\$ 1,736.71
Purpose:	
A. Affordable Housing	_____
B. Open Space/Park	<u> X </u>
C. Road/Highway	_____
D. Drainage/Recharge Basin	_____
E. Other	_____.

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

WRT:sib



TM# 0200-229.00-02.00-013.000

2062

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law No. _____ 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 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

10/19/10

Gen 24

**COUNTY OF SUFFOLK
OFFICE OF THE COUNTY EXECUTIVE**

OCT 26 2010



2062

**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**

October 19, 2010

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

Re: Tax Map No.: 0200-229.00-02.00-013.000
Section 72-h, G.M.L. Authorizing the Sale of County Owned Real Estate to the Town of Brookhaven for General Municipal 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 municipal purposes.

I would appreciate your placing this on the legislative agenda.

Yours truly,
Pamela J. Greene

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

PJG:WRT:slb

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

- Copy w/ Resolution to:
- Brendan Chamberlain, Director, Intergovernmental Relations (2 hard copies)
 - Connie R. Corso, Deputy County Executive for Finance and Administration
 - Thomas A. Isles, Director of Planning
 - CE Reso Review via e-mail

2062

**DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
SPONSOR'S MEMO FOR COUNTY LEGISLATION**

Resolution Title:

Tax Map No.: 0200-229.00-02.00-013.000

Purpose/Justification of Request:

Section 72-h Gen'l Municipal Law

Specify Where Applicable:

1. Is request due to change in law? Yes___ No X.
If yes, please explain:
2. Has this resolution been submitted previously? Yes___ No X.
If yes, give I.R. #, attach copy and reason for resubmittal:
3. Is backup attached? Yes X No___.
4. Is this resolution subject to SEQRA review? Yes___ No X.

Fiscal Information:

Anticipated Revenue: \$1,736.71
County Investment: \$1,736.71

Contact Person:	Telephone Number:
Wayne R. Thompson	(631) 853-5971

2063

Intro. Res. No. - 2010

Laid on the Table

11/16/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2010, AMENDING THE 2010 ADOPTED OPERATING BUDGET TO TRANSFER FUNDS FROM ALTERNATIVES COUNSELING CENTER, INC. ALTERNATIVES FOR YOUTH PROGRAM TO THE PROJECT OUTREACH ALTERNATIVES FOR YOUTH PROGRAM

WHEREAS, the Suffolk County Department of Health Services, Division of Community Mental Hygiene Services contracts with community based providers for the provision of clinical services for the Alternatives for Youth Program (AFY) of Suffolk County; and

WHEREAS, Project Outreach has been providing AFY services in the Bellport area and effective September 27, 2010 in the Brentwood area; and

WHEREAS, Alternatives Counseling Center, Inc. will not be providing AFY services in 2010 and has agreed to transfer their funding to Project Outreach; and

WHEREAS, the 2010 Suffolk County Operating Budget includes funding in the amount of \$16,375 for Alternatives Counseling Center, Inc. AFY program that must be transferred to Project Outreach's AFY program; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to transfer funds as follows:

ORGANIZATIONS

Department of Health Services (HSV)
Division of Community Mental Hygiene Services
001-HSV-4317-4980

From:

XORG	OBJECT NAME	2010 Adopted Budget	Increase/ Decrease	2010 Modified Budget
JAD1	Alternatives Counseling Center, Inc.	\$16,375	-\$16,375	\$0

To:

JAC1	Project Outreach	\$16,375	+\$16,375	\$32,750
------	------------------	----------	-----------	----------

and be it further

2nd RESOLVED, that the contract with Project Outreach be amended to reflect these additional funds; and be it further

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

4th RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2063

DEPARTMENT OF HEALTH SERVICES

JAMES L. TOMARKEN, MD
MSW, MPH, MBA, FRCPC, FACP
Commissioner

October 18, 2010

Ken Crannell, Deputy County Executive
County Executive's Office, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

I request the introduction of the enclosed Resolution to transfer funds from Alternatives Counseling Center, Inc. Alternatives for Youth Program to the Project Outreach Alternatives for Youth Program (AFY). Alternatives Counseling Center, Inc. will not be providing AFY services in 2010 and has agreed to transfer their funding to Project Outreach. Project Outreach has been providing AFY clinical services to Suffolk County youths and their families at their Bellport site. And effective September 27, 2010, they will provide AFY services at their Brentwood site.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Anthony Rotundo 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 AFY Outreach.doc".

Sincerely,

James L. Tomarken, MD
MSW, MPH, MBA, FRCPC, FACP
Commissioner

Enclosures

JLT/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
Anthony Rotundo, Coordinator of Community Based Drug Programs
Sheila Reagan, Senior Program Examiner
Frank McCluskey, Principal Financial Analyst
Diane E. Weyer, Principal Financial Analyst



OFFICE OF THE COMMISSIONER
225 Rabro Drive East, Hauppauge, NY 11788 (631) 853-3000 Fax (631) 853-2927

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2063

DEPARTMENT OF HEALTH SERVICES

JAMES L. TOMARKEN, MD
MSW, MPH, MBA, FRCPC, FACP
Commissioner

MEMORANDUM

To: James L. Tomarken, MD, MSW, MPH, MBA, FRCPC, FACP
Commissioner, Department of Health Services

From: Art Flescher, L.C.S.W., C.A.S.A.C. *AF*
Acting Director, Division of Community Mental Hygiene Services

Date: October 6, 2010

Subject: REQUEST FOR LEGISLATIVE RESOLUTION

The Division of Community Mental Hygiene requests a legislative resolution to transfer funding from Alternatives Counseling Center, Inc. Alternatives for Youth (AFY) Program to Project Outreach Alternatives for Youth (AFY) Program. Project Outreach has been providing AFY clinic services to Suffolk County youths and their families at their Bellport site and effective September 27, 2010 will provide AFY services at its Brentwood site. Alternatives Counseling Center, Inc. has not provided nor will provide AFY services in 2010 and agrees to relinquish its 2010 AFY funding for the provision of these services to Suffolk County youth and their families.

We have attached the fiscal impact statement, as well as the draft copy of the resolution to amend the 2010 Adopted Operating Budget to transfer \$16,375 in funding from Alternatives Counseling Center, Inc. to Project Outreach for the provision of AFY services. In addition, we are providing a copy of Project Outreach's letter dated September 27, 2010 advising of the availability of additional AFY services at its Brentwood location.

Thank you.

AF:pm
Attachments

Cc: D.Weyer, L.Wright, S.Reagan, A. Rotundo, G. Terry, P. Manos



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



2063
RECEIVED
SEP 30 2010
COMMUNITY MENTAL
HYGIENE DIVISION

September 27, 2010

Mr. Rick Wolf
Alternatives for Youth
3555 Veterans Highway, Suite R
Ronkonkoma, NY 11779

Re: AFY Family Therapy at Outreach

Dear Rick:

As you know, Outreach adolescent program in Bellport has offered family therapy for clients referred through AFY for over two years. We are pleased to inform you that clients you refer can now be seen for stand alone AFY family therapy or combined AFY family therapy with substance abuse services in our Brentwood location.

Both the adolescent program coordinator, Janet Palmer, LCSW and the Brentwood primary counselor, Victoria Guercio, MFT, have been approved to provide AFY family therapy in Brentwood. Jamie Ross, LMFT, will continue to provide comprehensive family therapy for AFY clients referred to our Bellport location.

If you have any questions or need further information, please do not hesitate to call me at (631) 286-0700.

Sincerely,

Mary Brite, CASAC
Outreach Bellport
Asst. Director

cc: Art Flescher

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

2063

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
Title of Proposed Legislation Amending the 2010 Adopted Operating Budget to transfer funds from Alternatives Counseling Center, Inc. Alternatives for Youth Program to the Project Outreach Alternatives for Youth Program.		
3. Purpose of Proposed Legislation This legislation is needed to transfer funds from Alternatives Counseling Center Inc. to Project Outreach for their Alternatives for Youth Program (AFY). Alternatives Counseling Center, Inc. will not be providing AFY services in 2010 and has agreed to transfer their funding to Project Outreach. Project Outreach has been providing AFY clinical services to Suffolk County youths and their families at their Bellport site. And effective September 27, 2010, they will provide AFY services at their Brentwood site.		
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: 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% additional State aid from New York State Office of Alcoholism and Substance Abuse Services		
9. Timing of Impact 2010		
10. Typed Name & Title of Preparer Diane E. Weyer Principal Financial Analyst BETH A. REYNOLDS PRINCIPAL EXECUTIVE ANALYST	11. Signature of Preparer 	Date 10/22/10

**FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2063

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 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.

2064

Intro. Res. No. - 2010

Laid on the Table

11/16/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2010, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE, NATIONAL INSTITUTE OF JUSTICE, TO THE DEPARTMENT OF HEALTH SERVICES FOR A FORENSIC DNA BACKLOG REDUCTION PROGRAM, FY 2010

WHEREAS, the United States Department of Justice, National Institute of Justice has awarded 100% Federal grant funds to the Department of Health Services for a Forensic DNA Backlog Reduction Program, FY 10 in the amount of \$246,252 for the period 10/01/10 - 03/31/12; and

WHEREAS, this grant provides funding for the analysis of DNA from a backlog of unsolved criminal cases; and

WHEREAS, these 100% Federal funds were not included in the 2010 Suffolk County Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$246,252 in grant funds as follows:

REVENUES

001-4320 General Aid: Crime Control \$ 246,252

APPROPRIATIONS

Department of Health Services (HSV)
Division of Medical, Legal Investigations and Forensic Sciences
Forensic DNA Backlog Reduction Program, FY 10
001-HSV-4734

Equipment \$80,000
2080 Medical, Dental, Lab Equipment \$80,000

Supplies, Materials & Other \$36,000
3160 Computer Software \$36,000

Fees for Services \$130,252
4560 Fees for Services, Non-employees \$130,252

and be it further

2nd RESOLVED, that any unexpended appropriations will be re-appropriated to the subsequent fiscal year, until grant termination; and be it further

3rd **RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2064

DEPARTMENT OF HEALTH SERVICES

JAMES L. TOMARKEN, MD
MSW, MPH, MBA, FRCPC, FACP
Commissioner

MEMORANDUM

To: Liza Wright
From: Angela Kohl 
Date: October 14, 2010
Subject: Resolution Request

Forensic DNA Backlog Reduction Program FY 10- NIJ
Budget Period 10/01/10- 03/31/12
001-4734
Revenue Code 4320

Please write a resolution to accept and appropriate 100% Federal grant funds directly from the US Department of Justice, National Institute of Justice for the above-mentioned program. The award is \$246,252 and the full amount needs to be appropriated. The appropriations are as follows:

	<u>\$246,252</u>
EQUIPMENT:	<u>80,000</u>
2080 Medical, Dental, Lab Equipment	80,000
SUPPLIES, MATERIALS & OTHER:	<u>36000</u>
3160 Computer Software	36,000
FEES FOR SERVICES:	<u>130,252</u>
4560 Fees for services, Non-employees	130,252

Thank you for your help. Backup is attached.



FEDERAL & STATE AID CLAIMS UNIT
Riverhead County Center, Rm N218, 300 Center Drive, Riverhead, NY 11901
(631) 852-2810 Fax (631) 852-2818



Department of Justice
Office of Justice Programs

20664

Office of the Assistant Attorney General

Washington, D.C. 20531

September 13, 2010

Mr. Ed Dumas
Suffolk County
100 Veterans Memorial Highway
Hauppauge, NY 11788

Dear Mr. Dumas:

On behalf of Attorney General Eric Holder, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the Forensic DNA Backlog Reduction Program in the amount of \$246,252 for Suffolk County. This funding is for the project titled, "NJ's FY 2010 Forensic DNA Backlog Reduction Program."

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Mark Nelson, Program Manager at (202) 616-1960; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

Laurie Robinson
Assistant Attorney General

Enclosures

2064

 Department of Justice Office of Justice Programs National Institute of Justice		Cooperative Agreement		PAGE 1 OF 7																
1. RECIPIENT NAME AND ADDRESS (Including Zip Code) Suffolk County 100 Veterans Memorial Highway Hauppauge, NY 11788		4. AWARD NUMBER: 2010-DN-BX-K084																		
		5. PROJECT PERIOD: FROM 10/01/2010 TO 03/31/2012 BUDGET PERIOD: FROM 10/01/2010 TO 03/31/2012																		
		6. AWARD DATE 09/13/2010	7. ACTION Initial																	
1A. GRANTEE IRS/VENDOR NO. 116000468		8. SUPPLEMENT NUMBER 00																		
		9. PREVIOUS AWARD AMOUNT \$ 0																		
3. PROJECT TITLE NIJ FFY 2010 Forensic DNA Backlog Reduction - Suffolk County Crime Laboratory, New York		10. AMOUNT OF THIS AWARD \$ 246,252																		
		11. TOTAL AWARD \$ 246,252																		
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 FY10(NIJ - COPS DNA/Forensics) Pub. L. No. 111-117, 123 Stat. 3034, 3138; 28 USC 530C																				
15. METHOD OF PAYMENT GPRS																				
AGENCY APPROVAL		GRANTEE ACCEPTANCE																		
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Lauric Robinson Assistant Attorney General		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Ed Dumas Chief Deputy County Executive																		
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL		19A. DATE																
AGENCY USE ONLY																				
20. ACCOUNTING CLASSIFICATION CODES <table border="1"> <thead> <tr> <th>FISCAL YEAR</th> <th>FUND CODE</th> <th>BUD. ACT.</th> <th>DIV. OFC.</th> <th>DIV. REG.</th> <th>SUB.</th> <th>POMS</th> <th>AMOUNT</th> </tr> </thead> <tbody> <tr> <td>X</td> <td>B</td> <td>DN</td> <td>60</td> <td>00</td> <td>00</td> <td></td> <td>246252</td> </tr> </tbody> </table>		FISCAL YEAR	FUND CODE	BUD. ACT.	DIV. OFC.	DIV. REG.	SUB.	POMS	AMOUNT	X	B	DN	60	00	00		246252	21. JDNSGT0358		
FISCAL YEAR	FUND CODE	BUD. ACT.	DIV. OFC.	DIV. REG.	SUB.	POMS	AMOUNT													
X	B	DN	60	00	00		246252													

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)

2064

G. Consultants/Contracts--

Contracts: Applied Biosystems can perform a complete validation of the AB 3500 instrument as well as the AB Identifier Plus kits that we will be using. The contract for validation of the AB 3500 will be obtained by free and open competition in awarding the contract. Applied Biosystems will also give on-site training for both the AB 3500 instrument as well as the AB Identifier Plus Kit. Total purchases to AB exceed \$100,000. AB is a Sole Source Vendor for their respective products, therefore, no funds will be obligated/expended to AB until a sole source GAN is submitted and approved for these purposes. Lab Support by On Assignment is a company that Suffolk County currently maintains a contract with for temporary contract employees. The contract employees are used to screen evidence from no-suspect property crime cases. Ultimately, DNA Analysis is performed on samples from these cases for submission into CODIS. The contract follows Suffolk County's contract/purchasing procedures, and is obtained by free and open competition in awarding contracts.

Item	Vendor	Service Provided	Cost
Validation of AB 3500 and Identifier Plus	Applied Biosystems (by award)	Validation of AB 3500 and Kits	\$60,000
GeneMapper ID-X Advanced Training	Applied Biosystems (sole source)	Training	\$18,000
Temporary Contract Employee(s)	Lab Support (by award)	Casework Screening	\$52,252
Subtotal			\$130,252

CONSULTANTS/ CONTRACTS TOTAL \$130,252

H. Other Costs-- The GeneMapper ID-X full install software is required to run the AB 3500 instrument as well as to analyze the data that it will produce. The GeneMapper ID-X client software will allow analysis of data from the AB 3500 on other computers that are networked to our LIMS System. Total purchases to AB exceed \$100,000. AB is a Sole Source Vendor for their respective products, therefore, no funds will be obligated/expended to AB until a sole source GAN is submitted and approved for these purposes.

Description	Computation		Cost
	Cost per unit	(define unit) # Units	
GeneMapper ID-X Full Install	\$15,000.00	1	\$15,000.00
GeneMapper ID-X Client	\$7,000.00	3	\$21,000.00
TOTAL			\$36,000.00

Budget Summary--When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

Budget Category	Amount
D. Equipment	\$80,000.00
G. Consultants/Contracts	\$130,252.00
H. Other	\$36,000.00
Total Direct Costs	\$246,252.00
TOTAL PROJECT COSTS	\$246,252.00
Federal Request	\$246,252.00
Non-Federal Amount	\$0.00

NOTE: If a Non-Federal amount is entered, make sure those items for which they will be used must be incorporated into your overall budget. Indicate clearly throughout you budget narrative and detail worksheet for which items these funds will be used.

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2062

DEPARTMENT OF HEALTH SERVICES

JAMES L. TOMARKEN, MD
MSW, MPH, MBA, FRCPC, FACP
Commissioner

October 22, 2010

Ken Crannell, Deputy County Executive
County Executive's Office, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

I request the introduction of the enclosed Resolution to accept and appropriate 100% Federal grant funds from the United States Department of Justice, National Institute of Justice, to the Department of Health Services for a Forensic DNA Backlog Reduction Program, FY 2010. This program provides funding for the analysis of DNA from a backlog of unsolved criminal cases.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Angela Kohl at 2-2812. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-DNA Backlog Reduce FY10.doc".

Sincerely,

James L. Tomarken, MD
MSW, MPH, MBA, FRCPC, FACP
Commissioner

Enclosures

JLT/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
Dr. Yvonne Milewski, Chief Medical Examiner
Evelyn Creen, Federal & State Aid Claims Examiner
Angela Kohl, Accountant
Diane E. Weyer, Principal Financial Analyst



2064

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE: 10/4/2010
Submitting Department / Agency: Department of Health Services	Location: 225 Rabro Drive East, Hauppauge, NY 11788	
Contact Person in Department / Agency Angela Kohl	Telephone Number 852-2812	Grant Application Due Date

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" X 11" sheet cross referenced to the item.

I. Background Information

1. Grant Title
Forensic DNA Backlog reduction Program, FY 10

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)
Federal funds from the U.S. Department of Justice

3. Grant / Contract Status (Check One Box)

A. New Program Application
 B. Renewal Application
 C. Supplemental (Specify)
 D. Extension of Funding Period
 E. Contract

4. General Purpose of Grant / Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)
This program provides funding for the analysis of DNA from a backlog of unsolved criminal cases.

5. County Departments / Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

NONE

II. BUDGET INFORMATION

1. Term of Contract From: 10/01/09 To: 03/31/11

2. Financial Assistance Requested

Source	First Funding Cycle		Second Funding Cycle		Third Funding Cycle	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$ 246,252	100.0%				
State						
Other						
County						
Total	\$ 246,252	100.0%				

2064

3. Explanation of Requested County Financial Assistance

<i>Category</i>	<i>Total Requested</i>	<i>Personnel Costs Requested</i>	<i>Non-Personnel Costs Requested</i>
TOTAL COUNTY SHARE	\$ -		
A. Cash Contribution			
B. In-Kind Contribution			

4. Total Number of New Positions Requested NONE	5. Can This program be Refunded by the Proposed Non-County Sources? Yes X No
--	---

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

NONE

7. What do you anticipate happening when the Federal, State and/or Private Financial Assistance is discontinued (That is, program termination, reduced services, financial implications, layoffs, etc.)?

This program will be discontinued.

8. Attach as list of potential subcontractors, if any, outlining the purpose of each subcontract (that is, 456 and 490 account items; use an additional 8 1/2" by 11" sheet).

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:		2. Signature of Coordinator	3. Date
	Approved		
	Disapproved		

4. Comments

5. Budget Office Review		6. Signature of Budget Director	7. Date
	Approved		
	Disapproved		

8. Comments

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

2064

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation Accepting and Appropriating 100% Federal grant funds from the United States Department of Justice, National Institute of Justice, to the Department of Health Services for a Forensic DNA Backlog Reduction Program, FY 2010.		
3. Purpose of Proposed Legislation This legislation is needed to accept and appropriate 100% Federal grant funds from the United States Department of Justice, National Institute of Justice to the Department of Health Services for the analysis of DNA from a backlog of unsolved criminal cases.		
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: 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% Federal grant funds from the United States Department of Justice, National Institute of Justice		
9. Timing of Impact 2010-2011		
10. Typed Name & Title of Preparer Diane E. Weyer Principal Financial Analyst <i>De</i> BETH A. REYNOLDS PRINCIPAL EXECUTIVE ANALYST	11. Signature of Preparer 	12. Date 10/22/10

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2064

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 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.

2065

Intro. Res. No. - 2010

Laid on the Table

11/16/10

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% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES FOR EASTERN SUFFOLK BOCES TO PURCHASE YOUTH DEVELOPMENT SURVEYS

WHEREAS, the approved New York State budget for Fiscal Year 2010 includes funding in Aid to Localities to support the provision of chemical dependence, prevention, gambling prevention and treatment programs; and

WHEREAS, Eastern Suffolk BOCES (BOCES II) receives funding for the provision of educational services for specialized chemical dependence related support; and

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) will provide a one-time allocation of \$45,000 in additional 100% State aid to BOCES II to purchase Youth Development Surveys; and

WHEREAS, this unallocated additional 100% State aid from NYS OASAS is not currently included in the 2010 Adopted Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$45,000 in additional State aid as follows:

REVENUES:

001-HSV 3486 State Aid: Narcotics Addiction Control \$45,000

ORGANIZATIONS

Department of Health Services (HSV)
Division of Community Mental Hygiene Services
001-HSV-4310-4980

<u>XORG</u>	<u>OBJECT NAME</u>	<u>2010 Modified Adopted Budget</u>	<u>Increase/ Decrease</u>	<u>2010 Modified Budget</u>
ABN1	BOCES II	\$1,232,706	+\$45,000	\$1,277,706

and be it further

2nd RESOLVED, that the contract with Eastern Suffolk BOCES be amended to reflect these additional funds; and be it further

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

4th RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2065

DEPARTMENT OF HEALTH SERVICES

JAMES L. TOMARKEN, MD
MSW, MPH, MBA, FRCPC, FACP
Commissioner

MEMORANDUM

To: James L. Tomarken, MD, MSW, MPH, MBA, FRCPC, FACP
Commissioner, Department of Health Services

From: Art Flescher, L.C.S.W., C.A.S.A.C. *AF*
Acting Director, Division of Community Mental Hygiene Services

Date: October 5, 2010

Subject: REQUEST FOR LEGISLATIVE RESOLUTION

The Division of Community Mental Hygiene requests a legislative resolution to accept and appropriate additional state aid from the New York State Office of Alcoholism and Substance Abuse Services (NYSOASAS) in the amount of \$45,000 to BOCES II. This one-time allocation of \$45,000 in additional 100% state aid to BOCES II is to perform prevention youth development surveys.

We have attached a copy of the New York State Office of Alcoholism and Substance Abuse Services (NYSOASAS) letter dated July 14, 2010 confirming the allocated one-time state aid to BOCES II. In addition, we have attached a draft copy of the fiscal impact statement, as well as the resolution to amend the 2010 Adopted Operating Budget to accept and appropriate this 100% additional state aid.

Thank you.

AF:pm
Attachments

Cc: D.Weyer, L.Wright, S.Reagan, A. Rotundo, G. Terry, P. Manos, E. DiMarzo



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

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

2065

1. Type of Legislation		
Resolution <u> X </u>	Local Law _____	Charter Law _____
Title of Proposed Legislation Amending the 2010 Adopted Operating Budget to accept and appropriate 100% additional State aid from the New York State Office of Alcoholism and Substance Abuse Services for Eastern Suffolk BOCES to purchase youth development surveys.		
3. Purpose of Proposed Legislation This legislation is needed to accept and appropriate one-time additional 100% State aid from New York State Office of Alcoholism and Substance Abuse Services for Eastern Suffolk BOCES (BOCES II) to purchase youth development surveys to be distributed throughout Suffolk County school districts.		
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: 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% additional State aid from New York State Office of Alcoholism and Substance Abuse Services		
9. Timing of Impact 2010		
10. Typed Name & Title of Preparer Diane E. Weyer Principal Financial Analyst Beth A. Reynolds Principal Executive Analyst	11. Signature of Preparer 	Date 10/22/10

**FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2065

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 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.

**RESOLUTION NO. -2010
ACCEPTING AND APPROPRIATING 100% STATE GRANT
FUNDS AWARDED THROUGH THE NEW YORK STATE
DIVISION OF CRIMINAL JUSTICE SERVICES FUNDING TO
THE SUFFOLK COUNTY DEPARTMENT OF PROBATION.**

WHEREAS, Suffolk County has received State funds in the amount of \$348,700.00 from the NYS Division of Criminal Justice Services; and

WHEREAS, Suffolk County ranks as one of the highest among all counties outside of New York City for the number of parolees which is further compounded by a 56% recidivism rate for parolees within two years of release; and

WHEREAS, the need to link parolees to community services as part of the reentry process is critical for reducing recidivism; and

WHEREAS, \$348,700.00 is dedicated to the Local Reentry Task Force Initiative that is not currently in the 2010 Operating Budget; and

WHEREAS, the Suffolk County Probation Department has requested \$348,700.00 of said grant funding to fund a Reentry Coordinator Position and fund community-based services for parolees referred to the Suffolk County Reentry Task Force to address the needs of parolees who are transitioning from prison into the community; and

WHEREAS, The Reentry Task Force Grant will run for 12 months beginning July 1, 2010 and ending June 30, 2011 with a 1-year renewable option; now therefore be it

1. **RESOLVED** that the County Executive is authorized to execute any Agreement with the NYS Division of Criminal Justice Services, as necessary, to secure said grant funds; and further

2. **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 \$348,700.00 as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
001-3321- Reentry Task Force Division of Criminal Justice Services, Bureau of Justice Funding	\$348,700.00

APPROPRIATIONS

AMOUNT

Suffolk County Criminal Justice Coordinating Council
Reentry Task Force
001-PRO- 3172

<u>1000 Personnel Services</u>	<u>\$ 59,717.00</u>
1100 Permanent Salaries	\$ 59,717.00
<u>8000 Employee Benefits</u>	<u>\$ 21,199.00</u>
8280 – State Retirement	\$ 5,020.00
8330 – FICA	\$ 4,098.00
8360 – Health Insurance	\$ 11,068.00
8380 – Benefit Fund Contribution	\$ 1,021.00
<u>2020 Office Machines</u>	<u>\$ 2,400.00</u>
2020 Office machines – computer/printer/fax	\$ 2,400.00
<u>3000 Supplies, Material and Other Expenses</u>	<u>\$ 3,684.00</u>
3010 Office Supplies	\$ 3,684.00
<u>4000 Contractual Expenses</u>	<u>\$ 261,700.00</u>
4340 Mandated Travel for Task Force Members to Statewide Training	\$ 5,000.00
4410 Rent Office and Buildings	\$ 2,000.00
4560 Fees for Service Non-employee	\$ 6,000.00
4980 Contracted Agencies for Reentry Services	\$ 248,700.00

3. RESOLVED, that the County Executive be and hereby is authorized to execute related agreements and be it further;

4. RESOLVED that the reporting categories for the County Integrated Financial Management System (IFMS) for the Probation Department is PR54,

DATED:

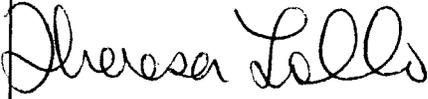
APPROVED BY:

County Executive of Suffolk County

Date of Approval:

2066

**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		
ACCEPTING AND APPROPRIATING 100% STATE GRANT FUNDS AWARDED THROUGH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FUNDING TO THE SUFFOLK COUNTY DEPARTMENT OF PROBATION		
3. Purpose of Proposed Legislation		
TO PROVIDE 100% FUNDING TO ADDRESS THE NEEDS OF PAROLEES WHO ARE TRANSITIONING FROM PRISON INTO THE COMMUNITY		
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 5 is "yes", Provide Detailed Explanation of Impact.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political of other Subdivision.		
NYS DIVISION OF CRIMINAL JUSTICE SERVICES 100% GRANT FUNDING IN THE AMOUNT OF \$348,700		
8. Proposed Source of Funding.		
NYS DIVISION OF CRIMINAL JUSTICE SERVICES		
9. Timing of Impact.		
12 MONTHS FROM JULY 1, 2010 TO JUNE 30, 2011		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Theresa Lollo Principal Financial Analyst		November 1, 2010

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2066

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.

754 Gen D

COUNTY OF SUFFOLK



OCT 06 2010

2066

CRIMINAL JUSTICE COORDINATING COUNCIL

STEVE LEVY
Suffolk County Executive

JOHN K. DESMOND
Chairperson

9/29/2010

Ken Crannell,
Deputy County Executive

Enclosed please find 2 copies of a resolution packet prepared by the Suffolk County CJCC to accept \$348,700 grant funding from the NYS Division of Criminal Justice Services effective July 1, 2010 through June 30, 2011. The grant is to continue the work of the Suffolk County Reentry Task Force providing services for offenders returning from prison to Suffolk County.

A draft of the award contract is attached. Please note that the services will continue to be provided by a variety of Suffolk County agencies on a fee for service basis. Services will be provided to offenders referred to the Suffolk County Reentry Task Force operated through the Criminal Justice Coordinating Council. Referrals to the agencies will be made by the Reentry Coordinator based upon offender needs and residences. The grant proposal, submitted to DCJS, identified 10 service provider agencies and a Reentry Coordinator.

Please feel free to contact me at 2-6825 if you have any questions. Thank you.

Robert C. Marmo, Ph.D.
Chief Planner
CJCC

Cc: Christopher Kent, Chief Deputy County Executive

YAPHANK AVENUE
PO BOX 205
YAPHANK, NEW YORK 11980
(631) 852 - 6824/6825

**Additional back-up material regarding IR 2066 is on file in the
Legislative Clerk's Office, Hauppauge.**

**RESOLUTION NO. -10, ACCEPTING AND APPROPRIATING FUNDS FOR
A 100% TANF FUNDED GRANT TO SERVE TANF RECIPIENTS WITH JOB
TRAINING SKILLS.**

WHEREAS, the Department of Health & Human services has awarded a grant in the amount of \$1,002,021 to the Suffolk County Department of Labor to fund a TANF funded Training Employment Program; and

WHEREAS, the allowable activities under this Grant include On-The-Job training, Vocational training and other employment related activities; and

WHEREAS, funds were not included in the Suffolk County Operating Budget; and

WHEREAS, funds were awarded in the amount of \$1,002,021; and

WHEREAS, these funds are 100% Federally funded; now, therefore, be it

1. **RESOLVED**, that the County Comptroller and the County Treasurer be and they are hereby authorized to accept and appropriate the additional funds as follows:

REVENUES:

320- LAB - 4790 Federal Aid \$1,002,021

ORGANIZATIONS:

Department of Labor (LAB)
SCHOOL Program
320-6345

1000 – PERSONAL SERVICES

1110 - Interim Salaries \$193,074

3000 - SUPPLIES, MATERIALS & OTHER EXPS

3010 Office Supplies \$ 670

4000 - CONTRACTUAL EXPENSES

4340 – Travel: Other \$ 5,605

4560 – Fees for Services : Non – Employ \$709,100

8000 - EMPLOYEE BENEFITS

8280 – State retirement \$43,724

8330 – Social Security \$24,327

8380 – Benefit fund Contribution \$14,770

EMPLOYEE BENEFITS - SELF INSURANCE

039-EMP-9000-9600 Transfer to Fund 039 – Self Insurance \$ 4,627

INTERFUND REVENUE

001-IFT-E039-9600 \$49,848

and be it further

2. **RESOLVED**, that this resolution does not authorize the lease of any additional vehicles; and be it further

3. **RESOLVED**, that the County Executive is duly authorized to designate the Department of Labor as the grant recipient and fiscal agent for the Department of Health & Human Services Funds; and be it further

4. **RESOLVED**, that the Reporting Category for the County Integrated Financial Management System (IFMS) is 6345.

DATED:

APPROVED BY:

County Executive of Suffolk County
Date of Approval:

2067

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk	Date October 19, 2010
--	--------------------------

Submitting Department/Agency Suffolk County Department of Labor	Location Bldg. 17, No. County Complex Veterans Memorial Highway Hauppauge, NY 11788
---	---

Contact Person in Dept/Agency James M. Andrews	Telephone Number 853-6610	Grant Application Due Date N/A
--	---	--

INSTRUCTIONS: Applicant will complete all items on this form. If an item is not applicable enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" x 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

Grant Title: ACCEPTING AND APPROPRIATING FUNDS FOR A 100% TANF FUNDED GRANT TO SERVE TANF RECIPIENTS WITH JOB TRAINING SKILLS.

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)

3. Grant/Contract Status (Check One)

a. New Program Application d. Extension of Funding Period

b. Renewal Application e. Contract

c. Supplemental (Specify)

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment)

TO ACCEPT AND APPROPRIATE FUNDS FOR A 100% TANF FUNDED GRANT TO SERVE TANF RECIPIENTS WITH JOB TRAINING SKILLS.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program).

SUFFOLK COUNTY DEPARTMENT OF LABOR

II. BUDGET INFORMATION

1. Term of Contract

FROM: 9/30/10 TO: 9/29/11

2. Financial Assistance Requested

SOURCE	FIRST FUNDING CYCLE		SECOND FUNDING CYCLE		THIRD FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$1,002,021	%	\$	%	\$	%
State	\$	%	\$	%	\$	%
Town	\$	100%	\$	%	\$	%
County	\$	%	\$	%	\$	%
Total	\$1,002,021	100%	\$	%	\$	%

2067

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u>X</u> Local Law ___ Charter Law		
Title of Proposed Legislation: ACCEPTING AND APPROPRIATING FUNDS FOR A 100% TANF FUNDED GRANT TO SERVE TANF RECIPIENTS WITH JOB TRAINING SKILLS.		
3. Purpose of Proposed Legislation TO ACCEPT AND APPROPRIATE FUNDS FOR A 100% TANF FUNDED GRANT TO SERVE TANF RECIPIENTS WITH JOB TRAINING SKILLS.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u>X</u> No REVENUE TO COUNTY		
5. If the Answer to item 4 is "yes", on what will it impact? (check appropriate category) <u>X</u> County ___ Town ___ Economic Impact ___ Village ___ School District ___ Other (Specify ___ Library District ___ Fire District ___ NOT APPLICABLE		
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact ADDITIONAL REVENUE		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Subdivision. N/A		
8. Proposed Source of Funding DEPARTMENT OF HEALTH & HUMAN SERVICES		
9. Timing of Impact IMMEDIATE		
10. Typed Name & Title of Preparer James M. Andrews Principal Management Analyst	11. Signature of Preparer 	12. Date October 19, 2010

SCIN FORM 175b (10/95)

*Theresa Lollo
Principal Financial Analyst*

Theresa Lollo 10/29/10

**FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2067

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.

3. EXPLANATION OF REQUESTED COUNTY FINANCIAL ASSISTANCE

CATEGORY	TOTAL REQUESTED	PERSONNEL COSTS REQUESTED	NON-PERSONNEL COSTS REQUESTED
TOTAL COUNTY SHARE:	\$ -0-	\$ -0-	\$ -0-
Cash Contribution:	\$ -0-	\$ -0-	\$ -0-
a.			
b. In-kind Contribution:	\$ -0-	\$ -0-	\$ -0-
4. Total Number of Positions Requested -0-			
5. Can This Program Be Re-funded by the Proposed Non-County Sources? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
6. Estimated Expected Additional Indirect costs (Costs to County not Delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.) -0-			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinued (That is, program termination, reduced services, financial implication, layoffs, etc.) Program terminates.			
8. Attach a List of Potential Subcontractors, If Any, Outlining the Purpose of Each Subcontract (That is, 456 and 498 Account Items; use an additional 8 1/2" x 11" sheet). N/A			

III. COUNTY EXECUTIVE'S OFFICE REVIEW

Intergovernmental Relations Division Review:	<input type="checkbox"/> Approved	Signature of Coordinator	Date
	<input type="checkbox"/> Disapproved		
Comments			
Budget Office Review:	<input type="checkbox"/> Approved	Signature of Budget Director	Date
	<input type="checkbox"/> Disapproved		
Comments			

2067

Logout

Grant Notification

[Return To Summary](#)



DEPARTMENT OF HEALTH & HUMAN SERVICES OFFICE OF THE SECRETARY

Assistant Secretary for Legislation
Washington, DC 20201

Awarding Office	The Office of Family Assistance
Grant Number	90FX0027
Grantee Name	Suffolk County Department of Labor
Address	725 Veterans Memorial Highway Hauppauge, NY 117884342
Phone Number	-
Project Director of P.I.	Pamela Killoran
Title of Grant Project	S.C.H.O.O.L.
CFDA No.	93093
Program Title	Health Profession Opportunity Grants to Serve TANF Recipients/Other Low-Income Individuals
Award Amount	\$1,002,021.00
Date Issued	28-SEP-2010
Type of Award	Other
Type of Action	New
Type of Financial Assistance	Coop agreement
Grant Project Period	09/30/2010 to 09/29/2015
Grant Budget Period	09/30/2010 to 09/29/2011
HHS Office Contact	TimothyChappelle
HHS Office Contact Phone	(202) 401-4855

1 - 1

nobody

1.RECIPIENT
 Department of Health and Human Services
 Administration for Children and Families
 Financial Assistance Award (FAA)

2067

SAI NUMBER:
 PMS DOCUMENT NUMBER:
 90FX002701

1. AWARDING OFFICE: The Office of Family Assistance		2. ASSISTANCE TYPE: Coop agreement		3. AWARD NO.: 90FX0027/01		4. AMEND. NO.:		
5. TYPE OF AWARD: OTHER			6. TYPE OF ACTION: New			7. AWARD AUTHORITY: Sec 2008 SSA, as enacted by Sec 5507 of P		
8. BUDGET PERIOD: 09/30/2010 THRU 09/29/2011			9. PROJECT PERIOD: 09/30/2010 THRU 09/29/2015			10. CAT NO.: 93093		
11. RECIPIENT ORGANIZATION: Suffolk County Department of Labor 725 Veterans Memorial Highway Hauppauge NY 11788 4342 Robert W. Dow, Commissioner						12. PROJECT / PROGRAM TITLE: S.C.H.O.O.L.		

13. COUNTY: SUFFOLK		14. CONGR. DIST.: 02		15. PRINCIPAL INVESTIGATOR OR PROGRAM DIRECTOR: Pamela Killoran , Workforce Investment Board Coordinator			
------------------------	--	-------------------------	--	---	--	--	--

16. APPROVED BUDGET:	
Personnel.....	\$ 193,074
Fringe Benefits.....	\$ 93,572
Travel.....	\$ 5,605
Equipment.....	\$ 0
Supplies.....	\$ 670
Contractual.....	\$ 0
Facilities/Construction.....	\$ 0
Other.....	\$ 709,100
Direct Costs.....	\$ 1,002,021
Indirect Costs.....	\$ 0
At % of \$	
In Kind Contributions.....	\$ 0
Total Approved Budget(**)..	\$ 1,002,021

17. AWARD COMPUTATION:		
A. NON-FEDERAL SHARE.....	\$ 0	0.00 %
B. FEDERAL SHARE.....	\$ 1,002,021	100.00 %
18. FEDERAL SHARE COMPUTATION:		
A. TOTAL FEDERAL SHARE.....	\$ 1,002,021	
B. UNOBLIGATED BALANCE FEDERAL SHARE.....	\$	
C. FED. SHARE AWARDED THIS BUDGET PERIOD..	\$ 1,002,021	
19. AMOUNT AWARDED THIS ACTION:		\$ 1,002,021
20. FEDERAL \$ AWARDED THIS PROJECT PERIOD:		\$ 1,002,021
21. AUTHORIZED TREATMENT OF PROGRAM INCOME:		
ADDITIONAL COSTS		
22. APPLICANT EIN:	23. PAYEE EIN:	24. OBJECT CLASS:
1-116000464-A1	1-116000464-A1	41.45

25. FINANCIAL INFORMATION:						DUNS: 089393060	
ORGN	DOCUMENT NO.	APPROPRIATION	CAN NO.	NEW AMT.	UNOBLIG.	NONFED %	
OFA	90FX002701	75-0-1534	2010 G99UTSZ	\$1,002,021			

26. REMARKS: (Continued on separate sheets)
 Paid by DHHS Payment Management System (PMS), see attached for payment information.
 This award is subject to the requirements of the HHS Grants Policy Statement (HHS GPS) that are applicable to you based on your recipient type and the purpose of this award.
 This includes requirements in Parts I and II (available at <http://www.hhs.gov/grantsnet/adminis/gpd/index.htm>) of the HHS GPS. Although consistent with the HHS GPS, any applicable statutory or regulatory requirements, including 45 CFR Part 74 or 92, directly apply to this award apart from any coverage in the HHS GPS.
 This award is subject to the requirements of Section 106 (g) of the Trafficking Victims Protection Act of 2000, as amended (22 U.S.C. 7104).
 For the full text of the award term, go to http://www.acf.hhs.gov/grants/award_term.html.

27. SIGNATURE - ACF GRANTS OFFICER Timothy Chappelle		DATE: 9/23/10	28. SIGNATURE(S) CERTIFYING FUND AVAILABILITY Virginia Abma		DATE: 9/23/10
29. SIGNATURE AND TITLE - PROGRAM OFFICIAL(S) Earl Johnson, Director, OFA			DATE: 9/23/10		

1. RECIPIENT

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
FINANCIAL ASSISTANCE AWARD**

2067

SAI NUMBER:

PMS DOCUMENT NUMBER:
90FX002701

1. AWARDING OFFICE: The Office of Family Assistance		2. ASSISTANCE TYPE: Coop agreement	3. AWARD NO.: 90FX0027/01	4. AMEND. NO.
5. TYPE OF AWARD: OTHER		6. TYPE OF ACTION: New		7. AWARD AUTHORITY: Sec 2008 SSA, as enacted by Se
8. BUDGET PERIOD: 09/30/2010 THRU 09/29/2011		9. PROJECT PERIOD: 09/30/2010 THRU 09/29/2015		10. CAT NO.: 93093
11. RECIPIENT ORGANIZATION: Suffolk County Department of Labor				

26. REMARKS: (Continued from previous page)

This grant is subject to the requirements as set forth in 45 CFR Part 87.
This grant is subject to the requirements set forth in 45 CFR part 74 (for non-profit organizations and educational institutions) or 45 CFR Part 92 (for state, local, and federally recognized tribal governments).
Initial expenditure of funds by the grantee constitutes acceptance of this award.
Future support is anticipated. (**) Reflects only federal share of approved budget.

Attached to this grant award are three copies of the Cooperative Agreement that should be signed and dated by the authorizing official. Please return two (2) original signed Cooperative Agreements to the Grants Management Specialist no later than October 29, 2010.

The Labor Specialist, Labor Technician, Senior Neighborhood Aide, Principal Clerk, Accountant, and Account Clerk Typist positions are considered Administrative and/or Indirect Costs in nature; therefore, the grantee must ensure that it keeps adequate time management records/documentation.

* Progress and Financial Reports (SF-269) are due every six months throughout the project period (Reporting Requirements Instructions are enclosed). Failure to submit reports when due will be indicative of noncompliance with the grant terms and conditions. *

Questions concerning the programmatic aspects of the grant should be directed to Stan Koutstaal via email to stan.koutstaal@acf.hhs.gov or call 202-401-5457. Questions concerning the financial aspects of the grant should be directed to Maria Clifford via email to maria.clifford@acf.hhs.gov or call 202-401-6413.

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

ROBERT W. DOW, JR.
COMMISSIONER
DEPARTMENT OF LABOR
725 VETERANS MEMORIAL HIGHWAY
HAUPPAUGE, N.Y. 11788

769 Gen
2067
OCT 25 2010

ADDRESS CORRESPONDENCE TO:
P.O. BOX 1319
SMITHTOWN, N.Y. 11787-0895
e-mail: sc.dol@suffolkcountyny.gov
FAX # (631) 853-6510
www.suffolkcountyny.gov/labor

MEMORANDUM

TO: Ken Crannell, Deputy County Executive
Suffolk County Executive's Office

FROM: Robert W. Dow, Jr., Commissioner *RWD*

DATE: October 19, 2010

RE: **INTRODUCTORY RESOLUTION**

Attached please find the following Introductory Resolution for the next Legislative meeting:

RESOLUTION NO. -10, ACCEPTING AND APPROPRIATING FUNDS FOR
A 100% TANF FUNDED GRANT TO SERVE TANF RECIPIENTS WITH JOB
TRAINING SKILLS.

Thank you for your assistance.

* * *

RWD:dv
Attachment

cc: Christopher Kent, Chief Deputy County Executive

Introductory Resolution No. 2068-10 Laid on Table 11/16/10

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
MARGARET VAUGHAN
0200-206.00-03.00-005.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 206.00, Block 03.00, Lot 005.000, and acquired by tax deed on September 26, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 30, 2008, in Liber 12566, at Page 832, and otherwise known and designated by the Town of Brookhaven, as Lots 64 through 69 inclusive on a map entitled "Map of Port Jefferson Plaza, owned by the Brooks & Brooks Corporation, By F. A. Hawkins" and filed in the Office of the Clerk of the County of Suffolk on November 26, 1906, as Map No. 469; 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 26, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 30, 2008 in Liber 12566 at Page 832.

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, MARGARET VAUGHAN has made application of said above described parcel and MARGARET VAUGHAN has paid the application fee and will be paying \$69,802.41, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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

2nd - **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to MARGARET VAUGHAN, 199 Jayne Blvd., Port Jefferson, NY 11776, 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: _____

2068

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

October 19, 2010

Tax Map No.: 0200-206.00-03.00-005.000
Name of Last Legal Fee Owner: MARGARET VAUGHAN

TREASURER'S COMPUTATION.....	\$69,802.41
Taxes.....2009/2010.....	Included
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
<hr/>	
TOTAL.....	\$69,802.41
<hr/>	
Monies to be Received.....	\$69,802.41
<hr/>	
<u>RESOLUTION AMOUNT</u>	\$69,802.41 <i>+ 01 ad</i>
<hr/>	

APPROVED:

Annette Browne
Accounting
DB:lag

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

2068

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	206.00	03.00	005.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2003/04	12770.83
2004/05	8926.57
2005/06	8640.99
2006/07	8495.95
2007/08	6801.31
2008/09	7100.15
2009/10	5926.63

TOTAL: 58662.43 ^v

B. INTEREST DUE	7816.05
C. TOTAL	66478.48
D. 5% LINE C	3323.92
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$69,802.41

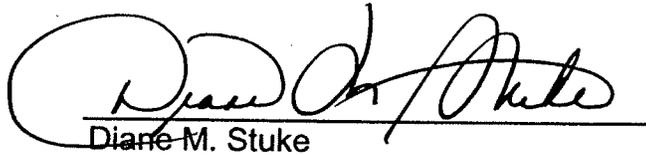
.40 + .01
al

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-Oct-10



Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 04/13/11

2068

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0200-206.00-03.00-005.000

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)

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

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

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

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

8. Proposed Source of Funding

N/A

9. Timing of Impact

2010

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

Diane Bishop

Diane Bishop 10/19/10

JEFFERSON

BELLE REACH

2068

HARBOR

PORT JEFFERSON
COUNTRY CLUB
AT HARBOR HILLS

CEDAR BEACH
HARBOR

MT. SINAI
HARBOR

MOUNT
SINAI

PORT JEFFERSON
STA.

PORT JEFFERSON
STA.

25A

20

25A

112

11776

TERRYVILLE

Hagstrom Map Company, Inc.

15

18

19

FOR ADJOINING AREA SEE MAP NO. 16

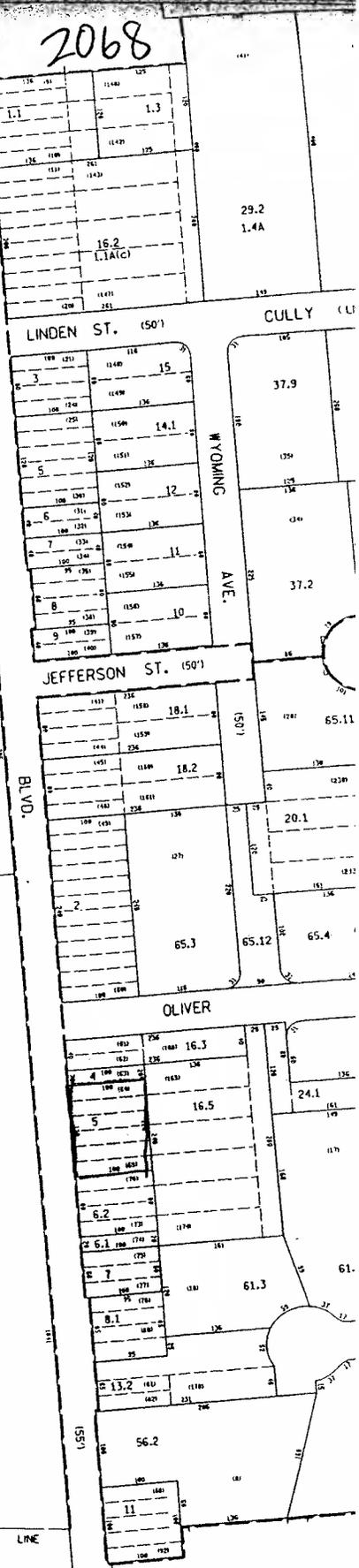
FOR ADJOINING AREA SEE MAP NO. 11

E

F

G

03-21-07
 03-05-09
 05-10-04
 05-01-07
 05-10-08
 05-23-09
 07-10-01
 09-29-07
 01-23-07
 07-05-07
 05-03-07
 05-22-09
 06-06-09
 10-17-03
 06-30-04
 11-04-04
 01-21-09
 09-16-09
 05-26-09
 09-08-09
 09-26-09
 11-01-09
 03-27-07



2068

LEGEND Property or RR Line Denotes Common Owner Subdivision Lot Line Stream / Shore Parcel No. 23	Subdivision Lot No. 132 Subdivision Block/Blk. No. (21) Deed Dimension 42 Scaled Dimension 42 Deed Area 12.1 A(c) or 12.1A Calculated Area 12.1 A(c)	Block Left Block No. (2) County Line Town Line YRope 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 Fortwater District Line FF	UNLESS DRAWN OTHERWISE WITHIN THE SCHOOL FCJ FIRE LKJ LIGHT PARK AMBULANCE
---	---	---	---	--	--

SEE SEC. NO. 228

COUNTY OF SUFFOLK

2068



OCT 28 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

October 28, 2010

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

Re: Tax Map No. 0200-206.00-03.00-005.000
MARGARET VAUGHAN

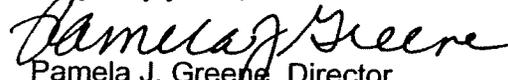
Dear Mr. Crannell:

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 C. Naughton, Budget Director
Thomas A. Isles, Director, Planning Dept.
Lauretta Fischer, Principal Planner, Planning Dept.
Alice Kubicko, Inventory

53

Introductory Resolution No. 2069-10 Laid on Table 11/16/10

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
FRANCES B. LEWIN TRUST
BY THOMAS AUSTIN LEWIN, AS SUCCESSOR TRUSTEE
0800-139.00-03.00-023.000**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Smithtown, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0800, Section 139.00, Block 03.00, Lot 023.000, and acquired by tax deed on May 03, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 05, 2010, in Liber 12623, at Page 988, and otherwise known and designated by the Town of Smithtown, as part of Lot 1229 on a certain map entitled, "20th Map of House and Home Company," and filed in the Office of the Clerk of the County of Suffolk on February 1, 1900 as Map No. 580; 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 May 03, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 05, 2010 in Liber 12623 at Page 988.

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, FRANCES B. LEWIN TRUST BY THOMAS AUSITN LEWIN, AS SUCCESSOR TRUSTEE has made application of said above described parcel and FRANCES B. LEWIN TRUST BY THOMAS AUSITN LEWIN, AS SUCCESSOR TRUSTEE has paid the application fee and has paid \$41,037.58, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to FRANCES B. LEWIN TRUST BY THOMAS AUSITN LEWIN, AS SUCCESSOR TRUSTEE, 30 Marcy St., Huntington Station NY 11746, 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

2069

October 26, 2010

Tax Map No.: 0800-139.00-03.00-023.000

Name of Last Legal Fee Owner: FRANCES B. LEWIN TRUST
BY THOMAS AUSITN LEWIN, AS SUCCESSOR TRUSTEE

TREASURER'S COMPUTATION.....	\$30,873.05
Taxes.....2009/2010.....	\$10,164.53
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
 	<hr/>
TOTAL.....	\$41,037.58
 	<hr/> <hr/>
Monies Received.....	\$41,037.58
 	<hr/>
<u>RESOLUTION AMOUNT</u>	\$41,037.58
	<hr/> <hr/>

.59 2.07

APPROVED:

Annette Brownell

Accounting
DB:lag

PREPARED BY:

Diane Bishop

Diane Bishop
Redemption Unit
(631)853-5932

COMPUTATION BY SUFFOLK COUNTY TREASURER

DISTRICT

0800

SECTION

139.00

BLOCK

03.00

2069

LOT

023.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	1378.69
2006/07	7267.59
2007/08	6910.46
2008/09	12494.05

2009/10 PROPERTY TAXES \$10,164.53 NOT INCLUDED IN COMPUTATION

TOTAL: 28050.79

B. INTEREST DUE	1352.12
C. TOTAL	29402.91
D. 5% LINE C	1470.15
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

\$30,873.05

(.06)
(.017)

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.

30-Aug-10



Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 02/26/11

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 2069

1. Type of Legislation

Resolution X
Tax Map Number 0800-139.00-03.00-023.000

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 | |

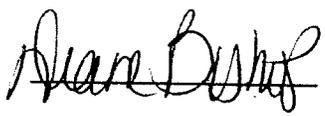
6. If the answer to item 4 is "yes", provide detailed explanation of Impact

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
<u>Diane Bishop</u>		<u>10/26/10</u>

HEAD OF THE HARBOR

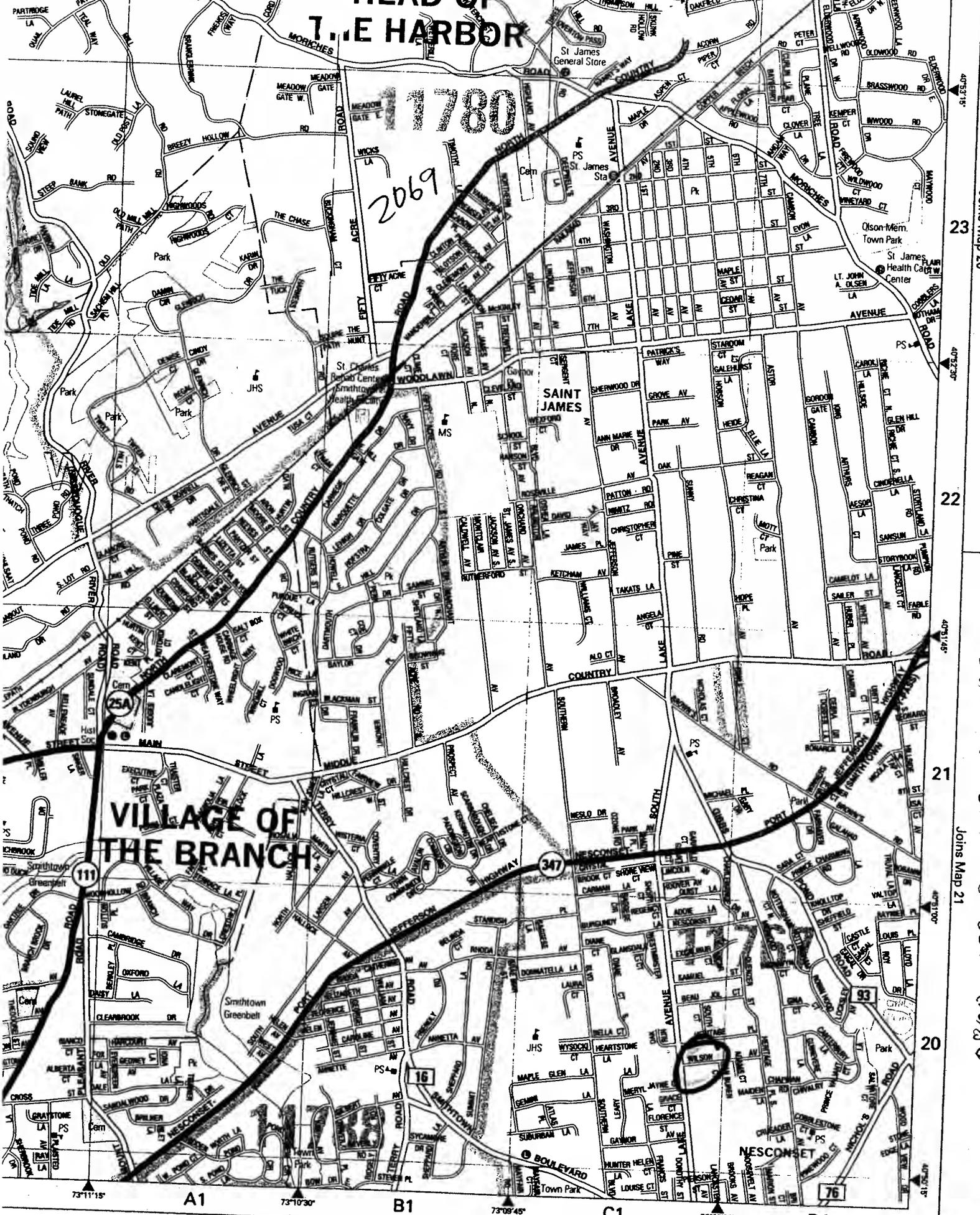
1780

2069

VILLAGE OF THE BRANCH

SAINT JAMES

NESCONSET



73°11'15"

A1

73°10'30"

B1

73°09'45"

C1

73°09'00"

D1

Joins Map 15

COUNTY OF SUFFOLK



2009

OCT 28 2010

STEVE LEVY
COUNTY EXECUTIVE

PAMELA J. GREENE
DIVISION DIRECTOR

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

CARRIE MEEK-GALLAGHER
COMMISSIONER

October 28, 2010

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

Re: Tax Map No. 0800-139.00-03.00-023.000
FRANCES B. LEWIN TRUST
BY THOMAS AUSITN LEWIN, AS SUCCESSOR TRUSTEE

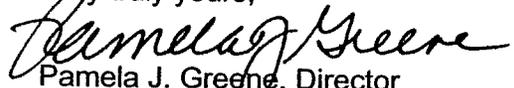
Dear Mr. Crannell:

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 C. Naughton, Budget Director
Thomas A. Isles, Director, Planning Dept.
Lauretta Fischer, Principal Planner, Planning Dept.
Alice Kubicko, Inventory

53

Introductory Resolution No. 2070-10 Laid on Table 11/16/10

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
270-109 REALTY CORP.,
BY LEE J. SCHNEIDER, MEMBER
0100-097.00-01.00-026.000

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 097.00, Block 01.00, Lot 026.000, 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 District 0100, Section 097.00, Block 01.00, Lot 026.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on September 23, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 28, 2009 in Liber 12601 at Page 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, 270-109 REALTY CORP., BY LEE J. SCHNEIDER, MEMBER has made application of said above described parcel and 270-109 REALTY CORP., BY LEE J. SCHNEIDER, MEMBER has paid the application fee and will be paying \$74,098.38, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to 270-109 REALTY CORP., BY LEE J. SCHNEIDER, MEMBER, 100 Richmond Avenue, Amityville, NY 11701, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: _____
County Executive of Suffolk County

Date of Approval: _____

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

2010

October 19, 2010

Tax Map No.: 0100-097.00-01.00-026.000

Name of Last Legal Fee Owner: 270-109 REALTY CORP., BY LEE J. SCHNEIDER, MEMBER

TREASURER'S COMPUTATION..... \$74,098.38

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

License/Storage Fee..... OPEN

Repairs..... OPEN

Miscellaneous Expenses..... OPEN

TOTAL..... \$74,098.38

Monies to be Received..... \$74,098.38

RESOLUTION AMOUNT..... \$74,098.38 *5/1*

APPROVED:

Annette Brownell

Accounting
LS:lag

PREPARED BY:

Lori Sklar

Lori Sklar
Redemption Unit
(631)853-5937

COMPUTATION BY SUFFOLK COUNTY TREASURER

2070

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0100	097.00	01.00	026.000

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07	10654.33
2007/08	23499.86
2008/09	15477.67
2009/10	15738.37

TOTAL: 65370.23 ↖

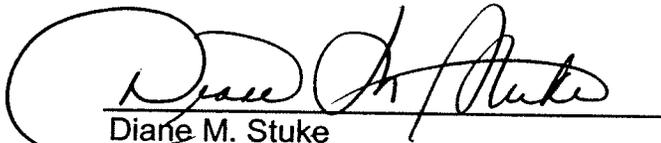
B. INTEREST DUE	5199.66
C. TOTAL	70569.89
D. 5% LINE C	3528.49
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$74,098.38 ↘

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-Oct-10


 Diane M. Stuke
 Deputy County Treasurer

**Interest and penalty computed to and including 04/13/11

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2070

1. Type of Legislation

Resolution X
Tax Map Number 0100-097.00-01.00-026.000

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

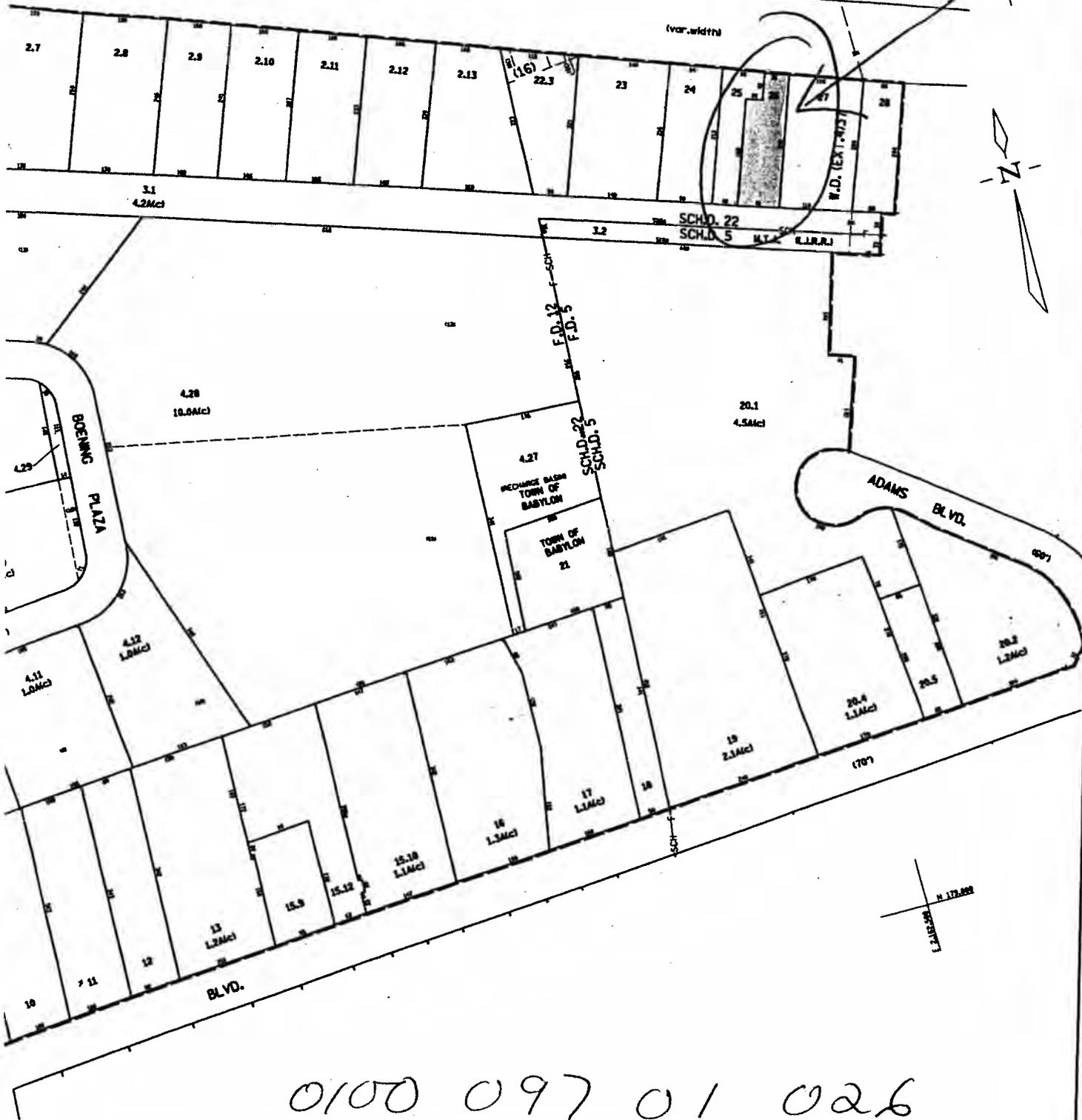
Lori Sklar

Lori Sklar 10/27/10

2070

N 17.00'

S.R. 109

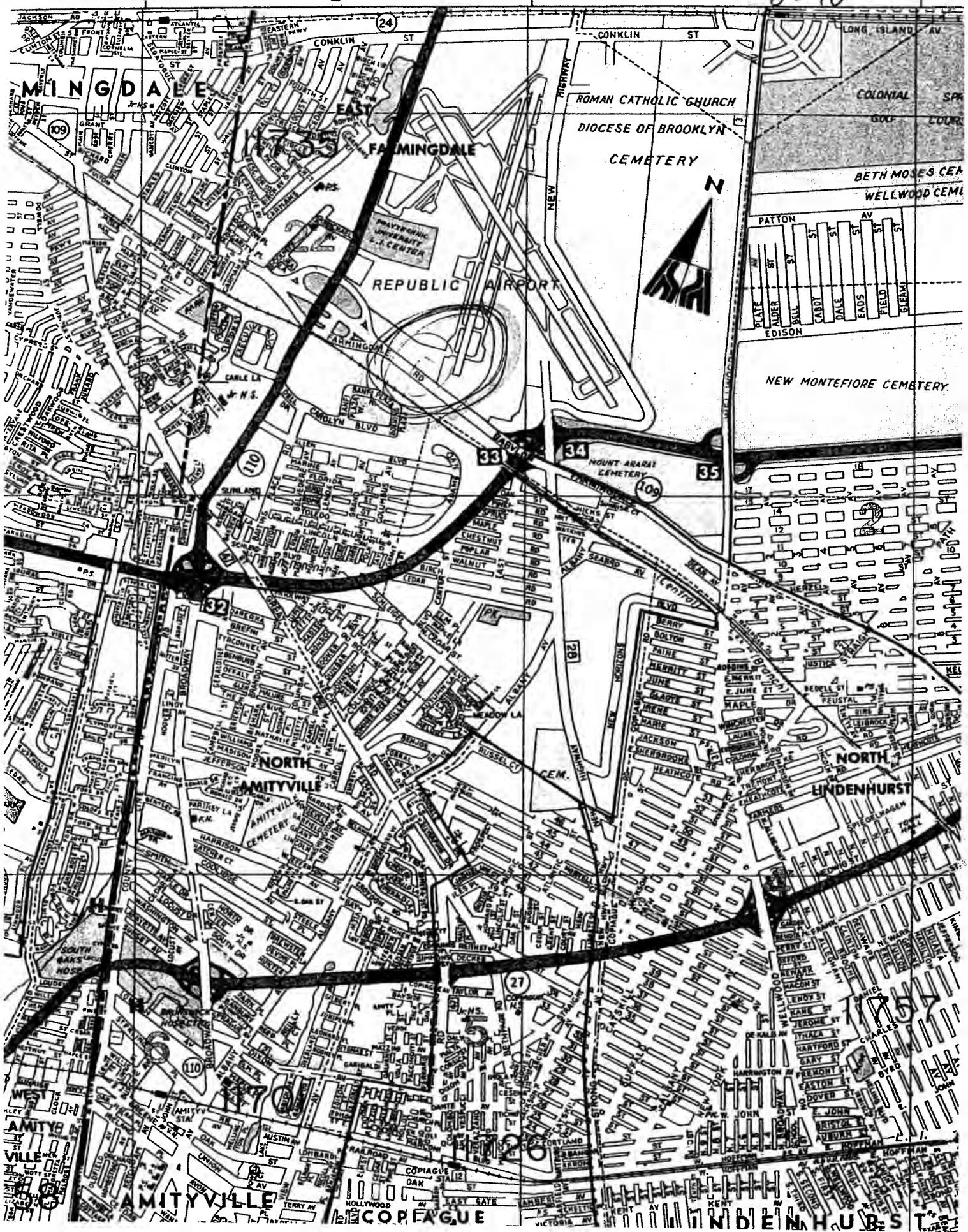


0100 097 01 026

2

3

2070



PATTON	ST	ST	ST	ST	ST
PLATE	ST	ST	ST	ST	ST
ALDER	ST	ST	ST	ST	ST
BELL	ST	ST	ST	ST	ST
CADY	ST	ST	ST	ST	ST
DALE	ST	ST	ST	ST	ST
EADS	ST	ST	ST	ST	ST
FIELD	ST	ST	ST	ST	ST
EDISON	ST	ST	ST	ST	ST

NEW MONTEFIORE CEMETERY.

MOUNT ARARAT CEMETERY

NORTH AMITYVILLE

NORTH LINDENHURST

COPAGUE OAK

LINDENHURST

COUNTY OF SUFFOLK



STEVE LEVY
COUNTY EXECUTIVE

2070

OCT 28 2010

PAMELA J. GREENE
DIVISION DIRECTOR

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

CARRIE MEEK-GALLAGHER
COMMISSIONER

October 28, 2010

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

Re: Tax Map No. 0100-097.00-01.00-026.000
270-109 REALTY CORP., BY LEE J. SCHNEIDER, 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

LS: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 C. Naughton, Budget Director
Thomas A. Isles, Director, Planning Dept.
Lauretta Fischer, Principal Planner, Planning Dept.
Alice Kubicsko, Inventory

53

Introductory Resolution No. 2071-10 Laid on Table 11/16/10

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 C. SHEERON
0100-216.00-03.00-030.000

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 216.00, Block 03.00, Lot 030.000, and acquired by tax deed on May 14, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 15, 2007, in Liber 12505, at Page 268, and otherwise known and designated by the Town of Babylon, as Lot 6 & part of Lot 7 on a map entitled "Map of Arnold Park", filed in the Office of the Suffolk County Clerk on September 1, 1953 as Map 2114; 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 May 14, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 15, 2007 in Liber 12505 at Page 268.

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 C. SHEERON has made application of said above described parcel and JOHN C. SHEERON has paid the application fee and has paid \$44,283.07, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to JOHN C. SHEERON, 22 James Court, West Babylon NY 11704, 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

2071
1102

October 20, 2010

Tax Map No.: 0100-216.00-03.00-030.000

Name of Last Legal Fee Owner: JOHN C. SHEERON

TREASURER'S COMPUTATION.....	\$38,303.79 ^
Taxes.....2009/2010.....	\$5,979.28 ^
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
<hr/>	
TOTAL.....	\$44,283.07
<hr/>	
Monies Received.....	\$44,283.07
<hr/>	
<u>RESOLUTION AMOUNT</u>	\$44,283.07 ^ 21
<hr/>	

APPROVED:

Annette Brownell

Accounting
LS:lag

PREPARED BY:

Lori Sklar
Lori Sklar
Redemption Unit
(631)853-5937

DISTRICT

SECTION

BLOCK

LOT

0100

216.00

03.00

030.000

2071

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2002/03	4700.00
2003/04	8755.30
2004/05	4520.79
2006/07	3385.67
2007/08	3499.74
2008/09	5781.04

2005/06 PROPERTY TAXES PAID BY OWNER, JOHN SHEERON
2009/10 PROPERTY TAXES \$5,979.28 NOT INCLUDED IN COMPUTATION

TOTAL: 30642.54

B. INTEREST DUE	5837.26
C. TOTAL	36479.80
D. 5% LINE C	1823.99
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE

\$38,303.79 ✓
5,979.28

\$44,283.07 ✓

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 13-Aug-10



Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 02/09/11

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2071

1. Type of Legislation

Resolution X
Tax Map Number 0100-216.00-03.00-030.000

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

Lori Sklar

Lori Sklar 10/27/10

03-26-97
08-23-97
04-23-01
04-09-02
09-17-02
10-11-02
01-06-04
01-22-04

N 174,900

2071

34
18.3A(c)

UNION FREE SCHOOL DISTRICT NO.2

①



N 173,000

0100-216-03-030

LEGEND	Property or PL Line	---	Subdivision Lot No.	---	Block Line	---	School District Line	---	Hydrant District Line	---	UNLESS DRAWN WITHIN THE SCHOOL 1, 2 FIRE 22 LIGHT 55 PARK AMBULANCE
	District Common Owner	---	Subdivision Block/Strip No. (21)	---	Block No. ②	---	Fire District Line	---	Water District Line	---	
	Subdivision Lot Line	---	Deed Distances	---	County Line	---	Water District Line	---	Historical District Line	---	
	Stream / Shore	---	Scaled Distances	---	Town Line	---	Light District Line	---	Ambulance District Line	---	
	Parcel No. 23	---	Deed Area 12.1 A(c) or 12.1A	---	Wedge Line	---	Park District Line	---	Footwater District Line	---	
		Calculated Area 12.1 A(c)				Sewer District Line	---				

COUNTY OF SUFFOLK



2071

OCT 28 2010

STEVE LEVY
COUNTY EXECUTIVE

PAMELA J. GREENE
DIVISION DIRECTOR

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

CARRIE MEEK-GALLAGHER
COMMISSIONER

October 28, 2010

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

Re: Tax Map No. 0100-216.00-03.00-030.000
JOHN C. SHEERON

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

LS:jag

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 C. Naughton, Budget Director
Thomas A. Isles, Director, Planning Dept.
Lauretta Fischer, Principal Planner, Planning Dept.
Alice Kubicko, Inventory

53

Introductory Resolution No. 2072-10 Laid on Table 11/16/10

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
EDWARD VAUGHAN, JR.
0200-206.00-03.00-006.001
0200-206.00-03.00-006.002

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 206.00, Block 03.00, Lot 006.001, 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,

Parcel I - 0200-206.00-03.00-006.001

Lot No. 74 on a certain map entitled, "Map of Port Jefferson Plaza" and filed in the Office of the Clerk of Suffolk County on November 26, 1906, as Map No. 469

Parcel II - 0200-206.00-03.00-006.002

Lot Nos. 70 through 73 inclusive on a certain map entitled, "Map of Port Jefferson Plaza" and filed in the Office of the Clerk of Suffolk County on November 26, 1906, as Map No. 469; 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, EDWARD VAUGHAN, JR. has made application of said above described parcel and EDWARD VAUGHAN, JR. has paid the application fee and will be paying \$2,451.24, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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

2nd - **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to EDWARD VAUGHAN, JR., 199 Jayne Blvd., Port Jefferson, NY 11776, 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

2012

October 19, 2010

Tax Map No.: 0200-206.00-03.00-006.001

Name of Last Legal Fee Owner: EDWARD VAUGHAN, JR.

TREASURER'S COMPUTATION.....	\$421.58
Taxes.....2009/2010.....	\$115.12
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
TOTAL.....	\$536.70
Monies to be Received.....	\$536.70 ↗
<u>RESOLUTION AMOUNT</u>	\$2,451.24 ↗

APPROVED:

Annette Brownell

Accounting
DB:lag

PREPARED BY:

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	206.00	03.00	006.001

2072

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07	129.59
2007/08	133.80
2008/09	111.61

2009/10 PROPERTY TAXES \$115.12 NOT INCLUDED IN COMPUTATION

TOTAL: 375.00

B. INTEREST DUE	26.50
C. TOTAL	401.50
D. 5% LINE C	20.08
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$421.58 ↙

CERTIFICATION BY COUNTY TREASURER

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

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

12-Jul-10



Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 01/08/11

SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

2072

October 19, 2010

Tax Map No.: 0200-206.00-03.00-006.002

Name of Last Legal Fee Owner: EDWARD VAUGHAN, JR.

TREASURER'S COMPUTATION.....	\$1,454.09
Taxes.....2009/2010.....	\$460.45
License/Storage Fee.....	OPEN
Repairs.....	OPEN
Miscellaneous Expenses.....	OPEN
<hr/>	
TOTAL.....	\$1,914.54
<hr/>	
Monies to be Received.....	\$1,914.54
<hr/>	
<u>RESOLUTION AMOUNT</u>	\$2,451.24
<hr/>	

APPROVED:

Annette Brownell

Accounting
DB:lag

PREPARED BY:

Diane Bishop

Diane Bishop
Redemption Unit
(631)853-5932

COMPUTATION BY SUFFOLK COUNTY TREASURER

2012

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0200	206.00	03.00	006.002

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2006/07	415.10
2007/08	431.91
2008/09	446.44

2009/10 PROPERTY TAXES \$460.45 NOT INCLUDED IN COMPUTATION

TOTAL: 1293.45

B. INTEREST DUE	91.40
C. TOTAL	1384.85
D. 5% LINE C	69.24
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$1,454.09

CERTIFICATION BY COUNTY TREASURER

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

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County of Suffolk and State of New York. 12-Jul-10


 Diane M. Stuke
 Deputy County Treasurer

**Interest and penalty computed to and including 01/08/11

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2012

1. Type of Legislation

Resolution

Tax Map Number 0200-206.00-03.00-006.001
0200-206.00-03.00-006.002

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 No

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

<input checked="" type="radio"/> County	<input type="radio"/> Town	<input type="radio"/> Economic Impact
<input type="radio"/> Village	<input type="radio"/> School District Other (Specify):	
<input type="radio"/> Library District	<input type="radio"/> Fire District	

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

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

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

8. Proposed Source of Funding

N/A

9. Timing of Impact

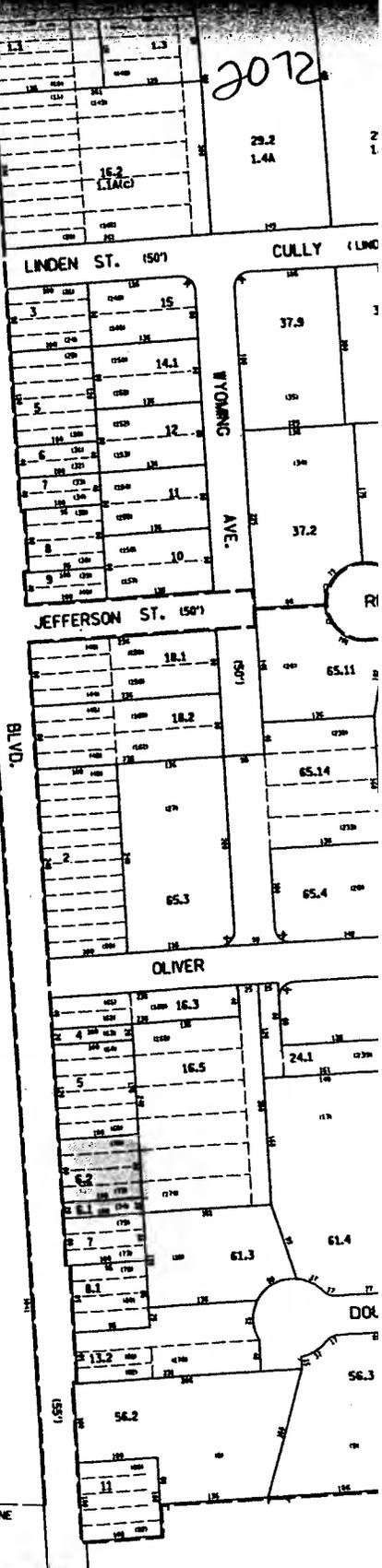
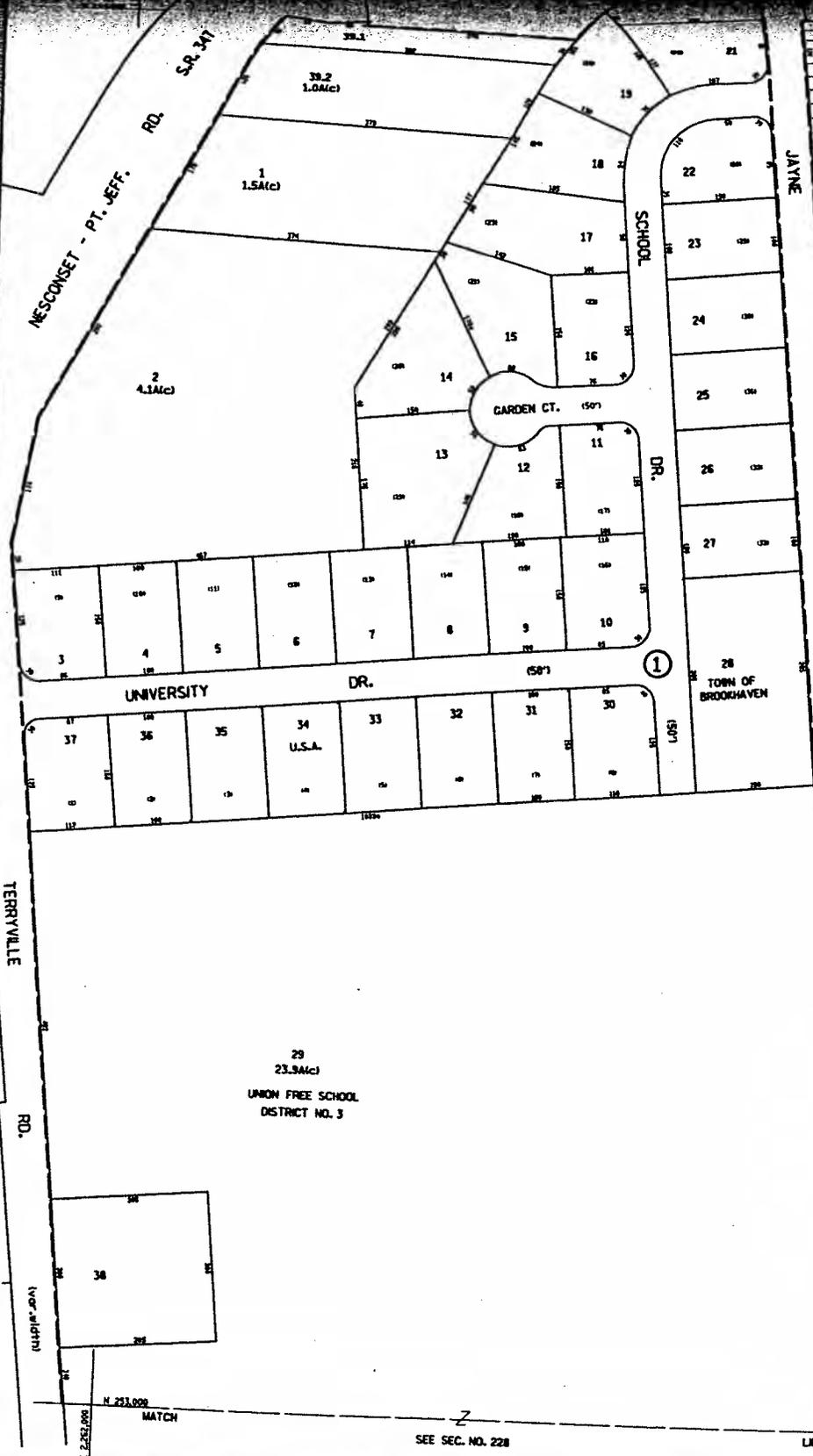
2010

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

Diane Bishop

Diane Bishop 10/19/10

01-23-00
 03-05-00
 05-03-00
 05-22-00
 06-06-00
 10-17-00
 08-30-01
 11-04-01
 01-24-02
 05-16-02
 05-26-02
 09-08-02
 09-26-02
 11-01-02
 03-27-07
 05-15-08
 06-20-08
 09-09-08
 10-21-08
 10-27-08

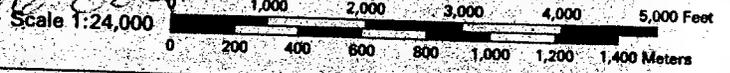


LEGEND	Property or All Line	-----	Subdivision Lot No.	000	Block Line	-----	School District Line	-----	Hydrant District Line	-----	UNLESS DRAWN OTHERWISE, ARE WITHIN THE FOLLOWING SCHOOL DISTRICTS: FIRE FCJ, HYDR H31, PARK L31, REFU W41, AMBULANCE W41
	Dashed Common Border	-----	Subdivision Block/Blk. No.	(21)	Block No.	②	Fire District Line	-----	Refuge District Line	-----	
	Subdivision Lot Line	-----	Deed Boundary	-----	County Line	-----	Park District Line	-----	Waterworks District Line	-----	
	Stream / Shore	~~~~~	Scaled Boundary	-----	Town Line	-----	Light District Line	-----	Ambulance District Line	-----	
	Parcel No.	23	Deed Area	12.1 A(c) or 12.1A	Yield Line	-----	Park District Line	-----	Boatwaler District Line	-----	
		Calculated Area	12.1 A(c)								

0200-20600-03.00-006.001 / 0200-206.00-03.00-006.002

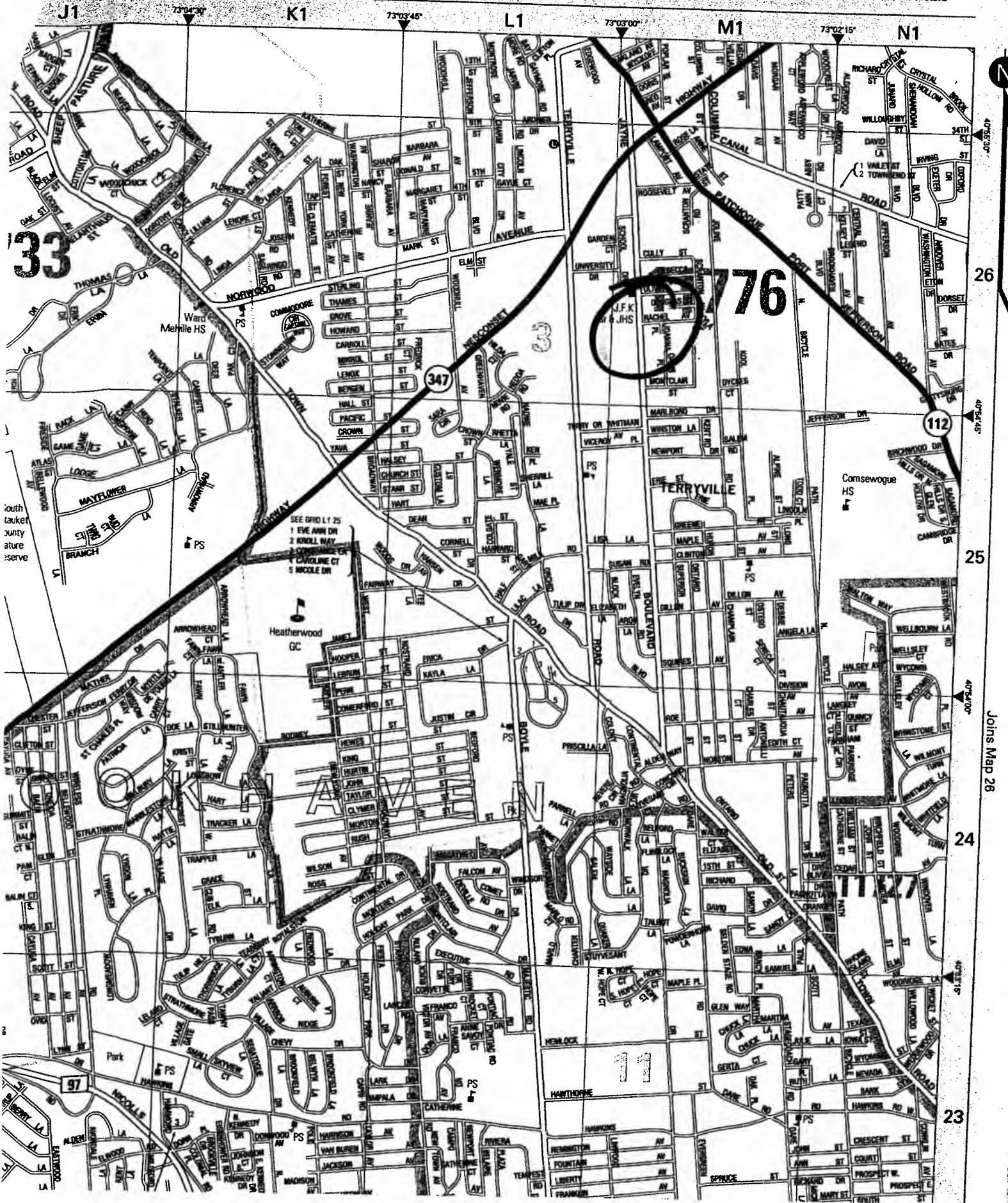
0200-206-00-03-00-006-001
0200-206-00-03-00-006-002

2072



Joins Map 19

M 2



South
taker
xunty
ature
serve

Joins Map 26

23

24

25

26

COUNTY OF SUFFOLK

2072



OCT 28 2010

STEVE LEVY
COUNTY EXECUTIVE

PAMELA J. GREENE
DIVISION DIRECTOR

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

CARRIE MEEK-GALLAGHER
COMMISSIONER

October 28, 2010

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

Re: Tax Map No. 0200-206.00-03.00-006.001
0200-206.00-03.00-006.002
EDWARD VAUGHAN, JR.

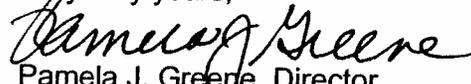
Dear Mr. Crannell:

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:iag

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 C. Naughton, Budget Director
Thomas A. Isles, Director, Planning Dept.
Lauretta Fischer, Principal Planner, Planning Dept.
Alice Kubicsko, Inventory

53

2073

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

Laid on Table 11/16/10

**RESOLUTION NO. -2010, ESTABLISHING AN
AUTOMATED CALLING POLICY PRIOR TO DISTRIBUTING
RABIES BAITS IN SUFFOLK COUNTY**

WHEREAS, Suffolk County has a significant raccoon population; and

WHEREAS, raccoons are susceptible to the rabies virus and, if infected, can spread the disease to pets and humans; and

WHEREAS, the best way to contain the spread of rabies in raccoons is to immunize them before they become infected with the virus; and

WHEREAS, to combat rabies, the Suffolk County Department of Health Services, in conjunction with other state and federal agencies, distribute raccoon baits containing the oral rabies vaccine via aerial drops in woodlands and by hand in residential neighborhoods; and

WHEREAS, these baits can be harmful to children and pets if ingested, requiring assistance from Poison Control; and

WHEREAS, residents in affected areas should be notified prior to the distribution of these baits to protect the health and safety of local children and pets; and

WHEREAS, the County has an automated caller system called CodeRED, which is capable of making pre-recorded notification calls to landline telephones and also providing similar notice via cell phones and emails on an opt-in basis; and

WHEREAS, the County has authorized that CodeRED be used to notify the public of emergencies and to notify residents in affected areas of adult mosquito spraying; and

WHEREAS, residents in areas where baits containing rabies vaccines will be distributed can and should be notified via telephone in advance to protect their health and safety; now, therefore be it

1st RESOLVED, that the Department of Health Services is hereby authorized, empowered and directed to provide notification by automated telephone call and automated text message to all persons residing in areas where ground and/or aerial distribution of rabies vaccine baits will occur; and be it further

2nd RESOLVED, that the Department of Health Services is hereby authorized, empowered and directed to use the County's CodeRED system for the purposes of providing automated telephone calls to landlines and similar notices to cellular phones and email on an opt-in basis, informing residents of the dates and times at which rabies vaccine baits will be distributed; and be it further

3rd RESOLVED, that the Department of Health Services will be responsible for the content of each message and the time at which such messages shall be provided to County residents via automated telephone call or automated text message. Each message shall include a notification to residents that they may opt-in to receive notices via cellular phones and

email and informing them of the proper procedures for opting in to these alternate notification methods; 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-raccoon bait notification

Intro. Reso. No. 2074-10

Laid on Table 11/16/10

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

RESOLUTION NO. -2010, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$105,570 FROM THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE, TO TARGET SPEEDING, AGGRESSIVE, AND DISTRACTED DRIVING, WITH 83.79% SUPPORT.

WHEREAS, the State of New York Governor's Traffic Safety Committee has awarded \$105,570 in Federal Highway Safety pass-through funds to the Suffolk County Police Department to perform targeted enforcement of speeding, aggressive, and distracted driving behaviors, and to fund Operation Safe Stop; and

WHEREAS, the operational period of the program will be from October 1, 2010 through September 30, 2011; and

WHEREAS, said grant funds totaling \$105,570 have not been included in the 2010 Suffolk County Operating Budget; now, therefore, be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

REVENUES:

115-4398-Federal Aid: STEP 11

AMOUNT

\$105,570

ORGANIZATIONS:

Police Department (POL)
STEP 11
115-POL-3237

1000-Personal Services

1120-Overtime Salaries

\$102,350

102,350

2000-Equipment

2500-Other equipment not otherwise

\$ 3,220

3,220

and be it further

2nd RESOLVED, that the fringe benefits of \$20,419 associated with the overtime salaries for this grant are included in the 2010 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the State of New York Governor's Traffic Safety Committee.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

2074

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 6/4/10 REV 9/30/2010
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank	
Contact Person In Department/Agency Sarah Furey Sr. Grants Analyst	Telephone Number 852-6042	Grant Application Due Date 5/13/2010

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title STEP (Selective Traffic Enforcement Program) 11

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) Public Law 111-117, Consolidated Appropriations Act, 2010, National Highway Traffic Safety Administration, administered by the State of New York Governor's Traffic Safety Committee.

3. Grant/Contract Status (Check One Box)
 A. New Program Application
 B. Renewal Application
 C. Supplemental (Specify) _____
 D. Extension of Funding Period
 E. Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)
 This grant will allow the Suffolk County Police Department to continue to perform selective traffic law enforcement projects targeting speeding, aggressive and distracted driving, as well as Operation Safe Stop, and for the funding of speed check and radar devices.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.) Suffolk County Police Department

II. BUDGET INFORMATION

1. Term of Contract From: 10/01/2010 To: 9/30/2011

2. Financial Assistance Requested

SOURCE	SEVENTH FUNDING CYCLE		EIGHTH FUNDING CYCLE		NINTH FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$102,575	85.8%	\$111,195	85.81%	\$105,570	83.79%
State	\$	%	\$	%	\$	%
Private	\$	%	\$	%	\$	%
County	\$16,980	14.2%	\$18,387	14.19%	\$20,419	16.21%
Total	\$119,555	100%	\$129,582	100%	\$125,989	100%

2074

3. Explanation of Requested County Financial Assistance

Category	Total Requested	Personnel Costs Requested	Non-Personnel Costs Requested
TOTAL COUNTY SHARE:	\$20,419	\$	\$20,419
A. Cash Contribution	\$20,419	\$	\$20,419
B. In-Kind Contribution	\$	\$	\$

4. Total Number of New Positions Requested 0

5. Can This Program Be Refunded by the Proposed Non-County Sources?

X YES NO

6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.)

Some additional indirect costs resulting from administrative oversight may be incurred.

7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)?

In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.

8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet).

III. COUNTY EXECUTIVE'S OFFICE REVIEW

1. Intergovernmental Relations Division Review:

Approved

2. Signature of Coordinator

3. Date

Disapproved

4. Comments

5. Budget Office Review:

Approved

6. Signature of Budget Director

7. Date

Disapproved

8. Comments

2074

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution XX Local Law _____ Charter Law _____

2. Title of Proposed Legislation

ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$105,570 FROM THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE, TO TARGET SPEEDING, AGGRESSIVE AND DISTRACTED DRIVING, AND COMMERCIAL VEHICLE SAFETY WITH 83.79% SUPPORT.

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

<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 \$105,570 and requires a 16.21% match which is included in the 2010 Operating budget.

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

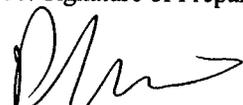
The funds provided by this grant must be expended between October 1, 2010 and September 30, 2011.

8. Proposed Source of Funding

New York Governor's Traffic Safety Committee

9. Timing of Impact

Effective upon adoption.

10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		11-03-10

**FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2074

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.

GRANT BUDGET ANALYSIS		COUNTY BUDGET YEAR 2010			Page 1 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS	
1000 PERSONAL SERVICES: 1100 Permanent Salaries 1110 Interim Salaries 1120 Overtime Salaries	102,350 102,350				
2000 EQUIPMENT: 2010 Furniture & Fixtures 2020 Office Machines 2090 Radio and Communication 2500 Other Equip Not Otherwise	3,220 3,220				
3000 SUPPLIES MATERIALS & OTHERS: 3010 Office Supplies 3020 Postage 3030 Photostat, Photograph, Blueprint 3040 Printing 3160 Computer Software 3310 Clothing and Accessories 3500 Other Unclassified 3680 Repairs: Special Equipment 3770 Advertising					
4000 UTILITIES: 4010 Telephone & Telegraph 4210 Computer Services					
4300 TRAVEL: 4310 Employee Misc - Expenses 4330 Travel Employee Contracts 4340 Travel Other Contracts					

2074

GRANT BUDGET ANALYSIS		COUNTY BUDGET YEAR 2010		Page 2 of 3
CATEGORY	APPROPRIATION NUMBER GRANTOR FUNDS	APPROPRIATION NUMBER COUNTY FUNDS	APPROPRIATION NUMBER IN-KIND CONTRIBUTION	REMARKS
4400 FEES FOR FACILITIES 4410 Rent: Offices & Buildings				
4500 FEES FOR SERVICES: 4560 Fees for Services, Non-Employees 4770 Special Services				
4900 CONTRACTED SERVICES (LIST)				
8000 EMPLOYEE BENEFITS: 8280 Retirement 8300 Insurance: Worker Compensation 8330 Social Security 8360 Health Insurance 8380 Dental Insurance		20,419.00 18,935.00 1,484.00		These expenses are not eligible for reimbursement under this program
OTHER (List Source & Brief Explanation)				

I certify that the above in-kind contribution are not currently being used to support other grants
 SCIN Form 164D (10-80)

2074

DETAIL LISTING OF 1000 ACCOUNT		PERSONAL SERVICES			Page 3 of 3
TITLE OF POSITION	GRADE / STEP	SALARY	EMPLOYEE NAME	GRANTOR	SOURCE OF FUNDING BY %
Police Officer	6	87.78/hr OT	Various	100%	IN-KIND
Sergeant		93.40/hr OT	Various	100%	

COUNTY OF SUFFOLK

763 Gen E.



2074

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: September 30, 2010

SUBJECT: Resolution Packets & SCIN Forms for
STEP (Selective Traffic Enforcement Program) 11
Governor's Traffic Safety Committee
Project # STEP-2011-Suffolk Co PD-00207-(052)

Attached please find two copies of the following for the STEP 11 grant program

1. Grant Resolution.
2. Grant SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the proposed contract between Suffolk County and the Governor's Traffic Safety Committee.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW. The original grant contract will be submitted for signature upon approval of the resolution.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042 or Susan C. Krause, Grants Technician, at 852-6601.

Thank you for your assistance with this project.

EW/sck
Att.

cc: Evelyn Creen, Federal & State Aid Claims Examiner
Christopher Kent, Chief Deputy County Executive



ACCREDITED LAW ENFORCEMENT AGENCY

www.joinscpd.com

30 YAPHANK AVENUE, YAPHANK, NEW YORK 11980 – (631) 852-6000



2074

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

1. Type of Legislation
Resolution X Local Law Charter Law

2. Title of Proposed Resolution
Accepting and appropriating a grant in the amount of \$105,570 from the State of New York Governor's Traffic Safety Committee, to target speeding, aggressive and distracted driving, with 83.79% support.

3. Purpose of Proposed Legislation
To accept \$105,570 from the State of New York Governor's Traffic Safety Committee to fund the Suffolk County Police Department's Aggressive Driving and Speed Enforcement Program, targeting speeding and aggressive and distracted driving behaviors.

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

5. If the answer to Item 4 is "Yes," on what will it impact?
(Circle appropriate category)
County Town Economic Impact
Village School District Other (specify):
Library District Fire District:

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:
Non-reimbursable fringe benefit costs of approximately \$20,419 will be incurred through September 30, 2011. Additional costs will only be incurred if the program receives additional funding in subsequent years.

8. Proposed Source of Funding
National Highway Traffic Safety Administration, Department of Justice, passed through the State of New York Governor's Traffic Safety Committee.

9. Timing of Impact
Immediate

10. Typed Name & Title of Preparer 11. Signature of Preparer 12. Date
Susan C. Krause  9/30/2010
Grants Technician



DAVID A. PATERSON
Governor

STATE OF NEW YORK
GOVERNOR'S TRAFFIC SAFETY COMMITTEE
DEPARTMENT OF MOTOR VEHICLES

2074



DAVID J. SWARTS
Chair

September 23, 2010

Ms. Sarah Furey
Sr. Grants Analyst
Suffolk County Police Department
30 Yaphank Avenue
Yaphank, New York 11980

Re: STEP-2011-Suffolk Co PD -00207-(052)
Selective Traffic Enforcement Program (STEP)
EFFECTIVE DATE: October 1, 2010

Dear Ms. Furey:

On behalf of Governor David A. Paterson, I am pleased to notify you that Suffolk County has been awarded \$105,570 to participate in the statewide "Selective Traffic Enforcement Program." Our goal is to reduce aggressive driving and speeding. Please note all grants will be effective only upon final approval by the New York State Office of the State Comptroller.

Thank you for participating in this very important statewide program. I wish you success in your efforts. If you have any questions, please contact the Governor's Traffic Safety Committee at (518) 474-5111.

Sincerely,

David J. Swarts
Chair and
Commissioner of Motor Vehicles

DJS:et
Enclosure

cc: Donald Fahey
Peter Reilly

**Additional back-up material regarding IR 2074 is on file in the Legislative
Clerk's Office, Hauppauge.**

Intro. Reso. No. 2075-10
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 11/16/10

RESOLUTION NO. -2010, ACCEPTING & APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF \$90,000.00 FROM THE UNITED STATES DEPARTMENT OF THE TREASURY, INTERNAL REVENUE SERVICE, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN OPERATION STEPP (SUFFOLK-TREASURY ENHANCED PROSECUTION PROGRAM) WITH 84.94% SUPPORT.

WHEREAS, the United States Department of the Treasury, Internal Revenue Service, has made \$90,000 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in Operation STEPP (Suffolk-Treasury Enhanced Prosecution Program); and

WHEREAS, the operational period of the project is from October 1, 2010 through September 30, 2011; and

WHEREAS, said reimbursement funds have not been included in the 2010 Suffolk County Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

REVENUE:	<u>Amount</u>
001-4376-Federal Aid: Operation STEPP FY11	\$90,000.00
 ORGANIZATIONS:	
	Police Department (POL)
	Operation STEPP FY11
	001-POL-3648
<u>1000-Personal Services</u>	<u>\$80,000.00</u>
1120-Overtime Salaries	80,000.00
 <u>4300-Travel</u>	 <u>\$10,000.00</u>
4310-Employee Misc-Expenses	7,000.00
4330-Travel: Employee Contracts	1,000.00
4340-Travel Other Contracts	2,000.00

and be it further

2nd RESOLVED, that the non-reimbursable fringe benefits of approximately \$15,960 associated with the overtime salaries for this program are included in the 2010 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute reimbursement-related agreements between Suffolk County and the U.S. Department of the Treasury, Internal Revenue Service.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 10/1/2010 2015
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank, NY 11980	
Contact Person In Department/Agency Sarah Furey Senior Grants Analyst	Telephone Number 852-6042	Grant Application Due Date N/A

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title: Operation STEPP FY11

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) P.L. 111-117, Consolidated Appropriations Act, 2010, U. S. Department of the Treasury, Administered by the Internal Revenue Service

3. Grant/Contract Status (Check One Box)
 A. ___ New Program Application
 B. X Renewal Application
 C. ___ Supplemental (Specify) _____
 D. ___ Extension of Funding Period
 E. ___ Contract

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.)
 This funding will provide reimbursement for the Suffolk County Police Department's participation in Operation STEPP (Suffolk-Treasury Enhanced Prosecution Program), a program designed to provide assistance to the IRS regarding the investigation and apprehension of individuals committing crimes against the Treasury.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

II. BUDGET INFORMATION

1. Term of Contract From: 10/01/10 To: 09/30/11

2. Financial Assistance Requested

SOURCE	FIRST FUNDING CYCLE		SECOND FUNDING CYCLE		THIRD FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$80,000	86.75%	\$80,000	85.14%	\$90,000	84.94%
State	\$		\$		\$	
Private	\$		\$		\$	
County	\$12,215	13.25%	\$13,965	14.86%	\$15,960	15.06%
Total	\$92,215	100%	\$93,965	100%	\$105,960	100%

2075

3. Explanation of Requested County Financial Assistance			
Category	Total Requested	Personnel Costs Requested	Non-Personnel Costs Requested
TOTAL COUNTY SHARE:	\$15,960	\$	\$15,960
A. Cash Contribution	\$15,960	\$	\$15,960
B. In-Kind Contribution	\$	\$	\$
4. Total Number of New Positions Requested 0		5. Can This Program Be Refunded by the Proposed Non-County Sources? X YES NO	
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.) Some additional indirect costs resulting from administrative oversight may be incurred.			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)? In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Police Department.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet). N/A			
III. COUNTY EXECUTIVE'S OFFICE REVIEW			
1. Intergovernmental Relations Division Review:	Approved _____	2. Signature of Coordinator	3. Date
	Disapproved _____		
4. Comments			
5. Budget Office Review:	Approved _____	6. Signature of Budget Director	7. Date
	Disapproved _____		
8. Comments			

2075

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		
ACCEPTING AND APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF \$90,000 FROM THE UNITED STATES DEPARTMENT OF THE TREASURY, INTERNAL REVENUE SERVICE, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN OPERATION STEPP (SUFFOLK-TREASURY ENHANCED PROSECUTION PROGRAM) WITH 84.94% SUPPORT.		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u>XX</u> No		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<input checked="" type="radio"/> County	<input type="radio"/> Town	<input type="radio"/> Economic Impact
<input type="radio"/> Village	<input type="radio"/> School District	<input type="radio"/> Other (Specify):
<input type="radio"/> Library District	<input type="radio"/> Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
No impact. The resolution provides \$90,000, and requires a 15.06% match which is included in the 2010 Operating budget.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
The funds provided by this grant must be expended between October 1, 2010 and September 30, 2011.		
8. Proposed Source of Funding		
United States Department of Treasury		
9. Timing of Impact		
Effective upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Tricia Saunders, Senior Research Analyst		11-03-10

**FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2075

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.

2075

**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 \$90,000.00 from the United States Department of the Treasury, Internal Revenue Service, for the Suffolk County Police Department's participation in Operation STEPP (Suffolk-Treasury Enhanced Prosecution Program) with 84.94% support.

3. Purpose of Proposed Legislation

To accept \$90,000 in federal funds from the United States Department of the Treasury, Internal Revenue Service to fund the Suffolk County Police Department's participation in Operation STEPP (Suffolk-Treasury Enhanced Prosecution Program).

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

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

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

6. If answer to Item 5 is "Yes," provide detailed explanation of impact:

The County will incur approximately \$15,960 in fringe benefits on overtime as these costs are not allowed under this funding program, but in exchange the County will receive \$90,000 for the Suffolk County Police Department's participation in Operation STEPP (Suffolk-Treasury Enhanced Prosecution Program).

7. Total financial Cost of Funding over 5 years on each affected political or Other Subdivision:
None

8. Proposed Source of Funding

United States Department of the Treasury, Internal Revenue Service

9. Timing of Impact

Immediate

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

Susan C. Krause
Grants Technician



10/1/10

COUNTY OF SUFFOLK

764

GEN 62



2075

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: October 1, 2010

SUBJECT: Resolution Packets & SCIN Forms for the Internal Revenue Service
Sponsored Operation STEPP FY11 (Suffolk-Treasury Enhanced Prosecution
Program)

Attached please find two copies of the following for the Operation STEPP FY11 Reimbursement Program:

1. Draft Resolution.
2. SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the Agreement between the Internal Revenue Service 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



**Additional back-up material regarding IR 2075 is on file in the Legislative
Clerk's Office, Hauppauge.**

Intro. Reso. No. 2076-10

Laid on Table 11/16/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, ACCEPTING & APPROPRIATING A GRANT IN THE AMOUNT OF \$100,000 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, OFFICE FOR CIVIL RIGHTS, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT TO PARTICIPATE IN A HUMAN TRAFFICKING TASK FORCE WITH 66.22% SUPPORT.

WHEREAS, the United States Department of Justice, Office of Justice Programs, Office of Civil Rights, has made \$100,000 in grant funds available to Suffolk County to allow the Suffolk County Police Department to continue to participate in a Human Trafficking Task Force; and

WHEREAS, this program will provide for a multi-agency task force designed to combat human trafficking by increased identification of evidence of human trafficking, identification of victims, comprehensive case investigation and community outreach; and

WHEREAS, the operational period of the Program will be from March 1, 2011 through February 29, 2012; and

WHEREAS, the required 25% match totaling \$33,334 in straight time salary and benefits for the portion of a Detective's time dedicated to project activities are included in the 2010 Suffolk County Operating Budget; and

WHEREAS, said grant funds have not been included in the 2010 Suffolk County Operating Budget; now, therefore, be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

REVENUE:	<u>Amount</u>
001-4364-Federal Aid: Human Trafficking Task Force 2010	\$100,000

ORGANIZATIONS:

**Police Department (POL)
Human Trafficking Task Force 2010
001-POL-3649**

<u>1000-Personal Services</u>	<u>\$95,604</u>
1120-Overtime Salaries	95,604
<u>4300-Travel</u>	<u>\$ 3,010</u>
4340-Travel, Other Contracts	3,010

**Employee Benefits
Social Security
001-EMP-9030**

<u>8000-Employee Benefits</u>	<u>\$ 1,386</u>
8330-Social Security	1,386

and be it further

2nd RESOLVED, that the non-reimbursable fringe benefits of approximately \$17,687 associated with the overtime salaries for this program are included in the 2010 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the United States Department of Justice, Office for Civil Rights.

DATED:

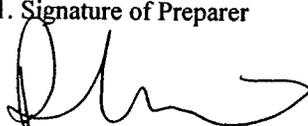
APPROVED BY:

County Executive of Suffolk County

Date of Approval:

2016

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		
ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$100,000 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, OFFICE FOR CIVIL RIGHTS, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT TO PARTICIPATE IN A HUMAN TRAFFICKING TASK FORCE WITH 66.22% SUPPORT.		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes XX No		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<div style="border: 1px solid black; border-radius: 50%; width: 20px; height: 20px; margin: 5px auto; display: flex; align-items: center; justify-content: center;"> County </div> <p style="margin: 5px 0;">Village</p> <p style="margin: 5px 0;">Library District</p>	<p style="margin: 5px 0;">Town</p> <p style="margin: 5px 0;">School District</p> <p style="margin: 5px 0;">Fire District</p>	<p style="margin: 5px 0;">Economic Impact</p> <p style="margin: 5px 0;">Other (Specify):</p>
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
The resolution provides \$100,000. A 25% or \$33, 334 match is required and is included in the 2010 operating budget in addition \$17,687 in non-reimbursable fringe benefits is included in the 2010 operating budget.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
The funds provided by this grant must be expended between March 1, 2011 and February 29, 2012.		
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, Senior Research Analyst		11-03-10

**FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2076

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.

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk		DATE 6/16/2010 REV 10/1/2010
Submitting Department/Agency Suffolk County Police Department	Location 30 Yaphank Avenue, Yaphank 2076	
Contact Person In Department/Agency Sarah Furey Sr. Grants Analyst	Telephone Number 852-6042	Grant Application Due Date 5/26/2010

Instructions: Applicant will complete all items on this form. If an item is not applicable, enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" X 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

1. Grant Title **Human Trafficking Task Force 2010**

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program) P.L.111-117 Consolidated Appropriations Act, 2010, administered by the United States Department of Justice, Office for Civil Rights.

3. Grant/Contract Status (Check One Box)
 A. New Program Application
 B. Renewal Application
 C. Supplemental (Specify) _____
 D. Extension of Funding Period
 E. Contract

General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment.). Grant funding will enhance the Suffolk County Police Department's ability to combat human trafficking through training in victim recognition and identification of evidence of human trafficking, rescue of victims of human trafficking, pro-active case investigation, , expanded community outreach, and coordination of victim services.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program.)

II. BUDGET INFORMATION

1. Term of Contract From **3/1/11** To: **2/29/12**

2. Financial Assistance Requested

SOURCE	FIRST FUNDING CYCLE 12/1/04-2/28/09		SECOND FUNDING CYCLE 9/1/08-2/28/11		THIRD FUNDING CYCLE 3/1/11-2/29/12	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$312,182	75%	\$250,000	86.74%	\$100,000	66.22%
State	\$	%	\$	%	\$	%
Private	\$	%	\$	%	\$	%
County	\$104,062	25%	\$38,214	13.26%	\$51,021	33.78%
Total	\$416,244	100%	\$288,214	100%	\$151,021	100%

2076

3. Explanation of Requested County Financial Assistance			
Category	Total Requested	Personnel Costs Requested	Non-Personnel Costs Requested
TOTAL COUNTY SHARE:	\$51,021	\$	\$51,021
A. Cash Contribution	\$51,021	\$	\$51,021
B. In-Kind Contribution	\$	\$	\$
4. Total Number of New Positions Requested 0	5. Can This Program Be Refunded by the Proposed Non-County Sources? X YES NO		
6. Estimated Expected Additional Indirect Costs (Costs to County not delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.) Some additional indirect costs resulting from administrative oversight may be incurred.			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinue (That is, program termination, reduced services, financial implications, layoffs, etc.)? In the event that another source of outside funding is not found, continuance of this program will be re-evaluated based on community need and available resources of the Department.			
8. Attach a List of Potential Subcontractors, If any, outlining the purpose of each subcontract (That is, 456 and 490 account items; use an additional 8 1/2" X 11" sheet).			
III. COUNTY EXECUTIVE'S OFFICE REVIEW			
1. Intergovernmental Relations Division Review:	Approved	2. Signature of Coordinator	3. Date
	Disapproved		
4. Comments			
5. Budget Office Review:	Approved	6. Signature of Budget Director	7. Date
	Disapproved		
8. Comments			

COUNTY OF SUFFOLK

765 Gent



2076

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

DATE: October 1, 2010

SUBJECT: Resolution Packets & SCIN Forms for
The Human Trafficking Task Force 2010 Grant Program
Grant # 2010-VT-BX-0018

Attached please find two copies of the following for the United States Department of Justice, Office of Justice Programs, Office for Civil Rights, sponsored Human Trafficking Task Force 2010 Grant Program:

1. Grant Resolution.
2. Grant SCIN Forms.
3. Request for Introduction of Legislation.
4. Financial Impact Statement.
5. Copy of the proposed contract between Suffolk County and the United States Department of Justice.

Copies of this packet are also being forwarded to the Federal and State Aid Claims Unit for review. Electronic copies of the resolution and SCIN forms will be transmitted to CE RESO REVIEW. The original grant contract will be submitted to your office upon approval of the resolution.

If you have any questions concerning this resolution package, please contact Sarah Furey, Senior Grants Analyst, at 852-6042, or Susan C. Krause, Grants Technician, at 852-6601.

Thank you for your assistance with this project.

EW/sck
Att.

cc: Christopher Kent, Chief Deputy County Executive
Evelyn Creen, Federal & State Aid Claims Examiner



ACCREDITED LAW ENFORCEMENT AGENCY

www.joinscpd.com

30 YAPHANK AVENUE, YAPHANK, NEW YORK 11980 - (631) 852-6000



**Additional back-up material regarding IR 2076 is on file in the Legislative
Clerk's Office, Hauppauge.**

Introductory Resolution No. 2077-10 Laid on Table 11/16/10

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
JOSH REZNICK
0900-313.00-01.00-042.030

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 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 313.00, Block 01.00, Lot 042.030, and acquired by tax deed on May 03, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 05, 2010, in Liber 12623, at Page 992, and otherwise known and designated by the Town of Southampton, as part of Lot 3 on a certain map entitled "Wildlife Associates, Section 2" filed in the Office of the Clerk of the County of Suffolk on January 2, 1985 as Map No. 7830; 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 May 03, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 05, 2010 in Liber 12623 at Page 992.

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, JOSH REZNICK has made application of said above described parcel and JOSH REZNICK has paid the application fee and has paid \$21,337.92, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2010, and

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

2nd - RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to JOSH REZNICK, 100 Jay St., Apt 30E, Brooklyn NY 11201, 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

2077

October 28, 2010

Tax Map No.: 0900-313.00-01.00-042.030
Name of Last Legal Fee Owner: JOSH REZNICK

TREASURER'S COMPUTATION..... \$21,337.92
Taxes.....2009/2010..... INCLUDED
License/Storage Fee..... OPEN
Repairs..... OPEN
Miscellaneous Expenses..... OPEN

TOTAL..... \$21,337.92

Monies Received..... \$21,337.92

RESOLUTION AMOUNT..... \$21,337.92

APPROVED:

Karen Akater 10/29/10
Accounting
DB:lag

PREPARED BY:

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

COMPUTATION BY SUFFOLK COUNTY TREASURER

<u>DISTRICT</u>	<u>SECTION</u>	<u>BLOCK</u>	<u>LOT</u>
0900	313.00	01.00	042.030

2077

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

2005/06	4901.84
2006/07	3947.06
2007/08	3847.61
2008/09	3641.16
2009/10	2953.72

TOTAL: 19291.39

B. INTEREST DUE	1030.44
C. TOTAL	20321.83
D. 5% LINE C	1016.09
E. FEE	
F. MISC	
G. MISC	

H. TOTAL DUE \$21,337.92

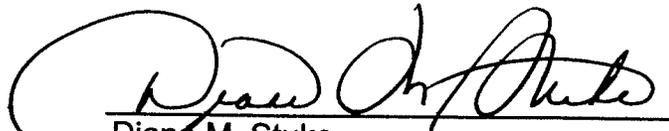
10/29/10

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.

15-Oct-10



Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to
and including 04/13/11

2011

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0900-313.00-01.00-042.030

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

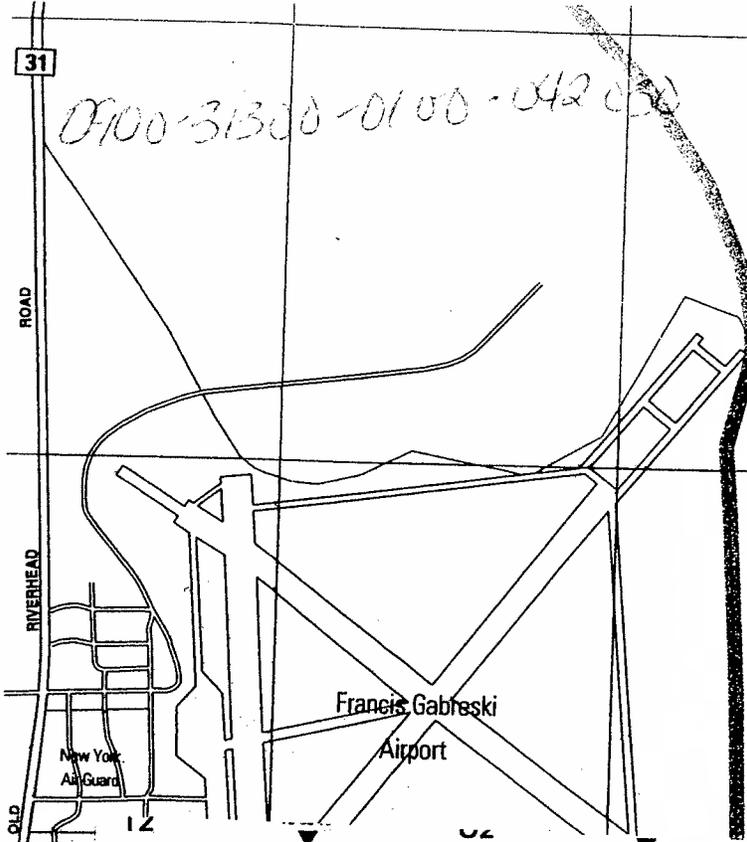
9. Timing of Impact
2010

10. Typed Name & Title of Preparer	Signature of Preparer	Date
<u>Diane Bishop</u>	<u>Diane Bishop</u>	<u>10/28/10</u>

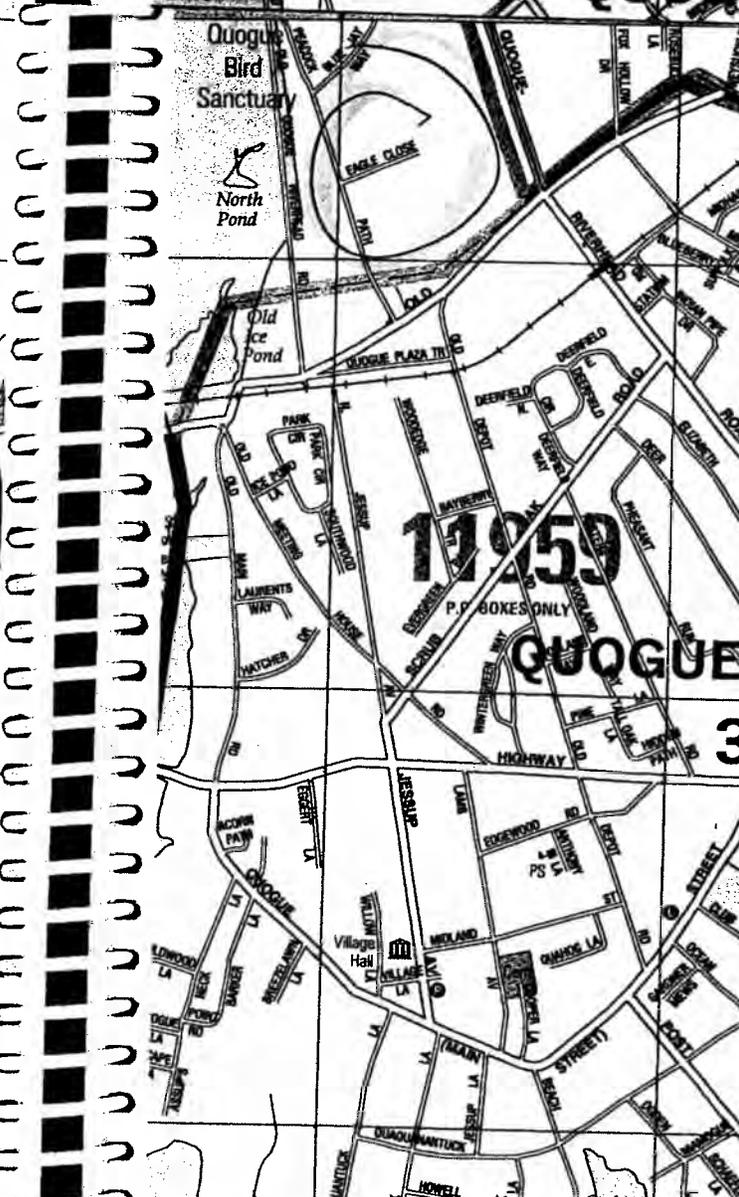
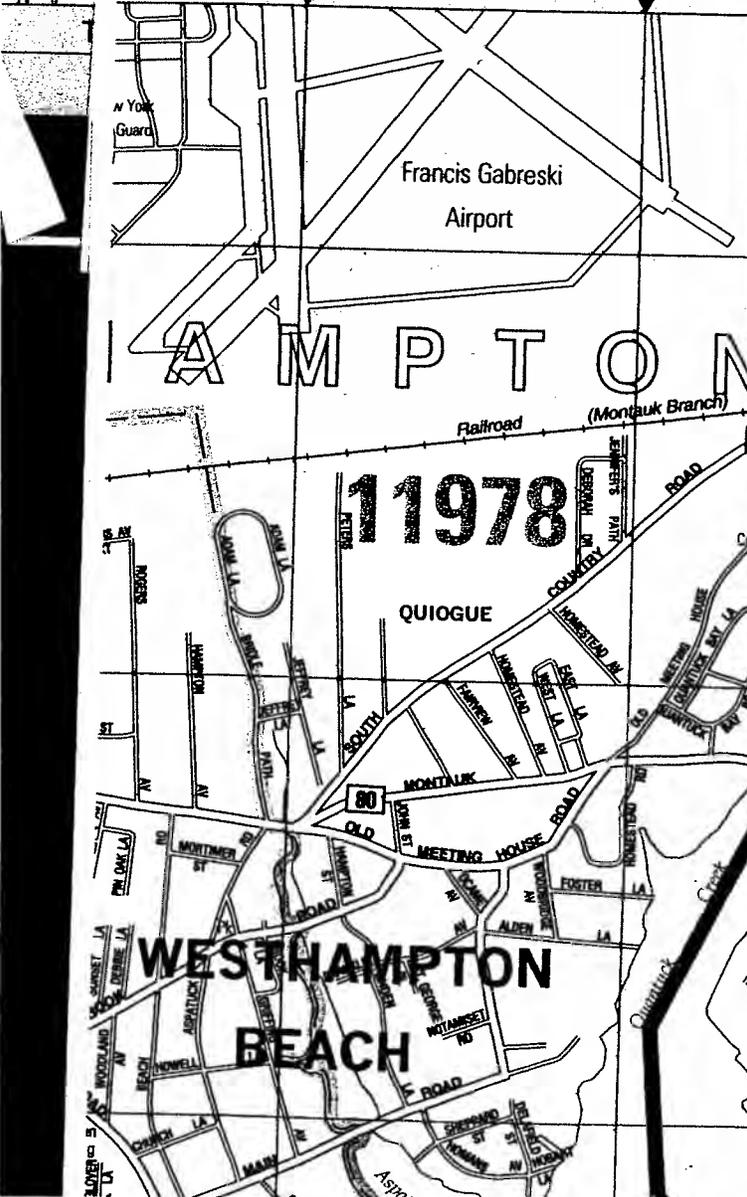
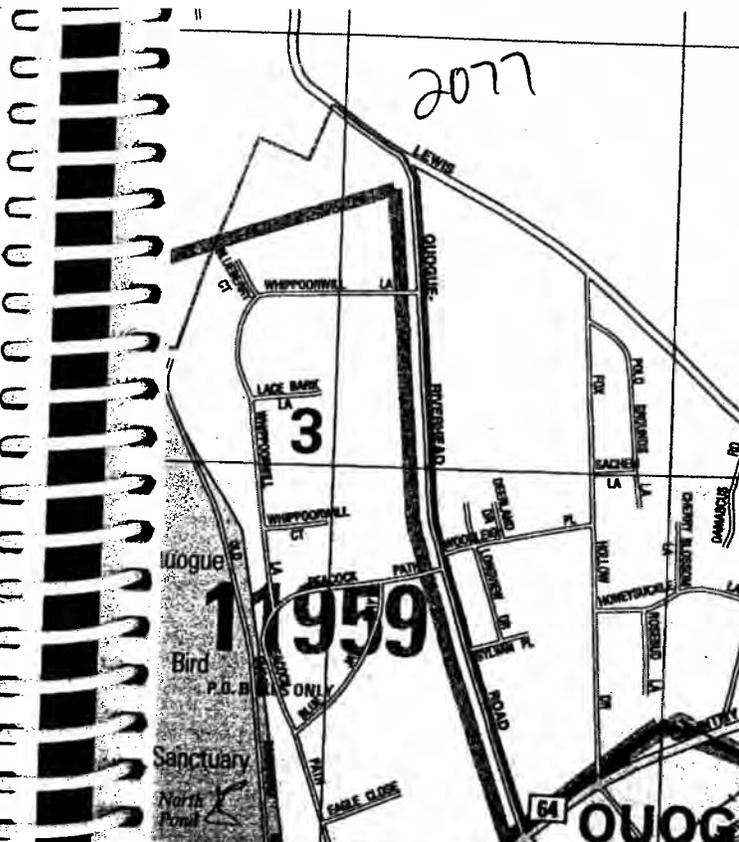
31

0900-31300-0100-042000

2077



Quo
E
Sa
N
P





0400-313.00-0188-049.030

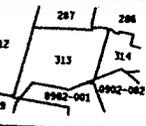
PROPERTIES DISTRICTS:

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



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

KEY MAP



TOWN OF **SOUTHAMPTON**
VILLAGE OF
DISTRICT NO **0900**

SECTION NO
313
PROPERTY MAP

Gen E4

COUNTY OF SUFFOLK



2011 NOV 01 2010

STEVE LEVY
COUNTY EXECUTIVE

PAMELA J. GREENE
DIVISION DIRECTOR

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

CARRIE MEEK-GALLAGHER
COMMISSIONER

October 29, 2010

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

Re: Tax Map No. 0900-313.00-01.00-042.030
JOSH REZNICK

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 C. Naughton, Budget Director
Thomas A. Isles, Director, Planning Dept.
Lauretta Fischer, Principal Planner, Planning Dept.
Alice Kubicko, Inventory

2078

Intro. Res. No. - 2010

Laid on Table 11/16/10

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 SAINT MARTIN
ESTATE PROPERTY - MUD CREEK ADDITION
(TOWN OF BROOKHAVEN - SCTM#0200-
973.60-04.00-011.001)**

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. 614-2003, authorized planning steps for the acquisition of said property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition; and

WHEREAS, based upon the Environmental Trust Review Board approved value, an offer to acquire the subject property was made to and accepted by the owner of said property; and

WHEREAS, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Property Acquisition and Management and approved as to legality by the Office of the County Attorney; now, therefore, be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Eight Thousand Dollars (\$8,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u>		<u>ACRES:</u>	<u>REPUTED OWNER</u>
No. 1	<u>TAX MAP NUMBER:</u>		0.22±	<u>AND ADDRESS:</u>
	District	0200		Estate of Irma Saint Martin
	Section	973.60		c/o Manuel Saint Martin
	Block	04.00		115-10 Queens Blvd.
	Lot	011.001		Forest Hills, NY 11375

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Eight Thousand Dollars (\$8,000.00), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$8,000.00±, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

- a.) freshwater/tidal wetlands and buffer lands for same;
- b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study;
- 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

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th RESOLVED, that the above activity is an unlisted action (if greater than 100 acres; Type II) pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

9th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) is passive recreation; and
- 3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and, be it further

10th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Gen F1

JUN 03 2010

2078

COUNTY OF SUFFOLK



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

June 2, 2010

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building -12th 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 St. Martin property (Mud Creek), in the Town of Brookhaven, under the New Suffolk County ¼% Drinking Water Protection Program. The purchase price is \$8,000.00 for 0.22+ acres.

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene
Pamela J. Greene
Director

PJG:pd
Att.

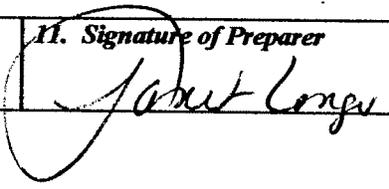
- cc: Christopher E. Kent, Chief Deputy County Executive
- Ed Dumas, Chief Deputy County Executive
- Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
- Thomas A. Isles, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-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. - 2nd Floor
100 VETERANS MEMORIAL HIGHWAY

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

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

**STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION** 2078

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 Saint Martin property (Mud Creek), SCTM#0200-973.60-04.00-011.001, (Town of Brookhaven).		
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 June 2, 2010

IR No. 2079-10

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

Laid on Table

11/16/10

**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 HABER
PROPERTY - MASTIC/SHIRLEY
CONSERVATION AREA II (TOWN OF
BROOKHAVEN - SCTM#0200-983.50-02.00-
026.000)**

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 877-2005, authorized planning steps for the acquisition of said property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition; and

WHEREAS, based upon the Environmental Trust Review Board approved value, an offer to acquire the subject property was made to and accepted by the owner of said property; and

WHEREAS, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Property Acquisition and Management and approved as to legality by the Office of the County Attorney; and

WHEREAS, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 - Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and/or 877-2005 - Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s), as described in the 1st Resolved, is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; now, therefore, be it;

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Fourteen Thousand Four Hundred Dollars (\$14,400.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u> <u>TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER</u> <u>AND ADDRESS:</u>
No. 1	District 0200 Section 983.50 Block 02.00 Lot 026.000	0.23 _±	Steven A. Haber P.O. Box 1314 Commack, NY 11725

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Fourteen Thousand Four Hundred Dollars (\$14,400.00), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$14,400.00, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

- b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study;
- 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

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

JUN 14 2010

Gen F2

COUNTY OF SUFFOLK



2079

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

June 9, 2010

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building -12th 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 Haber property (Mastic/Shirley Conservation Area II, in the Town of Brookhaven, under the New Suffolk County 1/4% Drinking Water Protection Program. The purchase price is \$14,400.00 for 0.23± 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-Condernation
- Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
- Brendan Chamberlain, Director, Intergovernmental Relations
- Tom Vaughn, County Executive Assistant
- Phyllis J. Benincasa, Acquisition Agent
- CE Reso Review (e-mail copy only)

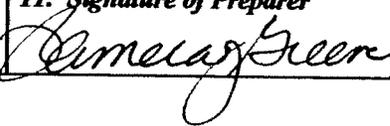
LOCATION
H. LEE DENNISON BLDG. - 2nd Floor
100 VETERANS MEMORIAL HIGHWAY

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

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

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

2079

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 Haber, property (Mastic/Shirley Conservation Area II, SCTM#0200-983.50-02.00-026.000, (Town of Brookhaven).		
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
Pamela J. Greene Division Director		June 9, 2010

2080

Intro. Res. No. - 2010

Laid on Table

11/16/10

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 CAMPO BROTHERS
PROPERTY - BEAVERDAM CREEK (TOWN OF
BROOKHAVEN - SCTM#0200-931.00-05.00-
020.000 & 0200-961.00-03.00-026.000)**

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. 1002-2007, authorized planning steps for the acquisition of said property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition; and

WHEREAS, based upon the Environmental Trust Review Board approved value, an offer to acquire the subject property was made to and accepted by the owner of said property; and

WHEREAS, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Property Acquisition and Management and approved as to legality by the Office of the County Attorney; now, therefore, be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Twenty Two Thousand Five Hundred Dollars (\$22,500.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 931.00 Block 05.00 Lot 020.000	1.03±	Campo Brothers 1303 Main Street, Suite 1A Port Jefferson, NY 11777
No. 2.	District 0200 Section 961.00 Block 03.00 Lot 026.000		

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Twenty Two Thousand Five Hundred Dollars (\$22,500.00), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$22,500.00, 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

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

- b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study;
- 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

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

9th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) is passive recreation; and
- 3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and, be it further

10th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Gen F3

COUNTY OF SUFFOLK



2080

OCT 04 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

September 20, 2010

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building -12th 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 Campo Brothers property (Beaverdam Creek), in the Town of Brookhaven, under the New Suffolk County ¼% Drinking Water Protection Program. The purchase price is \$22,500.00 for 1.03± acres.

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene
Director

PJG:pd

Att.

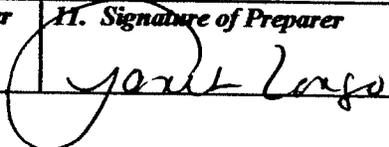
- cc: Christopher E. Kent, Chief Deputy County Executive
- Ed Dumas, Chief Deputy County Executive
- Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
- Thomas A. Isles, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condensation
- Lauretta Fischer, Principal Environmental Analyst, Planning Dept.
- Brendan Chamberlain, Director, Intergovernmental Relations
- Tom Vaughn, County Executive Assistant
- Peter Belyea, Acquisition Agent
- CE Reso Review (e-mail copy only)

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

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

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

**STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION 2080**

1. Type of Legislation		
Resolution	<u>X</u>	Local Law
Charter Law		
2. Title of Proposed Legislation		
Authorizing the acquisition under the New Suffolk County ¼% Drinking Water Protection Program, of the Campo Brothers property (Beaverdam Creek), SCTM#0200-931.00-05.00-020.000 & 0200-961.00-03.00-026.000, (Town of Southampton).		
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		September 20, 2010

2081

Intro. Res. No. -2010

Laid on Table

11/16/10

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 MARIST BROTHERS OF SCHOOLS, INC. PROPERTY - BEAVERDAM CREEK COUNTY WETLANDS ADDITION (TOWN OF - BROOKHAVEN - SCTM#0200-976.10-03.00-027.001 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. 1021-2008, authorized planning steps for the acquisition of said property; and

WHEREAS, the Town of Brookhaven ("Town") has approved Resolution No. 931-2008, as amended by Resolution 190-2010 on March 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; now, therefore, be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Six Hundred Fifty Three Thousand Seven Hundred Eighty Dollars (\$653,780.00+), at Ninety Five Thousand Dollars per acre (\$95,000.00), for 7.6± acres, from which Sixty Eight Thousand

Two Hundred Twenty Dollars (\$68,220.00) for demolition costs has been deducted, which total cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Four Hundred Fifty Seven Thousand Six Hundred Forty Six Dollars (\$457,646.00+), for a seventy percent (70%) undivided interest; and the Town's share, totaling One Hundred Ninety Six Thousand One Hundred Thirty Four Dollars (\$196,134.00+), for a thirty percent (30%) 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:

	SUFFOLK COUNTY		REPUTED OWNER
<u>PARCEL:</u>	<u>TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>AND ADDRESS:</u>
No. 1	District 0200	7.6±	Marist Brothers of Schools, Inc.
	Section 976.10		4300 Murdock Avenue
	Block 03.00		Bronx, NY 10466
	Lot 027.001 p/o		

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for Four Hundred Fifty Seven Thousand Six Hundred Forty Six Dollars (\$457,646.00+), subject to a final survey, said amount representing the County's share of the total purchase price; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$457,646.00±, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

4th RESOLVED, that the title to this acquisition shall be held by the County of Suffolk and the Town of Brookhaven, as tenants-in-common, with the County of Suffolk having an undivided seventy percent (70%) interest, and the Town of Brookhaven have an undivided thirty percent (30%) interest; and, be it further

5th 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

6th RESOLVED, that pursuant to Section C12-2(A)(2)(c) this property is not to be developed and Two (2) Workforce Housing Development Rights, representing the County's

percent seventy (70%) 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

7th **RESOLVED**, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study; and, be it further

8th **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

9th **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

10th **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

11th **RESOLVED**, that the above activity is an unlisted action (if greater than 100 acres; Type I action) pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

12th **RESOLVED**, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) is passive recreation; and
- 3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact that the proposed acquisition and preservation of the site would have; and, be it further

13th **RESOLVED**, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

2081

RESOLUTION NO. 2010-190
MEETING OF: March 2, 2010

ADOPTED
BY THE BROOKHAVEN TOWN BOARD

AMENDING RESOLUTION NO. 931-08 OF NOVEMBER 13, 2008, ENTITLED "AUTHORIZING THE ACQUISITION OF PROPERTY FOR OPEN SPACE IN PARTNERSHIP WITH THE COUNTY OF SUFFOLK AND THE POST MORROW FOUNDATION LOCATED AT SOUTH COUNTRY ROAD, BROOKHAVEN – SCTM #0200-976.10-03-27.1 OWNER: MARIST BROTHERS OF THE SCHOOLS, INC. – OPEN SPACE LOG NO. 04-034"

WHEREAS, the Town Board previously adopted Resolution No. 931-08 of November 13, 2008, authorizing the acquisition of open space for property located on Granny Road in Coram, SCTM No. 0200-976.10-03.00-027.001; and

WHEREAS, the actual cost of the acquisition is amended as follows: Town of Brookhaven thirty (30%) percent and County of Suffolk seventy (70%) percent for 7.6± acres at \$95,000.00 per acre minus \$68,000.00 demolition costs for a total cost of ±\$653,760.00; and

WHEREAS, that Resolution No. 931-08 is further amended to reflect that the Town of Brookhaven shall partner with the Post Morrow Foundation to acquire 2± acres with a house for a total cost of Two Hundred Sixty-Two Thousand and Fifty (\$262,050.00) (Town of Brookhaven share 62% and the Post Morrow Foundation share 38%); and

WHEREAS, that the management agreement between the Town of Brookhaven and the Post Morrow Foundation shall state that the Post Morrow Foundation shall manage and maintain the building and 2± acres; and

2081

WHEREAS, the funding source the Commissioner of Finance is directed to disburse from is amended to Account No. H 8510 3080 2009;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Brookhaven that Resolution No. 931-08 of November 13, 2008, is hereby amended as set forth above; and be it further

RESOLVED, that the remaining terms and conditions as set forth in Town Board Resolution 931-08 of November 13, 2008, shall remain in full force and effect.

2081

RESOLUTION NO. 931-08
MEETING OF: NOVEMBER 13, 2008

ADOPTED
BY THE BROOKHAVEN TOWN BOARD

AUTHORIZING THE ACQUISITION OF PROPERTY FOR OPEN SPACE IN PARTNERSHIP WITH THE COUNTY OF SUFFOLK AND THE POST MORROW FOUNDATION LOCATED AT SOUTH COUNTRY ROAD, BROOKHAVEN - SCTM #0200-976.10-03-27.1 OWNER: MARIST BROTHERS OF THE SCHOOLS, INC. - OPEN SPACE LOG NO. 04-034

WHEREAS, at the general election held on November 6, 2007, the electorate approved the mandatory referendum on Resolution No. 770-2007 adopting a Charter Law extending and accelerating the existing Suffolk County ¼% Drinking Water Protection Program for Environmental Protection, Sewer District Tax Rate Stabilization and County-wide Property Tax Protection from December 31, 2013 to November 30, 2030 (Local Law No. 24-2007); and

WHEREAS, the intent of Local Law No. 24-2007 is to extend the ¼% Suffolk County Drinking Water Protection Program for 17 years and to accelerate the land acquisition component of the program by permitting borrowing of up to \$322 million over the next four (4) years with the cost of the borrowing to be repaid from the ¼% Sales Tax Revenue Stream; and

WHEREAS, by Resolution No. 86-2008 the County Legislature appropriated \$15 million for the Suffolk County Environmental Legacy Fund for the acquisition of environmentally sensitive lands denominated as open space, farmlands, historic properties and active parklands; and

WHEREAS, Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County

2081

Taxpayers," Section C12-2(A)(1) authorized the use of 13.55 percent of sales and compensating tax proceeds generated each year for open space acquisitions, as determined by duly enacted Resolutions of the County of Suffolk; 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. 602-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

WHEREAS, the appropriation and expenditure of any such bond proceeds pursuant to Charter §C-12-A-1(A)(3)(a) shall be conditioned upon receipt by the County of Suffolk of a written binding pledge or commitment to provide at least forty percent (40%) of the actual cost of the acquisition from the State of New York, local municipality, and/or federal government for each such parcel; and

WHEREAS, pursuant thereto, said acquisitions are to be made in accordance with the procedures set forth in Chapter 8 of the Suffolk County Code which provides that the same shall be consummated in accordance with the provisions of General Municipal Law §247; and

WHEREAS, the Town of Brookhaven is desirous of acquiring open space with Suffolk County and the Post Morrow Foundation and shall provide forty (40%) percent of the actual cost of acquisition; and

WHEREAS, pursuant thereto, the Environmental Bond Act Advisory

2081

management and operation of said property; and be it further

RESOLVED, that the County, the Post Morrow Foundation and the Town of Brookhaven shall be parties to the purchase contract; and be it further

RESOLVED, that the Supervisor or Deputy Supervisor of the Town of Brookhaven is hereby authorized to negotiate and enter into any necessary collateral agreements with the aforesated participating governmental entities to effectuate the terms of this resolution; and be it further

RESOLVED, that the purchase contract and any collateral agreements shall reflect the terms specified in this resolution; and be it further

RESOLVED, that the terms and conditions of the purchase contract and any collateral agreements shall be reviewed and approved as to form by the Town Attorney; and be it further

RESOLVED, that the Town Attorney be and hereby is authorized to do all things necessary to acquire an unencumbered title to the subject parcels.

2081

EXHIBIT TO RESOLUTION APPROVING ACQUISITION OF OPEN SPACE
PURSUANT TO PROGRAM WITH SUFFOLK COUNTY FOR
PROPERTY LOCATED AT GRANNY ROAD, CORAM, NEW YORK

<u>TAX MAP NO.</u>	<u>ACREAGE</u>	<u>REPUTED OWNER</u>
District 0200 Section 976.10 Block 03.00 Lot 027.001	9 ± acres	Marist Brothers of the Schools, Inc.

COUNTY OF SUFFOLK

Gen F4



OCT 18 2010

2081

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

October 15, 2010

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building -12th 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 Marist Brothers of Schools, Inc. property (Beaverdam Creek), in the Town of Brookhaven, under the New Suffolk County ¼% Drinking Water Protection Program. The purchase price is \$653,780.00± for 7.6± acres, of which the County's 70% share is \$457,646.00±.

Please contact me if you require any additional information.

Sincerely,

A handwritten signature in cursive script that reads "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-Condernation
Lauretta Fischer, Principal Environmental Analyst, S.C. Planning Dept.
Brendan Chamberlain, Director, Intergovernmental Relations
Tom Vaughn, County Executive Assistant
Peter Belyea, Acquisition Agent
CE Reso Review (e-mail copy only)

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

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

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

2082

Intro. Res. No. - 2010

Laid on Table

11/16/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010 AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) FOR THE HARBES FARM RIVERHEAD WEST, LLC PROPERTY (TOWN OF RIVERHEAD - SCTM#0600-008.00-03.00-004.000 p/o)

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 386-2009, authorized planning steps for the acquisition of farmland development rights of the subject property; and

WHEREAS, pursuant thereto, said acquisition is to be made in accordance with the procedures set forth in Chapter 8 of the Suffolk County Code which provides that the same shall be consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation of the Suffolk County Farmland Committee; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition of farmland development rights; and

WHEREAS, based upon the Environmental Trust Review Board approved value, an offer to acquire the rights to subject property was made to and accepted by the owner of said property; and

WHEREAS, contracts to acquire said rights were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Property Acquisition and Management and approved as to legality by the office of the County Attorney; now, therefore, be it:

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Farmland component, for a total purchase price of One Million Three Hundred Thirty Two Thousand Five Hundred Dollars (\$1,332,500.00+), at Sixty Five Thousand Dollars (\$65,000.00) per acre for 20.5+ 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 for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0600 Section 008.00 Block 03.00 Lot 004.000 p/o	20.5±	Harbes Farm Riverhead West, LLC a New York Limited Liability Co. 715 Hallock Lane Mattitck, NY 11952

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of One Million Three Hundred Thirty Two Thousand Five Hundred Dollars (\$1,332,500.00±), at Sixty Five Thousand Dollars (\$65,000.00) per acre for 20.5± acres, subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,332,500.00±, 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 December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5 c (20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of farmland development rights as part of the Suffolk County Farmland Preservation Program which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

COUNTY OF SUFFOLK

Gen F5



2082

OCT 18 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

October 18, 2010

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building -12th 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 farmland development rights of the Harbes Farm Riverhead West, LLC property, in the Town of Riverhead, under the New Suffolk County 1/4% Drinking Water Protection Program-Farmland. The purchase price is \$1,332,500.00± for 20.5± acres.

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene
Director

PJG:pd

Att.

- cc: Christopher E. Kent, Chief Deputy County Executive
- Ed Dumas, Chief Deputy County Executive
- Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
- Thomas A. Isles, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
- Lauretta Fischer, Principal Environmental Analyst, S.C. Planning Dept.
- Jessica Kalmbacher, Planner, S. C. Planning Dept. (Farmland only)
- Brendan Chamberlain, Director, Intergovernmental Relations
- Tom Vaughn, County Executive Assistant
- Bob Zaher, Acquisition Agent
- CE Reso Review (e-mail copy only)

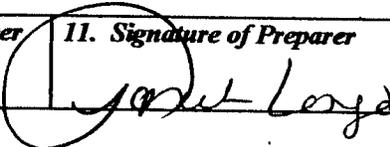
LOCATION
H. LEE DENNISON BLDG. - 2nd Floor
100 VETERANS MEMORIAL HIGHWAY

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

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

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

2082

1. Type of Legislation		
Resolution	<input checked="" type="checkbox"/>	Local Law
		Charter Law
2. Title of Proposed Legislation		
Authorizing the acquisition of the farmland development rights under the New Suffolk County ¼% Drinking Water Protection Program-Farmland, of the Harbes Farm Riverhead West, LLC property (Harbes Farm), SCTM#0600-008.00-03.00-004.000 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-Farmland		
9. Timing of Impact		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Janet M. Longo Acquisition Supervisor		October 18, 2010

2083

Intro. Res. No. - 2010

Laid on Table 11/16/10

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 PECONIC LAND
TRUST, INC. PROPERTY AS CONTRACT
VENDEE - CATCOVE - PECONIC RIVER
COUNTY PARK ADDITION (TOWN OF
SOUTHAMPTON - SCTM#0900-118.01-01.00-
002.000, 0900-118.00-02.00-014.000, 0900-
118.00-02.00-015.000, 0900-118.00-02.00-
016.000, 0900-118.00-02.00-017.000, 0900-
118.00-02.00-018.000, 0900-118.00-02.00-020.001
& 0900-118.00-02.00-025.000)**

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 877-2005, authorized planning steps for the acquisition of said property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition; and

WHEREAS, based upon the Environmental Trust Review Board approved value, an offer to acquire the subject property was made to and accepted by the owner of said property; and

WHEREAS, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Property Acquisition and Management and approved as to legality by the Office of the County Attorney; and

WHEREAS, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as

set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s), as described in the 1st Resolved, is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; now, therefore, be it;

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Three Million Five Hundred Seventeen Thousand Five Hundred Dollars (\$3,517,500.00+), at One Hundred Seventy Five Thousand Dollars (\$175,000.00) per acre, for 20.1+ 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	0900	20.1+	Peconic Land Trust, Inc. as Contract Vendee 296 Hampton Bays Road P.O. Box 1776 Southampton, NY 11969
	Section	118.01		
	Block	01.00		
	Lot	002.000		
No. 2	District	0900		
	Section	118.00		
	Block	02.00		
	Lot	014.000		
No. 3	District	0900		
	Section	118.00		
	Block	02.00		
	Lot	015.000		
No. 4	District	0900		
	Section	118.00		
	Block	02.00		
	Lot	016.000		
No. 5	District	0900		
	Section	118.00		
	Block	02.00		
	Lot	017.000		
No. 6	District	0900		
	Section	118.00		
	Block	02.00		
	Lot	018.000		

No. 7	District	0900
	Section	118.00
	Block	02.00
	Lot	020.001

No. 8	District	0900
	Section	118.00
	Block	02.00
	Lot	025.000

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Three Million Five Hundred Seventeen Thousand Five Hundred Dollars (\$3,517,500.00±), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$3,517,500.00±, 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

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

- a.) freshwater/tidal wetlands and buffer lands for same;
- b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study; and, be it further

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Gen Fl

COUNTY OF SUFFOLK

NOV 01 2010



2083

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

October 27, 2010

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building -12th 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 Peconic Land Trust, Inc., as Contract Vendee (Catcove-Peconic River County Park Addition) property, in the Town of Southampton, under the New Suffolk County ¼% Drinking Water Protection Program. The purchase price is \$3,517,500.00± for 20.1± acres, at \$175,000.00 per acre.

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, S.C. Planning Dept.
- ✓ Brendan Chamberlain, Director, Intergovernmental Relations
- Tom Vaughn, County Executive Assistant
- Peter Belyea, Acquisition Agent
- CE Reso Review (e-mail copy only)

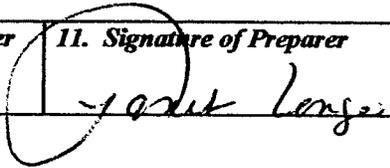
LOCATION
H. LEE DENNISON BLDG. - 2nd Floor
100 VETERANS MEMORIAL HIGHWAY

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

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

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

2083

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 Peconic Land Trust, Inc., as Contract Vendee property (Catcove-Peconic River County Park Addition), SCTM#0900-118.01-01.00-002.000, 0900-118.00-02.00-014.000, 0900-118.00-02.00-015.000, 0900-118.00-02.00-016.000, 0900-118.00-02.00-017.000, 0900-118.00-02.00-018.000, 0900-118.00-02.00-020.001 & 0900-118.00-02.00-025.000, (Town of Southampton).		
3. Purpose of Proposed Legislation See No. 2 above		
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: 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 October 27, 2010

2084

Intro. Res. No. - 2010

Laid on Table

11/16/10

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 PEFCOS REALTY CORPORATION PROPERTY - WOODHULLS LANDING WOODLANDS (TOWN OF BROOKHAVEN - SCTM#0200-028.00-05.00-012.000 p/o & 0200-028.00-06.00-001.000 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. 978-2004, authorized planning steps for the acquisition of said property; and

WHEREAS, the Town of Brookhaven ("Town") has approved Resolution No. 2009-964 on November 10, 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; now, therefore, be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Six Million Six Hundred Seventy Two Thousand Three Hundred Dollars (\$6,672,300.00+), at One Hundred Fifteen Thousand Dollars (\$115,000.00) per acre, for 58.02+ acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling

Three Million Three Hundred Thirty Six Thousand One Hundred Fifty Dollars (\$3,336,150.00+), for a fifty percent (50%) undivided interest; and the Town's share, totaling Three Million Three Hundred Thirty Six Thousand One Hundred Fifty Dollars (\$3,336,150.00+), 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> <u>AND ADDRESS:</u>
	<u>TAX MAP NUMBER:</u>			
No. 1	District	0200	58.02+	Pefcos Realty Corporation
	Section	028.00		29-05 120 th Street
	Block	05.00		Flushing, NY
	Lot	012.000 p/o		
No. 2	District	0200		
	Section	028.00		
	Block	06.00		
	Lot	001.000 p/o.		

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for Three Million Three Hundred Thirty Six Thousand One Hundred Fifty Dollars (\$3,336,150.00+), subject to a final survey, said amount representing the County's share of the total purchase price; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$3,336,150.00+, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and, be it further

4th RESOLVED, that the 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

5th 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

6th RESOLVED, that pursuant to Section C12-2(A)(2)(c) this property is not to be developed and Twenty Seven (27) 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

7th 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:

g.) Open Space; and, be it further

8th 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

9th 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

10th 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

11th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

12th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) is passive recreation; and
- 3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact that the proposed acquisition and preservation of the site would have; and, be it further

13th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to

prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

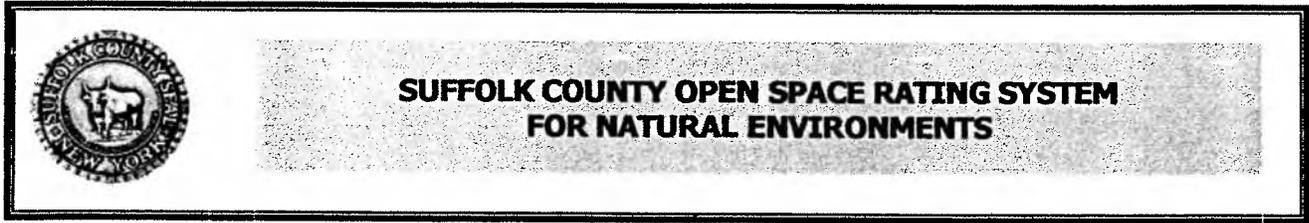
County Executive of Suffolk County

Date of Approval:

2084

Name Vassilaros Property - Refcos

Introductory Resolution No. 1835-2004



This rating system for natural environments is designed to clarify the recommendation and acquisition process for parcels of land that might be acquired with funds from the New Drinking Water Protection Program (effective December 1, 2007), the Multifaceted Land Preservation Program, the Environmental Legacy Fund, or any of the other County open space programs that are designed for the protection of natural environments.

NEW DRINKING WATER PROTECTION PROGRAM

If the property is being recommended for acquisition under the **New Drinking Water Protection Program (effective December 1, 2007)**, then it must meet at least one of the following criteria as per Section C12-2(A)(1):

- a. Freshwater/tidal wetlands and buffer lands for same
- b. Lands within the watershed of a coastal stream as determined by a reasonable planning or hydrological study
- c. Any tract of land located fully or partially within a statutorily designated Special Groundwater Protection Area
- d. Lands determined by the County Department of Planning to be necessary for maintaining the quality of surface or groundwater in Suffolk County
- e. Lands identified by the South Shore Estuary Reserve (SSER), Peconic Estuary Program (PEP), and/or the Long Island Sound Comprehensive Conservation and Management Plan (LICMP) as needed to protect coastal water resources
- g. Open Space
- h. Wetlands, woodlands, pine barrens, and other lands which are suitable only for passive recreational use

If YES, then go to the next page.

MULTIFACETED LAND PRESERVATION PROGRAM

Property is being recommended for acquisition under the following component of the **Multifaceted Land Preservation Program:**

- pursuant to the Land Preservation Partnership Program (Resolution No. 751-1997 passive recreation)
- pursuant to the traditional (1986) Open Space Preservation Program
- for environmentally sensitive land acquisition
- for watershed/estuary protection
- for drinking water protection purposes

If YES, then go to the next page.

OTHER OPEN SPACE PROGRAMS:

1986 Open Space Preservation, 1987 (Old) Drinking Water Protection, South Setauket Woods Conservation Area, Environmental Legacy Fund (Open Space category), etc.

If YES, then go to the next page.

2084



SUFFOLK COUNTY OPEN SPACE RATING SYSTEM FOR NATURAL ENVIRONMENTS

Score Subtotal

NATURAL RESOURCE CHARACTERISTICS

A. WETLANDS AND BUFFER AREAS

1. Site contains tidal or freshwater wetlands as identified by New York State Department of Environmental Conservation or local town/village approved maps. (> 50%=10pts.; between 50% and 25%=8pts.; less than 25%=5pts.)		
2. Site contains the buffer area of a tidal wetland (approx. 300 ft) or freshwater wetland. (approx. 100 ft.) (5pts.)	5	
3. Site contains both tidal and freshwater wetlands as identified by New York State Department of Environmental Conservation or local town/village approved maps. (2pts.)		
4. Site is located within a drainageway with at least one of the following soil types: At, Bd, Ca, De, Mu, ScB, SdA, SdB, Su, Tm, Wa, Wd, We, Wh. (2pts.)		5

B. GROUNDWATER RESOURCES

1. Site is located within the Pine Barrens Core Area. (10pts.)		
2. Site is located within a Special Groundwater Protection Area (SGPA), but not within the Pine Barrens Core Area. (8pts.)		
3. Site is located within Hydrogeologic Zone I or Zone III (deep aquifer recharge area), but not within the Pine Barrens Core Area or a SGPA. (3pts.)		0

C. NATURAL HABITAT

1. Site contains endangered (10 pts.), threatened (10 pts.) and/or special concern (5 pts.) species pursuant to Federal/New York State listings as identified under ECL Section 11-0535; regulation 6NYCRR Part 182.5. (10pts.)		
2. Site contains a New York State Natural Heritage Program Element(s) with a Global rank of G1, G2 or G3 and/or a State rank of S1, S2 or S3. (5pts.)		
3. Site contains an endangered, threatened, exploitably vulnerable or rare New York State Protected Native Plant species as identified under ECL Section 9-1503; regulation 6 NYCRR Part 193.3. (4pts.)		
4. Habitat diversity – Site contains three or more habitat cover types (ie. pine barrens, mature oak forest, wetland, maritime shrubland, etc. (2pts.)	2	2

PHYSICAL CHARACTERISTICS

A. GEOLOGICAL LANDFORMS AND BOUNDARIES

1. Site includes or is adjacent (approx. 300 ft) to a waterbody such as an ocean/ bay/ sound/ pond/ lake/ river/ stream/ creek. (5pts.)		
2. Site contains a unique geological landform (ie. kettlehole, dune, bluff, escarpment, other) or is located within a major swale area that contributes direct runoff to surface waters. (3pts.)	3	
3. Site contains more than one waterbody, geologic landform as identified in No. 1 and 2 above. (2pts.)		
4. Site is located within the FIRMs 100-year floodplain (V Zone). (2pts.)		
5. Site is located within the FIRMs 100-year floodplain (A Zone). (1pt.)		3

B. SIZE

1. Over 25 acres OR Over 10 acres within a Census Designated Place of > 1,000 persons per square mile. (8pts.)	8	
2. Between 10 and 25 acres OR Between 5-10 acres within a Census Designated Place of > 1,000 persons per square mile. (6pts.)		
3. Between 5 and 10 acres OR Between 1-5 acres within a Census Designated Place of > 1,000 persons per square mile. (3pts.)		8

C. LOCATION

1. Site is adjacent or near (approx 300 ft) to other County Parkland. (7pts)		
2. Strategic parcel associated with an area earmarked by the Suffolk County Planning Department for future park acquisition or where significant County park/open space interests already exist. (4pts.)		
3. Site has been identified for environmental protection by an estuary program plan: Long Island Sound Study CCMP, Peconic Estuary Plan CCMP or the South Shore Estuary Reserve Plan CMP. (3pts.)		
4. Site is adjacent or near (approx. 300 ft.) to other protected parklands (ie. Federal, state, town, village or is located within a New York State designated Wild, Scenic and Recreational Rivers corridor). (2pts.)		
5. Site will provide public access to the shoreline (ie. ocean, bay, etc.). (2pts.)		
6. Site is located within or adjacent to a designated greenbelt or historic trail. (2pts)		
7. Site will provide special view from a high elevation, scenic roadway, major road corridor, waterfront, etc. (2pts.)	2	
8. Site is adjacent or near (approx. 300 ft.) to private open space. (1pt.)	1	3

STEWARDSHIP MANAGEMENT AGREEMENT

1. Inter-municipal management agreement with Federal, state, town and/or village. (5 pts.)	5	
2. Management agreement with non-profit environmental organization. (1 pt.)		5

TOTAL SCORE (maximum = 100 points) 26



Town of Brookhaven
Long Island

2084

Mark Lesko, Supervisor

January 7, 2010

County of Suffolk
Department of Environment and Energy
P.O. Box 6100
Hauppauge, NY 11788-0099

Attention: Phyllis Benincasa, Acquisition Agent

Re: Pefcos Realty Corp. to County of Suffolk and Town of Brookhaven
SCTM Nos. 0200-028-05-012 & 0200-028-06-001

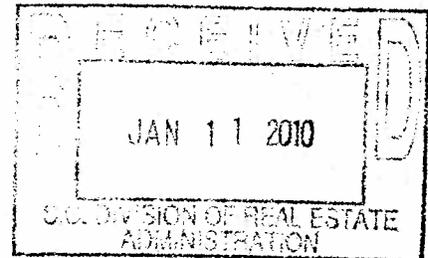
Dear Ms. Benincasa:

Enclosed please find Brookhaven Town Board Resolution No. 2009-964 which
was adopted on November 10, 2009.

Very truly yours,

Annette Eaderesto
Special Counsel

/dlm
Enclosure



Department of Law
Karen M. Wilutis, Town Attorney
One Independence Hill • Farmingville • NY 11738 • Phone (631) 451-6500 • Fax (631) 698-4489 • Fax (631) 451-6505
www.brookhaven.org

Litigation papers are NOT to be served by FAX except by express prior written permission

2084

RESOLUTION NO. 2009-964
MEETING OF: November 10, 2009

ADOPTED
BY THE BROOKHAVEN TOWN BOARD

AUTHORIZING THE ACQUISITION OF PROPERTY FOR OPEN SPACE AND DRAINAGE PURSUANT TO PROGRAM WITH SUFFOLK COUNTY FOR PROPERTY LOCATED ON WOODHULL LANDING ROAD AND NORTH COUNTRY ROAD, MILLER PLACE, NEW YORK – SCTM #0200-028.00-05.00-012.000 AND 0200-028.00-06.00-001.000 – OWNER: PEFCOS REALTY CORP.

WHEREAS, at the general election held on November 6, 2007, the electorate approved the mandatory referendum on Resolution No. 770-2007 adopting a Charter Law extending and accelerating the existing Suffolk County ¼% Drinking Water Protection Program for Environmental Protection, Sewer District Tax Rate Stabilization and County-wide Property Tax Protection from December 31, 2013 to November 30, 2030 (Local Law No. 24-2007); and

WHEREAS, the intent of Local Law No. 24-2007 is to extend the ¼% Suffolk County Drinking Water Protection Program for 17 years and to accelerate the land acquisition component of the program by permitting borrowing of up to \$322 million over the next four (4) years with the cost of the borrowing to be repaid from the ¼% Sales Tax Revenue Stream; and

WHEREAS, by Resolution No. 86-2008 the County Legislature appropriated \$15 million for the Suffolk County Environmental Legacy Fund for the acquisition of environmentally sensitive lands denominated as open space, farmlands, historic properties and active parklands; and

WHEREAS, Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," Section

2084

C12-2(A)(1) authorized the use of 13.55 percent of sales and compensating tax proceeds generated each year for open space acquisitions, as determined by duly enacted Resolutions of the County of Suffolk; 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. 602-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

WHEREAS, the appropriation and expenditure of any such bond proceeds pursuant to Charter §C-12-A-1(A)(3)(a) shall be conditioned upon receipt by the County of Suffolk of a written binding pledge or commitment to provide fifty percent (50%) of the actual cost of the acquisition from the State of New York, local municipality, and/or federal government for each such parcel; and

WHEREAS, pursuant thereto, said acquisitions are to be made in accordance with the procedures set forth in Chapter 8 of the Suffolk County Code which provides that the same shall be consummated in accordance with the provisions of General Municipal Law §247; and

WHEREAS, the Town of Brookhaven is desirous of acquiring open space with Suffolk County and shall provide fifty percent (50%) of the actual cost of acquisition; and

WHEREAS, pursuant thereto, the Environmental Bond Act Advisory Committee of the Town of Brookhaven reviewed and recommended for acquisition lands situated in the

2084

Town of Brookhaven, located Woodhull Landing Road and North Country Road, Miller Place, New York, described as SCTM No. 0200-028.000-06.00-001.000 and 0200-028.00-05.00-012.000, (Exhibit "A"), and

WHEREAS, the title to these acquisitions shall be held by the Town of Brookhaven (50%), the County of Suffolk (50%); and

WHEREAS, the Town of Brookhaven is desirous of acquiring 2.75 acres of these acquisitions for drainage; and

WHEREAS, the title to the drainage acquisition shall be held by the Town of Brookhaven; and

WHEREAS, that if it is not contrary to any statute, the Suffolk County Charter, any local law, any regulation or other County policy, the Town of Brookhaven should be authorized to negotiate and to enter into a municipal cooperation agreement with the County for the management of said County acquisitions and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the Suffolk County Director of Planning who would be charged with the management and operation of said property;

NOW, THEREFORE, BE IT RESOLVED, that the parcel listed in Exhibit "A" is hereby authorized to be acquired, and the Town's portion thereof shall be deemed to be included in the Town of Brookhaven Environmental Bond Act Open Space Preservation Program; and be it further

RESOLVED, that the Supervisor of the Town of Brookhaven, or his deputy, is hereby authorized, empowered and directed, to acquire said open space; and be it further

RESOLVED, that the funding for the aforesaid acquisitions is hereby authorized and appropriated for payment of at least fifty percent (50%) of the actual costs of said

2084

acquisition and fifty percent (50%) of all appraisals, title costs, tax adjustment and environmental audits as noted above; and be it further

RESOLVED, that these proposed acquisitions may be consummated in accordance with the provisions of the Brookhaven Town Code in connection with such open space acquisitions; and be it further

RESOLVED, that the Town of Brookhaven is acquiring 2.75 acres of these acquisitions for drainage; and

RESOLVED, that the title to the drainage acquisition shall be held by the Town of Brookhaven; and

RESOLVED, that the Town Attorney of the Town of Brookhaven or his designee is hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate to consummate such acquisitions, including, but not limited to, securing appraisals, obtaining surveys, obtaining engineering reports, securing title searches and insurance, and executing such other documents as are required to acquire such interest in said lands; and be it further

RESOLVED, in the event a tax map number contained in Exhibit "A" has been deleted or removed, or has been changed by either subsequent technical modification of the Suffolk County tax map system, or prior technical modification that was unknown to Suffolk County at the time this Exhibit was prepared, the tax map designation shall be deemed to include such successor tax map number as represents the parcel to be acquired, and certified in writing by the Assessor of the Town of Brookhaven; and be it further

RESOLVED, that the title to these acquisitions shall be held by Town of Brookhaven (50%), the County of Suffolk (50%); and be it further

2084

RESOLVED, that if it is not contrary to any statute, the Suffolk County Charter, any local law, any regulation or other County policy, the Town of Brookhaven is hereby authorized to negotiate and to enter into a municipal cooperation agreement with the County for the management of said County acquisitions and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the Suffolk County Director of Planning who is hereby charged with the management and operation of said property; and be it further

RESOLVED, that the County and the Town of Brookhaven shall be parties to the purchase contract; and be it further

RESOLVED, that the Supervisor or Deputy Supervisor of the Town of Brookhaven is hereby authorized to negotiate and enter into any necessary collateral agreements with the aforesated participating governmental entities to effectuate the terms of this resolution; and be it further

RESOLVED, that the purchase contract and any collateral agreements shall reflect the terms specified in this resolution; and be it further

RESOLVED, that the terms and conditions of the purchase contract and any collateral agreements shall be reviewed and approved as to form by the Town Attorney; and be it further

RESOLVED, that the Town Attorney be and hereby is authorized to do all things necessary to acquire an unencumbered title to the subject parcels.

2084

EXHIBIT TO RESOLUTION APPROVING ACQUISITION OF OPEN SPACE AND DRAINAGE PURSUANT TO PROGRAM WITH SUFFOLK COUNTY FOR PROPERTY LOCATED ON WOODHULL LANDING ROAD AND NORTH COUNTRY ROAD, MILLER PLACE, NEW YORK

<u>TAX MAP NO.</u>	<u>ACREAGE</u>	<u>REPUTED OWNER</u>
District 0200 Section 028.00 Block 06.00 Lot 001.000	*	Pefcos Realty Corp.
District 0200 Section 028.00 Block 05.00 Lot 012.000	*	Pefcos Realty Corp.

*Acreage for both parcels 60.42± acres

G701 F7

COUNTY OF SUFFOLK



NOV 01 2010

2084

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

October 22, 2010

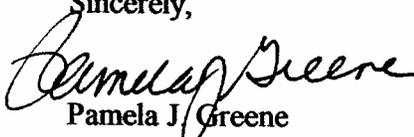
Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building -12th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Pefcos Realty Corp. property (Woodhulls Landing Woodlands), in the Town of Brookhaven, under the New Suffolk County ¼% Drinking Water Protection Program. The purchase price is \$6,672,300.00± for 58.02± acres, at \$115,000.00 per acre, of which the County's 50% share is \$3,336,150.00±.

Please contact me if you require any additional information.

Sincerely,


Pamela J. Greene
Director

PJG:pd

Att.

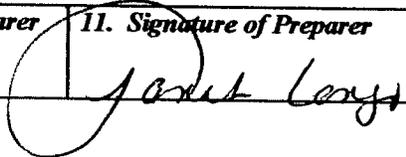
- cc: Christopher E. Kent, Chief Deputy County Executive
- Ed Dumas, Chief Deputy County Executive
- Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
- Thomas A. Isles, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condernation
- Lauretta Fischer, Principal Environmental Analyst, S.C. Planning Dept.
- Brendan Chamberlain, Director, Intergovernmental Relations
- Tom Vaughn, County Executive Assistant
- Phyllis J. Benincasa, Acquisition Agent
- CE Reso Review (e-mail copy only)

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

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

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

**STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION** 2084

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 1/4% Drinking Water Protection Program, of the Pefcos Realty Corporation property (Woodhulls Landing Woodlands), SCTM#0200-028.00-05.00-012.000 p/o & 0200-028.00-06.00-001.000 p/o, (Town of Brookhaven).		
3. Purpose of Proposed Legislation		
See No. 2 above		
4. Will the Proposed Legislation Have a Fiscal Impact? YES ___ NO <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 1/4% 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		October 22, 2010

2085

Intro. Res. No. - 2010

Laid on Table 11/16/10

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 D'ONOFRIO & BEHR
PROPERTY - BEAVERDAM CREEK (TOWN OF
BROOKHAVEN - SCTM#0200-961.00-03.00-
061.000 & 0200-961.00-03.00-062.000)**

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. 1002-2007, authorized planning steps for the acquisition of said property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition; and

WHEREAS, based upon the Environmental Trust Review Board approved value, an offer to acquire the subject property was made to and accepted by the owner of said property; and

WHEREAS, contracts to acquire said property were prepared by the office of the County Attorney, executed by the owner of the subject property and the Director of Real Property Acquisition and Management and approved as to legality by the Office of the County Attorney; now, therefore, be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Twelve Thousand Five Hundred Dollars (\$12,500.00±), at \$.50 per square foot for 25,000 square feet, 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 0200 Section 961.00 Block 03.00 Lot 061.000	25,000+ s.f.	Marguerite D'Onofrio and Arthur Behr as Tenants-in-Common 16356 Alexander Run Juniper, FL 33478
No. 2	District 0200 Section 961.00 Block 03.00 Lot 062.000		

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Twelve Thousand Five Hundred Dollars (\$12,500.00+), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$12,500.00+, 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

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

- b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study;
- 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

7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

9th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) is passive recreation; and
- 3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and, be it further

10th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

Gen F8
OCT 04 2010

COUNTY OF SUFFOLK



2085

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

September 23, 2010

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building -12th 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 D'Onofrio & Behr property (Beaverdam Creek), in the Town of Brookhaven, under the New Suffolk County ¼% Drinking Water Protection Program. The purchase price is \$12,500.00+ for 25,000+ s.f.

Please contact me if you require any additional information.

Sincerely,


Pamela J. Greene
Director

PJG:pd

Att.

cc: Christopher E. Kent, Chief Deputy County Executive
Ed Dumas, Chief Deputy County Executive
Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
Thomas A. Isles, Director, Planning Department
Janet M. Longo, Acquisition Supervisor
Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
Lauretta Fischer, Principal Environmental Analyst, S.C. Planning Dept.
Brendan Chamberlain, Director, Intergovernmental Relations
Tom Vaughn, County Executive Assistant
Peter Belyea, Acquisition Agent
CE Reso Review (e-mail copy only)

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

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

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

2086

Intro. Res. No. - 2010
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 11/16/10

RESOLUTION NO. -2010 AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12- 5(E)(1)(b)] - FOR THE FASANO, DRAGOTTA, CULLUM & GRAU PROPERTY - PINE BARRENS CORE (TOWN OF SOUTHAMPTON - SCTM#0900-283.00-01.00-034.000 p/o & 0900-284.00-01.00-028.000 p/o)

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)(b) 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. 264-2002, 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

1st 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)(b), as amended and effective as of November 30, 2000, for a total purchase price of Two Hundred Ninety Four Thousand Five Hundred Sixty Dollars (\$294,560.00+), at Five Thousand Five Hundred Dollars (\$5,500.00) per acre for 16.4+ acres, and Seventy Eight Thousand (\$78,000.00) per Pine Barren Credit for 2.62 credits, 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 0900	6.9+	Michael Fasano, as Co-Executor of the Estate of Francis J. Dragotta
	Section 283.00		59 Park Slope Terrace
	Block 01.00		Hawthorne, NJ 07506
	Lot 034.000 p/o		

No. 2	District	0900	9.5±	Joseph Dragotta, as Co-Executor of the Estate of Francis J. Dragotta 7222 Tulipwood Circle Pleasanton, CA 94588
	Section	284.00		
	Block	01.00		
	Lot	028.000 p/o		

Marie Louise Cullum
171 Woodbine Drive
East Hampton, NY 11937

Rosemarie Grau & Robert T. Grau
as Trustees of the
Rosemarie Grau Living Trust
73 Meadow Way
East Hampton, NY 11934

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(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)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Two Hundred Ninety Four Thousand Five Hundred Sixty Dollars (\$294,560.00±), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$294,560.00±, subject to a final survey, from previously appropriated funds in 475-MS-1940 under the Old Drinking Water Protection Program, Section C12-5(E)(1)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and, be it further

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th RESOLVED, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreation use; and, be it further

6th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and, be it further

7th 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

8th 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 F9

COUNTY OF SUFFOLK



2086

OCT 04 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

September 20, 2010

Mr. Ken Crannell, Deputy County Executive
H. Lee Dennison Building -12th 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 Fasano, Dragotta, Cullum & Grau property (Pine Barrens Core), in the Town of Southampton, under the Old Suffolk County Drinking Water Protection Program. The purchase price is \$294,560.00± for 6.9± acres.

Please contact me if you require any additional information.

Sincerely,

Pamela J. Greene
Director

PJG:pd

Att.

- cc: Christopher E. Kent, Chief Deputy County Executive
- Ed Dumas, Chief Deputy County Executive
- Carrie Meek Gallagher, Commissioner, Dept. of Environment & Energy
- Thomas A. Isles, Director, Planning Department
- Janet M. Longo, Acquisition Supervisor
- Michael Amoroso, Bureau Chief, Law Dept., Real Estate-Condemnation
- Lauretta Fischer, Principal Environmental Analyst, S.C. Planning Dept.
- ✓Brendan Chamberlain, Director, Intergovernmental Relations
- Tom Vaughn, County Executive Assistant
- Phyllis J. Benincasa, Acquisition Agent
- CE Reso Review (e-mail copy only)

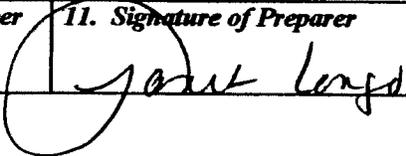
LOCATION
H. LEE DENNISON BLDG. - 2nd Floor
100 VETERANS MEMORIAL HIGHWAY

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

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

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

2086

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 County Drinking Water Protection Program, of the property, SCTM#0900-283.00-01.00-034.000 p/o & 0900-284.00-01.00-028.000 p/o, (Town of Southampton).		
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		
Old Suffolk County Drinking Water Protection Program		
9. Timing of Impact		
N/A		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Janet M. Longo Acquisition Supervisor		September 20, 2010

Intro. Res. No. 2087-10
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 11/16/10

**RESOLUTION NO. - 2010, DESIGNATING THE HONOR AND
REMEMBER FLAG AS THE COUNTY OF SUFFOLK'S EMBLEM OF
THE SERVICE AND SACRIFICE BY THOSE IN THE UNITED STATES
ARMED FORCES WHO HAVE GIVEN THEIR LIVES IN THE LINE OF
DUTY**

WHEREAS, Since the Revolutionary War, the United States has not instituted an official symbol commemorating fallen service persons; and

WHEREAS, the County of Suffolk wishes to designate the Honor and Remember Flag, created by Honor and Remember, Inc., to officially recognize and honor fallen members of the armed forces; and

WHEREAS, the Honor and Remember Flag red field represents the brave men and women who sacrificed their lives for freedom; and

WHEREAS, the Honor and Remember Flag blue star is a symbol of active service in Military conflict that dates back to World War I; and

WHEREAS, the Honor and Remember Flag white border recognizes the purity of sacrifice; and

WHEREAS, the Honor and Remember Flag gold star signifies the ultimate sacrifice of a warrior in active service who is not returning home and reflects the value of the life given; and

WHEREAS, the Honor and Remember Flag folded flag element highlights this nation's final tribute to a fallen serviceperson and a family's sacrifice; and

WHEREAS, the Honor and Remember Flag flame symbolizes the eternal spirit of the departed; and

WHEREAS, the County of Suffolk calls for a unifying symbol recognizing this nation's solemn debt to the estimated 1.6 million fallen servicepersons throughout history and the families and communities who mourned their loss; now, therefore, be it

1st RESOLVED, the County of Suffolk designates the Honor and Remember Flag as the County's emblem of service and sacrifice by the brave men and women of the United States Armed Forces who have given their lives in the line of duty; and be it further

2nd **RESOLVED**, the County will fly this flag at the following locations; the Riverhead County Center and the H. Lee Dennison Building.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

2088

Intro. Res. No. -2010

Laid on Table 11/16/10

Introduced by Presiding Officer on request of County Executive

RESOLUTION NO. -2010, AUTHORIZING THE LONG ISLAND JUVENILE DIABETES RESEARCH FOUNDATION TO ILLUMINATE THE H. LEE DENNISON BUILDING FOR NATIONAL DIABETES AWARENESS MONTH AND WORLD DIABETES DAY

WHEREAS, on December 20, 2006, The United Nations General Assembly unanimously passed resolution 61/225, which designates World Diabetes Day as a United Nations world day, be observed every year; and

WHEREAS, it is a shared mission of the Long Island Chapter of Juvenile Diabetes Research Foundation (JDRF) and millions of people in over 160 countries to raise awareness of diabetes, including children and adults affected by diabetes, healthcare professionals, healthcare decision makers and the media; and

WHEREAS, this illumination event seeks to fulfill a public awareness component of November as National Diabetes Awareness Month and the observance of World Diabetes Day; and

WHEREAS, Suffolk County wishes to show its enthusiasm and pledge its support to this cause by joining this illumination project as a partner to the New York State "Bring Light to Diabetes –Turn the World Blue 2010" Campaign; now, therefore be it

1st RESOLVED, that the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to illuminate the north side of the H. Lee Dennison Executive Office Building facing Veterans Memorial Highway at 7:15 p.m., with a blue glow, on the night of Wednesday, November 17, 2010, in support of National Diabetes Awareness Month and World Diabetes Day; and be it further

2nd RESOLVED, that the presence of employees and representatives of the Juvenile Diabetes Research Foundation, in connection with such celebration, shall be permitted at the site.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

2089

Intro. Res. No. -2010

Laid on Table 11/16/10

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2010, CONFIRMING
APPOINTMENT OF COUNTY COMMISSIONER OF
CONSUMER AFFAIRS (ERIC A. KOPP)**

WHEREAS, the Suffolk County Legislature adopted Resolution No. 1095-2008 (I.R. 1970-2008), a "Charter Law Creating a County Department of Consumer Affairs on December 2nd, 2008"; and

WHEREAS, the Commissioner of the County Department of Consumer Affairs is appointed by the County Executive of Suffolk County to head the Suffolk County Department of Consumer Affairs, subject to the approval of the County Legislature, under Section 31-2(A) of the SUFFOLK COUNTY CHARTER; and

WHEREAS, the County Executive of Suffolk County, after due consideration, has appointed Eric A. Kopp, currently residing in the Town of Brookhaven, as Commissioner of the Suffolk County Department of Consumer Affairs; now, therefore be it

RESOLVED, that the appointment of Eric A. Kopp, currently residing in the Town of Brookhaven, as Commissioner of the Suffolk County Department of Consumer Affairs, is hereby approved, pursuant to Section 31-2(A) of the SUFFOLK COUNTY CHARTER, to serve at the pleasure of the County Executive of Suffolk County, effective immediately; and be it further

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:

Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2089

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2010, CONFIRMING APPOINTMENT OF COUNTY COMMISSIONER OF CONSUMER AFFAIRS (ERIC A. KOPP)		
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		
.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		
UPON ADOPTION		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
STEVEN W. FORST, CPA SENIOR ACCOUNTANT		NOVEMBER 8, 2010

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2089

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.

2089

Eric A. Kopp

SUMMARY OF QUALIFICATIONS

Senior executive with broad chief operating officer experience. An independent, goal-oriented problem solver with a record of success in managing in a complex environment. Experienced in policy development and management, media and public relations, communications, labor relations and staff development. Ability to motivate and coordinate the efforts of many to meet organizational goals. High in energy, with strong interpersonal skills.

EXPERIENCE

Vice President for Administration – Dowling College **2007-2010**

- Assisted the President in the day-to-day operations of an institution offering undergraduate, graduate and post-graduate degrees with an enrollment of 6,500.
- Provided direct oversight in the area of human resources, facilities management, planning and design, government relations and athletics.

Assistant to the Chief of Staff – Long Island Power Authority **2005-2007**

- Provide coordination and strategy on numerous LIPA initiatives, including major power projects.
- Communicating LIPA's strategic decisions to key stakeholders.
- Assist in management of crisis communication activities.
- Outreach to governmental and political community to ensure positive relations.

Deputy Nassau County Executive for Public Safety **2004**

- Provide day-to-day management oversight of county departments and agencies: Police, Sheriff's Office (Corrections), Probation, Emergency Management, Consumer Affairs, Traffic and Parking Violations Agency, Fire Marshall's Office and Medical Examiner.
- Advisor to County Executive of all matters related to protecting public safety.
- Serve as member of County Executive's cabinet.
- Responsible for coordination of emergency response efforts.

2089

Chief Deputy Suffolk County Executive

1992-2003

- Chief Operating Officer and principal advisor to County Executive on all matters related to the day-to-day operations of county government with annual budget of over \$2 million and 11,000 member workforce.
- Manage all department commissioners and division directors and serve as the key liaison between nine municipal unions and the County Executive.
- Key decision-maker on matters related to development and management of operating and capital budgets.
- Oversee relations between the county and the state and federal governments.
- Provide direction on every facet of media relations.
- Serve as team leader and provide direction to senior staff members charged with the responsibility of carrying out the objectives of the administration.

Deputy Islip Town Commissioner of Environmental Control

1990-1991

- Oversee day-to-day operations of department with 181 employees and annual budget of \$7.4 million.
- Administered town's innovative and nationally renowned recycling program.

Town of Islip Public Information Officer

1988-1990

- Coordinated all media relations for Town Supervisor, Town Board and departments.
- Developed and supervised radio and television advertising campaigns to promote town programs.
- Supervised production of all publications, including newsletters and direct mail campaigns.

County Executive Assistant, Suffolk County

1980-1988

- Served as press secretary to County Executive.
- Authored more than 100 news releases annually.
- Wrote speeches, weekly news columns and viewpoint articles.
- Organized news conferences.
- Coordinated all media relations with electronic and print outlets in the Long Island and New York City markets.
- Served as Acting Administrative Head of Department of General Services.

EDUCATION

A.A., General Studies, with Honors, Suffolk County Community College, 1975
B.A., Political Science, Magna Cum Laude, C.W.Post Center, Long Island University,
1977

2090

Intro. Res. No. ____-2010

Laid on Table

11/16/10

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

**RESOLUTION NO. -2010, NAMING A TRAIL
AT LAKELAND COUNTY PARK AS "THE
SUFFOLK COUNTY VETERANS PURPLE
HEART TRAIL"**

WHEREAS, the County Executive and the Suffolk County Legislature recognize that time spent in our park system often affords our residents with moments of peace and tranquility, time for reflection and remembrance; and

WHEREAS, the Purple Heart medal has been awarded to numerous members of the Armed Forces injured in the line of duty who hail from Suffolk County, some of whom have made the ultimate sacrifice in defense of our Country and its values; and

WHEREAS, the County Executive and the Suffolk County Legislature recognize that the veteran population of Suffolk County is the largest in New York State, outside of New York City and at this time there is no County memorial that captures that history, sacrifice and story of Suffolk's many Purple Heart recipients; and

WHEREAS, the County Executive and the Suffolk County Legislature wish to provide Suffolk County veterans and residents a handicap accessible park trail dedicated in memoriam to those residents of Suffolk who have been awarded the Purple Heart Medal in defense of country so that all who wish to enjoy "The Suffolk County Veterans Purple Heart Trail" may do so with the greatest of ease and comfort in their moments of reflection; and

WHEREAS, the County Executive and the Suffolk County Legislature wish to dedicate and name a trail located in Lakeland County Park as "The Suffolk County Veterans Purple Heart Trail," in order to honor all members of the Armed Forces, living and deceased, from Suffolk County that have received the Purple Heart medal, to serve as a reminder to all of the price paid for our freedoms; and

WHEREAS, this trail has not yet been dedicated or named pursuant to any other Suffolk County resolution; and now, therefore be it

1st RESOLVED, that a trail designated by the Commissioner of Parks, Recreation and Conservation in Lakeland County Park, shall each be known as "The Suffolk County Veterans Purple Heart Trail;" and be it further

2nd RESOLVED, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation, pursuant to Section C28-4 of the SUFFOLK COUNTY CHARTER, in consultation with the Director of Veterans Affairs, is hereby authorized, empowered, and directed to take all actions necessary and appropriate to effectuate this naming; and be it further

3rd RESOLVED, that the Suffolk County Department of Public Works is hereby authorized, empowered, and directed to cooperate with the Commissioner of the Suffolk

County Department of Parks, Recreation and Conservation to take all actions necessary and appropriate to effectuate this naming; and be it further

4th **RESOLVED** that this Legislature, 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.

DATED:

APPROVED BY:

Steve Levy
County Executive of Suffolk County

Date:

2091

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

Laid on Table 11/16/10

**RESOLUTION NO. -2010, NAMING COUNTY ROAD 39
"THE EDWIN M. 'BUZZ' SCHWENK MEMORIAL HIGHWAY"**

WHEREAS, Edwin M. "Buzz" Schwenk gave many years of distinguished public service to the people of Suffolk County; and

WHEREAS, born and raised in Southampton, Mr. Schwenk was an active businessman in Suffolk County, running the family-owned Schwenk's Dairy and establishing convenience stores throughout the County; and

WHEREAS, Mr. Schwenk also served as a legislative liason and, eventually, executive director of the Long Island Builders Institute; and

WHEREAS, in 1993, Mr. Schwenk was instrumental in the creation of the Long Island Pine Barrens Protection Act, which created the third largest land preserve in New York State and protected, in perpetuity, a sole source aquifer; and

WHEREAS, in 1998, Mr. Schwenk spearheaded the passage of the Community Preservation Act, which established a 2% transfer tax on real estate sales to preserve open space and recreational land on the East End; and

WHEREAS, Mr. Schwenk's environmental efforts have allowed for the protection of thousands of acres of land, as well as preserving the County's drinking water for future generations; and

WHEREAS, Mr. Schwenk was a leader within the Southampton business community and played an important role in advocating for improvements along County Road 39; and

WHEREAS, Mr. Schwenk died on December 17, 2009 at the age of 86; and

WHEREAS, it is fitting to memorialize Mr. Schwenk's legacy of community service and environmental protection by naming County Road 39 in his hometown of Southampton in his honor; now, therefore be it

1st RESOLVED, pursuant to Section 215(1) of the NEW YORK COUNTY LAW and Chapter 674 of the SUFFOLK COUNTY CODE, County Road 39 in Southampton shall be renamed "The Edwin M. 'Buzz' Schwenk Memorial Highway"; and be it further

2nd RESOLVED, that the Suffolk County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take all actions necessary and appropriate to effectuate this naming and dedication; and be it further

3rd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the

NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\name cty rd 39 buzz schwenk

Edwin M “Buzz” Schwenk of Southampton

Born in Southampton he graduated from Southampton High School in 1941 and from Colgate University in 1947 with a BA in political science. His high school and college careers were dominated by a love of sports.

Mr. Schwenk was in college when the U.S. entered World War II and he enlisted in Colgate's Navy Program. He left college to serve on the USS Kearsarge, an air craft carrier based in Newport. He was a Plank member of the Kearsarge, a part of the original crew.

He returned from the war to finish at Colgate and then followed his father in the dairy business running Schwenk's Dairy from 1947 to 1978. He met his wife, the former Diana Barnes, while delivering milk to her Water Mill home in the summer of 1942. Running the dairy presented him with another entrepreneurial opportunity. He saw a niche for convenience stores that featured Schwenk's milk as a price leader and the Katrinka Stores were born. Eventually there were 14 Katrinka stores throughout Suffolk County and he served as president and CEO from 1961 to 1981

He served on the board of directors of the Tinker National Bank from 1963 to 1967, started his own public relations firm, Omnibuzz Associates in 1978, and was the legislative liaison for the LI Builders Institute from 1987 to 1989 and their executive director from 1991 to 1996.

In 1993 he was directly involved with the creation of the Long Island Pine Barrens Protection Act. This legislation created the third largest land preserve in the State of New York and ended years of expensive litigation for the building industry while protecting, in perpetuity, a sole source aquifer.

In 1998 he spearheaded the passage of the Community Preservation Act. The act established a two percent transfer tax on real estate sales to preserve open space and recreational land, purchase targeted lands and protect the quality of life on the East End of Long Island. There were many people who worked diligently on the transfer tax but the *Southampton Press* pointed out in an editorial that “one man stands out as the giant who made it possible here” and that is Buzz Schwenk. The fund has preserved thousands of acres on the East End.

Mr. Schwenk is survived by his wife of 62 years, Diana Barnes Schwenk, his daughters Diana Urban of North Stonington, Conn. and Kathryn Root of Brandon, Vermont and his grandchildren, Lex Urban and Kate and Kirsten Root. He is pre-deceased by his son, Edwin Christopher Schwenk.

2092

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

Laid on Table 11/16/10

**RESOLUTION NO. -2010, INCREASING COUNTY BUS
FARE FOR THE IMPLEMENTATION OF SUNDAY BUS
SERVICE**

WHEREAS, Suffolk County provides bus service Monday through Saturday; and

WHEREAS, Suffolk County has not raised bus fares in many years and the current rates are significantly below average rates in the region; and

WHEREAS, testimony at public hearings held over the past year confirm that the ridership of Suffolk County buses want, and are willing to pay a slightly increased full fare rate for, Sunday bus service; and

WHEREAS, Suffolk County should increase the full fare rate to \$2.00 and use all funds generated from such increase for the implementation of a Sunday bus service; now, therefore be it

1st RESOLVED, that the full fare rate for bus service shall be increased from \$1.50 to \$2.00, with all other fares to remain the same, effective March 1, 2011; and be it further

2nd RESOLVED, that all revenues generated from the increased bus fare shall be utilized to implement a Sunday bus service to the greatest extent practicable as determined by the Transportation Division of the Department of Public Works; and be it further

3rd RESOLVED, that the Sunday bus service shall be implemented no later than May 1, 2011; 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\increase bus fare

2093

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

Laid on Table 11/16/10

**RESOLUTION NO. -2010, AUTHORIZING SITE LICENSE
AGREEMENT TO STRAWBERRY FIELDS, SITE, TOWN OF
SOUTHOLD**

WHEREAS, the County of Suffolk is the owner of property known as "Strawberry Fields," consisting of approximately 37.3 acres along the north side of County Road 48 (Sound Ave), Suffolk County Tax Map Number 1000-113.00-12.00-015.000, Town of Southold; and

WHEREAS, the County of Suffolk entered into a twenty-year agreement with the Town of Southold on April 30, 2002, whereby the Town agreed to improve, maintain and operate the subject property as active parkland; and

WHEREAS, the Long Island Power Authority ("LIPA") has requested access to use the east portion of the subject premises as a staging area for the temporary storage of materials and equipment during LIPA's emergency power restoration efforts; and

WHEREAS, pursuant to their agreement with the County of Suffolk, the Town of Southold must obtain the County's consent before it may assign, transfer, convey or sublet any of its right, title and interest in the subject property; and

WHEREAS, allowing LIPA to use a portion of Strawberry Fields as a staging area in the event of an emergency is in the best interests of the residents of Suffolk County; now, therefore be it

1st RESOLVED, that the County of Suffolk hereby consents to the Town of Southold entering into a Site License Agreement with LIPA that is in substantial conformity with the draft agreement that is attached here at Exhibit "A"; and be it further

2nd RESOLVED, that the County Executive and the Commissioner of the Department of Parks, Recreation and Conservation, are hereby authorized, empowered and directed to enter into any agreements necessary to effectuate the license agreement with LIPA; 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-strawberry fields - LIPA

EXHIBIT "A"

2093

SITE ACCESS LICENSE AGREEMENT

This Site Access License Agreement (the "Agreement"), made this ____ day of _____, 2010, by and between the **Town of Southold ("Licensor")**, with principal offices at 53095 Route 25, P.O. Box 1179, Southold, New York 11971, and **National Grid Electric Services LLC, as agent for and on behalf of Long Island Lighting Company d/b/a LIPA ("Licensee")**, a New York corporation, duly organized under the laws of the State of New York, with principal offices at 175 East Old Country Road, Hicksville, New York 11801, Licensor and/or Licensee are referred to herein individually as "Party" and collectively as the "Parties."

APPROVED ACTIVITIES: Licensee may access and use the eastern portion of the property leased and managed by Licensor located on the north side of County Route 48 in Mattituck, Town of Southold, County of Suffolk, New York, SCTM #1000-113-12-15 ("the Site"), more particularly described in the aerial photo attached hereto as Exhibit "A", for the purpose of utilizing a staging area for the temporary storage of materials and equipment, but not vehicles, during Licensee's emergency power restoration efforts (the "Approved Activities").

In consideration of the mutual promises and agreements herein contained, the Parties agree as follows:

A. GENERAL

1. **Limited Scope.** This Agreement does not provide Site access other than to Licensee, its agents, employees, invitees and/or contractors/subcontractors specifically authorized by Licensor to engage in the Approved Activities.
2. **Access by Licensor Representatives.** Licensor may at all times have access to the Site for the purpose of reviewing the Approved Activities hereunder and inspecting, maintaining and repairing its facilities located on such Site.
3. **Acknowledgement of Ownership.** Licensor and Licensee acknowledge that the site is owned by the County of Suffolk and operated and maintained by Licensor pursuant to an Agreement dated April 25, 2002 between the County of Suffolk and Town of Southold. Licensor has been expressly authorized by Resolution No. _____ of Suffolk County to enter into the License Agreement.

B. TERMS OF ACCESS

The Approved Activities and this Agreement are granted from the date first written above, and shall continue for a term of ten (10) years or until either party provides sixty days (60) prior written notice of their intent to terminate the Agreement to the person designated to receive notice under the terms of this Agreement. Licensee shall provide advance notice to Licensor's notice recipient when it intends to use the Site for the Approved Activities.

2093

C. MAINTENANCE

1. During its occupation of the Site, the Licensee will be responsible for maintaining the Site in clean, orderly condition, good repair and in a secured condition.
2. Licensee, its agents, employees, invitees and/or contractors/subcontractors shall not erect, place, maintain on, over or under the surface of the Site any permanent buildings or structures of any kind, unless expressly agreed to in writing by Licensor.

D. RESTORATION

Upon cessation of the Approved Activities, or upon expiration of this Agreement, whichever occurs first, Licensee, at its sole cost and expense, shall repair any damage Licensee may have caused to the Site and restore the Site to substantially the same condition as it existed before Licensee entered the Site.

E. HOLD HARMLESS

To the fullest extent permitted by law, Licensee, shall indemnify and hold harmless Licensor, from and against claims, damages, losses and expenses arising out of or resulting from performance of Licensee's work on the Site, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death or to injury to or destruction of tangible property including loss of use resulting therefrom but only to the extent caused in whole or in part by the negligent acts, omissions or willful misconduct of Licensee, anyone directly or indirectly employed by Licensee or anyone for whose acts Licensee may be liable.

F. INSURANCE REQUIREMENTS

Prior to the commencement of the Approved Activities, a Certificate of Insurance from Licensee shall be furnished to Licensor. Licensor must be added to and insured under (i) a commercial general liability policy of not less than one million (\$1,000,000.00) dollars, (ii) an umbrella policy covering protection in an amount not less than two million (\$2,000,000.00) dollars combined single limit coverage for injury, death, and property damage arising out of any one occurrence, (iii) an automobile liability policy covering all owned, hired and non-owned vehicles with a combined single limit of not less than one million (\$1,000,000.00) dollars and (iv) Worker's Compensation and Employer's Liability as required by law. Licensee shall name the Town of Southold and County of Suffolk as additional insured. Insurance as specified herein must be maintained at all times throughout the Term of this Agreement. Licensee retains the right to self insure its coverages and in such event, Licensee may provide self-funded coverage and certificates or other evidence of such self-insurance in lieu of insurance certificates issued by insurance companies.

2093

G. GOVERNING LAW

This Agreement shall be governed by the laws of the State of New York except for conflict of law issues.

H. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement and understanding between the Parties for the Approved Activities, and no amendments, additions, or modifications hereto shall be valid unless in writing and signed by all the Parties hereto.

I. BINDING EFFECT

This Agreement shall inure to the benefit of and shall be binding upon the Parties and their respective successors and assigns.

J. RISK OF LOSS

Licensee shall bear the entire risk of loss or damage to its personal property and structures, or the personal property of Licensees' agents, employees, invitees and/or contractors/subcontractors on the Site arising out of its use of the Site.

K. ASSIGNABILITY AND ADDITIONAL PARTIES

This Agreement and the rights and obligations associated herewith may be assigned or sublet by Licensee to an affiliate without prior written consent of Licensor.

L. SEVERABILITY

If any provision of the Agreement shall be declared to be unenforceable, the remaining provisions hereof shall remain in full force and effect.

M. COUNTERPARTS

This Agreement may be executed in several counterparts, each of which shall be an original and which shall constitute the same instrument.

N. WAIVER

No delay or omission by either Party in the exercise of any right under this Agreement shall impair any such right or shall be taken, construed or considered as a waiver or relinquishment thereof, but any such right may be exercised from time to time and as often as may be deemed expedient. If any agreement or covenant herein shall be breached by either Party and thereafter waived by the other Party, such waiver shall be

2093

limited to the particular breach so waived and shall not be deemed to waive any other breach hereunder.

O. ARTICLE HEADINGS

The article headings and other titles used in this Agreement are for convenience only and shall not affect the construction of any terms of this Agreement.

P. NOTICE

Notice to Licensor and Licensee shall be provided to the following representatives, each of whom shall be available to receive communications at all times during Approved Activities that implicate the Site:

Licensor

Name: Town of Southold, Office of the Town Attorney
Address: P.O. Box 1179, 54375 Main Road
Southold, NY 11971-0959
Phone: (631) 765-1939
Fax: (631) 765-6639
E-mail: martin.finnegan@town.southold.ny.us

Licensee

Name: Angela Doyle
Address: National Grid
175 East Old Country Road
Hicksville, New York, 11801
Phone: (516) 545-5069
Cell: (516) 805-4406
Fax: (516) 545-4798
E-mail: angela.doyle@us.ngrid.com

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by their duly authorized representatives on the date first written above.

Town of Southold

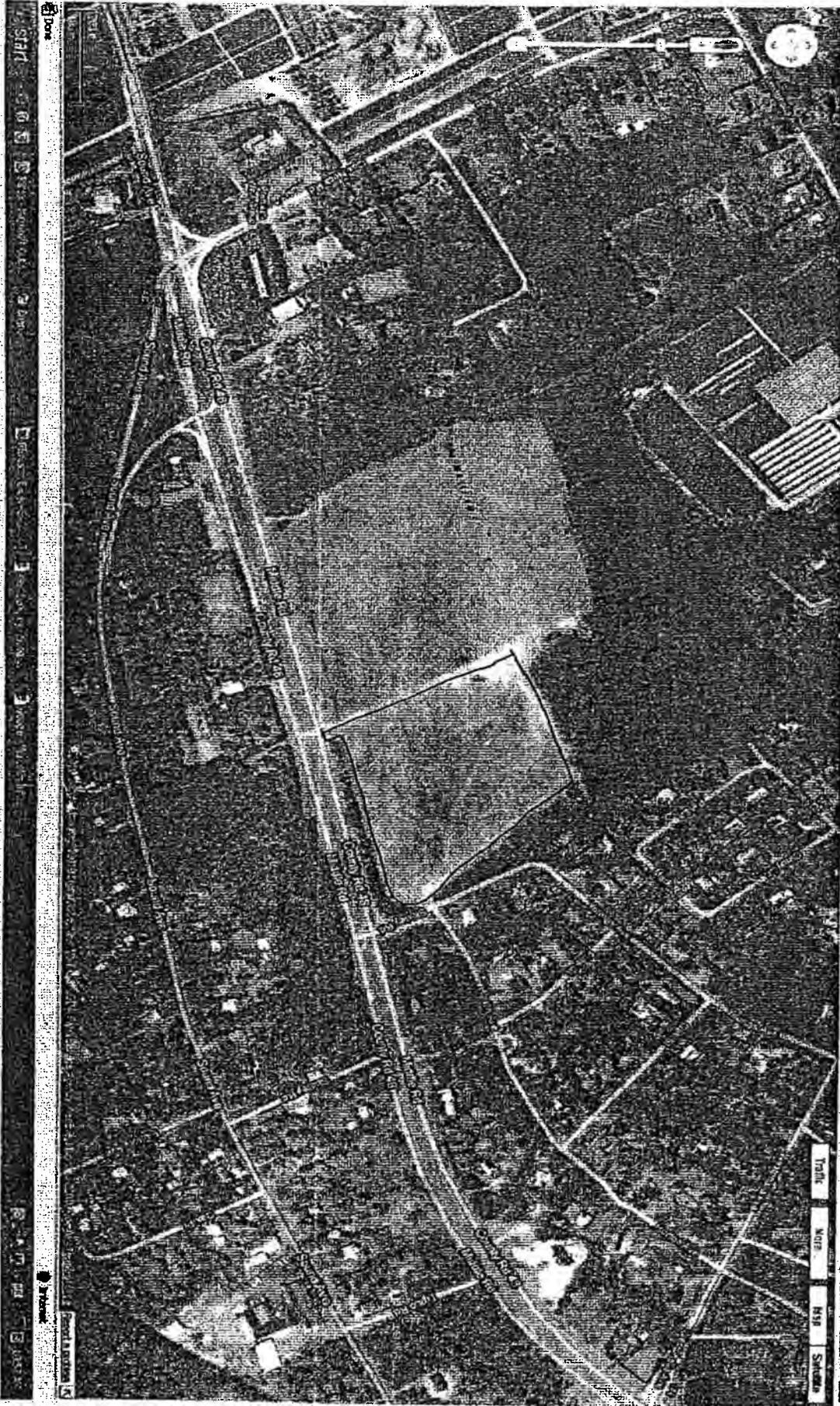
National Grid Electric Services, LLC as agent for and on behalf of Long Island Lighting Company d/b/a LIPA

By: _____
Name: Scott A. Russell
Title: Supervisor

By: _____
Name:
Title:

Exhibit "A"

2093



[Home](#)
[Map](#)
[Satellite](#)
[Street View](#)
[3D](#)
[Layers](#)
[Print](#)
[Share](#)

[Web](#)
[Business](#)
[Mobile](#)
[Maps](#)
[News](#)
[Shopping](#)
[Local](#)
[More](#)

[Google Maps](#)

© 2008 Google. All rights reserved. Terms of Service

[Home](#)
[Map](#)
[Satellite](#)
[Street View](#)

[Web](#)
[Business](#)
[Mobile](#)
[Maps](#)
[News](#)
[Shopping](#)
[Local](#)

[Google Maps](#)

© 2008 Google. All rights reserved. Terms of Service

2094

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

Laid on Table 11/16/10

**RESOLUTION NO. -2010, REAPPOINTING
COMMISSIONER OF THE SUFFOLK COUNTY BOARD OF
ELECTIONS (ANITA S. KATZ)**

WHEREAS, a Certificate of Recommendation has been filed by the appropriate Party County Committee for Anita S. Katz, pursuant to Section 3-504 of the NEW YORK ELECTION LAW; now, therefore be it

1st RESOLVED, that **Anita S. Katz**, currently residing in Deer Park, New York, 11729, be and she hereby is reappointed as the Democratic Commissioner to the Suffolk County Board of Elections, pursuant to Section 3-504(2) of the NEW YORK ELECTION LAW, effective January 1, 2011 for a term of office to expire December 31, 2014.

DATED:

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

S:\reslr-reappt-katz-boe

2094

Suffolk County Democratic Committee

Rich Schaffer, Chairman
1461 Lakeland Avenue, Suite 3
Bohemia, NY 11716

Phone (631) 439-0400
Fax (631) 439-0404

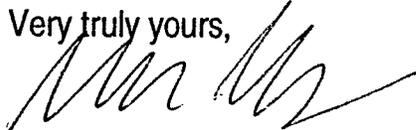
October 16, 2010

Tim Laube, Clerk of Legislature
William H. Rogers Building
725 Veterans Memorial Highway
Hauppauge, NY 11787

Dear Tim:

As Chairman of the Suffolk County Democratic Committee and in accordance with Section 3-504 of the New York State Election Law, I hereby file a Certificate of Recommendation to reappoint Anita S. Katz as the Democratic Commissioner of the Suffolk County Board of Elections.

Very truly yours,



Rich Schaffer, Chairman

cc: Presiding Officer William Lindsay
Chief of Staff – Terry Pearsall

2094

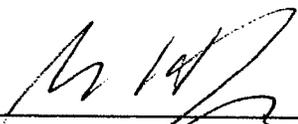
ELECTION COMMISSIONER CERTIFICATION

To the Clerk of the County Legislature, County of Suffolk.

I, Richard H. Schaffer, Chairman of the Suffolk County Democratic Committee, do hereby recommend Anita S. Katz residing at 165 Gleeland Street, Deer Park, NY 11729, as a suitable and qualified person for appointment to the Office of Commissioner of Elections for the term beginning January 1, 2011, and that said designee is a registered voter of the County of Suffolk and a duly enrolled member of the Democratic Party.

Dated at Bohemia, New York

October 16, 2010



Richard H. Schaffer, Chairman
Suffolk County Democratic Committee

Intro. Res. No. 2095-10

Laid on the Table 11/16/10

Introduced by the Presiding Officer at the Request of the County Executive

RESOLUTION NO. -2010, AMENDING THE 2010 OPERATING BUDGET AND APPROPRIATING FUNDS IN CONNECTION WITH BONDING FOR A SETTLEMENT FOR ATTORNEY FEES AS PART OF A FEDERAL LAWSUIT

WHEREAS, an order invalidating a local law was issued in two Federal lawsuits against the County; and

WHEREAS, a settlement of one of the plaintiff's motions for attorneys' fees was approved by the Ways and Means Committee for a total amount of One Hundred Ninety Two Thousand Five Hundred (\$192,500) Dollars; and

WHEREAS, this settlement is a mandated expense that must be paid by the County; and

WHEREAS, sufficient funds to satisfy Federal lawsuits, orders, judgments and 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 One Hundred Ninety Two Thousand Five Hundred Dollars (\$192,500) in Suffolk County Serial Bonds to cover the cost of the above referenced settlement; now, therefore be it

RESOLVED, that the settlement in the amount of One Hundred Ninety Two Thousand Five Hundred Dollars (\$192,500) 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 One Hundred Ninety Two Thousand Five Hundred Dollars (\$192,500) in Suffolk County Serial Bonds be and are hereby appropriated as follows:

REVENUES:		
038-2780 Proceeds: Debt		\$192,500
APPROPRIATIONS:		
	Miscellaneous Insurance	
	001-MSC-1930 Mandated	
4570 – Judgments and Claims		\$192,500

DATED:

APPROVED BY:

County Executive of the County of Suffolk

Date of Approval:

Suffolk County
General Obligation Serial Bonds
Level Debt

Term of Bonds: 5
Amount to Bond: \$192,500

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2011					
11/1/2011					
5/1/2012	2.500%	\$36,041.46	\$6,352.50	\$42,393.96	\$42,393.96
			\$2,581.57	\$2,581.57	
4/30/2012	3.500%	\$37,230.83	\$2,581.57	\$39,812.40	\$42,393.96
			\$1,967.26	\$1,967.26	
5/1/2013	3.500%	\$38,459.45	\$1,967.26	\$40,426.70	\$42,393.96
			\$1,332.68	\$1,332.68	
5/1/2014	3.500%	\$39,728.61	\$1,332.68	\$41,061.29	\$42,393.96
			\$677.15	\$677.15	
5/1/2015	3.500%	\$41,039.65	\$677.15	\$41,716.81	\$42,393.96
		\$192,500.00	\$19,469.81	\$211,969.81	\$211,969.81

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2095

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	\$42,394	\$0.08		\$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	\$42,394	\$0.08		\$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. Res. No. 2096-10

Laid on the Table 11/16/10

Introduced by the Presiding Officer at the Request of the County Executive

RESOLUTION NO. -2010, AMENDING THE 2010 OPERATING BUDGET AND APPROPRIATING FUNDS IN CONNECTION WITH BONDING A SETTLEMENT FOR A BUS LIABILITY CASE

WHEREAS, a settlement was approved in a Bus Liability case by the Ways and Means Committee for a total amount of One Hundred Ninety Thousand (\$190,000) Dollars; and

WHEREAS, the settlement is a mandated expense that must be paid by the County; and

WHEREAS, sufficient funds to satisfy Bus Liability orders, judgments and 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 One Hundred Ninety Thousand (\$190,000) Dollars in Suffolk County Serial Bonds to cover the cost of the above referenced settlement; now, therefore be it

RESOLVED, that this settlement in the amount of One Hundred Ninety Thousand (\$190,000) Dollars be bonded and paid under the authority of the Office of Risk Management, County Department of Civil Service, 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 One Hundred Ninety Thousand (\$190,000) Dollars in Suffolk County Serial Bonds be and are hereby appropriated as follows:

REVENUES:

038-2780 Proceeds: Debt \$190,000

APPROPRIATIONS:

	Miscellaneous Auto Liability Insurance 038-MS-C-1916 Mandated	
8505 – Settlements		\$190,000

DATED:

APPROVED BY:

County Executive of the County of Suffolk

Date of Approval:

Suffolk County
General Obligation Serial Bonds
Level Debt

2096

Term of Bonds 5
Amount to Bond: \$190,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2011					
11/1/2011					
5/1/2012	2.500%	\$35,573.39	\$6,270.00	\$41,843.39	\$41,843.39
			\$2,548.04	\$2,548.04	
4/30/2012	3.500%	\$36,747.31	\$2,548.04	\$39,295.35	\$41,843.39
			\$1,941.71	\$1,941.71	
5/1/2013	3.500%	\$37,959.97	\$1,941.71	\$39,901.68	\$41,843.39
			\$1,315.37	\$1,315.37	
5/1/2014	3.500%	\$39,212.65	\$1,315.37	\$40,528.02	\$41,843.39
			\$668.36	\$668.36	
5/1/2015	3.500%	\$40,506.67	\$668.36	\$41,175.03	\$41,843.39
		\$190,000.00	\$19,216.95	\$209,216.95	\$209,216.95

FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

2096

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	\$41,843	\$0.08		\$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	\$41,843	\$0.08		\$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.

2097

Intro. Res. No. -2010
Introduced by Presiding Officer, on request of the

Laid on Table 11/16/10

RESOLUTION NO. -2010, AMENDING THE ADOPTED 2010 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH INVESTIGATION OF PREDATORS ON BAY SCALLOPS IN THE PECONIC ESTUARY (CP 8710)

WHEREAS, there are sufficient funds within the Reserved Fund Balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Suffolk County Water Quality Review Committee, pursuant to Article XII of the SUFFOLK COUNTY CHARTER has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative funds; and

WHEREAS, the Suffolk County Department of Health Services will sponsor a three year Bay Scallop Predation Project in accordance with Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, Cornell Cooperative Extension has been involved with shellfish restoration efforts in the Peconic Estuary and has had significant success and made progress in the restoration of shellfish throughout the Peconic Estuary; and

WHEREAS, the information acquired through this investigation will enable the consultants and others involved in scallop restoration efforts make more informed decisions about site selection, and perhaps predator control; and

WHEREAS, one of the main bay scallop predators to be studied will be the "Channeled Whelk" which is a type of snail; and

WHEREAS, funding for this project is requested through the Suffolk County Water Quality Protection and Restoration Program; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2010 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are sufficient funds available in Fund 477 within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2010 Capital Budget and Program; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) 18, 20, and 27 of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law 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 law is a Type II action, the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution and the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty-six (46) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that sufficient funds exist within Fund 477 Water Quality Reserve Fund Balance component to cover the cost of the County's share for this project; and be it further

4th **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	\$69,782

and be it further

5th **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 (Ref.525-CAP-IFTR-R477)	525	R477	E525	Transfer from Water Quality Protection	\$69,782

and be it further

6th **RESOLVED**, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8710

Project Title: Investigation of Predators on the Bay Scallops in the Peconic Estuary

	<u>Total Est'd Cost</u>	<u>Current 2010 Capital Budget & Program</u>	<u>Revised 2010 Capital Budget & Program</u>
1. Planning and Monitoring	\$36,782	\$0	\$36,782W
5. Equipment	<u>\$33,000</u>	<u>\$0</u>	<u>\$33,000W</u>

2097

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2010, AMENDING THE ADOPTED 2010 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH INVESTIGATION OF PREDATORS ON BAY SCALLOPS IN THE PECONIC ESTUARY (CP 8710)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u> County </u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
THIS RESOLUTION TRANSFERS FUNDS FROM FUND 477, WATER QUALITY PROTECTION, TO FUND 525- THE CAPITAL FUND- AND APPROPRIATES THESE FUNDS IN CAPITAL PROJECT 8710.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
FUND 477 RESERVE FUND BALANCE		
9. Timing of Impact		
UPON ADOPTION		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		November 8th, 2010

**FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2097

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.

COUNTY OF SUFFOLK



2097

OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

DEPARTMENT OF ENVIRONMENT
AND ENERGY

November 5, 2010

Mr. Ken Crannell
Deputy County Executive
H Lee Dennison Bldg. Fl. 12
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Enclosed for your approval are the original and one (1) copy of the proposed resolution pursuant to:

**Investigation of Predators (Channeled Whelks) on Bay Scallops
in the Peconic Estuary**

There are sufficient funds included in the 2010 Operating Budget Fund 477 for this project. The Suffolk County Water Quality Review Committee, at its June 23, 2010 meeting, approved "Investigation of Predators (Channeled Whelks) on Bay Scallops in the Peconic Estuary", submitted by the Suffolk County Department of Health Services, as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds in the amount of \$69,782.

After your examination please place this on the Legislative Agenda as soon as possible.

Sincerely,

Carrie Meek Gallagher
Commissioner, Department of Environment & Energy

Enc.

cc: Chris Kent, Chief Deputy County Executive
Brendan Chamberlain, Director Intergovernmental Relations
CE Reso Rev (e-mail)

2098

Intro. Res. No. -2010

Laid on Table 11/16/10

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. -2010, AMENDING THE ADOPTED 2010 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH A WATER QUALITY MONITORING STATION IN THE PECONIC ESTUARY (CP 8711)

WHEREAS, there are sufficient funds within the Reserved Fund Balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Suffolk County Water Quality Review Committee, pursuant to, Article XII of the SUFFOLK COUNTY CHARTER has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative funds; and

WHEREAS, the Suffolk County Department of Health Services will sponsor a three year water quality monitoring station in the Peconic Estuary in accordance with Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, the US Geological Survey will establish and operate the monitoring station that collects data on tidal water elevations at an eastern location in the Peconic Estuary; this will compliment a Peconic Estuary Program (PEP) funded monitoring station in the western portion of the estuary; and

WHEREAS, the project will support ongoing efforts to improve the health of the Peconic Estuary and understand the short-term effects of stormwater runoff and other pollution sources; and

WHEREAS, funding for this project is requested through the Suffolk County Water Quality Protection and Restoration Program; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2010 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are sufficient available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2010 Capital Budget and Program; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act (SEQRA), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Section 617.5 (c)(18), (20), (25) and (27) of Title 6 of the NYCRR and within the meaning of Section 8-019 (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, information collection including basic data collection and research, water quality and pollution studies; since this law is a Type II action, the Suffolk County Council

on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution and the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-six (56) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of the County's share for this project; and be it further

4th 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	\$230,050

and be it further

5th 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 (Ref. 525-CAP-IFTR-R477)	525	R477	E525	Transfer from Water Quality Protection	\$230,050

and be it further

6th RESOLVED, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8711
Project Title: Water Quality Monitoring

	<u>Total Est'd Cost</u>	<u>Current 2010 Capital Budget & Program</u>	<u>Revised 2010 Capital Budget & Program</u>
1. Planning and Monitoring	\$161,700	\$0	\$ 161,700W
5. Equipment	<u>\$ 68,350</u>	<u>\$0</u>	<u>\$ 68,350 W</u>
TOTAL	\$230,050	\$0	\$230,050

and be it further

7th RESOLVED, that these Water Quality proceeds in the amount of \$230,050 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8711.110	Water Quality Monitoring in the Peconic Estuary	\$161,700
525-CAP-8711.510	Water Quality Equipment in the Peconic Estuary	\$68,350

and be it further

8th 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.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

2098

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		
<p>RESOLUTION NO. -2010, AMENDING THE ADOPTED 2010 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH A WATER QUALITY MONITORING STATION IN THE PECONIC ESTUARY (CP 8711)</p>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 20px; display: flex; align-items: center; justify-content: center; margin: 0 auto;"> <p style="margin: 0;">County</p> </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		
THIS RESOLUTION TRANSFERS FUNDS FROM FUND 477, WATER QUALITY PROTECTION, TO FUND 525- THE CAPITAL FUND- AND APPROPRIATES THESE FUNDS IN CAPITAL PROJECT 8711.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
FUND 477 RESERVE FUND BALANCE		
9. Timing of Impact		
UPON ADOPTION		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		November 4th, 2010

**FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2098

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.

COUNTY OF SUFFOLK



2098
OCT 25 2010

OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

DEPARTMENT OF ENVIRONMENT
AND ENERGY

October 15, 2010

Mr. Ken Crannell
Deputy County Executive
H Lee Dennison Bldg. Fl. 12
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Enclosed for your approval are the original and one (1) copy of the proposed resolution pursuant to:

**"A CONTINUOUS WATER QUALITY MONITORING STATION
IN THE PECONIC ESTUARY"**

There are sufficient funds included in the 2010 Operating Budget Fund 477 for this project. The Suffolk County Water Quality Review Committee, at its June 23, 2010 meeting, approved "A Continuous Water Quality Monitoring Station in the Peconic Estuary", submitted by the Suffolk County Department of Health Services, as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds in the amount of \$230,050..

After your examination please place this on the Legislative Agenda as soon as possible.

Sincerely,

Carrie Meek Gallagher
Commissioner, Department of Environment & Energy

Enc.

cc: Chris Kent, Chief Deputy County Executive
✓ Brendan Chamberlain, Director Intergovernmental Relations

2099

Intro. Res. No. -2010
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 11/16/10

RESOLUTION NO. -2010, AMENDING THE ADOPTED 2010 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH ENHANCED GROUNDWATER PROTECTION EQUIPMENT AT SUFFOLK COUNTY FUELING SITES (CP 8710)

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Suffolk County Water Quality Protection and Restoration Program Review Committee, pursuant to Article XII of the SUFFOLK COUNTY CHARTER, has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative funds; and

WHEREAS, the Suffolk County Department of Public Works will sponsor the Enhanced Groundwater Protection Equipment at Suffolk County Fueling Sites; and

WHEREAS, the project provides for upgrades to existing high priority fuel management and leak detection systems at County fueling sites so that real-time alarms can be received and automated inventory reconciliations can be performed in accordance with the requirements of Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, pollution prevention is widely accepted as the most cost-effective management approach to protect public health and the environment; and

WHEREAS, funding for this project is requested through the Suffolk County Water Quality Protection and Restoration Program; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2010 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are sufficient funds available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2010 Capital Budget and Program; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Section 617.5(c)(18), (20), (25) and (27) of Title 6 NYCRR, in that it 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 law is a Type II action, the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution; and the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy-six (76) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

4th **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	\$135,000

and be it further

5th **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 (Ref. 525-CAP-IFTR-R477)	525	R477	E525	Transfer from Water Quality Protection	\$135,000

and be it further

6th **RESOLVED**, that the 2010 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8710

Project Title: Enhanced Groundwater Protection Equipment at Suffolk County Fueling Sites

	<u>Total Est. Cost</u>	<u>Current 2010 Capital Budget & Program</u>	<u>Revised 2010 Capital Budget & Program</u>
3. Construction	\$ 135,000	\$0	\$ 135,000 W
TOTAL	\$ 135,000	\$0	\$ 135,000

and be it further

7th **RESOLVED**, that these Water Quality proceeds in the amount of \$135,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.322	20	Enhanced Groundwater Protection Equipment at Suffolk County Fueling Sites	\$135,000

and be it further

8th **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.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2099

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. -2010, AMENDING THE ADOPTED 2010 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2010 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH ENHANCED GROUNDWATER PROTECTION EQUIPMENT AT SUFFOLK COUNTY FUELING SITES (CP 8710)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 20px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> County </div>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
THIS RESOLUTION TRANSFERS FUNDS FROM FUND 477, WATER QUALITY PROTECTION, TO FUND 525- THE CAPITAL FUND- AND APPROPRIATES THESE FUNDS IN CAPITAL PROJECT 8710.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
FUND 477 RESERVE FUND BALANCE		
9. Timing of Impact		
UPON ADOPTION		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		November 1 st , 2010

**FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2099

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.

COUNTY OF SUFFOLK



2099

OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

CARRIE MEEK GALLAGHER
COMMISSIONER

DEPARTMENT OF ENVIRONMENT
AND ENERGY

November 1, 2010

Mr. Ken Crannell
Deputy County Executive
H Lee Dennison Bldg. Fl. 12
Hauppauge, NY 11788-0099

Dear Mr. Crannell:

Enclosed for your approval are the original and one (1) copy of the proposed resolution pursuant to:

"Enhanced Groundwater Protection Equipment at Suffolk County Fueling Sites"

There are sufficient funds included in the 2010 Operating Budget Fund 477 for this project. The Suffolk County Water Quality Review Committee, at its June 23, 2010 meeting, approved "Fuel Inventory Management and Leak Detection System Upgrades at Suffolk County Underground Gasoline and Diesel Motor Vehicle Fuel Storage Tanks", submitted by the Suffolk County Department of Public Works, as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds in the amount of \$135,000.

After your examination please place this on the Legislative Agenda as soon as possible.

Sincerely,

Carrie Meek Gallagher
Commissioner, Department of Environment & Energy

Enc.

cc: Chris Kent, Chief Deputy County Executive
Brendan Chamberlain, Director Intergovernmental Relations

2100

Intro. Res. No. -2010

Laid on Table 11/16/10

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2010,
DIRECTING MODERNIZATION OF THE
COUNTY FINANCIAL DISCLOSURE
FORM**

WHEREAS, the "Suffolk County Financial Disclosure Law" was adopted as Local Law No. 12-1978; and

WHEREAS, the first "declared policy" of the Law is to "ensure to the citizens of Suffolk County a county government that is administered free from any conflicts of interest by any employees who affect the integrity of the County government;" and

WHEREAS, that starting in the late 1980(s), the County of Suffolk crafted a series of ethics laws, including financial disclosure requirements, that attempted in good faith to meet State requirements for such disclosure, however, the State's leading expert in the field of Ethics law has opined the County Financial Disclosure Statement adopted pursuant to the Law does not adequately meet the State's declared policy; and

WHEREAS, the annual Statement of Financial Disclosure required by the Commission on Public Integrity of the State of New York (NYS Form) asks questions aimed at determining true conflicts of interests in a more extensive manner, such as whether officials have promises of future employment by private firms, or whether officials or their immediate family members serve on boards of organizations which, though not having government contracts, regularly appear before State agencies to lobby for and against policies, and whether the filer has been reimbursed for expenses by private entities; and

WHEREAS, the types of conflicts described above are not captured in the County's Financial Disclosure Statement, and therefore leave the County in violation of State minimal standards; and

WHEREAS, modernization of the County's form is long overdue and will help expose conflicts; now, therefore be it

1st RESOLVED, that the Suffolk County Ethics Commission, consistent with the powers of the Suffolk County Ethics Commission enumerated in section 61-6 (A) of the Suffolk County Code, be and hereby is directed, authorized and empowered to review the Suffolk County Financial Disclosure Statement and recommend proposed revisions, alterations, or amendments to the statement form, including the information required by State law, to modernize it and to make it consistent with the policy declaration of the Suffolk County Legislature that the form "ensure to the citizens of Suffolk County a county government that is administered free from any conflicts of interest by employees who affect the integrity of County government;" and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

**RESOLUTION NO. - 2010, APPROPRIATING FUNDS
IN CONNECTION WITH ENERGY CONSERVATION AT
VARIOUS COUNTY FACILITIES (CP 1664)**

WHEREAS, the Commissioner of Public Works has requested funds for Energy Conservation at Various County Facilities; 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 as revised by Resolution No. 461-2006 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$4,183,825 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter SEQRA), Resolution No. 506-1995 classified the action contemplated by this as Type II action; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-eight (68) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

4th RESOLVED, that the proceeds of \$4,183,825 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-1664.116 (Fund 001 Debt Service)	20	Energy Conservation at Various County Facilities	\$380,348
525-CAP-1664.318 (Fund 001 Debt Service)	20	Energy Conservation at Various County Facilities	\$3,803,477

Date:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

2101

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 RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH ENERGY CONSERVATION AT VARIOUS COUNTY FACILITIES (CP 1664)		
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)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. SEE ATTACHED DEBT SERVICE SCHEDULE		
8. Proposed Source of Funding SERIAL BONDS		
9. Timing of Impact 2011		
10. Typed Name & Title of Preparer Nicholas Paglia Executive Technician	11. Signature of Preparer 	12. Date October 22nd, 2010

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2101

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	\$368,013	\$0.66		\$0.001

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	\$368,013	\$0.66		\$0.001

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

2101

Term of Bonds: 15
 Amount to Bond: \$4,183,825

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2010					
11/1/2010					
5/1/2011	2.500%	\$213,909.12	\$154,104.22	\$368,013.34	\$368,013.34
			\$73,112.62	\$73,112.62	
5/1/2012	3.500%	\$221,788.10	\$73,112.62	\$294,900.72	\$368,013.34
			\$69,028.02	\$69,028.02	
5/1/2013	3.500%	\$229,957.30	\$69,028.02	\$298,985.32	\$368,013.34
			\$64,792.97	\$64,792.97	
5/1/2014	3.500%	\$238,427.39	\$64,792.97	\$303,220.36	\$368,013.34
			\$60,401.94	\$60,401.94	
5/1/2015	3.500%	\$247,209.47	\$60,401.94	\$307,611.40	\$368,013.34
			\$55,849.16	\$55,849.16	
4/30/2016	3.500%	\$256,315.02	\$55,849.16	\$312,164.18	\$368,013.34
			\$51,128.69	\$51,128.69	
4/30/2017	3.500%	\$265,755.95	\$51,128.69	\$316,884.64	\$368,013.34
			\$46,234.35	\$46,234.35	
5/1/2018	3.500%	\$275,544.63	\$46,234.35	\$321,778.98	\$368,013.34
			\$41,159.74	\$41,159.74	
5/1/2019	3.500%	\$285,693.86	\$41,159.74	\$326,853.60	\$368,013.34
			\$35,898.21	\$35,898.21	
4/30/2020	3.500%	\$296,216.91	\$35,898.21	\$332,115.13	\$368,013.34
			\$30,442.88	\$30,442.88	
4/30/2021	3.500%	\$307,127.57	\$30,442.88	\$337,570.45	\$368,013.34
			\$24,786.62	\$24,786.62	
5/1/2022	4.000%	\$318,440.10	\$24,786.62	\$343,226.72	\$368,013.34
			\$18,922.01	\$18,922.01	
5/1/2023	4.500%	\$330,169.31	\$18,922.01	\$349,091.33	\$368,013.34
			\$12,841.39	\$12,841.39	
4/30/2024	4.500%	\$342,330.55	\$12,841.39	\$355,171.94	\$368,013.34
			\$6,536.81	\$6,536.81	
4/30/2025	4.500%	\$354,939.72	\$6,536.81	\$361,476.53	\$368,013.34
		\$4,183,825.00	\$1,336,375.06	\$5,520,200.06	\$5,520,200.06

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2101

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ken Crannell, Deputy County Executive (2 copies)
FROM: *Thomas LaGuardia*
Thomas LaGuardia, P.E., Chief Deputy Commissioner
DATE: July 30, 2010
RE: CP 1664 – Energy Conservation at Various County Facilities

Attached for your review is a draft resolution appropriating the sum of \$4,183,825 for energy conservation projects at various County buildings. This funding will be used to replace miscellaneous pieces of inefficient heating, cooling and lighting equipment with modern, energy efficient equipment and lighting. This may also include conversion of oil-fired appliances to natural gas fired, the replacement of inefficient, single-pane glazing in existing doors and windows, and other miscellaneous modifications. I have attached a listing of current and future projects for your reference. While this list is not exhaustive, it does provide a general overview of proposed expenditures.

This action is considered a Type II action under SEQRA in accordance with Resolution No. 506-1995. An e-mail copy of the resolution has been sent to CE RESO Review sent under the title Reso-DPW-CP 1664 Resolution Energy Cons.doc.

Please ensure that separate point numbers are created for these funds so they are not inadvertently mingled with previously appropriated federal ARRA funds.

TL/MJM/dk
attachments

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

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

H:\BDC\Resolutions\2010 Resolutions\1664_Backup-DPW-CP 1664 Reso Energy Cons Memo.doc

2102

Intro. Res. No. -2010

Laid on Table

11/16/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2010, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO OLD FIELD HORSE FARM (CP 7176)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds to rehabilitate the large stable at the center of Old Field Horse Farm; and

WHEREAS, there are sufficient funds within the 2010 Capital Budget and Program to cover the cost of said construction under Capital Program Number 7176; 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 \$100,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8 (hereinafter "SEQRA"), Resolution Number 51-05 has determined that this action constitutes a Type II action pursuant to the provisions of Title 6 of the New York Code of Rules and Regulations (NYCRR), Part 617.5 (c) (1) and (2) and Chapter 279 of the Suffolk County Code, since it involves "maintenance or repair involving no substantial changes in an existing structure or facility" and "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet buildings or fire code"; and

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty-eight (38) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution 461-2006; and be it further

3rd RESOLVED, that the proceeds of \$100,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7176.311 (Fund 001 Debt Service)	26	Improvements to Old Field Horse Farm	\$100,000

Date:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

2102

1. Type of Legislation Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation RESOLUTION NO. - 2010, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO OLD FIELD HORSE FARM (CP 7176)		
3. Purpose of Proposed Legislation SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<input checked="" type="radio"/> County	<input type="radio"/> Town	<input type="radio"/> Economic Impact
<input type="radio"/> Village	<input type="radio"/> School District	<input type="radio"/> Other (Specify):
<input type="radio"/> Library District	<input type="radio"/> 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 Nicholas Paglia Executive Technician	11. Signature of Preparer 	12. Date October 26th, 2010

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2102

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	\$8,796	\$0.02		\$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	\$8,796	\$0.02		\$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

2102

Term of Bonds: 15
 Amount to Bond: \$100,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2010					
11/1/2010					
5/1/2011	2.500%	\$5,112.76	\$3,683.33	\$8,796.10	\$8,796.10
			\$1,747.51	\$1,747.51	
5/1/2012	3.500%	\$5,301.08	\$1,747.51	\$7,048.59	\$8,796.10
			\$1,649.88	\$1,649.88	
5/1/2013	3.500%	\$5,496.34	\$1,649.88	\$7,146.22	\$8,796.10
			\$1,548.65	\$1,548.65	
5/1/2014	3.500%	\$5,698.79	\$1,548.65	\$7,247.44	\$8,796.10
			\$1,443.70	\$1,443.70	
5/1/2015	3.500%	\$5,908.70	\$1,443.70	\$7,352.40	\$8,796.10
			\$1,334.88	\$1,334.88	
4/30/2016	3.500%	\$6,126.33	\$1,334.88	\$7,461.21	\$8,796.10
			\$1,222.06	\$1,222.06	
4/30/2017	3.500%	\$6,351.99	\$1,222.06	\$7,574.04	\$8,796.10
			\$1,105.07	\$1,105.07	
5/1/2018	3.500%	\$6,585.95	\$1,105.07	\$7,691.02	\$8,796.10
			\$983.78	\$983.78	
5/1/2019	3.500%	\$6,828.53	\$983.78	\$7,812.32	\$8,796.10
			\$858.02	\$858.02	
4/30/2020	3.500%	\$7,080.05	\$858.02	\$7,938.07	\$8,796.10
			\$727.63	\$727.63	
4/30/2021	3.750%	\$7,340.83	\$727.63	\$8,068.46	\$8,796.10
			\$592.44	\$592.44	
5/1/2022	4.000%	\$7,611.22	\$592.44	\$8,203.66	\$8,796.10
			\$452.27	\$452.27	
5/1/2023	4.500%	\$7,891.57	\$452.27	\$8,343.83	\$8,796.10
			\$306.93	\$306.93	
4/30/2024	4.500%	\$8,182.24	\$306.93	\$8,489.17	\$8,796.10
			\$156.24	\$156.24	
4/30/2025	4.500%	\$8,483.62	\$156.24	\$8,639.86	\$8,796.10
		\$100,000.00	\$31,941.47	\$131,941.47	\$131,941.47

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

2102

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOSEPH J. MONTUORI
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: KEN CRANNELL, Deputy County Executive

FROM: JOSEPH J. MONTUORI, Commissioner 

CC: CHRISTOPHER KENT, Chief Deputy County Executive

DATE: OCTOBER 26, 2010

**RE: INTRODUCTORY RESOLUTION APPROPRIATING FUNDS IN
CONNECTION WITH IMPROVEMENTS TO OLD FIELD HORSE
FARM (CP 7176)**

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS- Appropriating Funds for CP 7176-Old Field Farm.doc".

These funds are requested in order to rehabilitate the large stable at the center of Old Field Horse Farm.

Should you require anything further, please contact my office at 4-4984.

Enclosures



2103
Intro. Reso. No -2010
Introduced by the Presiding Officer on behalf of the County Executive

Laid on the Table 11/16/10
County Executive

**RESOLUTION NO. -2010, RESTORING THE VOUCHER SYSTEM
AND DIRECTING THE DEPARTMENT OF SOCIAL SERVICES TO
CLOSE RIVERSIDE AND WESTHAMPTON TRAILERS**

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

WHEREAS, the Department of Social Services has housed approximately 15-20 homeless sex offenders in trailers in Riverside and Westhampton for the past several years; and

WHEREAS, residents of Riverside and Westhampton have complained about housing these sex offenders in their communities; and

WHEREAS, in response to community concerns, the Department of Social Services attempted to implement a new policy for sex offender emergency housing whereby in place of housing sex offenders in the trailers, the homeless sex offenders would be given a daily housing voucher of \$90.00 to find over-night housing; and

WHEREAS, counties throughout New York, including Nassau, successfully utilize a voucher program without incident; and

WHEREAS, the Legislature adopted Resolution No. 417-2010 ending the voucher system and directing the Department of Social Services to solicit vendors to house homeless sex offenders; and

WHEREAS, Resolution No. 417-2010 required the Department of Social Services seek shelter providers to provide emergency housing for homeless sex offenders and that the Department of Social Services was to present the program developed under Resolution No. 417-2010 to the County Executive and the Suffolk County Legislature within 30 days of the effective date of Resolution No. 417-2010; and

WHEREAS, Resolution No. 417-2010 was effective on June 8, 2010; and

WHEREAS, that on July 15, 2010, the Department of Social Services presented a plan proposed by a shelter provider for housing homeless sex offenders other than through the trailers; and

WHEREAS, the Legislature has adopted Resolution No. 720-2010 mandating that the plan to house sex offenders as provided for in Resolution No. 417-2010 was to be implemented by October 15, 2010; and

WHEREAS, even though the program has been presented to the Legislature as required by Resolution No. 417-2010, no action has been taken by the Legislature; now therefore be it

1st RESOLVED, that Resolution No. 417-2010, as amended, is hereby repealed in its entirety; and be it further

2nd RESOLVED, that Resolution No. 720-2010 is hereby repealed in its entirety; and be it further

3rd RESOLVED, that the Department of Social Services is hereby directed to implement a program for housing sex offenders utilizing emergency shelter vouchers; and be it further

4th REOLVED, that that the Department of Social Services is directed to close and to cease using the trailers in Riverside and Westhampton forthwith; and be it further

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

Dated:

APPROVED BY:

County Executive of Suffolk County

Date:

Intro. Res. No. 2104-2010

Laid on Table 11/16/10

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 2010, A RESOLUTION TO IMPLEMENT THE COMMUNITY PRIDE AND RENEWAL PROGRAM AND TO AMEND THE 2010 ADOPTED CAPITAL BUDGET TO PROVIDE FUNDING IN CONNECTION WITH THE COMMUNITY PRIDE AND RENEWAL (CPR) PROGRAM (CP-6422) AND DOWNTOWN BEAUTIFICATION AND RENEWAL (CP-6418)

WHEREAS, our local neighborhoods are the center of our family and community life; and

WHEREAS, there is a need to establish a program that joins together with our local municipalities to bring to fruition a project otherwise left unrealized; and

WHEREAS, during this time of economic distress, Suffolk County seeks to provide an inducement to local communities to help revive them by providing funding, in the form of serial bonds, to help fund capital infrastructure improvements in their neighborhoods; and

WHEREAS, various studies and reports, including the Long island Index prepared by the Rauch Foundation and reports of the Regional Long Island Planning Council, have highlighted the numerous challenges faced by our local communities and the value associated with enhancing the livability through increased amenities, smart growth development and more; and

WHEREAS, this resolution establishes The Community Pride and Renewal Program (CP-6422) and also appropriates funding for Downtown Beautification and Renewal (CP-6418); and

WHEREAS, sufficient funds are not included within the 2010 Capital Budget and Program to cover the cost of said requests and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from other capital projects; and

WHEREAS, CP-6418 Downtown Beautification and Renewal is an established capital program that has provided funding in the past to support projects that have assisted in the renewal of our local business districts and downtown areas; and

WHEREAS, projects to be funded through the Downtown Beautification and Renewal Program (CP-6418) will be recommended by the Downtown Citizens Advisory Panel as a result of reviewing and ranking applications based on a strict merit based scoring system which includes points for: Leveraging of Additional Funds, Economic Benefits, Reasonable Expectation of Completion; and An Integral Part of Overall Downtown Improvement Plan; and

WHEREAS, sufficient funds are not included within the 2010 Capital Budget and Program to cover the cost of said requests and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from other capital projects; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution 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 projects CP-6422 and CP-6418; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$2,500,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act (SEQRA) and Chapter 279 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type II action pursuant to Title 6 NYCRR Part 617.5(c)(20) and (27), in that this legislative decision involves continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; and therefore this Legislature has no further responsibilities under SEQRA, and be it further

2nd RESOLVED, that the 2010 Adopted Capital Budget and Program be and they are hereby amended as follows:

Proj. No: 1678

Project Title: Rehabilitation of Parking Lots, Drives, Curbs at Various County Facilities

	Total Est'd Cost	Current 2010 Capital Budget & Program	Revised 2010 Capital Budget & Program
3. Construction	<u>\$3,107,000</u>	<u>\$625,000B</u>	<u>\$300,000B</u>
TOTAL	\$3,107,000	\$625,000	\$300,000

Proj. No: 1766

Project Title: Building for Wildlife Rescue and Education, Marine Science Center

	Total Est'd Cost	Current 2010 Capital Budget & Program	Revised 2010 Capital Budget & Program
3. Construction	<u>\$250,000</u>	<u>\$100,000B</u>	<u>\$0</u>
TOTAL	\$250,000	\$100,000	\$0

Proj. No: 4055

Project Title: Purchase of Equipment for Health Centers

	Total Est'd Cost	Current 2010 Capital Budget & Program	Revised 2010 Capital Budget & Program
5. Furniture and Equipment	<u>\$4,141,248</u>	<u>\$359,775B</u>	<u>\$259,775B</u>
TOTAL	\$4,141,248	\$359,775	\$259,775

Proj. No: 5565

Project Title: Sagtikos Corridor

Total Est'd Cost	Current 2010 Capital Budget & Program	Revised 2010 Capital Budget & Program
------------------------	---	---

2. Land Acquisition	\$0	\$ 50,000B	\$0
3. Construction	\$0	<u>\$1,000,000B</u>	\$0
TOTAL	\$0	\$1,050,000	\$0

and be it further

Proj. No: 5658
Project Title: Purchase of Public Transit Vehicles

	Total Est'd Cost	Current 2010 Capital Budget & Program	Revised 2010 Capital Budget & Program
5. Furniture and Equipment	<u>\$55,479,280</u>	\$ 712,500B \$ 720,400S \$ 5,763,202F <u>\$ 7,901O</u>	\$ 147,500B \$ 720,400S \$ 5,763,202F <u>\$ 7,901O</u>
TOTAL	\$55,479,280	\$7,204,003	\$6,639,003

Proj. No: 5702
Project Title: Renovation and Construction of Facilities at Francis S. Gabreski Airport

	Total Est'd Cost	Current 2010 Capital Budget & Program	Revised 2010 Capital Budget & Program
1. Planning & Design	\$90,900	\$ 12,000B	\$2,000B
3. Construction	<u>\$1,971,690</u>	<u>\$ 100,000B</u>	\$0
TOTAL	\$2,062,590	\$ 112,000	\$2,000

Proj. No: 5902
Project Title: Planting of Trees and Shrubs at Various County Locations and Roadways

	Total Est'd Cost	Current 2010 Capital Budget & Program	Revised 2010 Capital Budget & Program
4. Site Improvements	<u>\$650,000</u>	<u>\$100,000B</u>	\$0
TOTAL	\$650,000	\$100,000	\$0

Proj. No: 7145
Project Title: Improvements to Newly Acquired Parkland

Total	Current 2010 Capital	Revised 2010 Capital
-------	----------------------------	----------------------------

	<u>Est'd Cost</u>	<u>Budget & Program</u>	<u>Budget & Program</u>
3. Construction	\$637,500	\$150,000B	\$0
TOTAL	\$637,500	\$150,000	\$0

and be it further

3rd RESOLVED that the Community Pride and Renewal Evaluation Committee will be comprised of the Commissioner or his/her designee(s) from the Department of Economic Development and Workforce Housing; the Commissioner of Parks or his/her designee, the Director of Planning or his/her designee and the County Attorney or his/her designee; and be it further

4th RESOLVED, that it is determined that the Community Pride and Renewal Grant Program (CP 6422) with a priority ranking of sixty-five (65) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

5th RESOLVED, that any expenditure of any funds authorized under the Community Pride and Renewal Program hereunder shall be made in accordance with the following criteria:

1. Applicants must be a town or a village within Suffolk County.
2. A request for funding via duly enacted Resolution from Town and Village must be presented requesting economic assistance for a specifically identified project, purpose, or program that will help to enhance the quality of life of local residents, and assist in the renewal of their communities.
3. Projects must be on municipally owned property.
4. Applications will be scored on a merit-based scoring system including leveraging.
5. Project must enhance the quality of life of the local residents and fit into the character of the community as defined in a locally adopted municipal plan.
6. Grant funding up to \$100,000 per project can be awarded.
7. Awards will be limited to one per Legislative District.
8. Approval of the appropriation and allocation of such funds for such project, purpose or program must be by duly enacted Resolution of the County of Suffolk incorporation such terms, conditions, and criteria as are deemed necessary and appropriate by the County of Suffolk.
9. A written agreement from the pertinent Town or Village must be executed and Town or Village must abide by the terms, conditions, and criteria of such agreement as a condition precedent to the expenditure of such moneys subject to revision of such moneys back to the County in the case of a violation of any such terms, conditions, or criterion;

and be it further

6th RESOLVED that the Suffolk County Department of Economic Development and Workforce Housing is hereby authorized, empowered, and directed, pursuant to Section 35-2(V) of the SUFFOLK COUNTY CHARTER, to develop, issue, and promulgate such rules and regulations as it shall deem necessary and appropriate to implement the provisions of this Resolution for the Community Pride and Renewal Program, which rules and regulations shall be filed with the Clerk of the County Legislature for distribution to all County Legislators no later than ninety (90) days subsequent to the effective date of this Resolution; and be it further

7th RESOLVED, that it is hereby determined that the Downtown Beautification and Renewal Program (CP 6418) with a priority ranking of forty five (45), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 461-2006; and be it further

8th **RESOLVED**, that the proceeds be and they are hereby appropriated as follows, subject to the condition that no bonds or notes shall be issued for any of the projects set forth unless and until full environmental reviews under the State Environmental Quality Review Act (SEQRA) have been completed by the County of Suffolk or other local municipality as lead agency:

<u>Proj. No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-6422.310 (Fund 001 Debt Service)	35	Community Pride and Renewal Grant Program	\$2,000,000
525-CAP-6418.317 (Fund 001 Debt Service)	35	Downtown Beatification and Renewal	\$ 500,000

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

**FINANCIAL IMPACT
2011 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

2104

GENERAL FUND

	2011 PROPERTY TAX LEVY	2011 COST TO AVG TAXPAYER	2011 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	\$182,735	\$0.33		\$0.001

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	\$182,735	\$0.33		\$0.001

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

2104

Term of Bonds 20
 Amount to Bond: \$2,500,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2010					
11/1/2010					
5/1/2011	2.500%	\$84,609.77	\$98,125.00	\$182,734.77	\$182,734.77
			\$47,402.03	\$47,402.03	
5/1/2012	3.500%	\$87,930.71	\$47,402.03	\$135,332.74	\$182,734.77
			\$45,676.39	\$45,676.39	
5/1/2013	3.500%	\$91,381.99	\$45,676.39	\$137,058.38	\$182,734.77
			\$43,883.02	\$43,883.02	
5/1/2014	3.500%	\$94,968.73	\$43,883.02	\$138,851.75	\$182,734.77
			\$42,019.26	\$42,019.26	
5/1/2015	3.500%	\$98,696.25	\$42,019.26	\$140,715.51	\$182,734.77
			\$40,082.35	\$40,082.35	
4/30/2016	3.500%	\$102,570.08	\$40,082.35	\$142,652.43	\$182,734.77
			\$38,069.41	\$38,069.41	
4/30/2017	3.500%	\$106,595.96	\$38,069.41	\$144,665.37	\$182,734.77
			\$35,977.46	\$35,977.46	
5/1/2018	3.500%	\$110,779.85	\$35,977.46	\$146,757.31	\$182,734.77
			\$33,803.41	\$33,803.41	
5/1/2019	3.500%	\$115,127.96	\$33,803.41	\$148,931.37	\$182,734.77
			\$31,544.02	\$31,544.02	
4/30/2020	3.500%	\$119,646.73	\$31,544.02	\$151,190.75	\$182,734.77
			\$29,195.95	\$29,195.95	
4/30/2021	3.750%	\$124,342.87	\$29,195.95	\$153,538.82	\$182,734.77
			\$26,755.73	\$26,755.73	
5/1/2022	4.000%	\$129,223.32	\$26,755.73	\$155,979.05	\$182,734.77
			\$24,219.72	\$24,219.72	
5/1/2023	4.500%	\$134,295.34	\$24,219.72	\$158,515.06	\$182,734.77
			\$21,584.17	\$21,584.17	
4/30/2024	4.500%	\$139,566.43	\$21,584.17	\$161,150.60	\$182,734.77
			\$18,845.18	\$18,845.18	
4/30/2025	4.500%	\$145,044.41	\$18,845.18	\$163,889.59	\$182,734.77
			\$15,998.68	\$15,998.68	
5/1/2026	4.500%	\$150,737.41	\$15,998.68	\$166,736.09	\$182,734.77
			\$13,040.46	\$13,040.46	
5/1/2027	4.500%	\$156,653.85	\$13,040.46	\$169,694.31	\$182,734.77
			\$9,966.13	\$9,966.13	
4/30/2028	4.750%	\$162,802.51	\$9,966.13	\$172,768.64	\$182,734.77
			\$6,771.13	\$6,771.13	
4/30/2029	4.750%	\$169,192.51	\$6,771.13	\$175,963.64	\$182,734.77
			\$3,450.73	\$3,450.73	
5/1/2030	4.750%	\$175,833.32	\$3,450.73	\$179,284.05	\$182,734.77
		\$2,500,000.00	\$1,154,695.49	\$3,654,695.49	\$3,654,695.49

2105

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

Laid on Table 11/16/10

**RESOLUTION NO. -2010, AUTHORIZING AND DIRECTING
THE DEPARTMENT OF SOCIAL SERVICES TO ENTER INTO
AGREEMENT TO HOUSE 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, for several years the Department of Social Services has met this obligation by transporting homeless sex offenders to trailers in Riverside or Westhampton; and

WHEREAS, in early 2010, the Department proposed a voucher system for housing homeless sex offenders; and

WHEREAS, Resolution No. 417-2010 terminated the Department of Social Services' voucher policy and directed the Department to develop a new comprehensive plan to house homeless sex offenders, consistent with certain guidelines set forth in the resolution; and

WHEREAS, in accordance with Resolution No. 417-2010, the Department of Social Services solicited plans from homeless shelter providers to establish a shelter system for homeless sex offenders; and

WHEREAS, Community Housing Innovations, Inc. ("CHI") responded to the Department of Social Services' request with a comprehensive proposal detailing the oversight parameters, location selection procedure, terms of residency and costs associated with implementing the plan; and

WHEREAS, the Commissioner of the Department of Social Services has stated that the CHI proposal represents the Department's plan to house homeless sex offenders in accordance with Resolution No. 417-2010; now, therefore be it

1st RESOLVED, that the Suffolk County Department of Social Services is hereby authorized, empowered and directed to execute a contract with Community Housing Innovations, Inc. ("CHI") to provide emergency shelters for homeless sex offenders in accordance with the requirements set forth in Resolution No. 417-2010; and be it further

2nd RESOLVED, that the Department of Social Services shall enter into an agreement with CHI no later than January 15, 2011; 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\approve homeless sex offender housing plan

UPDATED AS OF 11/10/2010

Intro. Res. No. 2106 -2010
Introduced by Legislator Cilmi

Laid on Table 11/16/2010

**RESOLUTION NO. -2010, ADOPTING LOCAL LAW
NO. -2010, A CHARTER LAW TO ENHANCE
TRANSPARENCY IN COUNTY BUDGET PROCESS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2010 a proposed local law entitled, "**A CHARTER LAW TO ENHANCE TRANSPARENCY IN COUNTY BUDGET 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 ENHANCE TRANSPARENCY IN COUNTY
BUDGET 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 the County Legislature amends the County Executive's recommended operating budget each year by adopting a series of budget amendment resolutions.

This Legislature further finds that under existing law, budget amendment resolutions are supposed to be "laid on the table" and distributed to legislators at least two days prior to the scheduled vote on said amendments. However, the Presiding Officer may waive the two-day notice requirement at the request of the Director of the Budget Review Office.

This Legislature further finds and determines that a budget amending resolution may also be amended by the Legislature at any time prior to a final vote on the resolutions.

This Legislature determines that while it is desirable for the County Legislature to maintain flexibility in the budget-making process, the absence of any real deadline for filing budget amendment resolutions and the Legislature's unlimited authority to amend such resolutions "on the floor" can lead to unnecessary confusion, controversy and simple human errors.

This Legislature also finds that the current budget process deprives Legislators and the citizens of Suffolk County the opportunity to fully review and debate proposed changes to the County's operating budget.

This Legislature further finds that the County's budget process would benefit from stronger deadlines and greater transparency.

Therefore, the purpose of this law is to require that budget amendment resolutions be filed at least five days prior to any vote on said resolutions and that amendments to said resolutions be authorized by a super majority vote of the Legislature.

Section 2. Amendment.

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

ARTICLE IV, County Budget and Capital Program

* * * *

§ C4-10. Action by County Legislature on proposed budget.

* * * *

- B. The County Legislature may amend the proposed county budget by submitting a budget amendment resolution which will add or increase an item of appropriation or strike or reduce an item of appropriation except for appropriations for debt service and any other appropriations required by law.

* * * *

- (2) The Presiding Officer of the County Legislature shall establish a cutoff date each year for the filing of budget amendment resolutions by members of the County Legislature which date shall be a reasonable number of days immediately preceding the date scheduled for the actual vote on such budget amendment resolutions, provisions of § C2-12A of the Suffolk County Charter to the contrary notwithstanding. The Presiding Officer of the County Legislature shall also establish a cutoff date for the distribution of budget amendment resolutions by members of the County Legislature which date shall be at least [two] five days immediately preceding the date scheduled for the actual vote on such budget amendment resolutions, provisions of § C2-12A of the Suffolk County Charter to the contrary notwithstanding[, unless such deadline is waived by the Presiding Officer at the request of the Director of the Legislative Office of Budget Review pursuant to a written determination by the Director of the Legislative Office of Budget Review that such deadline cannot be met by his or her office.]
- (3) In no event shall the County Legislature act upon such budget amendment resolutions unless and until such resolutions shall have been placed upon the desks or tables of the members of the County Legislature at least [two] five days prior to such legislative action, provisions of § C2-12A of the Suffolk County Charter to the contrary notwithstanding. Any such budget amendment resolution may be amended, prior to initial legislative action on the entire such budget amendment resolution, by a procedural vote to so amend approved by at least a [majority] two-thirds vote of the entire membership of the County Legislature. [This two-day notice requirement may be waived by the Presiding Officer at the request of the Director of the Legislative Office of Budget Review pursuant to a written determination by the Director of the Legislative Office of Budget Review that such deadline cannot be met by his or her office.]

[The County Legislature shall list in one document all of the amendments it has made in the proposed county budget and shall include such provisions in such budget amendment resolutions as shall be necessary to implement the objectives contained therein.]

* * * *

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 not take effect until at least sixty (60) 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 sixty (60) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW and upon filing in the office of the Secretary of State.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

2106

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: NOVEMBER 9, 2010
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. -2010; A CHARTER LAW TO ENHANCE TRANSPARENCY IN COUNTY BUDGET PROCESS

SPONSOR: LEGISLATOR CILMI

DATE OF RECEIPT BY COUNSEL: 11/4/10 PUBLIC HEARING: 12/7/10

DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED:

This proposed law would make the following changes in the process by which the County Legislature amends the recommended operating budget each year:

1. Budget amendment resolutions would have to be laid on the table and distributed to legislators at least five days prior to the scheduled vote on said amendments. Currently, budget amendment resolutions must be distributed two days prior to any vote.
2. The Presiding Officer's present authority to waive the deadline for filing budget amendment resolutions would be eliminated.
3. Budget amendment resolutions could only be amended "on the floor" by a two-thirds vote of the Legislature. Presently, a simple majority vote is required to amend budget resolutions.

This law is made subject to a permissive referendum.

GEORGE NOLAN
Counsel to the Legislature

GN:tm

2107

Intro. Res. No. 2010

Laid on Table

11/16/10

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2010, ADOPTING LOCAL LAW NO. -2010,
A CHARTER LAW STRENGTHENING THE BUDGET ADOPTION
PROCESS**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2010, a proposed Local Law entitled "A CHARTER LAW STRENGTHENING THE BUDGET ADOPTION PROCESS;" and said local law in final form is the same as when presented and introduced; now, therefore be it

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

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

**A CHARTER LAW STRENGTHENING THE BUDGET ADOPTION
PROCESS**

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

Section 1. Legislative Intent.

This Legislature finds and determines that under municipal home rule law, proposed local laws must be on the desks of members of a local governing board for at least seven calendar days (exclusive of Sunday) before the local legislative body may act on it.

This legislature further finds and determines that municipal home rule recognizes a distinction between local laws and resolutions, so that under municipal home rule, local resolutions are not subject to the same seven day requirement to which local laws are subject.

This Legislature further finds and determines that in the interest of good government and in the best interests of its residents, the Suffolk County Charter applies the same stringent parameters of the seven day "laid on the table" rule to local resolutions so that in Suffolk County government, no action, except in very limited circumstances may be taken by the Legislature unless a proposed resolution is in final form and laid on the tables of legislative members for seven days, exclusive of Sunday. Once such exception deals with any resolutions relating to the annual adoption of the operating budget, which exception authorizes that budget amending resolutions may be distributed at least two days before an actual vote, unless the two day deadline is waived by the Presiding Officer at the request of the Director of the Legislative Office of Budget Review pursuant to a written determination by the Director of the Legislative Office of Budget Review that such deadline cannot be met by his or her office.

This Legislature further finds and determines that in the last few annual budget cycles, amendments to the recommended operating budget are not being distributed within the prescribed timeline. This is not in the best interests of the residents of the County. People who are affected by the budget and these amending resolutions are not given any time to evaluate the financial impact of budget amendments, the Budget Office is not given any time to do any financial analysis, and the public at large is deprived of information about the budget until the time of the vote. Moreover, legislators are deprived of the opportunity to read the details of the proposed budget plan. This delay makes a mockery of transparency in the budget process and deprives the public of intelligent comment during any public portion of the meeting of the Legislature wherein the budget is adopted.

Therefore the purpose of this law is to require that the cutoff date for the distribution of budget amendment resolutions by members of the County Legislature and that such resolutions be placed on the desks or tables of the County Legislators shall be at least two days immediately preceding the date scheduled for the actual vote on such budget amending resolutions.

Section 2. Amendments.

- A.) Section C4-10(B)(2) of Article IV of the Suffolk County Charter is hereby amended as follows:

Article II **The County Legislature**

2. The Presiding Officer of the County Legislature shall establish a cutoff date each year for the filing of budget amendment resolutions by members of the County Legislature which date shall be a reasonable number of days immediately preceding the date scheduled for the actual vote on such budget amendment resolutions, provisions of § C2-12A of the Suffolk County Charter to the contrary notwithstanding. The Presiding Officer of the County Legislature shall also establish a cutoff date for the distribution of budget amendment resolutions by members of the County Legislature which date shall be at least two days immediately preceding the date scheduled for the actual vote on such budget amendment resolutions, provisions of § C2-12A of the Suffolk County Charter to the contrary notwithstanding. [, unless such deadline is waived by the Presiding Officer at the request of the Director of the Legislative Office of Budget Review pursuant to a written determination by the Director of the Legislative Office of Budget Review that such deadline cannot be met by his or her office.]

B.) Section C4-10(B)(3) of Article IV of the Suffolk County Charter is hereby amended as follows:

3. In no event shall the County Legislature act upon such budget amendment resolutions unless and until such resolutions shall have been placed upon the desks or tables of the members of the County Legislature at least two days prior to such legislative action, provisions of § C2-12A of the Suffolk County Charter to the contrary notwithstanding. Any such budget amendment resolution may be amended, prior to initial legislative action on the entire such budget amendment resolution, by a procedural vote to so amend approved by at least a majority of the entire membership of the County Legislature. [This two-day notice requirement may be waived by the Presiding Officer at the request of the Director of the Legislative Office of Budget Review pursuant to a written determination by the Director of the Legislative Office of Budget Review that such deadline cannot be met by his or her office.]

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 not take effect until at least sixty (60) 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 sixty (60) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW and upon filing in the Office of the Secretary of State.

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

2107

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: NOVEMBER 9, 2010

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2010

TITLE: I.R. NO. -2010; A CHARTER LAW STRENGTHENING THE BUDGET ADOPTION PROCESS

SPONSOR: PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 11/9/2010 PUBLIC HEARING: 12/7/2010

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

Pursuant to the SUFFOLK COUNTY CHARTER, the County Legislature amends the County Executive's recommended operating budget each year by adopting budget amendment resolutions. Under current law, these resolutions must be "laid on the table" and distributed to the Legislators at least two days prior to the scheduled vote on such amendments. However, the Presiding Officer may waive that deadline if the Budget Review Office determines that this two day deadline cannot be met.

This proposed law would eliminate the Presiding Officer's authority to waive the filing deadline for budget amendment resolutions.

This law is made subject to a permissive referendum.

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-strengthen-budget-adoption-process